

Agenda Packet

NORFOLK PLANNING COMMISSION

Tuesday, November 7, 2023
7:30 a.m.

Created 11/8/2023 11:11 AM

**NOTICE OF MEETING
CITY OF NORFOLK, NEBRASKA**

NOTICE IS HEREBY GIVEN that a meeting of the Norfolk Planning Commission of the City of Norfolk, Nebraska, will be held at 7:30 a.m. on Tuesday, November 7, 2023, in the Council Chambers, 309 N. 5th Street, which meeting will be open to the public.

An agenda for such meeting, kept continually current, is available at the City of Norfolk Administration Building, located at 309 N 5th Street, Norfolk, Nebraska during normal business hours.

AGENDA
NORFOLK PLANNING COMMISSION

November 07, 2023

CALL TO ORDER

1. 7:30 a.m. Call meeting to order.
2. Inform the public about the location of the Open Meetings Act posted in the Council Chambers and accessible to members of the public
3. Roll call.

CURRENT BUSINESS

4. Approval of full agenda. **Motion**
5. Consideration of approval of the minutes of the October 17, 2023 Planning Commission meeting. **Motion**
6. Consideration to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly schedule Planning Commission meeting for a Watchman's permit on the property generally located at 2001 S. 1st Street. This item was postponed at the September 19, 2023 Planning Commission meeting. **Motion**
7. Consideration of Resolution No. 2023PC-9, approving a Conditional Use Permit for an Oversize Accessory Building on property addressed as 2403 Timber Meadows Lane. **Resolution 2023PC-9**

PUBLIC HEARINGS

8. Public hearing to consider amending Chapter 27, Division 5, of the Official City Code to change "single family residential district" to "one and two family residential district"; to amend Chapter 27, Division 6, of code to change "one- and two- family residential district" to "one to four family residential district"; to amend Section 27-114 of the Code to update height and area regulations in "multiple family residential district".
9. Consideration of recommendation to amend Chapter 27, Division 5, of the Official City Code to change "single family residential district" to "one and two family residential district"; to amend Chapter 27, Division 6, of code to change "one- and two- family residential district" to "one to four family residential district"; to amend Section 27-114 of the Code to update height and area regulations in "multiple family residential district". **Motion**

PLATS/SUBDIVISIONS

10. Consideration of recommendation of the final plat of Husker Investment Group LLC - Busco Inc.'s Addition. **Motion**
11. Consideration of recommendation of the final plat of Bank of Norfolk's 2nd Subdivision. **Motion**

WAIVERS

12. Consideration of recommendation of a sidewalk waiver requested by Janet Andersen for property located at 2206 N. 26th St. **Motion**

OTHER BUSINESS

13. Open topics on any concerns the Commission has towards current and future planning for the City. No action can be taken on matters discussed.

PLANNING COMMISSION MEETING

The Norfolk Planning Commission of the City of Norfolk conducted a public meeting in the City Council Chambers, 309 N. 5th Street, on the 17th day of October 2023, beginning at 7:30 a.m.

Roll call found the following Commission Members present: Dan Spray, Dirk Waite, Jill Sock, Kaycee Kube, Martin Griffith, Jordan Mason, and Cody Ronnfeldt. Absent: Brandon Franklin and Chad Bryant.

Staff members present were: Valerie Grimes, City Planner, Anna Allen, Assistant City Engineer; Sarah Wortmann, Planning Commission Secretary; and Katelyn Palmer, Permits Technician.

Planning Commission Chair, Dan Spray presided and the Planning Commission Secretary Sarah Wortmann digitally recorded the audio of the proceedings.

Chair Spray called the meeting to order and informed the public about the location of the current copy of the Open Meetings Act posted in the meeting room and accessible to members of the public.

Notice of the meeting was given in advance thereof by publication in the Norfolk Daily News, Norfolk, Nebraska, the designated method of giving notice, as shown by affidavit of publication.

Notice was given to the Chair and all members of the Commission and a copy of their acknowledgement of receipt of notice and agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Chair and Commission of this meeting. All proceedings hereafter shown were taken while the convened meeting was opened to the public.

Current Business

Commissioner Griffith moved, seconded by Commissioner Kube to approve the full agenda.

Roll Call: Commission Members: Ayes: Spray, Waite, Sock, Kube, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Franklin and Bryant. Motion carried (7-0).

Vice-Chair Waite moved, seconded by Commissioner Ronnfeldt to approve the October 3, 2023 meeting minutes.

Roll Call: Commission Members: Ayes: Spray, Waite, Sock, Kube, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Franklin and Bryant. Motion carried (7-0).

Public Hearing
Resolution No. 2023PC-8
Conditional Use Permit – Oversized Accessory Building
2403 Timber Meadows Lane | Benjamin and Sarah Conover

Chair Spray opened the public hearing at 7:31 a.m. to consider a Conditional Use Permit for an Oversized Accessory Building on property located at 2403 Timber Meadows Lane.

Benjamin Conover, Owner, explained he would like to build a 50ft by 80ft shed in the Southeast corner of his property.

Commissioner Griffith asked if the property is located in the floodplain. Benjamin Conover stated his property is in the floodplain. JEO is working on a floodplain development permit to be submitted with the building permit.

Chair Spray asked Benjamin how many acres of land on the property. Benjamin stated five acres of land. Chair Spray stated the accessory building would have to be architecturally compliant and follow the floodplain rules. The owner confirmed this would happen and the building will have siding like the house.

Vice-Chair Waite asked for the reason of the Conditional Use Permit. City Planner, Valerie Grimes explained 3,000 square feet is the maximum size permitted for accessory structures in R-R (Rural Residential) zoning without a Conditional Use Permit and this accessory building will be a 4,000 square feet. Footprint on the first floor.

City Planner Grimes showed a previous oversized accessory building approved permit to suggest conditions usually on a conditional use permit such as this. Commissioners will have staff use the usual conditions to write the draft permit which will include the max 4000 square feet.

No one else spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:33 a.m.

Commissioner Waite moved, seconded by Commissioner Griffith to have City staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting.

Roll Call: Commission Members: Ayes: Spray, Sock, Waite, Kube, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Franklin and Bryant. Motion carried (7-0)

Other Business

City Planner Valerie Grimes presented the September 2023 Building Permit Report.

There was no other discussion and Chair Spray declared the meeting adjourned at 7:36 a.m.



Sarah Wortmann, Planning Commission Secretary



Dan Spray, Norfolk Planning Commission Chair

For Office Use Only	Date Rec'd	9-5-23
	Fee	\$ 325.00
	Rec'd by	kp

CONDITIONAL USE PERMIT APPLICATION

Applicant: Monroe Storage LLC 2001 S 1st Norfolk, ne
Name Address
402-640-3380 ColbyLegate@Ymail.com
Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: Jennifer Legate 84204 545th Ave Battle Creek, Ne 68715
(other than Name Address
applicant) 402-640-3380 ColbyLegate@Ymail.com
Phone Email

Present Use of Property: Storage

Desired Use of Property: Storage with watchman residential

Timeframe of Request: Perpetual Issued for _____ years

Location of Property: 2001 S. 1st Street, Norfolk, NE 68701

Legal Description: maple creek Veterinary Services Inc's Addition
Lot 1 (35-24-1) Norfolk, Madison County, NE

Property Area, Square feet and/or Acres: 4 Acres

General Character of the area: NW residential, The rest industrial


Signature of Owner
Colby Legate
Printed Name of Owner

OR

Authorized Agent

Printed Name of Authorized Agent

**CONDITIONAL USE PERMIT
JUSTIFICATION FORM**

1. What is the current zoning district?

I-1 CUP

2. For what specific use are you requesting the permit?

Watchmans residential permit

3. Will it be necessary to build a new structure? Yes No

4. What makes the location of the proposed permit appropriate in relation to the adjacent properties?

residential across the Street on 2 sides, rest will be used according to zoning had a watchmans permit before we bought it.

5. Is screening or buffering required? Yes No

If yes, explain type _____

6. Is the ingress & egress to the property and proposed structure adequate? Yes No

If no, explain traffic flow solutions _____

7. Are off-street parking and/or loading areas required? Yes No

If yes, explain traffic flow _____

8. Describe the current traffic of the area and the effect the proposed permit will have on traffic patterns.

no effect

9. Are any signs or exterior lighting required? Yes No

If yes, explain _____

10. Are utilities property located? Yes No

Explain location and closest availability _____

11. Adequate water and sewer available? Yes No

12. Will required yards & other open spaces be observed with the permit? Yes No

CONSENT STATEMENT

I (We) the undersigned hereby designate and appoint Monroe Storage LLC to represent me (us) for the:

- Conditional Use Permit
- Zone change
- Subdivision platting
- Other _____

On the following property:

2001 S. 1st Street, Norfolk, NE 68701

I (We) further certify that, except as set forth below, I (we) have no knowledge of any other person(s) who have an ownership, encumbrance, interest, mortgage, lien interest or any restriction in said property through any instrument or contract not of public record. The names, addresses, and descriptions of the interest of any party having any ownership interest or restriction is as follows:

Name	Address	Description of Interest
<u>Colby Legate</u>	<u>84204 545th Ave Battle</u>	<u>Owner</u>
<u>Jennifer Legate</u>	<u>" " creek ne 68715</u>	


Signature of Owner
Colby LEGATE
Printed Name of Owner


Signature of Owner
Jennifer Legate
Printed Name of Owner

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701 Rev. 1-2018

Print Form

Clear Form

By the City of Norfolk, 309 N. 5th Street, Norfolk, NE 68701

CONDITIONAL USE PERMIT
RESOLUTION NO. 2023PC-9

WHEREAS, Benjamin Conover and Sarah Conover, husband and wife, hereinafter referred to as “APPLICANT”, has filed an application for a Conditional Use Permit seeking a permit for an oversize accessory building on property addressed as 2403 Timber Meadows Lane, which is legally described as follows:

Lot 12, Timber Meadows Subdivision, to Madison County, Nebraska; and

WHEREAS, the property described above is presently included in Zoning District R-R, Rural Residential District; and

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on October 17, 2023 receiving input and data from the APPLICANT and the general public concerning the Conditional Use Permit;

NOW THEREFORE, in consideration of the foregoing recitals, the Planning Commission of the City of Norfolk, Nebraska hereby adopts the following Resolution:

BE IT RESOLVED by the Planning Commission of the City of Norfolk, Nebraska that Benjamin and Sarah Conover are hereby granted a Conditional Use Permit to construct and allow an oversize accessory building on the property subject to the following terms and conditions:

1. The total maximum permitted square footage (ground level) for detached accessory building(s) on the property described above shall be 4,000 SF;
2. No commercial use shall be allowed and the accessory building shall be used for personal storage only;
3. There shall be no storage of hazardous materials;
4. Pursuant to the Norfolk City Code, the Conditional Use Permit shall run with the land;

5. Failure to observe and maintain the conditions and restrictions of the Conditional Use Permit shall be considered a violation of The Code of the City of Norfolk, Nebraska subject to penalty as provided herein and may be grounds for review including alteration or termination of the permit;
6. All procedures and standards outlined in Section 27-56 of the Norfolk City Code pertaining to Conditional Use Permits shall be observed and the Conditional Use Permit granted herein shall be subject to the provisions of the Norfolk City Code that provide for an appeal to be taken within 15 days of the decision of the Planning Commission, and;
7. There shall be compliance with any other applicable City, County, State, or Federal regulations that may apply.

PASSED AND APPROVED this 7th day of November, 2023.

ATTEST:

Dan Spray
Planning Commission Chair

Sarah Wortmann
Planning Commission Secretary

Approved as to form: _____
Danielle Myers-Noelle
City Attorney

The foregoing instrument was acknowledged before me this ____ day of _____, 2023 by Dan Spray, Planning Commission Chair and Sarah Wortmann, Planning Commission Secretary of the City of Norfolk.

Notary Public Signature

Notary Public Printed

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND CHAPTER 27, DIVISION 5, OF THE OFFICIAL CITY CODE TO CHANGE “SINGLE-FAMILY RESIDENTIAL DISTRICT” TO “ONE AND TWO FAMILY RESIDENTIAL DISTRICT”; TO AMEND CHAPTER 27, DIVISION 6, OF THE CODE TO CHANGE “ONE-AND TWO-FAMILY RESIDENTIAL DISTRICT” TO “ONE TO FOUR FAMILY RESIDENTIAL DISTRICT”; TO AMEND SECTION 27-114 OF THE CODE TO UPDATE HEIGHT AND AREA REGULATIONS IN “MULTIPLE FAMILY RESIDENTIAL DISTRICT”; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORFOLK, NEBRASKA:

Section 1. That Chapter 27, Division 5, of the Official City Code be and the same is hereby amended to read as follows:

CHAPTER 27 ZONING

DIVISION 5. DISTRICT R-1, SINGLE-ONE AND TWO FAMILY RESIDENTIAL DISTRICT

Sec. 27-91. Intent - District R-1.

The ~~Single family~~ One and Two Family Residential District (R-1) is intended for both developed and developing portions of the city. This district is typically for single-family residences and two-family residences that have a similar form and mass to the single-family residences but does have a larger list of potential conditional uses which may be appropriate in some areas of this district.

Sec. 27-92. Permitted uses - District R-1.

In District R-1, no building, structure, land, or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered as a permitted use, except for one or more of the following or as provided for in Sec. 27-601:

- (1) Single-family residential (detached).
- ~~(2)~~ Single-family residential (attached), up to 2 units.
- ~~(3)~~ Duplex residential.
- ~~(2)~~ (4) Manufactured home dwellings.
- ~~(3)~~(5) Accessory dwelling units, as per Sec. 27-287(b).
- ~~(4)~~(6) Religious assemblies.
- ~~(5)~~(7) Community buildings, public museums and public libraries.
- ~~(6)~~(8) Publicly owned parks and playgrounds, including public recreation or service buildings within such parks, public administrative buildings and police and fire stations.
- ~~(7)~~(9) Schools and private schools.
- ~~(8)~~(10) Railroad rights-of-way not including railroad yards or buildings.
- ~~(9)~~(11) Home occupations.
- ~~(10)~~(12) Accessory buildings with a combined floor area less than the greater of 8% of the total lot area or 864 square feet per lot or four hundred (400) square feet per dwelling unit, whichever is greater, provided that the total square footage of all accessory buildings on a single lot shall not exceed 2,000 square feet. The accessory building shall not be utilized for any non-residential use unless said use is a permitted use within the district.
- ~~(11)~~(13) Soil extraction for public road purposes when meeting the requirements set forth in Section 27-293.

Sec. 27-93. Conditional uses - District R-1.

In District R-1, the following conditional uses, as well as those provided for in Sec. ~~27-~~401 27-601, may be allowed. Any conditional use permit shall include as minimal conditions those conditions specifically set forth in this section for each conditional use listed. Additional

conditions, stipulations, or restrictions may also be required as is deemed necessary for the protection of the public interest.

- (1) Accessory buildings with a combined floor area in excess of the greater of 8% of the total lot area or 864 square feet. The accessory building shall not be utilized for any non-residential use unless said use is a permitted use within the district.
- (2) Golf courses and customary accessory uses including club houses and driving ranges; except that miniature golf, driving ranges and other similar activities operated as a stand-alone business shall not be allowed.
 - a. No parking shall be allowed within fifty (50) feet of a property line and shall be screened from adjacent residential properties.
 - b. All principal or accessory structures shall be set back a minimum of one hundred (100) feet from any property line.
- (3) Temporary real estate offices.
 - a. Such offices shall be located on property being sold and limited to the period of sale but not to exceed two (2) years.
 - b. Building and setback regulations and lot size requirements shall be the same as for single-family dwellings.

Sec. 27-94. Height and Area Regulations - District R-1.

(a) In District R-1, unless otherwise specified, the maximum height and minimum lot requirements shall be as follows:

	Max Height	Front Yard	Side Yard	Rear Yard	Lot Width	Site Area per Unit	Lot Area	Max Building Coverage
Single-Family Detached Permitted Uses	35' See (5) below	15' to house 25' to garage	7' See (1) below for additional requirements	See (2) below	70' 50'	5,000 sq. ft.	7,000 sq. ft. 5,000 sq. ft.	40% 50%
Single-Family Attached (up to 2 units) Permitted Uses	35' See (5) below	15' to house 25' to garage	7' See (1) below for additional requirements	See (2) below	25'	3,000 sq. ft.	3,000 sq. ft.	55%
Duplex Permitted Uses	35' See (5) below	15' to house 25' to garage	7' See (1) below for additional requirements	See (2) below	50'	3,000 sq. ft.	6,000 sq. ft.	55%

Other Permitted Uses	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below for additional requirements	See (2) below	70' <u>50'</u>	<u>6,000 sq.</u> <u>ft.</u>	7,000 sq. ft. <u>6,000 sq. ft.</u>	40% <u>50%</u>
Conditional Uses (3)	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below for additional requirements	See (2) below	70' <u>50'</u>	<u>6,000 sq.</u> <u>ft.</u>	7,000 sq. ft. <u>6,000 sq. ft.</u>	40% <u>50%</u>

- (1) Buildings on corner lots shall provide a side yard on the street side of not less than fifteen (15) feet with garage at twenty-five (25) feet; provided, however, this regulation shall not reduce the buildable width of a corner lot in separate ownership as of the effective date of this chapter to less than thirty-five (35) feet.
- (2) The depth of the rear yard shall be at least twenty percent (20%) of the depth of the lot, but such depth need not be more than thirty (30) feet.
- (3) Unless modified as a part of a site plan or conditional use permit.
- (4) Maximum lot size shall not exceed ~~2-acres~~ 1 acre.
- (5) With a conditional use permit, height may be increased except that in all instances must comply with airport zoning.

(b) Where a lot in separate ownership as of ~~the effective date of this chapter~~ (*insert date of Ordinance*) has less area and/or width than herein required, this regulation shall not prohibit the erection of a single-family dwelling.

(c) Minimum first story size of a dwelling shall be six hundred fifty (650) square feet of living floor area.

(d) Accessory buildings and structures shall comply with the requirements of Sec. 27-287.

(e) Zero lot lines shall be allowed for single-family detached residential structures. Zero lot line requirements shall be as follows:

(1) When a zero lot line is utilized:

- a. The opposite side yard shall be fourteen (14) feet.
- b. There shall be provided a five (5) foot easement on the adjoining lot for maintenance, repair, and roof drainage.
- c. In no case shall there be less than fourteen (14) feet between buildings.
- d. There shall be no openings in a wall on a zero lot line.

(2) The zero lot line and easements shall be established on the subdivision plat.

(3) There shall be a rear yard of at least twenty (20) feet.

(f) A party wall agreement shall be recorded in the office of the Register of Deeds prior to issuance of a certificate of occupancy for any attached unit building and when a zero lot line is

utilized for single-family detached. Such agreement shall set terms for maintenance and upkeep of the entire structure and individual units including color, materials and access for maintenance and repairs.

(g) The scale, mass and form of the attached unit buildings shall be compatible, comparable, and designed to be similar to the single-family residences, so that the buildings are architecturally harmonious with the surrounding residential area.

Secs. 27-95--27-100. Reserved.

Section 2. That Chapter 27, Division 6, of the Official City Code be and the same is hereby amended to read as follows:

CHAPTER 27 ZONING

DIVISION 6. DISTRICT R-2, ONE ~~AND TWO~~ TO FOUR FAMILY RESIDENTIAL DISTRICT

Sec. 27-101. Intent - District R-2.

The One ~~and Two~~ to Four Family Residential District (R-2) is intended as a moderate density, ~~single and two family dwelling residential~~ residential district. It is intended for developing and developed portions of the city and recognizes existing, developed neighborhoods as well as promoting small lots for affordable housing options. As such it is essential that the height and area requirements be maintained.

Sec. 27-102. Permitted uses - District R-2.

In District R-2, no building, structure, land, or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered as a permitted use, except for one or more of the following or as provided for in Sec. 27-601:

- (1) Single-family residential (detached ~~and attached~~).
- (2) Single-family residential (attached), up to 2 units.
- (3) Duplex residential.
- (4) Townhouse residential, up to 4 units.
- ~~(2)~~(5) Manufactured home dwellings.
- ~~(3)~~ Duplex residential.
- ~~(4)~~(6) Accessory dwelling units, as per Sec. 27-287(b).

- ~~(5)~~(7) Religious assemblies.
- ~~(6)~~ (8) Community buildings, museums and libraries.
- ~~(7)~~(9) Publicly owned parks and playgrounds, including public recreations or service buildings with such parks, public administrative buildings and police and fire stations.
- ~~(8)~~(10) Schools and private schools.
- ~~(9)~~(11) Railroad rights-of-way not including railroad yards or buildings.
- ~~(10)~~(12) Home occupations.
- ~~(11)~~(13) Soil extraction for public road purposes when meeting the requirements set forth in Section 27-293.

Sec. 27-103. Conditional uses - District R-2.

In District R-2, the following conditional uses, as well as those provided for in Sec. 27-401-~~601~~, may be allowed. Any conditional use permit shall include as minimal conditions those conditions specifically set forth in this section for each conditional use listed. Additional conditions, stipulations, or restrictions may also be required as is deemed necessary for the protection of the public interest.

- (1) Golf courses and customary accessory uses including club houses and driving ranges; except that miniature golf, driving ranges and other similar activities operated as a stand-alone business shall not be allowed.
 - a. No parking shall be allowed within fifty (50) feet of a property line and shall be screened from adjacent residential properties.
 - b. All principal or accessory structures shall be set back a minimum of one hundred (100) feet from any property line.
- (2) Temporary real estate offices.
 - a. Such offices shall be located on property being sold and limited to the period of sale but not to exceed two (2) years.
 - b. Building and setback regulations and lot size requirements shall be the same as for single-family dwellings.
- ~~(3) Townhouse residential with no more than four (4) units attached in a single structure.~~

Sec. 27-104. Height and Area Regulations - District R-2.

(a) In District R-2, unless otherwise specified, the maximum height and minimum lot requirements shall be as follows:

	Max Height	Front Yard	Side Yard	Rear Yard	Lot Width	Site Area per Unit	Min Lot Area	Building Coverage
Single-Family Detached Permitted Uses	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	50' <u>40'</u>	5,000 <u>4,000 sq.</u> ft.	5,000 <u>4,000</u> sq. ft.	50% <u>55%</u>
Single-Family Detached (zero lot line)	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	14' one side, 0' opposite side. See (1) below	See (2) below	50' <u>40'</u>	5,000 <u>4,000 sq.</u> ft.	5,000 <u>4,000</u> sq. ft.	50% <u>55%</u>
Single-Family Attached (<u>up to 2 units</u>) Permitted Uses	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	40' <u>25'</u>	5,000 <u>3,000 sq.</u> ft.	4,000 sq. ft. <u>3,000 sq. ft.</u>	50% <u>60%</u>
Duplex Permitted Uses	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	60' <u>50'</u>	3,000 sq. <u>ft.</u>	6,000 sq. ft.	50% <u>60%</u>
Townhouse (<u>3 units up to 4 units</u>) Permitted Conditional Uses	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	25'	4,000 <u>3,000 sq.</u> ft.	3,000 sq. ft. (if have individual lot lines); <u>9,000 sq. ft. (if no individual lot lines)</u>	50% <u>60%</u>
Conditional Uses (3)	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	50'		5,000 sq. ft.	50% <u>60%</u>

- (1) Buildings on corner lots shall provide a side yard on the street side of not less than fifteen (15) feet with garage at twenty-five (25) feet; provided, however, this regulation shall not reduce the buildable width of a corner lot in separate ownership as of the effective date of this chapter to less than thirty-five (35) feet.
- (2) The depth of the rear yard shall be at least twenty percent (20%) of the depth of the lot, but such depth need not be more than thirty (30) feet. On corner lots, twenty percent (20%) of the shortest lot dimension may be used as the required rear yard setback.
- (3) Unless modified as a part of a site plan or conditional use permit.
- (4) Maximum lot size shall not exceed ~~2 acres~~ 1 acre.
- (5) With a conditional use permit, height may be increased except that in all instances must comply with airport zoning.

(b) Where a lot in separate ownership as of ~~the effective date of this chapter~~ (*insert date of Ordinance*) has less area and/or width than herein required, this regulation shall not prohibit the erection of a single-family dwelling or other permitted use meeting the area requirements.

(c) Minimum first story size of a dwelling unit shall be six hundred fifty (650) square feet of living floor area.

(d) Zero lot lines shall be allowed for single-family detached residential structures. Zero lot line requirements shall be as follows:

- (1) When a zero lot line is utilized:
 - a. The opposite side yard shall be fourteen (14) feet.
 - b. There shall be provided a five (5) foot easement on the adjoining lot for maintenance, repair, and roof drainage.
 - c. In no case shall there be less than fourteen (14) feet between buildings.
 - d. There shall be no openings in a wall on a zero lot line.
- (2) The zero lot line and easements shall be established on the subdivision plat.
- (3) There shall be a rear yard of at least twenty (20) feet.
- ~~(4)~~

(e) A party wall agreement shall be recorded in the office of the Register of Deeds prior to issuance of a certificate of occupancy for any attached unit building and when a zero lot line is utilized for single-family detached. Such agreement shall set terms for maintenance and upkeep of the entire structure and individual units including color, materials and access for maintenance and repairs.

~~(e)(f)~~ Accessory buildings and structures shall comply with the requirements of Sec. 27-287. The total square footage of floor area for accessory buildings, including detached garages, shall not exceed eight hundred sixty-four (864) square feet per ~~dwelling unit~~ lot or four hundred (400) square feet per dwelling unit, whichever is greater.

(g) The scale, mass and form of the attached unit buildings shall be compatible, comparable and designed to be similar to the single-family residences, so that the buildings are architecturally harmonious with the surrounding residential area.

Secs. 27-105--27-110. Reserved.

Section 3. That Sec. 27-114 of the Official City Code be and the same is hereby amended to read as follows:

Sec. 27-114. Height and Area Regulations - District R-3.

(a) In District R-3, unless otherwise specified, the maximum height and minimum lot requirements shall be as follows:

	Max Height	Min Front Yard	Min Side Yard	Min Rear Yard	Min Lot Width	Min Site Area per Unit	Min Lot Area	Max Building Coverage
Single-Family Detached Permitted Uses	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	50' <u>40'</u>	5,000 <u>4,000 sq. ft.</u>	5,000 <u>4,000</u> sq. ft.	60%
Single-Family Attached (up to 2 units) Permitted Uses	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	40' <u>25'</u>	4,000 <u>2,500 sq. ft.</u>	4,000 <u>2,500</u> sq. ft.	60%
Duplex Permitted Uses	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	60' <u>50'</u>	3,000 <u>2,500 sq. ft.</u>	6,000 <u>5,000</u> sq. ft.	60%
Townhouse (3 or more units) Permitted Uses	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	25'	3,000 <u>2,500 sq. ft.</u>	2,500 sq. ft. (if have individual lot lines); <u>7,500</u> sq. ft. (if no individual lot lines)	60%
Multiple-Family Permitted Uses	45'	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	50'	2,000 <u>1,500 sq. ft.</u>	6,000 <u>4,500</u> sq. ft.	60%
Multiple-Family Permitted Uses with building height greater than 45 feet	Limited by airport zoning	<u>15' to house</u> <u>25' to garage</u>	Greater of 15' or 40% of building height (1)	Greater of 15' or 40% of building height (2)	70'	See (3) below	10,000	60%
Conditional Uses (4)	35' See (5) below	<u>15' to house</u> <u>25' to garage</u>	7' See (1) below	See (2) below	50'		5,000 sq. ft.	60%

- (1) Buildings on corner lots shall provide a side yard on the street side of not less than fifteen (15) feet with garage at twenty-five (25) feet; provided, however, this regulation shall not reduce the buildable width of a corner lot in separate ownership as of the effective date of this chapter to less than thirty-five (35) feet.
- (2) The depth of the rear yard shall be at least twenty percent (20%) of the depth of the lot, but such depth need not be more than thirty (30) feet. On corner lots, twenty percent (20%) of the shortest lot dimension may be used as the required rear yard setback.
- (3) Multiple-family dwellings with a building height exceeding forty-five (45) feet consisting of five (5) or more dwelling units shall meet the following site area requirements:
Three or more bedrooms per dwelling unit: 1,000 sq. ft. per unit
Two bedrooms per dwelling unit: 850 sq. ft. per unit
One bedroom per dwelling unit: 700 sq. ft. per unit
Efficiency apartments: 530 sq. ft. per unit
- (4) Unless modified as part of a site plan or conditional use approval.
- (5) With a conditional use permit, height may be increased except that in all instances must comply with airport zoning.
- (6) Maximum lot size shall not exceed 1 acre for one (1) to four (4) dwelling unit uses.

(b) Where a lot in separate ownership as of ~~the effective date of this chapter~~ *(insert date of Ordinance)* has less area and/or width than herein required, this regulation shall not prohibit the erection of a single-family dwelling or other permitted use meeting the area requirements.

(c) Minimum first story size of a dwelling unit shall be six hundred fifty (650) square feet of living floor area.

(d) Zero lot lines shall be allowed for single-family detached residential structures. Zero lot line requirements shall be as follows:

(1) When a zero lot line is utilized:

- a. The opposite side yard shall be fourteen (14) feet.
- b. There shall be provided a five (5) foot easement on the adjoining lot for maintenance, repair, and roof drainage.
- c. In no case shall there be less than fourteen (14) feet between buildings.
- d. There shall be no openings in a wall on a zero lot line.

(2) The zero lot line and easements shall be established on the subdivision plat.

(3) There shall be a rear yard of at least twenty (20) feet.

~~(4)~~

(e) A party wall agreement shall be recorded in the office of the Register of Deeds prior to issuance of a certificate of occupancy for any single-family attached, duplex and townhouse unit building, and when a zero lot line is utilized for single-family detached. Such agreement shall set terms for maintenance and upkeep of the entire structure and individual units including color, materials and access for maintenance and repairs.

~~(e)~~(f) Accessory buildings and structures shall comply with the requirements of Sec. 27-287. The total square footage of floor area for accessory buildings, including detached garages, shall not exceed eight hundred sixty-four (864) square feet per ~~dwelling unit~~ lot or four hundred (400) square feet per dwelling unit, whichever is greater.

(g) The scale, mass and form of the 2- 4 dwelling units attached unit buildings shall be compatible, comparable and designed to be similar to the single-family residences, so that the buildings are architecturally harmonious with the surrounding residential area.

Section 4. That the effective date of this Ordinance shall be from and after its passage, approval and publication in pamphlet form as required by law.

PASSED AND APPROVED this _____ day of _____, 2023.

ATTEST:

Brianna Duerst, City Clerk

Josh Moenning, Mayor

Approved as to form: _____
Danielle Myers-Noelle, City Attorney

SUBDIVISION APPLICATION

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

Name of Subdivision: Husker Investment Group LLC - Busco Inc.'s Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Husker Investment Group, L.L.C. - Al Rajae 700 E Norfolk Ave., Norfolk, NE
 Name Address
402-750-8484 sales@cornhuskerauto.com
 Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____
 (other than Name Address
 Applicant) _____
 Phone Email

Current Zoning: I-1

General Location/Address: 700 & 720 E Norfolk Ave., Norfolk, NE

Legal Description: See Attached Legal Description

Tax ID# 590039911, 590039962, 590039954 & 590040200

Property Area, Square Feet and/or Acres: 6.58 Acres

al R
 Signature of Owner
Al A. Rajae OR
 Printed Name of Owner

 Authorized Agent

 Printed Name of Authorized Agent

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

SUBDIVISION APPLICATION

Name of Subdivision: Husker Investment Group LLC - Busco Inc.'s Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Husker Investment Group, L.L.C. - Al Rajae 700 E Norfolk Ave., Norfolk, NE
 Name Address
402-750-8484 sales@cornhuskerauto.com
 Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____
 (other than Name Address
 Applicant) _____
 Phone Email

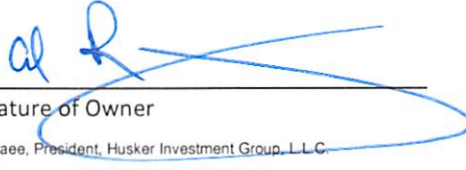
Current Zoning: I-1

General Location/Address: 700 & 720 E Norfolk Ave., Norfolk, NE

Legal Description: See Attached Legal Description

Tax ID# 590039911, 590039962, 590039954 & 590040200

Property Area, Square Feet and/or Acres: 6.58 Acres


 Signature of Owner _____ OR _____
 Al Rajae, President, Husker Investment Group, L.L.C. Authorized Agent
 Printed Name of Owner _____ Printed Name of Authorized Agent

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701

Print Form

Clear From

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

SUBDIVISION APPLICATION

Name of Subdivision: Husker Investment Group LLC - Busco Inc.'s Addition to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Husker Investment Group, L.L.C. - Al Rajae 700 E Norfolk Ave., Norfolk, NE
 Name Address
402-750-8484 sales@cornhuskerauto.com
 Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____
 (other than Name Address
 Applicant) _____
 Phone Email

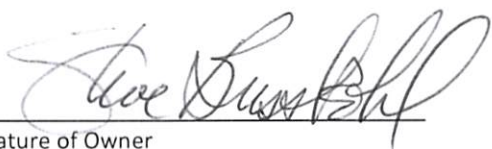
Current Zoning: I-1

General Location/Address: 700 & 720 E Norfolk Ave., Norfolk, NE

Legal Description: See Attached Legal Description

Tax ID# 590039911, 590039962, 590039954 & 590040200

Property Area, Square Feet and/or Acres: 6.58 Acres

 _____
 Signature of Owner Authorized Agent
Busco, Inc. OR _____
 Printed Name of Owner Printed Name of Authorized Agent

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701

Print Form

Clear From

Legal Description:

Tax Lot 2 in the Northwest ¼ of the Northeast ¼ of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof and LESS that part of Tax Lot 2 lying in Lot 1 of Busco Addition, an Addition to the City of Norfolk, Madison County, Nebraska, now replated into Liberty Addition, an Addition to the City of Norfolk, Madison County, Nebraska being a lot subdivision of Lot 1, Busco Addition to the City of Norfolk, Madison County, Nebraska and LESS that part of Tax Lot 2 lying in Lot 2 of Busco Addition, an Addition to the City of Norfolk, Madison County, Nebraska, now replated into Legacy Addition, a Replat of Lot 2, Busco Addition, an Addition to the City of Norfolk, Madison County, Nebraska

AND

Tax Lot 3 in the Northwest ¼ of the Northeast ¼ of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof

AND

Tax Lot 4 in the Northwest ¼ of the Northeast ¼ of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof

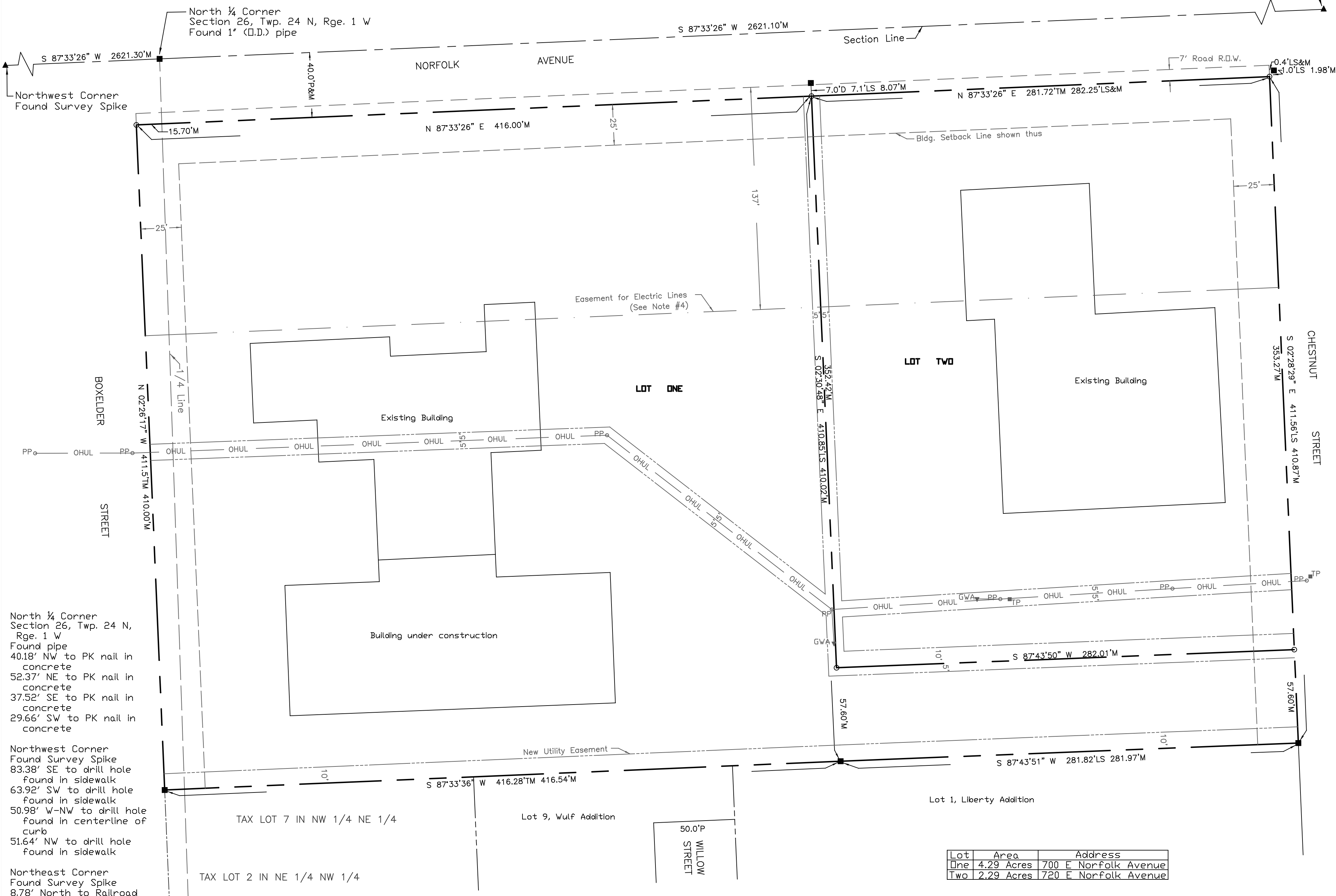
AND

Tax Lot 5 in the Northwest ¼ of the Northeast ¼ of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof

AND

Tax Lot 1 in the Northeast ¼ of the Northwest ¼ of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof

HUSKER INVESTMENT GROUP LLC - BUSCO INC.'S ADDITION to the City of Norfolk, Madison County, Nebraska



Northwest Corner Section 26, Twp. 24 N, Rge. 1 W Found pipe
 40.18' NW to PK nail in concrete
 52.37' NE to PK nail in concrete
 37.52' SE to PK nail in concrete
 29.66' SW to PK nail in concrete

Northwest Corner Found Survey Spike
 83.38' SE to drill hole found in sidewalk
 63.92' SW to drill hole found in sidewalk
 50.98' W-NW to drill hole found in centerline of curb
 51.64' NW to drill hole found in sidewalk

Northwest Corner Found Survey Spike
 8.78' North to Railroad Spike
 13.45' NW to near corner of sign
 0.25' East to construction joint

Northwest Corner of SW 1/4 NE 1/4 Calc. Point
 47.90' East to pipe found at NE corner of Lot 4, Henry's Subdivision
 92.14' West to pipe found at NW corner of Lot 5, Henry's Subdivision

Notes:

- Bearings are based on Grid North (US/NAD83/NE Datum) based on direct observation using G.P.S. equipment on the HPRTK Network.
- Distances shown on the Plat are Horizontal Ground Distances.
- A five (5) foot sidewalk shall be constructed by the owner on the street side or sides of each lot in the addition abutting on a platted street as provided for by Ordinance No. 5617 of the City of Norfolk passed and approved on June 3, 2019.
- Easements for Electric Lines are recorded as follows: a line being parallel to and approx. 137 feet South of the North line of Tax Lots 2, 3 & 4 in the NW 1/4 NE 1/4 is in Vol. 27 of Misc. pages 353-355; and across Tax Lot 5 in NW 1/4 NE 1/4 and Tax Lot 1 in NE 1/4 NW 1/4 is in Vol. 27 of Misc., page 305. The easements gives the power company the right of ingress & egress across the owner's property for construction, operation, maintenance, inspection & removal of existing line.

- Legend**
- Pipe Found
 - ▲ Survey Spike Found
 - Pin Set
 - △ Calc. Point
 - P Platted Dist.
 - LS LaVern F. Schroeder's Previous Dist.
 - TM Tax Lot Map Dist.
 - M Measured Dist.
 - Section Line
 - - - 1/4 Line
 - Property Line
 - Lot Line
 - Tax Lot Line
 - Block Line
 - Building Line
 - Building Setback Line
 - Utility Easement Line (new)
 - Telephone Pedestal
 - PPo Power Pole
 - GWA Guy Wire Anchor
 - Overhead Utilities Line
 - Easement for Electric Lines

Lot	Area	Address
One	4.29 Acres	700 E Norfolk Avenue
Two	2.29 Acres	1720 E Norfolk Avenue

Surveyors Statement

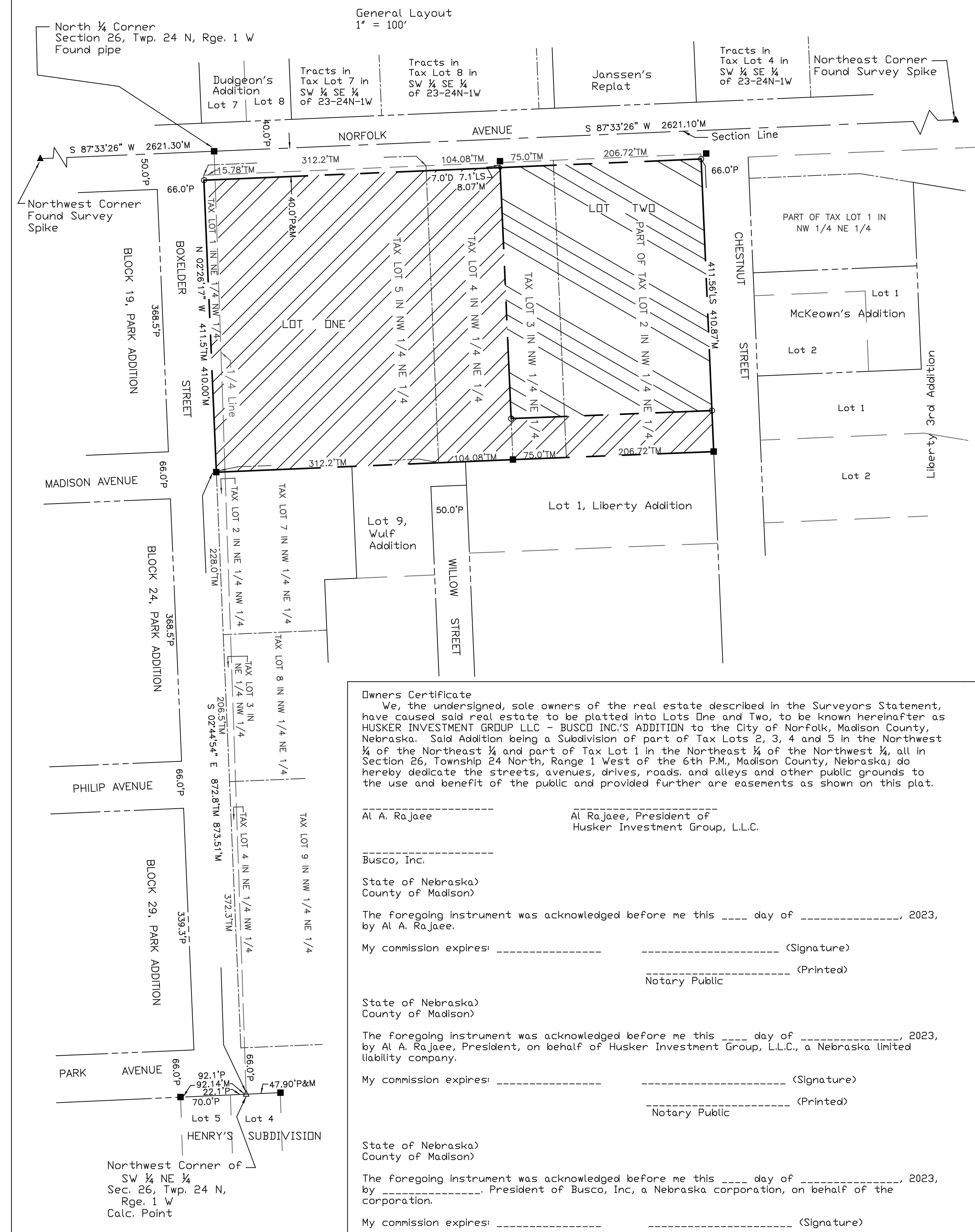
I, LaVern F. Schroeder, Registered Land Surveyor in the State of Nebraska, have made a survey of HUSKER INVESTMENT GROUP LLC - BUSCO INC.'S ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of part of Tax Lots 2, 3, 4 and 5 in the Northwest 1/4 of the Northeast 1/4 and part of Tax Lot 1 in the Northwest 1/4, all in Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska; that the Plat attached hereto is the original, accurate, true and correct plat of said HUSKER INVESTMENT GROUP LLC - BUSCO INC.'S ADDITION to the City of Norfolk, Madison County, Nebraska; that said plat accurately and correctly reflects all of the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds in said HUSKER INVESTMENT GROUP LLC - BUSCO INC.'S ADDITION to the City of Norfolk, Madison County, Nebraska, all of which are correctly designated and shown on the attached plat; that I surveyed and platted said HUSKER INVESTMENT GROUP LLC - BUSCO INC.'S ADDITION to the City of Norfolk, Madison County, Nebraska, consisting of Lots One and Two at the instance and request of the owner.

The tract of land comprising said Addition is more particularly described as follows:

Legal Description:
 Tax Lot 2 in the Northwest 1/4 of the Northeast 1/4 of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof and LESS that part of Tax Lot 2 lying in Lot 1 of Busco Addition, an Addition to the City of Norfolk, Madison County, Nebraska, now replated into Liberty Addition, an Addition to the City of Norfolk, Madison County, Nebraska being a lot subdivision of Lot 1, Busco Addition to the City of Norfolk, Madison County, Nebraska and LESS that part of Tax Lot 2 lying in Lot 2 of Busco Addition, an Addition to the City of Norfolk, Madison County, Nebraska now replated into Legacy Addition, a Replat of Lot 2, Busco Addition, an Addition to the City of Norfolk, Madison County, Nebraska
 AND
 Tax Lot 3 in the Northwest 1/4 of the Northeast 1/4 of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof
 AND
 Tax Lot 4 in the Northwest 1/4 of the Northeast 1/4 of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof
 AND
 Tax Lot 5 in the Northwest 1/4 of the Northeast 1/4 of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof
 AND
 Tax Lot 1 in the Northeast 1/4 of the Northwest 1/4 of Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska LESS the North 7 feet thereof

I hereby state that I have executed this instrument on this 19th day of September, 2023.

LaVern F. Schroeder
 Registered Land Surveyor #312



Owners Certificate

We, the undersigned, sole owners of the real estate described in the Surveyors Statement, have caused said real estate to be platted into Lots One and Two, to be known hereinafter as HUSKER INVESTMENT GROUP LLC - BUSCO INC.'S ADDITION to the City of Norfolk, Madison County, Nebraska. Said Addition being a Subdivision of part of Tax Lots 2, 3, 4 and 5 in the Northwest 1/4 of the Northeast 1/4 and part of Tax Lot 1 in the Northwest 1/4 of the Northeast 1/4, all in Section 26, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska; do hereby dedicate the streets, avenues, drives, roads, and alleys and other public grounds to the use and benefit of the public and provided further are easements as shown on this plat.

Al A. Rajae
 Al Rajae, President of
 Husker Investment Group, L.L.C.

Busco, Inc.
 State of Nebraska)
 County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Al A. Rajae.

My commission expires: _____ (Signature)
 _____ (Printed)
 Notary Public

State of Nebraska)
 County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Al A. Rajae, President, on behalf of Husker Investment Group, L.L.C., a Nebraska limited liability company.

My commission expires: _____ (Signature)
 _____ (Printed)
 Notary Public

State of Nebraska)
 County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by _____, President of Busco, Inc., a Nebraska corporation, on behalf of the corporation.

My commission expires: _____ (Signature)
 _____ (Printed)
 Notary Public

APPROVAL

The foregoing and within plat, dedication and instrument was approved by the Planning Commission of the City of Norfolk, Madison County, Nebraska on this ____ day of _____, 2023.

Dan Spray
 Chairman

APPROVAL

The foregoing and within plat, dedication and instrument was approved by the Honorable Mayor of the City of Norfolk, Madison County, Nebraska, by resolution duly passed on this ____ day of _____, 2023.

Attest: Brianna Duerst
 City Clerk

Josh Moenning
 Mayor

State of Nebraska)
 County of Madison)

This is to certify that this instrument was filed for record by the Register of Deeds Office at ____ M on this ____ day of _____, 2023.

Diane Nykodym
 Register of Deeds

WAIVER

We, Al A. Rajae, Husker Investment Group, L.L.C. and Busco, Inc. are the owners of the real estate described hereon and hereby waive any right of claims as a result of damages occasioned by the establishment of grades or alterations of the surface.

Al A. Rajae
 Al Rajae, President of
 Husker Investment Group, L.L.C.

Busco, Inc.

Consent of Lienholder (For Al A. Rajae & Husker Investment Group, L.L.C.)

I, _____ (title) of BankFirst, being a lienholder of the described tract of land, hereby approve and agree to the platting of HUSKER INVESTMENT GROUP LLC - BUSCO INC.'S ADDITION to the City of Norfolk, Madison County, Nebraska, on this ____ day of _____, 2023, on behalf of said BankFirst.

 (Signature)
 _____ (Print)
 _____ (title) of BankFirst

State of Nebraska)
 County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023 by _____ (title) of BankFirst.

My commission expires: _____ (Signature)
 _____ (Print)
 Notary Public

For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

SUBDIVISION APPLICATION

Name of Subdivision: Bank of Norfolk's Second Subd. to City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Bank First (formerly Bank of Norfolk) - Susan Lutz 100 N 13th St., Norfolk, NE
 Name Address
402-379-6147 Susan.Lutz@bankfirstonline.com
 Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: _____
 (other than Name Address
 Applicant) _____
 Phone Email

Current Zoning: C-1

General Location/Address: 100 N 13th St., Norfolk, NE

Legal Description: See Attached Legal Description

Tax ID# 590152157

Property Area, Square Feet and/or Acres: 68,020 sq. ft.

Bank First
 Signature of Owner
 BankFirst
 Printed Name of Owner

OR

Clark D. Froehlich
 Authorized Agent
CLARK D. FROEHLICH
 Printed Name of Authorized Agent

Return Completed forms to: Norfolk Planning Department; 309 N 5th Street; Norfolk, NE 68701 Rev. 1-2018

Legal Description

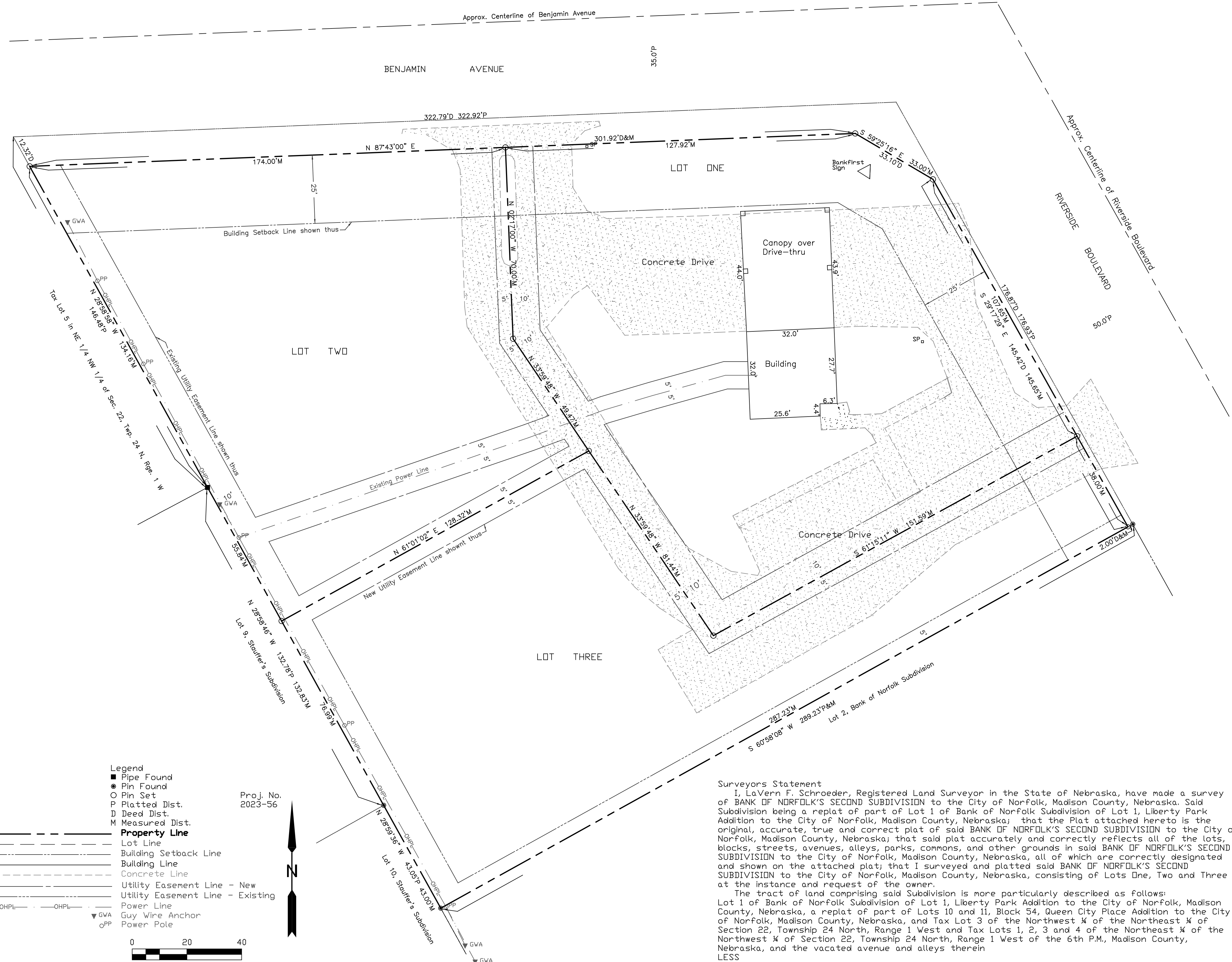
Lot 1 of Bank of Norfolk Subdivision of Lot 1, Liberty Park Addition to the City of Norfolk, Madison County, Nebraska, a replat of part of Lots 10 and 11, Block 54, Queen City Place Addition to the City of Norfolk, Madison County, Nebraska, and Tax Lot 3 of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 22, Township 24 North, Range 1 West and Tax Lots 1, 2, 3 and 4 of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 22, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, and the vacated avenue and alleys therein

LESS

Area of Right-of-way Acquisition for Road Construction as per Warranty Deed recorded in Book 2022, page 01435:

A tract of land located in Lot 1, Bank of Norfolk Subdivision to the City of Norfolk, Madison County, Nebraska, described as follows:

Beginning at the Northwest corner of said Lot 1; thence Southeasterly on an assumed bearing of South 29° 00' 11" East on the West line of said Lot 1, a distance of 12.32 feet to a point on the West line of said Lot 1; thence Easterly on a bearing of North 87° 41' 47" East, a distance of 301.92 feet; thence Southeasterly on a bearing of South 59° 26' 29" East, a distance of 33.10 feet; thence Southeasterly on a bearing of South 29° 14' 56" East, a distance of 145.42 feet to a point on the Southerly line of said Lot 1; thence Northeasterly on a bearing of North 60° 56' 40" East, a distance of 2.00 feet to a point on the Westerly existing Riverside Boulevard right-of-way line; thence Northwesterly on a bearing of North 29° 14' 56" West on the Westerly existing said right-of-way line, a distance of 176.87 feet to a point on the South existing Benjamin Avenue right-of-way line; thence Westerly on a bearing of South 87° 42' 06" West on the South existing said right-of-way line, a distance of 322.79 feet to the point of beginning containing 4044.18 square feet, more or less.



Owners Certificate
I, the undersigned, sole owner of the real estate described in the Surveyors Statement, have caused said real estate to be platted into Lots One, Two and Three, to be known hereinafter as BANK OF NORFOLK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska. Said Subdivision being a replat of part of Lot 1 of Bank of Norfolk Subdivision of Lot 1, Liberty Park Addition to the City of Norfolk, Madison County, Nebraska; do hereby dedicate the streets, avenues, drives, roads, and alleys and other public grounds to the use and benefit of the public and provided further are easements as shown on this plat.

BankFirst, a Nebraska
Banking Corporation
formerly known as
Bank of Norfolk

State of Nebraska)
County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by _____ (title) of BankFirst, a Nebraska Banking Corporation formerly known as Bank of Norfolk, on behalf of the corporation.

My commission expires: _____ (Signature)

Notary Public (Printed)

APPROVAL
The foregoing and within plat, dedication and instrument was approved by the Planning Commission of the City of Norfolk, Madison County, Nebraska on this ____ day of _____ 2023.

Dan Spray
Chairman

APPROVAL
The foregoing and within plat, dedication and instrument was approved by the Honorable Mayor of the City of Norfolk, Madison County, Nebraska, by resolution duly passed on this ____ day of _____, 2023.

Attest: Brianna Duerst City Clerk
Josh Moenning Mayor

WAIVER
I, BankFirst, as the owner of the real estate described hereon and hereby waive any right of claims as a result of damages occasioned by the establishment of grades or alterations of the surface.

BankFirst, a Nebraska
Banking Corporation
formerly known as
Bank of Norfolk

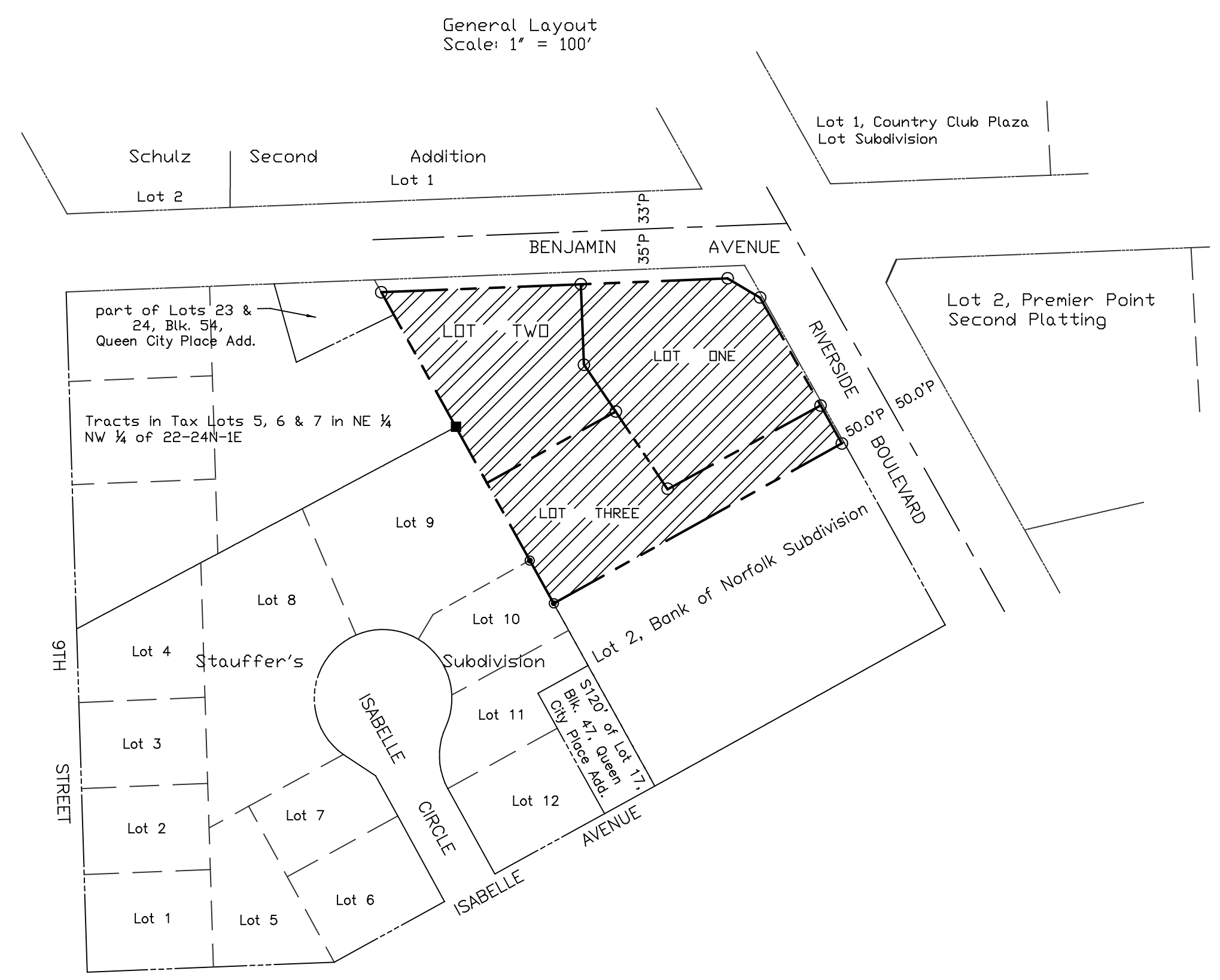
State of Nebraska)
County of Madison)

This is to certify that this instrument was filed for record by the Register of Deeds Office at ____ M on this ____ day of _____ 2023.

Diane Nykodym
Register of Deeds

Surveyors Statement
I, LaVern F. Schroeder, Registered Land Surveyor in the State of Nebraska, have made a survey of BANK OF NORFOLK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska. Said Subdivision being a replat of part of Lot 1 of Bank of Norfolk Subdivision of Lot 1, Liberty Park Addition to the City of Norfolk, Madison County, Nebraska; that the Plat attached hereto is the original, accurate, true and correct plat of said BANK OF NORFOLK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska; that said plat accurately and correctly reflects all of the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds in said BANK OF NORFOLK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska, all of which are correctly designated and shown on the attached plat; that I surveyed and platted said BANK OF NORFOLK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska, consisting of Lots One, Two and Three at the instance and request of the owner.
The tract of land comprising said Subdivision is more particularly described as follows:
Lot 1 of Bank of Norfolk Subdivision of Lot 1, Liberty Park Addition to the City of Norfolk, Madison County, Nebraska, a replat of part of Lots 10 and 11, Block 54, Queen City Place Addition to the City of Norfolk, Madison County, Nebraska, and Tax Lot 3 of the Northwest ¼ of the Northeast ¼ of Section 22, Township 24 North, Range 1 West and Tax Lots 1, 2, 3 and 4 of the Northeast ¼ of the Northwest ¼ of Section 22, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, and the vacated avenue and alleys therein.
LESS
Area of Right-of-way Acquisition for Road Construction as per Warranty Deed recorded in Book 2022, Page 01435)
A tract of land located in Lot 1, Bank of Norfolk Subdivision to the City of Norfolk, Madison County, Nebraska, described as follows:
Beginning at the Northwest corner of said Lot 1; thence Southeasterly on an assumed bearing of South 29° 00' 11" East on the West line of said Lot 1, a distance of 12.32 feet to a point on the West line of said Lot 1; thence Easterly on a bearing of North 87° 41' 47" East, a distance of 301.92 feet; thence Southeasterly on a bearing of South 59° 26' 29" East, a distance of 33.10 feet; thence Southeasterly on a bearing of South 29° 14' 56" East, a distance of 145.42 feet to a point on the Southerly line of said Lot 1; thence Northeasterly on a bearing of North 60° 56' 40" East, a distance of 2.00 feet to a point on the Westerly existing Riverside Boulevard right-of-way line; thence Northwesterly on a bearing of North 29° 14' 56" West on the Westerly existing said right-of-way line, a distance of 176.87 feet to a point on the South existing Benjamin Avenue right-of-way line; thence Westerly on a bearing of South 87° 42' 06" West on the South existing said right-of-way line, a distance of 322.79 feet to the point of beginning containing 4044.18 square feet, more or less.

I hereby state that I have executed this instrument on this 4th day of October, 2023.
LaVern F. Schroeder
Registered Land Surveyor #312



Legend
 ■ Pipe Found
 ● Pin Found
 ○ Pin Set
 P Platted Dist.
 D Deed Dist.
 M Measured Dist.
Property Line
 --- Lot Line
 --- Building Setback Line
 --- Building Line
 --- Concrete Line
 --- Utility Easement Line - New
 --- Utility Easement Line - Existing
 --- Power Line
 --- OHPL
 --- OHPL
 ▼ GWA
 ○ PP
 Power Pole

Proj. No.
2023-56

0 20 40

Lot	Area	Address
One	25,211 Sq. Ft.	1211 Riverside Boulevard DR 801 W Benjamin Avenue
Two	21,032 Sq. Ft.	807 Benjamin Avenue
Three	21,777 Sq. Ft.	1207 Riverside Boulevard

Notes:
 1) Bearings are based on Grid North (US/NAD83/NE Datum) based on direct observation using G.P.S. equipment on the HPRTK Network.
 2) Distances shown on the Plat are Horizontal Ground Distances.
 3) A five (5) foot sidewalk shall be constructed by the owner on the street side or sides of each lot in the addition abutting on a platted street as provided for by Ordinance No. 5617 of the City of Norfolk passed and approved on June 3, 2019.

For Office Use Only	Date Filed _____
	Fee \$ _____
	Rec'd by _____

APPLICATION FOR TEMPORARY WAIVER OF SUBDIVISION REQUIREMENTS

Section 1:

Applicant: Janet Andersen 2206 N. 26th St. Norfolk NE 68701
 Name Address
402-649-6174 jandersen826@gmail.com
 Phone Email

Contact: _____
 (other than Name Address
 Applicant) _____

 Phone Email

Years Requested: unknown - completion of road construction.

A waiver of minimum subdivision requirements is requested from the requirements set out in Chapter 23, Article I of the City Code of Norfolk for property

Addressed as 2206 N. 26th St. Norfolk NE 68701
 Legally described as Blackberry Townhome Subdivision Lot 7B

And zoned as Residential ?

Section of subdivision regulations waiver is for Sidewalks along N. 25th St.

Explain the nature of the request and hardship I have been unable to put the sewer & water in my name due to not having a certificate of occupancy. I recently received a request for reimbursement of the sewer & water bills from Branville Developer.
 (cont on back ->)

Provide a sketch with this application including the application area, existing and proposed structures, appropriate dimensions, and any other pertinent information.

Janet Andersen
 Signature of Owner

 Authorized Agent

OR

Janet Andersen
 Printed Name of Owner

 Printed Name of Authorized Agent

I was informed the certificate of occupancy was denied due to not putting in a sidewalk along 25th st. on the East side of my property. They do not want to install a sidewalk until the Road work is completed on 25th st.

None of this was disclosed to me at time of purchase and now I find myself caught in the middle and anticipate future additional expenses going along with this property.

North

Lot line

xxx - Area requesting a temporary waiver for a sidewalk east of property line at 2206 N, 26th St. in order to receive a certificate of occupancy

Completed sidewalks

N. 26th Street

N. 25th Street

XXXXXXXXXX

2206

2204

2202

2200

Sheridan

Current sidewalk ends here. →