

City of Norfolk  
27 N 1st St  
Norfolk Ne 68701

STATE OF NEBRASKA ss. This instrument filed for record this  
MADISON COUNTY ss. 27 day of April 2005 at  
8:30 o'clock A.M., and recorded in 2005-04 page 2175  
Nancy J. Keaso  
Register of Deeds Deputy

CONDITIONAL USE PERMIT  
RESOLUTION NO. PC2005-5

WHEREAS, Herrick Farms, Inc. dba Divot's, Inc. has filed an application for a Conditional Use Permit seeking a permit for a golf course/driving range on property which is legally described as follows:

Southwest 1/4 of the Southeast 1/4 of Section 19, Township 24 North Range 1 West of the 6<sup>th</sup> P.M., Madison County, Nebraska including Lots 1 and 2, Divot's Addition and less that part deeded to the State of Nebraska Department of Roads

WHEREAS, the property described above is presently included in Zoning District C-3; and

WHEREAS, the Norfolk Planning Commission has conducted a public hearing on March 22, 2005 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 Herrick Farms, Inc. dba Divot's, Inc. is hereby granted a Conditional Use Permit for a golf course/driving range at 4200 W. Norfolk Avenue subject to the following terms and conditions:

- (1) Any site lighting must be directed into the property and arranged as to deflect or direct light away from adjacent properties;
- (2) Golfing under the lights shall not extend past eleven o'clock p.m., however glow ball play is permitted
- (3) All procedures and standards outlined in Section 27-56 of the Norfolk City Code pertaining to Conditional Use Permits shall be observed;
- (4) Screening and buffering shall be provided to prevent chemical drift and errant golf balls from landing in adjoining property;
- (5) 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 pursuant to the Norfolk City Code, shall be a personal privilege granted to the applicant and shall not be subject to transfer;
- (6) There shall be compliance with any other applicable City, County or State regulations that may apply.

PASSED AND APPROVED this 5th day of April 2005.

ATTEST:

Faythe Petersen  
Planning Commission Secretary

[Signature]  
Planning Commission Co-Chairman

Approved as to form: Christ G. Clardy  
City Attorney

The foregoing instrument was acknowledged before me this 25 day of April, 2005 by  
Maynard Ohl, Planning Commission Co-Chairperson of the City of Norfolk.

Faythe Petersen  
Faythe Petersen Notary Public

