



Application for Conditional Use Permit

- 1. Applicant's Name fagornacion me
2. Applicant's Address 521 N Washington St
3. Applicant's Telephone Number 308-325-48-31
4. Owner's Name Diana Elena Gonzalez
5. Owner's Address 603 Scott Lane, Lexington NE 68850
6. Owner's Telephone Number 308-325-48-31
7. Purpose of Conditional Use Permit Events & Celebrations on 1st or 2nd floor
8. Present Zoning C2
9. Within City Limits Yes Within Zoning Jurisdiction Yes
10. Legal Description
11. Street Address of Property or Approximate Location 521 N Washington St
12. Site Plan (if applicable)

I/We the undersigned do hereby acknowledge that I/We do fully understand and agree to comply with the provisions and requirements for an application for a special use permit as described above. I/We the undersigned do hereby agree to allow City of Lexington employees or agents working for the City of Lexington, to enter the above referenced property as it pertains to this application.

Signature of Owner [Signature]

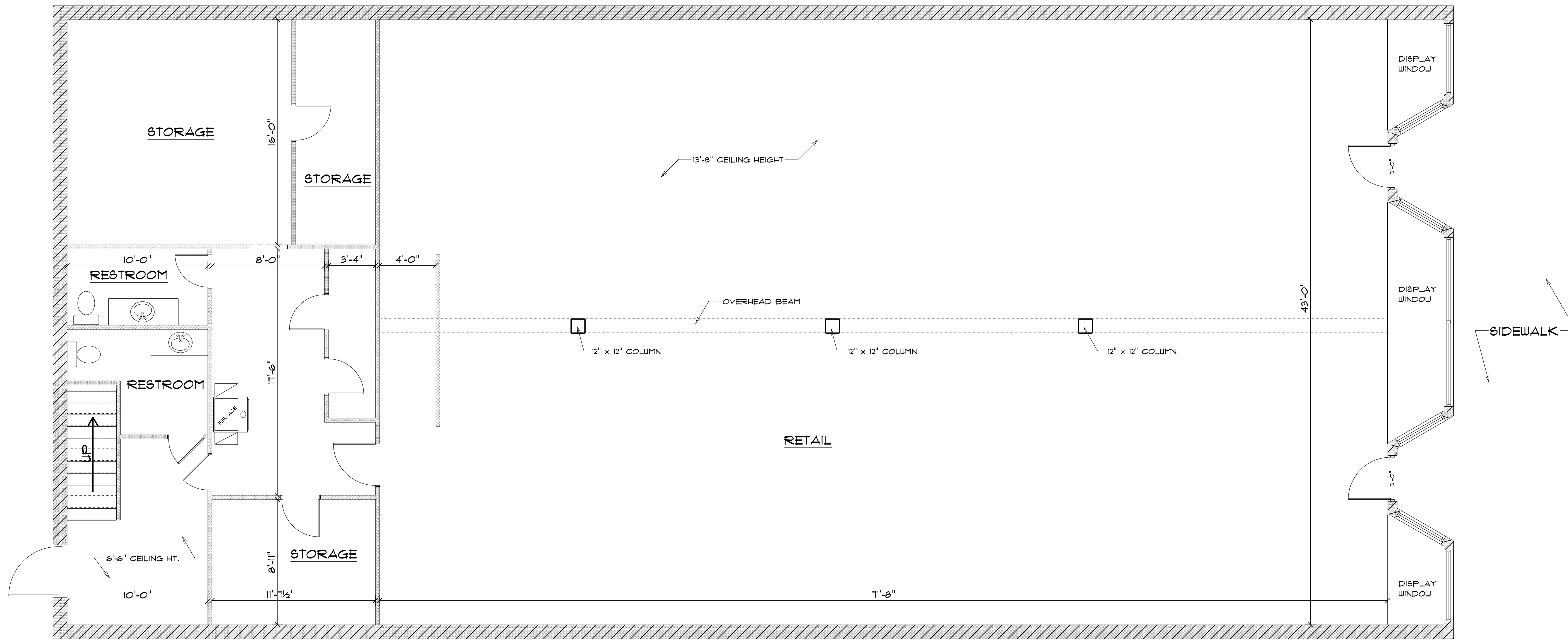
Signature of Applicant [Signature]

Administrative Use Only
Date Submitted 3-3-2023
Filing Fee \$100.00
Cert. Of Ownership
Date Sign Posted
Case Number
Accepted By
Date Advertised
Date of Public Hearing

Section 6.08 Standards

No conditional use permit shall be granted unless that Planning Commission or City Council has found:

- 6.08.01 That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort or general welfare of the community.
- 6.08.02 That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
- 6.08.03 That the establishment of the conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
- 6.08.04 Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
- 6.08.05 Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 6.08.06 The use shall not include noise which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.
- 6.08.07 The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.
- 6.08.08 The use shall not involve any malodorous gas or matter which is discernible on any adjoining lot or property.
- 6.08.09 The use shall not involve any direct or reflected glare which is visible from any adjoining property or from any public street, road, or highway.
- 6.08.010 The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.
- 6.08.011 The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.



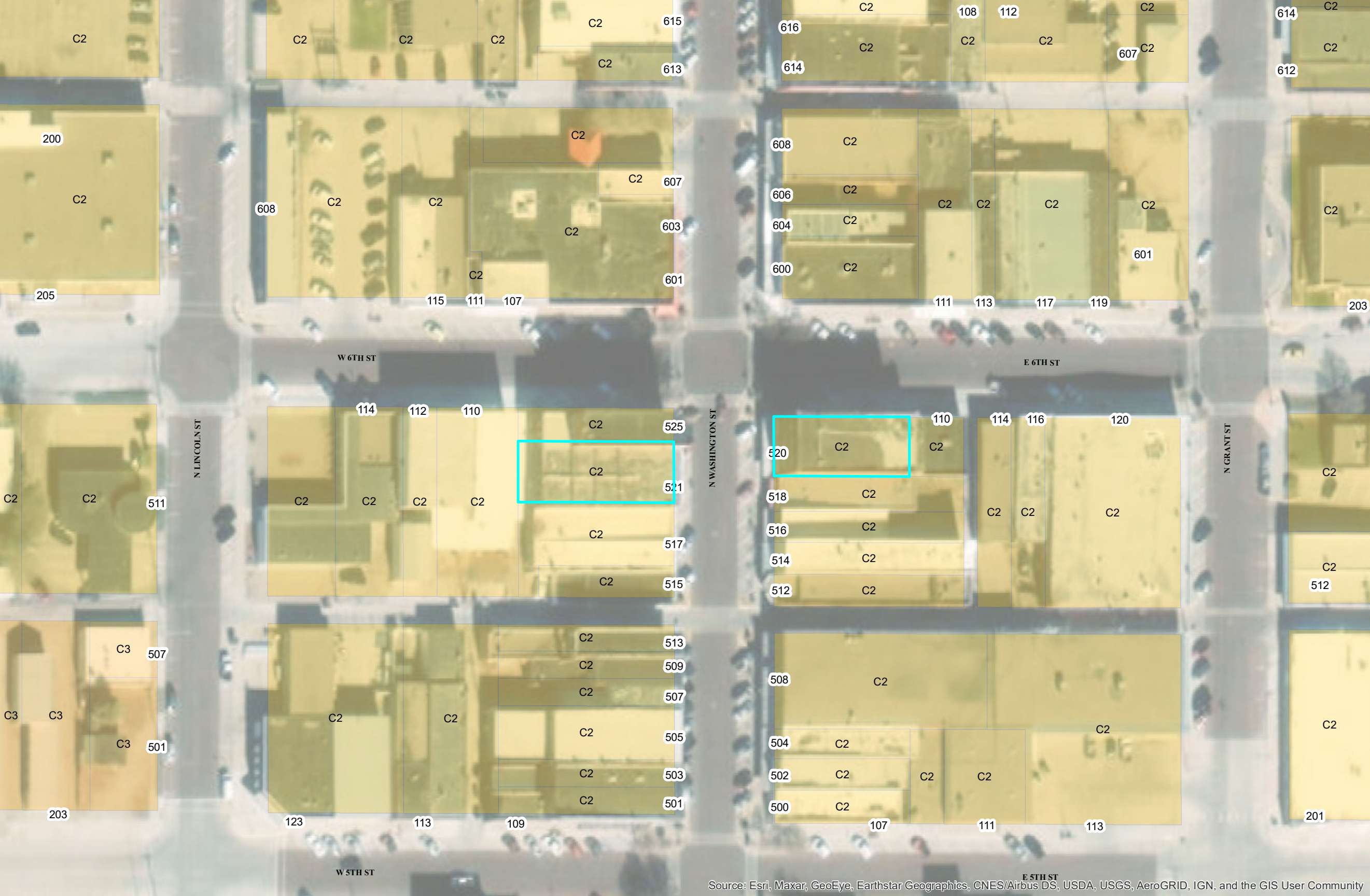
EXISTING FLOOR PLAN
 SCALE: 1/4" = 1'-0"

PRELIMINARY PLAN
 3-1-23
 3-2-23

WASHINGTON STREET

SIDEWALK

PROJECT NO. FE08-01-23	DATE	3-1-23
DRAWN BY: TODD KOOPMAN	DATE	3-2-23
CHECKED BY: [Signature]	DATE	3-2-23
PROJECT NAME: DIANA GONZALEZ BUILDING	520 N. WASHINGTON ST., -- LEXINGTON, NE --	
SHEET NO. 1	OF 1	
DRAWING NO. 4997		
<small>THIS DRAWING, SPECIFICATIONS, AND ALL INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF ODKO ARCHITECTS, P.C. THESE DRAWINGS ARE NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF ODKO ARCHITECTS, P.C.</small>		






Nebraska State Fire Marshal Inspection Report

Facility Name	Marbella's Dress Costure
Address	521 N Washington St, Lexington, NE
ZIP	68850
Facility Phone Number	
Inspector Name	Mike Hoeft
Inspector Badge#	8733
Inspector Agency	Nebraska State Fire Marshal
Inspector Email	mike.hoeft@nebraska.gov
Inspector Phone Number	308-530-9493
Number of Visits	
Date of Inspection	2022-12-20
Inspection Type	Consult
Status	Failed
Complete Corrections By	
Occupant Load	192
Fee Card	N/A
Fee Sheet/Facility ID Number	
Code Reviews	

Inspectors and Operator Staff Involved			
Lead Inspector	Badge #	Agency	Phone Number
Mike Hoeft	8733	Nebraska State Fire Marshal	308-530-9493
Owner / Responsible Party	Phone Number	email	
Diana Gonzalez			
Mailing Address: 521 N Washington, Lexington, Nebraska 68850			

All items must be corrected to comply with the laws of the State of Nebraska and with rules and regulations adopted by the State Fire Marshal as mandated by section 81-502 to 81-541.01 It is the duty of the owner or person in charge of the above-named facility to immediately take measures to bring the facility into compliance with state regulations. ALL CORRECTIONS SHALL BE MADE AND ALL ITEMS CORRECTED ON OR BEFORE undefined

If you have questions on this Order, contact Mike Hoeft by phone at 308-530-9493 or by Email at mike.hoeft@nebraska.gov

Inspector Comments / Notes	
Report completed by Deputy	Michael Hoeft
Date Signed	2022-12-20
Signature	

Inspection Violations

Failed Item	Status	Code
Existing Assembly		
2. Multiple Occupancies The exit stairs from the assembly area shall be separated from the mercantile area.	Fail	See below code 13.1.3.1
6. Means of egress. General There shall be at least two separate means of egress. Shall be arranged so that exits are readily accessible at all times.	Fail	See below code 13.2
8. Doors The egress doors shall swing in the path of travel.	Fail	See below code 13.2.2.2
10. Panic Hardware Panic Hardware shall be installed on the exit doors	Fail	See below code 13.2.2.2.3
16. Stairs Shall be separated from the mercantile area and cleared of all debris.	Fail	See below code 13.2.2.3*
27. Number of means of egress Shall be at least two exits from the assembly area.	Fail	See below code 13.2.4*
40. Illumination of Means of Egress Exit signs shall be provided.	Fail	See below code 13.2.8
41. Emergency Lighting Emergency lighting units shall be provided.	Fail	See below code 13.2.9
42. Marking Means of Egress	Fail	See below code 13.2.10

Inspection Code Reference

- 13.1.3.1 - 2012 ed - General. Multiple occupancies shall be in accordance with 6.1.14.
- 13.2 - 2012 ed - Means of Egress Requirements.
- 13.2.2.2 - 2012 ed - Doors.
- 13.2.2.2.3 - 2012 ed - Any door in a required means of egress from an area having an occupant load of 100 or more persons shall be permitted to be provided with a latch or lock only if the latch or lock is panic hardware or fire exit hardware complying with
- 13.2.2.3* - 2012 ed - Stairs.
- 13.2.4* - 2012 ed - Number of Means of Egress.
- 13.2.8 - 2012 ed - Illumination of Means of Egress. Means of egress, other than for private party tents not exceeding 1200 ft² (112 m²), shall be illuminated in accordance with Section 7.8.
- 13.2.9 - 2012 ed - Emergency Lighting.
- 13.2.10 - 2012 ed - Marking of Means of Egress.

**PLANNING COMMISSION
CITY OF LEXINGTON**

DETERMINATION FORM

On **April 5, 2023**, the Lexington, Nebraska Planning Commission, at its regular meeting, recommended **Approval** (Approval/Disapproval) of a **Conditional Use Permit Application** (Rezoning, Special Use, Subdivision, Variance, Zoning, Zone Appeal, Etc.) for property located at **521 North Washington** (Location) for **Fascinacion Inc / Diana Gonzalez** (Name).

The Lexington Planning Commission made the following motion:

Motion by: Cameron Smith

Seconded by: Jeremy Kaiser

Motion: Following discussion, moved by Smith, seconded by Kaiser, to make no recommendation to the city council regarding the application for CUP as presented.

Roll Call: Voting "aye" were Tappan, Gonzalez, Roemmich, Moyer, Kaiser, Smith, Worthing. Motion carried.



Planning Secretary

