



Application for Conditional Use Permit

- 1. Applicant's Name Lorena Ramirez
- 2. Applicant's Address 1307 north park street Lexington, NE 68850
- 3. Applicant's Telephone Number 3086519790
- 4. Owner's Name Lorena Ramirez
- 5. Owner's Address 1307 north park street Lexington, NE 68850
- 6. Owner's Telephone Number 3086519790
- 7. Purpose of Conditional Use Permit banquet hall
- 8. Present Zoning Lexington Downtown
- 9. Within City Limits yes Within Zoning Jurisdiction yes
- 10. Legal Description Building for purpose of small social events
- 11. Street Address of Property or Approximate Location
110 East 6th street Lexington, NE 68850
- 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.

Lorena Ramirez
Signature of Owner

Lorena Ramirez
Signature of Applicant

<u>Administrative Use Only</u>	
Date Submitted _____	Case Number _____
Filing Fee <u>\$100.00</u> _____	Accepted By _____
Cert. Of Ownership _____	Date Advertised _____
Date Sign Posted _____	Date of Public Hearing _____

City of Lexington Conditional Use Permit

Conditional Use Permit for a Meeting Hall

This Conditional Use Permit issued this _____ day of _____, 2021, by the City of Lexington, a municipal corporation in the County of Dawson County, Nebraska (“City”) to the Lorena Ramirez (“Owner”), pursuant to the Lexington Zoning Ordinance.

WHEREAS, Owner wishes to develop a meeting hall upon the following described tract of land within the City of Lexington zoning jurisdiction:

West 40 feet of the North 44 feet, of Lot 4 Block 45 Original Town in Dawson County,
Nebraska.

WHEREAS, Owner has applied for a conditional use permit for the purpose of developing a meeting hall; and

WHEREAS, the Mayor and City Council of the City of Lexington are agreeable to the issuance of a conditional use permit to the owner for such purposes, subject to certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area designated on the Conditional Use Permit Application for a meeting hall, said use hereinafter being referred to as “Permitted Use or Use”.

Conditions of Permit

The conditions to which the granting of this permit is subject are:

1. The rights granted by this permit are not transferable and any variation or breach of any terms hereof shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.
2. In respect to the proposed Use:
 - a. A Certificate of Occupancy must be applied for and issued per Section 111 of the International Building Code. All applicable building codes must be followed.
 - b. The Owner will waive any hearing or otherwise not protest any license application pursuant to the Nebraska Liquor Control Act.
3. The applicant’s right to maintain the use as approved pursuant to these provisions shall be based on the following:
 - a. An annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval;
 - b. The structure shall not be enlarged, extended, reconstructed, or structurally altered except in changing the use of the structure to use permitted in the district in which it is located;

- c. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval;
 - d. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at owner's expense within twelve (12) months of cessation of the conditional use.
4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
 - a. Owner's breach of any other terms hereof and his failure to correct such breach within ten (10) days of City's giving notice thereof;
 - b. If the use of the structure and premises in combination is discontinued or abandoned for 12 consecutive months, the and premises in combination shall not thereafter be used except in conformance with the regulations of the district in which it is located;
 5. In the event of the owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.
 6. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

Miscellaneous

The conditions and terms of this permit shall be binding upon owner, his successors and assigns.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

Contact Name and Address:

Lorena Ramirez
1307 N. Park Street
Lexington, NE 68850

Effective Date:

This permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

THE CITY OF LEXINGTON

By _____
John Fagot, Mayor

Attest:

Pam Baruth
City Clerk

CONSENT AND AGREEMENT

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Owner:

By: _____

Title: Owner _____

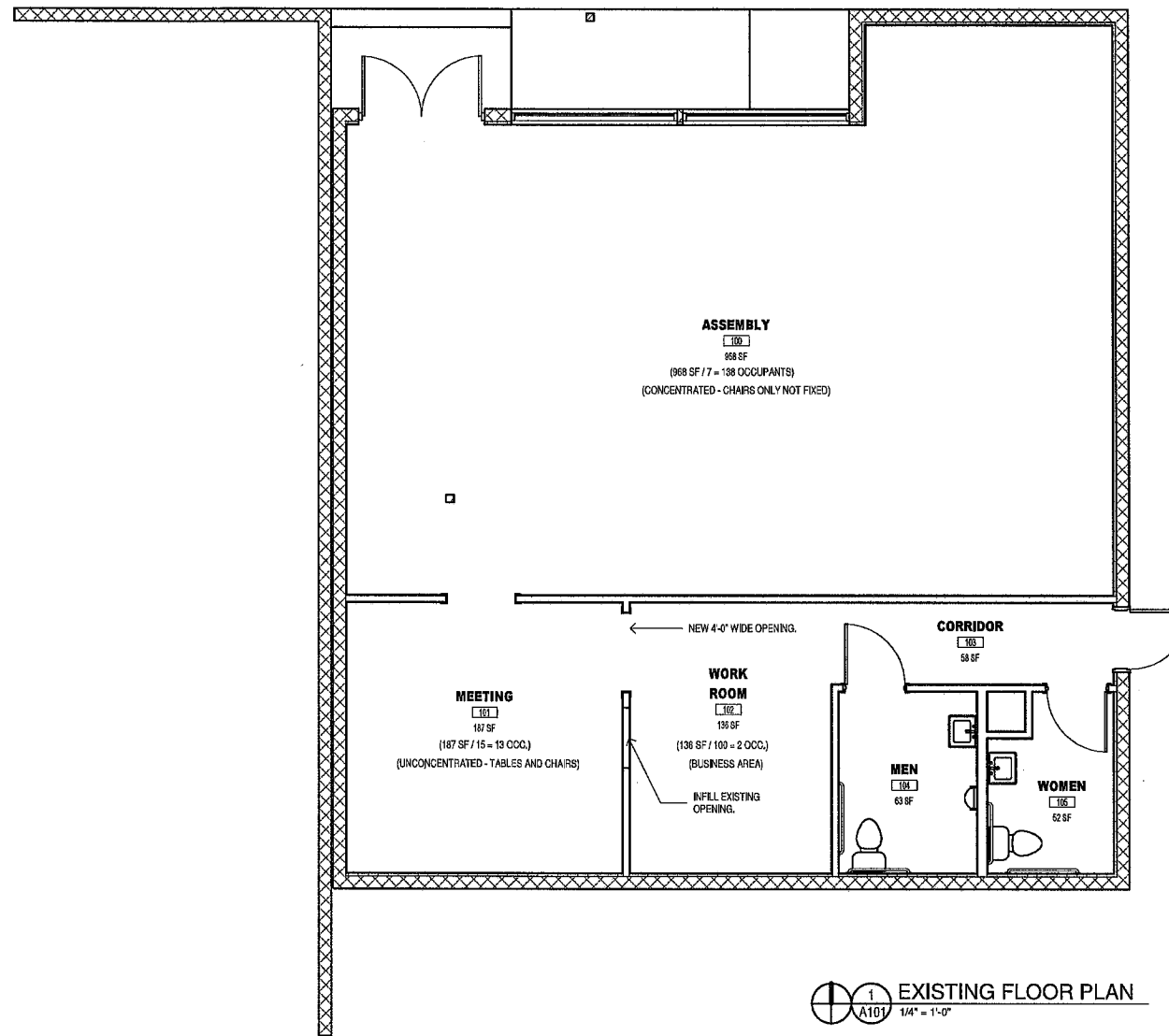
Date: _____

Applicant:

By: _____

Title: _____

Date: _____



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

Bradley E. Brandenburg + Associates

Architecture Planning Interior Design

1208 N. Jackson St.,
Lexington, Nebraska 68850
P: 308-324-0070
F: 308-324-0080
bearchitecture.com

REV PLAN

Project For:
Iglesia Cristiana Pentecostes MMM
Existing Interior Layout
Lexington, Nebraska

First Floor Plan

Progress Print
Not For Construction

Seal

REVISIONS

No.	DATE	DESCRIPTION

Project No.: 2018_07
Date: October 16, 2019

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BRADLEY E. BRANDENBERG + ASSOCIATES,
Sheet:

A101

Any approved conditional use permit is automatically transferable upon sale of the property from the original applicant to another party. However, the new owner shall assume the responsibility for complying with:

- 6.06.01 The conditions of the permit;
- 6.06.02 The use shall not change or be expanded unless a new conditional use permit is approved; and
- 6.06.03 Failure to comply with the conditions of the permit shall subject the new owner to the revocation process of this Article.

Section 6.07 Revocation

Any approved conditional use permit may be revoked for failure to comply with the conditions approved by the City Council. Revocation shall require that the City notify the applicant of any noncompliance, in writing, and provide the applicant 30 days to correct the issue(s).

Failure to comply with the notice shall cause a public hearing to be scheduled by the City Council, to review the permit and the approved conditions and the failure to act by the applicant. If the applicant is found to be noncompliant with the issued permit and conditions, the City Council shall revoke the permit and order the use to cease and desist.

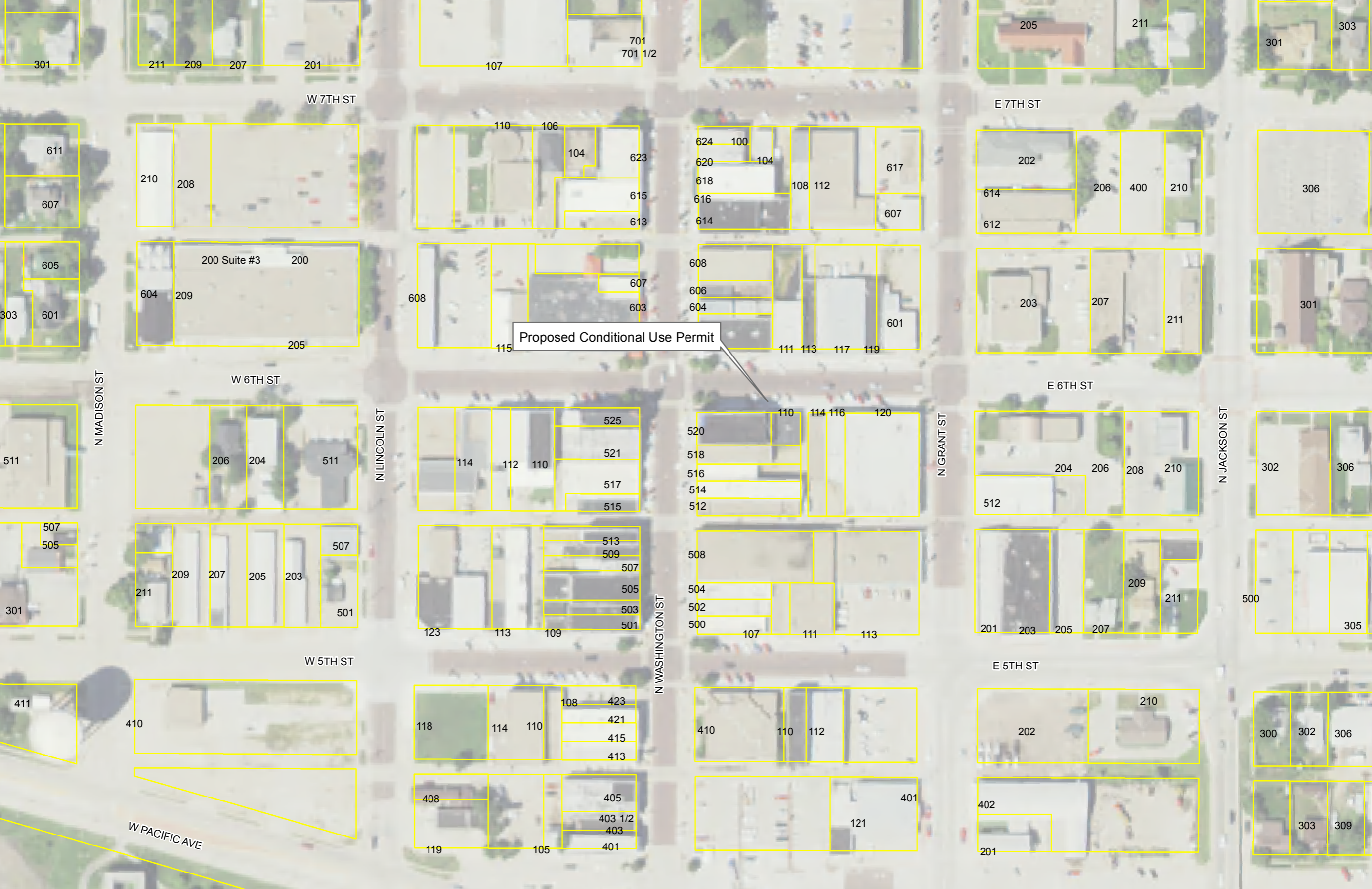
Failure to follow a cease and desist order shall cause action to be filed the City Attorney in District Court.

Revocation may also occur, if the City documents that the use has ceased operations for 12 consecutive months. The City shall notify the applicant of the revocation in writing. The permit shall be invalid within 30 days.

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.



W 7TH ST

E 7TH ST

W 6TH ST

E 6TH ST

W 5TH ST

E 5TH ST

N MADISON ST

N LINCOLN ST

N WASHINGTON ST

N GRANT ST

N JACKSON ST

W PACIFIC AVE

Proposed Conditional Use Permit

301

211 209 207 201

107

701
701 1/2

205

211

301

303

611

607

210

208

110

106

104

623

624 100

620 104

617

202

614

206

400

210

306

605

200 Suite #3 200

604

209

608

607

603

608

606

604

601

203

207

211

301

205

115

Proposed Conditional Use Permit

111 113 117 119

511

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204

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112

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525

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517

515

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116

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516

514

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403 1/2

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401

401

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402

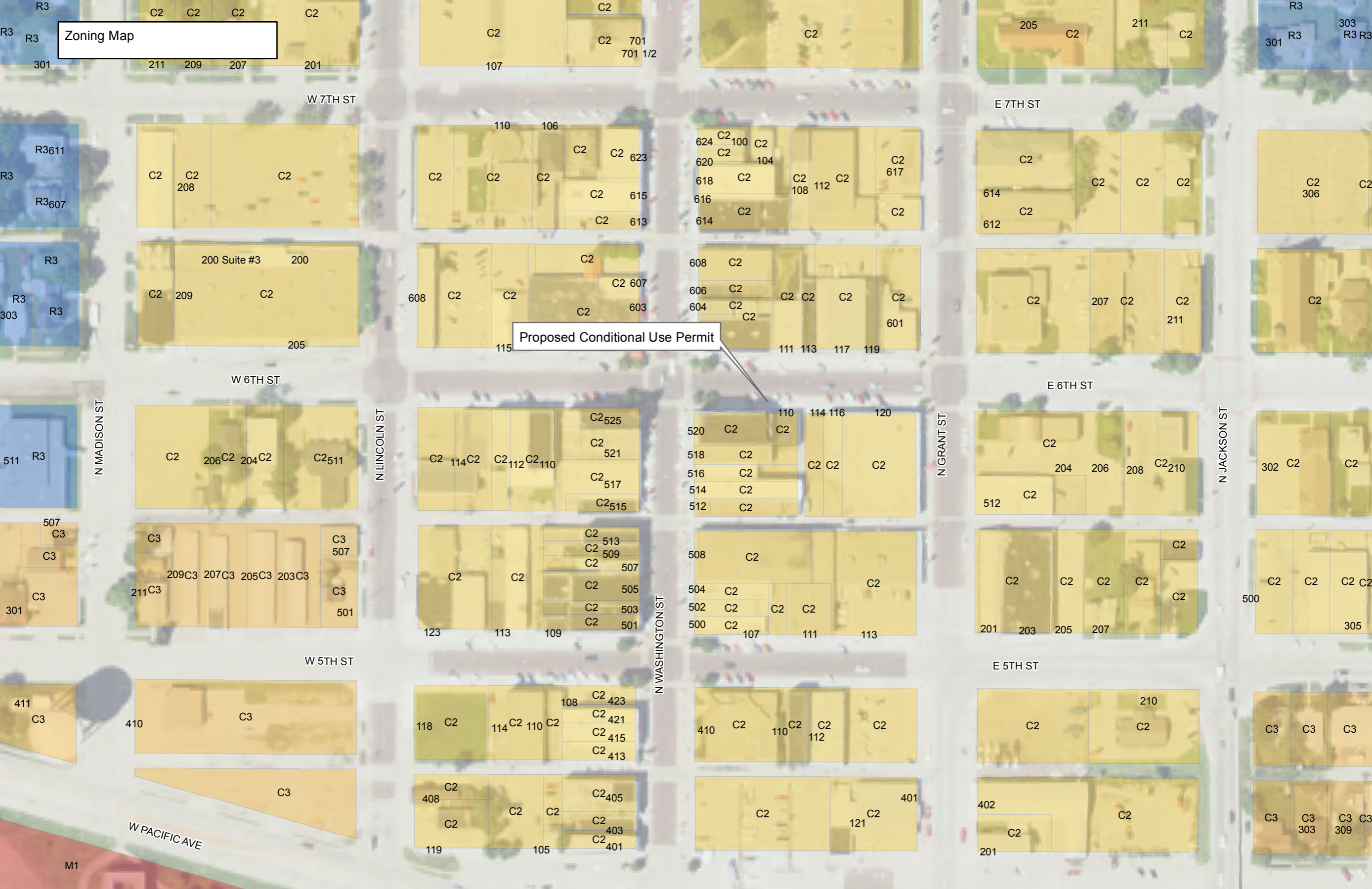
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303

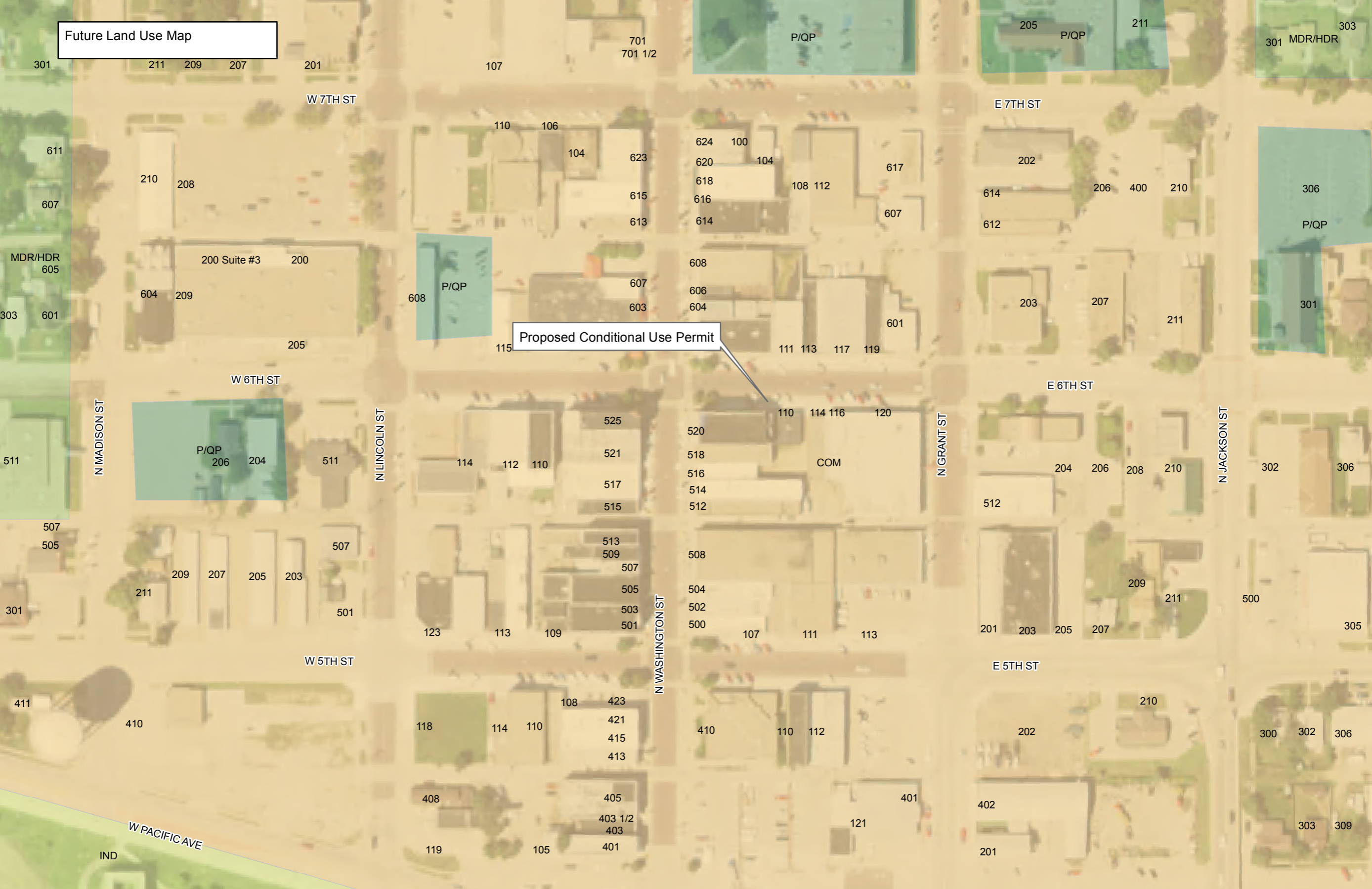
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Zoning Map

Proposed Conditional Use Permit



Future Land Use Map



Proposed Conditional Use Permit

P/QP
206 204

P/QP
608

P/QP
701 701 1/2

P/QP
205 211

MDR/HDR
301 303

P/QP
306
301

COM
110 114 116 120
520 518 516 514 512

210 208
200 Suite #3 200
604 209
205

114 112 110
525 521 517 515
513 509 507 505 503 501
123 113 109

508 504 502 500
107 111 113

202
614 206 400 210
612
203 207 211

512
204 206 208 210
201 203 205 207

411 410
408 405
403 1/2 403 401
119 105

118 114 110
108 423 421 415 413
408 405 403 1/2 403 401

410 110 112
401 121

202 210
402 201

300 302 306
303 309

N MADISON ST

N LINCOLN ST

N WASHINGTON ST

N GRANT ST

N JACKSON ST

W 7TH ST

E 7TH ST

W 6TH ST

E 6TH ST

W 5TH ST

E 5TH ST

W PACIFIC AVE

IND