



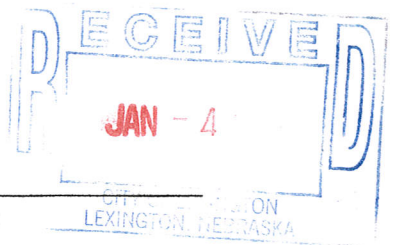
### Application for Conditional Use Permit

- 1. Applicant's Name Henry D Arriaza
- 2. Applicant's Address 1081 S. Burwick & D. Wood River NE, 68883
- 3. Applicant's Telephone Number 308 - 850 - 4466
- 4. Owner's Name Diana E Gonzales
- 5. Owner's Address 603 Scott home Lexington NE, 68850
- 6. Owner's Telephone Number 308 - 325 - 4831
- 7. Purpose of Conditional Use Permit order to prayze God
- 8. Present Zoning 503 N Washington
- 9. Within City Limits Within Zoning Jurisdiction
- 10. Legal Description \_\_\_\_\_
- 11. Street Address of Property or Approximate Location 503 N Washington
- 12. Site Plan (if applicable) \_\_\_\_\_

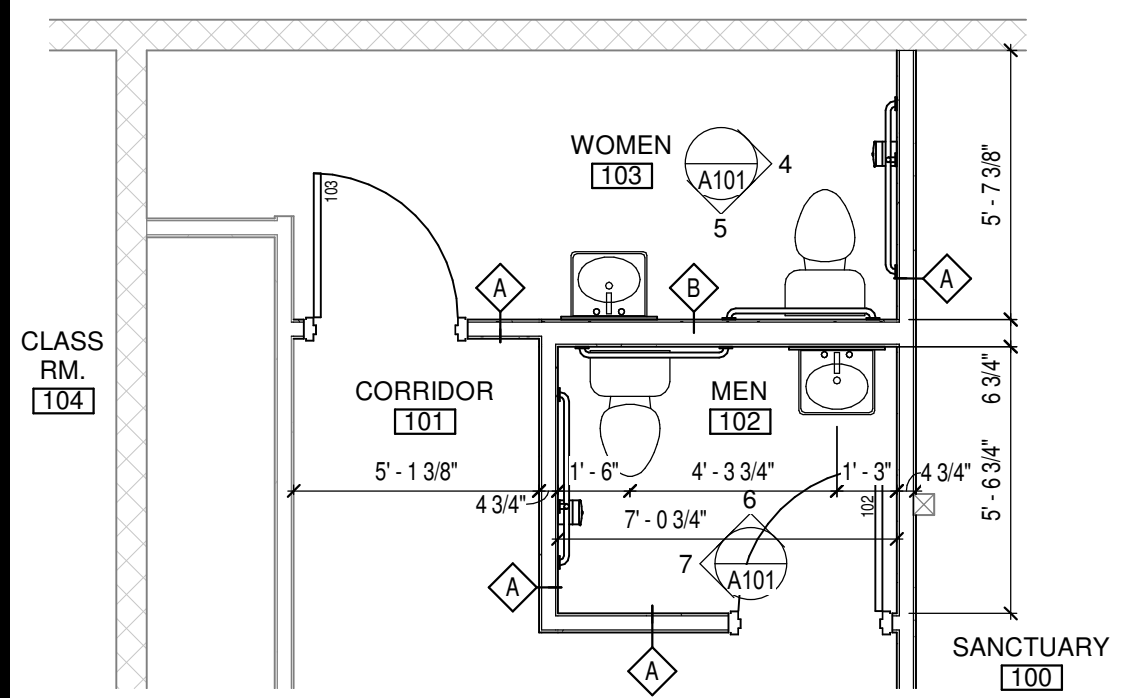
I/We the undersigned do hereby acknowledge that I/We do fully understand and agree to comply with the provisions and requirements for an application for a special use permit as described above. I/We the undersigned do hereby agree to allow City of Lexington employees or agents working for the City of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

[Signature]  
Signature of Owner

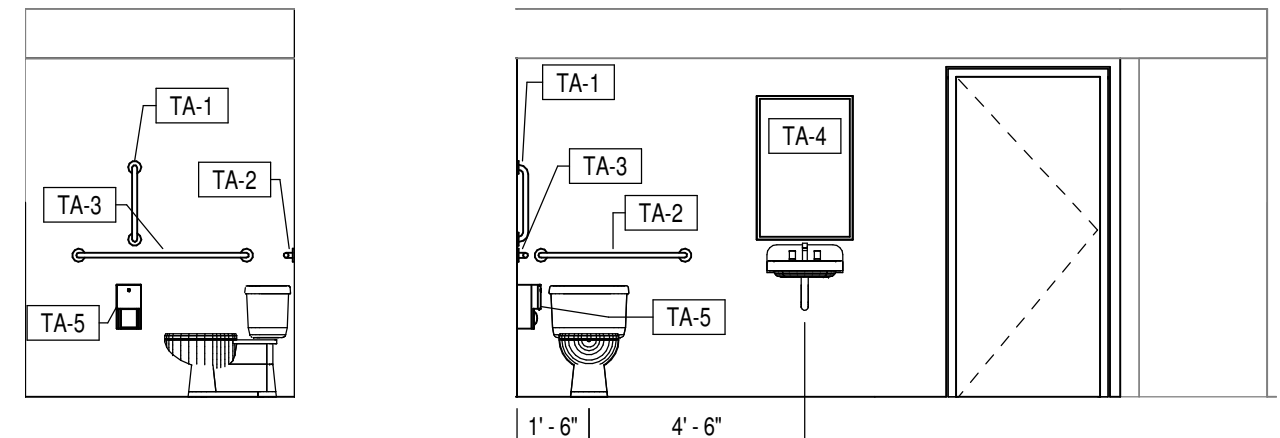
[Signature]  
Signature of Applicant



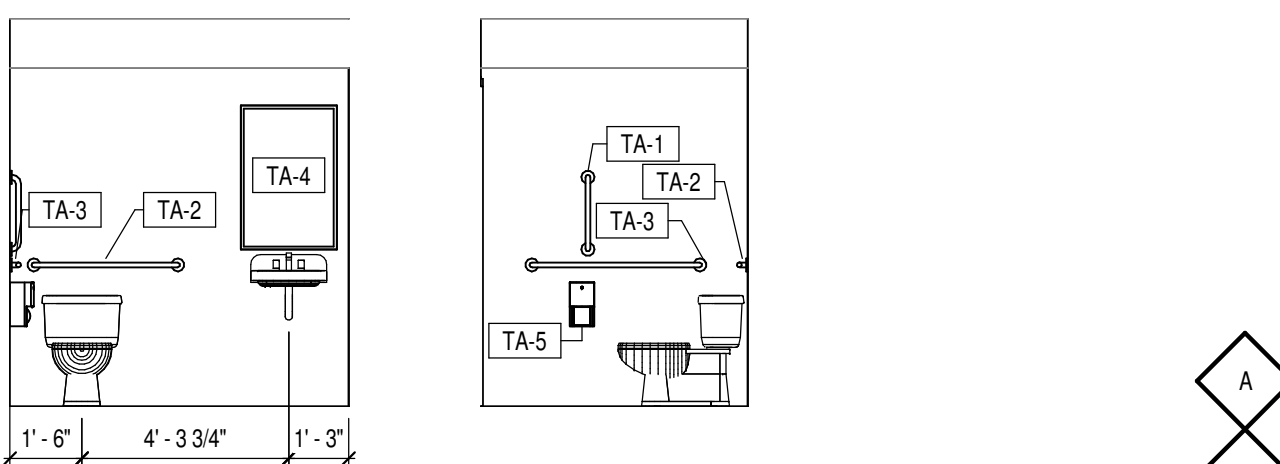
<b>Administrative Use Only</b>	
Date Submitted <u>1/4/2019</u>	Case Number _____
Filing Fee <u>\$100.00</u>	Accepted By _____
Cert. Of Ownership _____	Date Advertised _____
Date Sign Posted _____	Date of Public Hearing <u>PC-2-6-2019</u>



3 ENLARGED REST RM. PLAN  
1/4" = 1'-0"



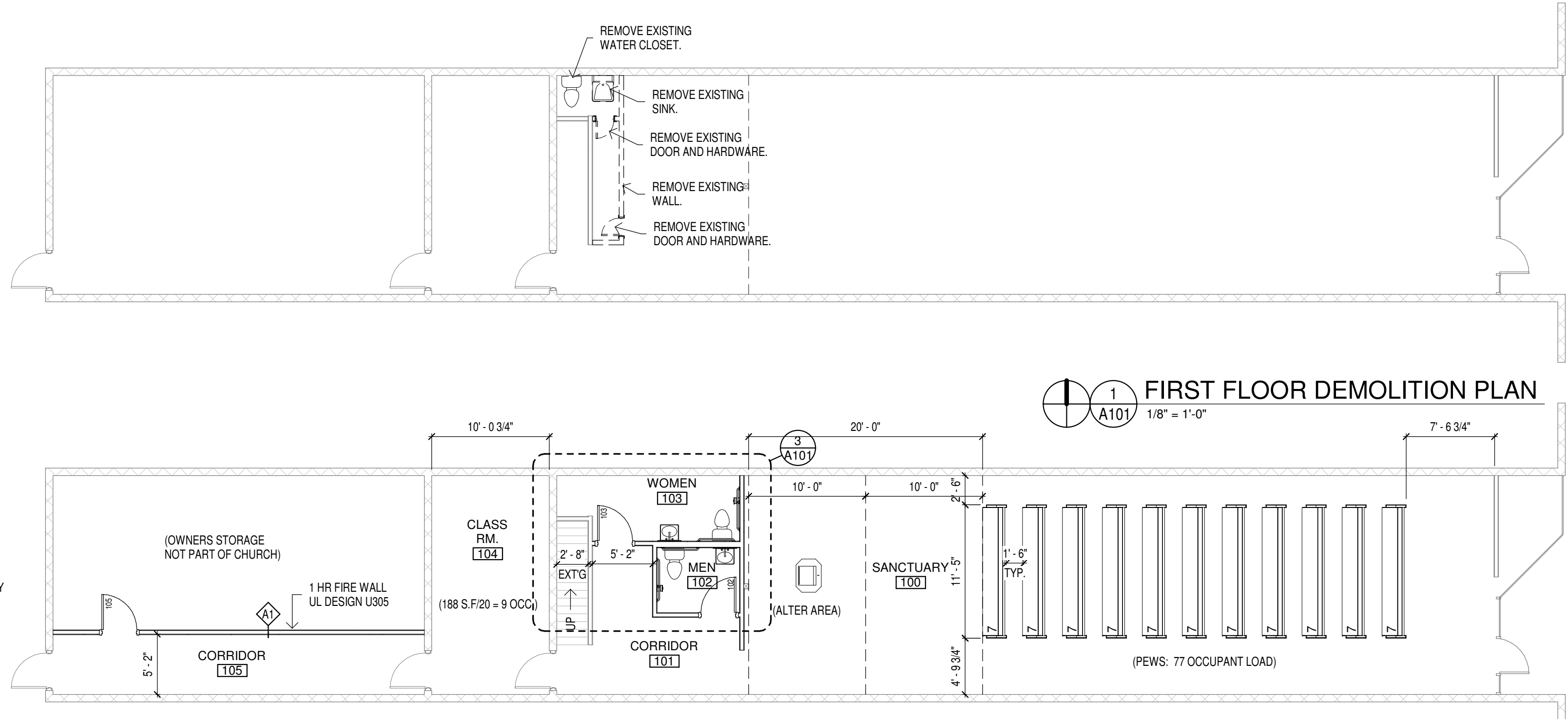
4 INTER. ELEV. A101 1/4" = 1'-0"  
5 INTER. ELEV. A101 1/4" = 1'-0"



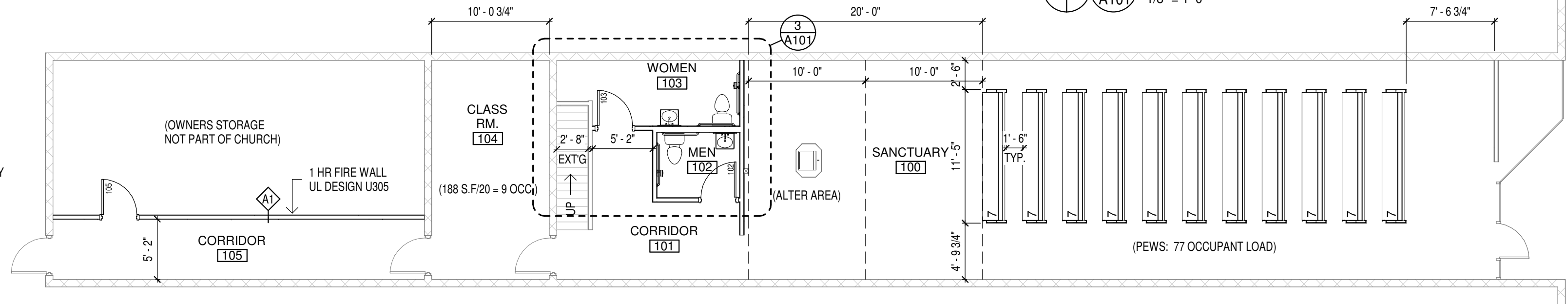
6 INTER. ELEV. A101 1/4" = 1'-0"  
7 INTER. ELEV. A101 1/4" = 1'-0"

WALL TYPES  
1/2" = 1'-0"

A: 5/8" GWB (BOTH SIDES) ON 2 x 4 WD STUDS AT 16" o.c.  
A1: 5/8" TYPE "X" GWB (BOTH SIDES) ON 2x4 WD STUDS AT 16" o.c. (UL DESIGN U305)  
B: 5/8" GWB (BOTH SIDES) ON 2 x 6 WOOD STUDS @ 16" o.c.

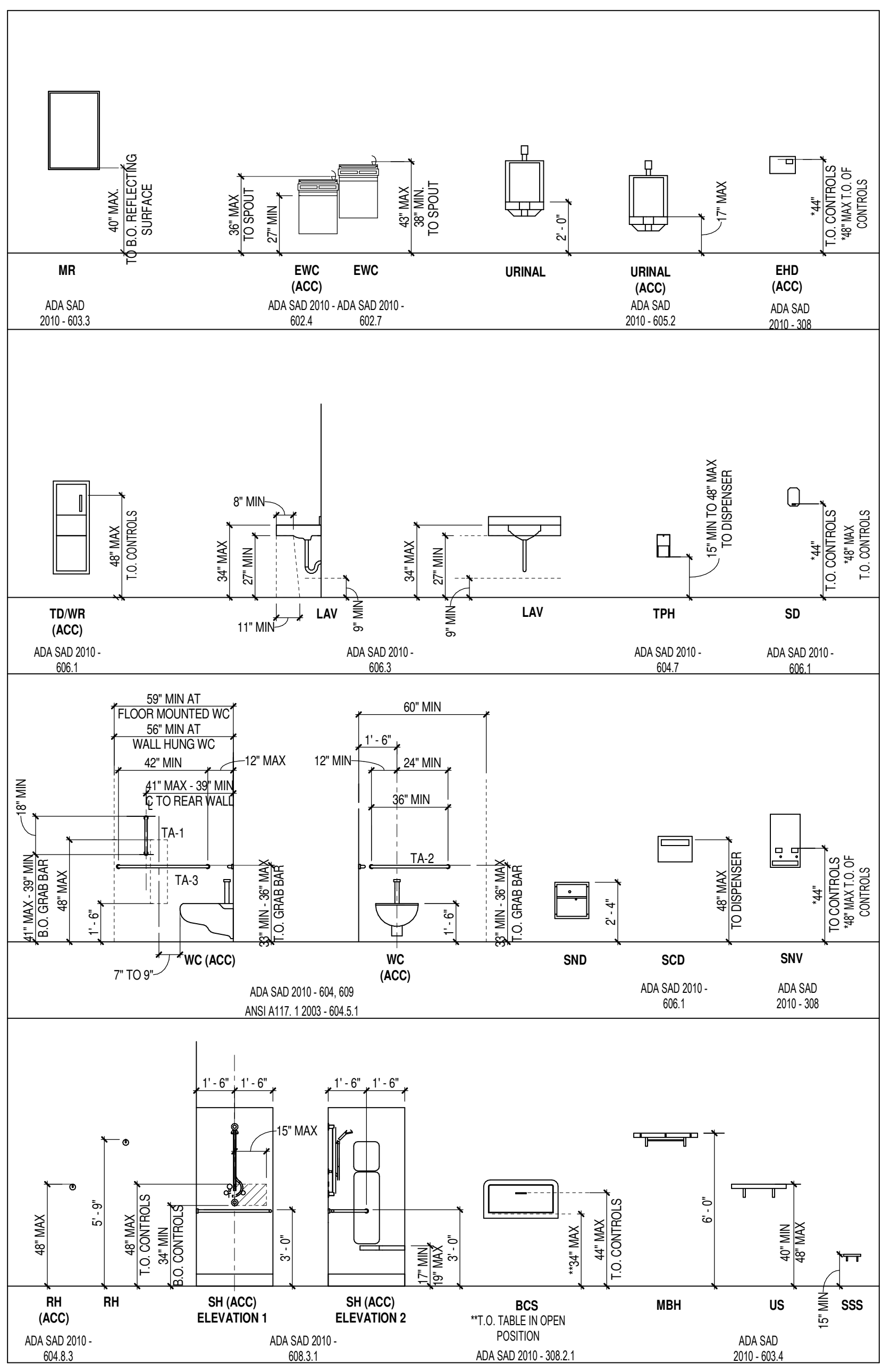


1 FIRST FLOOR DEMOLITION PLAN  
1/8" = 1'-0"



2 FIRST FLOOR PLAN  
1/8" = 1'-0"

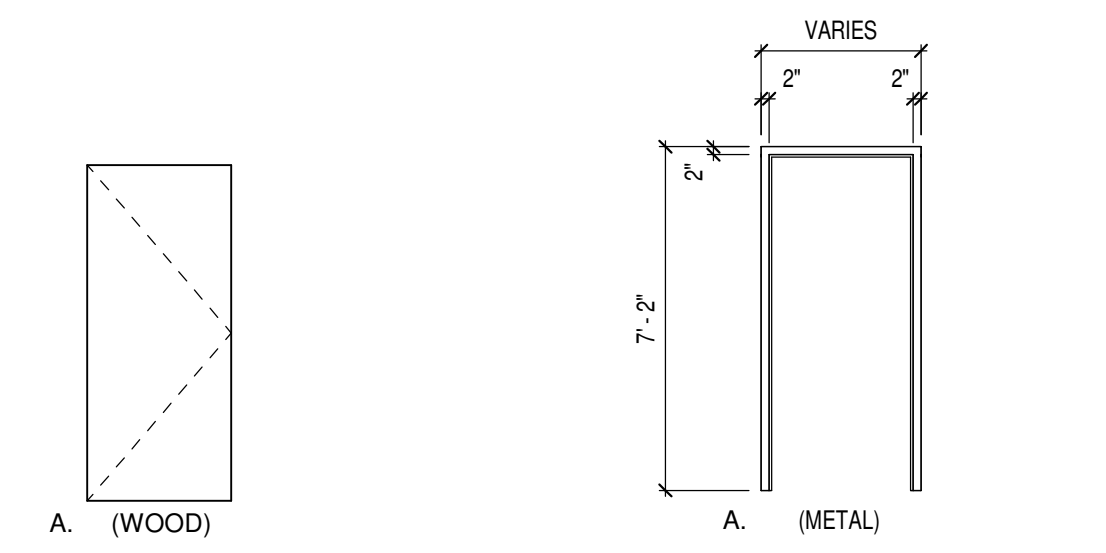
ADULT MOUNTING HEIGHTS



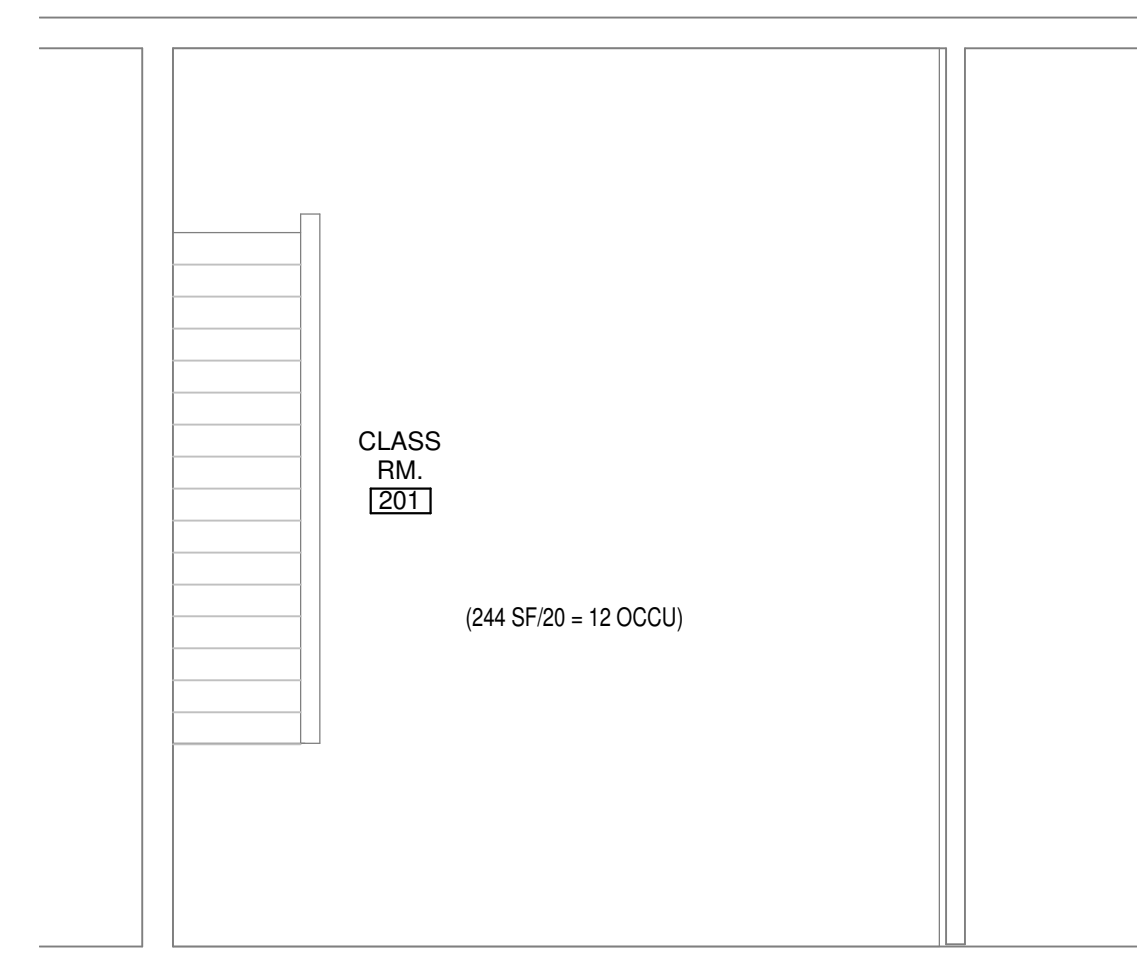
Toilet Room Accessories				
Mark	Description	Manufacturer	Model No.	
TA-1	GRAB BAR - 18"	BOBRICK	B-5806x18	
TA-2	GRAB BAR - 36"	BOBRICK	B-5806x36	
TA-3	GRAB BAR - 42"	BOBRICK	B-5806x42	
TA-4	GLASS MIRROR	BOBRICK	B-2908 2436	
TA-5	TOLIET TISSUE DISPENSER	BOBRICK	B-4288	

Room Schedule																			
Room No.	Room Name	Floor	Base	North Wall			East Wall			South Wall			West Wall			Ceiling		Height	Remarks
				Mat.	Fin.	Mat.	Fin.	Mat.	Fin.	Mat.	Fin.	Mat.	Fin.	Mat.	Fin.	Mat.	Fin.		
100	SANCTUARY	CPT-1	VWB-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	9'-0"			
101	CORRIDOR	CPT-1	VWB-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	8'-0"			
102	MEN	VCT-1	VWB-1	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	8'-0"	EPOXY PAINT		
103	WOMEN	VCT-1	VWB-1	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	GWB	P-2	8'-0"	EPOXY PAINT		
104	CLASS RM.	CPT-1	VWB-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	9'-0"			
105	CORRIDOR	VCT-1	VWB-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	GWB	P-1	9'-0"			
201	CLASS RM.																		

Door Schedule															
Door No.	Type	Mat.	Fin.	Doors			Frames			Details			Fire Rating	Hdw Group	Remarks
				Width	Ht.	Trk.	Type	Mat.	Fin.	Head	Jamb	Sill			
102	A	WD	PF	3'-0"	6'-8"	1 3/4"	A	MET	P-1						
103	A	WD	PF	3'-0"	6'-8"	1 3/4"	A	MET	P-1						
105	A	WD	PF	3'-0"	6'-8"	1 3/4"	A	MET	P-1						



DOOR ELEVATIONS 1/4" = 1'-0"  
DOOR FRAMES 1/4" = 1'-0"



8 SECOND FLOOR PLAN  
1/4" = 1'-0"

**APPLICABLE CODES**  
The building will be designed in accordance with the current applicable codes as follows:  
**LEXINGTON, NEBRASKA**  
The City of Lexington, Nebraska has adopted the following:  
BUILDING CODE: 2015 International Building Code (IBC)  
FIRE CODE: 2015 International Fire Code (IFC)  
MECHANICAL CODE: 2015 International Mechanical Code (IMC)  
FUEL GAS CODE: 2015 International Fuel Gas Code  
PLUMBING CODE: 2015 Uniform Plumbing Code (UPC)  
ELECTRICAL CODE: 2017 National Electrical Code (NEC)  
ENERGY CODE: 2009 International Energy Conservation Code (IECC)  
ACCESSIBILITY CODE: Chapter 11 IBC including ICC/ANSI A117.1 - 2009  
**STATE OF NEBRASKA**  
Nebraska has adopted the following Codes which are applicable to this project:  
National Electrical Code - 2017 Edition  
  
Title 153 State Fire Marshal  
NFPA 1 - Fire Prevention Code 2003 Edition  
NFPA 10 - Portable Fire Extinguishers - 2002 Edition  
NFPA 13 - Installation of Fire Sprinklers - 2002 Edition  
NFPA 54 - National Fuel Gas Code - 2002 Edition  
NFPA 72 - National Fire Alarm Code - 2002 Edition  
NFPA 80 - Fire Doors and Windows - 1999 Edition  
NFPA 90A - Air Conditioning and Ventilating Systems - 2002 Edition  
NFPA 101 - Life Safety Code (LSC) - 2000 W/Amendments  
NFPA 220 - Types of Building Construction - 2000 Edition  
These codes are enforced by the Nebraska State Fire Marshal  
**Americans With Disabilities Act of 2010 (ADA)**  
2010 ADA Standards For Accessible Design, September 15, 2010  
(These Regulations are enforced by the U.S. Justice Department, and the City of Lexington, Building Department).

**BUILDING DATA**  
Name of Project:  
Address: 503 North Washington Street  
Proposed Use: Assembly  
Code Enforcement Jurisdiction:  
City of Lexington and Nebraska State Fire Marshal  
**OCCUPANCY GROUP(S):** Assembly  
Building 1: Occupancies: A  
**CONSTRUCTION TYPE:**  
Building 1: Type VB, unprotected (IBC), Type VI(000) (LSC).  
**SQUARE FOOTAGE:** (New)  
Building 1: 3,648 sq ft  
833 sq Mezzanine  
**SQUARE FOOTAGE:** (Existing)  
Building 2: 6,720 sq ft  
**FIRE RESISTANCE RATINGS FOR BUILDING ELEMENTS IBC TABLE 601:**  
Primary Structural Frame: 0 Hours  
Bearing Walls - Exterior: 1 Hour  
Bearing Walls - Interior: 0 Hours  
Non-Bearing Walls and Partitions - Exterior: 0 Hours (Table 602)  
Non-Bearing Walls and Partitions - Interior: 0 Hours  
Floor Construction and Associated Secondary Members: 0 Hours  
Roof Construction and Associated Secondary Members: 0 Hours  
**BUILDING HEIGHT AND NUMBER OF STORIES:**  
Occupancy: A  
Height (Type VB): Proposed: 40 Feet  
Allowed: 40 Feet  
Stories (Type VB): Proposed: 1  
Allowed: 1  
**OCCUPANT LOAD FACTORS (Floor Area sq. ft. Per Person):**  
Business Areas: 100 gross  
Mercantile - Grade Floor Areas: 30 gross  
Mercantile - Storage, Stock, Shipping Areas: 300 gross

**Bradley E. Brandenburg**  
+ Associates  
Architecture Planning Interior Design  
1208 N. Jackson St.,  
Lexington, Nebraska 68850  
P: 308-324-0070  
F: 308-324-0080  
bebarchitecture.com  
KEY PLAN

Project For:  
**Iglesia Pentecostes Rena de Horeb**  
**Proposed Church Remodel**  
Lexington, Nebraska  
First Floor Plan

Progress Print  
Not For Construction

REVISIONS		
No.	DATE	DESCRIPTION

Project No.: 2018\_5  
Date: August 31, 2018  
COPYRIGHT 2018  
BRADLEY E. BRANDENBERG + ASSOCIATES  
Sheet:

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.

# **City of Lexington Conditional Use Permit**

## **Conditional Use Permit for a Church**

This Conditional Use Permit issued this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the City of Lexington, a municipal corporation in the County of Dawson County, Nebraska (“City”) to the Henry Arriaza (“Applicant”), pursuant to the Lexington Zoning Ordinance.

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

North 20’ and the South 40’ of Lots 11 & 12 and Lot F, Block 46 of Original Town

WHEREAS, Owner has applied for a conditional use permit for the purpose of developing a storefront church; 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 church, 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:**

Diana Vazquea-Mercado  
503 N. Washington 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: \_\_\_\_\_