

ORDINANCE NO.2025- *Ne*
OF THE CITY OF PERU, NEMAHA COUNTY, NEBRASKA

AN ORDINANCE TO AMEND ZONING CLASSIFICATION/DESIGNATION TO REAL PROPERTY IN PERU, NEMAHA COUNTY, NEBRASKA, CITY LIMITS; TO DESIGNATE COST OF FEES; TO AUTHORIZE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY TO SHOW SAID CHANGE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS THEREOF; AND TO PROVIDE FOR AN EFFECTIVE DATE.

RECITALS:

WHEREAS, a written application has been submitted to the City Council through the City Clerk by real estate owners, Brochelle Enterprises, Inc., owners of The North 44 Feet of Lot 8 and all of Lots 9, 10, and 11, Block 137, Original Town of Peru, Nemaha county, Nebraska. Parcel I.D. No. 640019374, (street address: 709 6th Street, Peru, NE 68421), for amendment, modification, and-or change of the current R-1, Urban Single-Family Residential District pursuant to the Land Development Ordinance for the City of Peru, NE. to R-2 Multiple-Family Residential District classification pursuant to the Land Development Ordinance for the City of Peru, NE;

WHEREAS, the application for proposed amendment, modification, and/or change was referred to and heard by the City Planning and Zoning Commission for its study and recommendation to be made after public hearing, to the City Council, legal notice was published of the same, and the City Planning and zoning Commission made recommendation for approval to the City Council, on or about May 13, 2025 as stated and included within their May 2025 Planning and Zoning Comm. Proposed Minutes. (*Neb. Rev. Stat. §§ 19-904 & 19-905*)

WHEREAS, proper public legal notice was published pursuant to Neb. Rev. Stat. § 19-904 in the Nemaha County Herald on May 8, 2025, as well as, posted on the property at least 10 days prior to public hearing before the Council as is required by Nebraska Law;

WHEREAS, the application of the property owners has come on for Public Hearing before the City Council, at public meeting in City Hall Chambers on this 19th day of May, 2025, at 6:00 p.m., or as soon thereafter as may be heard, to hear and receive public comment from citizens of the City, and parties that may be directly affected by the proposed amendment or change and in consideration of the recommendation made by the City Planning and Zoning Commission.

The City Council being fully informed about said request, found that the requested amendments conform to the applicable Comprehensive Plan goals and policies for the City, as well as, the City of Peru, NE, Zoning Ordinance(s) and Regulations based on material submitted, consideration and recommendation of the Planning and Zoning Commission, and considerations presented to and reviewed by the City Planning and Zoning Commission and the City Council before, at, and during public hearing upon applicant's request.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PERU, NEBRASKA;

SECTION 1. That the City Council adopts the Conclusionary Findings, Determination(s), and Recommendation of the City Planning Commission.

SECTION 2. That the City Council approves the property owners request to change the property classification of real estate identified as: *The North 44 Feet of Lot 8 and all of Lots 9, 10, and 11, Block 137, Original Town of Peru, Nemaha County, Nebraska.*, Parcel I.D. No. 640019374, (street address: 709 6th Street, Peru, NE 68421), for amendment, modification, and/or change of the current R-1, Urban Single-Family Residential District pursuant to The Land Development Ordinance of the City of Peru, NE. to R-2 Multiple-Family Residential District classification pursuant to the Land Development Ordinance of the City of Peru, NE.

SECTION 3. That property owners, Brochelle Enterprises, Inc., shall pay and be responsible for cost incurred for a new survey and filing fees thereof, pursuant with their request;

SECTION 4. The Governing Body hereby finds and determines that this property classification zoning amendment conforms to the City's applicable Comprehensive Plan, goals and policies, for the City, as well as, the City of Peru, NE, Zoning Ordinance(s) and Regulations, and is beneficial to the public good and in the best interests of the municipality and its residents.

SECTION 5. That the City Clerk is hereby authorized to file a certified copy of this Ordinance with the County Clerk, ex-officio Register of Deeds, within 30 days after the effective date of this Ordinance to be indexed against all affected lots.

SECTION 6. That all Ordinances and Resolutions or parts thereof in conflict herewith be and the same are hereby repealed.

SECTION 7. That the official zoning map shall be changed/amended to show the property classification as amended and provided within this Ordinance.

SECTION 8. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

Passed and Approved by City Council on this 19th day of May, 2025, by the following votes:

Josh Whisler	Aye: <u>X</u>	Nay: _____	Absent: _____	Abstain: _____
Theresa Westfall	Aye: <u>X</u>	Nay: _____	Absent: _____	Abstain: _____
Brent Brown	Aye: <u>X</u>	Nay: _____	Absent: _____	Abstain: _____
Rachel Snyder	Aye: <u>X</u>	Nay: _____	Absent: _____	Abstain: _____
Katy Novak (Mayor) (on tie breaker)	Aye: _____	Nay: _____	Absent: <u>X</u>	Abstain: _____

SUSPEND
READINGS _____
(3/4 VOTE)

FIRST READING 5-19-25
SECOND READING 6-16-25
THIRD READING 7-21-25

ATTEST:

Mary Williams
Clerk of the City of Peru, Nebraska

(Seal)



Theresa Westfall
Katy Novak, Mayor of the City
of Peru, Nebraska Theresa Westfall Council President