

# LAW OFFICES OF CHASE & GOFF

2650 N. Reynolds Road

Toledo, Ohio 43615

Phone: (419) 536-2066

Fax: (419) 536-2239

|   |                             |               |                          |
|---|-----------------------------|---------------|--------------------------|
| <b>To:</b>  | Chad E. Luffs, P.E., P.S.   | <b>From:</b>  | Richard A. Chase, Esq.   |
| <b>Company:</b>   | City of Napoleon, Ohio      | <b>Date:</b>  | July 15, 2013            |
| <b>Fax:</b>   | 419-599-8393                | <b>Pages:</b> | 4 (including cover page) |
| <b>Re:</b>  | Fulfilling Housing II, INC. | <b>CC:</b>    |                          |
| Original to follow in mail: <input type="checkbox"/> Yes <input type="checkbox"/> No                          |                             |               |                          |
| <input type="checkbox"/> For Filing <input type="checkbox"/> For Review <input type="checkbox"/> Please Reply |                             |               |                          |

Comments:

Mr. Luffs:

We would appreciate it if you would send us an updated letter the same as the attached letter we received from you. Also, following are copies of the two letters you referenced in your letter. We need this letter by tomorrow if at all possible. Sorry for the short notice and any inconvenience this may have caused. Please fax the letter to 419-536-2239 or e-mail it to [icorrea@cgbattorneys.com](mailto:icorrea@cgbattorneys.com).

If you have any questions, please feel free to give me a call. Thank you.

Sincerely,



1103 CLARHOUT

*The information contained in this facsimile message is information protected by the attorney-client and/or the attorney-work product privilege. It is intended only for the use of the individual named above, and the privileges are not waived by virtue of this having been sent by facsimile. If the person actually receiving this facsimile or any other reader of the facsimile is not the named recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the United States Postal Service.*

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT (419)-536-2066.





# City of Napoleon, Ohio

## Engineering Department

255 West Riverview Avenue, P.O. Box 151  
Napoleon, OH 43545

Chad E. Lulfs, P.E., P.S., City Engineer

Telephone: (419) 592-4010 Fax: (419) 599-8393

[www.napoleonohio.com](http://www.napoleonohio.com)

May 2, 2011

Chase & Goff  
2650 N. Reynolds Road, Suite 3  
Toledo, OH 43615

Attn: Richard A. Chase

Re: Fulfilling Housing II, Inc., Proposed Group Home  
1103 Clairmont Avenue, Napoleon, Ohio

Dear Mr. Chase,

I received your two (2) letters dated April 28, 2011 requesting information regarding the status of available utilities at the above referenced location. This letter shall serve as notice that sanitary sewer, water, storm sewer, and electric services are all available at this location.

There may be charges and/or fees for connection to the individual utilities. Please contact the City of Napoleon if you require additional information regarding these charges and/or fees. Also, there may be permitting requirements. Please contact the appropriate departments for these issues.

Yours truly,

A handwritten signature in cursive script, appearing to read "Chad E. Lulfs".

Chad E. Lulfs, P.E., P.S.  
City of Napoleon Engineer

cc: Dr. Jon A. Bisher, City Manager  
Tom Zimmerman, City Building & Zoning Inspector



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 TOLEDO, OHIO 43615-2082  
 www.cgbattorneys.com

RICHARD A. CHASE  
 MARTIN E. GOFF

PHONE 419-536-2066  
 FAX 419-536-2239

April 28, 2011

Chad E. Luffs, P.E., P.S.  
 City of Napoleon Engineering Department  
 P.O. Box 151  
 Napoleon, OH 43545

RE: **Fulfilling Housing II, Inc.**  
**Napoleon, Henry County, Ohio**

Dear Mr. Luffs:

Please be advised that I represent Filling Memorial Home of Mercy, Inc. of N160, State Route 108, Napoleon, Ohio 43545, who, through one of its subsidiary corporations, Fulfilling Housing II, Inc., is in the process of developing the following four-bedroom group home:

| <u>Address</u>                           | <u>Location</u>                                      |
|--|--|
| 1103 Claimont Ave., Napoleon, Ohio 43545 | Gerken-Hoeffel Sixth Addition,<br>Henry County, Ohio |

A copy of the legal description and diagram of the properties is attached.

One of the requirements of the application for the 811 project is a response from your organization as to whether or not the proposed site has water, sanitary sewer, and storm sewer service available. I would appreciate your prompt response in a letter from the City of Napoleon.

If you need any further information, please feel free to give me a call.

Respectfully yours,

CHASE & GOFF



Richard A. Chase

RAC/jlc  
 Enclosures



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Respectfully yours,

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Richard A. Chase

RAC/jlc  
 Enclosures

H:\Fulfilling Housing II, Inc-1740\MISC\UtilityLetters\_042911.doc





designed to relate to, benefit, or be used by the entire development (such as a swimming pool or tennis courts in a residential development) then, as part of the developer's application for development approval, the developer shall submit a proposed schedule for completion of such improvements. The schedule shall relate completion of such improvements to completion of one or more phases or stages of the entire development. Once a schedule has been approved and made part of the permit by the permit issuing authority, no land may be used, no buildings may be occupied, and no subdivision lots may be sold except in accordance with the schedule approved as part of the permit, provided that:

A. If the improvement is one required by this Planning and Zoning Code, then the developer may utilize the provisions of subsection (a)(1) or (3) hereof.

B. If the improvement is an amenity not required by this Planning and Zoning Code or is provided in response to a condition imposed by the Planning Commission, then the developer may utilize the provisions of subsection (a)(2) hereof.

111 021 (c) Expiration of Permits.

(1) Zoning and conditional use permits shall expire automatically if, within one year after the issuance of such permits:

A. The use authorized by such permits has not commenced; in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use; or,

B. Less than ten (10) percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been

completed on the site. With respect to phased development, this requirement shall apply only to the first phase.

(2) If, after some physical alteration to land or structures begins to take place, such work is discontinued for a period of one year, then the permit authorizing such work shall immediately expire. However, expiration of the permit shall not affect the provisions of subsection (d) hereof.

(3) The permit-issuing authority may extend for a period up to six (6) months the date when a permit would otherwise expire pursuant to subsections (c)(1) or (2) of this Section if the issuing authority concludes that:

A. The permit has not yet expired; and

B. The permit recipient has proceeded with due diligence and in good faith, and conditions have not changed so substantially as to warrant a new application. Successive extensions may be granted for periods up to six months upon the same findings. All such extensions may be granted by the Zoning Administrator without resort to the formal processes and fees required for a new permit.

(4) For purposes of this Section, the permit within the jurisdiction of the Council or the Board of Zoning Appeals is issued when the permit is signed under the authority of the issuing body by the Zoning Administrator.

(5) Notwithstanding any of the provisions of Chapter 1129, this Section shall be applicable to permits issued prior to the effective date of this Planning and Zoning Code.

(d) Effect of Permit on Successors and Assigns. Zoning and conditional-use permits authorize the permittee to make use of land and structures in a particular way. Such permits are transferable, unless otherwise specifically designated nontransferable. However, so long as the land or structures or any portion thereof covered under a permit continues to be used for the purposes for which the permit was granted, then:

(1) No person (including successors or assigns of the person who obtained the permit) may make use of the land or structures covered under such permit for the purposes authorized in the permit except in accordance with all the terms and requirements of that permit; and

(2) The terms and requirements of the permit apply to and restrict the use of land or structures covered under the permit, not only with respect to all persons having any interest in the property at the time the permit was obtained, but also with respect to persons who subsequently





# City of Napoleon, Ohio

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May 2, 2011

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Attn: Richard A. Chase

Re: Fulfilling Housing II, Inc., Proposed Group Home  
1103 Clairmont Avenue, Napoleon, Ohio

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Yours truly,

Chad E. Lulfs, P.E., P.S.  
City of Napoleon Engineer

cc: Dr. Jon A. Bisher, City Manager  
✓ Tom Zimmerman, City Building & Zoning Inspector



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RICHARD A. CHASE  
MARTIN E. GOFF

PHONE 419-536-2066  
FAX 419-536-2239

April 28, 2011

Chad E. Lulfs, P.E., P.S.  
City of Napoleon Engineering Department  
P.O. Box 151  
Napoleon, OH 43545

RE: **Fulfilling Housing II, Inc.**  
**Napoleon, Henry County, Ohio**

Dear Mr. Lulfs:

Please be advised that I represent Filling Memorial Home of Mercy, Inc. of N160, State Route 108, Napoleon, Ohio 43545, who, through one of its subsidiary corporations, Fulfilling Housing II, Inc., is in the process of developing the following four-bedroom group home:

| <u>Address</u>                           | <u>Location</u>                                      |
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| 1103 Claimont Ave., Napoleon, Ohio 43545 | Gerken-Hoeffel Sixth Addition,<br>Henry County, Ohio |

A copy of the legal description and diagram of the properties is attached.

One of the requirements of the application for the 811 project is a response from your organization as to whether or not the proposed site has water, sanitary sewer, and storm sewer service available. I would appreciate your prompt response in a letter from the City of Napoleon.

If you need any further information, please feel free to give me a call.

Respectfully yours,

CHASE & GOFF



Richard A. Chase

RAC/jlc  
Enclosures



**LEGAL DESCRIPTION**

**Lot Number Sixty-three (63) in Gerken-Hoeffel Sixth Addition in the City of Napoleon, Henry County, Ohio.**

**Parcel No. 4114 9194 0020**

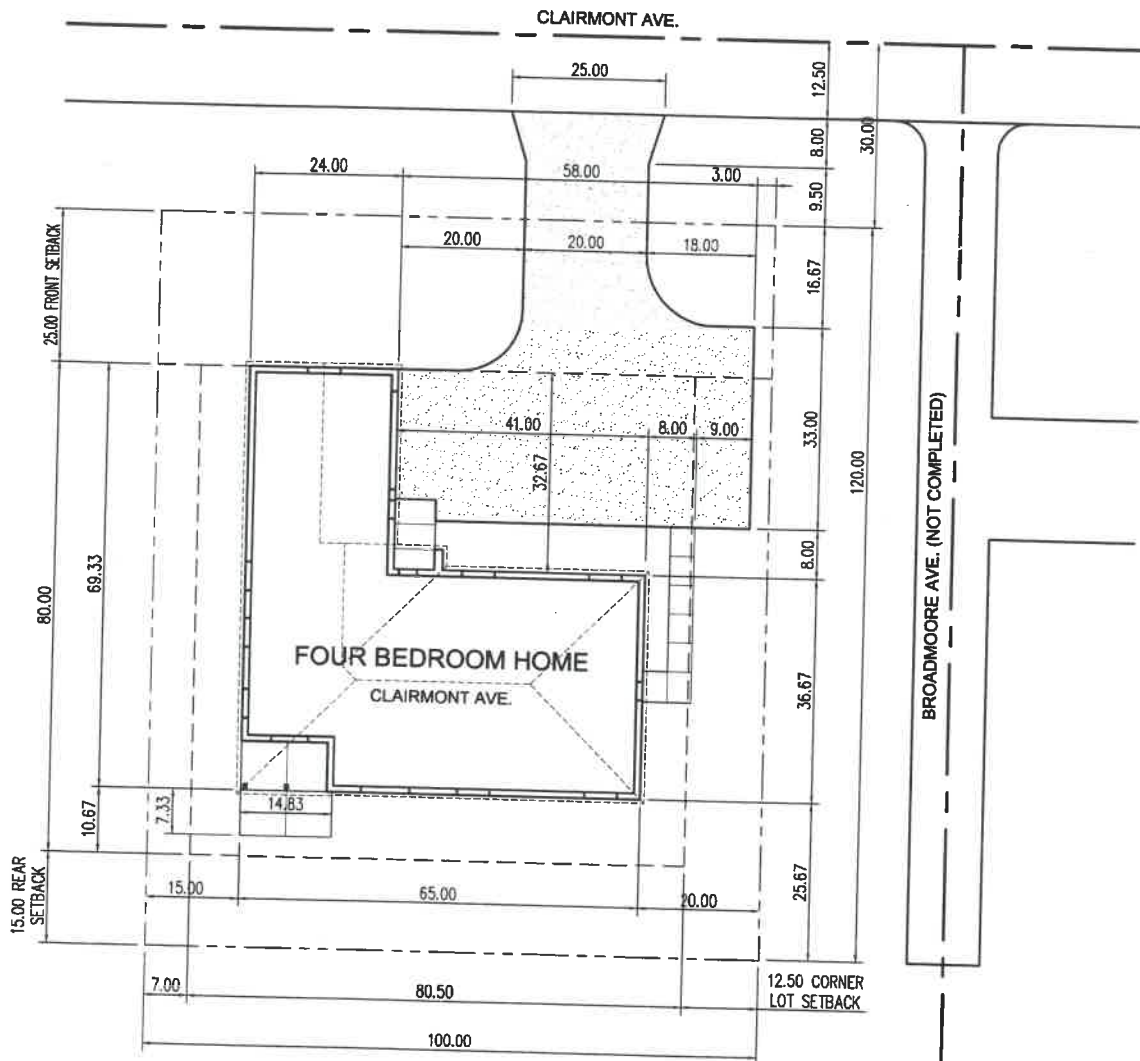
**Property Address: 1103 Clairmont Ave., Napoleon, Ohio 43545**



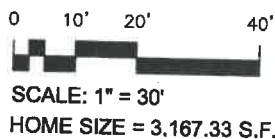


# NEW RESIDENTIAL CARE HOMES

Sponsor: Fulfilling Housing II, Inc.  
 Architect: Normand Associates, Inc.



**LOT 63 - GERKEN-HOEFFEL 6TH ADDITION**  
**1103 CLAIRMONT AVE. SITE PLAN**  
**NAPOLEON, OHIO 43545**





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CHASE & GOFF

Richard A. Chase

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**Lot Number Sixty-three (63) in Gerken-Hoeffel Sixth Addition in the City of Napoleon, Henry County, Ohio.**

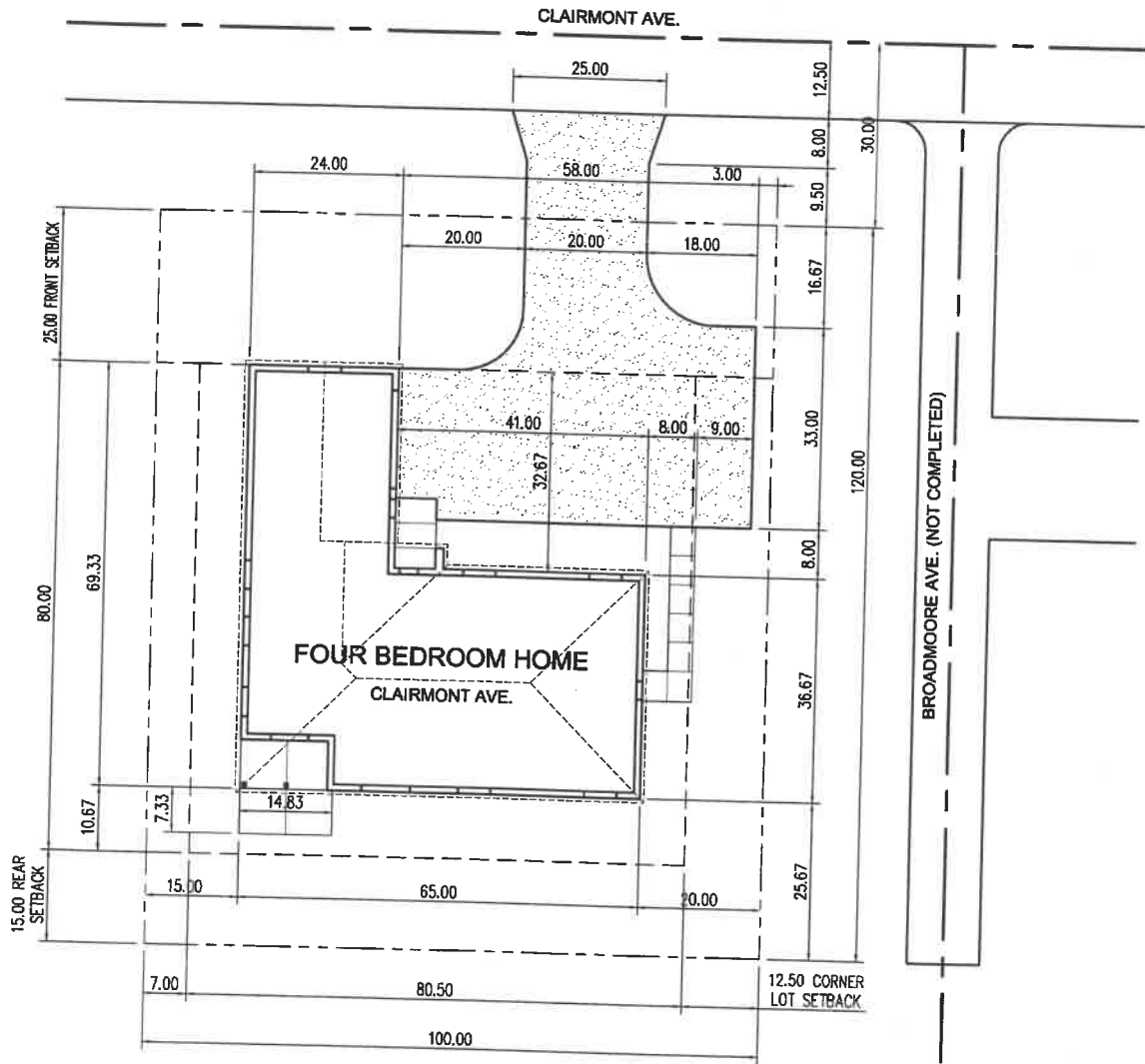
**Parcel No. 4114 9194 0020**

**Property Address: 1103 Clairmont Ave., Napoleon, Ohio 43545**



# NEW RESIDENTIAL CARE HOMES

Sponsor: Fulfilling Housing II, Inc.  
 Architect: Normand Associates, Inc.



## LOT 63 - GERKEN-HOEFFEL 6TH ADDITION 1103 CLAIRMONT AVE. SITE PLAN NAPOLEON, OHIO 43545

0 10' 20' 40'  
 SCALE: 1" = 30'  
 HOME SIZE = 3,167.33 S.F.







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Richard A. Chase

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Enclosures



**LEGAL DESCRIPTION**

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City of Napoleon, Henry County, Ohio.**

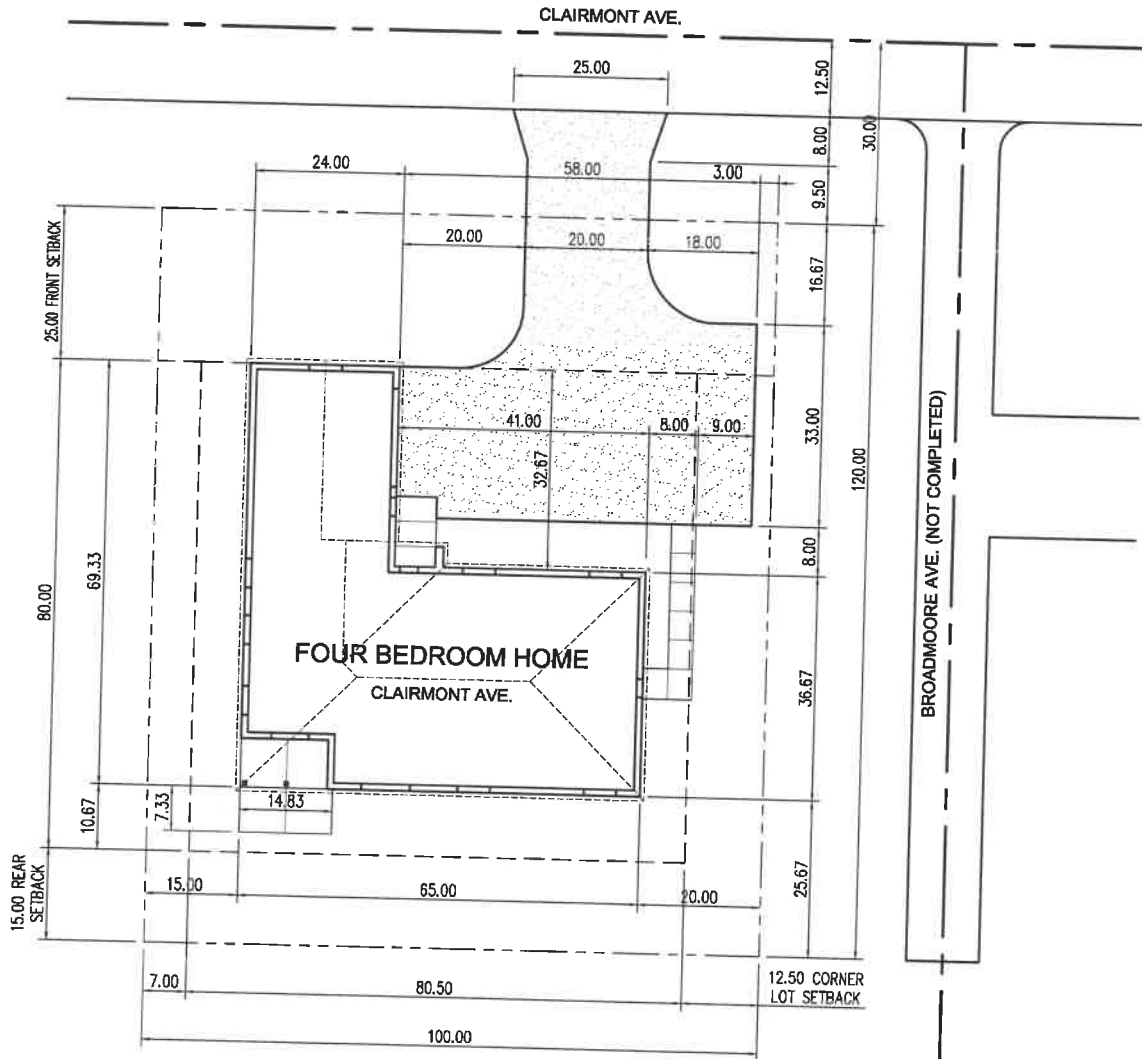
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**Property Address: 1103 Clairmont Ave., Napoleon, Ohio 43545**

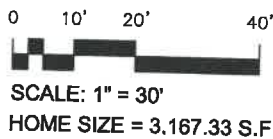


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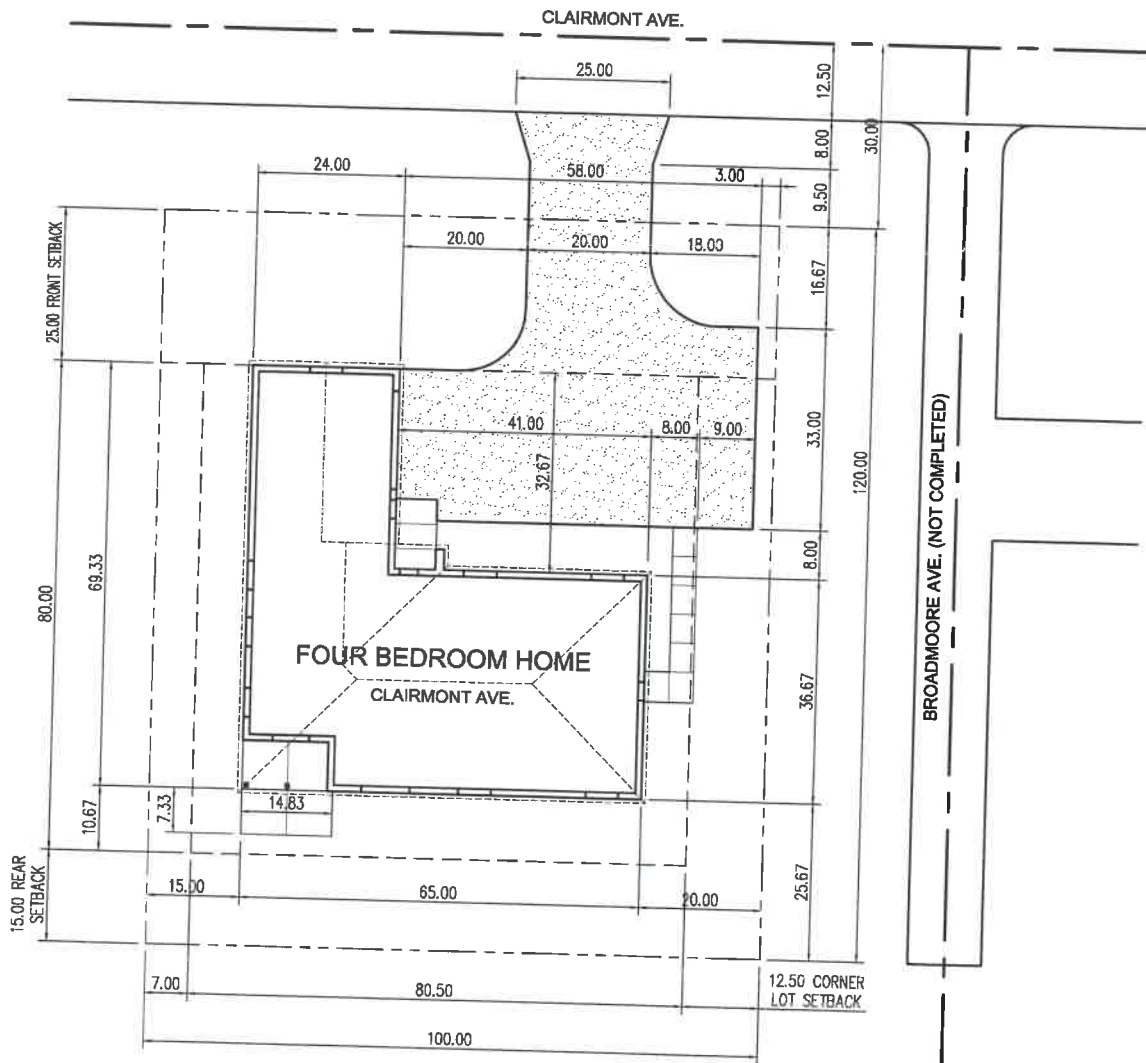
**LOT 63 - GERKEN-HOEFFEL 6TH ADDITION**  
**1103 CLAIRMONT AVE. SITE PLAN**  
**NAPOLEON, OHIO 43545**





# NEW RESIDENTIAL CARE HOMES

Sponsor: Fulfilling Housing II, Inc.  
 Architect: Normand Associates, Inc.



**LOT 63 - GERKEN-HOEFFEL 6TH ADDITION**  
**1103 CLAIRMONT AVE. SITE PLAN**  
**NAPOLEON, OHIO 43545**

0 10' 20' 40'



SCALE: 1" = 30'

HOME SIZE = 3,167.33 S.F.







**LEGAL DESCRIPTION**

**Lot Number Sixty-three (63) in Gerken-Hoeffel Sixth Addition in the  
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**Parcel No. 4114 9194 0020**

**Property Address: 1103 Clairmont Ave., Napoleon, Ohio 43545**



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PHONE 419-536-2066  
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City of Napoleon Engineering Department  
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Respectfully yours,

CHASE & GOFF



Richard A. Chase

RAC/jlc  
Enclosures



Fulfilling Housing II, Inc.  
c/o Filling Memorial Home of Mercy, Inc.  
N-160 S.R.108  
Napoleon OH 43545

RE: Lot 63 – Gerken-Hoeffel 6<sup>th</sup> Addition  
1103 Clairmont Ave.  
Napoleon OH 43545

Dear Mr. Oehrtman:

This letter is to confirm that the preliminary floor plan and the proposed site plan for the above mentioned property conform to the Napoleon Zoning Code as submitted. Any changes in either the preliminary floor plan or the proposed site plan may make the property plans to be non-conforming. Any changes to either plan prior to construction must be resubmitted for further evaluation.

If you should have any questions, please don't hesitate to contact me.

Sincerely,



Tom Zimmerman, Zoning Inspector





# *City of Napoleon, Ohio*

## *Engineering Department*

*255 West Riverview Avenue, P.O. Box 151*

*Napoleon, OH 43545*

*Chad E. Lulfs, P.E., P.S., City Engineer*

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# *Fax Cover Sheet*

***To: Richard A. Chase, Esq.***

***Company: Chase & Goff***

***From: Chad E. Lulfs***

***Fax #: 419-536-2239***

***Phone #:***

***Date: 7-15-13***

***Time: 1:55 p.m.***

***Pages: 2***

***Message:***







# City of Napoleon, Ohio

## Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Chad E. Lulfs, P.E., P.S., Director of Public Works

Telephone: (419) 592-4010 Fax: (419) 599-8393

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July 15, 2013

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2650 N. Reynolds Road, Suite 3  
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Yours truly,

Chad E. Lulfs, P.E., P.S.  
Director of Public Works  
City of Napoleon, Ohio

cc: Dr. Jon A. Bisher, City Manager  
Tom Zimmerman, City Building & Zoning Inspector



**460 Oxford**  
**Napoleon, OH 43545**

|  |                      |
|--|----------------------|
| Sewer tap (based on 10,700 sq. ft. lot size) | - \$ 129.29          |
| Inspection fees for sanitary sewer tap       | - \$ 60.00           |
| Zoning certificate                           | - \$ 50.00           |
| 2" water tap & 1" Meter (see attached sheet) | - <u>\$ 2,727.19</u> |
|  | \$ 2,966.48          |

**890 N. Harmony**  
**Napoleon, OH 43545**

|  |                      |
|--|----------------------|
| Sewer tap (based on 12,812 sq. ft. lot size) | - \$ 154.81          |
| Inspection fees for sanitary sewer tap       | - \$ 60.00           |
| Zoning certificate                           | - \$ 50.00           |
| 2" water tap & 1" Meter (see attached sheet) | - <u>\$ 2,180.00</u> |
|  | \$ 2,444.81          |

