

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Brent N. Dammman, Zoning Administrator
SUBJECT: Napoleon public library expansion.
HEARING: July 14th, 1992 at 4:30 PM
HEARING #: BZA 92/04

PMM

BACKGROUND

An application by The Napoleon City Schools District Public Library 310 W. Clinton Napoleon, Ohio for Variance to the City of Napoleon Ohio Code of Ordinances Section 151.31 (A) extending a legal non-conforming use structure, for the purpose of constructing a 2-story addition to the west side of the existing structure. The above mentioned is located in a "C" Residential Zoning District.

RESEARCH AND FINDINGS

1. The existing facility is a legal non-conforming use structure.
2. The above request is for the purpose of constructing a 40' x 60' two story addition on the west side of the existing structure, which would incorporate handicap rest rooms and an elevator.
3. The site plan shows that setbacks will be within the district parameters.
4. Residential property exists to the north and west of the facility, consideration should be given to the possible impact.
5. Parking shall conform to section 151.49 of the City of Napoleon Code of Ordinances. One (1) space for every eight hundred (800) s.f. of net floor area.

NO
SITE PLAN

ADMINISTRATIVE OPINION

Based on the long term existence and use of this structure and the hours that it is open, I do not believe the proposed addition would be detrimental to and or impact the surrounding residential properties.

CONSIDERATIONS

The standards for variation to be considered are as follows:

- (a) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or use in the same vicinity or district.
- (b) That such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or district but which is denied to the property in question.
- (c) That the granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or district in which the property is located.
- (d) That the granting of such a Variance will not alter the land use characteristics of the vicinity of district, diminish the value of adjacent land and improvements or increase the congestion in the public streets.