



City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE, P.O. BOX 151
NAPOLEON, OHIO 43545-0151
(419) 592-4010
FAX (419) 599-8393

May 04, 2000

Mayor
J. Andrew Small

Mr. Matthew Eggleston
314 Marlow Drive
Liberty Center, OH 43532

Members of Council
Michael J. DeWit, President
Terri A. Williams
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David F. Miller, Jr.
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Dr. Jon A. Bisher

Finance Director
Gregory J. Heath

Law Director
David M. Grahn

City Engineer
Adam C. Hoff, P.E.

Property location: 502 & 611 W. Clinton St. Napoleon, OH

FINAL NOTICE

Dear Mr. Eggleston

Please be informed the above properties have been declared public nuisances. You are hereby ordered to close (board up all door & window openings including any exterior stairways) the dwelling structures and accessory structures at 502 & 611 W. Clinton St. Napoleon Ohio within 10 days of receipt of this notice.

The accessory structure at 611 W. Clinton St. Napoleon, Ohio has been condemned according to City Code PM-108.0. This structure in my opinion is likely to collapse and is dangerous for human occupancy. There is evidence that there is occasional occupancy of this structure by humans thus posing a threat to life and limb. Therefore, I am proceeding under City Code section 109.0 entitled emergency measures. This will allow me to demolish the structure immediately which I intend to do.

The dwelling structures at 502 & 611 W. Clinton St. Napoleon, Ohio are unfit for human occupancy and have been condemned according to City Code PM-108.0. Both dwellings have in the past been considered legal non-conforming uses as they do not meet the minimum requirements for duplex structures in the zoning districts for which they are located. However since neither property has been used as a duplex for over one hundred eighty (180) days, they may no longer be used for such purpose according to City Code section 1129.07. Therefore, please be informed the subject dwellings may only be used as single family residences as they do not meet one or more of the minimum requirements of the zoning district regulations for which they are located (R-3 Residential). You do however have the right to appeal this ruling to the Board of Zoning Appeals.

The dwelling structures must still either be renovated in accordance with City building codes within 5 month of receipt of this notice or demolished within 5 months of receipt of this notice at your option. You will need to choose which option you will take and inform me within 10 days of receipt of this notice or I will ask for demolition in the subsequent court proceedings. It is critical that you communicate to me your decision on the subject properties within the specified times herein stated.

If you have questions regarding this notice call me at (419) 592-4010.

Sincerely

A handwritten signature in cursive script that reads "Brent N. Damman".

Brent N. Damman

Zoning Administrator

Cc. David Grahn, City Prosecutor