

MEMORANDUM

TO: Mayor and Members of City Council
FROM: Brent N. Damman, Zoning Administrator
SUBJECT: An application for an Amended Special Use Permit by Continental Estates 2 Devonshire Drive, Napoleon, Ohio, to allow a trailer sales area to be moved to a new location.
DATE: 15 August 1990
MEETING: 20 August 1990 at 8:00 PM
MEETING NO.: PC 90/17

RECOMMENDATION

The Planning Commission recommends to the City Council that they approve an application for a Amended Conditional Use Permit to allow an established trailer sales area to move to a new location, within the same property as it now exists. The property referenced is Continental Estates 2 Devonshire Drive and is in a "PB" Planned Business District.

BACKGROUND

An application by Phil Cain, DBA Continental Estates Inc. Napoleon, Ohio, for an Amended Conditional Use Permit to move an established trailer sales area to a new location. The application is pursuant to Sections 151.39(A)(3)(5) (6)(7) , 151.44(A)(2)(a,g) and 151.47(A)(1). The proposed sales area is to be located at Devonshire Drive and is in a "PB" Planned Business District.

WRITTEN FINDINGS OF FACT

A Planning Commission Meeting was held on this matter on 7 August 1990 at 4:30 P.M. After a discussion among board members, the chairman ask if there was anyone present who would like to speak in favor of this matter, no one responded. The chairman then ask if there was anyone who would like to speak against this matter. Mrs. Jane Yarnell was present and ask the secretary to explain the request in more detail, Mr. Bill Latta was also present and ask to see a drawing of the proposed changes, a drawing was submitted and explained in detail, this was found to be satisfactory to Yarnell and Latta. A motion was made by Mr. McBroom to approve the request, with the stipulation that the work would be done more accurately than the sketch that was submitted by Mr. Cain, it was then seconded by Mr. Bisher.

All members present voted in favor of the recommendation. The Planning Commission made their decision and recommendation to the City Council based on the following criteria considered for the Amended Conditional Use permit:

1. The establishment, maintenance of operation of these conditional uses will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The conditional use will not be injurious to the use and enjoyment or lawfully used property in the immediate vicinity or substantially diminish or impair property value within the neighborhood.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. The exterior appearance and functional plan of the conditional use will not be detrimental to the appearance and functional plan of any structures already in the immediate area, or with the character of the zoning district.
5. Adequate utilities, access roads, drainage, water, sewer and other environmental facilities have been or are being provided for the conditional use project.
6. Adequate measures have been or will be taken to provide ingress and egress to the premises so designed as to minimize traffic congestion in the in the public street.
7. The conditional use shall conform to the applicable regulations of this section.

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