

**MEMORANDUM**

**TO:** City Manager, Mayor & Members of City Council  
**FROM:** Brent N. Damman, Zoning Administrator *BND*  
**SUBJECT:** Special Use Permit for use of a private water well New Heritage Homes.  
**MEETING DATE:** June 16, 1997 @ 8:00 pm  
**HEARING #:** BOPA 97/01

*97-03 file***BACKGROUND:**

An application has been made by New Heritage Homes Inc. 2299 Scott St Napoleon, Ohio. The applicant is requesting the issuance of a Special Use Permit to allow the use of a private water well on a parcel of land located at 245 Rd. R Napoleon, Ohio. The parcel is not currently served by public water. The request is pursuant to City Code chapter 1141. The subject property is located in a C-4 Commercial Zoning District.

**RESEARCH AND FINDINGS:**

1. This special use procedure is made available to properties which are not currently served by public water to be able to use private water sources to serve their site.
2. The subject site (formerly Par 3 golf course) is not currently served with public water and there are no immediate plans to do so.
3. All private water wells proposed to be used for commercial establishments must first be approved by the Ohio EPA.
4. Once public water would become available to this property it would be mandatory for the current owner to connect.

**ADMINISTRATIVE OPINION AND RECOMMENDATIONS:**

It is my recommendation that the Board of Public Affairs recommend to City Council that they approve this Special Use Permit subject to the following condition;

That the Special Use Permit shall expire after one year of issuance, unless renewed, then one year after each renewal at a fee of \$50.00 per renewal; or within 90 days from the date a public water supply shall come within 200 feet of the premises; and such permit meets and continues to meet Ohio Environmental Protection Agency approval.

MINUTES OF THE CITY OF NAPOLEON BOARD OF PUBLIC AFFAIRS  
HEARING # BOPA 97/01 HELD ON JUNE 09, 1997 @ 7:00 PM  
(ATTACHED)

The Boards decision was based on the following criteria;

1. That the Special Use will not be detrimental to or endanger the health safety, and security of the City's potable water supply, water system, and wastewater system;
2. That the City's potable water supply and/or water system is deficient in quality for the applicant's special use;
3. That the City's potable water supply and/or water system is deficient in quantity for the applicant's special use.

In this particular situation the City water supply would be deficient in quantity as it is not available to this site.