

150 Glenwood

PLANNING COMMISSION RESOLUTION NO. PC-02-13

A RESOLUTION OF THE CITY OF NAPOLEON PLANNING COMMISSION APPROVING THE ISSUANCE OF A SPECIAL USE PERMIT TO ALLOW OUTSIDE STORAGE AND DISPLAY OF MOBILE HOMES, MODULAR HOMES, AND USED CARS FOR SALE TO BE ISSUED TO JEFFERY MILLER DBA MANUFACTURED HOMES UNLIMITED AT THE LOCATION OF 1500 GLENWOOD AVENUE NAPOLEON, OHIO.

WHEREAS, Jeffery Miller on behalf of Manufactured Homes Unlimited has made application to this commission pursuant to Chapter 1141 of the Codified Ordinances of the City of Napoleon, Ohio requesting the issuance of a Special Use Permit at the location of 1500 Glenwood Avenue Napoleon, Ohio to allow outside storage and display of mobile homes, modular homes and used cars for sale, subject to certain conditions stated herein; and,

WHEREAS, this Commission has held a public hearing pursuant to Chapter 1141 of the Codified Ordinances of the City of Napoleon, Ohio and other applicable sections of law, to wit: Hearing No. PC02-13 (held September 10, 2002); and,

WHEREAS, the Zoning Administrator has processed the application in compliance with the provisions of said Chapter 1141 of the Codified Ordinances of the City of Napoleon, Ohio; and,

WHEREAS, based upon the submittals, testimony and/or other evidence received by the Commission it has been determined to recommend approval of said Special Use Permit based on the following findings:

- (A) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
- (B) The special use will not be injurious to the use and enjoyment of lawfully used property in the immediate vicinity or substantially diminish or impair property values within the neighborhood.
- (C) The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (D) The exterior architectural appearance and functional plan of the special use premises will not unreasonably be incompatible with the architectural appearance and functional plan of and structures already in the immediate area, or with the character of the zoning district.
- (E) Adequate utilities, access roads, and drainage, water, sewer, and other environmental facilities have been or are being provided for the special use project.

- (F) Adequate measures have been or will be taken to provide ingress and egress to the premises so designated to minimize traffic congestion in the public street.
- (G) The special use shall conform to the applicable regulations of the district in which it is located except as such regulations may, in each instance, be modified by the conditions of the Special Use Permit. **Therefore,**

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, the Planning Commission of the City of Napoleon, Ohio hereby grants the issuance of a Special Use Permit to Jeffery Miller D.b.a. Manufactured Homes Unlimited at the location of 1500 Glenwood Avenue Napoleon, Ohio to allow outside storage and display of mobile homes, modular homes and used cars for sale, subject to following conditions;

1. The display area shall only be used for manufactured homes, modular homes, automobiles (including trucks up to one ton capacity), and
2. The applicant shall install a concrete drive approach eight (8) inches minimum in thickness on proper subgrade from the edge of the pavement of Glenwood Ave. to the front property line or the length of twenty (20) feet whichever is longer, and
3. Provisions shall be made to allow delivery of homes to be made directly out of and into the sales lot in a forward motion not to be backed off of or onto the roadway when entering or exiting the lot. The drive approach and throat shall be designed in such a manner that semi rigs toting manufactured homes can maneuver in and out of the facility without destroying adjacent land areas or disrupting Glenwood Avenue roadway traffic, and
4. That the applicant shall provide an engineered drainage plan and such plan must first be approved by the City Engineer prior to the commencement of construction, and.
5. The plans shall show the display areas setback twenty (20) feet from all property lines and the office building shall be setback a minimum of forty (40) feet from the front property line. The display lot must be permanently marked and maintained in the approved location. Dust control measures shall be taken and exercised periodically, and
6. Signs must meet the City sign code and they shall not be closer than ten (10) feet from the leading edge of signs to any property line. Signs may be non lighted or internally lighted but no more than 20 watts per square foot of illuminated surface area. Externally illuminated signs, temporary signs, streamers, festoons, motion signs, flashing signs, distracting signs or signs of poor taste may not be used at any time on the site, and
7. Manufactured homes and automobiles on the premises must be whole and complete units, they may not be partially disassembled, in a state of disrepair or in need of major repairs. The premises may not be used to disassemble manufactured homes, cars, truck or any other items at any time regardless of reason. All units on the lot which are required to

be titled by the State of Ohio must have a valid title on file in the sales office at all times until sold, and

8. That in the event City water and sanitary sewer service becomes reasonably available along Glenwood Ave. adjacent to this site, the owner shall connect to such service lines within 60 days of availability at his expense, and

9. That the Special Use Permit not be transferable to another owner until such time it is approved by the Planning Commission after such required hearing, and

10. That the Planning Commission shall review this Special Use permit within one (1) year of issuance for compliance with all conditions stated herein and if complete compliance is determined the Commission may allow the operation to continue.

Section 2. That, the Zoning Administrator shall forward a copy of this Resolution and a report of said Commission's recommendation and the vote of each member regarding the recommendation to City Council.

Section 3. That, it is found and determined that all formal actions of this Planning Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Planning Commission, and that all deliberations of this Planning Commission that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 4. That, if any other prior Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution shall take effect at the earliest time permitted by law.

Passed:

9-10-02


Chairman

VOTE ON PASSAGE 4 Yea 1 Nay 0 Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.