

THIS IS A COPY OF MEMO ISSUED FOR OCTOBER 14, 1997 HEARING.  
WE WILL NEED TO TAKE THE ISSUE FROM THE TABLE AND TAKE SOME  
FORM OF ACTION ON IT.

**MEMORANDUM**

TO: Members of the Planning Commission  
FROM: Brent N. Damman, Zoning Administrator *BND*  
SUBJECT: Special Use Permit Five County Alcohol/Drug.  
HEARING DATE: November 11, 1997 @ 5:00 pm  
HEARING #: PC 97/12

**BACKGROUND:**

An application has been made by Gary Malone of United Pentecostal Church 444 Independence Dr. Napoleon, Ohio on behalf of Five County Alcohol & Drug 444 Independence Dr. Napoleon. The applicant is requesting the issuance of a Special Use Permit to allow the operation of the Five County Drug & Alcohol program at the location of 230 Glenwood Ave. Napoleon, Ohio. The request is pursuant to City Code chapter 1141. The subject property is located in an R-2 Residential Zoning District.

**RESEARCH AND FINDINGS:**

1. In reading through the attached information submitted to me by Jeanna Donnelly of Five County, it would appear that the program focuses on persons who may have an addiction problem. The program also offers services to the families of the person with the drug/alcohol problem.
2. The hours of operation are as follows;  
9:00 AM - 12:00 PM Group Therapy (6-10 Clients) Thursdays  
5:00 PM - 7:00 PM Group Therapy (6-10 Clients) Tuesdays  
5:00 PM - 8:00 PM Group Therapy (6-10 Clients) M, Th, F

I will let the representative from Five County further explain how the program flows.

**ADMINISTRATIVE OPINION AND RECOMMENDATIONS:**

It would appear that the numbers are relatively small as is the associated traffic. Based on what I know, some of the persons who are treated at the facility have had their drivers license revoked. It would make sense that a few of these people will be dropped off and some may walk.

There is no doubt in my mind that the Five County Alcohol /Drug program is needed in the community. And I am sure the persons who have been serviced greatly appreciate the program. The question becomes, if this permit is granted, will the proposed operation have a negative impact on the neighborhood.

The Planning Commission shall make written findings of fact and shall submit same together with its recommendation to the City Council after the close of the hearing on a special use. The Planning Commission's report to the City Council shall indicate the vote of each member present and shall contain a statement of reasons why a member or members did not vote in favor of a recommendation. No special use shall be recommended by the Planning Commission unless the Commission finds that:

- (1) 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.
- (2) 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.
- (3) 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.
- (4) The exterior architectural appearance and functional plan of the special use premises will not be incompatible with the architectural 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, and drainage, water, sewer, and other environmental facilities have been or are being provided for the special use project.
- (6) 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.

- (7) 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.

The above paragraphs shall be addressed and it shall be determined whether or not this Special Use will meet this criteria and explanations as to why it will or will not meet each set of criteria.

# City of NAPOLEON, OHIO

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May 15, 2002

COPY

Mr. Gary Malone  
857 E. Graceway Dr.  
Napoleon, Ohio 43545

Mayor  
J. Andrew Small

Re. 230 Glenwood Ave. - Use of existing structure..

Members of Council  
Michael J. DeWit, President  
Terri A. Williams  
James Hershberger  
Travis B. Sheaffer  
John A. Helberg  
Steven C. Small  
Glenn A. Miller

Dear Mr. Malone

This letter is to inform you that the building under your control located at 230 Glenwood Ave. may only be used in accordance with permits issued by myself or by the City Planning Commission. It is my understanding that there is a proposed warehouse use of the subject structure, this will require the issuance of a Special Use Permit as it is not considered to be a permitted use in the residential district in which the building is located.

City Manager  
Dr. Jon A. Bisher

Please make an appointment with me to discuss this matter and complete the necessary application for a Special Use Permit to the Planning Commission.

Finance Director  
Gregory J. Heath

Law Director  
David M. Grahn

Sincerely

Brent N. Damman  
Zoning Administrator

City Engineer  
Joseph R. Kleiner, P.E.

cc. Mr. Steven Lankenau