

PERMIT
 CITY OF NAPOLEON, OHIO - BUILDING DEPARTMENT
 255 West Riverview Avenue, Napoleon, Ohio 43545 - (419) 592-4010

Permit No. 4032 Issued 08/28/96
 Job Location 500 Glenwood Ave.
 Lot _____
 Issued by Brent N. Damman
 Owner Bert G. Taylor American Legion - 300
 Address 500 Glenwood Ave.
 Agent Self
 Address _____
 Use Type - Residential _____
 Other - Describe Commercial
 No. Dwelling Units _____
 New X Replacement _____
 Add'n. _____ Alter _____ Remodel _____
 Mixed Occupancy _____
 Change of Occupancy _____
 Estimated Cost \$ _____

FEES	BASE	PLUS	TOTAL
<input checked="" type="checkbox"/> Building	\$ 9.00	\$ 18.00	\$ 27.00
<input type="checkbox"/> Electrical	\$	\$	\$
<input type="checkbox"/> Plumbing	\$	\$	\$
<input type="checkbox"/> Mechanical	\$	\$	\$
<input type="checkbox"/> Demolition	\$	\$	\$
<input type="checkbox"/> Zoning	\$	\$	\$
<input type="checkbox"/> Sign	\$	\$	\$
<input type="checkbox"/> Water Tap	\$	\$	\$
<input type="checkbox"/> Sew. Insp.	\$	\$	\$
<input type="checkbox"/> Sewer Tap	\$	\$	\$
<input type="checkbox"/> Temp. Water	\$	\$	\$
<input type="checkbox"/> Temp. Elec.	\$	\$	\$
TOTAL FEES.....			\$ 27.00
LESS FEES PAID.....			\$ 27.00
BALANCE DUE.....			\$ -0-

ZONING INFORMATION

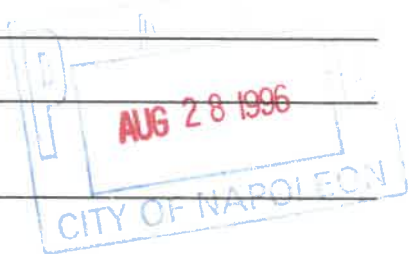
district	lot dimensions		area	front yd	side yd	rear yd
max hgt	no pkg spaces	no ldg spaces	max cover	petition or appeal req'd		date appr

WORK INFORMATION

Size: Length _____ Width _____ Stories _____ Ground Floor Area _____
 Height _____ Building Volume (for Demo. Permit) _____
 Electrical: _____
 Plumbing: _____
 Mechanical: _____

Additional Information: 14' x 36' BarbecuePit

Date 8.28.96 Applicant Signature Bill Ellmy



BERT G TAYLOR
AMERICAN LECTION
500 GLENWOOD AVE

MULTI ROOF
OPEN ROOF OVER PIT

SIDES OPEN

CONCRETE

4x4 TREADED POST

← 30' →

← 36' →

PIT

~~OPEN SPAN BASE~~

PIT

11'
11'

14'
20'

FRONT WALL

FRONT WALL

Date

APPLICATION FOR

Residential, Building, Electrical, Plumbing, Mechanical, and Demolition Permit
FROM - The City of Napoleon, Ohio, Building Department
 255 West Riverview Avenue; P.O. Box 151; Napoleon, Ohio 43545 - Telephone (419) 592-4010

ENTRY NO. _____

PERMIT NO. 4032 ISSUED 8-28-96

JOB LOCATION 500 Glenwood Ave

LOT _____
 (Subdivision or Legal Description)

ISSUED BY BND
 (Building Official)

OWNER Bert G. Taylor American Legion Post 300 PHONE 592-5561

ADDRESS 500 Glenwood Ave Nap

AGENT Self PHONE _____

ADDRESS _____

USE: () Residential () Commercial () Industrial
 () Other _____

WORK: () New () Addition () Replacement () Remodel

ESTIMATED COST = \$ 2000.00

	Base	Plus	Total
(<input checked="" type="checkbox"/>) Building	\$ <u>9.00</u>	\$ <u>18.00</u>	\$ <u>27.00</u>
() Electrical	\$ _____	\$ _____	\$ _____
() Plumbing	\$ _____	\$ _____	\$ _____
() Mechanical	\$ _____	\$ _____	\$ _____
() Demolition	\$ _____	\$ _____	\$ _____
() Zoning	\$ _____	\$ _____	\$ _____
() Sign	\$ _____	\$ _____	\$ _____
() Water Tap	\$ _____	\$ _____	\$ _____
() Sewer Tap	\$ _____	\$ _____	\$ _____
() Temp Water	\$ _____	\$ _____	\$ _____
() Temp Elec.	\$ _____	\$ _____	\$ _____

Additional Structure _____ Hours _____
 Plan Review: Electric _____ Hours _____

TOTAL FEES \$ 27.00
 Less Fees Paid \$ _____
 BALANCE DUE \$ _____

ZONING INFORMATION

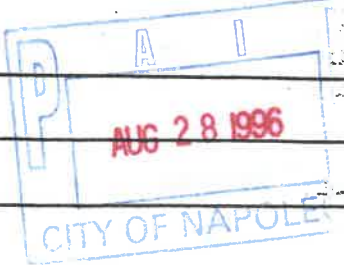
District	Lot Dimensions	Area	Front Yard	Side Yard	Rear Yard

Max Height	No. Pkg. Spaces	No. Ldg. Spaces	Max Cover	Petition or Appeal Required-Date

WORK INFORMATION

Building: Ground Floor Area _____ sq. ft. Basement Floor Area _____ sq. ft.
 Garage Floor Area _____ sq. ft. 2nd Floor Area _____ sq. ft. Other _____ sq. ft.
 Size: Length _____ Width _____ Stories _____ Height _____
 Building Volume (for Demolition Permit) _____ cubic feet

Description of Work: 14' x 36' barbeque pit.



ELECTRICAL: Contractor _____ Phone _____

Address _____ ESTIMATED COST = \$ _____

Type of Work: ()New ()Service Change ()Rewiring ()Add'l Wiring TEMPORARY ELEC. REQUIRED - ()Yes ()No

Size of Service _____ Underground _____ Overhead _____ Number of New Circuits _____

Description of Work: _____

PLUMBING: Contractor _____ Phone _____

Address _____ ESTIMATED COST = \$ _____

WATER TAP REQUIRED - ()Yes ()No Size _____ Type of Pipe _____ Water Dist. Pipe _____

SANITARY SEWER TAP REQUIRED - ()Yes ()No Size _____ Type of Pipe _____ Dr. Waste Vt. Pipe _____

STREET SEWER TAP REQUIRED - ()Yes ()No Type of Pipe _____ STREET TO BE OPENED - ()Yes ()No

Main Building Drain Size = _____ Main Vent Pipe Size = _____

LIST NUMBER OF PLUMBING FIXTURES BELOW:

Water Closets = _____ Bathtubs = _____ Showers = _____ Lavatories = _____ Kitchen Sinks = _____ Disposal = _____

Clothes Washer = _____ Floor Drains = _____ Dishwasher = _____ Other _____ Total = _____

Description of Work: _____

MECHANICAL: Contractor _____ Phone _____

Address _____ ESTIMATED COST = \$ _____

HEATING SYSTEM - ()Forced Air ()Gravity ()Hot Water ()Steam ()Unit Heaters ()Radiant ()Baseboard

TYPE OF FUEL - ()Electric ()Natural Gas ()Propane ()Wood ()Coal ()Solar ()Geothermal Other _____

NUMBER OF HEAT ZONES = _____ HOT WATER - ()One (1) Pipe ()Two (2) Pipes ()Series Loop

ELECTRIC HEAT - Number of Circuits _____ Number of Furnaces _____ Number of Hot Air Runs _____

Number of Hot Water Radiators _____ Total Heat Loss _____ Rated Capacity of Furnace/Boiler _____

LOCATION OF HEATING UNITS - ()Crawl Space ()Floor Level ()Attic ()Suspended ()Roof ()Outside

Description of Work: _____

DRAWINGS REQUIRED: All applications must be accompanied by two (2) complete sets of Drawings including Site Plans, Foundation Plans, Floor Plans, Structural Framing Plans, Exterior Elevations, Section and Details, Stair Details, Electrical Layout, Plumbing Isometric, Heating Layout, etc. All Plans shall be drawn to scale, show all existing structure on the Site Plans, and show electric panel and furnace locations.

READ AND SIGN BELOW: The undersigned hereby makes application for a Permit for all work described herein and agrees to complete the work in strict accordance with all applicable provisions of the current edition of the C.A.B.O. Building Code, the Napoleon Building and Zoning Codes, the Napoleon Engineering Department Rules and Regulations, Standard Specifications and other pertinent sections of the Napoleon Code of Ordinances.

3928 8 5 2014

Signature of Applicant _____ Date _____

Hoeffel, Funkhouser, Hanna and Fisher

ATTORNEYS AT LAW

CORNER OF PERRY AND SHELBY STREETS
P.O. BOX 605

NAPOLEON, OHIO 43545-0605

TELEPHONE (419) 599-1010

FAX (419) 599-0770

JOHN H. HANNA
RICHARD A. FISHER
GERALD D. LAVER

MARTIN E. HOFFEL
(Retired)
JAMES FUNKHOUSER
(1922-1990)

November 6, 1995

Marc Gerken
City of Napoleon Engineering Dept.
255 W. Riverview Ave.
Napoleon, Ohio 43545

Dear Marc:

Enclosed are the executed utility easements from Ma-Tem-Co and The Bert G. Taylor Post Number 300 of The American Legion to the City of Napoleon.

Should you need anything further, please do not hesitate to contact me.

Very truly yours,



Richard A. Fisher

RAF:aml

Enclosures

Permanent Easement For Overhead Electric Utility Purposes

KNOW ALL MEN BY THESE PRESENTS: That we, The Bert G. Taylor Post Number 300 of The American Legion, a non-profit organization, the Grantors, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the City of Napoleon, Ohio, the Grantee, the receipt and sufficiency of which is hereby acknowledged, do hereby **GRANT, BARGAIN, SELL, CONVEY and RELEASE** to the Grantee, its successors and assigns forever, a Permanent Easement and Right-of-Way for Overhead Electric Utility Purposes, together with the right to erect, construct, and install and thereafter use, operate, inspect, repair, maintain, replace and remove said electric utilities, together with all necessary wires, and all other appurtenances thereto, over, through and across the following described real estate situated in the City of Napoleon, County of Henry and State of Ohio to wit:

A part of the following described parcel of land;

Being a contiguous strip of land ten feet (10") in width running along the westerly edge of and across Lot forty-two (42) of Heller & Donnelly's 2nd Addition to Napoleon.

Owners of the parcel of land described herein claim title by deed recorded in Volume 254 at Pages 93 & 98 of the Henry County Deed Records.

TO HAVE AND TO HOLD said Easement, together with all rights and privileges belonging thereto unto the Grantee, its successors and assigns forever.

The consideration recited herein shall constitute full and final payment for all damages sustained and/or claimed by the Grantors, their heirs, executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantor's real estate, that arise from or by reason of the erection, construction, installation, use, operation, inspection, repair, maintenance, replacement and/or removal of said overhead electric utilities and all appurtenances thereto, including but not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential. Nevertheless, the Grantee shall restore the Grantors' yards, lawns, crops, fences, tiling and sidewalks to as good condition as when entered upon by the Grantee or its agents, employees or contractors or at the Grantee's option, to pay the reasonable, direct, and known damages caused thereto.

This Easement together with all agreements, covenants, and other provisions recited herein, shall constitute a covenant running with the land for the benefit and use of the Grantee, its successors and assigns forever.

The Grantor hereby covenants that it is the true and lawful Owner of the above described real estate and have full power and authority to convey the same. ~~and that the same is free and clear from all liens and encumbrances whatsoever, except the following:~~

IN WITNESS WHEREOF, The Bert G. Taylor Post Number 300 of The American Legion, the Grantor, has executed this Permanent Easement for Overhead Electric Utility Purposes this 21st day of September, 1995.

Signed and acknowledged in the presence of:

THE BERT G. TAYLOR POST NUMBER 300 OF THE AMERICAN LEGION

Ann L. Hale
Ann L. Hale
Andrea M. Leitner
Andrea M. Leitner

by James Gilliland
James Gilliland, Trustee

Ann L. Hale
Ann L. Hale
Andrea M. Leitner
Andrea M. Leitner

by James Shadle
James Shadle, Trustee

Ann L. Hale
Ann L. Hale
Sara Myles
Sara Myles

by Donald Lammers
Donald Lammers, Trustee

Richard A. Fisher
Richard A. Fisher
Ann L. Hale
Ann L. Hale

by Douglas Baker
Douglas Baker, Trustee

Andrea M. Leitner
Andrea M. Leitner
Marsha K. Yarnell
Marsha K. Yarnell

by Floyd Keller
Floyd Keller, Trustee

STATE OF OHIO
County of Henry, ss:

Before me, a Notary Public in and for said State, personally appeared the above named James Gilliland, one of the Trustees and one of the Grantors, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 4th day of August, 1995.

ANDREA M. LEITNER
Notary Public, State of Ohio
My Commission Expires: July 27, 1997

Andrea M. Leitner
Notary Public, State of Ohio

STATE OF OHIO
County of Henry, ss:

Before me, a Notary Public in and for said State, personally appeared the above named James Shadle, one of the Trustees and one of the Grantors, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 21st day of September, 1995.

ANDREA M. LEITNER
Notary Public, State of Ohio
My Commission Expires: July 27, 1997

Andrea M. Leitner
Notary Public, State of Ohio

STATE OF OHIO
County of Henry, ss:

Before me, a Notary Public in and for said State, personally appeared the above named Donald Lammers, one of the Trustees and one of the Grantors, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 3rd day of August, 1995.

ANN L. HALE
Notary Public, State of Ohio
My Commission Expires Oct. 26, 1998

Ann L. Hale
Notary Public, State of Ohio

STATE OF OHIO
County of Henry, ss:

Before me, a Notary Public in and for said State, personally appeared the above named Douglas Baker, one of the Trustees and one of the Grantors, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 7th day of August, 1995.

ANN L. HALE
Notary Public, State of Ohio
My Commission Expires Oct. 26, 1998

Ann L. Hale
Notary Public, State of Ohio

STATE OF OHIO
County of Henry, ss:

Before me, a Notary Public in and for said State, personally appeared the above named Floyd Keller, one of the Trustees and one of the Grantors, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 3rd day of August, 1995.

ANDREA M. LEITNER
Notary Public, State of Ohio
My Commission Expires: July 27, 1997

Andrea M. Leitner
Notary Public, State of Ohio

This Instrument Prepared By: City of Napoleon Engineering Department

Permanent Easement For Overhead Electric Utility Purposes

KNOW ALL MEN BY THESE PRESENTS: That we, Ma-Tem-Co, a non-profit organization, the Grantors, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the City of Napoleon, Ohio, the Grantee, the receipt and sufficiency of which is hereby acknowledged, do hereby **GRANT, BARGAIN, SELL, CONVEY and RELEASE** to the Grantee, its successors and assigns forever, a Permanent Easement and Right-of-Way for Overhead Electric Utility Purposes, together with the right to erect, construct, and install and thereafter use, operate, inspect, repair, maintain, replace and remove said electric utilities, together with all necessary wires, and all other appurtenances thereto, over, through and across the following described real estate situated in the City of Napoleon, County of Henry and State of Ohio to wit:

A part of the following described parcel of land;

Being a contiguous strip of land ten feet (10") in width running along the westerly edge of and across Lots thirty-nine (39), forty (40), and forty-one (41) of Heller & Donnelly's 2nd Addition to Napoleon.

Owners of the parcel of land described herein claim title by deed recorded in Volume 174 at Page 195 of the Henry County Deed Records, and Volume 18, Page 50, Miscellaneous Records, Henry County, Ohio.

TO HAVE AND TO HOLD said Easement, together with all rights and privileges belonging thereto unto the Grantee, its successors and assigns forever.

The consideration recited herein shall constitute full and final payment for all damages sustained and/or claimed by the Grantors, their heirs, executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantor's real estate, that arise from or by reason of the erection, construction, installation, use, operation, inspection, repair, maintenance, replacement and/or removal of said overhead electric utilities and all appurtenances thereto, including but not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential. Nevertheless, the Grantee shall restore the Grantors' yards, lawns, crops, fences, tiling and sidewalks to as good condition as when entered upon by the Grantee or its agents, employees or contractors or at the Grantee's option, to pay the reasonable, direct, and known damages caused thereto.

This Easement together with all agreements, covenants, and other provisions recited herein, shall constitute a covenant running with the land for the benefit and use of the Grantee, its successors and assigns forever.

The Grantor hereby covenants that it is the true and lawful Owner of the above described real estate and have full power and authority to convey the same. ~~and that the same is free and clear from all liens and encumbrances whatsoever, except the following~~

IN WITNESS WHEREOF, Ma-Tem-Co, the Grantor, has executed this Permanent Easement for Overhead Electric Utility Purposes this 6th day of November, 1995.

Signed and acknowledged in the presence of:

MA-TEM-CO

Richard A. Fisher
Richard A. Fisher
Marsha K. Yarnell
Marsha K. Yarnell

by Rory Prigge
Rory Prigge, its President

Ann L. Hale
Ann L. Hale
Andrea M. Leitner
Andrea M. Leitner

by Gerald Richardson
Gerald Richardson, its Vice-President

Ann L. Hale
Ann L. Hale
Andrea M. Leitner
Andrea M. Leitner

by Robert Rettig
Robert Rettig, its Secretary

Ann L. Hale
Ann L. Hale
Andrea M. Leitner
Andrea M. Leitner

by Dallas J. Andrew
Dallas Andrew, its Treasurer

Richard A. Fisher
Richard A. Fisher
Marsha K. Yarnell
Marsha K. Yarnell

by Lester Shelt
Lester Shelt, executive committee

STATE OF OHIO
County of Henry, ss:

Before me, a Notary Public in and for said State, personally appeared the above named Ma-Tem-Co, by Rory Prigge, its President, and Lester Shelt, member of executive committee, and two of the Grantors, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed, individually and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 5th day of August, 1995.

MARSHA K. YARNELL
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES AUG 27 1998

Marsha K. Yarnell
Notary Public, State of Ohio

STATE OF OHIO
County of Henry, ss:

Before me, a Notary Public in and for said State, personally appeared the above named Ma-Tem-Co, by Gerald Richardson, its Vice-President, and one of the Grantors, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, individually and as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 6th day of November, 1995.

ANDREA M. LEITNER
Notary Public, State of Ohio
My Commission Expires: July 27, 1997

Andrea M. Leitner
Notary Public, State of Ohio

STATE OF OHIO
County of Henry, ss:

Before me, a Notary Public in and for said State, personally appeared the above named Ma-Tem-Co, by Robert Rettig, its Secretary, and one of the Grantors, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, individually and as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 22nd day of September, 1995.

ANDREA M. LEITNER
Notary Public, State of Ohio
My Commission Expires: July 27, 1997

Andrea M. Leitner
Notary Public, State of Ohio

STATE OF OHIO
County of Henry, ss:

Before me, a Notary Public in and for said State, personally appeared the above named Ma-Tem-Co, by Dallas Andrew, its Treasurer, and one of the Grantors, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, individually and as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 7th day of August, 1995.

ANDREA M. LEITNER
Notary Public, State of Ohio
My Commission Expires: July 27, 1997

Andrea M. Leitner
Notary Public, State of Ohio

This Instrument Prepared By: City of Napoleon Engineering Department

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Roger O. Freytag, Acting Zoning Administrator *ROF*
SUBJECT: Variance to allow improvements at the
American Legion located at 500 Glenwood Ave.
HEARING DATE: September 13th, 1994 at 4:30 PM
HEARING #: BZA 94/07

BACKGROUND

An application by Milton Apel, 908 W. Riverview, Napoleon Ohio, on behalf of the Bert G. Taylor Post 300 of the American Legion located at 500 Glenwood Ave, requesting variances to the zoning code, to allow the replacement of the existing annex building and a 25' expansion along the East side of the main hall. The variance request is to sections 151.39 (A)(1)(2)(3)(4)(6)(7), (B)(38), (D)(1), (E)(2), (F)(1), (G)(1), of the City of Napoleon Ohio Code of General Ordinances, and is located in a "PB" Planned Business District.

RESEARCH AND FINDINGS

1. The purpose of this request is to allow the American Legion to make several improvements to their property and still meet the requirements of the 1979 Zoning Code.
2. They have made an effort to acquire as much property as possible for these improvements by purchasing the alley East of their property by having the alley vacated.
3. They have purchased a strip of property East of their main building from the vacated alley to Robinwood to provide and entrance for the garbage and delivery trucks to have better access to their main building.
4. They have signed a \$ 17,000.00 agreement to provide the City of Napoleon with the funds to pave the existing stone parking lot across from the ball field at the Northeast corner of Glenwood and Main Streets. The use of this lot will enable them to meet the parking requirements for these improvements.
5. They intend to plant grass in the 10' set back along the East side of the main building and the annex building after they are complete. This will better meet the requirements of the district for green belt.
6. In addition to the parking agreement, they have agreed to place sidewalk along Glenwood Ave. connecting Welsted and Main Street.

0180800421

7. This organization has allowed the community to make use of their buildings for several events and groups meeting on a regular basis. This organization has been an asset to our community.
8. The proposed improvements will enhance the surrounding area.

ADMINISTRATIVE OPINION

I believe this request is reasonable and meets the standards for variation listed below, and should be granted as requested.

CONSIDERATIONS

The Board shall not render a decision on this request until it has reviewed the following standards for variation. The standards for variation to be considered are as follows:

- (a) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or use in the same vicinity or district.
- (b) That such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or district but which is denied to the property in question.
- (c) That the granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or district in which the property is located.
- (d) That the granting of such a Variance will not alter the land use characteristics of the vicinity of district, diminish the value of adjacent land and improvements or increase the congestion in the public streets.

0180800422BZA94/07

