

1290 Independence

PLANNING COMMISSION RESOLUTION NO. PC-03-07

A RESOLUTION OF THE CITY OF NAPOLEON PLANNING COMMISSION APPROVING THE ISSUANCE OF A SPECIAL USE PERMIT TO ALLOW MULTIPLE USES ON A SINGLE BUILDING LOT AT THE LOCATION OF 2495 ENTERPRISE AVENUE NAPOLEON, OHIO.

WHEREAS, Amarjit "Paul" Grewal on behalf of A & J LLC 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 2495 Enterprise Avenue Napoleon, Ohio to allow multiple uses on a single building lot including an Auto/Truck Plaza, Truck Wash, Truck Scales, Service Garage and a 50 Unit Motel, 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. PC03-07 (held July 8, 2003); 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 A & J LLC at the location of 2495 Enterprise Ave. (hereafter to be known as separate entities as follows; Service Garage @ 1250 Independence Drive Auto/Truck Plaza &

restaurant @ 1270 Independence Drive and Motel @ 1290 Independence Drive) to allow the listed multiple uses on the same lot as the current principle, subject to following conditions;

1. That complete construction plans compliant with all applicable City of Napoleon Codes and rules shall be submitted to the Zoning Administrator for review and proper permits must first be issued prior to commencement of construction.
2. 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.
3. That in the event unforeseen problems occur affecting City services and/or neighboring properties, the owners shall cooperate to the fullest extent possible to resolve such.
4. 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
5. The Planning Commission reserves the right to reexamine the operation periodically as the need would arise.


Section 1. 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 2. 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 3. 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 4. That, this Resolution shall take effect at the earliest time permitted by law.

July 8, 2003
Passed


Chairman

VOTE ON PASSAGE 3 Yea 0 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.

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P E R M I T

CITY OF NAPOLEON
255 W. RIVERVIEW AVE
NAPOLEON, OHIO 43545

DIVISION OF BUILDING & ZONING
PH (419) 592-4010
FAX (419) 599-8393

PERMIT NO: 1713 DATE ISSUED: 07-01-03 ISSUED BY: TJK

JOB LOCATION: 1290 INDEPENDENCE DR EST. COST:

LOT #: SUBDIVISION NAME:

OWNER: A & J LLC
ADDRESS: 2495 ENTERPRISE AVE
CSZ: NAPOLEON, OH 43545
PHONE:

AGENT: ARCHITECTURAL GROUP
ADDRESS: 201 S NAPPANEE ST
CSZ: ELKHART, INDIANA 46514
PHONE: 574-293-0008

USE TYPE - RESIDENTIAL: OTHER:

ZONING INFORMATION

DIST: LOT DIM: AREA: FYRD: SYRD: RYRD:
MAX HT: # PKG SPACES: # LOADING SP: MAX LOT COV:

BOARD OF ZONING APPEALS:

WORK TYPE - NEW: REPLMNT: ADD'N: ALTER: REMODEL:

WORK INFORMATION

SIZE - LGTH: WIDTH: STORIES: LIVING AREA SF:
GARAGE AREA SF: HEIGHT: BLDG VOL DEMO PERMIT:

WORK DESCRIPTION
ZONING & PR

FEE DESCRIPTION	PAID DATE	FEE AMOUNT DUE
ZONING PERMIT		25.00
PLAN REV INSPEC FEE		50.00

Zoning Permit Only!
other permits may be required

TOTAL FEES DUE 75.00

DATE

APPLICANT SIGNATURE

