

**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. 3917 ISSUED 5-30-96 (X) Building \$ 2.00 \$ 9.00 \$ 18.00

JOB LOCATION 901 Lombard ( ) Electrical \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

LOT \_\_\_\_\_ ( ) Plumbing \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

(Subdivision or Legal Description)

ISSUED BY BMD ( ) Mechanical \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

(Building Official) ( ) Demolition \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

OWNER Dee Caskey PHONE 1-800-872-1903 ( ) Zoning \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

ADDRESS 901 Lombard Nap ( ) Sign \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

AGENT B&W Fence Co. PHONE 822-3436 ( ) Water Tap \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

ADDRESS 6209 Co. Rd. 6-3 Delta, Oh ( ) Sewer Tap \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

USE: (X) Residential ( ) Commercial ( ) Industrial ( ) Temp Water \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

( ) Other \_\_\_\_\_ ( ) Temp Elec. \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

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

ESTIMATED COST = \$ 1478.00

Additional Plan Review:	Structure _____	Hours _____
	Electric _____	Hours _____
TOTAL FEES . . . . .	\$	<u>18.00</u>
Less Fees Paid . . . . .	\$	<u>18.00</u>
BALANCE DUE . . . . .	\$	<u>-0-</u>

**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**

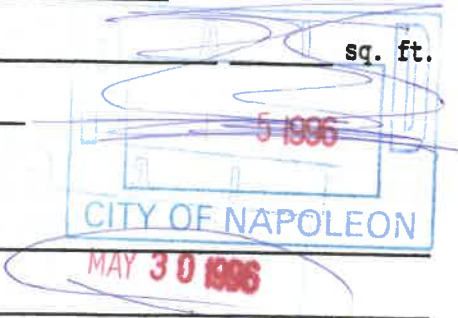
Building: Ground Floor Area \_\_\_\_\_ sq. ft. Basement Floor Area \_\_\_\_\_ sq. ft.

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: side + rear yard fence



**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.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_



# City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE, P.O. BOX 151  
NAPOLEON, OHIO 43545-0151  
(419) 592-4010  
FAX (419) 599-8393

July 31, 1996

Mayor  
Donald M. Stange

Mr. L.C. Caskey Jr.  
901 Lombard  
Napoleon, Ohio 43545

Members of Council  
Michael J. DeWit, President  
Sarah J. Peper  
John E. Church  
James Hershberger  
Terri A. Williams  
Travis B. Sheaffer  
Dennis Fligor

Re. Front yard fence along High St.

Dear Mr. Caskey

This letter is to inform you that you have placed a fence in the front yard area at the subject location in excess of three (3) feet in height, which is in violation of City Zoning Code section 151.27 (A) (attached). This violation of the code constitutes a public nuisance according to section 151.18.2 (attached).

Please remove the fence located along the back side of your City sidewalk along High St. and move it to a location outside of the required front yard setback area which is at minimum 12.5 feet from the back of your City sidewalk .

If in the event you do not move your fence as requested in this notice I shall take proceedings against you according to City Code Chapter 92 (attached).

If you have questions or are unclear as to the demands herein stated you may contact me at (419) 592-4010.

Sincerely

Brent N Damman  
Building & Zoning  
Administrator

cc. Mr. Rick Wagner, B&W Fence Co.

City Manager  
Marc S. Gerken, P.E.

Finance Director  
Gregory J. Heath

Law Director  
David M. Grahn

City Engineer  
Adam C. Hoff, P.E.



CHAPTER 151: CITY OF NAPOLEON ZONING CODE

§ 151.27 FENCE, WALL, AND PLANTING LOCATION, AND HEIGHT LIMITATION.

- (A) Fences, screening, hedges, or walls not more than six (6) feet in height may be located within the required side or rear yards. Fencing or walls not more than three (3) feet in height may be located in the required front yard.
  - (1) A fence or wall may be placed on a property line, except where a property line is closer than five (5) feet to a neighboring building structure. There must be a (5) foot minimum distance between a fence and the neighboring building structures.
- (B) Private in-ground and partially in ground swimming pools with a side wall of less than four (4) feet in height shall be enclosed by a fence not less than four feet in height and shall be provided with a self-closing gate.
  - (1) Above ground swimming pools with side walls of four (4) feet or more, with an entrance deck, shall be enclosed with a fence which is equipped with a self closing gate.
- (C) Nothing contained in this section shall be deemed to prohibit the erection or maintenance of an open fence in connection with an agricultural use or a recreation use for the public safety, or a security fence in a nonresidential district.
- (D) In all districts except the "C-1" General Business District, street intersections shall be free from any kind of obstruction to vision. Fences, walls, or plantings exceeding three feet in height above the established street roadway grade shall be prohibited within the triangle formed by the intersecting street right-of-way lines and a line adjoining the points at a distance of twenty five (25) feet from the point of street property line intersection.
- (E) The regulation of (D) above shall also apply to lots at the intersection of an alley and a street right-of-way or a private driveway and the street right-of-way, except that the joining points of the triangle formed shall be ten (10) feet from the point of intersection.



## CHAPTER 151: CITY OF NAPOLEON ZONING CODE

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### **§ 151.18 VIOLATIONS.**

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#### **§ 151.18.1 Complaints**

Whenever a violation of this code occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the Zoning Administrator. The Zoning Administrator shall properly record such complaint and immediately investigate. If facts elicited by such investigation are sufficient to establish a reasonable belief that a violation has occurred on the part of the party investigated, then the Zoning Administrator shall file with the City Law Director a complaint against such person requesting action thereon.

#### **§ 151.18.2 Nuisances**

Any buildings erected, raised, or converted, or land or premises used in violation of any provision of this chapter, is declared to be a nuisance, and the owner thereof shall be liable for maintaining a nuisance, which may be restrained or enjoined or abated by appropriate action or proceeding.

#### **§ 151.18.3 Remedies**

The Zoning Administrator or owner of adversely affected property may institute a suit for injunction in the Court of Common Pleas of Henry County, Ohio to restrain any person, firm, corporation, or governmental unit from violating the provisions of this Code.

The Zoning Administrator may institute a suit for mandatory injunction directing a person, firm, corporation, or governmental unit to remove a structure erected in violation of the provisions of this code, or to make the same comply with its terms. If said suit filed on behalf of the city is successful, the respondent shall bear the costs of the action, including reasonable attorney's fees.

Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.





dilapidated that it constitutes a fire hazard liable to catch on fire or communicate fire because of its condition and lack of repair, or

(F) There is caused or suffered the accumulation on any lot of land or in any building, house, or structure, of rubbish or other materials in an amount and in a condition that it constitutes a fire hazard by reason of the likelihood of its catching on fire or communicating fire, or

(G) There is caused or suffered the conduct of any business thereon or therein which by reason of noxious odors generated thereby, or of smoke, dust, and dirt being cast therefrom, endangers or is harmful to the public health, welfare, or safety, or materially interferes with the peaceful and lawful use, comfort, and enjoyment of owners or occupants of a proximate or adjacent lot of land or structure thereon, or

(H) There is suffered any building, house, or structure to become so out of repair and dilapidated that, due to lack of adequate maintenance, or neglect, it endangers the public health, welfare, or safety, or materially interferes with the peaceful enjoyment of owners or occupants of adjacent property, or

(I) There is caused or suffered any loud, unnecessary, or unusual noise, or any noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others, or

(J) There is caused or suffered any placing, throwing, or sweeping into any street, avenue, alley, park, or public ground, of any dirt, paper, nails, pieces of glass or board, fruit parings or skins, garbage, waste, leaves or clippings, ashes, cans, bottles, cartons, boxes, furniture, oil, parts of automobiles, or any other matter of an unsightly or unsanitary nature, or there is caused or suffered any placing, throwing, or sweeping of such matter upon any sidewalk or street crossing, or on any driveway, or upon the floor, stairway, or hallway of any public building, theater, railway depot, railway platform, or property of another, or

(K) There is caused or suffered any accumulation of any paper, fruit parings or skins, garbage, waste, ashes, cartons, boxes, or any other matter of an unsightly or unsanitary nature, in such manner that such matter could be blown onto any street, avenue, alley, park, public ground, sidewalk, or property of another. ('65 Code, § 53.01; amend. Ord. 1705, passed 12-7-80)

#### § 92.02 ADDITIONAL NUISANCES.

In addition to what are specifically declared in this chapter to be public nuisances, those offenses which are known to the common law and the statutes of Ohio as public nuisances may, in case any thereof exist within the city limits, be treated as such and be proceeded against as is provided in this chapter; or in accordance with any other provisions of law. Whenever the word "nuisance" is used in this chapter it refers to a public nuisance. ('65 Code, § 53.02; amend. Ord. 1705, passed 12-7-80)

#### § 92.03 COMPLAINTS, INSPECTION OF PREMISES.

(A) Whenever complaint is made to the office of the city manager, or the building inspector, or the police chief, or the fire chief, or the fire inspector, hereinafter referred to as "inspector," of the existence of a public nuisance as defined in §§ 92.01 and 92.02 hereof, he shall promptly inspect or cause to be inspected the premises on which it is alleged a public nuisance exists. Should the city manager or inspector, after such inspection or after routine inspection without such complaint, find that a public nuisance does exist, he shall promptly notify the person, firm, or corporation who, from the property records of Henry County, Ohio, appears to be the owner of the premises. Said inspector shall also leave a copy of the notice with the person in possession or charge of the premises, if any, or if there be no such person, he shall post a copy of the notice on the premises. The notice shall refer to the provisions of this chapter and shall state that, unless the nuisance is abated, proceedings will be taken in accordance with provisions of this chapter.

(B) The inspector shall make a written report of his finding to the city manager. ('65 Code, § 53.03; amend. Ord. 1013, passed 10-18-71; amend. Ord. 1705, passed 12-7-80)

#### § 92.04 ABATEMENT OF NUISANCES.

In the event that the city manager based on the written report of the inspector concurs with the inspector in finding or otherwise finds that a public nuisance exists and that the nature thereof is such as to require its abatement the city manager or the inspector shall cause photographs to be made of the nuisance and shall promptly cause a second written notice to be served on the owner, lessee, agent, or tenant having charge of the premises. The second written notice shall demand that the nuisance be abated



by the owner or person in charge of the premises within 30 days thereafter, unless a shorter period of time is reasonable under the circumstances. If a period less than 30 days is allowed to abate the nuisance, the time to be specified shall be determined by the inspector and the city manager. If there be no such person, the notice shall be posted on the premises. Any notice required by this section or § 92.03 may be served on the owner personally or by certified mail return receipt requested. Any notice given pursuant to this section shall state that if the nuisance is not abated within the time stated, the city will seek permission to abate the nuisance at the expense of the owner. ('65 Code, § 53.04; amend. Ord. 1013, passed 10-18-71; amend. Ord. 1705, passed 12-7-80)

#### § 92.05 ABATEMENT BY CITY.

(A) Should the nuisance referred to in § 92.04 hereof not be abated within the time stated in the second notice given pursuant to the section, the city manager or his authorized representative shall file through the law director a petition in the municipal court requesting permission for the city to enter on the premises and abate the nuisance. After a full hearing on the petition whereat the owner or other person in charge of the premises shall be given an opportunity to be heard, if the court is satisfied that a public nuisance does exist requiring abatement, the court may order that the city be permitted to enter on the premises and to abate the nuisance. In abating any nuisance, the city manager may take such action as is necessary to complete the abatement of the same, and, should it be practicable to sell or salvage any material resulting from the abatement, he may cause the same to be sold at public or private sale at the best price obtainable and keep an account of the proceeds thereof. The proceeds shall be deposited in the general fund of the city, and any difference in the amount so received and the cost of the abatement shall be reported to the city council. The total cost of abating the nuisance less the proceeds, if any, of the sale of any material salvaged in the course of abatement may be collected by the city pursuant to the provisions of R.C. § 715.261.

(B) Should the proceeds of the sale of any material salvaged in the course of the abatement exceed the cost thereof, the amount of such excess shall be paid to the owner of the premises upon the filing of a claim thereof and proof of title and right to the surplus.

(C) The city manager may utilize any labor or

equipment of the city in making the abatement or may contract for the abatement if the contract may be let without any expense whatever to the city. ('65 Code, § 53.05; amend. Ord. 1705, passed 12-7-80)

#### § 92.06 AUTHORITY OF CITY.

Sections 92.01 through 92.05 shall be deemed to be an enlargement and not a limitation or restriction on the power or authority of the city or any officer thereof to take any action or bring any suit or proceeding, in respect to public nuisances, otherwise provided for by law or ordinance of the city. ('65 Code, § 53.06; amend. Ord. 1705, passed 12-7-80)

#### § 92.07 NOTICE TO OWNER TO CUT NOXIOUS WEEDS; REMOVE LITTER; SERVICES.

(A) As used in this section *LITTER* shall mean garbage, waste, peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, oil of an unsightly or unsanitary nature, or anything else of an unsightly or unsanitary nature.

(B) On written information that noxious weeds are growing on lands within the city and are about to spread or mature seeds, the city manager shall cause a written notice to be served on the owner, lessee, agent, or tenant having charge of such land, notifying him that noxious weeds are growing on such lands and that they must be cut and destroyed within five days after the service of such notice.

(C) On a finding by the city manager that litter has been placed on lands within the city and has not been removed and constitutes a detriment to public health, the city manager shall cause a written notice to be served on the owner, and, if different on the lessee, agent, or tenant having charge of the littered land, notifying him that litter is on the land and that it must be collected and removed within 15 days after the service of the notice.

(D) If the owner or other person having charge of the land is a nonresident of the city, whose address is known, the notice shall be sent to his address by certified mail. If the address of the owner or other person having charge of the land is unknown, it is sufficient to publish the notice once in a newspaper of general circulation in the county.

(E) This section does not apply to the land being used under a municipal building, construction permit





# City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE, P.O. BOX 151  
NAPOLEON, OHIO 43545-0151  
(419) 592-4010  
FAX (419) 599-8393

## Fax Transmission 901 Lombard

To: Dee Caskey

Fax Number: (419) 822-2502

Number of Pages, Including This One: 3

From: Burt Damman

Date: 7-8-96

Time: 11:43 am

Operator: \_\_\_\_\_

### Comments:

Please note on the attached  
pages, 3' high is the maximum  
in a front yard. and corner  
lots are subject to two  
front setbacks.

Please call (419) 592-4010 if you have any trouble receiving this  
Transmission or you did not receive the number of pages shown above.

Mayor  
Donald M. Stange

Members of Council  
Michael J. DeWit, President  
Sarah J. Peper  
John E. Church  
James Hershberger  
Terri A. Williams  
Travis B. Sheaffer  
Dennis Fligor

City Manager  
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CHAPTER 151: CITY OF NAPOLEON ZONING CODE

§ 151.27 FENCE, WALL, AND PLANTING LOCATION, AND HEIGHT LIMITATION.

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- (B) Private in-ground and partially in ground swimming pools with a side wall of less than four (4) feet in height shall be enclosed by a fence not less than four feet in height and shall be provided with a self-closing gate.
- (1) Above ground swimming pools with side walls of four (4) feet or more, with an entrance deck, shall be enclosed with a fence which is equipped with a self closing gate.
- (C) Nothing contained in this section shall be deemed to prohibit the erection or maintenance of an open fence in connection with an agricultural use or a recreation use for the public safety, or a security fence in a nonresidential district.
- (D) In all districts except the "C-1" General Business District, street intersections shall be free from any kind of obstruction to vision. Fences, walls, or plantings exceeding three feet in height above the established street roadway grade shall be prohibited within the triangle formed by the intersecting street right-of-way lines and a line adjoining the points at a distance of twenty five (25) feet from the point of street property line intersection.
- (E) The regulation of (D) above shall also apply to lots at the intersection of an alley and a street right-of-way or a private driveway and the street right-of-way, except that the joining points of the triangle formed shall be ten (10) feet from the point of intersection.





**CHAPTER 151: CITY OF NAPOLEON ZONING CODE**

**§ 151.21 BUILDING SETBACK LINES.**

Building setback lines shall be required along all public streets as hereinafter provided. Any yard abutting a street shall be deemed a front yard for the purpose of determining front building setback lines.

Front yard requirements are as follows:

- (A) For residential uses where 25% or more of the lots in the block frontage are occupied by buildings, the average setback of such buildings determines the dimension of the front yard in the block frontage, but the front yard need not exceed 50 feet in any case.
- (B) In business and industrial districts where 25% or more of the lots in a block frontage are occupied by buildings, the setback of existing buildings shall determine the location of the building line.
- (C) Building setback lines established in a recorded subdivision shall establish the dimension of front yards in such subdivisions.
- (D) In case of conflict with the front setback requirements of the zoning district, conditional uses, or other applicable provisions of this code, the most restrictive requirement shall govern.
- (E) On through or corner lots, front yards shall be provided from each street, however, one front yard setback may reduced by 50% of the required front yard setback as determined by the zoning administrator.





901 Lombard

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