

MEMORANDUM

TO: Mayor and Members of City Council
FROM: Brent N. Damman, Zoning Administrator
SUBJECT: Special Use request by Marvin Buchholz and
September 15th, 1993 Planning Commission
hearing minutes.

MEETING DATE: October 4th, 1993 @ 8:00 pm

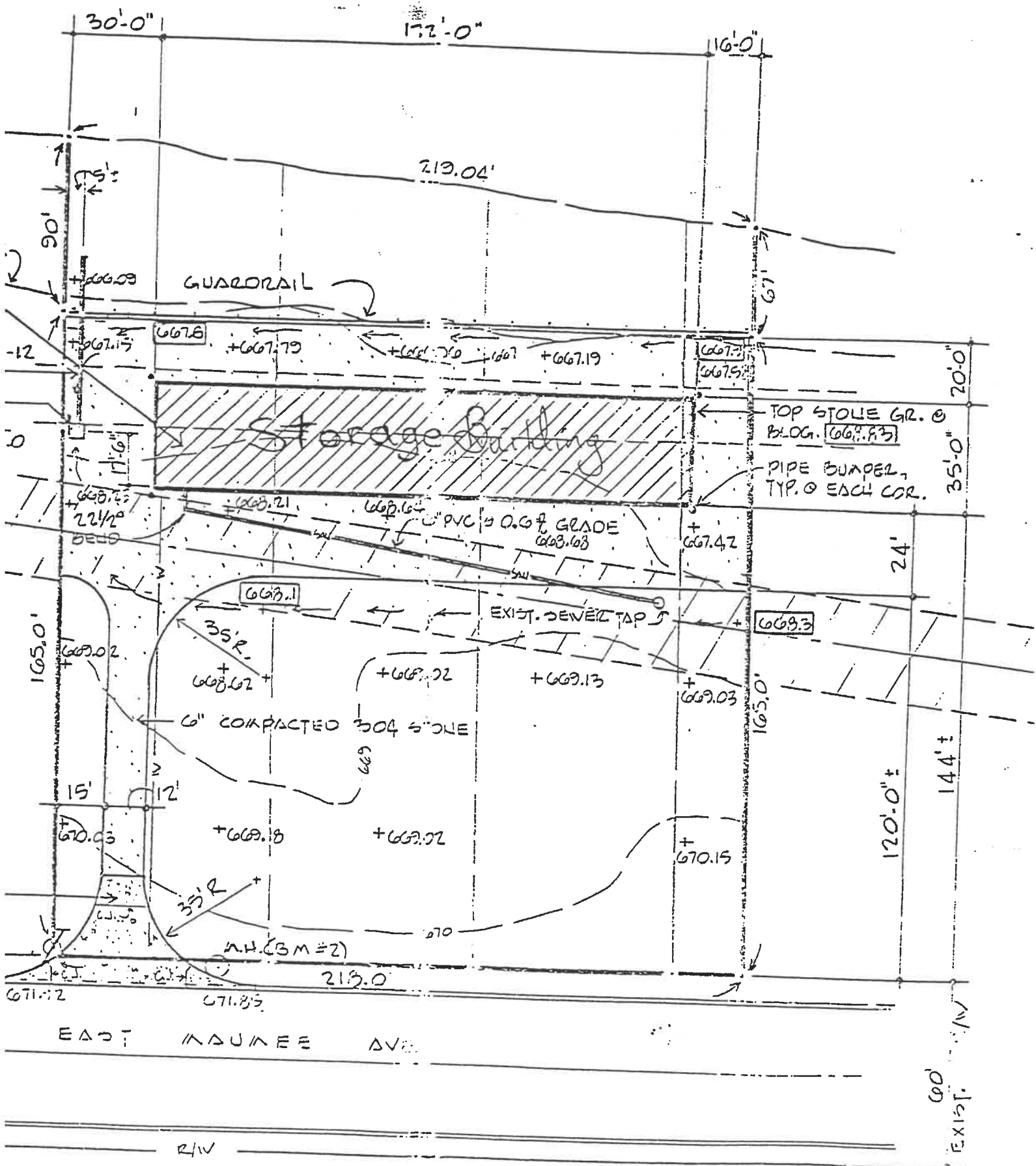
PB 93-17

BACKGROUND:

An application by Marvin Buchholz 402 W. Maumee Napoleon, Ohio, requesting a special use permit, to allow more than one use on a parcel of land known as lots 6, 7, 8, and part of lot 9 of John Diemers subdivision of lot 21 (Aka) 174 & 180 E. Maumee. The permit is pursuant to City of Napoleon Code of Ordinances Chapter 151 section 151.43 and 151.44, and is located in a "GB" General Business District.

RESEARCH AND FINDINGS:

1. The proposed use on this lot is a for a mini storage building, which is permissible in the GB General Business District, however the lot is currently used for residential purposes and by incorporating another use onto the lot requires a special use permit.
2. The lot in request has had two dwelling structures on it for several years, that are now in a state of disrepair
3. Mr. Buchholz has shown a sewer easement on his plan and is willing to grant said easement to the City of Napoleon for One Dollar (\$1.00). The easement is over an old brick sewer that is approx. 25 feet deep.
4. Mr. Buchholz would like to further develop this lot commercially in the future by removing the existing dwellings, and constructing another storage building, (if this first project proves successful).



**MINUTES OF PLANNING COMMISSION HEARING # PC 93/17 HELD ON
SEPTEMBER 15th, 1993.**

The City of Napoleon Planning Commission held a hearing on September 15th, @ 4:45 pm, summary as follows.

MEMBERS PRESENT WERE:

Larry Haase, Jon Bisher (Acting Chairman), Ann Luzny, Mayor Dennis Fligor, Secretary Brent N Damman.

OTHERS PRESENT WERE:

Marvin Buchholz, (Developer/property owner.)

Sec.: Read public notice, research and findings.

Buchholz: Explained that he is planning to construct a mini storage building, which will be 35 feet wide by 172 feet long. The building will contain an office at the west end, which will have a restroom. He also stated that the sewer tap is in for connecting the restroom.

He went on to say that depending on how well the business goes, he intends to remove the residential dwellings in the front part of the lots and construct another storage building.

Fligor: Stated he was concerned about approving two uses on this lot and recommended that a time limit be imposed on the current residential uses.

Haase & Luzny: Shared the same concerns as Fligor.

Bisher: Asked if the facility would be open 24 hrs a day.

Buchholz: He would try it that way at first and if he had to he would limit the operational hours.

The planning commission also determined 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.

MOTION BY: Luzny

Recommended that City council approve this special use permit with the following conditions:

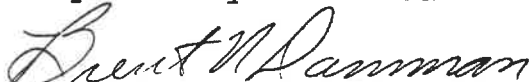
1. That the current residential uses in the front of these lots be discontinued in five years of the issuance of this special use permit.

SECONDED BY: Fligor

Vote Cast:

Bisher: In favor
Haase: In favor
Luzny: In favor
Fligor: In favor

Respectfully submitted



Brent N Damman

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