

MEMORANDUM

TO: Members of the Planning Commission
FROM: Brent N. Damman, Zoning Administrator
SUBJECT: Special Use Permit to allow placement of a horse barn.
HEARING DATE: July 13th, 1993 @ 5:00pm
HEARING #: PC 93/16

BACKGROUND:

An application by Susan Schink 5-943 St. Rt. 110 Rt. 5 Napoleon, Ohio on behalf of the The Henry County Agricultural Society 907 S. Perry Napoleon, Ohio for a special use permit, to allow the placement of a horse barn, near the existing Horse arena in the north west corner of the fair grounds complex, at 907 S. Perry Napoleon, Ohio. The request is pursuant to Chapter 151 section 151.43 & 151.44 of the City of Napoleon Ohio Code of General Ordinances, and is located in a "B" residential zoning district.

RESEARCH AND FINDINGS:

1. The Henry County fair grounds are a legal non-conforming use and are subject to special use proceedings in the event of expansion requests.
2. The proposed preferred location of the horse barn will be within 20 feet of residentially zoned and used property.
3. Prevailing winds will flow directly toward residential properties from this proposed location.

ADMINISTRATIVE OPINION AND RECOMMENDATIONS:

I have suggested to the club that they locate the proposed new barn near the existing cattle barns to maintain a reasonable distance from the residential properties, they have chosen otherwise.

Based on the odors which will be generated, and the allergy problems of todays society, I do not recommend placement of the proposed any nearer than 200 feet of residential property.

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 note 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.