

907 S. Perry

MEMORANDUM

TO: Members of the Planning Commission  
FROM: Brent N. Damman, Zoning Administrator  
SUBJECT: Special Use Permit horse barn at Henry Co. Fair Ground.

HEARING DATE: May 10th, 1994 @ 5:00pm  
HEARING #: PC 94/05

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, at the north end of the Henry County 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 applicant is willing to relocate the riding arena to provide more distance between it and the abutting residential properties.
3. The applicant is also willing to provide a 30' wide green belt along the north property line, and a 40' wide green belt along the west side property line, as well as planting continuous hedge along the property lines in these green belt areas to further reduce residential impact.
4. The proposed horse barn would measure 80' x 150' and is proposed to be placed 30' from the north property line and 40' from the west property line.

ADMINISTRATIVE OPINION AND RECOMMENDATIONS:

I have given the subject matter a great deal of thought and I have concluded that the proposal as requested is certainly reasonable, keeping in mind that when one lives by a county fair grounds complex, one must expect that there will eventually be expansion and or intensity of use of the complex at one point or another. I believe the applicants have taken reasonable measures in an attempt to reduce the impact on the surrounding properties.

I am recommending that the Planning Commission approve the proposal with the following conditions.

1. That the horse barn may not be used for the purpose of boarding horses or other animals on a year round basis.
2. That the required hedge be maintained at a reasonable density as to provide screening for the abutting residential properties.

*3. STORM WATER PROBLEM BE ADDRESSED*

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 vote 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.