

405 E. Riverview

MEMORANDUM

TO: City Manager, Mayor & Members of City Council
FROM: Brent N. Damman, Zoning Administrator *AND*
SUBJECT: Street & Alley Vacation.
MEETING DATE: January 5, 1998 @ 8:00 pm
PC HEARING #: PC 97/13

BACKGROUND:

An application for public hearing has been filed by Noris Sanholtz, Ed Sanholtz and Brad VanDeBussche all of Napoleon. The applicants have filed a petition requesting a certain City street right of way and alley way be vacated. The subject right of way is know as the extension of Jefferson St. (an unimproved paper street) which runs between E. Riverview Ave. and E. Clinton St. Napoleon. The subject alley way is located between lots 110 & 111 of the Original Plat of Napoleon. The request is pursuant to Chapter 909 of City Code. The subject property is located in a "C-2" Community Commercial Zoning District.

RESEARCH AND FINDINGS:

1. Proper petition has been submitted along with the appropriate fees.
2. City staff has reviewed the request and the following are our recommendations.
 - (a). That a 40 foot wide utility easement be retained in the center of the Jefferson St. right of way.
 - (b). That the owner of lot 111 grant a 15 foot wide utility easement for electrical distribution lines across said lot as dictated by the City Engineer.

ADMINISTRATIVE OPINION AND RECOMMENDATIONS:

I am recommending approval of the request with the recommendations of the City Staff.

MINUTES OF THE CITY OF NAPOLEON PLANNING COMMISSION HEARING # PC 97/13 HELD ON OCTOBER 14, 1997 @ 5:00 PM (attached)

PLANNING COMMISSION MINUTES
October 14, 1997 5:00 PM
PC 97/13

- Present:** Bisher, Haase, Luzny, Damman Secretary
- Others:** Helmke, Recorder, Tony Saneholtz, property owner
- Bisher:** Acting Chairperson, called the meeting to order at 5:00 PM Roll call was taken and a quorum was declared.
- Bisher:** Swore in those who wished to speak in their behalf.
- Damman:** Read the Background, Research and Findings and the Administrative Opinion and Recommendation.
- Bisher:** Asked if everyone had been notified.
- Damman:** Answered yes but had received no written testimony or phone calls.
- Bisher:** Asked if anyone wanted to speak for or against the application of vacating alley or lot.
- Saneholtz:** It is on the map only but never been used as a alley or street.
- Bisher:** Let the minutes show there is no other persons here to speak for or against the application.
- Haase:** No questions.
- Luzny:** No questions.
- Bisher:** Are you comfortable with the stipulations in the recommendations.
- Saneholtz:** Yes, he understood.
- Bisher:** Will entertain a motion to approve the request to vacate alley.

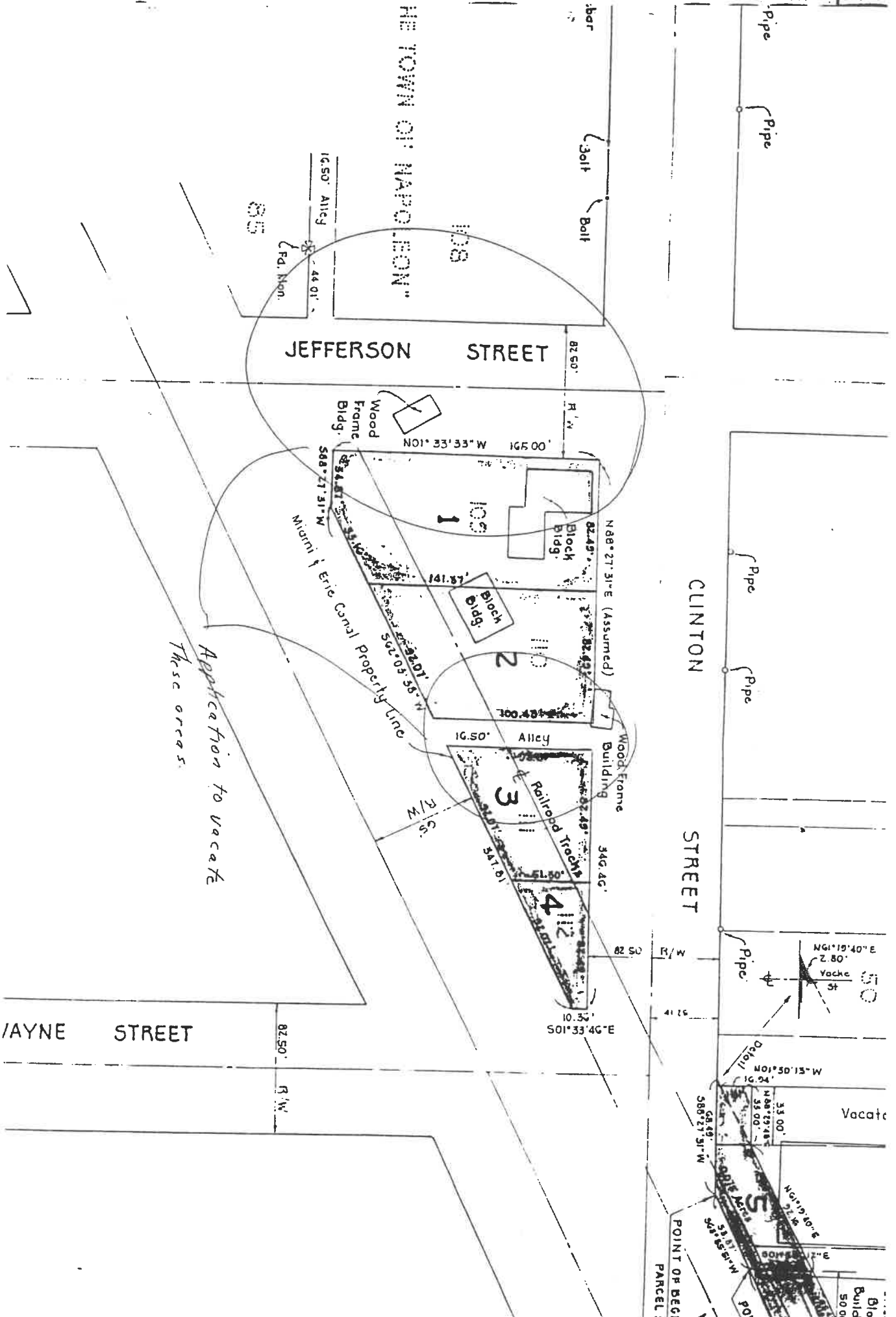
Motion: Haase **Second:** Luzny
to end testimony.

Roll call vote to end testimony:
Yea-Luzny, Haase, Bisher
Nay-

Motion: Haase **Second:** Luzny
to approve the request to vacate the alley with the recommendations of the City Staff.

Roll call vote to approve requesting the vacating alley:
Yea-Luzny, Haase, Bisher
Nay-

Adjourn meeting at 6:15 PM.



THE TOWN OF NAPOLEON

JEFFERSON STREET

CLINTON STREET

JAYNE STREET

Wood Frame Bldg.

Block Bldg.

Block Bldg.

Wood Frame Building

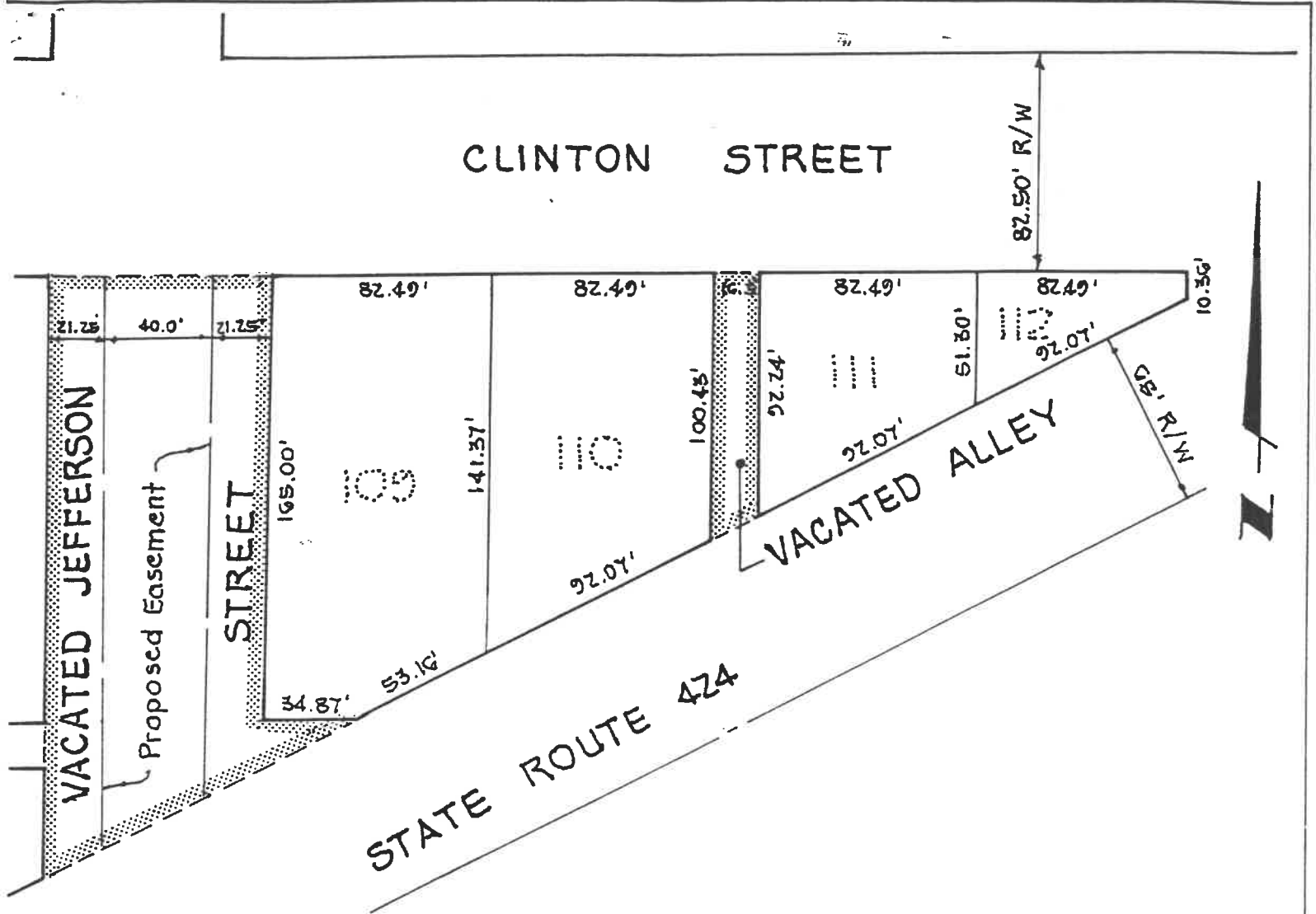
Railroad Tracks

Vacate

Application to vacate these areas.

POINT OF BEGINNING PARCELS

Build 5000



Endorsed Pursuant to Ordinance No. _____

City Finance Director: Gregory J. Heath Date _____
 City of Napoleon

I Hereby Certify, This Plat Illustrates The Location And Description
 Of The Street And Alley As Vacated.

City Engineer: Adam C. Hoff, P.E. Date _____
 City of Napoleon

FELLER, FINCH & ASSOCIATES, INC.
ENGINEERS SURVEYORS
 1083 Woodlands Drive, P.O. Box 68
 Maumee, Ohio 43537
 Phone: (419) 893-3680
 Fax: (419) 893-2982

**PLAT FOR STREET
 & ALLEY VACATION,
 PLAT OF NAPOLEON
 & SECOND ADDITION**

Date: Rev. 12-10-97
 Project No. 86-090
 Drawn By: LM
 Approved By: SNS
 Scale: 1" = 60'