

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Roger O. Freytag, Zoning Administrator **ROF**
SUBJECT: An application for Variance to place a semi trailer for tire storage
DATE: 16 February 1990
MEETING: 20 February 1990 at 4:30 PM
MEETING NO.: BZA 90/02

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve a variance to place a semi trailer for tire storage in the side and rear yard setback behind Fritz's Alignment & Tire Sales located at 464 E. Riverview Ave.

BACKGROUND

An application for Variance by Frederick Freytag, Napoleon, to place a semi trailer for tire storage in the side and rear yard setback behind Fritz's Alignment & Tire Sales located at 464 E. Riverview Ave. The Variance shall be to Section 151.40(C)(1) of the City of Napoleon, Ohio, Code of Ordinances. The proposed development is located in an "I-1" Enclosed Industrial District.

In reviewing this request, I have made the following findings of fact:

1. The outside storage is existing at present.
2. A trailer will make the outside storage more neat than having tires outside.
3. The definitions does not say that Accessory use can only be a building, this would allow the semi trailer.
4. Sec 252.40 (A) (8) allows an Accessory use incidental to and on the same lot as the principal use. I feel that a trailer parked outside for the use of cleaning up the tire problem is a good solution and fits this paragraph.

The standards for variation to be considered are as follows:

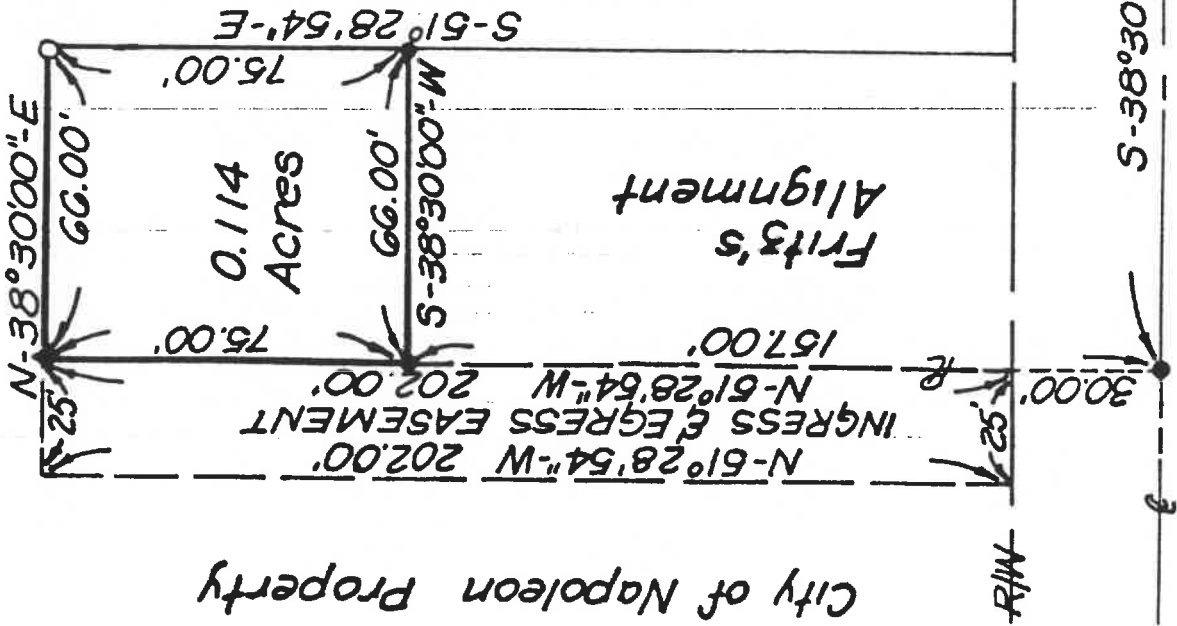
- (a) that there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or use in the same vicinity of district.
- (b) that such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or district but which is denied to the property in question. 018080014

- (c) that the granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or district in which the property is located.
- (d) that the granting of such a Variance will not alter the land use characteristics of the vicinity of district, diminish the value of adjacent land and improvements or increase the congestion in the public streets.

The City Staff believes that a Variance for this situation would meet the above criteria.

Survey for: CITY OF NAPOLEON

Part of NE 1/4 Section 13, Town 5 N,
Range 6 E, Napoleon Twp., City of Napoleon
Henry County, Ohio



Legend

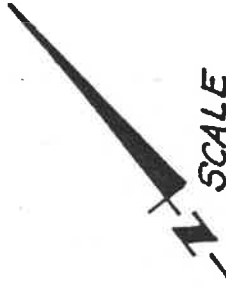
- Iron Pin Found
- Iron Pin Set
- ▲ RR Spike Set

This Land Transfer is Approved by the City of Napoleon

Zoning Administrator

Robert B. Ernsberger

Date 12-31-87

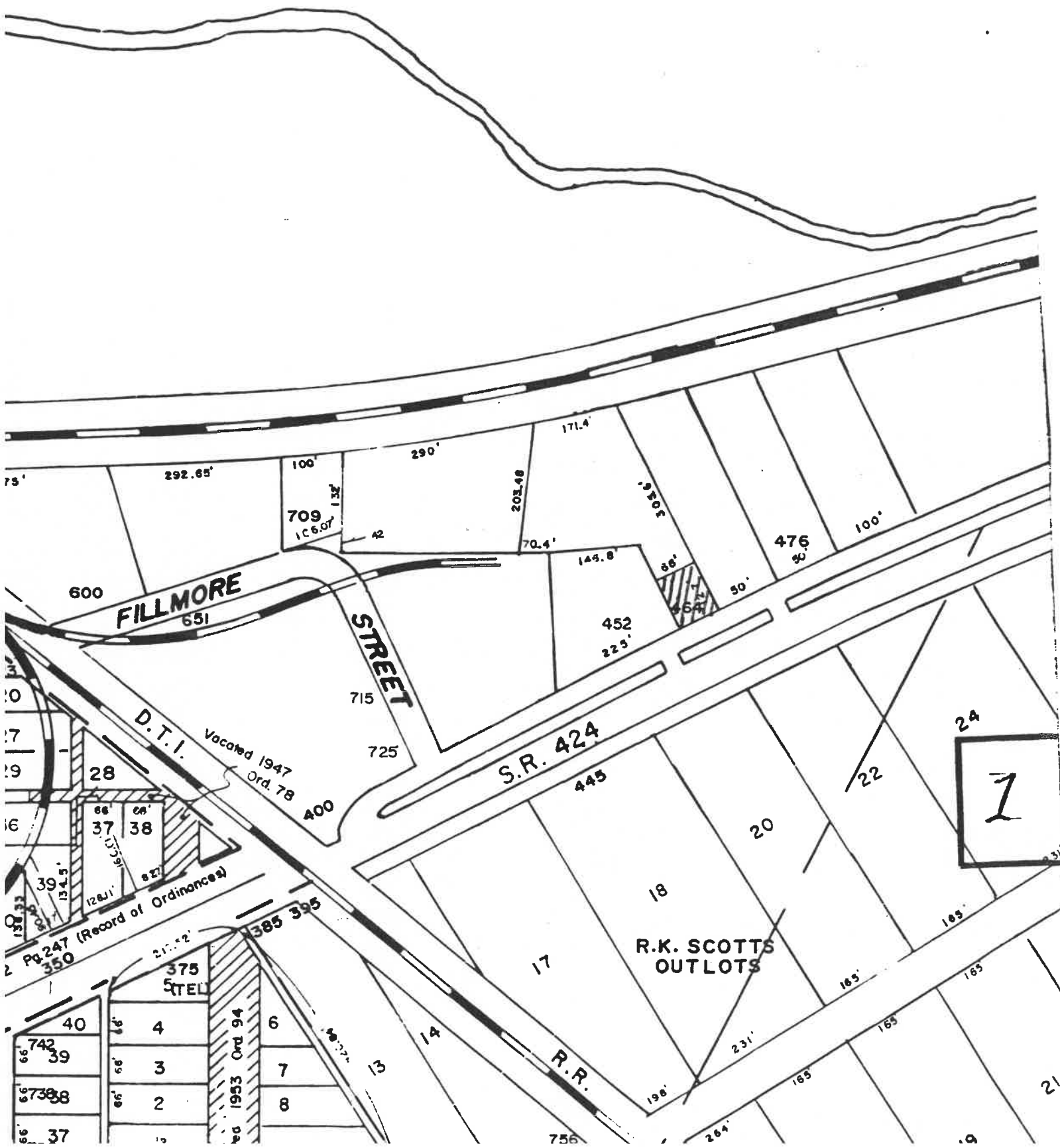


East line Section 13

I hereby certify this to be a true copy of a Survey performed under my supervision and to be correct to the best of my knowledge. I also certify that the monuments have been located or set as shown

Robert B. Ernsberger
Robert B. Ernsberger, Reg. Surveyor No. 5520

Date Of Survey: February 13, 1987



FILLMORE
651

SREET

S.R. 424

R.K. SCOTT'S
OUTLOTS

R.R.

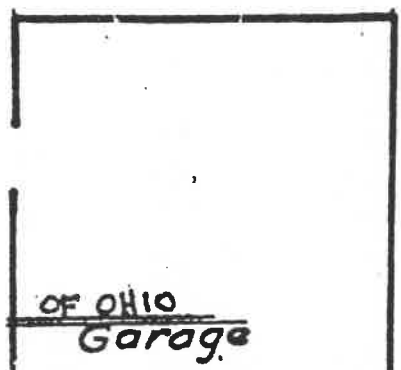
D.T.I. Vacated 1947
Ord. 78

Pg. 247 (Record of Ordinances)
350

Ord 1953 Ord 94

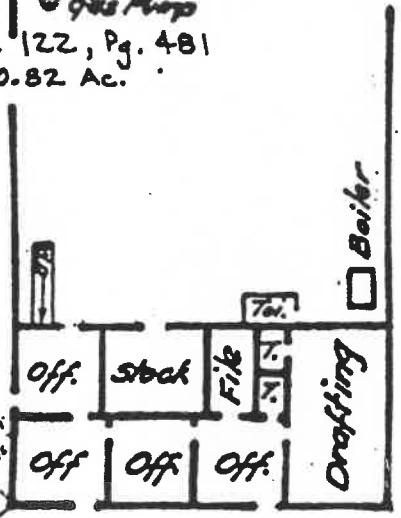
1

11000 sq ft.
 211.13 sq ft.
 N. 70° 31' E. 176.80'
 D.T. 11. 5/12/19



Acres (excluding R/W)

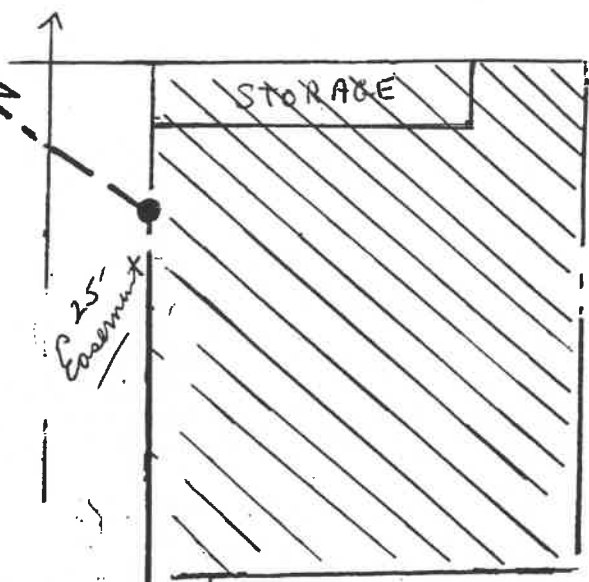
Gas Pump
 Vol. 122, Pg. 481
 0.82 Ac.



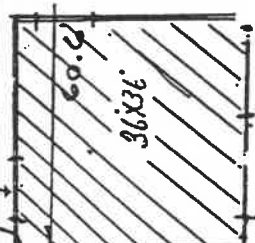
Bottom 2' 6"

Chase
 mark
 Lot
 Ed. 0
 Flower bed

Shower
 30" x 60"

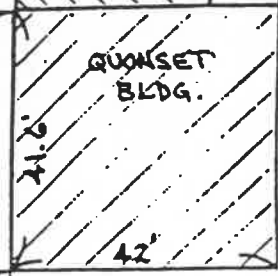


25' Easement



FRITZ'S
ALIGNMENT

0.2 Acres



25' R/W Line

175.00' Canal Road

Iron Pin FOUND

463.00'
 S. 38° 30' W.

