

# City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE — (419) 592-4010

657

August 1, 1978 W.

RIVERVIEW  
AVE

Mr. Harold H. Plassman  
302 N. Defiance St.  
Archbold, OH 43502

**Mayor**  
Robert G. Heft

Dear Mr. Plassman:

**Clerk-Treasurer**  
Rupert W. Schweinhagen

**Members of Council**  
Vern Holers, President  
Lawrence Haase  
James Jackson  
Marilyn Rausch  
David Strobel  
William Young

**City Manager**  
Alan E. Tandy

**Law Director**  
Keith Muehlfeld

Your letter of July 27, 1978 with surveys of the Hogrefe property is acknowledged.

We are enclosing a copy of the City's subdivision ordinance and suggest that a surveyor be retained to draw a plot of survey, indicating compliance with the Zoning Code and Subdivision Ordinance.

The property that you wish to divide is located in the "Planned Business" District. The regulations of this District can be found in Section 85-18 of the Zoning Code. Please note in particular the minimum lot size regulations of the district, found in paragraph (g)(1)(c).

If it is not desirable to dedicate land area and install City standard streets to the lots near the waters edge, or if other regulations of the Code create major problems for your client, you may petition the Plan Commission for relief from the subdivision code regulations, under Section 84.7 of the Zoning Code.

We are returning the surveys of the property in question to forgo the possibility of our misplacing them.

If you have any questions, regarding our subdivision regulations, please feel free to call.

Sincerely,

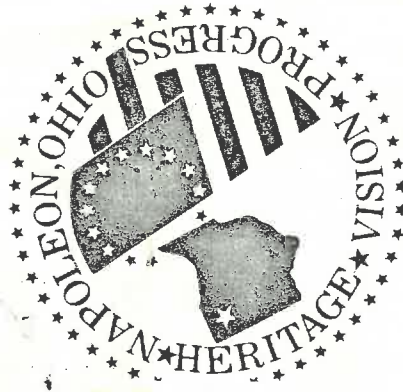
Robert E. Johnson  
Dept. of Building & Zoning

REJ:dd

Enc.

S.R. 42A





# City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE — (419) 592-4010

May 27, 1980

**Mayor**

Robert G. Heft

Mr. Keith P. Muehlfeld

Attorney at Law

555 Monore St.

**Clerk-Treasurer**

Rupert W. Schweinhagen

Napoleon, Oh. 43545

**Members of Council**

Lawrence Haase, President

James Jackson

William Young

Darel Austermyler

Darrell Fox

James Zumfelde

**City Manager**

Alan E. Tandy

**Law Director**

Keith Muehlfeld

RE: Hogrefe Junkyard

Dear Keith:

I had a meeting with the three Hogrefe brothers on May 21, 1980, at 4:00 P.M. at the junkyard. Hogrefe's own 4 or 5 lots in the area where the junkyard is located. The main part of the junkyard is located on an 80 acre parcel abutting the Norfolk & Western Railroad along SR 424.

We discussed keeping the junkyard within this 80 acre parcel and they are willing to do that.

We drove around onto the Oakwood side and looked at the amount of junk within the residential zone. They would like the junk on this property removed also.

They will sign an agreement that the junkyard will only be on the 80 acres, that no more junk will be dumped on property other than the 80 acres. The front of the property abutting Oakwood will be cleaned within six months. The trailers that are visible from Oakwood shall be removed within one year. The rest of the junk on these three lots will be removed within three years. The reason for the three year period is that right now steel prices are down and they don't feel it will go back up before then. They would not agree to screen the rear of the junkyard from Independence Dr. I mentioned to them that I did not like the screening across the front of the yard.

The trailers sitting off Canal Street at the west end of their yard are used to haul alfalfa pellets. The two trailers on the otherside of 424 behind the house are being used to store hay for Gene's daughters 4H.

The way the economy is right now with the auto makers cutting back, steel prices are very low and it doesn't pay to haul steel at this time.

The 80 acres is divided between two industrial zones but does not take in any residential zone.

If we can get them to agree in writing to the above, it will be a start.

Yours truly,



Richard G. Hayman  
Building Commissioners

RGH/bk



# City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE -- (419) 592-4010

July 30, 1979

Mr. Harold H. Plassman  
302 N. Defiance St.  
Archbold, OH 43502

Meyer  
Robert C. Heft

Dear Mr. Plassman:

Clerk-Treasurer  
Rupert W. Schweinhagen

We have reviewed the rough draft of a five lot subdivision for the Hogrefe family that you submitted on July, 1979. While we find no problem with the general concept, the subdivision plat in its final form will have to meet the requirements of the Subdivision Ordinance (Ordinance No. 673 specifically Section 84.4 items f. thru i.) a copy of which was sent to you on August 1, 1978 by Mr. Robert Johnson, Building Commissioner.

Members of Council  
Vern Heiler, President  
James Jackson  
William Young  
Earl Richardson  
Lawrence Hanes  
David Strehel

City Manager  
Alan E. Tandy

Law Director  
Keith MacFarland

In addition to the above mentioned ordinance, any lots created will have to meet the standards of the Zoning Code of Napoleon. In this regard, we would note that the three lots proposed to be transferred to Gary Lee Hogrefe fall short of the area required for a single family dwelling since they are not served by an approved sanitary sewer system. For this reason, the lot areas will have to be increased to a minimum of 17,000 sq. ft. or be provided with an approved sanitary sewer system.

Since it is not your desire to provide a dedicated street to serve the rear lots we would ask that you would indicate on your final plat the area proposed for the ingress-egress and utility easement along with its dimensions and also indicate an appropriate front building setback line, in this case a minimum of twenty-five (25) feet.

Since you are proposing no public roads or improvements, your preliminary and final approvals can be obtained at the same time as long as all zoning and subdivision requirements are met. A fee of \$25 to cover the cost of checking and verifying the proposed plat is required and must be submitted along with the applications enclosed and the final subdivision plat.

6 002  
If either you or your surveyor has any questions,  
regarding this matter, please do not hesitate to  
call this office.

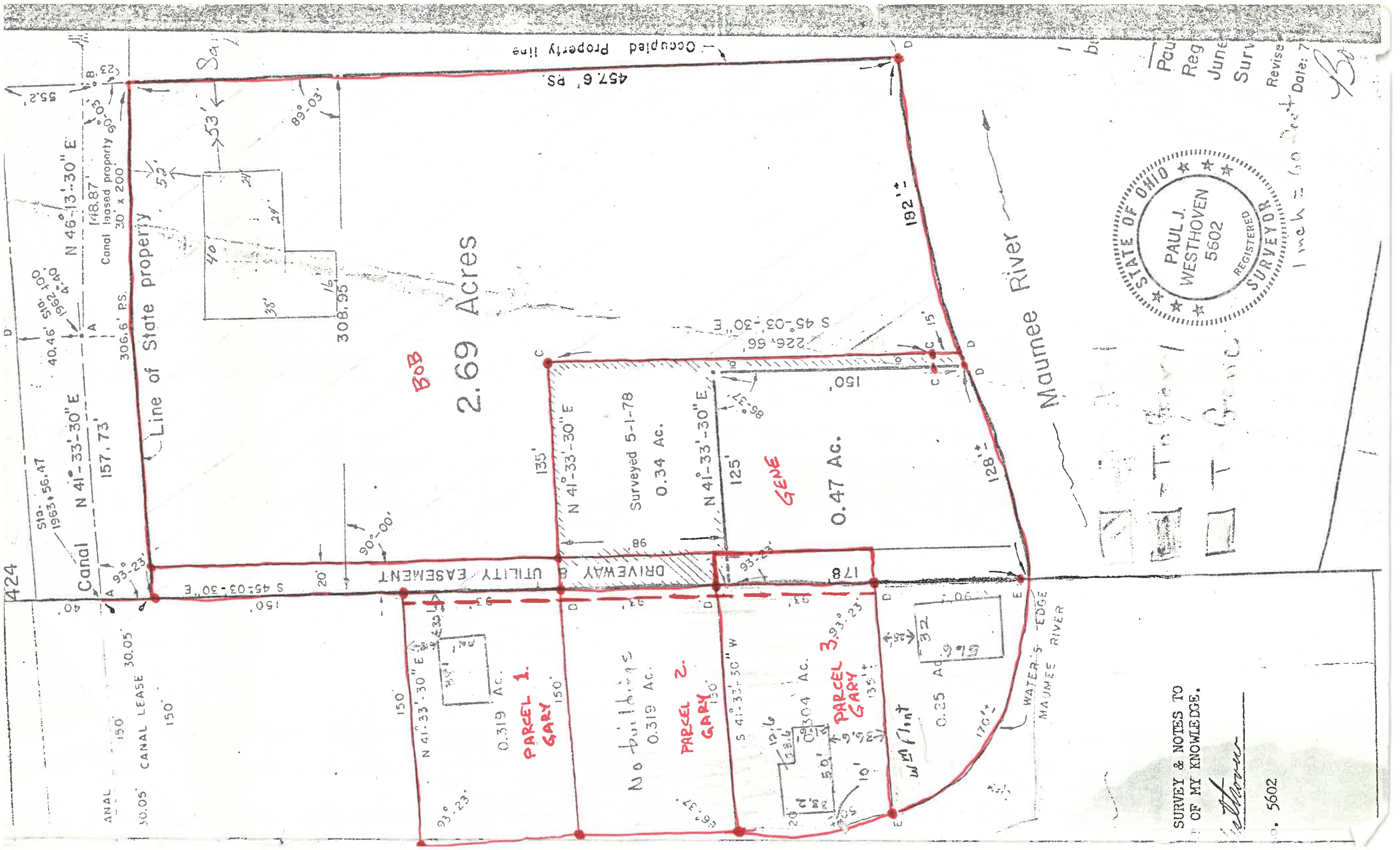
Sincerely,

*R. E. Johnson*

Dept. of Building & Zoning

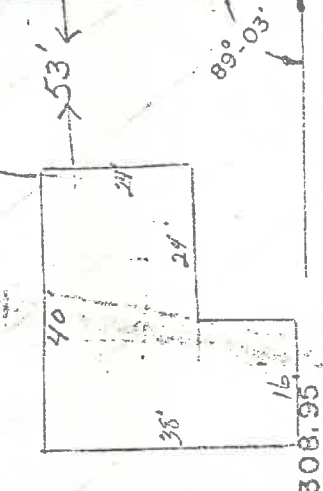
RDS:dd

424



ANAL 150  
 30.05 CANAL LEASE 150  
 Canal N 41°-33'-30" E 157.73'  
 1963+56.47  
 40.46  
 1962.100  
 4-40  
 N 46°-13'-30" E  
 148.87  
 Canal leased property 30 x 200  
 306.6' P.S.  
 55.2

Line of State property



**Bob**  
 2.69 Acres

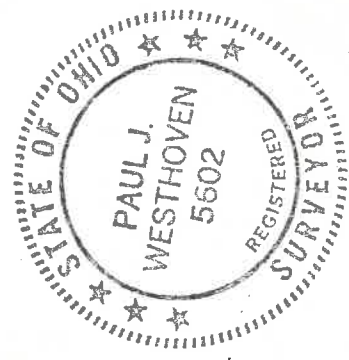
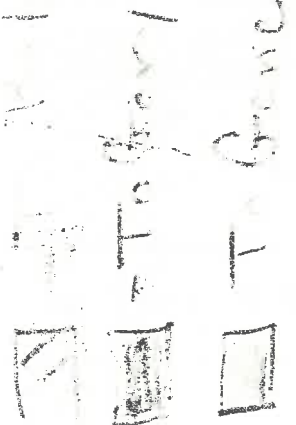
UTILITY EASEMENT DRIVEWAY 8  
 178  
 N 41°-33'-30" E 150  
 0.319 AC.  
**PARCEL 1 GARY**  
 No buildings  
 0.319 AC.  
**PARCEL 2 GARY**

135'  
 N 41°-33'-30" E  
 Surveyed 5-1-78  
 0.34 AC.

5 41°-32'-30" W  
 178  
 0.25 AC.  
**PARCEL 3 GARY**  
 Wm Flint  
 170'  
 192'  
 128'  
 125'  
 N 41°-33'-30" E  
 86°-37'

Maumee River

WATER'S EDGE MAUMEE RIVER



SURVEY & NOTES TO  
 OF MY KNOWLEDGE.

*Westhoven*

5602

1 inch = 60 feet Date: 7

430

457.6' P.S.  
 Occupied Property line



# City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE — (419) 592-4010

August 1, 1978

**Mayor**

Robert G. Heft

**Clerk-Treasurer**

Rupert W. Schweinhagen

**Members of Council**

Vern Holers, President

Lawrence Haase

James Jackson

Marilyn Rausch

David Strobel

William Young

**City Manager**

Alan E. Tandy

**Law Director**

Keith Muehlfeld

Mr. Harold H. Plassman  
302 N. Defiance St.  
Archbold, OH 43502

Dear Mr. Plassman:

Your letter of July 27, 1978 with surveys of the Hogrefe property is acknowledged.

We are enclosing a copy of the City's subdivision ordinance and suggest that a surveyor be retained to draw a plot of survey, indicating compliance with the Zoning Code and Subdivision Ordinance.

The property that you wish to divide is located in the "Planned Business" District. The regulations of this District can be found in Section 85-18 of the Zoning Code. Please note in particular the minimum lot size regulations of the district, found in paragraph (g)(1)(c). *lot 5.4c*

If it is not desirable to dedicate land area and install City standard streets to the lots near the waters edge, or if other regulations of the Code create major problems for your client, you may petition the Plan Commission for relief from the subdivision code regulations, under Section 84.7 of the Zoning Code. *Subdivision Ord.*

We are returning the surveys of the property in question to forgo the possibility of our misplacing them.

If you have any questions, regarding our subdivision regulations, please feel free to call.

Sincerely,

Robert E. Johnson  
Dept. of Building & Zoning

REJ:dd

Enc.





# City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE -- (619) 592-6010

August 20, 1979

**Mayor**

Robert G. Heft

**Clerk-Treasurer**

Rupert W. Schweinhagen

**Members of Council**

Vern Holers, President

Lawrence Haase

James Jackson

Darel Austermilller

David Strobel

William Young

**City Manager**

Alan E. Tandy

**Law Director**

Keith Muehlfeld

Mr. Harold H. Plassman

302 N. Defiance St.

Archbold, OH 43502

Dear Mr. Plassman:

Following your call on Saturday, investigation does not show any current hold up at City Hall, with regard to the proposed Hogrefe Subdivision.

A letter to you was drafted July 30, but this letter was given to Mr. Muehlfeld before being mailed, and since Mr. Muehlfeld is not here right now, I don't know just when the letter was mailed to your office. In fact, I believe the Building Department is sending you a copy of that letter.

Mr. Johnson isn't here either, due to illness in the family, but it appears to me the letter refers to only two remaining problems. The one problem dealt with details of our Subdivision Ordinance. I know they need a plat sheet in proper detail. This has been the procedure for many years. The other problem is also mentioned in the letter and it refers to the lot sizes.

In summary, my personal observation is that there are no large problems remaining. Also, we believe that Mr. Muehlfeld verbally spoke with Mr. Rupp, as to the detail needed on the plat sheet.

I trust that the matter will soon be resolved.

Thank you.

Sincerely,

*Vernon W. Holers*<sup>dd</sup>

Vernon W. Holers  
Council President

VWH:dd

cc: Mayor  
City Council  
City Manager

Clerk-Treasurer  
Bidg. Department  
Law Director

DATE

NOTICE OF PUBLIC HEARING

Please take notice:

A Public Hearing will be held by the Zoning and Planning Commission of the City of Napoleon, Ohio in the Council Chambers of the City Building, located at 255 W. Riverview Avenue, on ~~TUESDAY~~ <sup>NOVEMBER 4TH</sup> at 5:15 p.m. to consider the following item ~~(S)~~:

A REQUEST FILE BY ~~THE~~ ROBERT, EUGENE,  
GARY AND NEVA HOYZERFE, FOR A SEVEN LOT  
SUBDIVISION LOCATED AT APPROXIMATELY 690 E. RIVERVIEW  
MORE PARTICULARLY DESCRIBED AS PART OF THE SOUTHWEST  
QUARTER OF SECTION 7, T5N, R7E, LIBERTY TOWNSHIP,  
CITY OF NAPOLEON, ~~OHIO~~ HENRY COUNTY OHIO.

All persons desiring to speak for or against the proposal may appear at the meeting and be heard thereon.

CHAIRMAN OF THE  
ZONING & PLANNING COMMISSION  
CITY OF NAPOLEON, OHIO

APPLICATION FOR PUBLIC HEARING  
PLANNING COMMISSION  
CITY OF NAPOLEON, OHIO

TO: Department of Building and Zoning  
FOR: Chairman and members of Planning Commission

I/We hereby request a hearing before the Planning Commission for the purpose of considering the following: (check the item(s) applicable)

<u>Request</u>	<u>Filing Fee</u>
<input checked="" type="checkbox"/> Subdivision of property	\$30 + \$1 per lot if more than 2 lots
<input type="checkbox"/> Special Use Permit	\$35.00
<input type="checkbox"/> Conditional Use Permit	\$35.00
<input type="checkbox"/> Amendment/Rezoning	\$50.00

Legal description of property:

Part of the Southwest Quarter of Section 7, Township 5 North, Range 7 East, Liberty Township, City of Napoleon, Henry County, Ohio

Brief description of request:

To subdivide an existing parcel of ground now containing four (4) dwellings into seven (7) parcels so as to permit transfers to the family of the owner.

The premises proposed for action is in the UPB zoning district.

Note: 1. All petitions require a minimum of 15 days notice for Public Hearing.

The owners of the premises is: Name Neva Hogrefe  
(legal or beneficial owner)

Address State Route 424 East Napoleon, Oh.

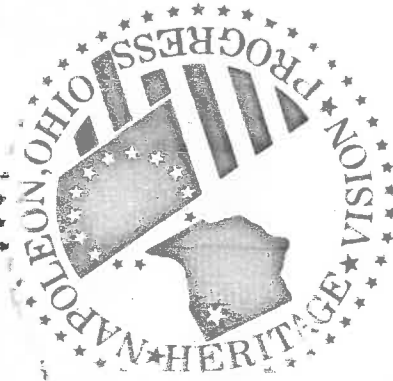
Phone 419-599-4281

This application is filed on  
behalf of the owner by:

Name E. C. Gerken & Assoc., Inc.

Address 1933 East Second Street, Defiance,  
Ohio

Phone 419-784-0332



# City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE — (419) 592-4010

October 17, 1980

**Mayor**  
Robert G. Heft

Mr. Robert Ernsberger  
E. C. Gerken & Assoc.  
1933 East Second St.  
Defiance, OH 43512

**Clerk-Treasurer**  
Rupert W. Schweinhagen

Dear Mr. Ernsberger:

**Members of Council**

Lawrence Haase, President  
James Jackson  
William Young  
Darel Austermliller  
Darrell Fox  
James Zumfelde

The review of the subdivision of property owned by Robert Hogrefe shows that the following items shall be shown before a Public Hearing may be established.

1. Access for Lots 1-5 shall be shown on drawing with width measurements and as an easement.
2. Bearings and distances shall be shown along Maumee River.
3. Easement shall be shown on drawing along Anthony Wayne Supper Club property line. Easement shall either be wholly on Hogrefe property or divided between Hogrefe and Anthony Wayne. Widths of easement shall be shown.

**City Manager**  
Alan E. Tandy

**Law Director**  
Keith Muehlfeld

4. Right-of-way line shall be defined on drawing.
5. Adjacent properties shall be defined as to ownership on both east and west sides of subdivision.
6. The Zoning Code Section 151.39D requires a forty (40) ft. minimum setback in "Planned Business". Drawing shows twenty five (25) ft. building line.
7. Plat does not have legend.
8. Plat shall show that concrete monuments shall be placed on periphery of subdivision.
9. Plat does not have Seal of Architect or Engineer.
10. Plat does not have signature block.
  - a. Owner
  - b. Notary
  - c. Planning Commission
  - d. Council
  - e. County Auditor
  - f. County Recorder

11. Legal description of land in print shall be put on plat.
12. Lots 1, 2, 3, 4 and 7 shall be legal non-conforming uses for the following reasons.  
  
Lot 1, 2, 3, 4 and 7 are residential properties which are only allowed in Planned Business districts as non-conforming uses. Property line between Lots 2 & 3 splits shed making Lot 2 non-conforming.
13. Any utility easements should be shown.
14. Accurate distances and directions to the nearest established street corner or official monuments. Reference corners shall be accurately described on the plan.
15. Source of title to the land as shown by the books of the County Recorder.

Attached is a copy of final plat requirement which shall be met before a Public Hearing date shall be established. Your check is being returned; the fee for subdivision form was not correct. Fee should be as follows:

Subdivision of property	\$25.00
Plus 50¢ per lot	3.50
Recording of final plat	<u>5.00</u>
Total fee should be	\$33.50

Sincerely,

Richard G. Hayman  
Building Commissioner

RGH:dd

Enc.

APPLICATION FOR MINOR SUBDIVISION APPROVAL

DATE \_\_\_\_\_

NAME OF APPLICANT \_\_\_\_\_

NAME OF OWNER (if different) \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ TELEPHONE \_\_\_\_\_

LOCATION OF SUBDIVISION \_\_\_\_\_

No. of Proposed Lots \_\_\_\_\_  
Lots previously created from original parcel \_\_\_\_\_

The undersigned applies for minor subdivision approval under Section 711.131 Ohio Revised Code, and certifies all material submitted with this application is true and correct. Also that applicant has received a copy of the Henry County Sub-division Regulations and that the subdivision survey and other required data submitted as part of this application is in accord with those subdivision requirements.

\_\_\_\_\_  
Signature of Applicant

REVIEWED BY: (no objections)

\_\_\_\_\_  
Department of Health

\_\_\_\_\_  
Henry County Engineer

\_\_\_\_\_  
Soil Conservation Service

\_\_\_\_\_  
Henry County Auditor

Twp. \_\_\_\_\_ Sec \_\_\_\_\_

LAW OFFICES OF  
**RICE, PUGH, PLASSMAN, RUPP, LAUBER & HENSAL**

302 NORTH DEFIANCE STREET  
ARCHBOLD, OHIO 43502  
419-445-8815

152 SOUTH FULTON STREET  
WAUSEON, OHIO 43867  
419-335-1560

ARCHBOLD OFFICE

OWEN RICE  
OF COUNSEL  
HAROLD H. PLASSMAN  
DAVID P. RUPP, JR.  
JAMES HENSAL

WAUSEON OFFICE

F. MEYER PUGH  
OF COUNSEL  
ROBERT C. LAUBER  
WILLIAM R. SWIGART

July 27, 1978

Mr. Robert E. Johnson  
City Hall  
Napoleon, Ohio 43545

Re: Subdivision of Hogrefe property

Dear Bob:

As indicated to you by telephone, the late Henry Hogrefe's sons have never owned individually the residences in which they reside and, accordingly, I recommended to them, before a death occurred, that divisions be accomplished for less entanglement. Accordingly, you will find copies of three deeds enclosed, the originals of which I propose to record after approval by the Planning Commission of the division. I also enclose herewith the only copy of each of two surveys provided to me by Paul Westhoven, on which I have placed in pencil the properties which each is to receive.

Please advise what needs to be done to accomplish approval by the Planning Commission and transfer of record.

Very truly yours,

RICE, PLASSMAN, RUPP & HENSAL



HHP/cs

Enclosures



# City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE -- (419) 592-4010

August 1, 1978

Mr. Harold H. Plassman  
302 N. Defiance St.  
Archbold, OH 43502

**Mayor**  
Robert G. Heft

**Clerk-Treasurer**  
Rupert W. Schweinhagen

**Members of Council**  
Vern Holers, President  
Lawrence Haase  
James Jackson  
Marilyn Rausch  
David Strobel  
William Young

**City Manager**  
Alan E. Tandy

**Law Director**  
Keith Muehfeld

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If you have any questions, regarding our subdivision regulations, please feel free to call.

Sincerely,

Robert E. Johnson  
Dept. of Building & Zoning

REJ:dd

Enc.



*E. C. Gerken & Associates, Inc.*

Consulting Engineers and Surveyors

Eugene C. Gerken, P. E., P.S.  
Robert B. Ernsberger, P. S.

1933 East Second Street  
Defiance, Ohio 43512  
A/C 419 - 784-0332

October 15, 1980

Zoning and Planning Commission  
City of Napoleon  
255 Riverview Avenue  
Napoleon, OH 43545

RE: Hogrefe's Riverview Addition  
79-H-352

Gentlemen:

Transmitted herein, on behalf of Robert Hogrefe et al., please find four (4) copies of the preliminary plat and an application for a public hearing for a proposed subdivision to be known as Hogrefe's Riverview Addition, located in the Southwest Quarter of Section 7, Liberty Township, City of Napoleon, Henry County, Ohio, and also described as lying South of and East of the Anthony Wayne Supper Club on State Route 424 East of Napoleon.

If there should be any questions or comments regarding the plat or the application for public hearing, please don't hesitate to contact us. Your cooperation in this matter would be greatly appreciated.

Yours truly,

  
Robert B. Ernsberger,  
R.L.S.

RBE/nls

Enclosures

cc: Robert Hogrefe  
Attorney Harold Plassman