

TO: Keith Muehlfeld
FROM: Robert E. Johnson
SUBJECT: Citation for Mr. Don Schuette
DATE: June 1, 1978

Please prepare a citation for Mr. Don Schuette for violation of Section 85.24(F)(3) of the Zoning Code by reason that he has failed to install a 5'0" high fence around his pond at 1212 W. Riverview Avenue.

The pond was built in 1977 and on August 1, 1977 and September 9, 1977 appeared before the Board of Zoning Appeals and was denied any variation from the fence regulations of the Code.

Mr. Don Schuette verbally assured me that the fence would be installed during the month of May, 1978. I personally left a message with his son, Gregg, on May 25, 1978 that a citation would be issued June 1, 1978 if the fence work was not started.

There has been several neighbor complaints and therefore I ask for your prompt attention.

REJ:dd

FORM OF PETITION/APPEAL

To: Building Department - City of Napoleon

For: Chairman and Members of Board of Zoning Appeals

I/we hereby file a petition/appeal for: (check the box applicable)

- 1. Variance \$25.00
- 2. Conditional Use \$25.00
- 3. Other As Applicable

(Print or type)

Describe the item checked and attach a site plan to scale if required and a list consisting of names and addresses of property owners within 200' of the property requiring an appeal.

Request for a 2 ft Fence

- 1. All petitions/appeals require a minimum of 30 days notice for public hearing.
- 2. Non-refundable filing fee to be paid full in advance.
- 3. Petition/appeals to be filed in duplicate.
- 4. Cost of publication and notices to be paid by the applicant.

Name and Address of Applicant

DCN SCHUETTE
 1212 W. RIVERVIEW AVE.
 NAPOLEON, OHIO 43545
 PHONE NO. 592-1541

Don Schuette
 Signature of Applicant

8-5-77
 Date

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Describe the item checked and attach a site plan to scale if required and a list consisting of names and addresses of property owners within 200' of the property requiring an appeal.

Charles Houts Rt 424 W. Napoleon Ohio
 203 Sycamore Ln.
 Steven Brubaker 205 Sycamore Ln. Napoleon
 Martin E. Jackson 207 Sycamore Ln. Napoleon
 Robert Lucas 1214 Riverview Napoleon
 Mrs. Virgil Vajen Rt. 424 W. Napoleon

- Notes:
1. All petition/appeals require a minimum of 30 days notice for public hearing.
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 3. Petition/appeals to be filed in duplicate.
 4. Cost of publication and notices to be paid by the applicant.

Name and Address of Applicant:

1212 Riverview
Napoleon, Ohio

Don Schutte
 Signature of Applicant

Phone No. 599-5941

Date _____



City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE — (419) 592-4010

July 7, 1977

Mayor

Robert G. Heft

Clerk-Treasurer

Rupert W. Schweinhagen

Members of Council

Vern Holers, President

James Jackson

William Young

Earl Richardson

Lawrence Haase

David Strobel

Board of Zoning Appeals
City of Napoleon
255 W. Riverview Ave.
Napoleon, Ohio 43545

Re: Variance in Rear Yard Setback and
Fencing Requirements for Pond or
Pool

Gentlemen:

Attached you will find the following: Applicant's form of appeal, site plan, notice of public hearing, and an unsigned zoning permit No. 770-77 filed with the Building Department on June 27, 1977.

Don Schuette is filing for two (2) variances in zoning pertaining to a pond constructed on his property at 1212 W. Riverview Ave., in the Northwest Quarter of Section 23, Napoleon Township, located in an "S" Suburban Residence District. The pond was constructed in violation, i.e. prior to obtaining a zoning or building permit.

The variances in zoning are required because of non-compliance with the Zoning Ordinance No. 1104, Section 85.12, Sub-Section (c)(3), pertaining to rear set back lines, and Section 85.24, Sub-Section (f)(3), pertaining to fencing requirements for private swimming pools.

Please give this matter your timely attention. If you have any further questions concerning this appeal, please do not hesitate to contact this office.

Sincerely,

Ronald D. Sonnenberg
Asst. Building Inspector
Building Department

RDS/cm

Enclosures