

MEMORANDUM

TO: City Manager, Mayor & Members of City Council
FROM: Brent N. Damman, Zoning Administrator *BND*
SUBJECT: Amended Conditional Use Permit for Terry Brubaker.
MEETING DATE: September 15, 1997 @ 8:00 pm
HEARING #: PC 97/08

BACKGROUND:

An application by Terry Brubaker 420 W. Riverview, Napoleon, Ohio, requesting an amended Conditional Use Permit to allow the expansion of the moped sales and service business at his residence. The request is pursuant to Chapter 1141 of the City of Napoleon Ohio Code of General Ordinances, and is located in a "R-3" Residential Zoning District.

RESEARCH AND FINDINGS:

1. The reason for this request is that Mr. Brubakers business has grown, and he has need to display more than three (3) mopeds at one time.
2. Proper notification was sent to all of Mr. Brubakers neighbors, to date I have not received complaint. Since the time of issuance of the original permit, I have yet to receive complaint regarding his operation.
3. Mr. Brubaker has complied with the terms of the original permit with the exception of displaying more than three mopeds at a time on occasion.

ADMINISTRATIVE OPINION AND RECOMMENDATIONS:

It is my opinion that the Planning Commission recommend City Council approval with the condition that no more that five (5) mopeds be displayed at any one time.

MINUTES OF THE CITY OF NAPOLEON PLANNING COMMISSION HEARING # PC 97/09 HELD ON SEPTEMBER 09, 1997 @ 5:00 PM (Attached)

Recommendation: To allow the maximum of five (5) mopeds and three (3) minibikes to be displayed at any one time.

PLANNING COMMISSION MINUTES
August 12, 1997, @ 5:00 PM for PC 97/08

Present: McBroom, Luzny, Bisher

Absent: Stange, Haase

Others present: Damman, Secretary; Helmke, Recorder; Brubaker

McBroom: Read the background information. Conditional Use Permit to allow the expansion of the moped sales and service business for Terry Brubaker.

McBroom: Asked if everyone was notified.

Damman: Replied yes. There were no comments.

McBroom: Asked Mr. Brubaker for comments.

Brubaker: Commented when he applied for a permit the first time he had been granted a display of 3 mopeds. I would like to expand my business display with 8 mopeds as we have added a line for 10-12 year olds. I would like to display down the driveway. I have brought people in from 32 towns this year which also helps the city.

McBroom: The problem is not to make it to big in a residential area. The recommendation is 5.

Brubaker: I would like to have 5 mopeds and three mini bikes at anyone time.

Bisher: There is no one here complaining. He has followed all recommendations.

Motion: Bisher **Second:** Luzny
accept this recommendation as written with up to 5 mopeds and up to 3 mini bikes to be displayed.

Roll call vote: Yea-Bisher, McBroom, Luzny Nay-
Passed

Motion: Bisher **Second:** Luzny
to adjourn at 6:35 PM.

Roll call vote: Yea-Bisher, McBroom, Luzny Nay-
Passed