

MEMORANDUM

TO: Members of the Planning Commission  
FROM: Brent N. Damman, Zoning Administrator  
SUBJECT: An application for a Special Use Permit by  
Petrolane Gas Service.  
HEARING DATE: July 9th, 1991 5:00pm  
HEARING #: PC 91/10

BACKGROUND

An application by Petrolane Gas Service 2254 1/2 N. Scott St. Napoleon, Ohio for a Special Use Permit to allow outside storage of an L.P. Gas filling station, and L.P. Gas truck parking. The proposal is to move the current facility at the above address to a new location of 1410 N. Scott St. The application is pursuant to sections 151.43 and 151.44 of the City of Napoleon Ohio Code of Ordinances. The proposed is located in a "PB" Planned Business District.

RESEARCH AND FINDINGS

1. That the current facility utilizes a 500 gallon L.P. tank, which will be transferred to the proposed new facility.
2. That a 500 gallon storage tank is permissible in the "P.B." Planned Business District, according to 97.99 of the City of Napoleon Ohio Code of Ordinances, so long as all setback requirements are met.
3. The purpose of moving this facility is to gain space.

ADMINISTRATIVE OPINION:

I believe there to be no reason for not granting this request.

The Planning Commission shall make written findings of fact and shall submit same together with its recommendation to the City Council after the close of the hearing on a special use. The Planning Commission's report to the City Council shall indicate the vote of each member present and shall contain a statement of reasons why a member or members did not vote in favor of a recommendation. No special use shall be recommended by the Planning Commission unless the Commission finds that:

- (1) The establishment maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.

- (2) The special use will not be injurious to the use and enjoyment of lawfully used property in the immediate vicinity or substantially diminish or impair property values within the neighborhood.
- (3) The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (4) The special use shall conform to the applicable regulations of the district in which it is located except as such regulations may in each instance, be modified by the conditions of the special use permit.

The above paragraphs shall be addressed and it shall be determined whether or not this Special Use will meet this criteria and explanations as to why it will or will not meet each set of criteria.

