

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Brent N. Damman, Zoning Administrator
SUBJECT: An application for Variance by Foster for
side yard setback.

HEARING

DATE: December 11th, 1990 at 4:30 PM

HEARING #: BZA 90/31

BACKGROUND

An application for Variance by Hoeffel, Funkhouser, Hanna, Fisher, Attorneys at Law, on behalf of Foster Canning Incorporated, owners of the property located at 1515 N. Scott Street Napoleon, Ohio, to approve a side yard setback of 0' and also exceed the maximum lot coverage of 60%, as to allow the division and transfer of a part of the south west corner of said property to new ownership, that is occupied by a storage building which is attached to the existing canning plant also owned by Foster Canning Inc. The above mentioned property is in a "I-1" Enclosed Industrial District with a normal side yard setback of 10' and maximum lot coverage of 60%. The Variance shall be to section(s) 151.40(B)(C) of the City of Napoleon, Ohio Code Of Ordinances.

RESEARCH AND FINDINGS

1. The above mentioned property is located in an "I-1 Industrial District and the side yard setback requirement is 10, and the maximum lot coverage is not to exceed 60%.
2. The purpose of this request is to allow variance so this building and surrounding lot can be divided, sold, and transferred to new ownership.
3. The above mentioned building has been inspected by the City Engineer and Building Inspector, and has adequate fire protection walls between these buildings.
4. Based on the surrounding properties this should not interfere or disturb the future development of this area.

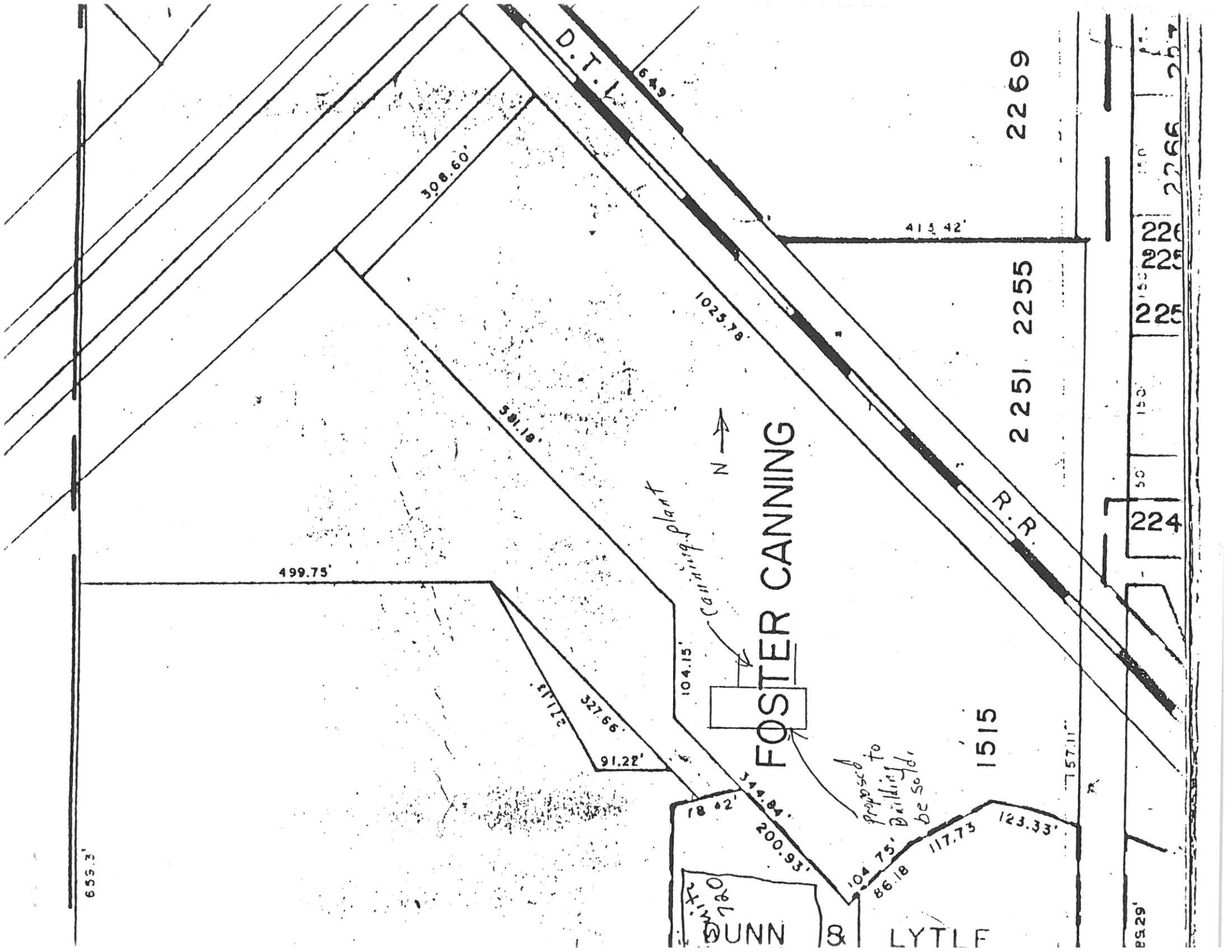
The standards for variation to be considered are as follows:

- (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.
- (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.

0180800217BZA90/30



655.3'

499.75'

308.60'

581.18'

1025.78'

413.42'

2269

2251 2255

224

225 225 226 226

150

150

50

8929'



Canning plant

FOSTER CANNING

R.R.

proposed to Building be sold

DUNN & LYTTLE

ORLY MIX

1515

757.11'

D.T.L.

64.9'

18.02'

200.93'

344.84'

91.22'

211.13'

327.66'

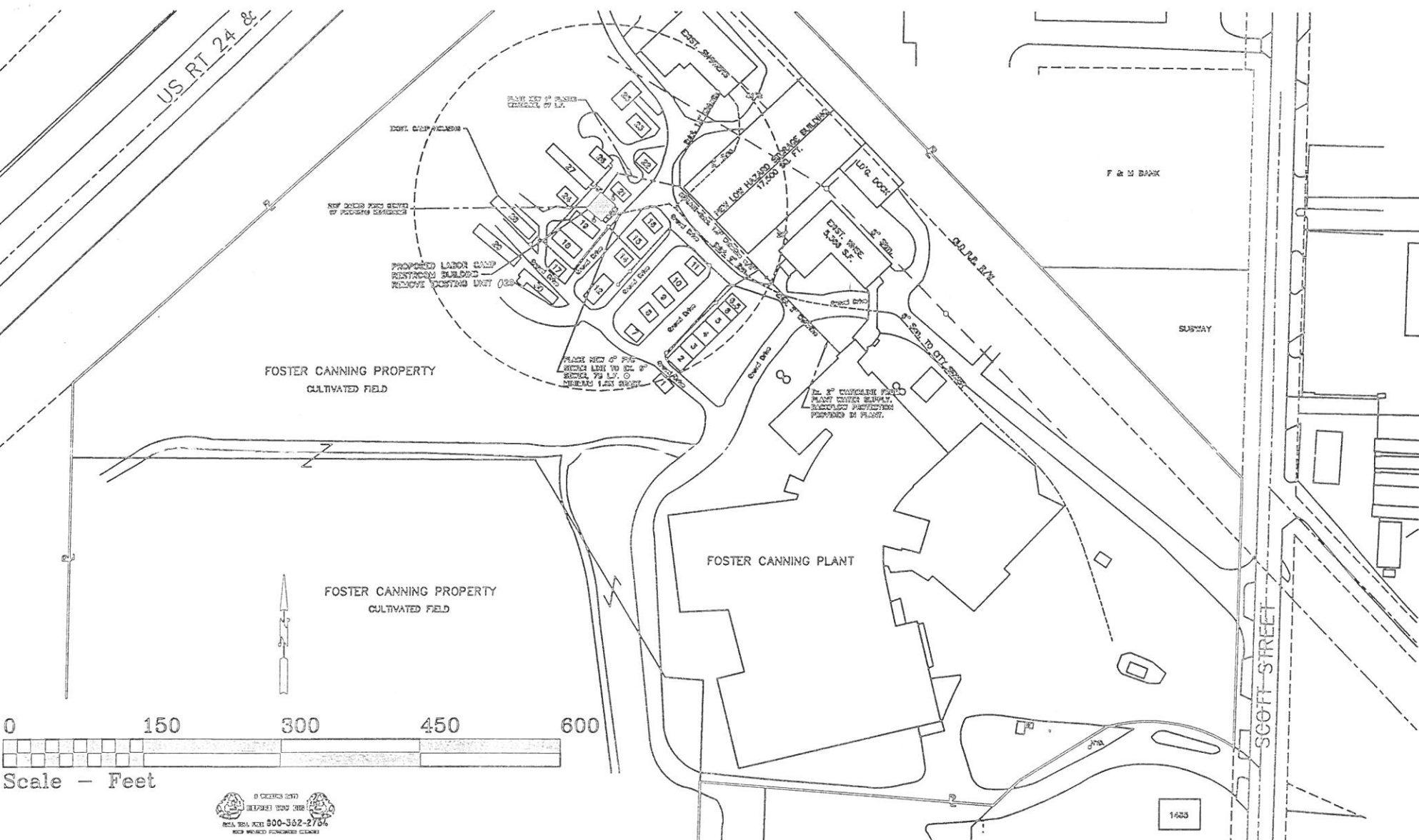
104.15'

104.75'

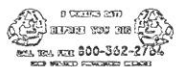
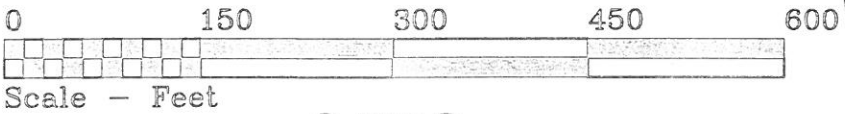
117.73'

123.33'

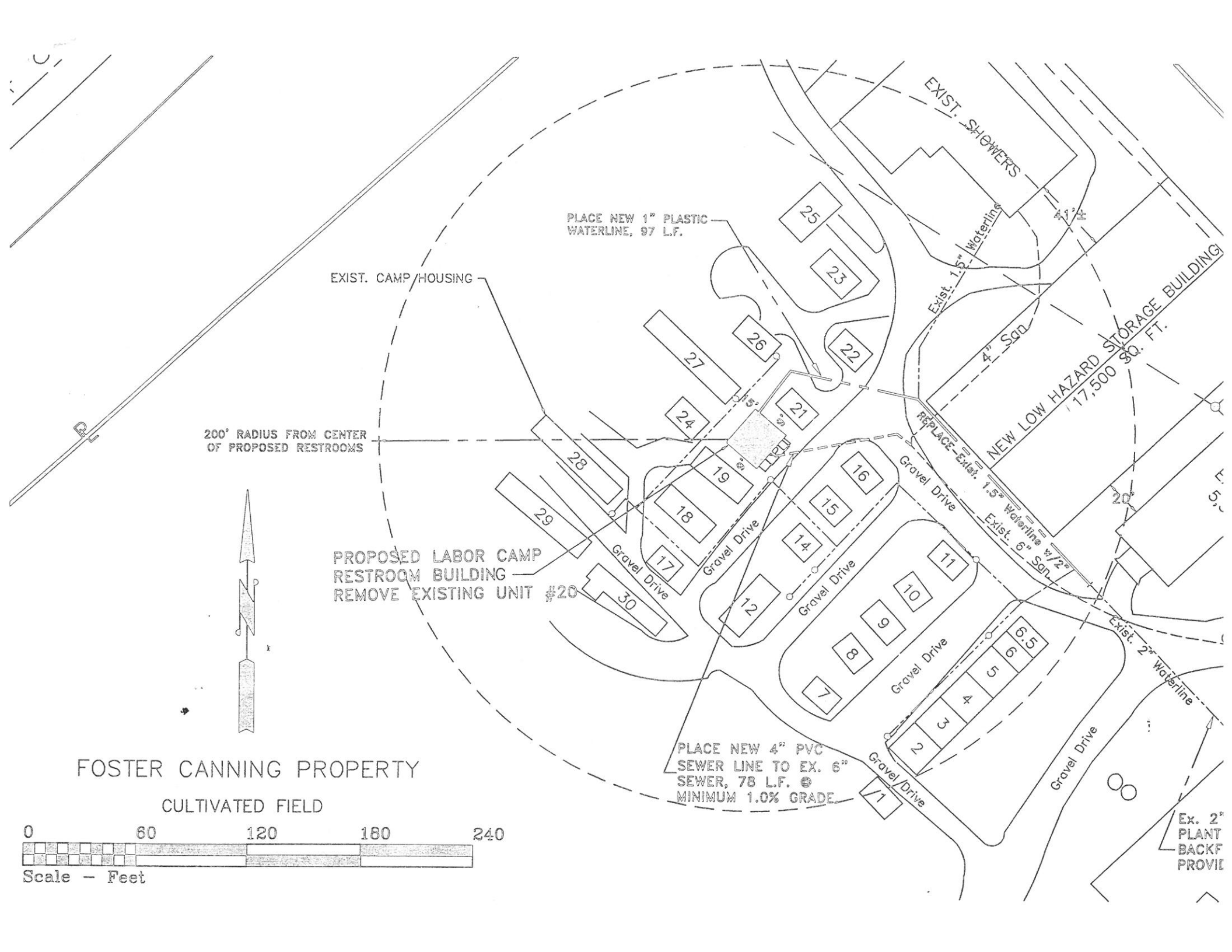
86.18'



SITE LOCATION PLAN
 FOR
FOSTER CANNING COMPANY
SEASONAL LABOR CAMP RESTROOM FACILITIES
 1815 SCOTT STREET, NAPOLEON OHIO 43545



OHIO UTILITIES PROTECTION SERVICE
 The construction of these facilities is subject to the approval of OUPS. OUPS will inspect the construction of these facilities and will issue a certificate of approval upon completion. For more information, contact OUPS at 1-800-368-6764. (Subject to existing laws and regulations.)



PLACE NEW 1" PLASTIC WATERLINE, 97 L.F.

EXIST. CAMP/HOUSING

200' RADIUS FROM CENTER OF PROPOSED RESTROOMS

PROPOSED LABOR CAMP RESTROOM BUILDING
REMOVE EXISTING UNIT #20

EXIST. SHOWERS

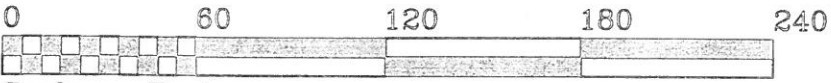
NEW LOW HAZARD STORAGE BUILDING
17,500 SQ. FT.

PLACE NEW 4" PVC SEWER LINE TO EX. 6" SEWER, 78 L.F. @ MINIMUM 1.0% GRADE.

Ex. 2" PLANT BACKF PROVIC

FOSTER CANNING PROPERTY

CULTIVATED FIELD



Scale - Feet