



City of Napoleon, Ohio

Zoning Department

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545

Mark B. Spiess, Senior Engineering Technician / Zoning Administrator
Telephone: (419) 592-4010 Fax: (419) 599-8393

www.napoleonohio.com

April 11, 2019

D & B Cole Properties, LLC
13101 Wapakoneta Rd.
Weston, Ohio 43569

Re: Notice of Violation

D & B Cole Properties,

It has been brought to my attention that the property located at 2601 Scott Street in Napoleon, Ohio is not in compliance with the conditions placed on your Special Use Permit, Chapter 1141 of the City of Napoleon Codified Ordinances, approved by the City of Napoleon Planning Commission and City Council. Attached is documentation of the Special Use Permit for reference.

Motion 69-92:

- A. That only whole, complete, undamaged and operable motor vehicles (but only as defined in (B) below) shall be displayed for sale on the permit site. No other motor vehicles shall be permitted on the permit site except those of prospective purchasers, the permit-holder and employees of the permit-holder.
- B. Only automobiles and light trucks of four wheels with the maximum one (1) capacity shall be displayed for sale on the permit site. There shall be no semi-tractors, large commercial trucks (either van type or flat-bed type), farm tractors or other motor vehicles on the permit site at any time.
- C. The permit site, at all times, shall be kept in an orderly and sightly condition as is customary for a used-car sales lot within the City.

1105.02 (f) (1) Violations

1. No person shall recklessly violate any provision of this Planning and Zoning Code or any condition or restriction contained in a conditional use permit.

1147.99 Penalties

Persons Violating. Any person found violating Section 1105.2 (f) (1) or (2) of this Planning and Zoning Code shall be deemed guilty of an unclassified misdemeanor punishable by a fine not to exceed \$1,000.00 for each violation. Each day a violation continues shall constitute a separate offense.

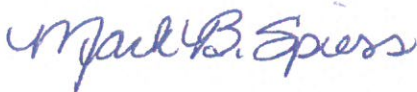
offense shall be deemed committed each day during or on which a violation continues or occurs.

Upon receipt of this notice, you are required to:

1. Abate the violation(s) or provide acceptable remedies.
2. Reply in writing to this Notice of Violation within fourteen (14) calendar days. The reply shall include:
 - a. Description(s) and date(s) of action(s) taken to abate the violation.
 - b. Description(s) and expeditious time schedules of action(s) yet to be taken to abate the violation(s).

Your written response, and any questions regarding this Notice of Violation, should be directed to my office at 255 W. Riverview Ave., Napoleon, Ohio 43545, phone: (419) 592-4010.

Yours truly,



Mark B. Spiess
Sr. Eng. Tech / Zoning Admin.
City of Napoleon, Ohio

cc: Joel L. Mazur, City Manger
Chad E. Lulfs, P.E., P.S., Director Of Public Works
Billy Harmon, City Law Director
Chief David J. Mack, Chief of Police
Kevin Schultheis, Code Enforcement Officer

Section 2. That such special-use permit is approved, subject to the following conditions:

(A) That only whole, complete, undamaged and operable motor vehicles (but only as defined in (B) below) shall be displayed for sale on the permit site. No other motor vehicles shall be permitted on the permit site except those of prospective purchasers, the permit-holder and employees of the permit-holder.

(B) Only automobiles and light trucks of four wheels with a maximum one (1) capacity shall be displayed for sale on the permit site. There shall be no semi-tractors, large commercial trucks (either van type or flat-bed type), farm tractors or other motor vehicles on the permit site at any time.

(C) The permit site, at all times, shall be kept in an orderly and sightly condition as is customary for a used-car sales lot within the City.

(D) If the City Zoning Administrator, or his designee, determines that such special-use permit, or any condition for the issuance of such special-use permit, has been violated, the City Zoning Administrator, or his designee, shall give written notice thereof to the permit holder and such violation shall be submitted to the City Planning Commission for a public hearing. Upon hearing and upon finding that such violation occurred, or continues to occur, the City Planning Commission shall make and submit to City Council written findings of fact and shall recommend to City Council that such special-use permit be amended, suspended or revoked, or that no action be taken. Upon receipt of the City Planning

4-23-19

To Whom it may concern,

This letter is to inform the City of Napoleon what is being done at 2601 N. Scott St.

Over the next 30 days all vehicles will be in sellable condition, the big truck will be removed. Someone will be at the car lot M-F 1pm-5pm.

We will be working on the appearance of the building to make it look nicer.

We are waiting on a call back to see if a permit would be issued to sell campers.

Any further contact needed, we can be reached at 419-409-1987.

D+B Cole Properties
Dale + Bobbie Jo Cole