

*City of Napoleon, Ohio*

**BOARD OF ZONING APPEALS**

Meeting Agenda

BZA 22-01 – Variance for Commercial Use at 821 South Perry Street

**Tuesday, March 8, 2022 at 4:30 pm**

*Location ~ Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio*

1. Call to Order
2. Roll Call
3. Approval of Minutes – May 11, 2021. (In the absence of any corrections or objections, the Minutes shall stand approved)
4. **New Business**  
BZA 22-01 – Variance for Commercial Use at 821 South Perry Street  
An application for a Public Hearing has been filed by the Henry County Commissioners, Henry County Ag Society and the Henry County Ag Improvement Association. The applicants are requesting a variance to Section 1147 of the City of Napoleon Codified Ordinances regarding the building size and commercial use of the structure to be built within the property of the Henry County Fairgrounds and within the current fencing surrounding the property. The construction of a 47,065 sq. ft. one-story Exhibition/Assembly Community Event Center is planned to be placed on the Northside Camp/Parking Site. The building will be non-combustible construction with a fire suppression system and will include men and women’s restrooms, a concession room, small lobby, an office, milk parlor and mechanical spaces.
5. Closing Remarks
6. Adjournment.



Roxanne Dietrich, Clerk

**BOARD OF ZONING APPEALS MEETING MINUTES**

Tuesday, May 11, 2021 at 4:30 pm

BZA 21-02 ~ Variance to Property Setback ~ 143 West Maumee Avenue

**PRESENT**

Board Members	Tom Mack-Chair, David Dill, Lynn Rausch, Steve Small, Larry Vocke
City Staff	Kevin Schultheis-Code Enforcement/Zoning Administrator
Clerk	Roxanne Dietrich
Others	Mark Crandall, News media via WebEx

**ABSENT**

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CALL TO ORDER

Mack, chair of the Board of Zoning Appeals, called the meeting to order at 4:30 pm.

ROLL CALL

Roll call was taken with all members being present.

APPROVAL OF MINUTES

Hearing no corrections or objections, the minutes from the April 13, 2021 meeting were approved as presented.

NEW BUSINESS

**BZA 21-02 ~ Variance to Property Setback ~ 143 West Maumee Avenue**

Mack read the background on BZA 21-02. An application for public hearing has been filed by Mark Crandall of 146 West Maumee Avenue, Napoleon, Ohio. The applicant is requesting approval of a variance to Section 1147 regarding the building setbacks in an R-3 Moderate-Density Residential District. The applicant is requesting a variance to the rear of a new home and garage structure from 15' to 7'. For clarification, Mack asked Crandall 146 West Maumee is your home address and the property being addressed tonight is at 143 West Maumee Avenue? Crandall-correct.

RESEARCH AND FINDINGS

Schultheis presented his research and findings for BZA 21-02:

A variance is needed to allow the new home and garage building to move inside the setback requirement of 15' of the property line. The move would create a better space and clearance from the front setback of 25' to accommodate better parking accessibility and to minimize street side parking. The board, after a hearing, may grant a variation from the regulations of the City's Planning and Zoning Code, but only when such variation is in harmony with the general purpose and intent of the Planning and Zoning Code, and the Board finds all of the following:

- (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 or 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 the property in question;
- (c) That granting such variance will not be materially detrimental to the public welfare or injurious to the property of improvement in the vicinity or district in which the property is located; and,
- (d) Granting such variance will not alter the land used characteristics of the vicinity or district, diminish the value of the adjacent land and improvements, or increase the congestion in the public street.





*City of Napoleon, Ohio*  
*Kevin Schultheis, Zoning Admin.*  
*Code Enforcement*

*255 West Riverview  
Napoleon, OH 43545  
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www.napoleonohio.com*

**Memorandum**

**To:** Members of the Board of Zoning Appeals  
**From:** Kevin Schultheis, Zoning Administrator / Code Enforcement Officer  
**Subject:** Variance for Commercial use in an R-3 Moderate Density Residential District  
**Meeting Date:** March 8, 2022 @ 1630 hrs.  
**Hearing:** BZA-22-01

**Location:** 821S. Perry St. Napoleon, Ohio 43545, The Henry County Fair Grounds, Henry County Commissioners, Henry County Ag Society, Henry County Ag Improvement.

**Background:**

An Application for a public hearing has been filed by the Henry County Commissioners, Henry County Ag Society and the Henry County Ag Improvement Association. The applicant is requesting a variance to Section 1147 of the City of Napoleon Codified Ordinance regarding the building size and commercial use of the structure to be built within the property of the Henry County Fair Grounds and within the current fencing surrounding the property. The construction of a 47,065 SF, One (1) story Exhibition / Assembly Community Event Center is planned to be place on the Northside Camp / Parking Site. The building will be a non-combustible construction with fire suppression system and will include men's and woman's toilet rooms, concession room, small lobby, office, milk parlor and mechanical spaces.

**RESEARCH AND FINDING:**

Upon approval of this variance and issuance of a zoning permit, a building permit from Wood County Building Inspection shall be required followed by a Certificate of Occupancy. The building and site plan must be reviewed and approved by the Napoleon City Engineer prior to approval along with any Detention calculations regarding water runoff.

## **STANDARDS FOR A VARIANCE:**

The Board, after a hearing, may grant a variation from the regulations of the City's Planning and Zoning Code, but only when such variation is in harmony with the general purpose and intent of the Planning and Zoning Code, and the Board finds all of the following:

- (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 or 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 granting such variance will not be materially detrimental to the public welfare or injurious to the property of improvements in the vicinity or district in which the property is located;
- (d) That granting such variance will not alter the land use characteristics of the vicinity or district, diminish the value of adjacent land and improvements, or increase the congestion in the public streets.

Kevin Schultheis, Zoning Administrator / Code Enforcement Officer

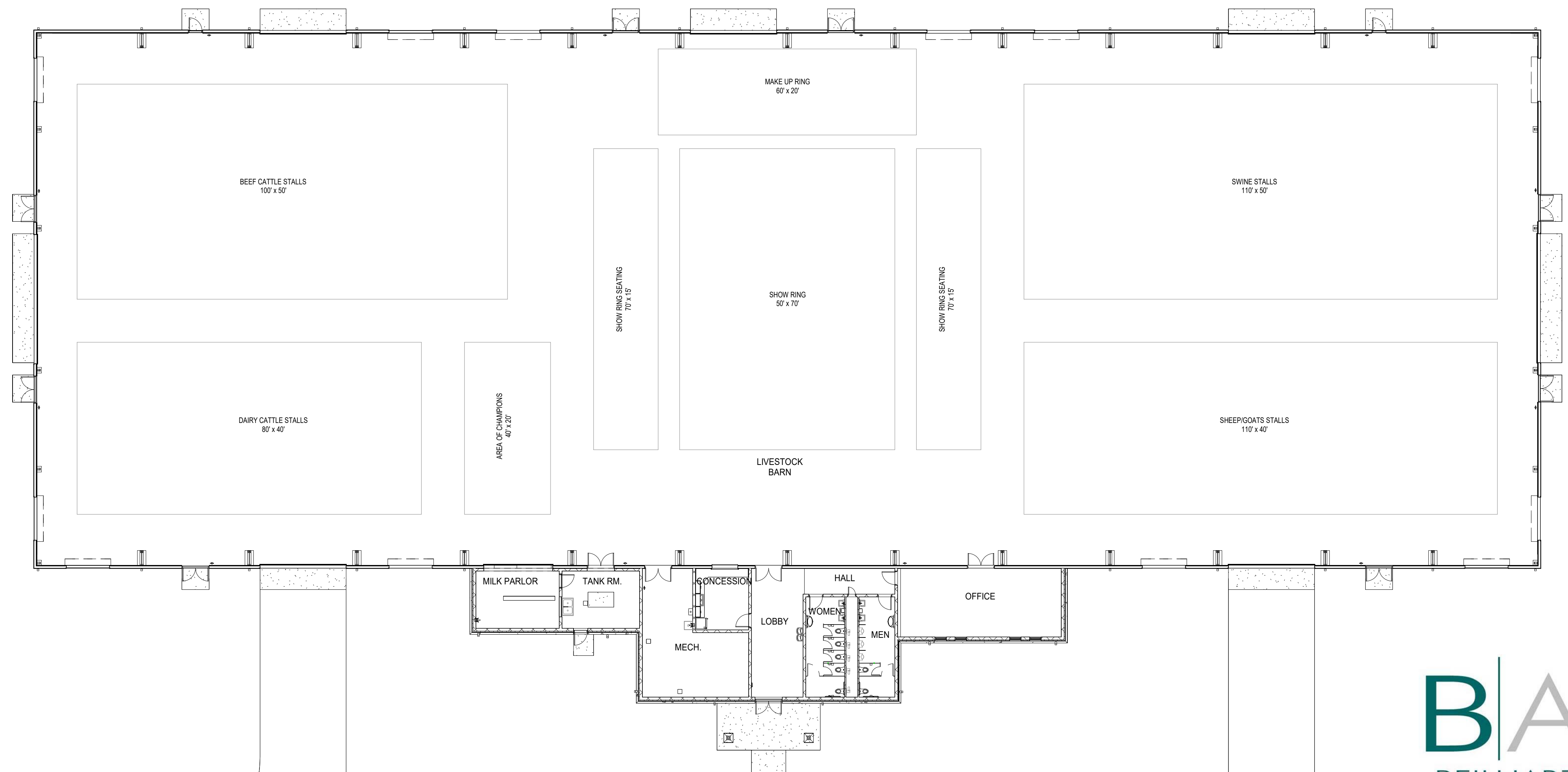
# HENRY COUNTY COMMUNITY EVENT CENTER



**INTERIOR VIEW**



**SOUTH ELEVATION**



**FLOOR PLAN**



**EXTERIOR VIEW**