

PC-20-03
Alley Vacation

MEMORANDUM

TO: Members of The City Planning Commission
FROM: Kevin Schultheis Code Enforcement / Interim Zoning Admin.
SUBJECT: Alley Vacation
MEETING DATE: March 10, 2020 @ 5:00 PM
HEARING #: PC-20-03

BACKGROUND:

An application for a Public Hearing has been filed by Kahle Design & Build (Dave Kahle), 4615 Adams Ridge Road Defiance, Ohio 43512. The applicant is requesting the vacation of an alley for a potential residential development. The request is pursuant to Section 909.03 (Planning Commission Review of Alley and Street Vacations) of the Codified Ordinances of Napoleon, Ohio. The property is in an R-3 Moderate Density Residential Zone.

RESEARCH AND FINDING

The administration of subdivision control shall be the responsibility of the Planning Commission and the Interim Zoning Administrator. In furtherance of such responsibility the Interim Zoning Administrator shall:

909.03 PLANNING COMMISSION REVIEW OF ALLEY AND STREET VACATIONS.

In addition to any requirement of the Ohio Revised Code relating to vacations of streets, avenues, ways, places, alleys, and the like, Planning Commission review pursuant to Section 159.01(c)(7) shall occur.

Application for Public Hearing

City of Napoleon, Ohio

I/We herby request a public hearing to consider the following:

Planning Commission

(MZON 100.1700.46690)

- Conditional Use
\$125.00
- Amendment
\$125.00
- Subdivision in City
\$75.00 + \$5.00 each, after two
- Preliminary Plat of Development
\$125.00

Preservation Commission

(MZON 100.1700.46690)

- Certificate of Appropriateness
\$25.00

Board of Zoning Appeals

(MZON 100.1700.46690)

- Certificate of Zoning
\$25.00
- Re-Zoning
\$125.00
- Variance
\$125.00
- Administrative Appeal
\$50.00

Address of property: _____

Description of request:

Kahle Design & Build
OWNER(S) NAME (PRINT)

4615 Adams Ridge Rd, Defiance, Ohio 43512
ADDRESS- CITY, STATE, ZIP

419-782-7749
PHONE NUMBER

David Kahle
SIGNATURE

*****Public hearings are held on the second Tuesday of each month; this petition must be filed with the Zoning Administrator thirty (30) days before the public hearing date. All plans, plats, deeds and other requested information must accompany this application before the hearing will be scheduled.*****

APPLICANT MUST BE AN OWNER OR AN AUTHORIZED REPRESENTATIVE EVIDENCED BY LETTER OF APPOINTMENT.

APPLICANT NAME (PRINT)

ADDRESS

APPLICANT SIGNATURE

CITY, STATE, ZIP

PHONE

Hearing #: _____ Hearing Date: _____ Zoning District: _____

Office Use Only	Batch # <u>42149</u>	Check # <u>15161</u>	Date <u>2-6-20</u>
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City of Napoleon, Ohio

Engineering Department

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

Chad E. Luffs, P.E., P.S., Director of Public Works
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com

PETITION TO VACATION CITY OWNED LAND

DATE: 2-6-20 ADDRESS: 410 Fair St

SUBDIVISION NAME: Fair Ground Addition LOT#: _____

PETITIONER(S) NAME: Kalle Design + Build STREET: 4615 Adams Ridge RD.

CITY: Napoleon STATE: Ohio ZIP: 43545

TYPE OF CITY LAND REQUESTED TO BE VACATED:

ALLEY: STREET RIGHT OF WAY: _____ OTHER: _____

I (We) the undersigned hereby petition the City of Napoleon, in accordance with City Code Chapter 909, to vacate a certain piece of City owned land described as:

ADDRESSES OF ADJOINING PROPERTIES:

1. 410 Fair St 2. _____
3. 40 4. _____
5. _____ 6. _____

THE PETITIONER(S) SHALL PROVIDE COUNTY TAX CARDS FOR ALL ADJOINING PROPERTIES AND ATTACH THEM TO THIS PETITION. THE PETITIONER(S) SHALL ALSO PROVIDE THE DEEDS FOR THEIR ADJOINING PROPERTIES AND ATTACH THEM TO THIS PETITION.

PETITIONER'S SIGNATURE: Dad Kalle DATE: 2-6-20

PETITIONER'S SIGNATURE: _____ DATE: _____



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CONSENT TO ALLEY OR STREET VACATION (ORC 723.06)

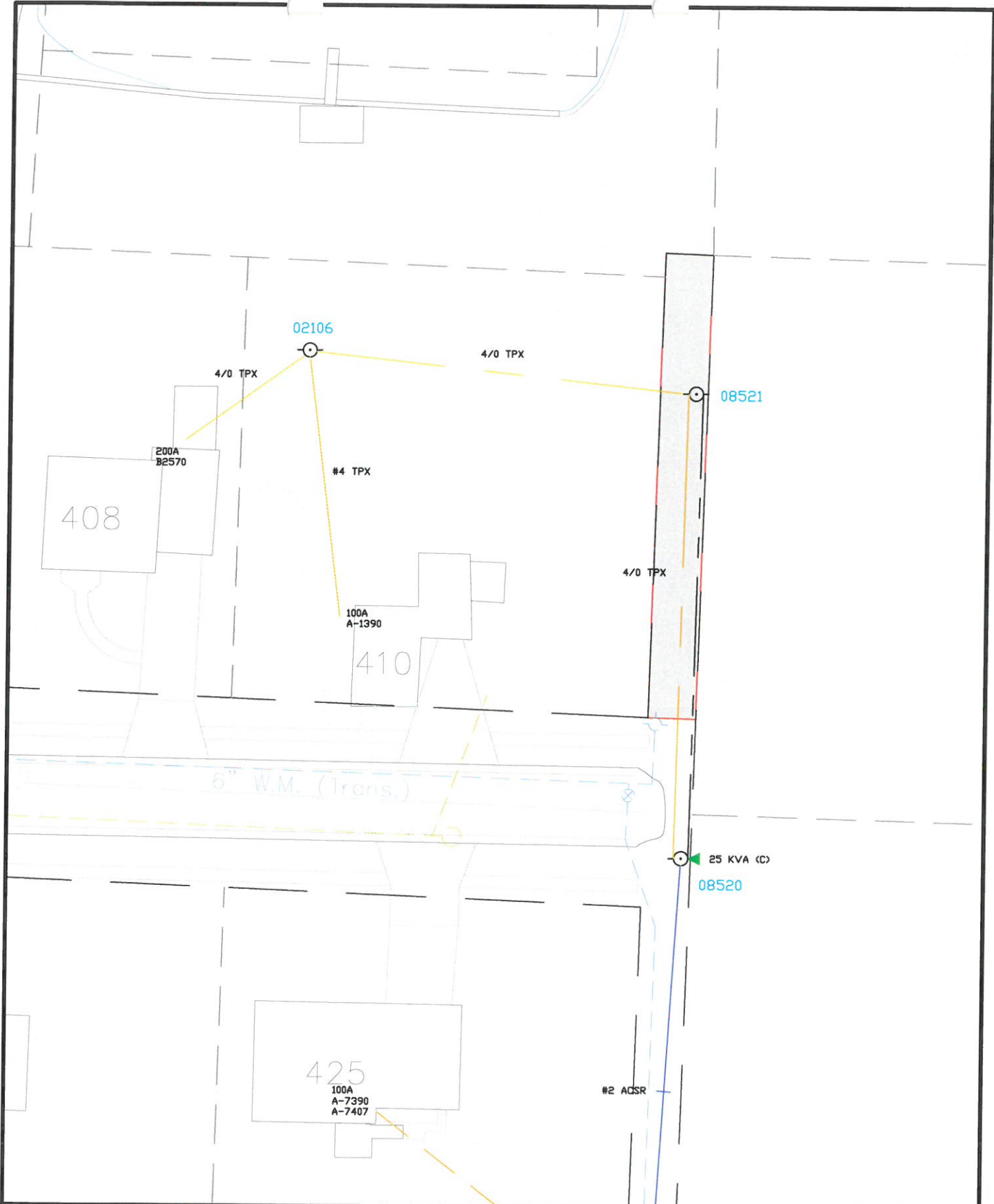
I (we), the undersigned owner(s) of the property abutting the part of the street or alley proposed to be vacated, to wit:

See Attached Exhibit "A"

consent to such vacation; this Consent being filed with the legislative authority of the City of Napoleon, Ohio. I (we) understand that this voluntary consent vacates the notice requirement as provided for in Section 723.07 of the Ohio Revised Code.

Kelly Ardreich
D. Kall

This Consent must contain names of all abutting property owners, including those abutting the end(s) of the alley or street to be vacated; moreover, this Consent must contain all names listed on the deeds.

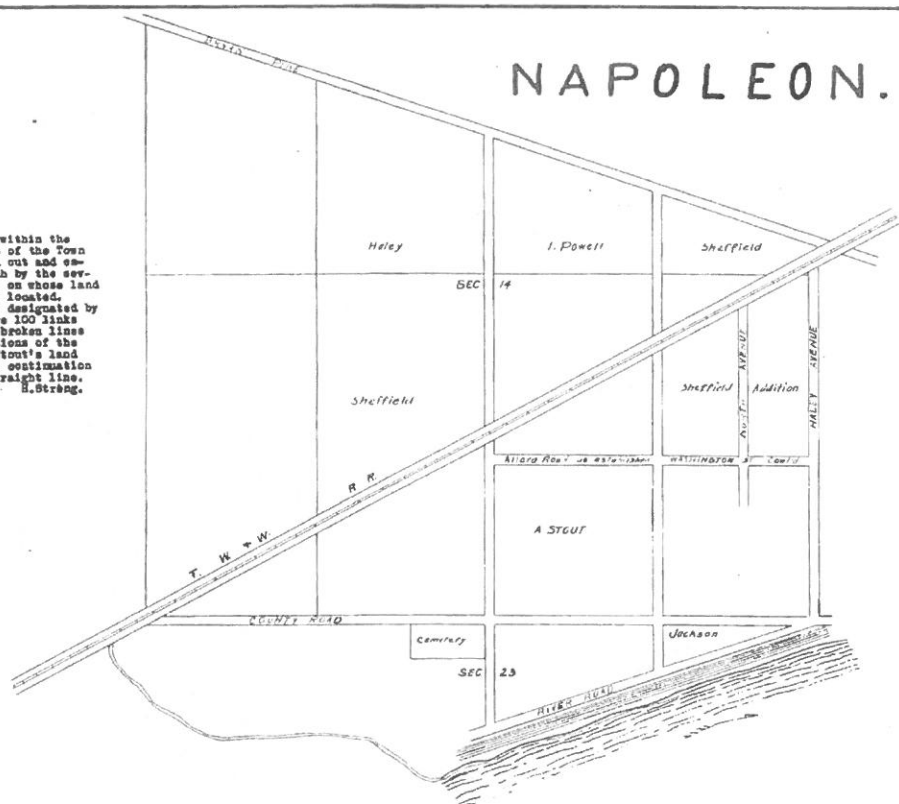


**PC-20-03
Alley Vacation**

Created: 2/13/20
 Plotted: 2/13/20
 Scale: 1"=40'
 Sheet 00 Of 00

NAPOLEON.

Plat of Streets within the Corporate limits of the Town of Napoleon laid out and established as such by the several land owners on whose land said Streets are located. Said Streets are designated by red lines and are 100 links wide. The double broken lines show the alterations of the Road through A. Stout's land and is a further continuation of Washington straight line.
H. Strong.



We William Sheffield, Adam Stout, John Powell, James O Haley, I. Jackson & L.F. Ames do hereby certify that the annexed Plat and Notes were made at our request and in accordance with our instructions, and that we adopt the same and wish to Record the same. Wm Sheffield, Adam Stout, I. Jackson, L.F. Ames.

The State of Ohio: Henry County, ss. I Before me A.H. Tyler a Justice of the Peace in and for said County personally came Wm Sheffield, Adam Stout, John Powell, Jas. O. Haley, I. Jackson & L.F. Ames the signers of the above certificate, and acknowledged the same to be their voluntary act for the purposes therein set forth. Feb. 25th, 1875. A.H. Tyler, J.P.

I, Jackson and L.F. Ames agree with each other to open for Public use each and all of the foregoing Streets as and when a majority of us shall require the same to be done. Sept. 3rd, 1875. Wm Sheffield, I. Jackson, I. Powell, L.F. Ames. Received for Record Feb 25th, 1875, Recorded March 10, 1875. R.P. Osborn, Recorder

The above is a true transcription of the foregoing Plat as same appears on Page 62, Vol. 2., of the Henry County, Ohio, Records Plat Records. J.W. Harper, County Surveyor.

THE FAIR GROUNDS ADDITION TO NAPOLEON.

Field Notes to the Fair Ground Addition to the Town of Napoleon, Henry County, Ohio, said Addition being a sub-division of a part of the North part of the West half of the South East Quarter of Section Twelve (12) Town (5) Five North Range six (6) East Henry County, Ohio, described as follows to wit: commencing on the West line of the South east Quarter of said Section Twelve (12) 25.775 chains South of the North west Corner of said South east Quarter; thence North on said West line 197.5 feet to the center of the Adrian Pike; thence North 14 degrees 30', East along the center of said Pike 511.2 feet; thence South 89 degrees 30' East 376.5 feet; thence South 0 degrees 20' East 659 feet; thence South 89 degrees 30' East 507 feet to the place of beginning, containing 7.32 acres sub-divided as shown by the Plat, Distances in feet. Lots marked in Red Ink, Nov. 19, 1874. Geo. E. Welsted, Civil Engineer.

To all to whom these presents shall come Greeting, Know Ye, That I, Susan S.J. Rowan do hereby certify that I am the owner in fee of the real estate described in the Field Notes of the accompanying Plat of the Fair Ground Addition to the Town of Napoleon, Henry County, Ohio, and that said Plat was made at my request and in accordance with my instructions and I adopt the same as my Addition to the Town of Napoleon, Henry County, Ohio, and request that it may be recorded as such. Witness my hand and Seal this 21st day of Nov. A.D. 1874. Susan S.J. Rowan (L.S.)

The State of Ohio: Henry County, ss. I Before me the undersigned authority within and for the County of Henry aforesaid personally appeared the above named Susan S. Rowan who then and there acknowledged that she did sign and seal the foregoing acknowledgment and that the same is her free act and deed for the purposes therein set forth.

Witness my hand and seal of said Court at Napoleon, O, this 2nd day of Nov. A.D. 1874. Walter Sternaman Notary Public, Henry County, Ohio.

Accepted and approved by the Council Mar. 15th, 1875. S.E. Sheldon, Mayor (L.S.) Received for Record March, 16th, 1875 and Recorded March 17th, 1875. R.P. Osborn, Recorder. Geo. E. Welsted, Clerk.

The above is a true transcription of the foregoing Plat as same appears on Page 62, Vol. 2., of the Henry County, Ohio, Records Plat Records. J.W. Harper, County Surveyor.

