

City of Napoleon, Ohio
PLANNING COMMISSION

MEETING AGENDA

Tuesday, December 08, 2020 at 5:00 pm
PC 20-15 – Subdivision Replat

LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio
WebEx details will be posted at www.napoleonohio.com

- 1) Call to Order
- 2) Approval of Minutes – October 13, 2020 (in the absence of any objections or corrections, the minutes shall stand approved)
- 3) New Business – PC 20-15 Subdivision Replat
An application for a Public Hearing has been filed by Richard Luzny. The applicant is requesting the approval of a subdivision of a Re-Plat of Lot D of Hogrefe's Plat II within the City. The request is pursuant to Chapter 1141 of the Codified Ordinances of Napoleon, Ohio. The property is in a R-4 High Density Residential Zoning District.
- 4) Adjournment.



Roxanne Dietrich - Clerk of Council

City of Napoleon, Ohio
PLANNING COMMISSION SPECIAL MEETING MINUTES
Tuesday, October 13, 2020 at 5:00 pm

PC 20-13 – CONDITIONAL USE PERMIT – 620 TRAIL DRIVE

PRESENT

Commission Members Tim Barry-Chairman, Larry Vocke, Suzette Gerken
City Staff Kevin Schultheis-Zoning Administrator/Code Enforcement Officer
Clerk of Council Roxanne Dietrich
Others Michelle and Steve Green-MSG, Ltd., Keith Fruchey

ABSENT

Commission Members Jason Maassel, Marvin Barlow

CALL TO ORDER

Chairman Barry called the Planning Commission meeting to order at 5:00 pm with a roll call noting a quorum was present.

APPROVAL OF MINUTES

Hearing no objections or corrections, the minutes from the September 15, 2020 Planning Commission meeting were approved as presented.

PC 20-13 – CONDITIONAL USE PERMIT - BACKGROUND

Barry read the background on PC 20-13:

An application for a Public Hearing has been filed by MSG, Ltd., 1045 N. Main St., 7B, Bowling Green, Ohio, Michelle S. Green, MBA, JD. The applicant is requesting the approval of a Conditional Use Permit to have a Planned Apartment Development located in the 600 Block of Trail Drive Napoleon, Ohio. The request is pursuant to Chapter 1141 of the Codified Ordinances of Napoleon, Ohio. The property is in a C-4 Planned Commercial District.

RESEARCH AND FINDINGS

Schultheis presented his research and findings.

A Conditional Use Permit is required for any planned apartment development to be located in a C-4 Planned Commercial District per 1145.01 Table of Permissible Uses. The Planned Apartment Development regulations are established to provide a safe and desirable living environment characterized by a unified building and site development plan to preserve the natural features of the site and to provide adequate open space for recreation and other outdoor living purposes.

A Conditional Use Permit is being requested for the construction of twenty-four 1-bedroom units. This would be "Phase 3" of the existing Trailwinds Village complex. These units will be like those recently built in the Trail Drive area. The conditional use would allow for the addition of much needed housing for the City of Napoleon and would complete the complex. The parcels are located next to the Fruchey building along Trail Drive in-between the existing apartments and the Fruchey building. The storage units that are there now will be torn down. Schultheis stated he has no objections.

Barry asked the board for any questions or comments, stating he drove out to the site and everything makes sense. Gerken asked if it will go out from Trail Drive and then split in half? M. Green explained it will be located to the East of the existing building making it a comprehensive complex development. Fruchey noted parking on the side of his building will be retained. Gerken asked about a retainage area? Schultheis replied the retention area will be like what is already there. M. Green confirmed that.

Motion: Vocke

Second: Gerken



City of Napoleon, Ohio
Kevin Schultheis, Zoning Administrator
Code Enforcement

*255 West Riverview
Napoleon, OH 43545
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com*

PC-20-14
Subdivision in City
For a Recommended Re-Plat Approval
Location: Parcel Number: 41-129211.0080

Memorandum

To: Members of the City Planning Commission
From: Kevin Schultheis, Zoning Administrator / Code Enforcement Officer
Subject: Subdivision of plat in the City
Meeting Date: December 8, 2020
Hearing #: PC-20-14

Background:

An application for a public hearing has been filed by Richard Luzny, The applicant is requesting the approval of a subdivision of a Re-Plat of lot D of Hogrefes Plat II within the city. The request is pursuant to Chapter 1141 of the Codified ordinance of Napoleon, Ohio. The property is located in an R-4 High-Density Residential Zoning District.

Research and Findings:

1. A Subdivision in City Permit is for any planned development to be located in the R-4 High – Density Residential Zoning District as per 1145.01(a) table of permissible uses.
2. Scope of the project: Proposed Re-Plat of lot D to D-1, D-2, D-3, 5.199 Acres. (see attached)

Recommended Conditions:

1. All revisions made to plans by the surveyor of the project must be reviewed by the City Engineer, Chad Lulfs prior to approval by the Board of Planning Commission.

Application for Public Hearing

City of Napoleon, Ohio

I/We hereby 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

___ Alley Vacation

\$25.00 + publication cost

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: N/A

Description of request:

Re-Plat of Lot D of Hogrefe's Plat II

C. Richard Luzny

OWNER(S) NAME (PRINT)

450 BRIARCLIFF DR. NAPOLEON, OH 43545

ADDRESS- CITY, STATE, ZIP

419-966-8381

PHONE NUMBER

C. Richard Luzny

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.

C. Richard Luzny

APPLICANT NAME (PRINT)

450 Briarcliff Dr.

ADDRESS

C. Richard Luzny

APPLICANT SIGNATURE

Napoleon, Oh 43545

CITY, STATE, ZIP

419-966-8381

PHONE

Hearing #:

Hearing Date:

Zoning District:

Office Use Only

Batch #

Check #

Date

- NOTES:**
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND DOES NOT REPRESENT A TITLE REPORT OR A GUARANTEE OF TITLE. THERE MAY BE APPARENT, RECORDED, OR UNRECORDED EASEMENTS NOT SHOWN ON THIS DRAWING.
 - THIS SURVEY USED THE LATEST RECORDED DEEDS AT THE DATE OF THIS SURVEY.
 - DISTANCES SHOWN HEREON, ARE GROUND DISTANCES. TO APPROXIMATE OHIO CO-ORDINATE 1983, NORTH ZONE (3401) GRID DISTANCES MULTIPLY THE DISTANCES BY THE COMBINATION FACTOR OF 0.9999298918.
 - IRON PINS CALLED FOR AS SET ARE NUMBER 5 REBAR, WITH A NOMINAL DIAMETER OF 5/8 OF AN INCH, A CROSS-SECTIONAL AREA OF 0.31 SQUARE INCHES, THIRTY (30) INCHES IN LENGTH, AND CAPPED WITH A PLASTIC YELLOW MARKER INSCRIBED WITH "NIESE/JHN-PS8727."

**RE-PLAT OF LOT D
OF HOGREFE'S PLAT II**
STATE OF OHIO, COUNTY OF HENRY, CITY OF NAPOLEON,
A PORTION OF THE E 1/2 OF SECTION 12, NAPOLEON TOWNSHIP,
TOWNSHIP 5 NORTH, RANGE 6 EAST, FIRST PRINCIPAL MERIDIAN
HOGREFE'S PLAT II IS RECORDED ON SLIDES 296 A&B
AT THE HENRY COUNTY RECORDER'S OFFICE

OWNERS ACKNOWLEDGMENT:

Know All Men By These Presents:
That I/We _____ the undersigned owner/s of the aforesaid described lands do hereby approve of the accompanying map as shown hereon, and do desire the same to be placed on public record on this _____ day of _____, 20____.

OWNER/S: _____

STATE OF OHIO,
COUNTY OF _____, ss:

On this _____ day of _____, 20____, before me personally appeared _____, who executed the foregoing instrument and acknowledged that _____ executed the same as _____ free act and deed.

NOTARY PUBLIC
My Commission Expires: _____

Legal Description - 5.199 Acres

Situated in the State of Ohio, County of Henry, City of Napoleon, being that portion of the East Half of Section 12, Napoleon Township, Township 5 North, Range 6 East, of the First Principal Meridian, being part of Lot D of Hogrefe's Plat II, recorded on slide 296 A&B and as described in a deed to Gary Lee Hogrefe, recorded in Official Record Volume 203, Page 104 (reference recorded in the Recorder's Office, Henry County, Ohio), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron pin found at the southwest corner of said Lot D, said 1/2 inch iron pin also being the **TRUE POINT OF BEGINNING**;

THENCE northerly with the west line of said Lot D, also being the easterly right-of-way line of Oakwood Avenue, North 16° 10' 49" East, 283.88 feet to a 1/2" iron pin found at the northwest corner of said Lot D;

THENCE easterly with the north line of said Lot D, South 88° 56' 46" East, 789.29 feet to a 1/2" iron pin found at the northeast corner of said Lot D;

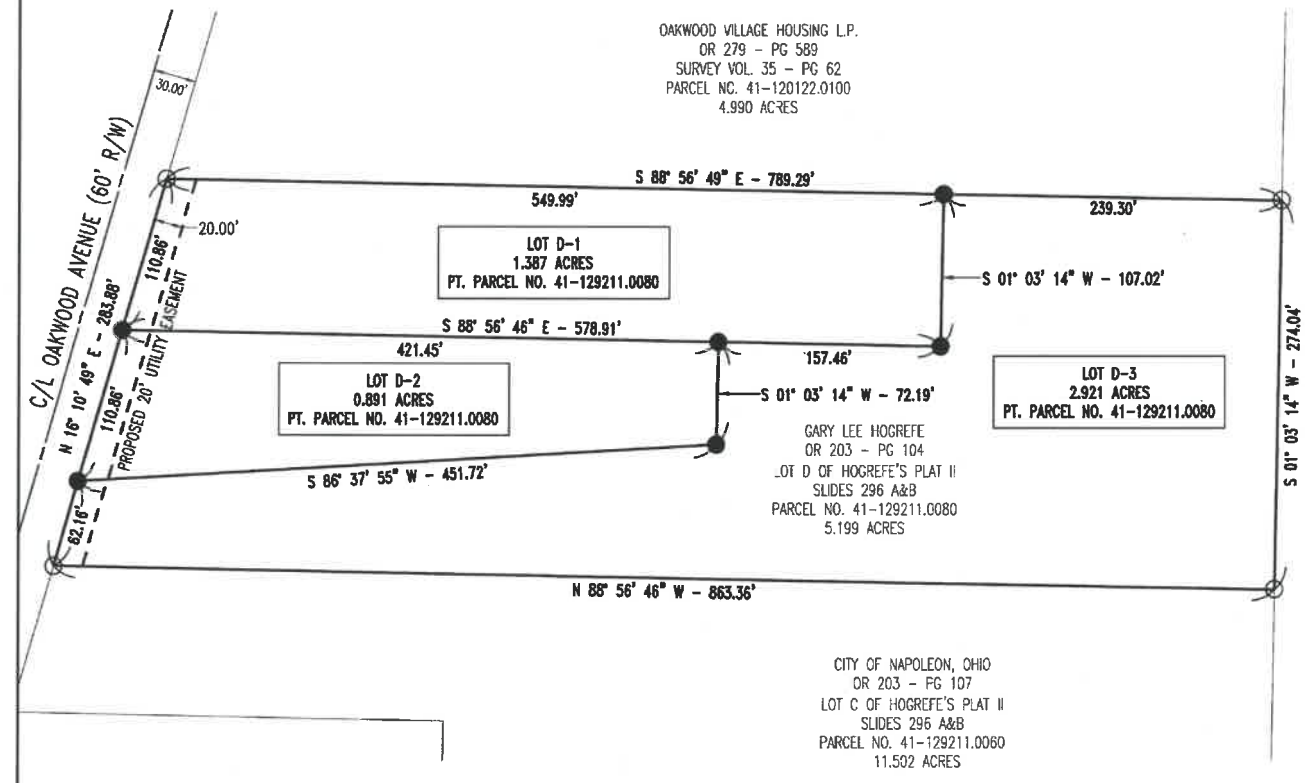
THENCE southerly with the east line of said Lot D, South 01° 03' 14" West, 274.04 feet to a 1/2" iron pin found at the southeast corner of said Lot D;

THENCE westerly with the south line of said Lot D, North 88° 56' 46" West, 863.36 feet to the **TRUE POINT OF BEGINNING**, containing 5.199 acres of land, more or less, as surveyed and described in October of 2020, by Ohio Registered Professional Surveyor Justin H. Niese, Ohio Surveyor No. 8727.

Subject to any and all legal right-of-ways, easements, exceptions, and/or restrictions whether apparent, recorded, and/or unrecorded.

Basis of Bearings: The bearings in the foregoing description are based upon the Ohio co-ordinate system of 1983, NAD83(2011), 2010.0 EPOCH, North zone (3401), in accordance with the Ohio Revised Code Sections 157.01-157.10; said bearings are based on local field observations utilizing the Ohio Department of Transportation's (ODOT's) Virtual Reference Station (VRS) Network.

Iron pins called for as set are number 5 rebar, with a nominal diameter of 5/8 of an inch, a cross-sectional area of 0.31 square inches, thirty (30) inches in length, and capped with a plastic yellow survey marker inscribed with "NIESE/JHN-PS8727."



CITY OF NAPOLEON, OHIO
OR 203 - PG 107
PARCEL NO. 41-120062.0200
37.616 ACRES IN SECTION 7
24.392 ACRES IN SECTION 12
62.008 ACRES TOTAL

LEGEND

- 5/8" IRON PIN WITH CAP SET
- 1/2" IRON PIN FOUND

HENRY COUNTY AUDITOR

I, THE HENRY COUNTY AUDITOR DO HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES ON THE PROPERTY HEREIN DESCRIBED AND CERTIFY THE SAME FOR TRANSFER.

TRANSFERRED THIS _____ DAY OF _____

HENRY COUNTY AUDITOR

PLANNING COMMISSION CERTIFICATE

UNDER AUTHORITY PROVIDED BY CHAPTER 711 OF THE OHIO REVISED CODE AND CHAPTER 1105 OF THE NAPOLEON CODE OF ORDINANCES, THIS PLAT IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO.

DATE: _____
CHAIRMAN _____
CLERK OF COUNCIL _____

CITY COUNCIL CERTIFICATE

UNDER AUTHORITY PROVIDED BY CHAPTER 711 OF THE OHIO REVISED CODE AND CHAPTER 1105 OF THE NAPOLEON CODE OF ORDINANCES, THIS PLAT IS HEREBY APPROVED BY THE CITY COUNCIL OF THE CITY OF NAPOLEON, OHIO.

DATE: _____
MAYOR _____
CLERK OF COUNCIL _____

HENRY COUNTY RECORDER

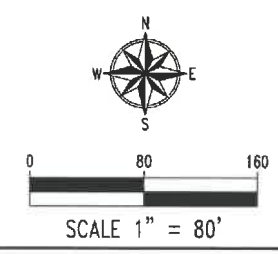
I, THE HENRY COUNTY RECORDER DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN RECEIVED FOR RECORD AT _____ O'CLOCK _____ M AND RECORDED ON SLIDE _____ THIS _____ DAY OF _____, 20____.

FEE: _____
HENRY COUNTY RECORDER

CITY ENGINEER CERTIFICATE

IN ACCORDANCE WITH OHIO R. C. 711.08, THE UNDERSIGNED BEING THE ENGINEER FOR THE CITY OF NAPOLEON, OHIO HEREBY APPROVES THIS PLAT AS SHOWN.

DATE: _____
CITY ENGINEER



BASIS OF BEARINGS:
THE BEARINGS SHOWN ARE BASED UPON THE OHIO CO-ORDINATE SYSTEM OF 1983, NAD83(2011), 2010.0 EPOCH, NORTH ZONE (3401), IN ACCORDANCE WITH THE OHIO REVISED CODE SECTIONS 157.01-157.10; SAID BEARINGS ARE BASED ON LOCAL FIELD OBSERVATIONS UTILIZING THE OHIO DEPARTMENT OF TRANSPORTATION'S (ODOT'S) VIRTUAL REFERENCE STATION (VRS) NETWORK. OBSERVATIONS WERE TAKEN ON OCTOBER OF 2020.

I HEREBY DECLARE THAT THE FOREGOING PLAT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PREMISES, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, CORRECTLY SHOWS THE LOCATION OF THE BOUNDARIES.

JUSTIN H. NIESE, P.E., P.S.
OHIO REGISTERED SURVEYOR NO. 8727

	NIESE SURVEYING & ENGINEERING, LLC
SURVEY PLAT FOR: RICHARD LJZNY	
JUSTIN H. NIESE, P.E., P.S. 211 E. MAIN CROSS STREET P.O. BOX 112 MILLER CITY, OHIO 45864 567-825-1523	JOB NUMBER: 2020-139 PAGE 1/1