

City of Napoleon, Ohio


PLANNING COMMISSION MEETING AGENDA

Tuesday, July 13, 2021 at 5:00 pm

PC 21-09 ~ Conditional Use Permit ~ 2601 Scott Street

Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio
WebEx Invitation is posted at www.napoleonohio.com/EVENTS

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) APPROVAL OF MINUTES from the June 2, 2021 meeting (in the absence of any objections or corrections, the minutes shall stand approved)
- 4) NEW BUSINESS
 - A. PC 21-09 – Conditional Use Permit - 2601 Scott Street
An Application for Public Hearing has been filed by The Ted S. Company, LLC, 582 Becklee Drive, Napoleon, Ohio (David Pollack). The applicant is requesting the approval of a Conditional Use Permit to have a Farm Market and Stand. The request is pursuant to Chapter 1141 of the Codified Ordinances of Napoleon, Ohio. The property is in a C-4 Planned Commercial Zoning District.
- 5) CLOSING REMARKS
- 6) ADJOURNMENT.



Roxanne Dietrich - Clerk of Council

PLANNING COMMISSION SPECIAL MEETING MINUTES

Wednesday, June 2, 2021 at 4:30 pm

PC 21-07 – REZONE TWO SECTIONS OF LYNNEFIELD ESTATES SUBDIVISION

PRESENT

Commission Members Tim Barry-Chairman, Marvin Barlow, Mayor Jason Maassel-arrived at 4:31 pm, Suzette Gerken, Larry Vocke
City Staff Kevin Schultheis-Zoning Administrator/Code Enforcement Officer
Clerk of Council Roxanne Dietrich
Others Brian Koeller-Northwest Signal, Steve Lankenau, Greg Beck

ABSENT

The special meeting of the Planning Commission was called to order by Chairman Barry a 4:30 pm. Roll call was taken with it being noted a quorum was present.

APPROVAL OF MINUTES

Hearing no objections or corrections, the minutes from the May 11, 2021 meeting were approved as presented.

Mayor Maassel arrived at 4:31 pm.

NEW BUSINESS

PC 21-07 – Rezone Two Sections of Lynnefield Estates Subdivision

Barry read the background for PC 21-07. An Application for Public Hearing has been filed by Steve Lankenau, Broker, ReMax Reality. The applicant is requesting to rezone two sections of the Lynnefield Estates Subdivision, located on the North side of Clairmont Avenue between Briarheath Avenue and Westmoreland Avenue in the City of Napoleon, Ohio. This is pursuant to City Code Section 1105.13. The two sections are currently in a C-4 Planned Commercial District. The request is to have these sections changed to an R-3 Moderate Density Residential District.

RESEARCH AND FINDINGS

Schultheis presented his research and findings on PC 21-07. The two sections are currently in a C-4 Planned Commercial District that was formally owned by the Napoleon City Schools and is now owned by the Goodville Insurance Company. Their request is to change the two sections to an R-3 Moderate Density Residential District. The first section of land is located on Parcel 11491870040, the northwest section of Lots 1 and 2 of the southeast corner of the land. The second section is located on Parcel 411491870040 Lots 21, 22, 23 and 24 of the southwest corner of Lynnewood Addition, Napoleon Township, City of Napoleon, State of Ohio. This would accommodate the building of single family units.

Barry asked what has changed on these two lots from what was presented before? Schultheis said there are no changes. When the when new school was built, the lots were not changed to residential, they are still zoned as commercial. Barry asked if there was any input from the board or public. There was none.

Motion: Barlow Second: Vocke
to approve PC 21-07, to rezone two sections of Lynnefield Estates Subdivision from Commercial to Residential

Roll call vote on the above motion:

Yea-Maassel, Gerken, Vocke, Barry, Barlow

Nay-

Yea-5, Nay-0. Motion Passed.

The Planning Commission meeting continued with consideration of PC 21-08

Approved

July 13, 2021

Tim Barry – Chair

PLANNING COMMISSION SPECIAL MEETING MINUTES

Wednesday, June 2, 2021 at 4:30 pm

PC 21-08 – APPROVAL OF A SUBDIVISION - PLAT PROPOSED FOR TWIN OAKS 7TH ADDITION, SEDWARD AVENUE

PRESENT

Commission Members Tim Barry-Chairman, Marvin Barlow, Mayor Jason Maassel-arrived at 4:31 pm,
Suzette Gerken, Larry Vocke
City Staff Kevin Schultheis-Zoning Administrator/Code Enforcement Officer
Clerk of Council Roxanne Dietrich
Others Brian Koeller-Northwest Signal, Greg Beck

ABSENT

PC 21-08 – Approval of Subdivision of Plat Proposed Seventh Addition – Seward Avenue

Barry read the background for PC 21-08. An Application for Public Hearing has been filed by Gregory Beck, SAS Group Company. The applicant is requesting the approval of a Subdivision of a Plat for the proposed 7th Addition with eleven Single Family Residential lots within the city. The request is pursuant to Chapter 1141 of the Codified Ordinances of Napoleon, Ohio. The property is located in an R-2 Low Density Residential Zoning District.

RESEARCH AND FINDINGS

Schultheis presented his research and findings on PC 21-08. A subdivision in the city is for any planned development to be located in the R-2 Low Density Residential Zoning District as per 1145.01(a) table of permissible uses. The scope of the project is the proposed Plat of the 7th Addition being part of the East Half of the Northeast quarter of Section 22, Town 5 North, Range 6 East, in the City of Napoleon, Henry County, Ohio containing 4.862 Acres.

Beck pointed out there is one correction, there are only ten lots. Gerken asked if that was to make Lot 97 bigger? Beck replied two lots were made into one lot. Barry asked didn't we review this once before? Schultheis said that was the preliminary plat, this is the final plat. Maassel asked if the square footage on the lots does or does not include the setbacks? Schultheis replied it does not include the setbacks. Gerken asked if the sewer, curbs, street and water are all in? Beck said there is some grading that has to be done and the sewer has to be air tested. The blacktop is in. Barry pointed out when the board reviewed the preliminary, the blacktop was approved. Gerken asked if any of the lots will be put together for bigger homes? Beck said they would have to come before the Planning Commission to get a variance. These are pretty good sized lots and should not have to go bigger.

Motion: Vocke Second: Barlow
to approve PC 21-08 - Proposed Final Plat for the 7th Addition in Twin Oaks Subdivision, Sedward Avenue

Roll call vote on the above motion:

Yea-Vocke, Barlow
Abstain-Maassel, Gerken, Barry
Nay-
Yea-2, Nay-0, Abstain-3.

Maassel explained this will go before City Council where I will explain we had to vote this way due to extenuating circumstances. This passed the first time, I do not see any problem this time, though I cannot speak for Council.

ADJOURNMENT

Motion: Maassel
to adjourn the Special Planning Commission meeting at 4:39 pm.

Roll call vote on the above motion:

Yea-Maassel, Gerken, Vocke, Barry, Barlow
Nay-
Yea-5, Nay-0. Motion Passed.

Approved

July 13, 2021

Tim Barry – Chair



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

CONDITIONAL USE PERMIT

Date: July 13, 2021

Hearing No.: PC-21-09

Address: 2601 Scott St.

Applicant: The Ted S Company, LLC
(David Pollack)
582 Becklee Dr.
Napoleon, Ohio 43545

Permitted Use: Farm Market and Stand

Conditions:

1. This permit is issued to the owners of 2601 Scott St, Napoleon, Ohio, (known as The Ted S Company, LLC) for a farm market stand to be operated by Dennis St. John (known as St. John Produce) and shall last for the duration of their agreement.
2. The dates of operation shall run from May 20th (to include set up time) through Oct. 31st. All indications of the farm market shall be gone within seven (7) calendar days of the end of operation.
3. The structure shall be temporary in nature and shall not exceed a 20'x30' area (or square foot equivalent).
4. The structure shall be secured for public safety when not in operation.
5. The farm market should not disrupt parking or the normal flow of traffic.

Kevin Schultheis
Zoning Administrator / Code Enforcement Officer



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

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

Memorandum:

PC-21-09

Conditional use Permit for a Farm Market and Stand Located at 2601 Scott St.

To: Members of the City Planning Commission

From: Kevin Schultheis, Zoning Administrator / Code Enforcement Officer

Subject: Conditional Use Permit for a Farm Market and Stand

Meeting Date: July 13, 2021 @ 5:00pm

Hearing: PC-21-09

Background:

An application for public hearing has been filed by The Ted S Company, LLC, 582 Becklee Dr. Napoleon Ohio 43545 (David Pollack). The applicant is requesting the approval of a Conditional Use Permit to have a Farm Market and Stand. The request is pursuant to Chapter 1141 of the Codified Ordinances of Napoleon Ohio. The property is in a C-4 Planned Commercial Zoning District.

Research and Findings:

1. A Conditional Use permit is required for a Farm Market and Stand to be located in a C-4 Planned Commercial Zoning District, as per Ord. 030-17.
2. Definition: Farm Market & Stands - An occasional or periodic market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and craft items, and food and beverages (but not to include second hand goods) dispensed from booths located on site.
3. Scope of Services: (See Attached)

Recommended Conditions:

In Accordance with Section 1141.02(f)

1. This permit is issued to the owners of 2601 Scott St, Napoleon, Ohio, (known as Ted S. Company, LLC) for a farm market stand to be operated by Dennis St. John (known as St. John Produce) and shall last for the duration of their agreement.

2. The dates of operation shall run from May 20th (to include set up time) through Oct. 31st. All indications of the farm market shall be gone within seven (7) calendar days of the end of operation.
3. The structure shall be temporary in nature and shall not exceed a 20'x30' area (or square foot equivalent).
4. The structure shall be secured for public safety when not in operation.
5. The farm market should not disrupt parking or the normal flow of traffic.

Kevin Schultheis, Zoning Administrator / Code Enforcement Officer

Application for Public Hearing

City of Napoleon, Ohio

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

<u>Planning Commission</u> <small>(MZON 100.1700.46690)</small>	<u>Preservation Commission</u> <small>MZON 100.1700.46690</small>	<u>Board of Zoning Appeals</u> <small>(MZON 100.1700.46690)</small>
<input checked="" type="checkbox"/> Conditional Use \$125.00	<input type="checkbox"/> Certificate of Appropriateness \$25.00	<input type="checkbox"/> Certificate of Zoning \$25.00
<input type="checkbox"/> Amendment \$125.00		<input type="checkbox"/> Re-Zoning \$125.00
<input type="checkbox"/> Subdivision in City \$75.00 + \$5.00 each, after two		<input type="checkbox"/> Variance \$125.00
<input type="checkbox"/> Preliminary Plat of Development \$125.00		<input type="checkbox"/> Administrative Appeal \$50.00
<input type="checkbox"/> Alley Vacation \$25.00 + publication cost		

Address of property: 2601 Scott St Napoleon, OH 43545

Description of request:

C4 commercial zone district
Sell seasonal produce from a tent

Jason St John St John Produce LLC
OWNER(S) NAME (PRINT)

400 N Defiance St Stryker, OH 43557
ADDRESS- CITY, STATE, ZIP

419 408 2552
PHONE NUMBER

Jason St John
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.

Jason St John
APPLICANT NAME (PRINT)

Jason St John
APPLICANT SIGNATURE

400 N Defiance St.
ADDRESS

Stryker OH 43557
CITY, STATE, ZIP

419 408 2552
PHONE

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

Office Use Only
Batch # _____ Check # _____ Date _____



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