

PLANNING COMMISSION MEETING MINUTES

Tuesday, July 13, 2021 at 5:00 pm

PC 21-09 – CONDITIONAL USE PERMIT – 2601 SCOTT STREET

PRESENT

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

ABSENT

CALL TO ORDER

The Planning Commission meeting was called to order by Chairman Barry at 5:00 pm with roll call being taken and noting all members were present.

APPROVAL OF MINUTES

Hearing no objections or corrections, the minutes from the June 2, 2021 meeting were approved.

NEW BUSINESS

PC 21-09 – Conditional Use Permit – 2601 Scott Street
Barry read the background for PC 21-09, an application for a Public Hearing has been filed by The Ted S. Company, LLC, 582 Becklee Dr. Napoleon Ohio 43545 (David Pollock). 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

Schultheis presented his research and findings: 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 Ordinance No. 030-17. The definition of a Farm Market and Stand is 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.

The recommended conditions in accordance with Section 1141.02(f) are:

- This permit be 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 to last for the duration of their agreement.
- 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.
- The structure shall be temporary in nature and shall not exceed a 20'x30' area (or square foot equivalent).
- The structure shall be secured for public safety when not in operation.
- The farm market should not disrupt parking or the normal flow of traffic.

Schultheis stated the applicant is asking for a change of address to 2601 Scott Street from their previous address across from Chief Supermarket. There is no representative present for the applicant. I did speak to Mr. Pollock who agreed to allow them to transfer to that location. Barry asked is Mr. Pollock the owner of the property that they are on? Schultheis – yes. Vocke asked did he have a permit before for the previous location? Barry explained he did have a permit but he moved his stand and did not get a new permit. Gerken asked how many farmers and arts and crafts will he be bringing in? That is not a very big location. Schultheis said they cannot exceed 20'x 30'. Barry explained the Arts & Craft is how it is defined in our ordinance. He will stick to fresh produce, fruits and vegetables. Is there a way we can to

