



## **City Council Zoning & Planning Committee**

**Theresa Morris, Chair**

**Adam Martinez, Vice Chair**

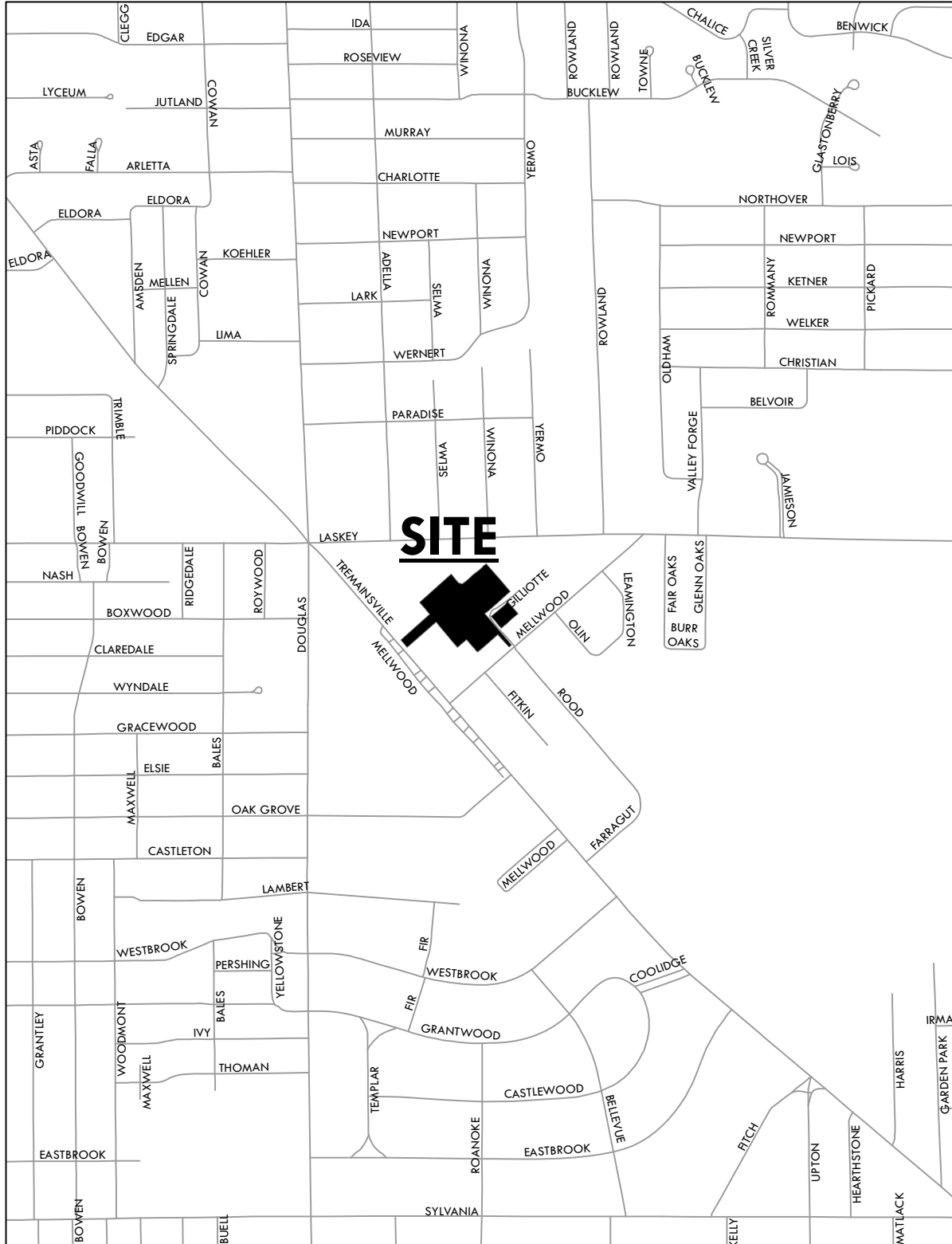
**Wednesday, January 8, 2025**

**One Government Center 1st Floor 4:00 P.M.**

1. Request for a zone change for the property located at 2388 Tremainsville Road from RS6 Single-Dwelling Residential and RM36 Multi-Dwelling Residential to RM12 Multi-Family Residential (Z24-0010).  
The Plan Commission recommends approval.  
(District 5)
2. Request for a Special Use Permit for a school for the property located at 2323 W. Bancroft Street (SUP24-00106).  
The Plan Commission recommends approval subject to 18 conditions.  
(District 1)
3. Request for a vacation of portion of Hunt Street north of Hamilton Street (V-403-24).  
The Plan Commission recommends approval subject to 3 conditions.  
(District 4)
4. Request for a Text Amendment modifying TMC 1113.0906 *Penalties* and TMC 1115 *Violations, Penalties and Enforcement* (M-19-24).  
The Plan Commission recommends approval.
5. Request for a Text Amendment modifying TMC 1116.0183, correcting references to the Ohio Revised Code (M-13-24).  
The Plan Commission recommends approval.

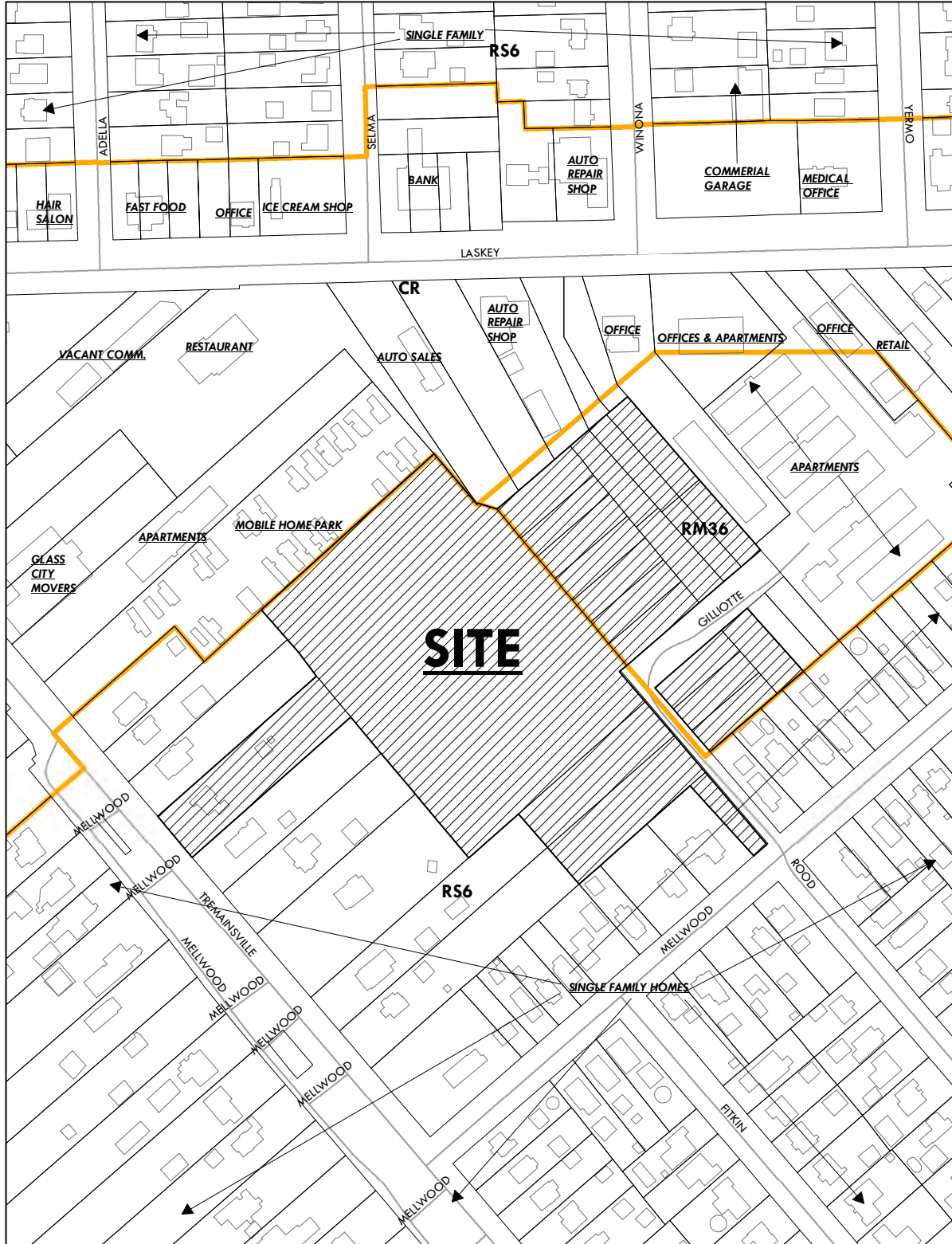
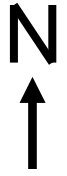
# GENERAL LOCATION

Z24-0010  
ID 40



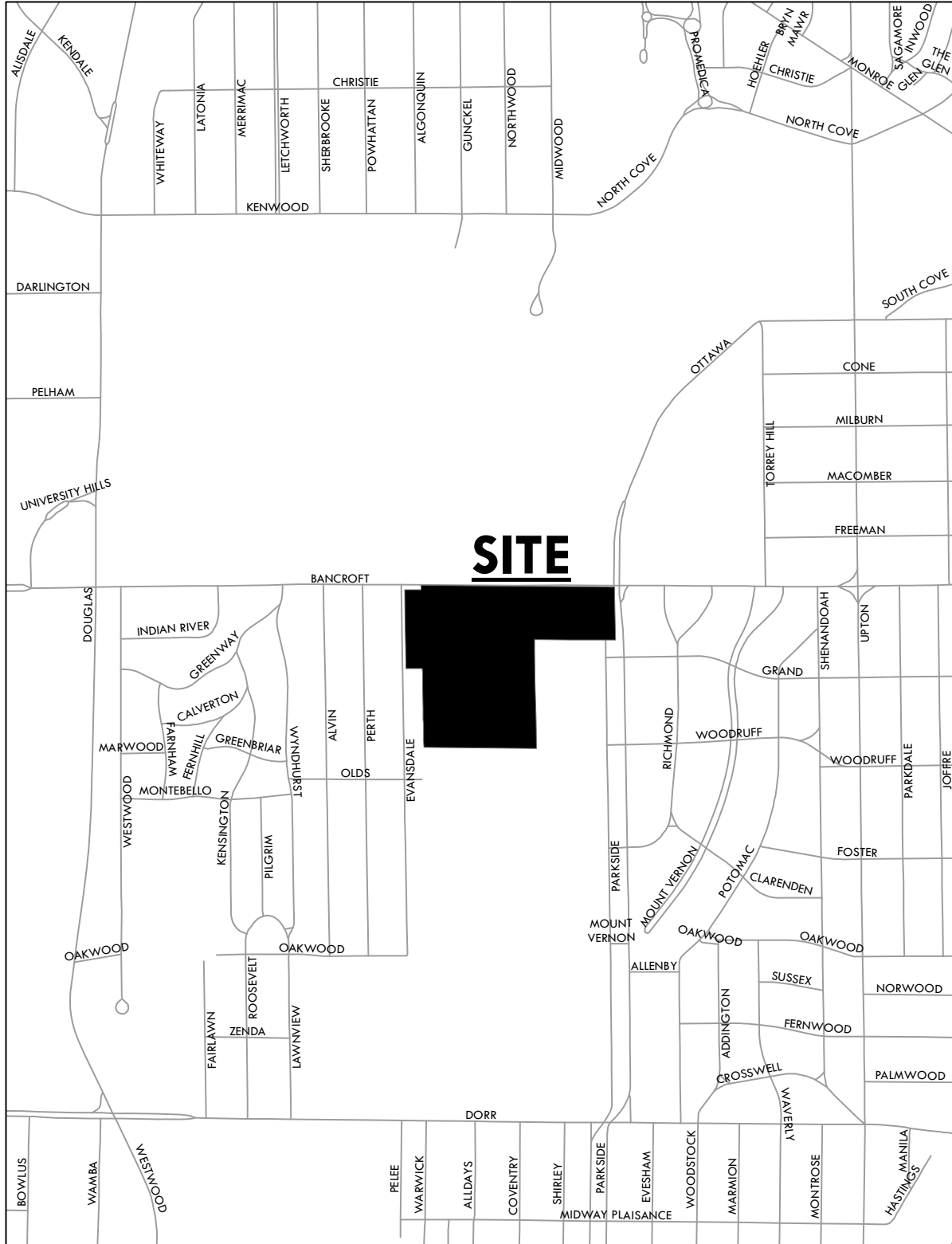
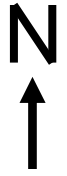
# ZONING & LAND USE

Z24-0010  
ID 40



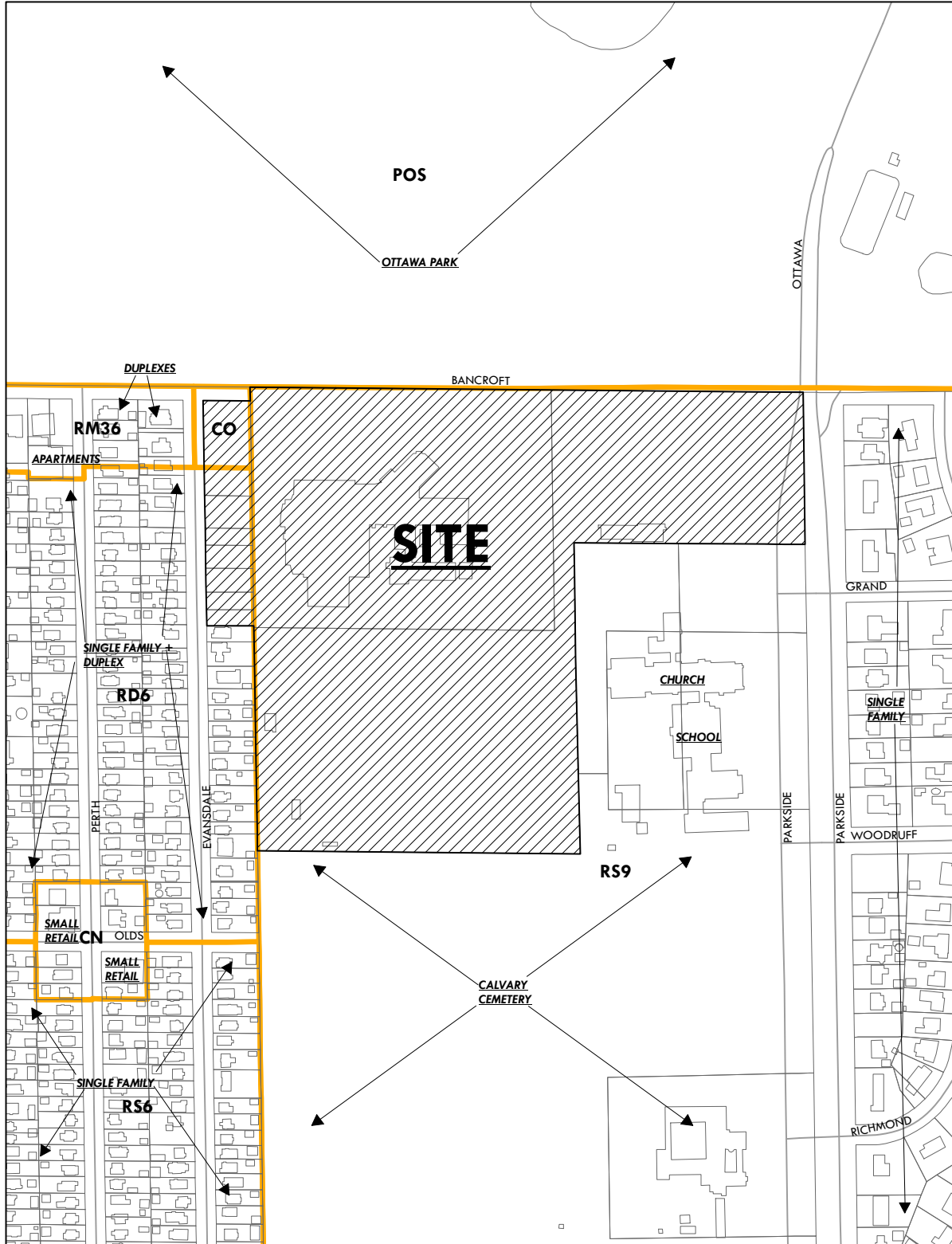
# GENERAL LOCATION

SUP24-00106  
ID 36



# ZONING & LAND USE

SUP24-00106  
ID 36









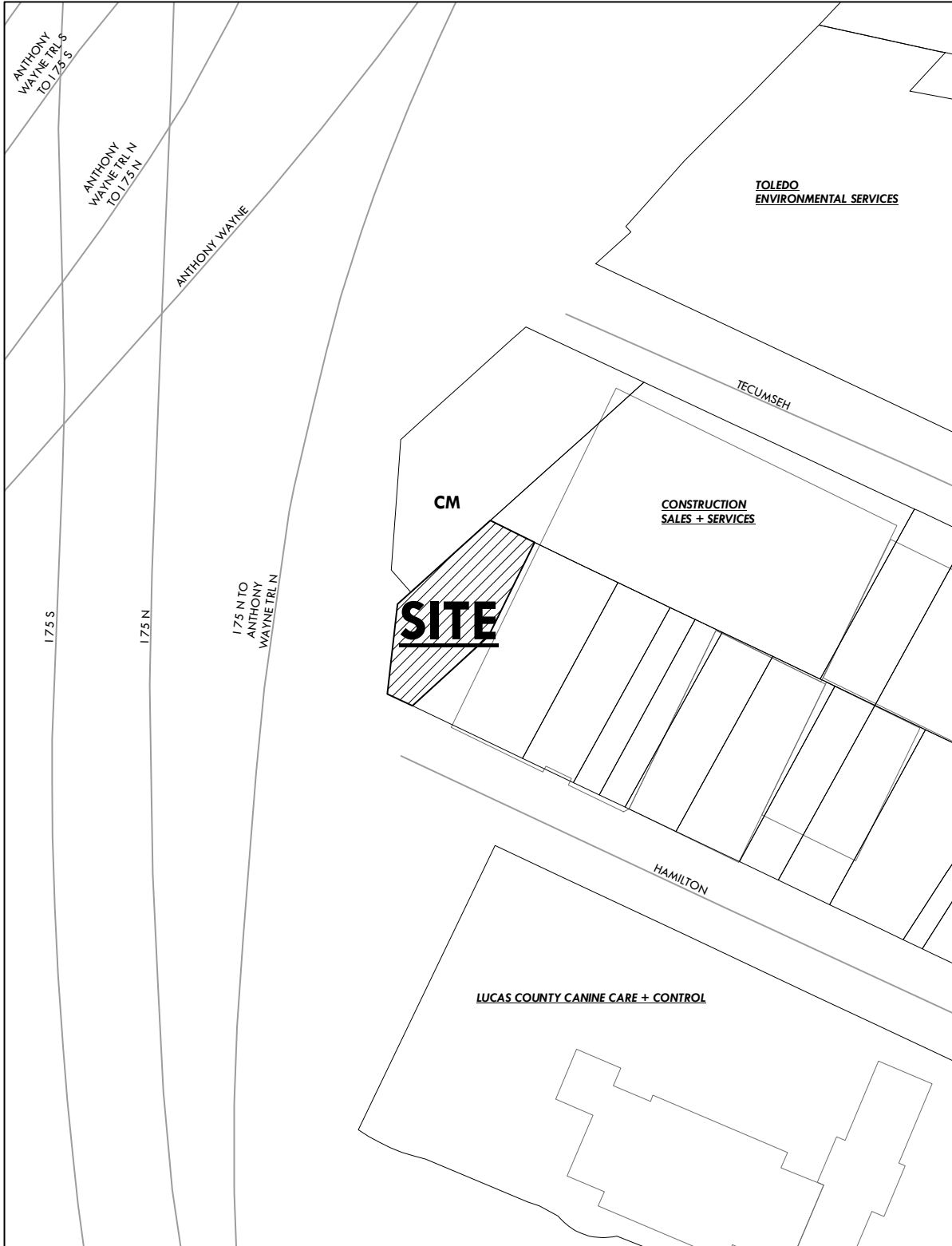






# ZONING & LAND USE

V-403-24  
ID 10



# AERIAL IMAGE

V-403-24  
ID 10



**Exhibit “A”**

(Additions in highlight, italics. Deletions in strikethrough.)

1113.0906 Penalty

A. No owner or operator shall fail to obey any order issued pursuant to this Chapter. No owner or operator shall cause, permit, allow, maintain or fail to abate a violation of this Chapter.

B. Whoever violates or fails to comply with any provisions of this *Chapter shall be subject to penalties and enforcement as outlined in TMC Chapter 1115.* ~~Code or the owner or user of an unlawful sign or the owner of property upon which an unlawful sign is located shall be subject to for each and every violation or non-compliance be deemed guilty of a minor misdemeanor for a first offense. For any second offense within any twelve month period, such persons or organizations shall be deemed guilty of a misdemeanor of the fourth degree.~~

C. Every person concerned in the violation of or failure to comply with this Chapter, whether he directly commits the act or aids and abets the same, and whether present or absent, shall be proceeded against and held as principal. ~~Provided, however, that the owner of property on which an unlawful sign is located, who is not also the owner or user of the unlawful sign, shall be subject to such misdemeanor penalties only if demand for alteration of the unlawful sign shall have been mailed to such owner and/or posted on the property, and the demand has not been complied with for more than thirty days.~~

D. Any sign installed or modified without a required permit shall be subject to a Stop Work Order and all applicable regulations as outlined in TMC 1319.02.

E. No owner or operator shall cause, permit, allow, maintain, or fail to abate a violation of this Chapter.

F. Each day a violation of this Chapter exists shall constitute a separate offense.

--

1115.0400 | Continuing Violations

Each day that a violation remains uncorrected after receiving notice of the violation from the City constitutes a separate violation. *Once a warning is issued, any violation that is corrected and reoccurs within one year from the date of the notice proceeds immediately to a citation.*

**Exhibit “A”** (cont’d)  
(Additions in highlight, italics. Deletions in strikethrough.)

1115.0506 Penalties

A. Whoever violates any section of Sec. 1115.0201 through 1115.0211 is guilty of a misdemeanor of the first degree per Toledo Municipal Code Part 17 – Health Code Sec. 1726.99, and each day that the violation exists will constitute a separate penalty per Sec. 1115.0507E).

*B. Illegal and unauthorized work completed prior to issuing the required permit or approval shall also be subject to a doubled permit fee and a fine per TMC 1115.0507.*

--

1115.0801 Non-Emergency Matters

In the case of violations of this Zoning Code that do not constitute an emergency or require immediate attention, the Commissioner of Building Inspection and/or the Commissioner of Code Enforcement must give notice of the nature of the violation to the property owner or to any other person who is party to the agreement or to any applicant for any relevant permit in the manner hereafter stated, after which the persons receiving notice will have up to 30 days to correct the violation before further enforcement action will be taken, *unless the violation can reasonably be corrected within 72 hours.*

A. Notice must be given in person, by the U.S. mail, or by posting notice on the premises.

B. Notices of violation must state the nature of the violation and the time period for compliance and may state the corrective steps necessary and the nature of subsequent penalties and enforcement actions should the situation not be corrected.

1115.0803 Appeals

Enforcement actions by the Commissioner of Building Inspection and/or the Commissioner of Code Enforcement may be appealed to the Board of Zoning Appeals, in accordance with Sec. 1111.2000. *Appeals must be received within 15 days from the date of the notice.* A pending appeal to the Board of Zoning Appeals does not stay a decision to revoke a certificate or permit.



**Exhibit “A”**  
Existing

## Chapter 1116 | Terminology

---

---

### 1116.0100 | General Terms

**1116.0183**    **Sexually-Oriented Business**

As used in this Zoning Code, 'sexually-oriented business' means an inclusive term used to describe collectively: adult media store, bathhouse, lingerie modeling or photograph studio, massage parlor (except for massage therapy as licensed by the State of Ohio in Revised Code Section 4731.16), motion picture arcade booth, sex shop, sexual encounter center, sexually-oriented cabaret or sex-oriented cabaret, sexually-oriented cinema, sexually-oriented motion picture theater, or sex-oriented cinema. This collective term does not describe a specific land use and shall not be considered a single land-use category for purposes of the Zoning Code or other applicable ordinances.

- (12) **'Massage parlor'** means an establishment offering massage therapy and/or body work by a massage therapist not licensed under Revised Code Section 4731.16 or under the direct supervision of a licensed physician.
- (13) **'Massage studio'** means an establishment offering massage therapy and/or body work by a massage therapist licensed under Revised Code Section 4731.16 or under the direct supervision of a licensed physician.

**Exhibit “B”**

**Modifications**

(Additions in blue underline. Deletions in red strikethrough.)

## Chapter 1116 | Terminology

### 1116.0100 | General Terms

**1116.0183 Sexually-Oriented Business**

As used in this Zoning Code, 'sexually-oriented business' means an inclusive term used to describe collectively: adult media store, bathhouse, lingerie modeling or photograph studio, massage parlor (except for massage therapy as licensed by the State of Ohio in Revised Code Section ~~4731.16~~4731.17), motion picture arcade booth, sex shop, sexual encounter center, sexually-oriented cabaret or sex-oriented cabaret, sexually-oriented cinema, sexually-oriented motion picture theater, or sex-oriented cinema. This collective term does not describe a specific land use and shall not be considered a single land-use category for purposes of the Zoning Code or other applicable ordinances.

- (12) **'Massage parlor'** means an establishment offering massage therapy and/or body work by a massage therapist not licensed under Revised Code Section ~~4731.16~~4731.17 or under the direct supervision of a licensed physician.
- (13) **'Massage studio'** means an establishment offering massage therapy and/or body work by a massage therapist licensed under Revised Code Section ~~4731.16~~4731.17 or under the direct supervision of a licensed physician.