

TOL
City of Toledo

BOARD OF ZONING APPEALS

September 19, 2022

City of Toledo



ADMINISTRATIVE BOARD OF ZONING APPEALS (BZA)

MONDAY, SEPTEMBER 19, 2022 - 10:00 A.M.
CITY COUNCIL CHAMBERS, FIRST FLOOR
GOVERNMENT CENTER

BZA BOARD APPROVAL CASE ORDER

DOCKET #	BZA NO	ADDRESS
1	BZA22-0021	3415 RIVER RD
2	BZA22-0022	4434 LEWIS AVE.
3	BZA22-0023	5532 FORREST GREEN
4	BZA22-0024	5332 TULANE AVE.
5	BZA22-0025	3225 W BANCROFT
6	BZA22-0026	1260 CRAIGWOOD

CITY COUNCIL CHAMBERS
1st Floor

Agenda

City of Toledo - Administrative Board of Zoning Appeals

Case	BZA #	HEARING DATE	Address	Applicant Name	WAIVER REQUEST	Zoning District	STAFF COMMENTS	BOARD ACTION
1	BZA22-0021	September 19, 2022	3415 River Rd. Toledo, OH 43614	Ryan Lachmiller	Applicant requests variance from 1107.1201(A2) for 35% overage of front yard coverage of 40% maximum.	RS9		
2	BZA22-0022	September 19, 2022	44341 Lewis Ave. Toledo, OH 43612	Debbie Harris	Applicant requests variance from TMC 1105.0203A to maintain 3rd accessory structure within rear yard.	RD6		
3	BZA22-0023	September 19, 2022	5532 Forrest Green Dr. Toledo, OH 43615	Mark Hendershot	Applicant requests variance from TMC 1105.0203A to install 3rd accessory structure within rear yard.	MX-R		
4	BZA22-0024	September 19, 2022	5332 Tulane Ave. Toledo, OH 43611	Thomas & Jeanette Miller	Applicant requests variance from TMC to maintain 6' high fence installed goodside facing inwards.	RS6		
5	BZA22-0025	September 19, 2022	3225 W Bancroft Toledo, OH 43606	Maher Barazi	Applicant requests variance from TMC 1105.0301(A) to maintain 6' high fence within front yard setback along Bancroft & Secor Rds.	RS6		
6	BZA22-0026	September 19, 2022	1260 Crawford Rd. Toledo, OH 43612	Glen Toepler	Applicant requests variance from TMC 1105.0301(B) & 1108.0404(B) to install 7' high fence within side yard and goodside of fence facing inwards.	RS6		

HEARING DATE: **September 19, 2022**
BZA NO: **BZA22-0021**
APPLICANT: **Ryan Lachmiller**
SITE LOCATION: **3415 River Rd.**
ZONING DISTRICT: **RS9**
SWO or NOL Issued: **N/A**
ANALYSIS: **Applicant requests variance from 1107.1201(A2) for 33% overage of front yard coverage of 40% maximum.**
STAFF COMMENTS: **None**

BOARD ACTION:

LEFT BEFORE
VOTE TAKEN

1ST/2ND MOTIONS	1ST/2ND If 2ND MOTION	YEA	NAY	ABSENT	RECUSE
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MOTION TO APPROVE/DISAPPROVE:

Rob Pasker	_____	_____	_____	_____	_____	_____	_____
Matt Cherry	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:



PAID
7-26-22

BZA 22-0021

CASE # _____

CITY OF TOLEDO

Department of Economic and Business Development

Division of Building Inspection

One Government Center, Suite 1600 • Toledo, OH 43604 • Phone (419) 245-1220 • Fax (419) 245-1329 • www.toledobi.com

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

TMC Chapter 1112.0200

Site Location 3415 RIVER RD TOLEDO, OH 43614 Zoning District RS9 Date 7-26-2022

Legal Description PARCEL ID: 0307261 CENTRAL CIRCLE LOT 2 S 20 FT PT E

Applicant's Name (print) RYAN LACHMILLER

Appeal. (Dept. of Inspection ruling – Title Nine Sign Code) _____ Hardship Variance _____

Exception _____ Appeal decision _____ ADA Accommodation _____

TMC § 1107.1202

Applicant Signature Ryan M. Lachmiller Phone 419-344-3039

Applicant's Street Address 3415 RIVER RD Fax _____

Applicant's City, State, Zip TOLEDO, OH 43614 E-Mail RLACHMILLER@GMAIL.COM

Applications must be accompanied with:

1. 3 photos – showing different views of the site ✓
2. Letter explaining your zoning request with full and accurate information. ✓
3. Complete, clear site plan – recommended scale 1"=20' on 8-1/2" x 11" paper ✓ showing dimensions to all lot lines and the size of all structures on the premises.
4. Fee = \$200 Checks may be made payable to "City of Toledo."

Applicant:

You should receive a written notice of the staff recommendation no later than Wednesday preceding the hearing date. Please call (419) 245-1220 if you do not receive this notice.

Return the application documents by mail to: Division of Building Inspection, One Government Center, Suite 1600, Toledo, OH 43604; or in person with the application documents and fee. Applications are due at least 30 days before the Board of Zoning Appeals' meeting to allow proper notification of neighbors. Meetings are typically held the third Monday of every month at 1:30 p.m. in City Council Chambers, One Government Center, Toledo, OH 43604. The applicant or the applicant's representative must be present.

+++++ OFFICE USE +++++

Permit Tech Checklist: Application complete Photos Letter Proper Site Plan _____ SWO _____

Copy Zoning Map <http://local.live.com/> Transportation notified to check site distance hazard _____

Code Enforcement notified if orders are being appealed. _____ Permit Tech's Initials RL Date 7-26-2022

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

Hello Board of Zoning Appeals,

Thank you for considering our request to widen our current driveway. Our house sits so close to the street that I cannot get my truck in without partially blocking the sidewalk and there is no on street parking. River Road is a very popular place for families to walk and I want to be a good neighbor and don't want to create any safety issues by blocking the sidewalk. Most of the houses along our corridor have enlarged their driveways past the 40% rule and we are requesting to do the same.

Thank you for your consideration,



Ryan Lachmiller
3415 River Road
Toledo, OH 43614

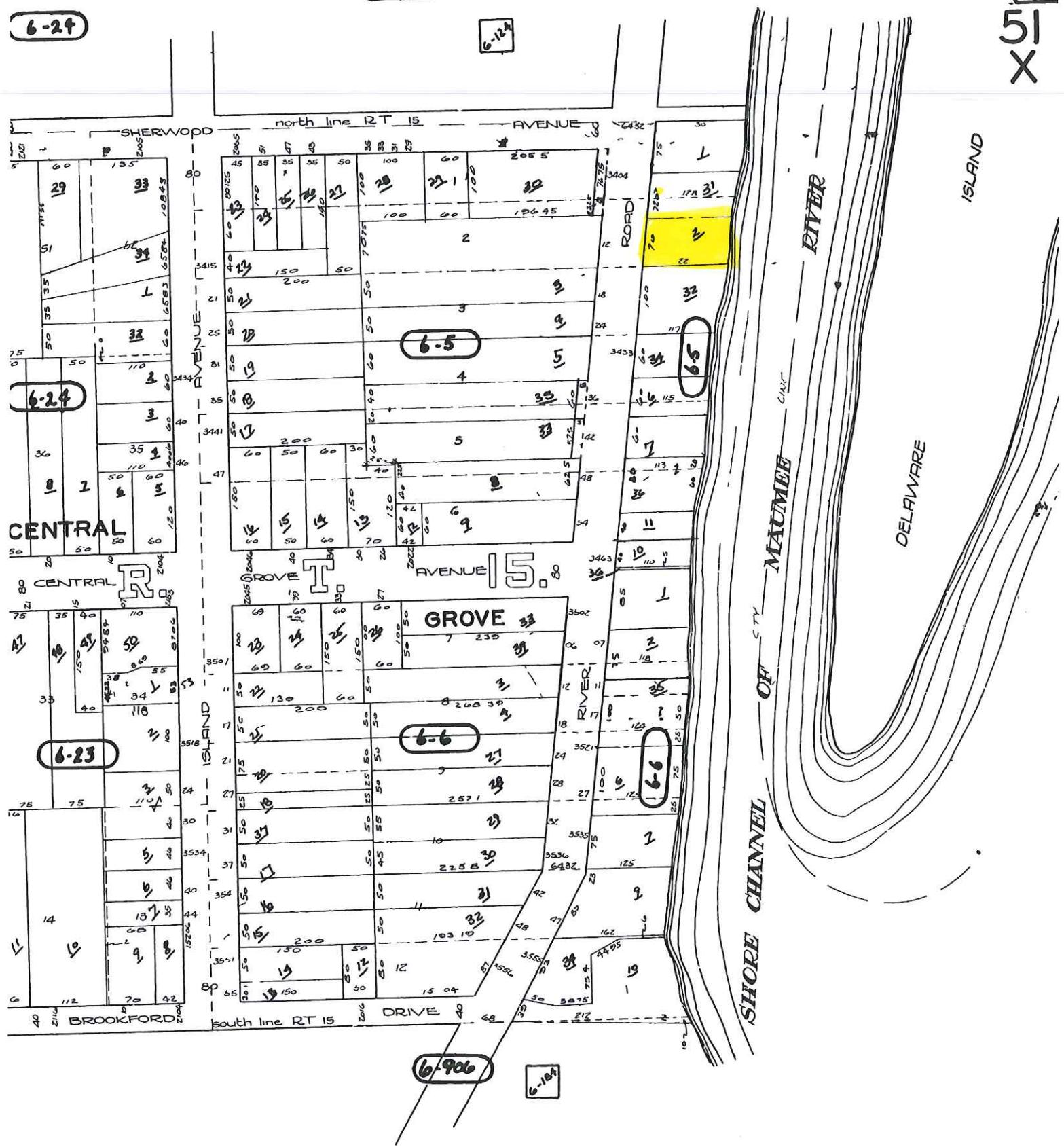
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1107.1202 Setbacks.

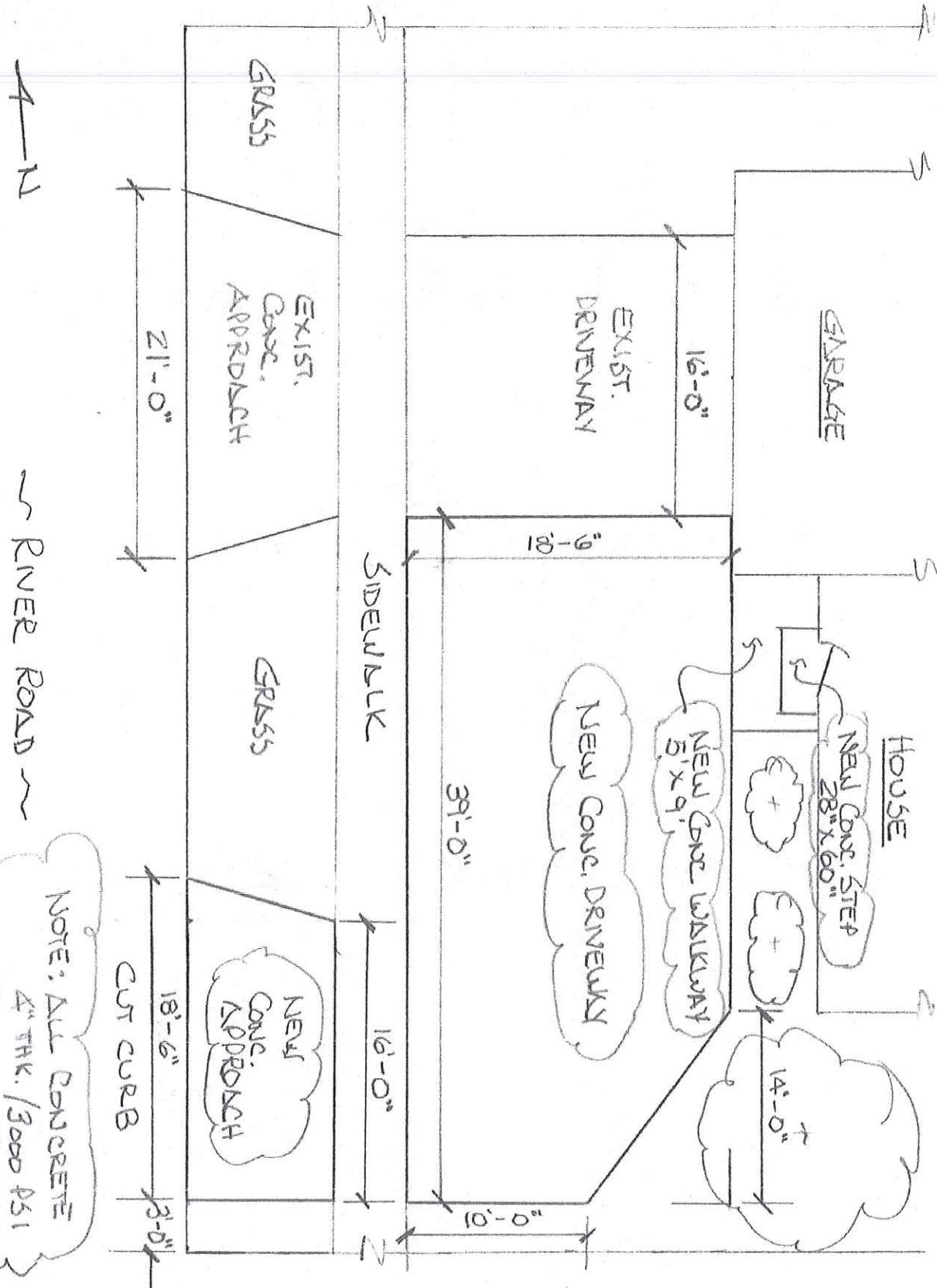
A. Residential Districts. In Residential Districts:

1. No parking space may be located within the front yard, except that parking spaces for detached houses, attached houses, and duplexes may be located on a driveway;
2. The paved area of driveways serving detached houses, attached houses, or duplexes may not cover more than 40 percent of the front yard up to a maximum driveway width of 24 feet;
3. Off-street parking spaces are prohibited within required landscape buffers;
4. Off-street parking areas serving multi-dwelling and nonresidential uses must be set back at least 10 feet from all RS and RD Zoning Districts. See [Chapter 1108](#) for applicable landscaping and screening requirements; and
5. See also Section [1105.0204](#), Rear Yard Coverage in Residential Districts, and Section [1105.0600](#), Residential Garages.

ALBERT KAHN ASSOCIATES, INC.
ARCHITECTURE · ENGINEERING · PLANNING

JOB NO. RYAN LACHMILLER DATE DATE PG. SUB. PG.
NAME RYAN LACHMILLER SUBJECT 3415 RIVER RD.
DES. BY DES. BY CHK. BY CHK. BY

Albert Kahn Building
7430 Second Ave.
Detroit, MI
48202-2798
Phone:
313-202-7000
Fax:
313-202-7001
Email:
aka@akahn.com











PARCEL ID: 0307261

MARKET AREA: 605R

LACHMILLER RYAN M & STEPHANIE (ORSURVTC)

TAX YEAR: 2022

ASSESSOR#: 06005002

ROLL: RP_OH

3415 RIVER RD

STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	605R - Click here to view map
Zoning Code	10-RS9 - Click here for zoning details
Zoning Description	Single-Family Residence-9
Water and Sewer	CITY WATER / CITY SEWER
Traffic	SECONDARY ROAD
Street Type	CONCRETE OR BLACKTOP
Owner	LACHMILLER RYAN M & STEPHANIE (ORSURVTC)
Property Address	3415 RIVER RD TOLEDO OH 43614
Mailing Address	3415 RIVER RD TOLEDO OH 43614
Legal Desc.	CENTRAL GROVE LOT 2 S 70 FT PT E OF RIVE R RD
Certified Delinquent Year	
Census Tract	45.01

Summary - Most Recent Sale

Prior Owner	ROSLER R A & J A
Sale Amount	\$315,000
Deed	22104322
Sales Date	03-JUN-2022

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	33,360	95,300	33,360	95,300
Building	62,340	178,100	62,340	178,100
Total	95,700	273,400	95,700	273,400

Tax Credits

Homestead Exemption	YES
Owner Occupied Credit	YES
CAUV	NO
Agricultural District	NO

Printed on Friday, September 2, 2022, at 9:55:21 AM EST

RECEIVED
JUL 16 2022
BY: BDN

PAID
8/1/22

BZA 22-0022

CASE # _____



CITY OF TOLEDO
Department of Economic and Business Development

Division of Building Inspection

One Government Center, Suite 1600 • Toledo, OH 43604 • Phone (419) 245-1220 • Fax (419) 245-1329 • www.toledobi.com

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

TMC Chapter 1112.0200

Site Location 4434 Lewis Ave Zoning District RO6 Date 7/15/22

Legal Description Longakes lot

Applicant's Name (print) Debbie R. Harris

Appeal. (Dept. of Inspection ruling – Title Nine Sign Code) _____ Hardship Variance _____

Exception ✓ Appeal decision _____ ADA Accommodation _____

TMC § 1105.0203

Applicant Signature D. Harris Phone 419-802-9945

Applicant's Street Address 4434 Lewis Ave Fax _____

Applicant's City, State, Zip Toledo, Ohio 43612 E-Mail harris.b7yl@gmail.com

Applications must be accompanied with:

1. 3 photos – showing different views of the site
2. Letter explaining your zoning request with full and accurate information.
3. Complete, clear site plan – recommended scale 1"=20' on 8-1/2" x 11" paper showing dimensions to all lot lines and the size of all structures on the premises.
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Applicant:

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+++++ OFFICE USE +++++

Permit Tech Checklist: Application complete ✓ Photos ✓ Letter ✓ Proper Site Plan ✓ SWO _____

Copy Zoning Map yes <http://local.live.com/> Transportation notified to check site distance hazard _____

Code Enforcement notified if orders are being appealed. _____ Permit Tech's Initials B Date 7-29-22

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

HEARING DATE: **September 19, 2022**
BZA NO: **BZA22-0022**
APPLICANT: **Debbie Harris**
SITE LOCATION: **4434 Lewis Ave**
ZONING DISTRICT: **RD6**
SWO or NOL Issued: **N/A**
ANALYSIS: **Applicant requests variance from TMC 1105.0203A to maintain 3rd accessory structure within rear yard.**
STAFF COMMENTS: **None**

BOARD ACTION:

LEFT BEFORE
VOTE TAKEN

1ST/2ND MOTIONS	1ST/2ND IF 2ND MOTION	YEA	NAY	ABSENT	RECUSE
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MOTION TO APPROVE/DISAPPROVE:

Rob Pasker	_____	_____	_____	_____	_____	_____	_____
Matt Cherry	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

Notes

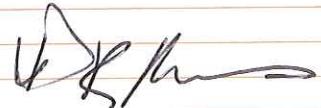
7-14-22

To whom it may concern:

I Debbie R. Harris I got the shed because I need more space to store my items for foster care. I live in a duplex, and I don't have that much room. I'm taking my yard equipment and tool's out of my garage and putting it in the new shed. To give more space for my foster daughter's to play games and have time-out when they are going thru their Mental Health issues. When they don't want to be around too many people. I been a foster parent for 24 years and I'm just trying to find a way to help the girl's I take in my home. To feel comfortable. And to find away so they don't have to be on electronic all the time.

Sincerely,

Debbie R. Harris



419-902-9945

4434 Lewis Ave

Final Revision - 31 December 2000

02.106.00.0.tif

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1105.0203 Number of Structures.

A. No more than two accessory structures in Residential Districts. Open gazebo, trellis, cabanas and similar structures shall not be counted as structures for purposes of this provision.

B. No limit on the number of accessory structures in Commercial or Industrial Districts.

(Ord. 170-04. Passed 3-23-04.)





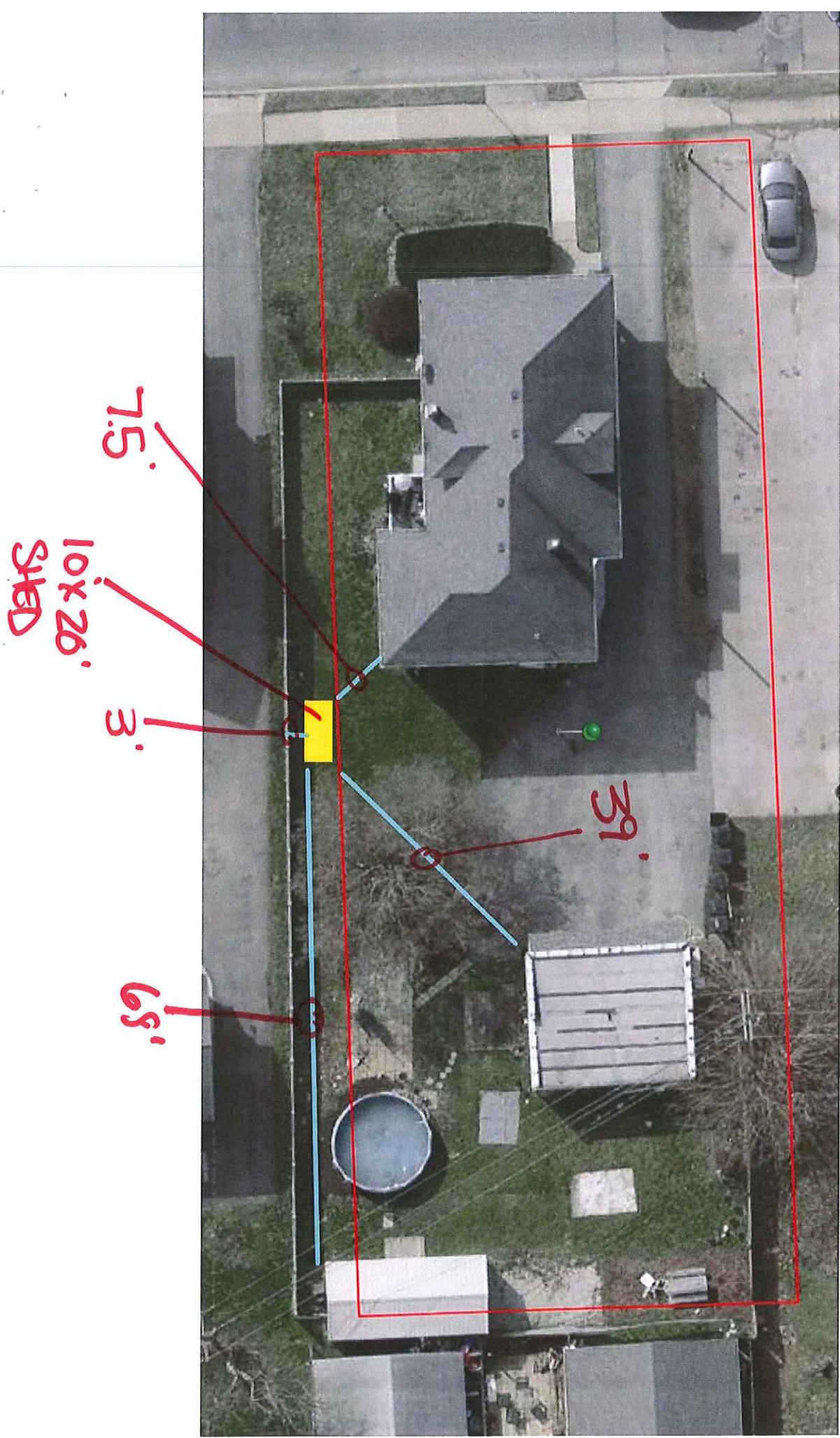




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3-4



PARCEL ID: 0966317MARKET AREA: 206R
HARRIS DEBBIE R
TAX YEAR: 2022**ASSESSOR#: 02209047**ROLL: RP_OH
4434 LEWIS AVE
STATUS: Active**Summary - General**

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	520 : R - TWO FAMILY DWELLING, PLATTED LOT
Market Area	206R - Click here to view map
Zoning Code	10-RD6 - Click here for zoning details
Zoning Description	Duplex Residence
Water and Sewer	CITY WATER / CITY SEWER
Traffic	MAIN - MAJOR ARTERY
Street Type	CONCRETE OR BLACKTOP
Owner	HARRIS DEBBIE R
Property Address	4434 LEWIS AVE TOLEDO OH 43612
Mailing Address	4434 LEWIS AVE TOLEDO OH 43612
Legal Desc.	LONGACRES LOT 1
Certified Delinquent Year	
Census Tract	4

Summary - Most Recent Sale

Prior Owner	TANNER D L & C V
Sale Amount	\$68,000
Deed	16108866
Sales Date	21-DEC-2016

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	6,720	19,200	6,720	19,200
Building	25,870	73,900	14,630	41,800
Total	32,590	93,100	21,350	61,000

Tax Credits

Homestead Exemption	NO
Owner Occupied Credit	YES
CAUV	NO
Agricultural District	NO

Printed on Friday, September 2, 2022, at 9:56:00 AM EST



PAID 8/11/22 BZA 22-0023

CASE # _____



CITY OF TOLEDO
Department of Economic and Business Development
Division of Building Inspection

One Government Center, Suite 1600 • Toledo, OH 43604 • Phone (419) 245-1220 • Fax (419) 245-1329 • www.toledobi.com

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

TMC Chapter 1112.0200

Site Location 5532 Forest Green Dr Toledo 43615 Zoning District _____ Date _____

Legal Description Residential Toolshed (Tuff shed)

Applicant's Name (print) MALIK HENDERSON

Appeal. (Dept. of Inspection ruling – Title Nine Sign Code) _____ Hardship Variance _____

Exception Appeal decision _____ ADA Accommodation _____

TMC § 1105.0203

Applicant Signature Malik Henderson Phone 419 865 7881

Applicant's Street Address 5532 Forest Green Dr Fax 0

Applicant's City, State, Zip Toledo OH 43615 E-Mail m.hender.shott@APRN1.com

Applications must be accompanied with:

1. 3 photos – showing different views of the site
2. Letter explaining your zoning request with full and accurate information.
3. Complete, clear site plan – recommended scale 1"=20' on 8-1/2" x 11" paper showing dimensions to all lot lines and the size of all structures on the premises.
4. Fee = \$200 Checks may be made payable to "City of Toledo."

Applicant:

You should receive a written notice of the staff recommendation no later than Wednesday preceding the hearing date. Please call (419) 245-1220 if you do not receive this notice.

Return the application documents by mail to: Division of Building Inspection, One Government Center, Suite 1600, Toledo, OH 43604; or in person with the application documents and fee. Applications are due at least 30 days before the Board of Zoning Appeals' meeting to allow proper notification of neighbors. Meetings are typically held the third Monday of every month at 1:30 p.m. in City Council Chambers, One Government Center, Toledo, OH 43604. The applicant or the applicant's representative must be present.

+++++ OFFICE USE +++++

Permit Tech Checklist: Application complete _____ Photos _____ Letter _____ Proper Site Plan _____ SWO _____

Copy Zoning Map _____ <http://local.live.com/> Transportation notified to check site distance hazard _____

Code Enforcement notified if orders are being appealed. _____ Permit Tech's Initials _____ Date _____

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

HEARING DATE: **September 19, 2022**

BZA NO: **BZA22-0023**

APPLICANT: **Mark Hendershot**

SITE LOCATION: **5532 Forrest Green**

ZONING DISTRICT: **MX-R**

SWO or NOL Issued: **N/A**

ANALYSIS: **Applicant requests variance from TMC 1105.0203A to install 3rd accessory structure within rear yard.**

STAFF COMMENTS: **None**

BOARD ACTION:

LEFT BEFORE
VOTE TAKEN

1ST/2ND MOTIONS	1ST/2ND IF 2ND MOTION	YEA	NAY	ABSENT	RECUSE
--	---	------------	------------	---------------	---------------

MOTION TO APPROVE/DISAPPROVE:

Rob Pasker _____

Matt Cherry _____

Paul Rasmusson _____

Mary Glowacki _____

Jim Mossing _____

Steve Serchuk _____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

I would like to build my new tool
shed because it will be big enough
to hold all my items in my basement
and garage. If I want to organize
my life and this would help me
greatly. The shed will not only
hold my items but it will be
attractive in my back yard. It will
have the same colors as my house.
I believe this would look good for
my neighbors and the residential area.
Thanks for your time

Mark Kellekitt

OLIVE 1 203 PARK

OLIVE 1

P

PARK

202

200

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BANBURY

56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	6610	6611	6612	6613	6614	6615	6616	6617	6618	6619	6620	6621	6622	6623	6624	6625	6626	6627	6628	6629	6630	6631	6632	6633	6634	6635	6636	6637	6638	6639	6640	6641	6642	6643	6644	6645	6646	6647	6648	6649	6650	6651	6652	6653	6654	6655	6656	6657	6658	6659	6660	6661	6662	6663	6664	6665	6666	6667	6668	6669	66610	66611	66612	66613	66614	66615	66616	66617	66618	66619	66620	66621	66622	66623	66624	66625	66626	66627	66628	66629	66630	66631	66632	66633	66634	66635	66636	66637	66638	66639	66640	66641	66642	66643	66644	66645	66646	66647	66648	66649	66650	66651	66652	66653	66654	66655	66656	66657	66658	66659	66660	66661	66662	66663	66664	66665	66666	66667	66668	66669	666610	666611	666612	666613	666614	666615	666616	666617	666618	666619	666620	666621	666622	666623	666624	666625	666626	666627	666628	666629	666630	666631	666632	666633	666634	666635	666636	666637	666638	666639	666640	666641	666642	666643	666644	666645	666646	666647	666648	666649	666650	666651	666652	666653	666654	666655	666656	666657	666658	666659	666660	666661	666662	666663	666664	666665	666666	666667	666668	666669	6666610	6666611	6666612	6666613	6666614	6666615	6666616	6666617	6666618	6666619	6666620	6666621	6666622	6666623	6666624	6666625	6666626	6666627	6666628	6666629	6666630	6666631	6666632	6666633	6666634	6666635	6666636	6666637	6666638	6666639	6666640	6666641	6666642	6666643	6666644	6666645	6666646	6666647	6666648	6666649	6666650	6666651	6666652	6666653	6666654	6666655	6666656	6666657	6666658	6666659	6666660	6666661	6666662	6666663	6666664	6666665	6666666	6666667	6666668	6666669	66666610	66666611	66666612	66666613	66666614	66666615	66666616	66666617	66666618	66666619	66666620	66666621	66666622	66666623	66666624	66666625	66666626	66666627	66666628	66666629	66666630	66666631	66666632	66666633	66666634	66666635	66666636	66666637	66666638	66666639	66666640	66666641	66666642	66666643	66666644	66666645	66666646	66666647	66666648	66666649	66666650	66666651	66666652	66666653	66666654	66666655	66666656	66666657	66666658	66666659	66666660	66666661	66666662	66666663	66666664	66666665	66666666	66666667	66666668	66666669	666666610	666666611	666666612	666666613	666666614	666666615	666666616	666666617	666666618	666666619	666666620	666666621	666666622	666666623	666666624	666666625	666666626	666666627	666666628	666666629	666666630	666666631	666666632	666666633	666666634	666666635	666666636	666666637	666666638	666666639	666666640	666666641	666666642	666666643	666666644	666666645	666666646	666666647	666666648	666666649	666666650	666666651	666666652	666666653	666666654	666666655	666666656	666666657	66666665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1105.0203 Number of Structures.

A. No more than two accessory structures in Residential Districts. Open gazebo, trellis, cabanas and similar structures shall not be counted as structures for purposes of this provision.

B. No limit on the number of accessory structures in Commercial or Industrial Districts.

(Ord. 170-04. Passed 3-23-04.)

woods creek

198 ft To Back of Property

98 FT from fence To fence

16+20
x 14
New
shed

16+12
+13

12+10
+9

50 feet
from back of
house

2066 54ft

Fence

Fence

Fence

5532 Forest Green Dr

Phil Barbosa has Tuffshed specs
and color pictures as needed

Barbosa, Phillip

From: John Lopetrone <JLopetrone@TUFFSHED.COM>
Sent: Friday, June 17, 2022 1:19 PM
To: toledobi
Cc: mhendershott@aprn1.com
Subject: Attention Phil Barbie's:re Mark Hendershott

Phil,
Attached are the requested pictures of
5532 Forest Green, Toledo 43615
Thank You,

John Lopetrone
Tuff Shed ASM





John Lopetrone
Tuff Shed ASM
Authorized Home Depot Supplier





John Lopetrone
Tuff Shed ASM
Authorized Home Depot Supplier

Barbosa, Phillip

From: Mark Hendershott <mhendershott@aprn1.com>
Sent: Wednesday, July 27, 2022 8:42 PM
To: toledobi
Subject: RE: site plan

THE NEW TOOL SHED WILL BE EAST OF THE TOOL SHED ON THE NORTH SIDE ON MY PROPERTY. IT WILL BE 6 FEET FROM THAT STRUCTURE AND 4 FEET FROM THE FENCE ON NORTH SIDE OF PROPERTY. IT WILL BE 48 FEET AWAY FROM HOUSE AND 98 FEET FROM SMALL TOOL SHED AND FENCE ON SOUTH SIDE OF PROPERTY.

CONFIDENTIALITY NOTICE: This email communication may contain private, confidential, or legally privileged information intended for the sole use of the designated and/or duly authorized recipient(s). If you are not the intended recipient or have received this email in error, please notify the sender immediately by email and permanently delete all copies of this email including all attachments without reading them. If you are the intended recipient, secure the contents in a manner that conforms to all applicable state and/or federal requirements related to privacy and confidentiality of such information.

From: "toledobi"
Sent: 7/27/22 3:09 PM
To: "mhendershott@aprn1.com"
Subject: site plan

Please lay out where the shed is going to be on the property

Along with the distances from other structures ie house property line.

Thank you

Phil Barbosa

Division of Building Inspections

One Government Center, Suite 1600

Toledo, Ohio 43604

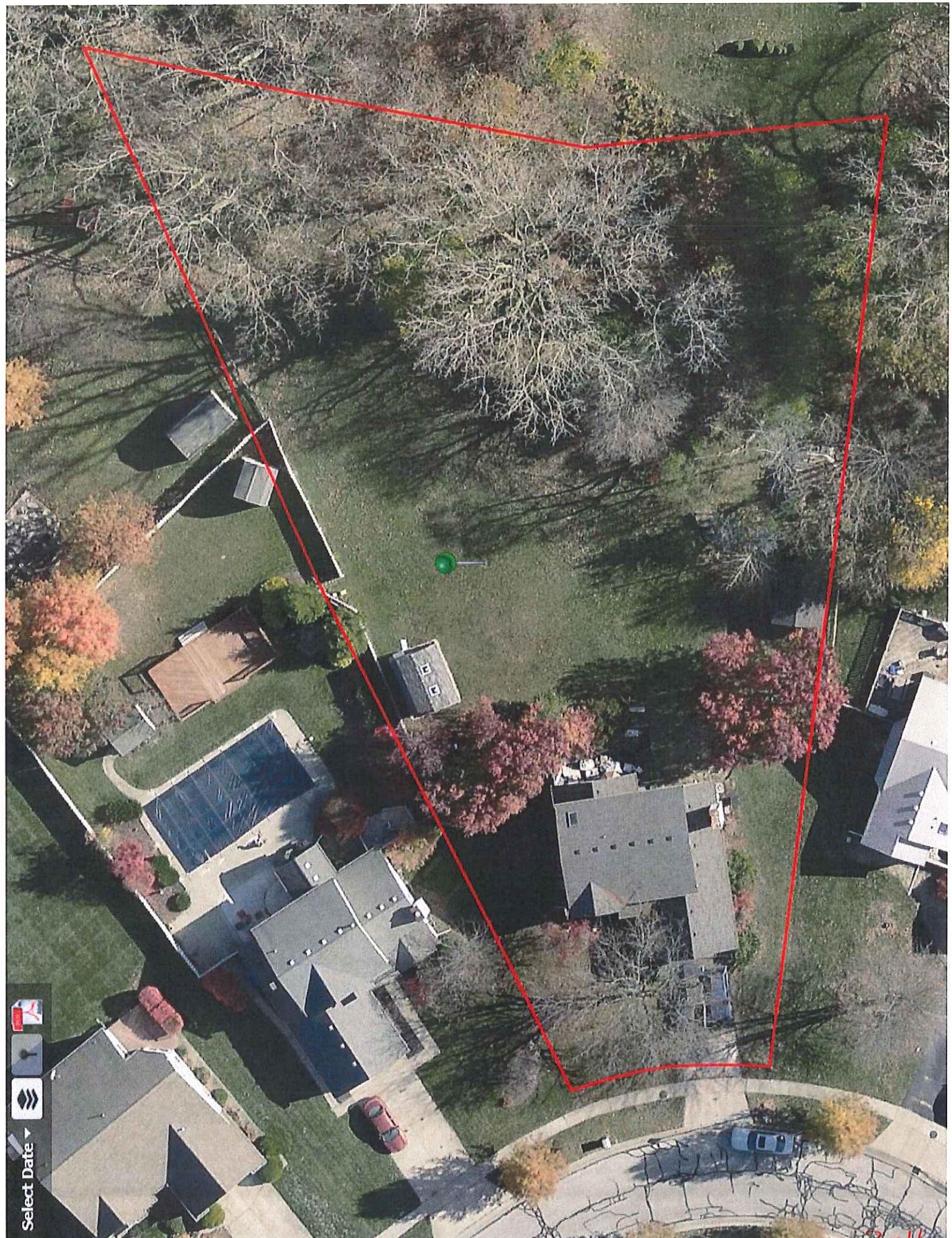
Office# 419-245-1220

Fax# 419-245-1329

ToledoBI@toledo.oh.gov

Visit us at toledo.oh.gov/services/building-inspection/

Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.



Select Date ▾

3-11



PAID
8/3/22

RECEIVED

AUG 02 2022

BZA22-0024
CASE # _____

CITY OF TOLEDO

Department of Economic and Business Development
Division of Building Inspection

One Government Center, Suite 1600 • Toledo, OH 43604 • Phone (419) 245-1220 • Fax (419) 245-1329 • www.toledo.oh.gov

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

TMC Chapter 1112.0200

Site Location 5332 Tulane Ave 43601 Zoning District RS6 Date 7/20/22

Legal Description Riviera Addn 1st Extn Lot 115

Applicant's Name (print) Thomas & Jeanette Miller

Appeal (Dept. of Inspection ruling – Title Nine Sign Code) _____ Hardship Variance X

Exception _____ Appeal decision _____ ADA Accommodation _____

TMC § 1108.0404 B Fence picket location ("finished side of fence must face the adjacent property") against rear neighbors existing fence

Applicant Signature Jeanette Miller Phone (419) 708-9835

Applicant's Street Address 5332 Tulane Ave Fax _____

Applicant's City, State, Zip Toledo, OH 43601 E-Mail TNJ.Miller@Yahoocom

Applications must be accompanied with:

1. 3 photos – showing different views of the site
2. Letter explaining your zoning request with full and accurate information.
3. Complete, clear site plan – recommended scale 1"=20' on 8-1/2" x 11" paper showing dimensions to all lot lines and the size of all structures on the premises.
4. Fee = \$200 Checks may be made payable to "City of Toledo."

Applicant:

You should receive a written notice of the staff recommendation no later than Wednesday preceding the hearing date. Please call (419) 245-1220 if you do not receive this notice.

Return the application documents by mail to: Division of Building Inspection, One Government Center, Suite 1600, Toledo, OH 43604; or in person with the application documents and fee. Applications are due 6 weeks before the Board of Zoning Appeals' meeting to allow proper notification of neighbors. Meetings are typically held the third Monday of every month at 1:30 p.m. in City Council Chambers, One Government Center, Toledo, OH 43604. The applicant or the applicant's representative must be present.

+++++ OFFICE USE +++++

Permit Tech Checklist: Application complete ✓ Photos ✓ Letter ✓ Proper Site Plan ✓ SWO _____

Copy Zoning Map OK <http://local.live.com/> Transportation notified to check site distance hazard _____

Code Enforcement notified if orders are being appealed. _____ Permit Tech's Initials B Date 8-2-22

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

P: Inspection, BZA 3/15/2022 kjr

PARCEL ID: 2032071

MARKET AREA: 620R
 HENDERSHOT MARK V
 TAX YEAR: 2022

ASSESSOR#: 06373032

ROLL: RP_OH
 5532 FOREST GREEN DR
 STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	620R - Click here to view map
Zoning Code	10-MX - Click here for zoning details
Zoning Description	Mixed Zoned Parcel
Water and Sewer	CITY WATER / CITY SEWER
Traffic	RESIDENTIAL SIDE STREET
Street Type	CONCRETE OR BLACKTOP
Owner	HENDERSHOT MARK V
Property Address	5532 FOREST GREEN DR TOLEDO OH 43615
Mailing Address	5532 FORREST GREEN TOLEDO OH 43615
Legal Desc.	MEADOWOOD TRAILS PLAT 3 LOT 170 & PT LOT 203 MEADO WOOD TRAILS PLAT FIVE LYING ELY & ADJ & BET NLY & SLY LINES OF LOT EXTND & MEAS 155 FT ON NLY LINE &
Certified Delinquent Year	
Census Tract	73.01

Summary - Most Recent Sale

Prior Owner	HENDERSHOT MARK V & KELLYM
Sale Amount	\$0
Deed	03206827
Sales Date	22-DEC-2003

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	15,230	43,500	15,230	43,500
Building	60,100	171,700	60,100	171,700
Total	75,330	215,200	75,330	215,200

Tax Credits

Homestead Exemption	NO
Owner Occupied Credit	YES
CAUV	NO
Agricultural District	NO

Printed on Friday, September 2, 2022, at 10:03:30 AM EST

HEARING DATE: **September 19, 2022**
BZA NO: **BZA22-0024**
APPLICANT: **Thomas & Jeanette Miller**
SITE LOCATION: **5332 Tulane Ave.**
ZONING DISTRICT: **RS6**
SWO or NOL Issued: **N/A**
ANALYSIS: **Applicant requests variance from TMC to maintain 6' high fence installed goodside facing inwards.**
STAFF COMMENTS: **None**

BOARD ACTION:

LEFT BEFORE
VOTE TAKEN

1ST/2ND MOTIONS	1ST/2ND IF 2ND MOTION	YEA	NAY	ABSENT	RECUSE
--	---	------------	------------	---------------	---------------

MOTION TO APPROVE/DISAPPROVE:

Rob Pasker	_____	_____	_____	_____	_____	_____
Matt Cherry	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

To whom it may concern:

This is an application for variance of city code 1108.0404 (b) in relation to the direction the pickets face on a backyard privacy fence recently installed at 5332 Tulane Avenue Toledo Ohio 43611.

Rationale for the direction in which the pickets face are as follows:

- The neighbor located behind the yard refused to have his chain-link fence removed, despite having the labor and cost of the fence removal covered at no expense to him. The existing chain-link fence created issue with installation of the privacy fence rails and pickets (please see attached letter from builder).
- There was an urgency to have a privacy fence installed due to an environment of stress created from the constant barking of the neighbors several dogs. Having lived in this home for over 25 years and having good relation with all other neighbors, there was never a need for a privacy fence. The frequency in which the dogs are in the yard barking at us or our dogs is near constant; causing us to refrain from enjoying our backyard at times.
- There have been countless occasions in which the neighbors' dogs were barking at and harassing not only us, but our dogs as well. Recently, an incident occurred in which our dog who was napping in the sun was startled awake by the abrupt charging and barking of the neighbor's dog. He jumped up in an awkward angle as he was woken up and he immediately yelped out in pain. He was limping after this incident, prompting an appointment to the veterinarian which then resulted in a major leg surgery. (please see attached invoice).

Please see the attached statements from several of our neighbors to affirm the above statements.

It was never our intention to have the fence installed with the pickets facing the incorrect direction. The variance stems from this neighbor refusing to have the courtesy to control his dogs, resulting in hardships to us and our pets, and have his chain-link fence removed in order to have the fence installed safely with rails facing out. Our goal has always been to enjoy our backyard in peace, without fear of further injury to our pets.

Thank you.

Tom and Jeannette Miller

10-27



1108.0404 Walls, Fences or Berms.

A wall, fence, or berm, whether or not intended to satisfy the landscape and screening requirements of this chapter, must comply with the following standards.

A. Walls. Any wall must be constructed to be durable, in brick, stone, or other masonry materials as approved by the Planning Director.

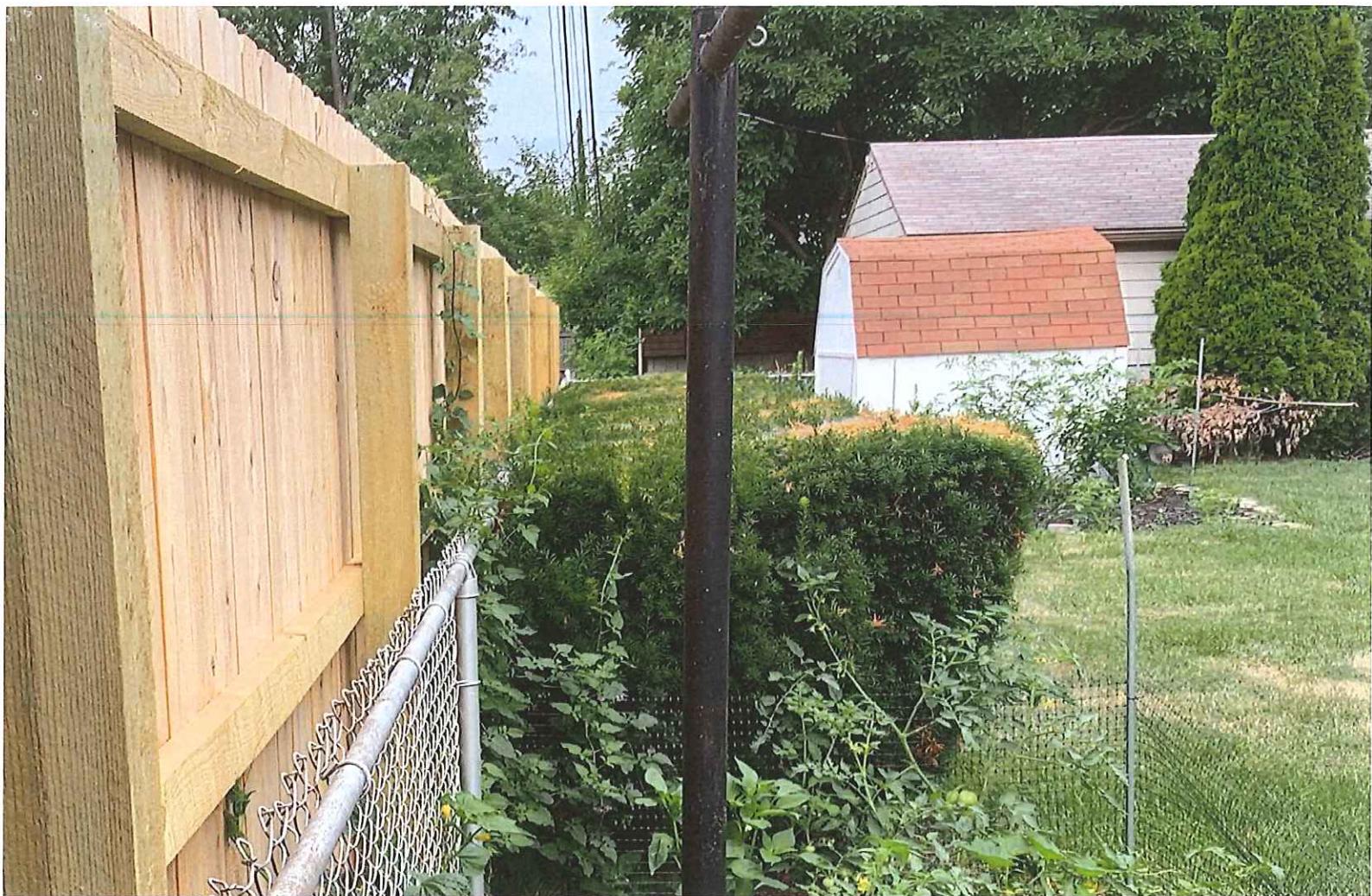
B. Fences. No fence shall be constructed of used or discarded materials in a state of disrepair, including but not limited to: pallets, doors, tires, corrugated metal, tree trunks, or other similar items. Materials not specifically manufactured for fencing shall not be used for, or in the construction of, a fence within residential zoning district. Fence posts must be structurally stable. The finished side of the fence must face the adjacent property, street, or place. Chain link fencing must not be used to meet buffers and screening requirements. Wood fence posts must be treated lumber.

C. Berms. Berms must be physical barriers made of earth which block or screen the view similar to a hedge, fence, or wall. In no event must a mound have a slope of greater than 3:1. Topsoil must be placed over all berms at a depth of 4 inches to facilitate vegetation growth on the mound. All mounds must be stabilized to prevent erosion immediately after its construction and must be landscaped within the next planting season in accordance with the landscaping requirements in this chapter.

(Ord. 122-21. Passed 3-2-21.)

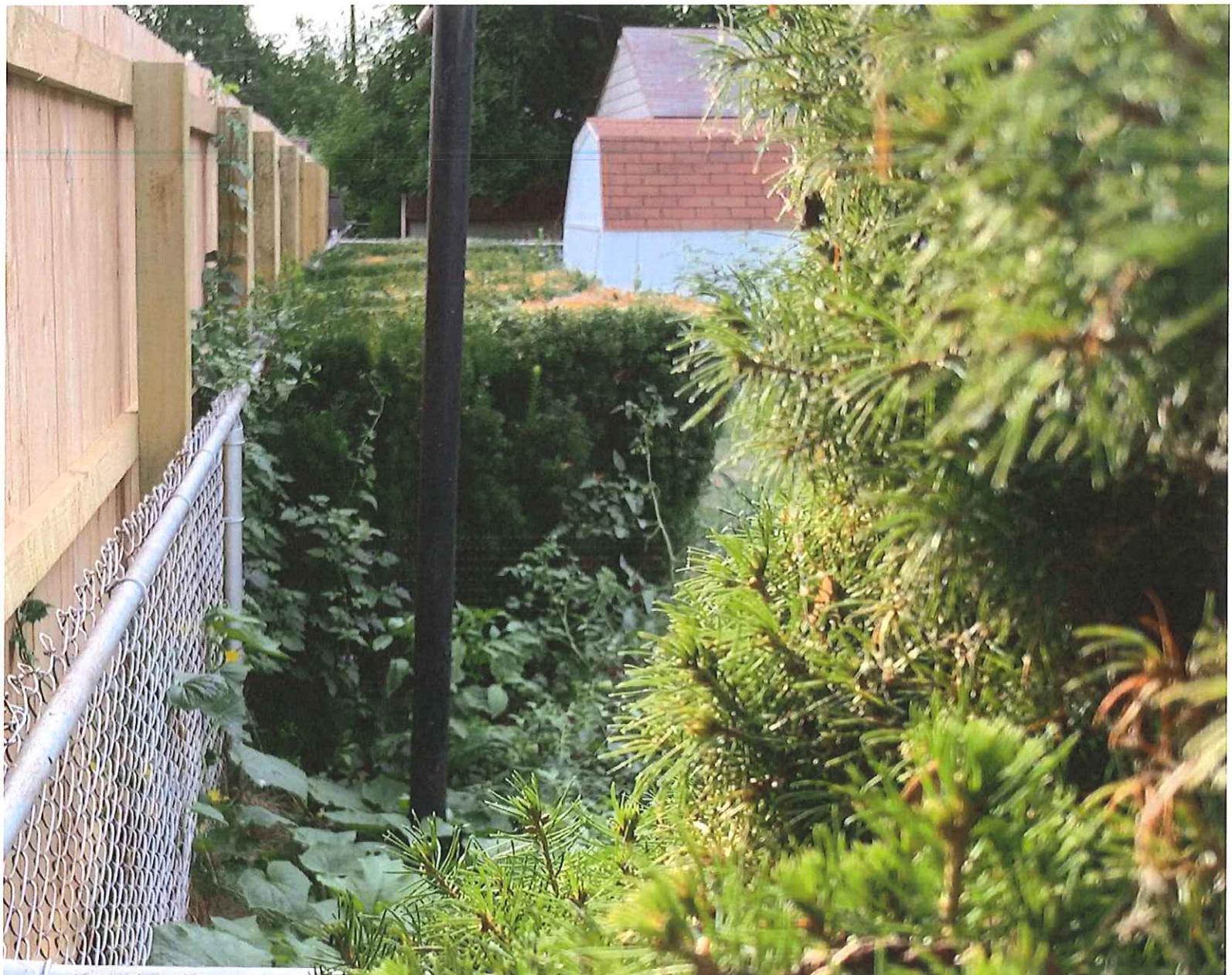


5332 Tulane Ave Site Plan 1"=20'

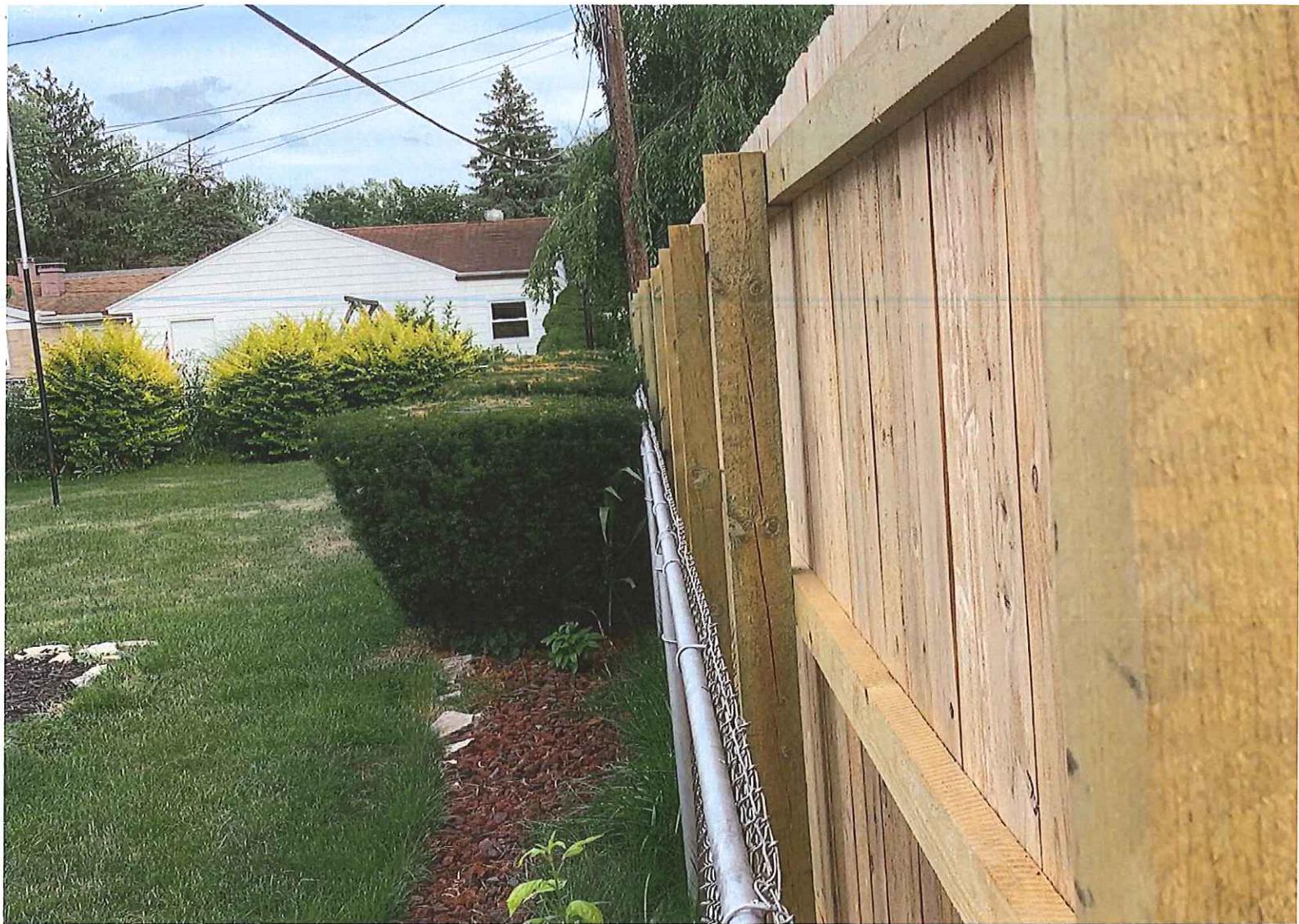


A1

4-6



A2



B

4.8

BACKYARD RENOVATIONS

SYLVANIA, OHIO 43560
(734) 347-5387
BACKYARDRENOS@GMAIL.COM

JULY 26, 2022

To Whom it May Concern,

This is in regards to the fence that was installed on June 2, 2022. It was impossible to do the fence any other way, due to the fact the neighbor would not allow us to remove their fence. If attempted, it could have amounted to damaged tools and also result in damaging the neighbors fence and potential harm to the workers.

Sincerely,

BEN EVANS

Shoreland Animal Hospital

4940 Suder Ave
Toledo, OH 43611-1894
((419) 729-0766

Tom Miller (# 100988)
5332 Tulane
Toledo, OH 43611

Jul 13, 2022

Invoice Number
67726

Charlie (# A)

Species: CANINE
Sex: Male Neutered
Age: 5 years and 5 months old
Breed: ENGLISH BULLDOG
Coat Color: BROWN/WHITE
Rabies Tag Number: 30641

Fecal: 07/19/2020
Heartworm Exam: 03/07/2023
Heartworm Test: 03/07/2023
Annual Wellness Exam: 03/29/2023
Leptospirosis: 04/14/2023
Total Body Function: 06/20/2023

Rechecks

Friday, Sep 16, 2022 Added by the Conversion Program

Date	Description	Qty	Price
07/13/2022	TPLO 50-100#	1.00	\$ 2,450.00
	Radiographs Additional 1pl 1vw	1.00	\$ 0.00
	Intravenous Catheter- Install	1.00	\$ 0.00
	Fluids Iv First Liter	1.00	\$ 0.00
	INTRAVENOUS FLUIDS HAVE BEEN GIVEN TO REPLENISH YOUR PET'S HYDRATION AND IMPROVE CIRCULATION. YOUR PET MAY URINATE MORE THAN USUAL FOR 12-24 HOURS TO EXCRETE EXCESS AMOUNTS. IF A CATHETER WAS INSTALLED IT SHOULD BE REMOVED WHEN YOUR PET IS DISCHARGED UNLESS THE DOCTOR EXPECTS FURTHER NEED. OTHERWISE, IT WILL BE REMOVED BY THE NURSING TECH BEFORE EXIT.		
	CALL IF THE INJECTION LEG SWELLS OR IS UNCOMFORTABLE. THANK YOU.		
	Premed Inj (atro/ace-torb)	1.00	\$ 0.00
	Pre/post- Antibiotic Inj.	1.00	\$ 0.00
	Sx Monitoring-bp,o2,co2,ecg	1.00	\$ 0.00
	ALL SURGICAL PATIENTS VITAL SIGNS WILL BE MONITORED DURING THEIR PROCEDURE. HEART RATE, RESPIRATION RATE, BLOOD GASES, AND BODY TEMPERATURE WILL BE TAKEN THROUGHOUT THE PROCEDURE TO ENSURE PATIENT SAFETY.		
	Adequan Inj - K9	2.50	\$ 0.00
	In-hospital Injection (Single Drug)	1.00	\$ 0.00
	Anesthesia-injectable 51-100#	1.00	\$ 0.00
	E-collar Lg 25 Cm Clr Pvl	1.00	\$ 0.00
	Iso-gas/02 Inhal 51-100#	1.00	\$ 0.00
	Laser Therapy W/sx	2.50	\$ 0.00
	Rimadyl Injection 50-100lbs	1.00	\$ 0.00
	Medical Dispos Fee-ORTHO(packs/suture)	1.00	\$ 108.00
	YuMOVE Lrg 66-100+ 70ct	1.00	\$ 63.90 ^{+tx}
	Nocita - Major	1.00	\$ 150.00
	FLUIDS - 250ML BAG ECH	1.00	\$ 15.72
	Vetprofen 75mg	30.00	\$ 22.80
	Gabapentin 300mg Capsule	90.00	\$ 48.60
	Cefpodoxime(simplicef) 200mg	10.00	\$ 27.80
Total for Charlie:			\$ 2,886.82

Tom Miller (# 100988)
Courage (# B) - Continued

Courage (# B)

Species: CANINE

Sex: Male Neutered

Age: 7 years and 2 months old

Breed: POODLE MIX

Coat Color: CREAM

Rabies Tag Number: 30444

Fecal: 05/07/2021

Annual Wellness Exam: 05/05/2023

Heartworm Exam: 05/05/2023

Heartworm Test: 05/05/2023

Leptospirosis: 05/05/2023

Rabies Vaccination: 05/13/2024

Rechecks

Friday, Aug 12, 2022 P225SENTINEL Spectrum 8.1-25#

Date	Description	Qty	Price
07/13/2022	Sentinel Spectrum 8.1-25#	3.00	\$ 41.97 ^{+tx}
Total for Courage:			\$ 41.97
Total Products:			\$ 2,928.79
Sales Tax:			\$ 8.20
Total Invoice:			\$ 2,936.99
Previous Balance:			\$ 0.00
Total Amount Due:			\$ 2,936.99
MasterCard			\$ 2,936.99
Total Payments - Thank you:			\$ 2,936.99
New Balance Due:			\$ 0.00

RX Numb	Code Description	Expire Date	Refills Left
Charlie (# A)			
74102	OM803 YuMOVE Lrg 66-100+ 70ct Give 1 chew twice a day (every 12 hrs) for 2 weeks then give 1 a day long term (bm)	01/04/2001	0
74161	OM710 Vetprofen 75mg Give 1 tablet, by mouth every 24 hours until gone. Start tomorrow 7/14/22 (JL)	01/04/2001	0
74162	OM819 Gabapentin 300mg Capsule Give 1 capsule, by mouth every 8-12 hours as needed for pain/discomfort. Start tomorrow 7/14/22 (JL)	01/04/2001	0
74163	OM324 Cefpodoxime(simplicef) 200mg Give 1 tablet, by mouth every 24 hours until gone (JL)	01/04/2001	0
Courage (# B)			
74164	OM103 Sentinel Spectrum 8.1-25# Give one (1) tablet orally 30 days (once monthly). nw	01/04/2001	0

Patient Name	Date	Start Time	Appt. With
Charlie (# A)	08/23/2022	05:00 PM	SHAWN BROWN, DVM

Shoreland Animal Hospital

4940 Suder Ave
Toledo, OH 43611-1894
((419) 729-0766

Tom Miller (# 100988)
5332 Tulane
Toledo, OH 43611

Jun 21, 2022

Invoice Number
66871

Charlie (# A)

Species: CANINE
Sex: Male Neutered
Age: 5 years and 5 months old
Breed: ENGLISH BULLDOG
Coat Color: BROWN/WHITE
Rabies Tag Number: 30641

Fecal: 07/19/2020
Heartworm Exam: 03/07/2023
Heartworm Test: 03/07/2023
Annual Wellness Exam: 03/29/2023
Leptospirosis: 04/14/2023
Total Body Function: 06/20/2023

Rechecks

Monday, Sep 19, 2022 SENTINEL Spectrum 50.1-100#

Date	Description	Qty	Price
06/21/2022	Level 2- Comprehensive 15-20 Mi	1.00	\$ 56.98
	The physical exam is an important part of health care and diagnosis. The reason for your pet's symptoms may be unclear without additional tests or procedures. Some signs are very subtle so please call us if any unusual behavior or changes occur.		
	Radiographs Surv View 1pl 1vw	1.00	\$ 145.00
	Radiographs Additional 1pl 1vw	1.00	\$ 75.00
	Sentinel Spectrum 50.1-100#	3.00	\$ 45.00 ^{+tx}
	Vetprofen 75mg	30.00	\$ 22.80
	Gabapentin 300mg Capsule	90.00	\$ 48.60
	Medical Disposal Fee	1.00	\$ 3.25
	Total Body Function-Antech (SA120)	1.00	\$ 155.88
	◆ Sample Collection	1.00	\$ 16.00

Total for Charlie: \$ 568.51

Shawn Brown, DVM

Total Products: \$ 568.51

Sales Tax: \$ 3.49

Total Invoice: \$ 572.00

Previous Balance: \$ 0.00

Total Amount Due: \$ 572.00

MasterCard \$ 572.00

Total Payments - Thank you: \$ 572.00

New Balance Due: \$ 0.00

RX Numb	Code Description	Expire Date	Refills Left
Charlie (# A)			
73144	OM105 Sentinel Spectrum 50.1-100# Give one (1) tablet orally 30 days (once monthly). (MK)	01/04/2001	0
73145	OM710 Vetprofen 75mg Give 1 tablet by mouth every 24 hours snb	01/04/2001	0
73146	OM819 Gabapentin 300mg Capsule	01/04/2001	0

Tom Miller (# 100988)

Charlie (# A) - Continued

RX Numb	Code Description	Expire Date	Refills Left
Give 1 capsule by mouth every 8 -12 hours snb			

Patient Name	Date	Start Time	Appt. With
Charlie (# A)	08/23/2022	05:00 PM	SHAWN BROWN, DVM

Carlton E. Sturm

5338 Tulane Ave

Toledo, Ohio 43611

419-729-5204

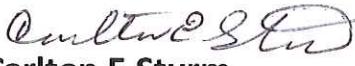
07/27/2022

Subject: New Fence:

I have not objection to my neighbors' fence that was just installed. He put the fence up due to the dogs. The people over his back fence and the people over my back fence have dogs that bark all the time.

I have contacted the same company that installed his fence to install one for me. The dogs are put out in the yards for a long time and all they do is bark.

This can start in the early morning, and though the day. The ones in back of my house bark at my back fence. When I talked to them, they did not care. With both Mr. Miller's fence and when mine is installed, the dogs will have nothing to bark at but a fence.


Carlton E. Sturm

July 24, 2022

To whom it may concern,

My name is Karen Sheehan, I am Tom and Jeannette's next door neighbor. My statement is that I approve of the fence that was put up between our yard and I think it looks nice. Additionally, I understand why the fence was put up in effort to decrease dog barking and the chaos caused from dog barking and I appreciate those efforts.

Lucas County
Ohio
SUPER
7-26-2022



STACEY L YAROS
Notary Public, State of Ohio
My Commission Expires:
July 28, 2026

Cordially yours,

Karen Sheehan

Karen Sheehan

4-15

I am Karen Brown, Tom and Jeannette's neighbor from across the street. I go to their house a couple times a day, while they are at work, to let the dogs out. I would state that the new fence in their back yard eliminates the problems caused by the dogs behind them rushing of the fence and fierce /obnoxious barking that they do

Karen Brown

Lucas County,
Ohio
Sparos
7-26-22



STACEY L YAROS
Notary Public, State of Ohio
My Commission Expires:
July 28, 2026

Karen Brown
7-26-22

PARCEL ID: 2350204

MARKET AREA: 1009R

MILLER THOMAS A & JEANNETTE E

TAX YEAR: 2022

ASSESSOR#: 10234050

ROLL: RP_OH

5332 TULANE AVE

STATUS: Active

Summary - General

Tax District	TOLEDO CITY - WASHINGTON LSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	1009R - Click here to view map
Zoning Code	10-RS6 - Click here for zoning details
Zoning Description	Single-Family Residence-6
Water and Sewer	CITY WATER / CITY SEWER
Traffic	RESIDENTIAL SIDE STREET
Street Type	CONCRETE OR BLACKTOP
Owner	MILLER THOMAS A & JEANNETTE E
Property Address	5332 TULANE AVE TOLEDO OH 43611
Mailing Address	5332 TULANE AVE TOLEDO OH 43611 1577
Legal Desc.	RIVIERA ADDN 1ST EXTN LOT 115
Certified Delinquent Year	
Census Tract	56

Summary - Most Recent Sale

Prior Owner	GALUZNY RAYMOND
Sale Amount	\$107,800
Deed	96107608
Sales Date	10-SEP-1996

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	11,480	32,800	11,480	32,800
Building	27,510	78,600	27,510	78,600
Total	38,990	111,400	38,990	111,400

Tax Credits

Homestead Exemption	NO
Owner Occupied Credit	YES
CAUV	NO
Agricultural District	NO

Printed on Friday, September 2, 2022, at 9:56:46 AM EST



RECEIVED

AUG 11 2022

PAID
8/11/22

CASE # BZAZZ-0025

BY:

CITY OF TOLEDO

Department of Economic and Business Development

Division of Building Inspection

One Government Center, Suite 1600 • Toledo, OH 43604 • Phone (419) 245-1220 • Fax (419) 245-1329 • www.toledobi.com

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

TMC Chapter 1112.0200

Site Location 3225 W. Bancroft Zoning District B6 Date 8/3/22Legal Description INDIAN HILLS LOT 81 EXC S 72 FT (EXC PT IN RI)Applicant's Name (print) Maher BaraziAppeal. (Dept. of Inspection ruling – Title Nine Sign Code) Hardship Variance

Exception _____ Appeal decision _____ ADA Accommodation _____

TMC § 1105.0301(A) - VARIANCE FOR FRONT YARD FENCE TO BE
30" OVER THE MAX. 42" ALLOWED HEIGHT FOR A 6' FENCE

Applicant Signature Maher Barazi Phone 419-283-0238Applicant's Street Address 3225 W. Bancroft Fax _____Applicant's City, State, Zip Toledo, OH 43606 E-Mail Mferdes @ AOL.com

Applications must be accompanied with:

1. 3 photos – showing different views of the site
2. Letter explaining your zoning request with full and accurate information.
3. Complete, clear site plan – recommended scale 1"=20' on 8-1/2" x 11" paper showing dimensions to all lot lines and the size of all structures on the premises.
4. Fee = \$200 Checks may be made payable to "City of Toledo."

Applicant:

You should receive a written notice of the staff recommendation no later than Wednesday preceding the hearing date. Please call (419) 245-1220 if you do not receive this notice.

Return the application documents by mail to: Division of Building Inspection, One Government Center, Suite 1600, Toledo, OH 43604; or in person with the application documents and fee. Applications are due at least 30 days before the Board of Zoning Appeals' meeting to allow proper notification of neighbors. Meetings are typically held the third Monday of every month at 1:30 p.m. in City Council Chambers, One Government Center, Toledo, OH 43604. The applicant or the applicant's representative must be present.

+++++ OFFICE USE +++++

Permit Tech Checklist: Application complete Photos Letter Proper Site Plan SWO N/ACopy Zoning Map <http://local.live.com> Transportation notified to check site distance hazard Code Enforcement notified if orders are being appealed. N/A Permit Tech's Initials YB Date 8-11-22

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

HEARING DATE: **September 19, 2022**
BZA NO: **BZA22-0025**
APPLICANT: **Maher Barazi**
SITE LOCATION: **3225 W Bancroft**
ZONING DISTRICT: **RS6**
SWO or NOL Issued: **N/A**
ANALYSIS: **Applicant requests variance from TMC 1105.0301(A) to maintain 6' high fence within front yard setback along Bancroft & Secor Rds.**
STAFF COMMENTS: **None**

BOARD ACTION:

LEFT BEFORE
VOTE TAKEN

1ST/2ND MOTIONS	1ST/2ND IF 2ND MOTION	YEA	NAY	ABSENT	RECUSE
--	---	------------	------------	---------------	---------------

MOTION TO APPROVE/DISAPPROVE:

Rob Pasker	_____	_____	_____	_____	_____	_____	_____
Matt Cherry	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:



CASE # BZA 22-0025

CITY OF TOLEDO
Department of Economic and Business Development
Division of Building Inspection

One Government Center, Suite 1600 • Toledo, OH 43604 • Phone (419) 245-1220 • Fax (419) 245-1329 • www.toledobi.com

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)
TMC Chapter 1112.0200

Site Location 3225 W. Bancraft Zoning District 1 Date 8/31/22
Legal Description INDIAN HILLS LOT 81 EXC S 72 FT (EXC PT IN RD)
Applicant's Name (print) Maher Barazi

Appeal (Dept. of Inspection ruling - Title Nine Sign Code) Hardship Variance

Exception Appeal decision ADA Accommodation

TMC § 1105.0301(A) - VARIANCE FOR FRONT YARD FENCE TO BE
30" OVER THE MAX. 42" ALLOWED HEIGHT FOR A 6' FENCE

Applicant Signature Maher Barazi Phone 419-283-0238

Applicant's Street Address 3225 W. Bancraft Fax

Applicant's City, State, Zip. Toledo, OH 43606 E-Mail Mferdes@AOL.com

Applications must be accompanied with:

1. 3 photos - showing different views of the site
2. Letter explaining your zoning request with full and accurate information.
3. Complete, clear site plan - recommended scale 1"=20' on 8-1/2" x 11" paper showing dimensions to all lot lines and the size of all structures on the premises.
4. Fee = \$200 Checks may be made payable to "City of Toledo."

Applicant:

You should receive a written notice of the staff recommendation no later than Wednesday preceding the hearing date. Please call (419) 245-1220 if you do not receive this notice.

Return the application documents by mail to: Division of Building Inspection, One Government Center, Suite 1600, Toledo, OH 43604; or in person with the application documents and fee. Applications are due at least 30 days before the Board of Zoning Appeals' meeting to allow proper notification of neighbors. Meetings are typically held the third Monday of every month at 1:30 p.m. in City Council Chambers, One Government Center, Toledo, OH 43604. The applicant or the applicant's representative must be present.

+++++ OFFICE USE +++++

Permit Tech Checklist: Application complete Photos Letter Proper Site Plan SWO N/A

Copy Zoning Map <http://local.live.com> Transportation notified to check site distance hazard

Code Enforcement notified if orders are being appealed. Permit Tech's Initials Date

Reviewed by Date Staff Recommendation * TRANSPORTATION HAS NO ISSUES. 8-11-22 *

Board Decision Date

To whom it may concern,

I am writing this letter today to discuss the fence recently built on the property of 3225 West Bancroft Street. In February 2022, a car had crashed into the fence resulting in major damage. When the fence was rebuilt, we had built it to be 6-feet tall. My decision to have the fence be that height is due to the high traffic volume from the corner of this major intersection, we have had numerous accidents that resulted in the damage of the fence. With the high traffic, I have also experienced littering into the yard from those passing the corner.

As mentioned above, over the years multiple accidents have occurred in this intersection throughout all hours of the day. One accident was near hitting the house but luckily there was a satellite that the car hit instead of our house, coming out the other end of the fence. In the last 30 years of living on this corner, I have had to unfortunately replace our fence more than once, and more than people would over the years. A few years ago, when the city of Toledo was repaving Bancroft, I had reached out and asked if a cement barrier could be extended to around the corner to hopefully prevent another crash into my fence and yard, I was denied the barrier.

After the most recent accident, the fence had been damaged and unrepaired for almost four months with zero complaints but now there are complaints due to the height. I am unsure why the height of our fence has received any complaints, especially since a neighboring home on that corner has a 6-foot fence as well. I am hoping this letter can show why the decision to build a 6-foot fence was necessary for the safety of my family, especially as that corner is my backyard that we are often in, especially the summer months.

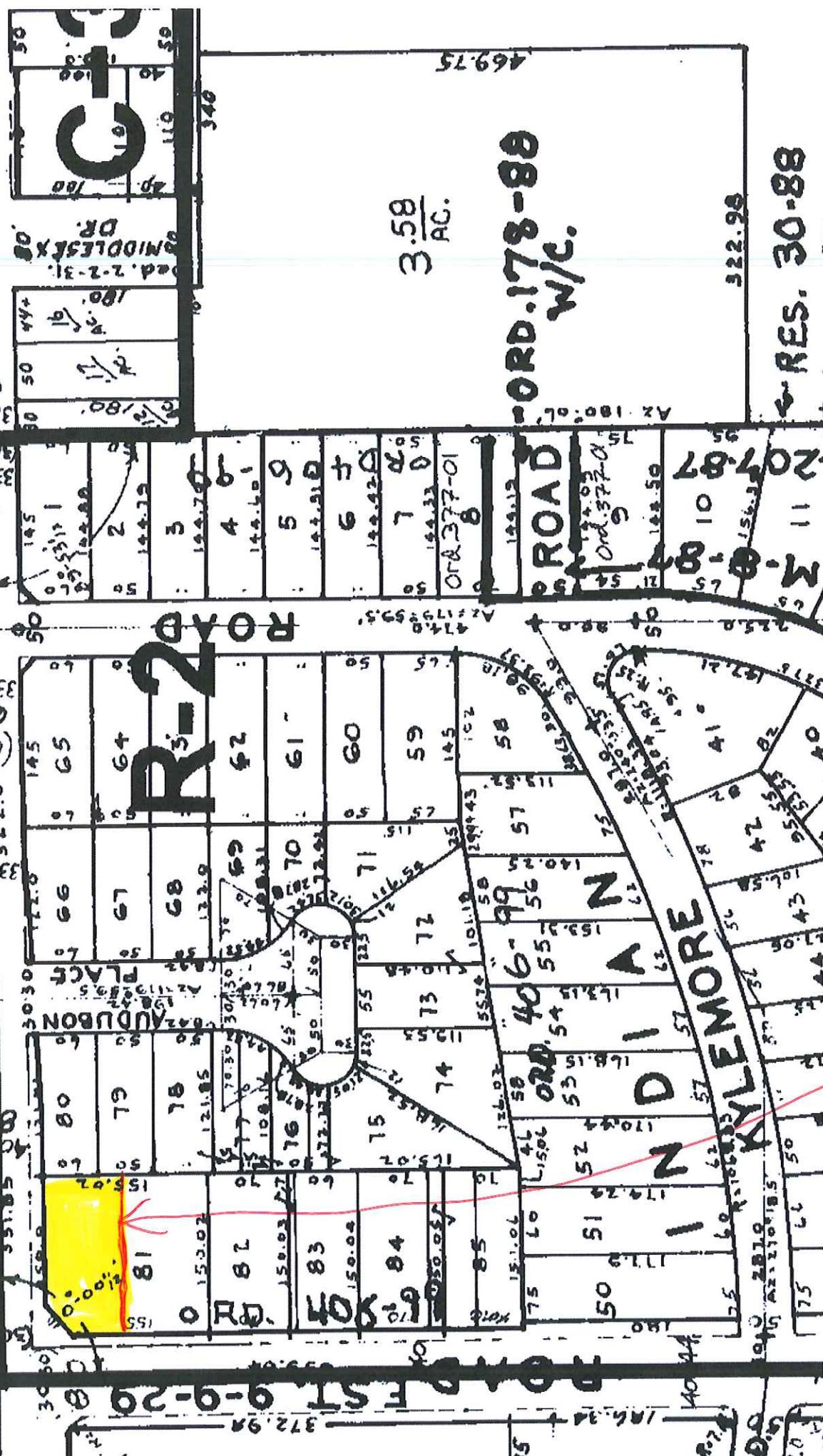
Thank you for your time,

Maher Barazi

5125

3225 W BANCROFT (AKA 3257)

5-4

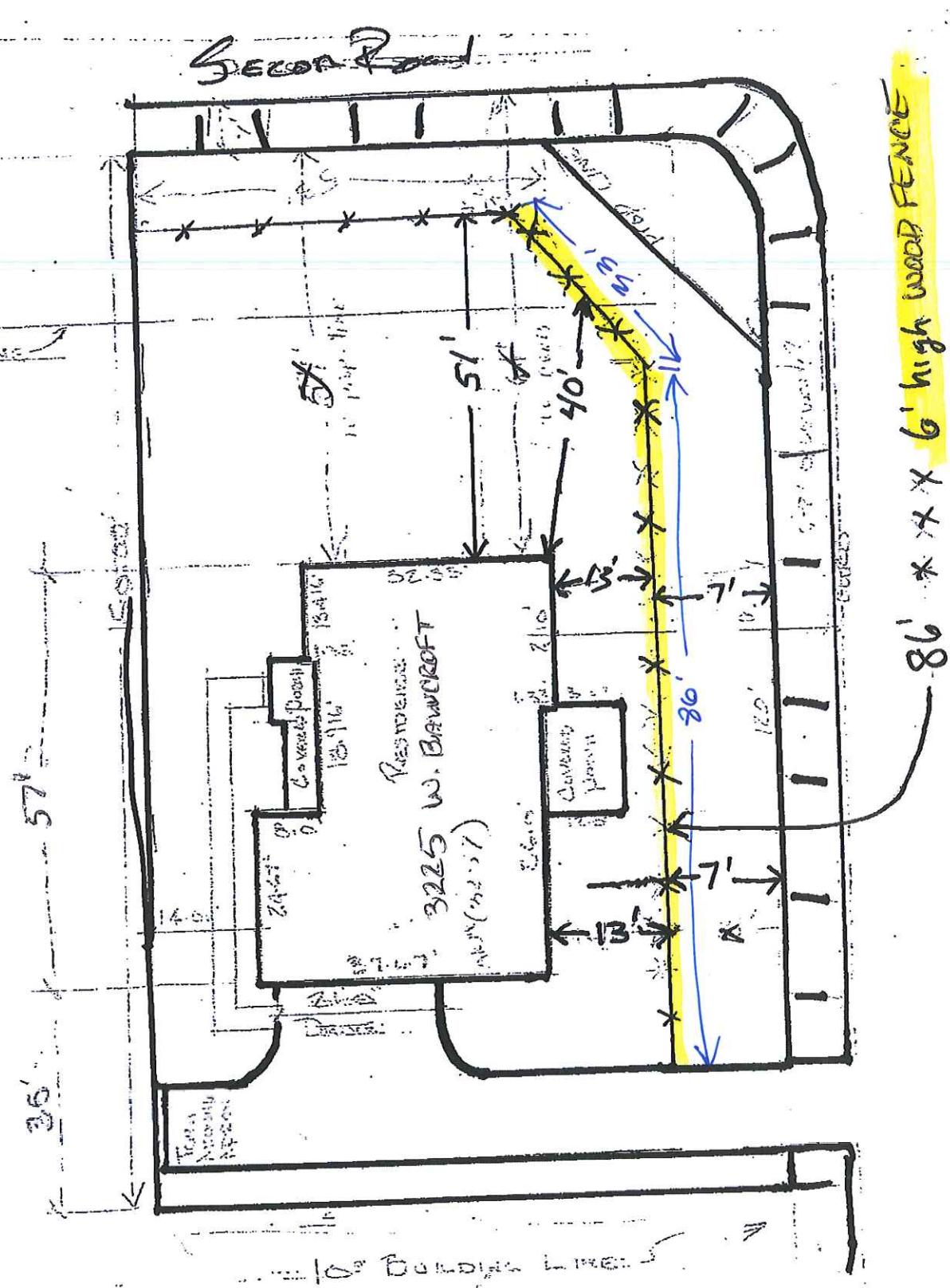


1105.0301 Residential Districts.

The following standards apply in all Residential Districts:

- A. Fences or hedges may not exceed 3½ feet in height in the required front setback.
- B. Fences may not exceed 4 feet in height in the required side setback adjacent to the main building and projected to the required front setback. Any recess in the rear building plane shall not be considered part of the required setback.
- C. Fences may not exceed 7 feet in height in any other location on a lot.
- D. No part of any fencing may extend into the public right-of-way.

(Ord. 170-04. Passed 3-23-04; Ord. 402-11. Passed 8-23-11.)



W. Bancroft st.

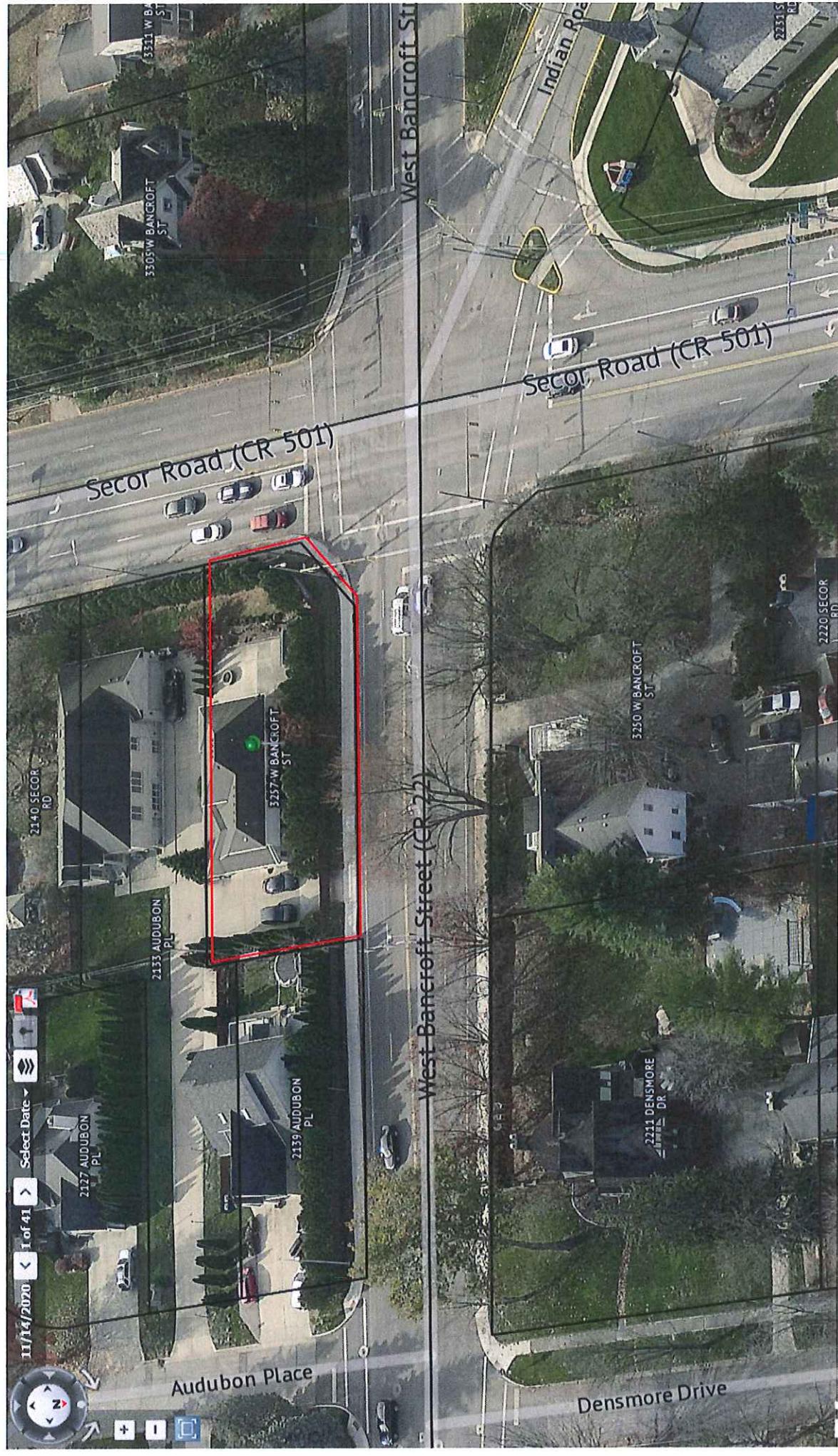


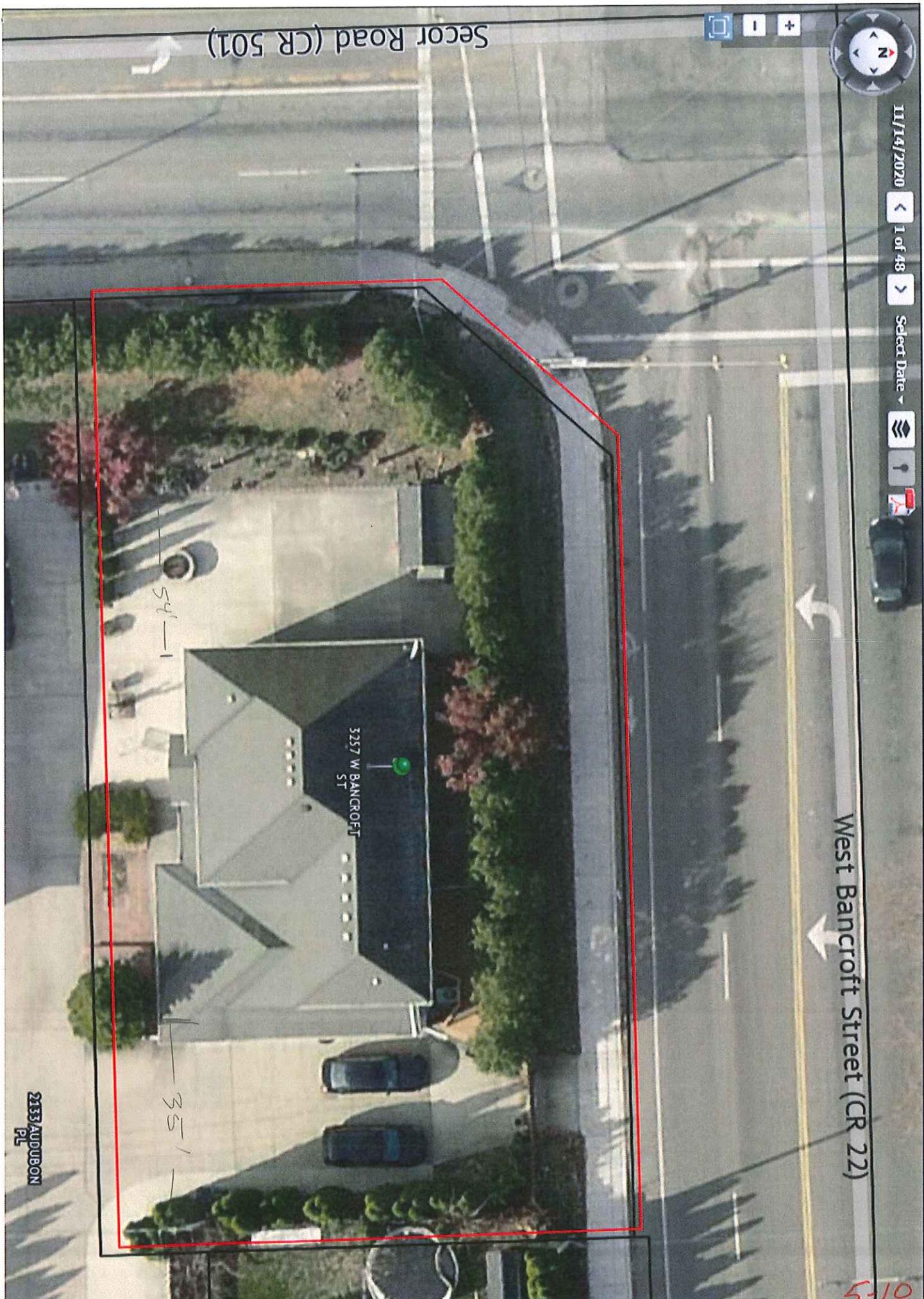
3225 W. BANCROFT

* Pics of new
6ft FENCING



PARCEL ID: 0800875
MARKET AREA: 1211R
BARZI MAHER & IMAN
TAX YEAR: 2022





PARCEL ID: 0800875

MARKET AREA: 1211R
BARAZI MAHER & IMAN
TAX YEAR: 2022

ASSESSOR#: 04335038

ROLL: RP_OH
3225 BANCROFT
STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	1211R - Click here to view map
Zoning Code	10-RS6 - Click here for zoning details
Zoning Description	Single-Family Residence-6
Water and Sewer	CITY WATER / CITY SEWER
Traffic	HEAVY MAIN
Street Type	CONCRETE OR BLACKTOP
Owner	BARAZI MAHER & IMAN
Property Address	3257 W BANCROFT ST TOLEDO OH 43606
Mailing Address	3225 W BANCROFT ST TOLEDO OH 43606
Legal Desc.	INDIAN HILLS LOT 81 EXC S 72 FT & EXC PT IN RD
Certified Delinquent Year	
Census Tract	104

Summary - Most Recent Sale

Prior Owner	BARAZI MAHER & IMAN
Sale Amount	\$0
Deed	16206057
Sales Date	12-SEP-2016

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	8,580	24,500	8,580	24,500
Building	70,000	200,000	70,000	200,000
Total	78,580	224,500	78,580	224,500

Tax Credits

Homestead Exemption	NO
Owner Occupied Credit	NO
CAUV	NO
Agricultural District	NO

Printed on Wednesday, August 3, 2022, at 10:38:16 AM EST



RECEIVED CITY OF TOLEDO

AUG 15 2022

Division of Building Inspection

BY: IN PERSON

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

One Government Center, Suite 1600 • Toledo, OH 43604 • Phone (419) 245-1220 • Fax (419) 245-1329 • www.toledo.oh.gov

PAID
8/16/22

BZA 22-0026

Site Location 1260 Craigwood Road, Toledo, OH 43612

Zoning District RSG Date August 15, 2022

Legal Description Lot 905 in Plat No. 2 of Homeville, a Subdivision in the City of Toledo, Lucas County, Ohio
same being recorded in Plat 31-39. Parcel No. 07-33464

Applicant's Name (print) Glen Toepfer

Appeal. (Dept. of Inspection ruling – Title Nine Sign Code) _____ Hardship Variance _____

Exception _____ Appeal decision _____ ADA Accommodation _____

TMC § 1105.0301.B in 1105.0301.B (1108.0404.B)

REQUEST TO INSTALL 7' TALL FENCE IN SMALL PORTION OF SIDE-YARDS & FACE FINISHED PART INWARD

Applicant Signature Glen w Toepfer Phone 419-460-0845

Applicant's Street Address 1260 Craigwood Road Fax N/A

Applicant's City, State, Zip Toledo, OH 43612 E-Mail gwtoepfer@cqasolutions.co (not .com!!)

Applications must be accompanied with:

1. 3 photos – showing different views of the site
2. Letter explaining your zoning request with full and accurate information.
3. Complete, clear site plan – recommended scale 1"=20' on 8-1/2" x 11" paper showing dimensions to all lot lines and the size of all structures on the premises.
4. Fee = \$200.00. Checks may be made payable to "City of Toledo."

Applicant:

You should receive a written notice of the staff recommendation no later than Wednesday preceding the hearing date. Please call (419) 245-1220 if you do not receive this notice.

Return the application documents by mail to: Division of Building Inspection, One Government Center, Suite 1600, Toledo, OH 43604; or in person with the application documents and fee. Applications are due at least 30 days before the Board of Zoning Appeals' meeting to allow proper notification of neighbors. Meetings are typically held the third Monday of every month at 10:00 AM. in City Council Chambers, One Government Center, Toledo, OH 43604. The applicant or the applicant's representative must be present.

+++++ OFFICE USE +++++

Permit Tech Checklist: Application complete ✓ Photos ✓ Letter ✓ Proper Site Plan ✓ SWO NO

Copy Zoning Map http://local.live.com/ Transportation notified to check site distance hazard N/A

Code Enforcement notified if orders are being appealed. ? Permit Tech's Initials MJC Date 8/15/22

Reviewed by _____ Date _____ Staff Comments: _____

Board Decision _____ Date _____

HEARING DATE: **September 19, 2022**
BZA NO: **BZA22-0026**
APPLICANT: **Glen Toepfer**
SITE LOCATION: **1260 Craigwood**
ZONING DISTRICT: **RS6**
SWO or NOL Issued: **N/A**
ANALYSIS: **Applicant requests variance from TMC 1105.0301(B) & 1108.0404(B) to install 7' high fence within side yard and goodside of fence facing inwards.**
STAFF COMMENTS: **None**

BOARD ACTION:

LEFT BEFORE
VOTE TAKEN

1ST/2ND MOTIONS	1ST/2ND IF 2ND MOTION	YEA	NAY	ABSENT	RECUSE
--	---	------------	------------	---------------	---------------

MOTION TO APPROVE/DISAPPROVE:

Rob Pasker	_____	_____	_____	_____	_____	_____	_____
Matt Cherry	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

1260 Craigwood Road
Toledo, OH 43612

August 15, 2022

City of Toledo
Board of Zoning Appeals
One Government Center, Suite 1600
Toledo, OH 43604

RE: Application for variance to privacy fence zoning requirements

To Whom It May Concern:

I would like to request a variance that allows our privacy fence to be installed with the finished side facing inwards towards our property. The exception being a small section on the south east side of the proposed fence area, where it will be fenced on each side of the post, providing a finished face facing Craigwood Road – the only portion of the fence easily visible from the street.

Reason for Variance

The reason for the request for this variance is the lack of working area along the other three sides of the proposed fence area (east, north, and west sides). Each of these sides already has fencing of some type owned by our neighbors – the east side a chain-link fence, the north side a dog-kennel type fence, and the west side a failing picket fence. Photo 1 shows the east side with existing chain-link fence and the close proximity to the neighbors' garage as well – there is less than 3-feet between the chain-link and their garage. Photo 2 shows the north side where the dog-kennel type fence exists along with very limited (and overgrown with saplings and poison ivy) space and nearly impossible working conditions. Photo 3 shows the west side, with the existing picket fence installed by our neighbor. Without removing that fence, there is no way to install our fence with the finished side facing outwards. Photo 4 is an additional photo that shows the west side, looking north from our driveway. The attaching drawing shows my proposed relocation of the gate to the north as we complete our portion of the new fence. We will no longer have a need for the picket fence in that area and will be up to the owner as to whether or not they maintain it for their dogs.

Reason for Fence

We recently purchased two puppies and need a more secure fence to protect them. The east side chain-link fence is too low and the neighbor's dog which is aggressive towards other dogs can easily jump that fence. In fact, the prior tenant's husky did just that and frequently visited us (this was before we purchased our puppies) while we were in the back yard. The residents on the north side also have two dogs, one of which is an aggressive pit-bull the owners say is aggressive towards other dogs. This dog was making threatening postures and growls towards our puppies and was the final straw in us paying for a privacy fence. Protecting our puppies was foremost on our minds, and we started the construction of the fence immediately. We did not

4550 WILLYS PKWY

NEIGHBORS GARAGE (APPROX)

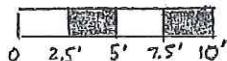
4' HIGH KENNEL FENCE w/
STEEL POSTS

4549 EASTWAY ST

N

EXISTING PICKET
FENCE

SCALE: 1" = 10'



LOT DIMENSIONS

NORTH - SOUTH = 99.48',
EAST - WEST = 37.00'

CONCRETE
SLAB
DRIVE

FRONT YARD

R

PROPOSED NEW
DOG EAR 7' HIGH
FENCE

DECK

WOOD WALK
& STAIRS

NEW GATE
(PROPOSED)

HOUSE

EXISTING WOOD GATE

3'

NEIGHBORS
GARAGE
(APPROX)

EXISTING CHAINLINK
FENCE 6" E OF PROPERTY
LINE

1256 CRAIGWOOD ROAD

NOTES

1. DUE TO RESTRICTED WORK AREA/ACCESS
ON EAST, NORTH, AND WEST SIDES,
FENCE PROPOSED TO FACE INWARD
2. EXISTING FENCES EXIST ON NORTH,
EAST, AND WEST SIDES AS SHOWN
3. 1260 CRAIGWOOD ACCESS GATE WILL
BE RELOCATED AS SHOWN
4. PICKET FENCE ON WEST SIDE FACES
1260 CRAIGWOOD MAKING IT IMPOSSIBLE
TO PLACE NEW FENCE OUTWARD ON THIS
SIDE
5. WHETHER PICKET FENCE STAYS SOUPPLY
NEW GATE WILL BE UP TO NEIGHBOR
6. FOR ANY POSTS REQUIRED ON CONCRETE
DRIVEWAY AREA, SIMPSON STRONG-TIE E-
4X4 BASE WILL BE ANCHORED TO CONCRETE
7. THE PROPOSED FENCE IS ADJACENT TO
GARAGE ON TWO-SIDES
8. SOUTH FURNISH OF NEW FENCE ON EAST
SIDE (FACING OUT SOUTH) WILL HAVE
Panel FACING CRAIGWOOD ROAD
9. ALL EXISTING FENCES ARE 6" OFF PROPERTY
LINE
10. NEW FENCE WILL BE 6" INSIDE PROPERTY
LINE, 7' HIGH DOG-EAR PANELS

1264 CRAIGWOOD RD

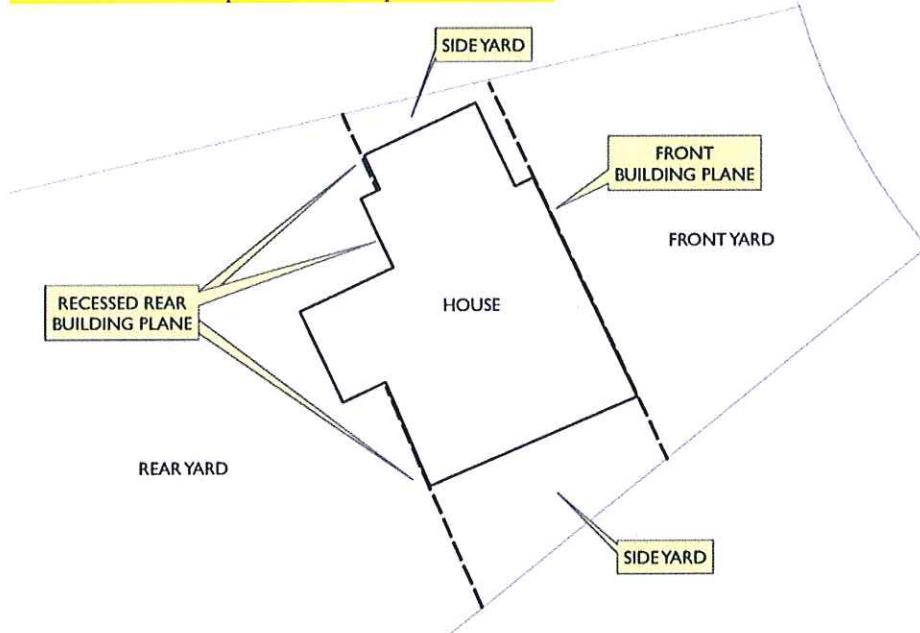
1260 CRAIGWOOD ROAD

Zoning Variance Sections for 1260 Craigwood

1105.0301 Residential Districts

The following standards apply in all Residential districts:

- A. Fences or hedges may not exceed 3½ feet in height in the required front setback.
- B. Fences may not exceed 4 feet in height in the required side setback adjacent to the main building and projected to the required front setback. Any recess in the rear building plane shall not be considered part of the required setback.



- C. Fences may not exceed 7 feet in height in any other location on a lot.

1105.0304 Fencing Materials

See Sec. 1108.0404

1108.0404 Walls, Fences or Berms

A wall, fence, or berm, whether or not intended to satisfy the landscape and screening requirements of this Chapter, must comply with the following standards.

B. Fences

No fence shall be constructed of used or discarded materials in a state of disrepair, including but not limited to: pallets, doors, tires, corrugated metal, tree trunks, or other similar items. Materials not specifically manufactured for fencing shall not be used for, or in the construction of, a fence within residential zoning district. Fence posts must be structurally stable. The finished side of the fence must face the adjacent property, street, or place. Chain link fencing must not be used to meet buffers and screening requirements. Wood fence posts must be treated lumber.



Photo 1: East side looking North



Photo 3: West side looking mostly West



6-8

Carney, Matthew

From: Glen Toepfer <gwtoepfer@cqasolutions.co>
Sent: Tuesday, August 16, 2022 1:10 PM
To: toledobi
Subject: Re: Zoning Appeal - BZA22-0026

Hello Matthew,

I realize I messed up in the fence height. It is 72" or 6 foot high, not 7 foot high. I always seem to mess up 6' as 60" and 7' as 72". My apologies- it will not be higher than 6' anywhere.

I am sorry I messed that up.

Sincerely,
Glen

Sent from my iPhone

On Aug 15, 2022, at 2:53 PM, toledobi <toledobi@toledo.oh.gov> wrote:

Glen,

We have entered the zoning variance application into our system and sent it to the next step with the tracking number BZA22-0026. You will hear more information later this week.

As an FYI, we did have to add a variance request to have a 7' tall fence in a small portion of your side yards as it typically would only allowed to be up to the rear of your house. This is in addition to having the finished section face towards your property.

Thank you,

Matthew J Carney
Permit Technician
Division of Building Inspections
One Government Center, Suite 1600
Toledo, Ohio 43604
Office# 419-245-1220
Fax# 419-245-1329
ToledoBI@toledo.oh.gov
Apply for some permits online at <https://link.zixcentral.com/u/67396933/-F8aPYYd7RGM6mUGxgSFBA?u=https%3A%2F%2Fcitizenaccess.toledo.oh.gov%2Fcitizenaccess%2F>
Pay for any permit online at <https://link.zixcentral.com/u/67396933/-F8aPYYd7RGM6mUGxgSFBA?u=https%3A%2F%2Fcitizenaccess.toledo.oh.gov%2Fcitizenaccess%2F>
Visit us at toledo.oh.gov/services/building-inspection/

PARCEL ID: 0733464

MARKET AREA: 309R
 TOEPFER GLEN
 TAX YEAR: 2022

ASSESSOR#: 03039010

ROLL: RP_OH
 1260 CRAIGWOOD RD
 STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	309R - Click here to view map
Zoning Code	10-RS6 - Click here for zoning details
Zoning Description	Single-Family Residence-6
Water and Sewer	CITY WATER / CITY SEWER
Traffic	RESIDENTIAL SIDE STREET
Street Type	CONCRETE OR BLACKTOP
Owner	TOEPFER GLEN
Property Address	1260 CRAIGWOOD RD TOLEDO OH 43612
Mailing Address	1260 CRAIGWOOD RD TOLEDO OH 43612 2218
Legal Desc.	HOMEVILLE PLAT 2 LOT 905
Certified Delinquent Year	
Census Tract	3

Summary - Most Recent Sale

Prior Owner	MISHLER MATTHEW J & LAURA A
Sale Amount	\$95,500
Deed	01105367
Sales Date	02-JUL-2001

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	5,110	14,600	5,110	14,600
Building	20,270	57,900	20,270	57,900
Total	25,380	72,500	25,380	72,500

Tax Credits

Homestead Exemption	NO
Owner Occupied Credit	YES
CAUV	NO
Agricultural District	NO

Printed on Friday, September 2, 2022, at 9:58:28 AM EST

City of Toledo - Administrative Board of Zoning Appeals

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STEPHEN SERCHUK- CHAIRMAN
NATHAN KNAPKE

ATTENDANCE

ATTENDANCE