

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

MEETING: September 19, 2022
10:00 A.M.

CITY COUNCIL CHAMBERS
1st Floor

Agenda

City of Toledo - Administrative Board of Zoning Appeals

BOARD MEMBERS
STEPHEN SERCHUK-CHAIRMAN
NATHAN KNAPE
ROBERT PASKER
MARY QUOWACKI
PAUL RASMUSSEN
JAMES MOSSING-VICE CHAIRMAN
DOUG LALONDE - SECRETARY
KEN FISCHER - COMMISSIONER
MATT CHERRY

ATTENDANCE

Case	BZA #	HEARING DATE	Address	Applicant Name	W.AYER 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(4,2) for 33% coverage of front yard coverage of 40% maximum.	RS9		
2	BZA22-0022	September 19, 2022	4434 Lewis Ave. Toledo, OH 43612	Debbie Harris	Applicant requests variance from TMVC 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 Hendershort	Applicant requests variance from TMVC 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 TMVC to maintain 6' high fence installed good side facing inwards.	RS6		
5	BZA22-0025	September 19, 2022	3225 W Bancroft Toledo, OH 43606	Maher Barazi	Applicant requests variance from TMVC 1105.0301(A) to maintain 6' high fence within front yard setback along Bancroft & Secor Rds.	RS6		
6	BZA22-0026	September 19, 2022	1260 Craigwood Rd. Toledo, OH 43612	Glen Toepler	Applicant requests variance from TMVC 1105.0301(B) & 1108.0404(B) to install 7' high fence within side yard and good side 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

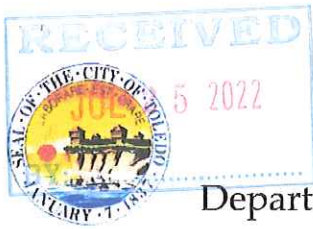
BOARD ACTION:

	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
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 GROVE LOT 2 S 20 FT P 2 E OF RIVER RD

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 [Signature] 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,

A handwritten signature in black ink, appearing to read "Ryan M. Lachmiller". The signature is fluid and cursive, with the first name "Ryan" being more prominent.

Ryan Lachmiller
3415 River Road
Toledo, OH 43614

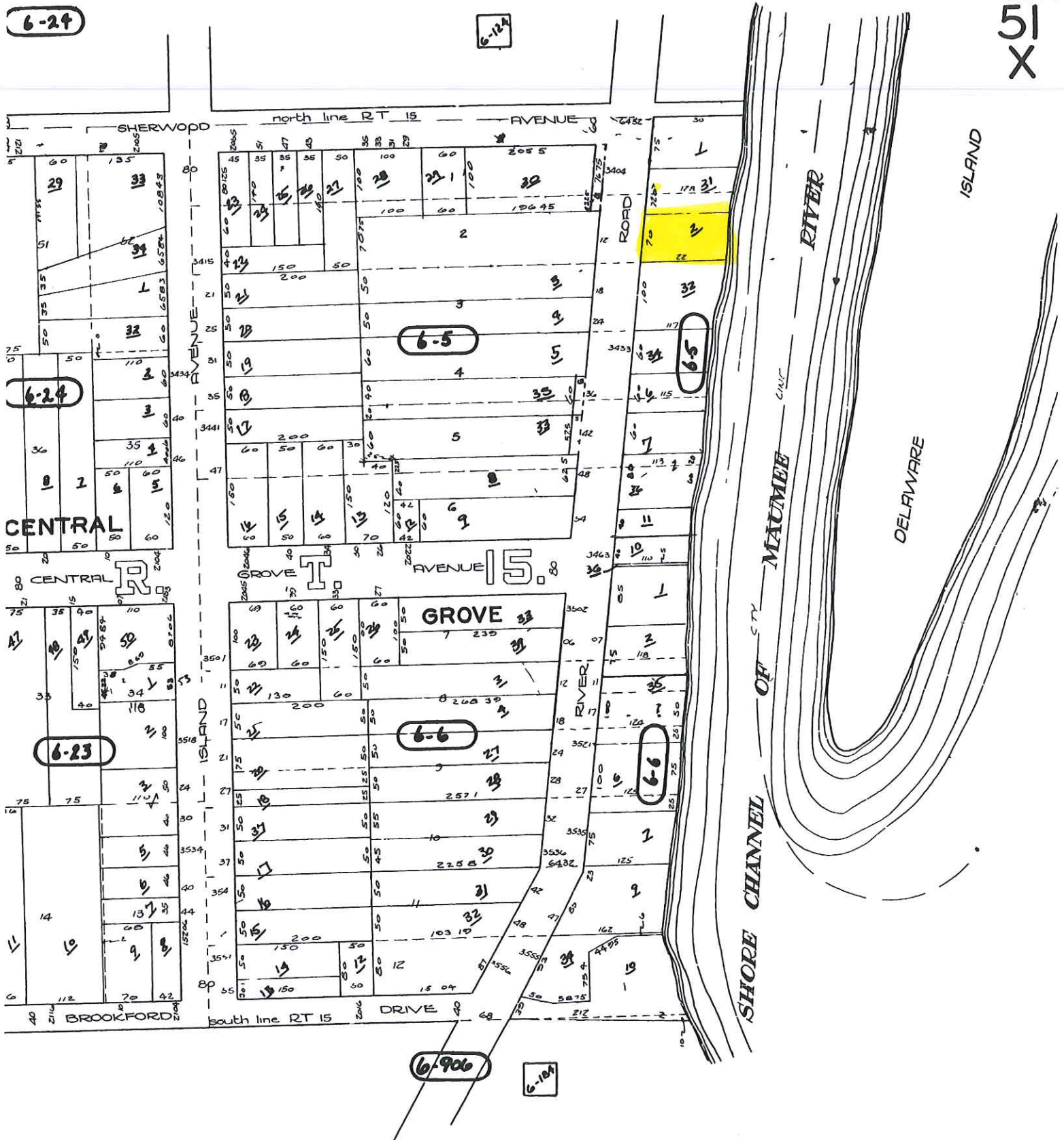
6-4

6-14

51
X

6-24

6-124



1107.1202 Setbacks.

A. Residential Districts. In Residential Districts:

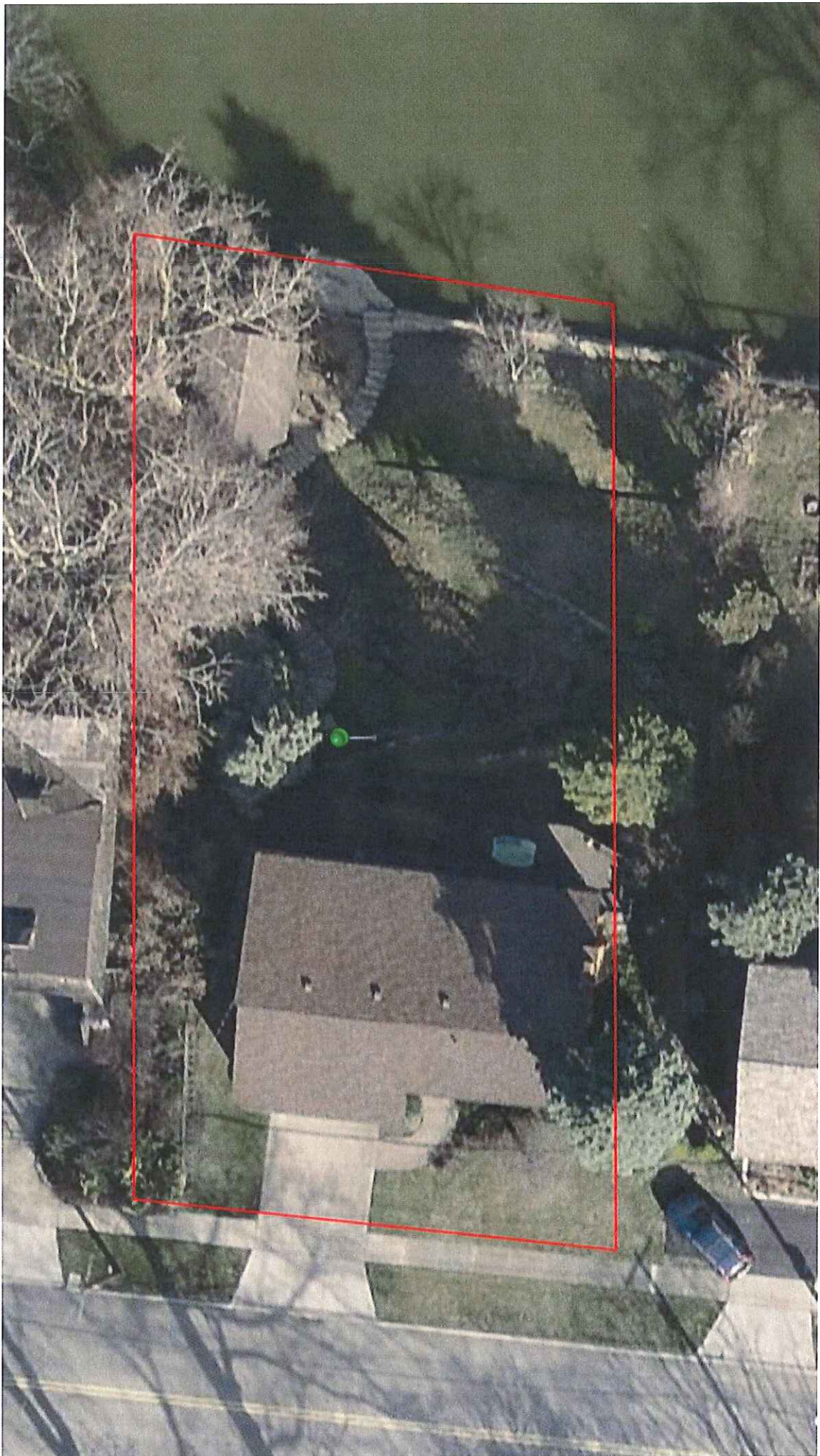
1. No parking space may be located within the front yard, except that parking spaces for detached houses, attached houses, and duplexes may be located on a driveway;
2. The paved area of driveways serving detached houses, attached houses, or duplexes may not cover more than 40 percent of the front yard 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.











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



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 ROL Date 7-15-22Legal Description Longacres lotApplicant's Name (print) Debbie R. Harris

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

Exception ☒ Appeal decision _____ ADA Accommodation _____TMC \$ 1105.0203Applicant Signature [Signature] Phone 419-902-9945Applicant's Street Address 4434 Lewis Ave Fax _____Applicant's City, State, Zip Toledo, Ohio 43612 E-Mail harris.btyl@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 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:

	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
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

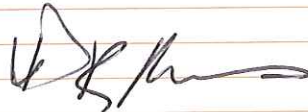
7-14-22

To whom it may concern:

I Debbie R. Harris I got the shed because I need more Area to storage 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 they 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 away 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

2-94

2-106

22
U

2-207

7-9-14 SW

2-197

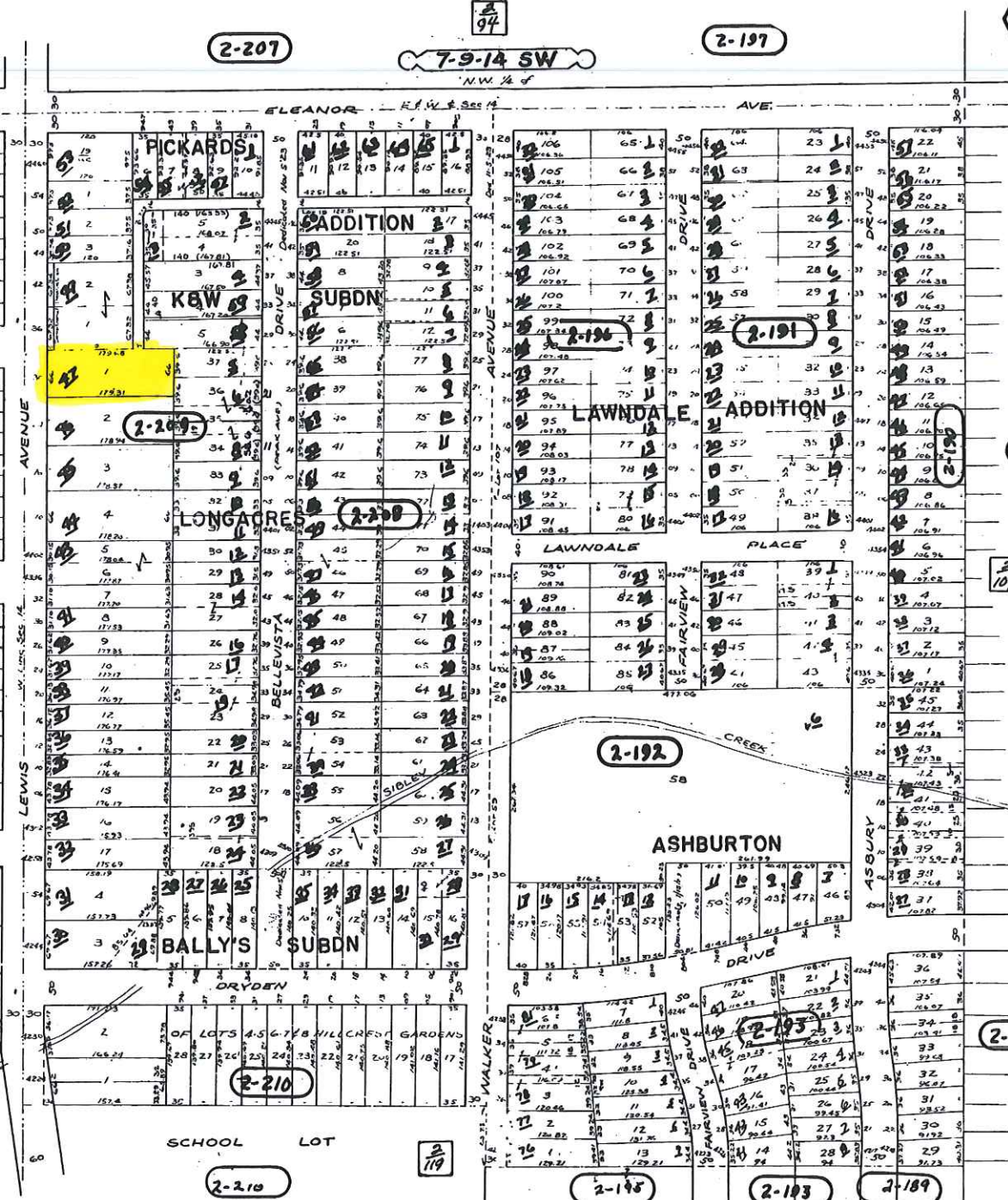
3-7

3-8

3-105

3-9

3-10



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.)

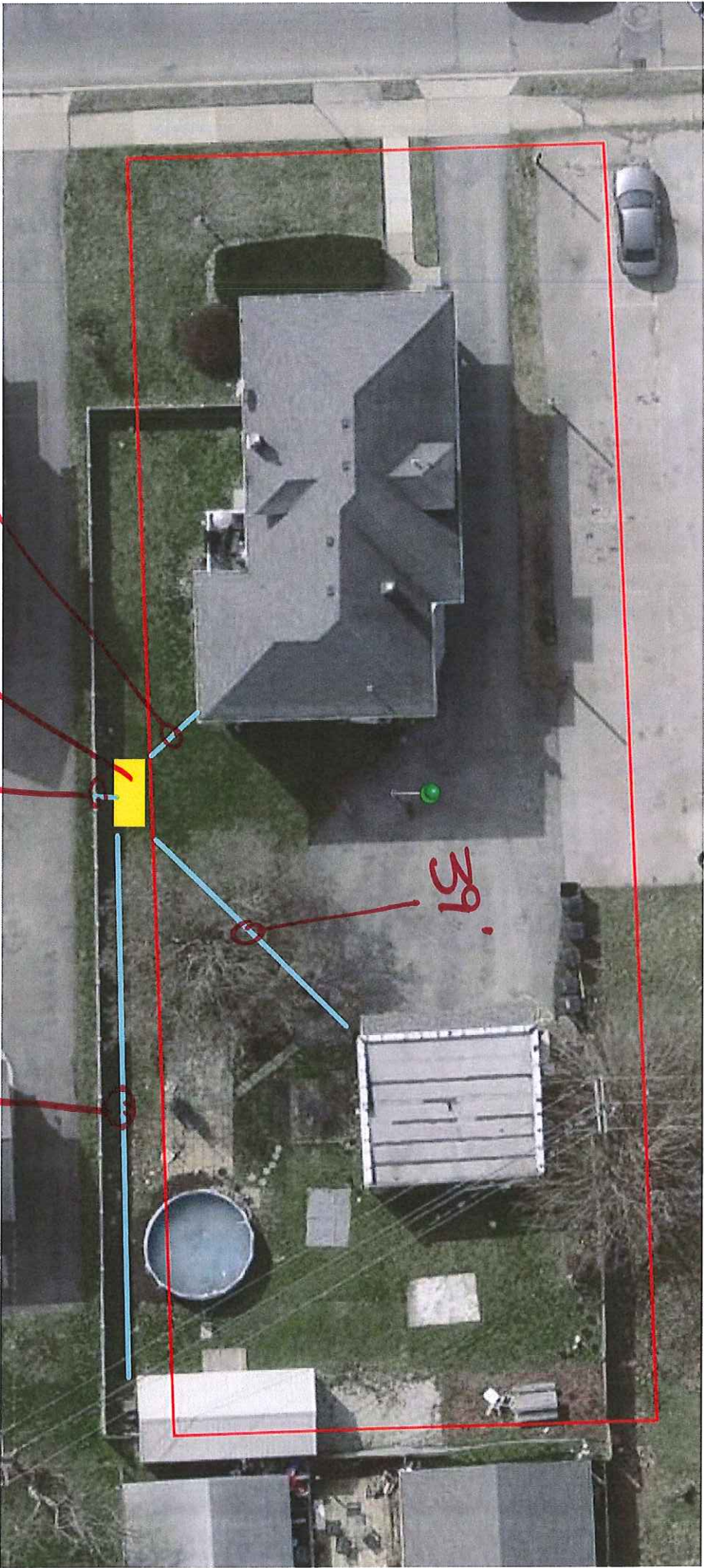












7.5'
10x26'
SHED

3'

39'

65'

PARCEL ID: 0966317
 MARKET 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 8/1/22 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 Tool shed (Tuff shed)

Applicant's Name (print) MAR K HENDERSHOTT

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

Exception ☒ Appeal decision _____ ADA Accommodation _____

TMC § 1105.0203

Applicant Signature Mark Hendershott Phone 419 865 1881

Applicant's Street Address 5532 Forest Green Dr Fax Ø

Applicant's City, State, Zip Toledo Oh 43615 E-Mail mheadershott@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:

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+++++ 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:

	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
MOTION TO APPROVE/DISAPPROVE:							
Rob Pasker	_____	_____	_____	_____	_____	_____	_____
Matt Cherry	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

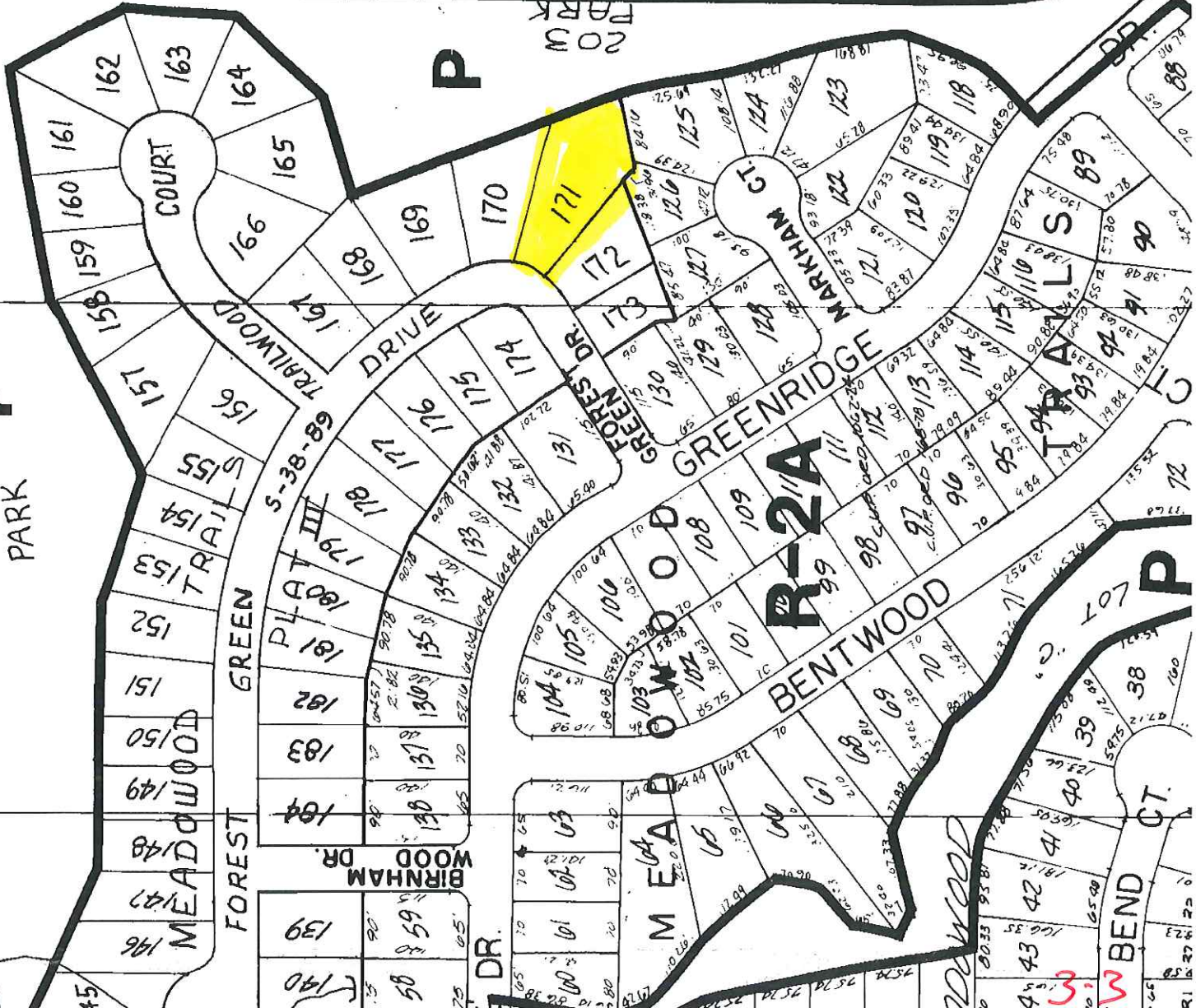
VOTING RESULTS:

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 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.
Thank you for your time.
Mark Kulekitt

203 PARK



200	202	201	200	199	198	197	196	195	194	193	192	191	190	189	188	187	186	185	184	183	182	181	180	179	178	177	176	175	174	173	172	171	170	169	168	167	166	165	164	163	162	161	160	159	158	157	156	155	154	153	152	151	150	149	148	147	146	145	144	143	142	141	140	139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122	121	120	119	118	117	116	115	114	113	112	111	110	109	108	107	106	105	104	103	102	101	100	99	98	97	96	95	94	93	92	91	90	89	88	87	86	85	84	83	82	81	80	79	78	77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60	59	58	57	56	55	54	53	52	51	50	49	48	47	46	45	44	43	42	41	40	39	38	37	36	35	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
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76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60
138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122

BANBURY

77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60
139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122

RANCAMP

77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60
139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122

MARDONE

77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60
139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122

ROAD

77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60
139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122

NORWICH

77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60
139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122

MALCOLM

77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60
139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122

R

77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60
139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122

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

16x20
x14
New shed

16x12
x13

12x10
x9

50 feet
from back of
house



206654ft

5532 Forest Green Dr

Phil Barbosa has Tuff shed 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

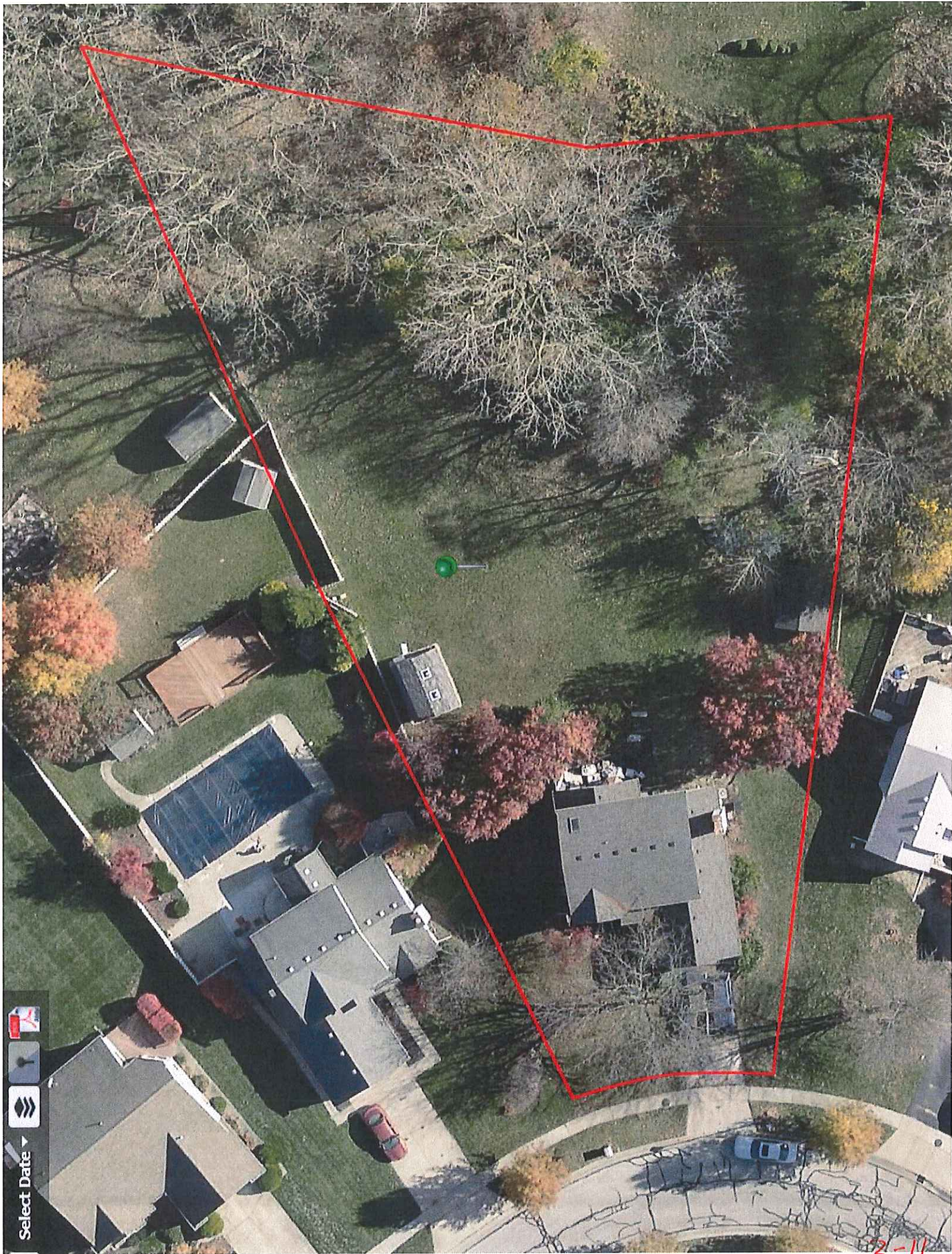
Office# 419-245-1220

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.





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 43611 Zoning District RSG Date 7/26/22
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 43611 E-Mail TNJ Miller @ Yahoo.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 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

4-1

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:

	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
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:

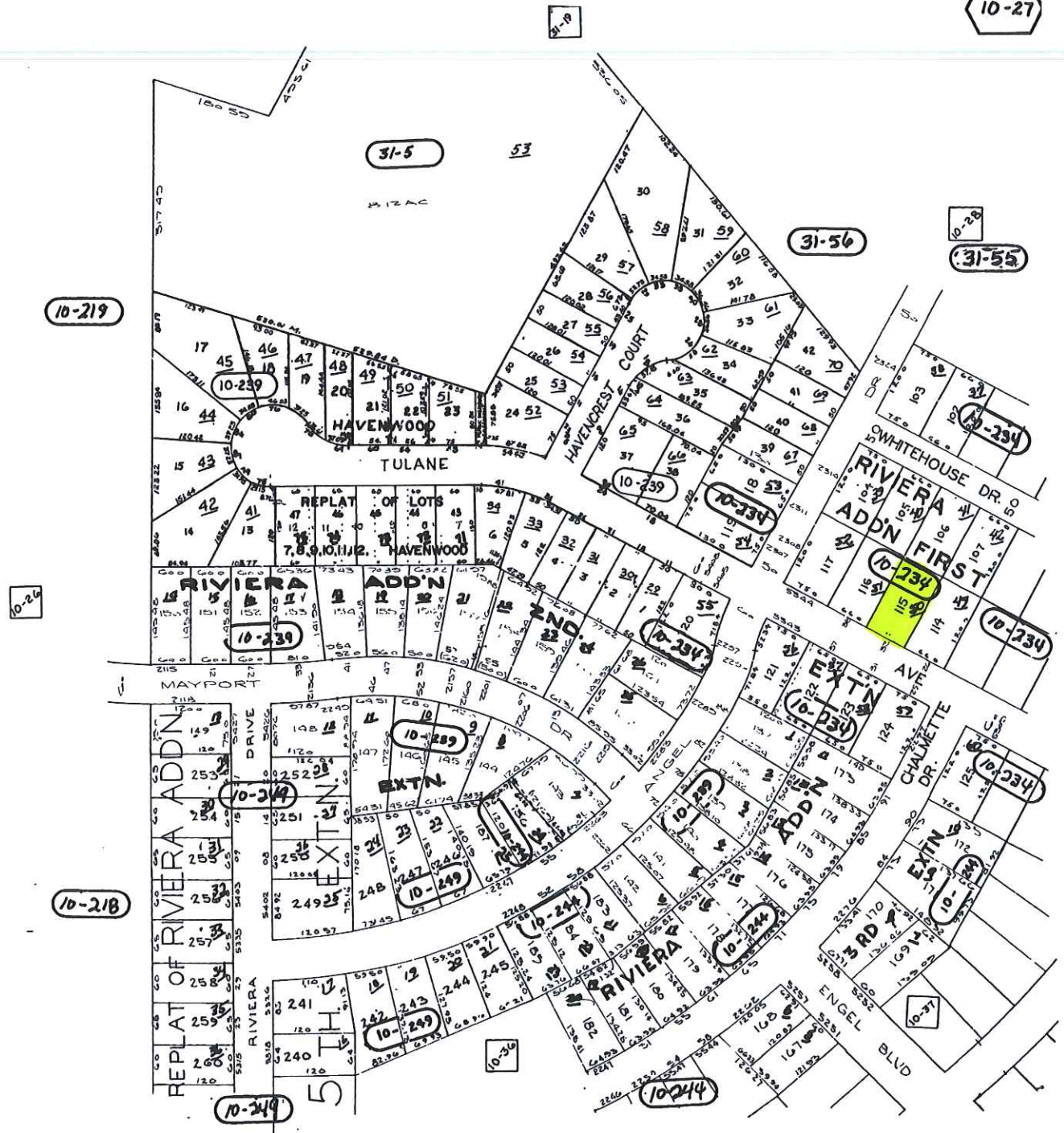
- The neighbor located behind the yard refused to have his chain-link fence removed, despite having the labor and cost of the fence removal covered at no expense to him. The existing chain-link fence created issue with installation of the privacy fence rails and pickets (please see attached letter from 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



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.

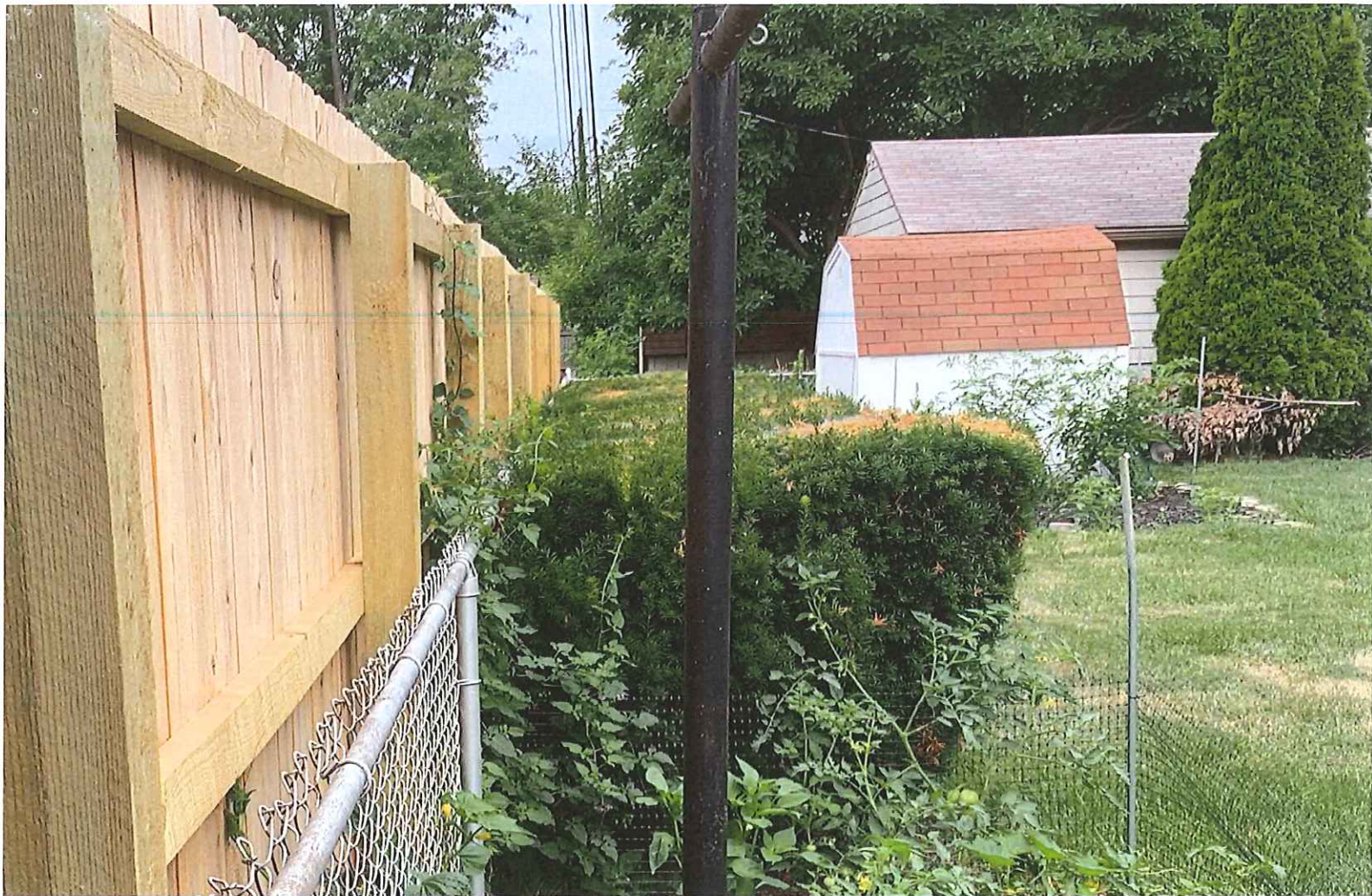
B. **Fences.** No fence shall be constructed of used or discarded materials in a state of disrepair, including but not limited to: pallets, doors, tires, corrugated metal, tree trunks, or other similar items. Materials not specifically manufactured for fencing shall not be used for, or in the construction 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.)

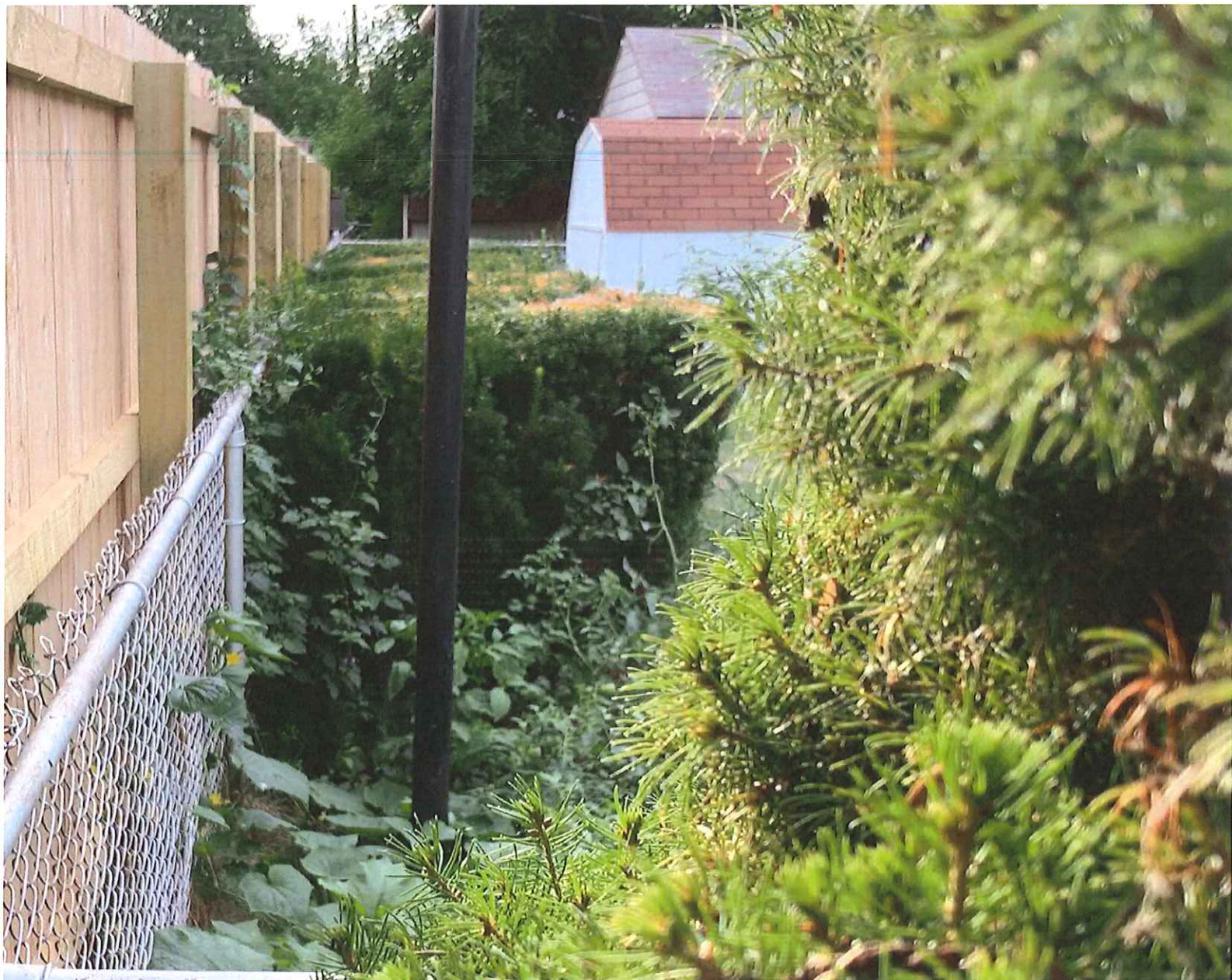


5332 Tulane Ave Site Plan 1"=20'



A1

4-6



A2

4-7



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) 972-0766

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 ^{tk}

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

Shawn Brown, DVM

Shawn Brown Dvm-rx

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) 972-0766

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

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

Shawn Brown, DVM

RX Numb	Code	Description	Expire Date	Refills Left
Charlie (# A)				
73144	OM105	Sentinel Spectrum 50.1-100#	01/04/2001	0
		Give one (1) tablet orally 30 days (once monthly). (MK)		
73145	OM710	Vetprofen 75mg	01/04/2001	0
		Give 1 tablet by mouth every 24 hours snb		
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
Superior
7-26-2022



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

Cordially yours,

Karen Sheehan

Karen Sheehan

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

Karen Brown

7-26-22

Lucas County,
Ohio
Signed
7-26-22



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

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	GALUZYNY 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 #

BZA22-0025

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 56 Date 8/3/22
 Legal Description INDIAN HILLS Lot 81 EXC 5 72A & 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. 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 JS 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:

	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
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 # BZA22-0025

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. Bancroft Zoning District 1 Date 8/3/22
 Legal Description INDIAN HILLS LOT 81 EXC 5 72 FT & EXC PT 10 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. Bancroft Fax _____
 Applicant's City, State, Zip Toledo, OH 43606 E-Mail Mferdos@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. AMON HALAMBOZ 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,

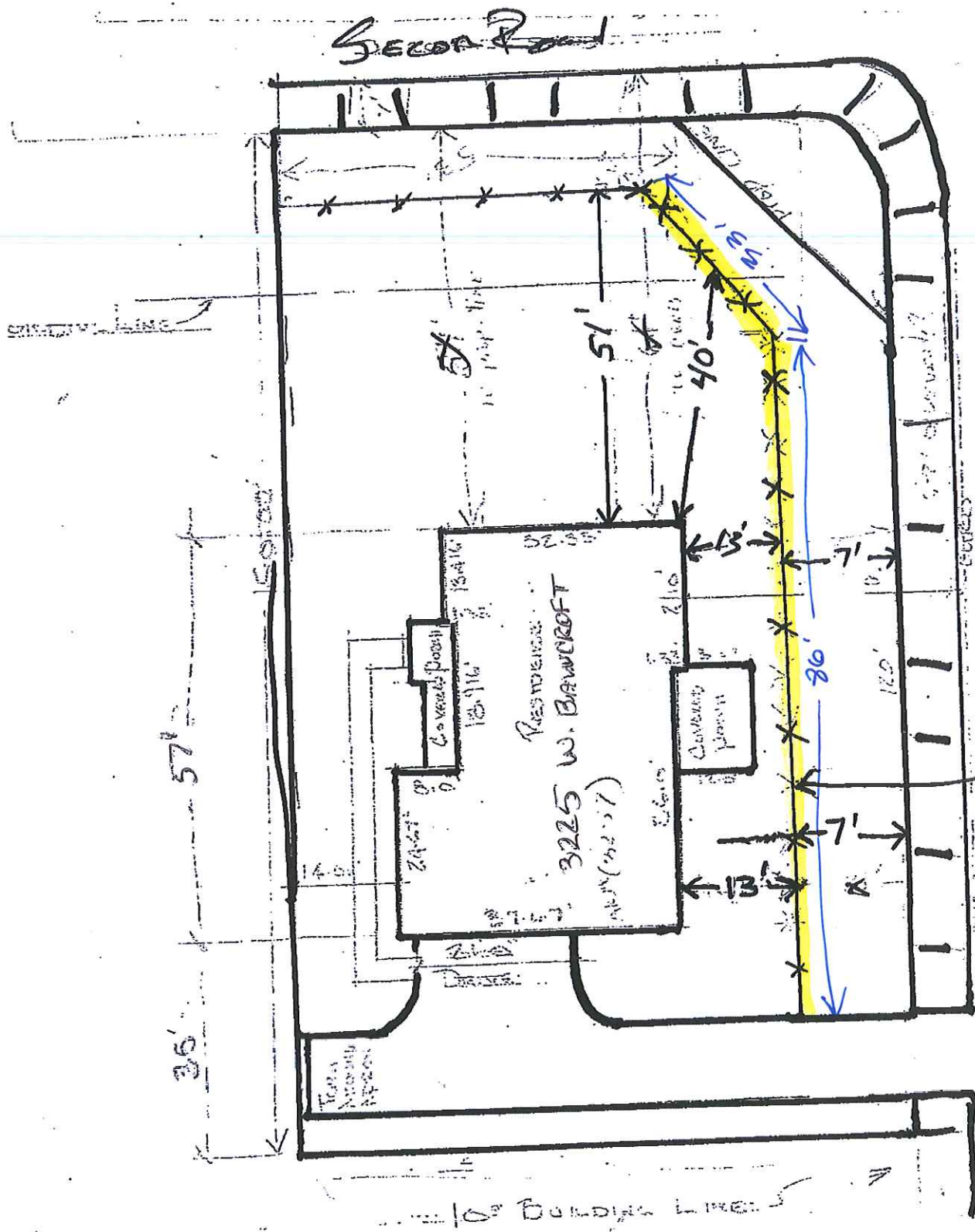
Maher Barazi

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.)



86' x 4' x 6' high wood fence

W. Bancroft st.



SECOR RD

R-0-U

80'

155

72

33.94

146'

81

81.02

72

13

40

10

50

4

120'

80' R-0-U

W. BANCROFT ST

5-7

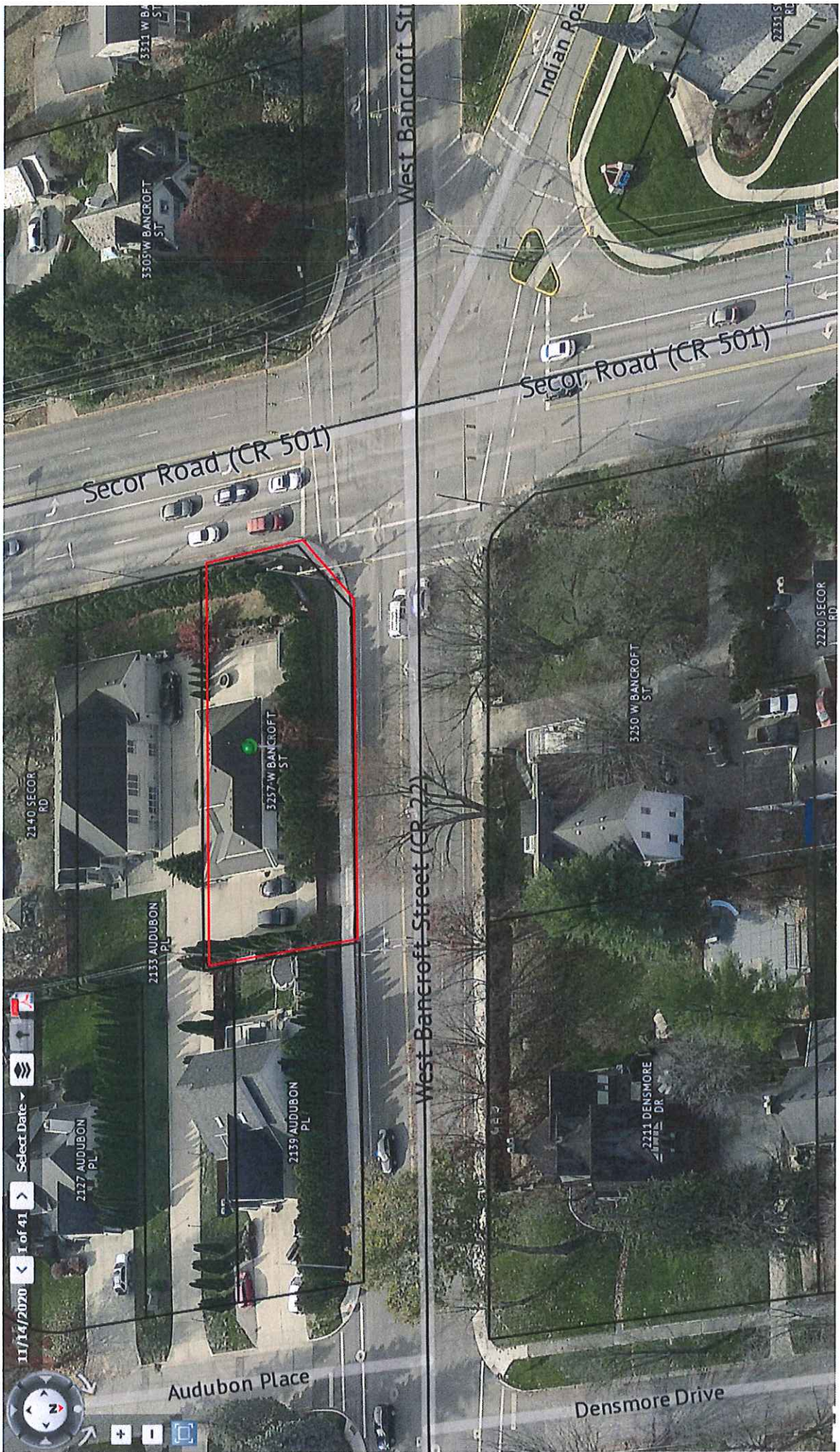
3225 W. BANCROFT

* PICS OF NEW
6ft+ FENCING



PARCEL ID: 0600875

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





11/14/2020

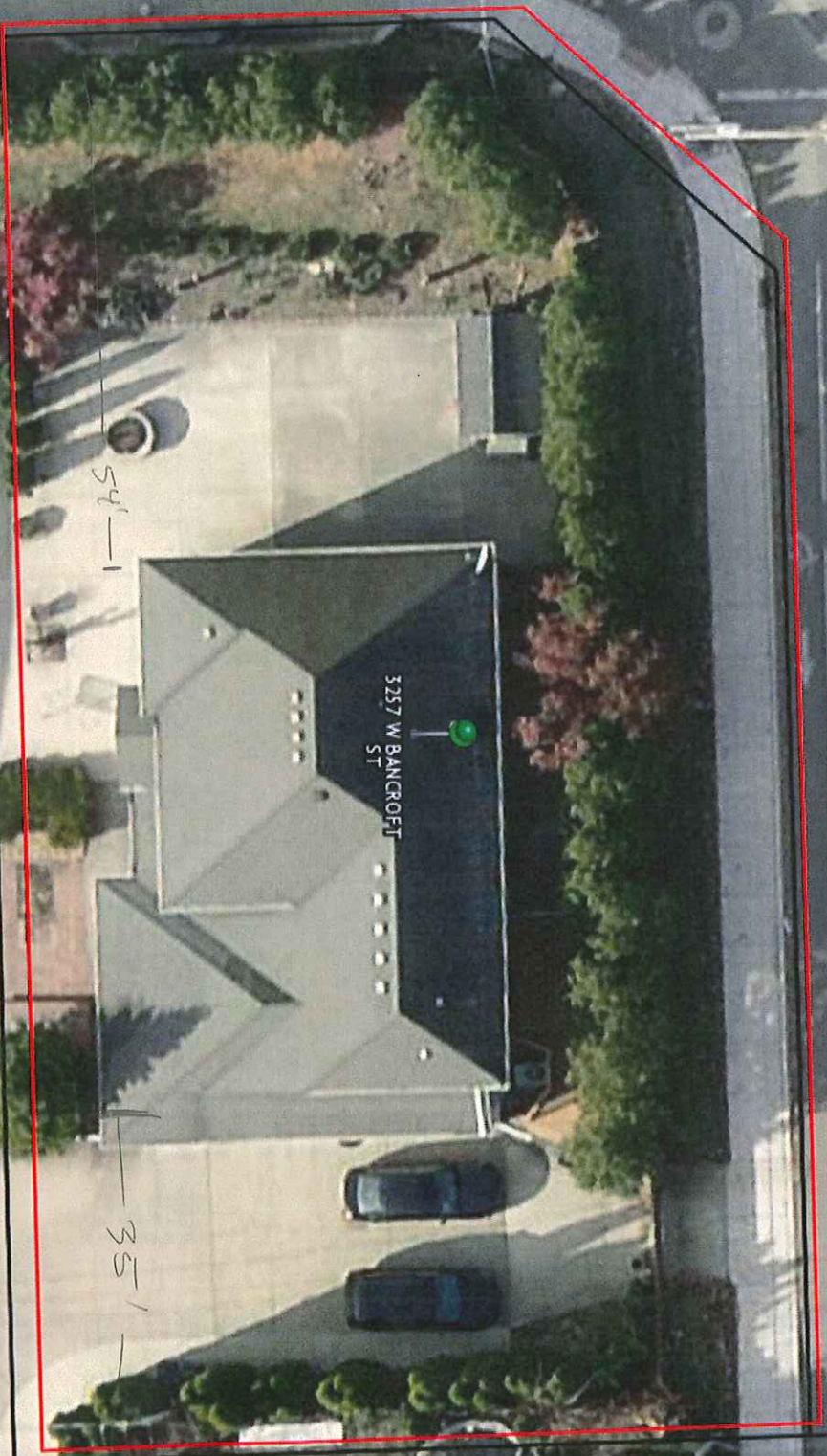
< 1 of 48 >

Select Date



West Bancroft Street (CR 22)

Secor Road (CR 501)



3257 W BANCROFT ST

2133 AUDUBON PL

5-10

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

5-11



RECEIVED CITY OF TOLEDO

Division of Building Inspection

AUG 15 2022

BY: IN PERSON

PAID
8/16/22

BZA 22-026

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

Site Location 1260 Craigwood Road, Toledo, OH 43612 Zoning District RSG Date August 15, 2022

Lot 905 in Plat No. 2 of Homeville, a Subdivision in the City of Toledo, Lucas County, Ohio

Legal Description 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 on ~~1105.0404.B~~ (1108.0404.B)

REQUEST TO INSTALL 7' TALL FENCE IN SMALL PORTION OF SIDEYARDS & 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 WJC Date 8/15/22

Reviewed by _____ Date _____ Staff Comments: _____

Board Decision _____ Date _____

6-1

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:

	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
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 sapplings 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 PIKE

NEIGHBORS GARAGE (APPROX)

4' HIGH KENNEL FENCE w/
STEEL POSTS

4549 EASTWAY ST



PROPOSED NEW
DOG EAR 7' HIGH
FENCE

NEIGHBORS
GARAGE
(APPROX)

EXISTING CHAINLINK
FENCE 6" E OF PROPERTY
LINE

1256 CRAIGWOOD ROAD

WOOD WALK
& STAIRS

DECK

NEW GATE
(PROPOSED)

HOUSE

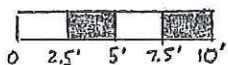
EXISTING PICKET
FENCE

← EXISTING WOOD GATE

CONCRETE
SLAB
DRIVE

FRONT YARD

SCALE: 1" = 10'



LOT DIMENSIONS

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

1264 CRAIGWOOD RD

1260 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 SOUTH OF NEW GATE WILL BE UP TO NEIGHBOR
6. FOR ANY POSTS REQUIRED ON CONCRETE DRIVEWAY AREA, SIMPSON SPACING-TIE E-4x4 BOLT WILL BE ANCHORED TO CONCRETE
7. THE PROPOSED FENCE IS ADJACENT TO GARAGES ON TWO-SIDES
8. SOUTH PORTION OF NEW FENCE ON EAST SIDE (FACING DUE 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

6-4

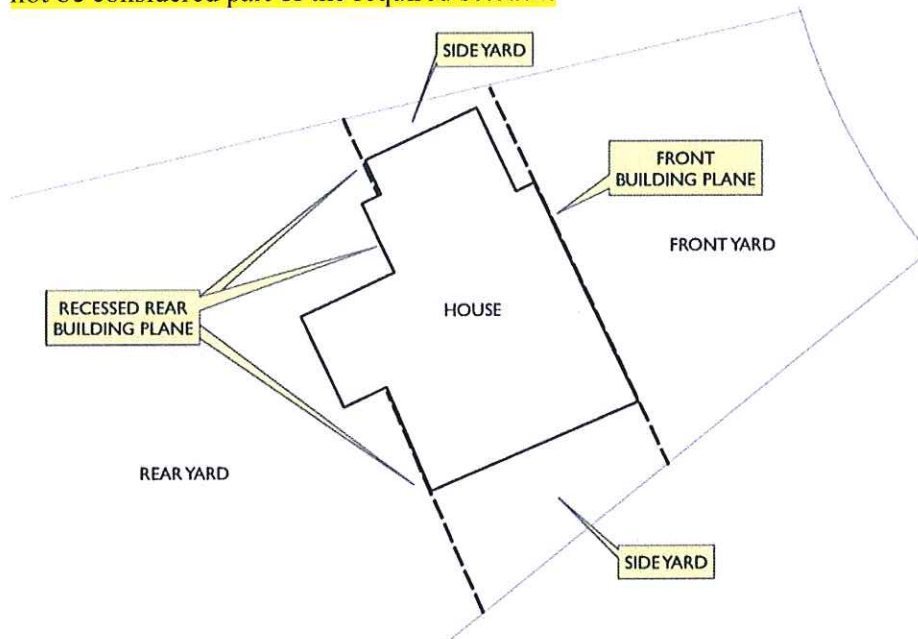
Zoning Variance Sections for 1260 Craigwood

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 <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/](https://link.zixcentral.com/u/67396933/-F8aPYYd7RGM6mUGxgSFBA?u=https%3A%2F%2Fcitizenaccess.toledo.oh.gov%2Fcitizenaccess%2F)

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

MEETING: August 15, 2022
10:00 A.M.

CITY COUNCIL CHAMBERS
1st Floor

Minutes

BOARD MEMBERS
STEPHEN SERCHUK- CHAIRMAN
NATHAN KNAPKE
ROBERT PASKER

MARY GLOWACKI
PAUL RASMUSSEN
JAMES MOSSING-VICE CHAIRMAN
DOUG LALONDE - SECRETARY
KEN FISCHER - COMMISSIONER
MATT CHERRY

ATTENDANCE

City of Toledo - Administrative Board of Zoning Appeals

Case	BZA #	HEARING DATE	Address	Applicant Name	WAIVER REQUEST	Zoning District	STAFF COMMENTS	BOARD ACTION
1	BZA22-0016	August 15, 2022	2333/2335 Robinwood Ave Toledo, OH 43620	Rachel Parker	Applicant requests variance from TMC 1105.0301 (B) for wood fence in back yard. Requesting variance for side yard fence to be 2ft higher than the 4ft allowed.	RD6 None		Approved
2	BZA22-0019	August 15, 2022	2323 Robinwood Toledo, OH 43620	Anthony Jayne	Applicant requests variance from TMC 1105.0301(B) for 6ft wood fence rear and side yards. Requesting variance for side yard fence to be 2ft higher than the 4ft allowed.	RD6 None		Approved
3	BZA22-0017	August 15, 2022	2309 Berdan Toledo, OH 43613	Manzur Mordanny	Applicant requests variance from TMC 1107.1202(A)(1&2) for a parking space in front yard and coverage of 42.5%. (40% allowed)	RD6 None		Disapproved
4	BZA22-0018	August 15, 2022	3243 134th St Toledo, OH 43611	Karle Strange	Applicant requests variance from TMC 1106.0101 for the new house to be 20ft from rear lot line. (25 ft allowed)	RD6 None		Approved
5								