

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: December 2, 2022

REF: SUP-9002-22

TO: President Matt Cherry and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Special Use Permit for scrap & salvage facility at 5439 Lewis Avenue

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, December 1, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for scrap & salvage facility
Location	-	5439 Lewis Avenue
Applicant & Owner	-	Mo Dari GI Operations 5439 Lewis Avenue Toledo, OH 43612
Architect	-	John Ciampa 6725 W Central Avenue Toledo, OH 43617

Site Description

Zoning	-	IL / Limited Industrial
Area	-	±13.3 acres
Frontage	-	±185' along Lewis Avenue
Existing Use	-	Scrap & Salvage Facility
Proposed Use	-	Scrap & Salvage Facility

Area Description

North	-	Apartments, Shantee Creek / IL
South	-	Auto repair, mobile home park / CR & IL
East	-	Duplexes & single family homes / RS6
West	-	Railroad, heavy manufacturing and shipping / IG

GENERAL INFORMATION (cont'd)

Parcel History

- | | | |
|-----------|---|--|
| PL-3-98 | - | Parking lot at 5407 Lewis Avenue for Al Smith restaurant. Administratively approved 2/4/1999. |
| SPR-6-11 | - | Minor Site Plan Review of vehicle storage area improvements at 5439 Lewis Avenue. Administratively approved 5/22/2011. |
| Z-9001-22 | - | Zone Change from IL-Limited Industrial to IG-General Industrial at 5439 Lewis Avenue (<i>Companion Case</i>). |

Applicable Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

This request was deferred for 30 days at the Plan Commission Hearing on November 3, 2022 due to concerns from neighbors. Plan Commission requested the applicant hold a neighborhood meeting to answer questions and provide more information about the business to the neighbors.

The applicant is requesting a Special Use Permit for a scrap & salvage facility located at 5439 Lewis Avenue. The site is ±13.3 acres, zoned IL-Limited Industrial, and was previously occupied by light industrial uses including semi-truck parking and storage. The applicant purchased the property from the previous owner in 2021, and proposes no modifications to the existing site besides landscaping. Surrounding land uses include apartments and Shantee Creek to the north, duplexes and single-family homes to the east, mobile homes and heavy auto repair to the south, and vehicle storage and a railroad to the west.

Scrap & salvage operations are only permitted in IG-General Industrial Zoning, and also require a Special Use Permit. Companion case Z-9001-22 was submitted with the Special Use Permit application for a Zone Change of the site from IL-Limited Industrial to IG-General Industrial.

STAFF ANALYSIS (cont'd)

Parking and Circulation

The applicant will be using the site as is, and has requested a waiver of TMC§1107.1900 to allow existing gravel on the site to remain. In 2011, the Board of Zoning Appeals approved a variance to allow a non-hard surface for the parking lot, as long as all fees and fines were paid. If the request is approved, the applicant shall contact the Division of Building Inspections to ensure the requirements for the variance have been met. If requirements have not been met, the applicant shall apply to the Board of Zoning Appeals for a variance of TMC§1107.1900.

Scrap & salvage use requires one (1) parking space per acre. The site has sixty-three (63) existing parking spaces, which were installed by a previous owner. The applicant is converting two (2) spaces into van accessible spaces with an eight-foot (8') aisle between. Per TMC§1107.1700, one (1) additional car accessible space with at least a five-foot (5') aisle abutting is required as a condition of approval.

Bicycle parking is required pursuant to Off-Street Parking Schedule "A" (TMC§1107.0300). A minimum of one (1) bicycle space shall be provided per each ten (10) parking spaces. A bicycle rack for at least seven (7) spaces shall be provided on a revised site plan.

Landscaping

Since the Plan Commission staff's initial recommendation of approval, it has been found that the southern section of the site plan does not reflect the existing site or depict future plans. The southern ± 120 feet of the property is shown on the site plan as an electrical easement with existing trees to remain. The easement is shown as entirely enclosed by fencing. This easement as it is depicted is similar to buffers between heavy industrial and residential the Plan Commission have previously approved. However, since the November hearing, staff has found that the mature trees and vegetation that buffer the site from the mobile home park to the south have been clear cut and the applicant will store equipment and various items there. Staff now has concerns about using this area, and without the mature trees, nuisance issues are likely to be more pronounced. If the site plan is approved, a revised site plan depicting the scrap and salvage operations in this section of the site is required.

Per TMC§1108.0202 – *Frontage Greenbelts*, sites over five (5) acres are required to provide a thirty-foot (30') frontage greenbelt and contain at least one (1) tree for every thirty feet (30') of frontage. The property is a "U" shaped lot with two (2) frontages on Lewis Avenue. The northern leg has fifty-six feet (56') of frontage on Lewis Avenue, thirty-one feet (31') of which is driveway; the curb cut stretches across the entirety of the frontage. Staff recommends not requiring the frontage greenbelt at the northern leg, as there is limited space for landscaping. The southern leg however requires a frontage greenbelt, and the landscape plan depicts four (4) trees. The frontage greenbelt is acceptable as depicted.

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

The site is surrounded by IL-Limited Industrial and IG-General Industrial Zoning Districts. However, there are legal nonconforming duplexes, mobile homes, and apartment buildings abutting or near the site on the northern, southern, and eastern sides of the property. Additionally, there are conforming single family homes directly across Lewis Avenue. A Type A Landscape Buffer (TMC§1108.0203) is required on all sides of the site except for the western side. Scrap & salvage is an intense land use, and effort should be made to prevent any negative secondary effects. Additionally, thirty foot (30') wide A Type A Landscape Buffer requires four (4) trees and fifteen (15) shrubs with fencing per 100 linear feet, or four (4) trees and twenty (20) shrubs without fencing. A revised landscape plan depicting a Type A buffer is required as a condition of approval.

A Type B buffer is provided along the southern portion of the site where CR-Regional Commercial Zoning abuts the property. The landscape plan depicts an appropriate Type B buffer with twelve (12) sugar maple trees and forty-five (45) juniper shrubs. However, this property is occupied by a Day Care Center, and staff feel that a Type B landscape buffer does not properly prevent negative secondary effects.

Parking lot landscaping is not required for IG-General Industrial unless abutting residential uses. The duplexes that abut the property are residential uses, and perimeter parking lot landscaping is required. Per TMC§1108.0204(C)(2), the parking lot shall have a continuous shrub row with a minimum height of eighteen inches (18') at installation. This buffer shall be provided where the off-street parking lot faces residential. A revised landscape plan with a continuous shrub row along the eastern perimeter of the parking lot shall be provided.

A six-foot (6') chain link fence surrounds the site. Per TMC§1108.0203(H), in all Industrial Districts, fencing to screen from public view open storage areas shall be required. The chain link fence meets the minimum height required per this section of six feet (6'). However, TMC§1108.0203(H)(2) allows shadow box, chain link with slats, or stockade. As a condition of approval, fencing located along the northern, southern, and eastern perimeters of the site shall include vinyl, earth tone slats. Fencing as described in TMC§1108.0203(H)(2) shall also be provided where the site abuts 5429 Lewis Avenue (Parcel #22-04181).

Building Design and Materials

No changes to existing buildings or new construction are proposed.

STAFF ANALYSIS (cont'd)

Neighborhood Meeting

On November 19th, 2022, the applicant held a neighborhood meeting at the subject site to answer questions about the business and address any concerns. Roughly fifty (50) residents were in attendance. Attendees had grave concerns about noise pollution, seepage of hazardous materials into nearby properties and Shantee Creek, exposure to dust and toxins, increased traffic, and what steps the applicant was taking to ensure no negative secondary effects to surrounding properties. Unfortunately, the applicant failed to address these concerns and did not answer the neighbors' questions asked. The applicant primarily discussed the Zoning regulations of the property and the difference between a scrap yard and a salvage yard. The Zoning Code does not separate these two uses because they are similar in operation and have similar impacts to adjacent properties. As important questions were not answered, staff are concerned that the applicant will not be able to fulfill the Special Use Permit requirement that the proposed use will not have any adverse land or environmental impacts and, if so, how those impacts will be mitigated (TMC§1111.0706(F)).

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Light Industrial land uses. This district is intended to accommodate uses such as research, wholesale activities, warehouses and industrial/manufacturing operations that are not employment-intensive and are compatible with commercial and residential land uses. Considering the surrounding residential uses surrounding the site, staff recommend the property have a land use which is allowed within the IL-Limited Industrial District.

Staff recommends disapproval of the Special Use Permit for a scrap & salvage facility at 5439 Lewis Avenue because the request is not consistent with the Comprehensive Plan or the stated purpose of the Zoning Code, which is to protect the health, safety, and general welfare of the citizens of Toledo. Additionally, staff does not feel that the applicant properly addressed concerns with the neighbors. Review agencies conditions are attached as EXHIBIT "A" for informational purposes.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends disapproval of SUP-9002-22, a Special Use Permit for scrap & salvage operation at 5439 Lewis Avenue, to the Toledo City Council, for the following three (3) reasons:

1. The proposed use does not meet the stated purpose of the Zoning Code (TMC§1111.0706(A)) and,

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PLAN COMMISSION RECOMMENDATION (cont'd)

2. The proposed use is not compatible with adjacent uses in terms of scale, site design, and operative characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC§1111.0706(C)).
3. Applicant was unable to address whether the proposed use will have any adverse land or environmental impacts, and if so, whether those impacts can and will be mitigated (TMC§1111.0706(F)).

Respectfully Submitted,



Thomas C. Gibbons
Secretary

DR

Four (4) sketches follow

Exhibit "A" Follows

Cc: Mo Dari, G1 Operations, 5439 Lewis Avenue, Toledo OH 43612

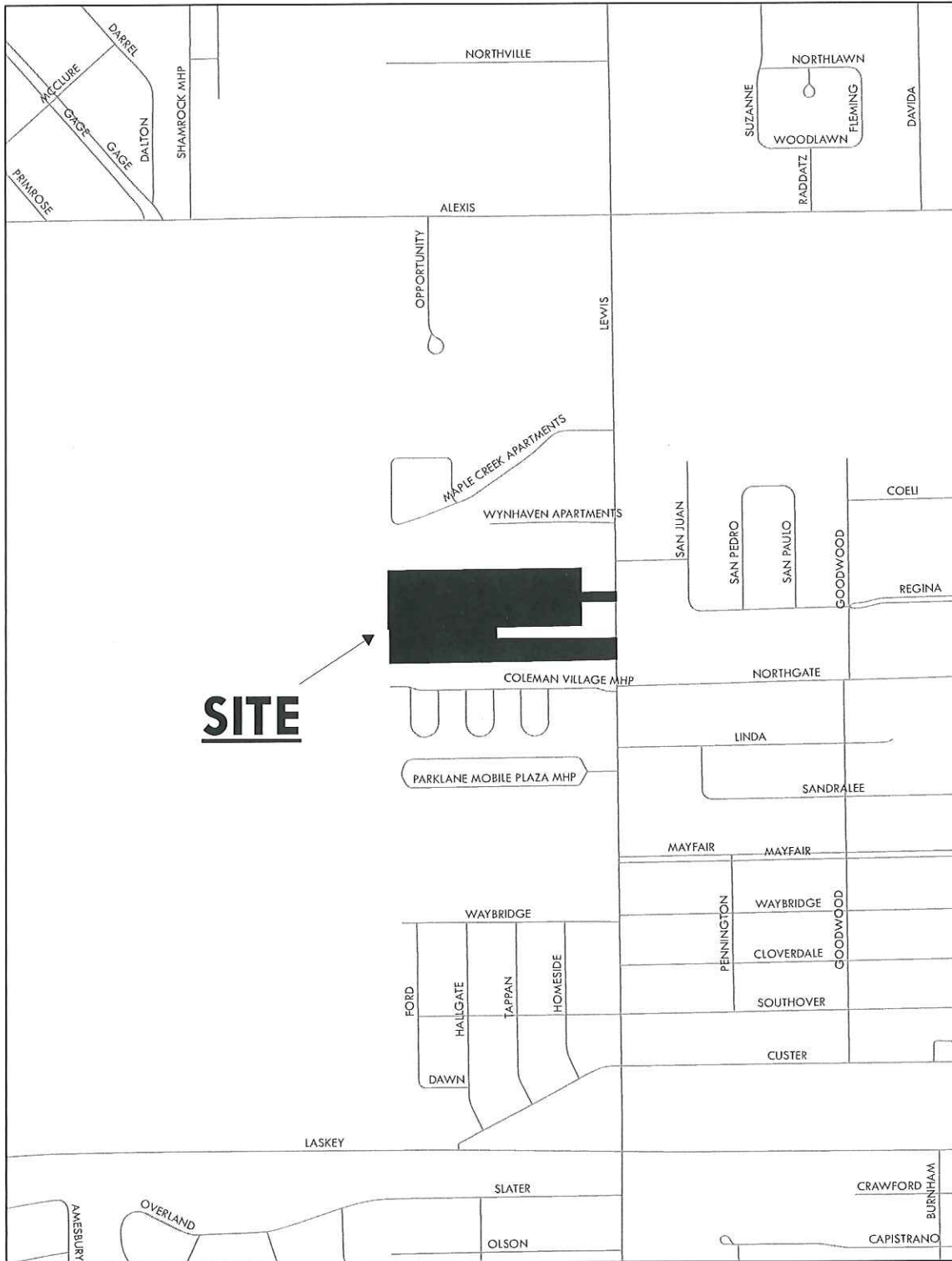
John Ciampa, 6725 W Central Avenue, Toledo OH 43617

Lisa Cottrell, Administrator

Dana Reising, Associate Planner

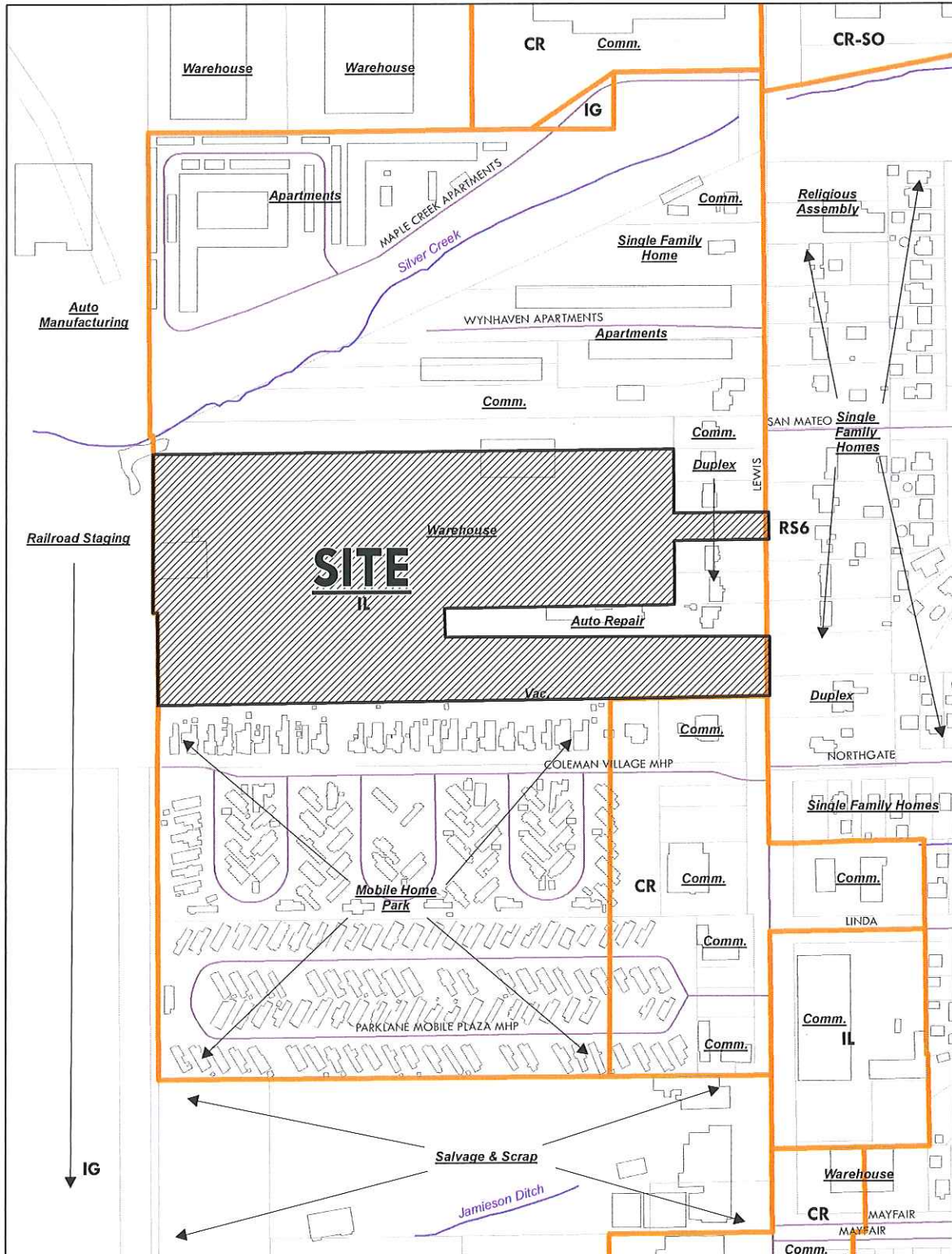
GENERAL LOCATION

SUP-9002-22



ZONING & LAND USE

SUP-9002-22

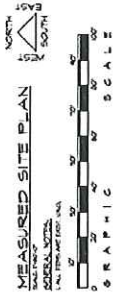
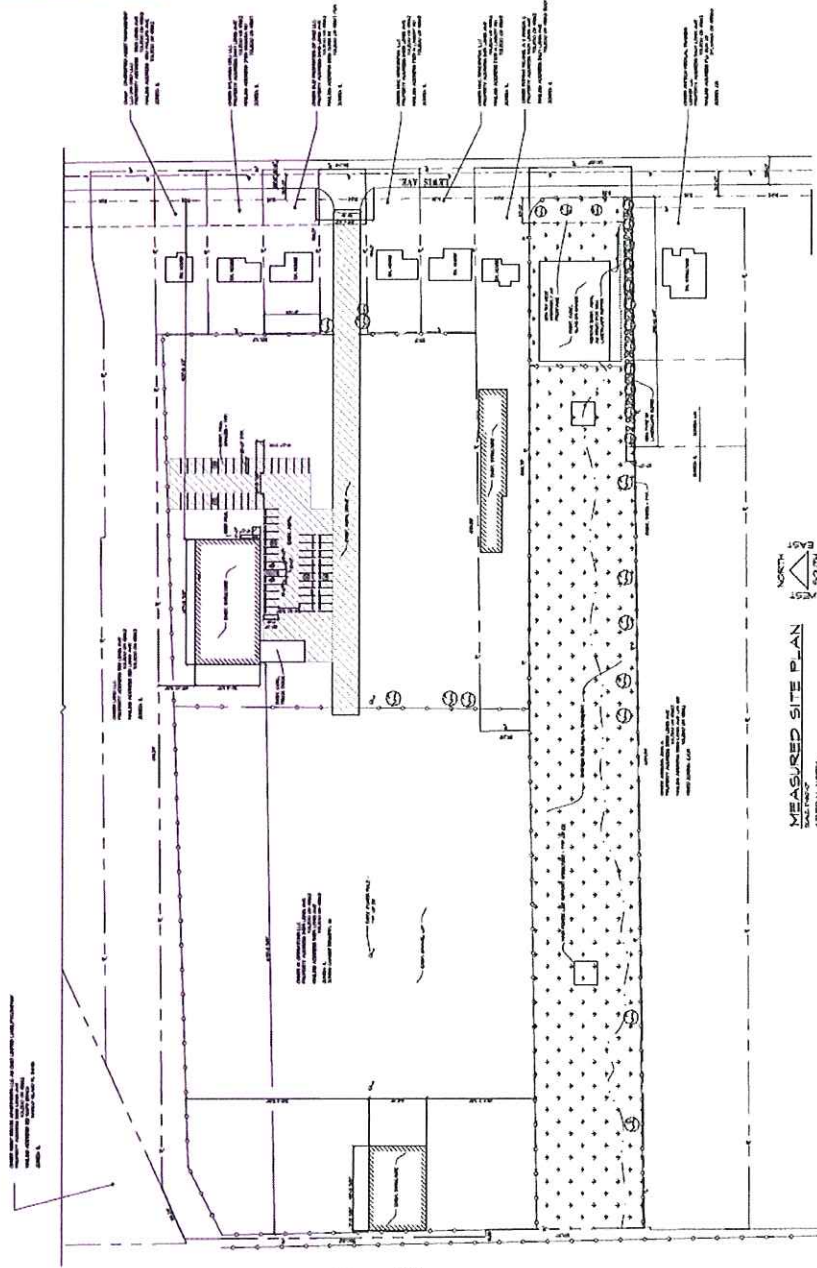


SITE PLAN

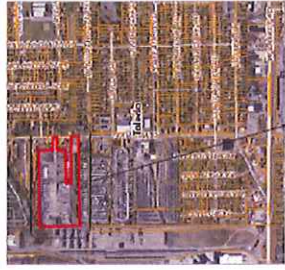
SUP-9002-22



REQUEST FOR SUP/ZONING CHANGE 5439 LEWIS AVE. TOLEDO, OH



LOCATION PLAN



ZONING CODE INFO	
PROPOSED ZONING	COMMERCIAL
EXISTING ZONING	COMMERCIAL
PROPOSED LOT AREA	10,000 SQ. FT.
EXISTING LOT AREA	10,000 SQ. FT.
PROPOSED LOT COVERAGE	100%
EXISTING LOT COVERAGE	100%
PROPOSED LOT DEPTH	100 FT.
EXISTING LOT DEPTH	100 FT.
PROPOSED LOT WIDTH	100 FT.
EXISTING LOT WIDTH	100 FT.
PROPOSED LOT AREA	10,000 SQ. FT.
EXISTING LOT AREA	10,000 SQ. FT.
PROPOSED LOT COVERAGE	100%
EXISTING LOT COVERAGE	100%
PROPOSED LOT DEPTH	100 FT.
EXISTING LOT DEPTH	100 FT.
PROPOSED LOT WIDTH	100 FT.
EXISTING LOT WIDTH	100 FT.

GENERAL SITE PLAN NOTES:
1. ALL DISTANCES ARE IN FEET.
2. ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT.
3. ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT.

SITE PLAN LEGEND

- PROPOSED LOT AREA
- EXISTING LOT AREA
- PROPOSED LOT COVERAGE
- EXISTING LOT COVERAGE
- PROPOSED LOT DEPTH
- EXISTING LOT DEPTH
- PROPOSED LOT WIDTH
- EXISTING LOT WIDTH

JOHN CIAMPA
ARCHITECT
7225 W. CENTRAL AVE. TOLEDO, OHIO 43617
TEL 419/255-6670 FAX 419/255-6670

REQUEST FOR SUP/ZONING CHANGE

5439 LEWIS AVE.
TOLEDO, OH

10-1

DATE: 10/1/2022

PROJECT: SUP-9002-22

CLIENT: [REDACTED]

DESIGNER: [REDACTED]

DATE: 10/1/2022

SUP-9002-22

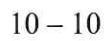
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Exhibit "A"

The following thirty-two (32) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Engineering Services

1. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
2. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop/opening.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.

Water Distribution

No comments at this time.

Sewer & Drainage Services

No comments received at time of print.

Environmental Services

4. Facility shall install permanent inlet filters that absorb oil in all catch basins on the property before the site is operational under the new zoning code.
5. If the SIC (standard industrial classification) code for this industry is listed in Appendix D of the Ohio EPA Multi-Sector General Permit for Industrial Stormwater Discharges and the facility is not yet covered under the Multi-Sector General Permit, it must submit a notice of intent to Ohio EPA for coverage under the permit prior to the site being operational under the new zoning code.
6. Any environmental protection measures called out in the Multi-Sector General Permit for their industry and SIC are to be installed before the site is operational under the new zoning code.

STAFF RECOMMENDATION (cont'd)

Environmental Services (cont'd)

7. Applicant shall maintain compliance with the City of Toledo's Storm Water regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential storm water impacts from the modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
8. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
9. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize amount of new and/or additional impervious surface on site.
10. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials. Information is at <https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/plants-trees/invasive-plants>; a list of invasive plants and alternative species can be downloaded from https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf
11. Applicant shall maintain compliance with the City of Toledo and the State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to the Asbestos and the Anti-Noise Laws.

Fire Prevention

12. Fire apparatus access into and through the facility shall comply with all requirements for angles of approach and departure, turning radius's, dead end turn arounds.
13. Fire apparatus access roads shall have an unobstructed width of not less than 20' and an unobstructed vertical clearance of not less than 13'6".
14. Fire apparatus access roads shall be designed and maintained to support imposed loads of fire apparatus and shall be surfaced to support all- weather driving capabilities.
15. Private fire service mains and appurtenance will be required throughout the facility in locations approved by the Fire Prevention Breau.
16. Approved Premises identification is required.

STAFF RECOMMENDATION (cont'd)

Transportation

17. Two auto and one van accessible parking spaces are required per TMC 1107.1701.
18. All parking and loading spaces, parking lots, maneuvering areas, drive aisles and driveways must be surfaced with concrete asphalt, or other dust-free material other than gravel or loose fill per TMC 1107.1906.

Plan Commission

19. A revised site plan is required and shall depict the outdoor storage areas and any scrap & salvage operation within the Toledo Edison easement portion of the property.
20. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot or to a stormwater treatment facility subject to the regulations approval of the Department of Public Utilities. **Applicant shall obtain a waiver from the Board of Zoning Appeals for gravel if one is not already established for the site.**
21. Per TMC§1107.0600 – Off-Street Parking Schedule “A” Per Parking Schedule A, the minimum number of parking spaces required for a scrap & salvage operation is one (1) per acre. The site is 13.3 acres, requiring fourteen (14) spaces. Sixty-three (63) existing parking spaces are provided, installed by a previous owner. **Acceptable as depicted.**
22. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. **Not acceptable as depicted. One (1) additional car accessible space shall be provided on a revised site plan.**
23. Per TMC§1107.0400, Off-Street Parking Schedule “A” requires one (1) bicycle parking slot per ten (10) parking spaces. **Not acceptable as depicted. Bicycle parking shall be provided on a revised site plan.**
24. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)).

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

25. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks or the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code. **If applicable.**
26. In all Commercial and Industrial districts, fencing to screen from public view open storage areas shall be required as outlined in TMC§1108.0203(H). Fencing shall be at least six feet (6') in height and be shadow box, chain link with slats, or stockade. **Not acceptable as depicted. Existing chain link fencing meets the height requirement; however, slats must be provided with the chain link. Additional fencing is also required where the site abuts 5429 Lewis Avenue (Parcel #22-04181).**
27. A detailed site, lighting, fencing and four (4) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A thirty-foot (30') frontage greenbelt is required along Lewis Avenue and shall include one (1) tree per every thirty feet (30') of frontage; **acceptable as depicted,**
 - b. A Type B Landscape buffer shall be provided where Industrial Zoning Districts abut Commercial Zoning Districts. Buffer shall include four (4) trees and fifteen (15) shrubs per 100 linear feet; **not acceptable as depicted, an adequate buffer subject to the approval of the Director is required. Scrap and salvage is an intense industrial use and the abutting commercial use is a daycare center. Staff recommend a larger, denser buffer between uses,**
 - c. A Type A Landscape buffer shall be provided where Industrial Zoning Districts abut Residential Zoning Districts. A Type A Landscape Buffer requires four (4) trees and fifteen (15) shrubs with fencing per 100 linear feet, or four (4) trees and twenty (20) shrubs without fencing; **not acceptable as depicted, although surrounded by Industrial Zoning, residential uses directly abut or are nearby the site on the southern, northern, and eastern sides. A Type A Buffer shall surround the property on all sides except for the west,**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- d. Perimeter parking lot landscaping shall be installed along any parking lot area adjacent to a street, place, or driveway and shall be provided abutting the parking area to visually screen all off-street loading facilities from view of public rights-of-way. A continuous shrub with a minimum height of eighteen inches (18") is required; **not acceptable as depicted on landscape plan, a continuous shrub row shall be provided along the eastern side of the parking lot to screen headlights from adjacent properties,**
 - e. Topsoil must be back filled to provide positive drainage of the landscape areas;
 - f. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage;
 - g. The location number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained;
 - h. If the site is ½ acre or larger, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details;
 - i. The location, height, and materials for any fencing to be installed and maintained;
 - j. The location and direction of any proposed lighting.
28. No free-standing signs are permitted. Any proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.
29. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code.
30. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
31. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

32. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

ALDRICH AMANDA
5383 LEWIS AVE LOT 114
TOLEDO OH 43612

ALFARO FERNANDO
5541 LEWIS AVE
TOLEDO OH 43613

ALVARADO LAURA
5504 LEWIS AVE
TOLEDO OH 43612

AMTECH MEDICAL TRAINING
CENTER LLC
P.O. BOX 25
SYLVANIA OH 43560

ANTIOCH MISSIONARY
BAPTIST CHURCH
5542 LEWIS AVE
TOLEDO OH 43612 3059

BARGER ELLEN C TOD ERIC R
GUZMAN
5383 LEWIS AVE LOT 180
TOLEDO OH 43612 3166

BIALECKI BRADLEY SCOTT
5383 LEWIS AVE LOT 135
TOLEDO OH 43612

BLADEL JAMES P
5383 LEWIS AVE LOT 173
TOLEDO OH 43612

BLADEL SANDRA S
5383 LEWIS AVE LOT 101
TOLEDO OH 43612 3155

BRAZEAL DAVID
5383 LEWIS AVE LOT 125
TOLEDO OH 43612 3161

BROOKS ROBERT G
5383 LEWIS AVE LOT 140
TOLEDO OH 43612 3162

BURDEN GAYLE
5383 LEWIS AVE LOT 112
TOLEDO OH 43612

CAMPOS MARIANA
5383 LEWIS AVE LOT 185
TOLEDO OH 43612

CARRICK KURT W
5383 LEWIS AVE LOT 169
TOLEDO OH 43612 3165

CHANCEY COLLEEN M
5430 LEWIS AVE
TOLEDO OH 43612

CLARK DEAN & CRYSTAL
5383 LEWIS AVE LOT 115
TOLEDO OH 43612

CLAYBOURNE ROBIN
5383 LEWIS AVE LOT 177
TOLEDO OH 43612

COLEMAN SALES &
SERVICE INC
5353 LEWIS AVE
TOLEDO OH 43612 3109

COLEMAN VILLAGE INC
3000 TOWN CENTER STE 540
SOUTHFIELD MI 48075

COLEMAN VILLAGE LIMITED
PARTNERSHIP
5383 LEWIS AVE # 2
TOLEDO OH 43612

COLEMAN VILLAGE MHP
5383 LEWIS AVE LOT 107
TOLEDO OH 43612

COPE ROBERT C JR
5383 LEWIS AVE LOT 119
TOLEDO OH 43612 3160

DENNIS LINDA M
932 NORTHGATE PKWY
TOLEDO OH 43612

DIVERSIFIED ASSET
MANAGEMENT LLC
650 PHILLIPS AVE
TOLEDO OH 43612

DJD PROPERTIES OF OHIO LLC
8136 DORR ST
TOLEDO OH 43617 1729

DOMINIQUE DYLAN
5383 LEWIS AVE LOT 159
TOLEDO OH 43612

DORN KATHLEEN A &
MICHAEL W
5461 SAN JUAN DR
TOLEDO OH 43612

DUNBAR ROY L
5383 LEWIS AVE LOT 128
TOLEDO OH 43612 3161

DURAN FRANK & MARIA L
6852 FORTUNA DR
TEMPERANCE MI 48182 1300

DUTCHER MALYNDA
5383 LEWIS AVE LOT 178
TOLEDO OH 43612

FAUST HILLARY
5383 LEWIS LOT 139
TOLEDO OH 43612

FEHER TAMI & PATRICK
5443 SAN JAUN DR
TOLEDO OH 43612

FEROW IVY M
5383 LEWIS AVE LOT 167
TOLEDO OH 43612

G1 OPERATIONS LLC
5439 LEWIS AVE
TOLEDO OH 43612

GIBBONS JOHN A
5383 LEWIS AVE LOT 183
TOLEDO OH 43612

GLASHAUSER BENNITA L
5383 LEWIS AVE LOT 161
TOLEDO OH 43612 3165

GRUENING JACQULYN &
RICHARD
5383 LEWIS AVE LOT 108
TOLEDO OH 43612 3155

HARDER KRISTI
5383 LEWIS AVE LOT 146
TOLEDO OH 43612

HARDIN TROY E
5412 LEWIS AVE
TOLEDO OH 43612

HAYWARD JOSHUA
5383 LEWIS AVE LOT 111
TOLEDO OH 43612

HESSEY RICHARD J
951 W NORTHGATE PKWY
TOLEDO OH 43612

HOLT GINA
5383 LEWIS AVE LOT 153
TOLEDO OH 43612 3164

HOWARD SCOTT E
937 W NORTHGATE PKWY
TOLEDO OH 43612

HUTT KAREN S
5383 LEWIS AVE LOT 151
TOLEDO OH 43612

JACOB C J
5383 LEWIS AVE LOT 154
TOLEDO OH 43612

JACOB CHAZ & CINDY
5383 LEWIS AVE LOT 105
TOLEDO OH 43612 3155

JACOB K C
5383 LEWIS AVE LOT 172
TOLEDO OH 43612

JAEGER MICHAEL G & VICKIEL
851 REGINA PKWY
TOLEDO OH 43612 3331

JENKINS GEORGE
5383 LEWIS AVE LOT 160
TOLEDO OH 43612 3165

JOHNSTON TYLER
5383 LEWIS AVE LOT 124
TOLEDO OH 43612

JUST TAKE IT LLC
5549 LEWIS AVE
TOLEDO OH 43612

KACHENMEISTER BRIANNA M
5383 LEWIS AVE LOT 150
TOLEDO OH 43612

KRONTZ GARY L JR
926 W NORTHGATE PKWY
TOLEDO OH 43612 3125

LEE JAMES E
5383 LEWIS AVE LOT 179
TOLEDO OH 43612

LEE MARY M
5383 LEWIS AVE LOT 127
TOLEDO OH 43612

LEVIS MARK G
PO BOX 127
LAMBERTVILLE MI 48144 0127

LHMD LLC
5511 LEWIS AVE
TOLEDO OH 43612

LIPPER PATRICIA ROSE
5383 LEWIS AVE LOT 156
TOLEDO OH 43612 3164

LOAR CARL V
5383 LEWIS AVE LOT 129
TOLEDO OH 43612 3161

LUTHER MARCY
5383 LEWIS AVE LOT 103
TOLEDO OH 43612

MACS CONVENIENCE STORES
LLC
P O BOX 347
COLUMBUS OH 47201

MADRID MARIO L
5383 LEWIS AVE LOT 171
TOLEDO OH 43612

MAGRUM JESSICA FAITH
5383 LEWIS AVE # 144
TOLEDO OH 43612

MAGRUM LAURA
5383 LEWIS AVE LOT 155
TOLEDO OH 43612

MAGRUM LAURA J & MINOR
DAVID J
5383 LEWIS AVE LOT 144
TOLEDO OH 43612 3163

MANAGHAN JUDY
5383 LEWIS AVE LOT 181
TOLEDO OH 43612

MATTHEWS WILLIAM D
5438 LEWIS AVE
TOLEDO OH 43612

MCCAIN MELISSA
5383 LEWIS AVE LOT 134
TOLEDO OH 43612

MILIOS KIMBERLY
5383 LEWIS AVE LOT 163
TOLEDO OH 43612 3165

MILLER REBECCA L
5383 LEWIS AVE LOT 166
TOLEDO OH 43612

MINOR DAVID
5383 LEWIS AVE LOT 102
TOLEDO OH 43612

MMC RESIDENTIAL LLC
1705 W LASKEY RD
TOLEDO OH 43613

MYERS CRISTEN L
5383 LEWIS AVE LOT 148
TOLEDO OH 43612

NEISS DEBRA S
5540 LEWIS AVE
TOLEDO OH 43612 3059

NEMETH DORENTHA A
5404 LEWIS AVE
TOLEDO OH 43612 3002

ORCUTT TRACY
5383 LEWIS AVE LOT 182
TOLEDO OH 43612

OROURKE JESSE
5383 LEWIS AVE # 110
TOLEDO OH 43605

PARKER ANNAMARIA
5383 LEWIS AVE LOT 123
TOELDO OH 43612

PERRY KATHLEEN M
5383 LEWIS AVE LOT 165
TOLEDO OH 43612 3165

PESTER DONALD M
5383 LEWIS AVE LOT 131
TOLEDO OH 43612

PITTS ISAIAH
5383 LEWIS AVE LOT 175
TOLEDO OH 43612

PODGORSKI DANIEL B
5383 LEWIS AVE LOT 147
TOLEDO OH 43612

PUTMAN MICHAEL A &
WANDA C
5427 LEWIS AVE
TOLEDO OH 43612 3001

RACZKOWSKI DALE P &
LORRAINE T
931 NORTHGATE PKWY
TOLEDO OH 43612

RIOS NADINE GARCIA-
5383 LEWIS AVE LOT 118
TOLEDO OH 43612 3160

RKW MOBILE HOMES
5383 LEWIS AVE # 2
TOLEDO OH 43612

ROBERTS MARK JAY
5383 LEWIS AVE LOT 137
TOLEDO OH 43612

ROSE BRITTNEY J
5383 LEWIS AVE LOT 184
TOLEDO OH 43612

ROUSE KERRY E
5383 LEWIS AVE LOT 170
TOLEDO OH 43612 3166

ROWAN MICHAEL D
5383 LEWIS AVE LOT 121
TOLEDO OH 43612 3161

SCHULTZ TERRY L & CINTHY
M
5447 SAN JUAN DR
TOLEDO OH 43612 3333

SCOTT SAMUEL A
5383 LEWIS AVE LOT 138
TOLEDO OH 43612 3162

SHEFFERLY MICHAEL &
ROBYN
5454 LEWIS AVE
TOLEDO OH 43612 3002

SHIPLEY JOEL
5383 LEWIS AVE LOT 116
TOLEDO OH 43612

SHORT TIMOTHY M
5383 LEWIS AVE LOT 120
TOLEDO OH 43612

SMELSER WILLIAM &
KATHLEEN
5383 LEWIS AVE # 133
TOLEDO OH 43612

SODD JAMES D
5522 LEWIS AVE
TOLEDO OH 43612

SODD JAMES D
5522 LEWIS AVE
TOLEDO OH 43612

STEWART BETHANY
5383 LEWIS AVE LOT 164
TOLEDO OH 43612

STOLDT LYNDA
5383 LEWIS AVE LOT 132
TOLEDO OH 43612

STONE BERNARD
5383 LEWIS AVE LOT 143
TOLEDO OH 43612

SUNNY BROOK APARTMENTS
LLC
152 SOUTH BEACH
MARCO ISLAND FL 34145

SYLVANIA DELI LLC
2755 SEQUOIA RD
TOLEDO OH 43617

TAKS VALERIE
5383 LEWIS AVE LOT 106
TOLEDO OH 43612

TDS HOLDINGS LLC
4720 N BLYTHE AVE
FRESNO CA 93722

TEMPERANCE YARD
CORPORATION
315 W 3RD ST
PITTSBURG KS 66762

THORN BRIGIT D
943 W NORTHGAE PKWY
TOLEDO OH 43612

ULRICH LAWRENCE J &
DIANNE R
5451 SAN JUAN DR
TOLEDO OH 43612 3333

ULRICH THOMAS C JR &
LAURA GANZELULRICH
5455 SAN JUAN DR
TOLEDO OH 43612

WATKINS JOY M
5383 LEWIS AVE LOT 149
TOLEDO OH 43612 3163

WELCH VICTORIA L
5383 LEWIS AVE LOT 117
TOLEDO OH 43612 3160

WHITEAKER ROBERT
5383 LEWIS AVE LOT 104
TOLEDO OH 43612

WILLAMS DARREN
5383 LEWIS AVE STE 126
TOLEDO OH 43612

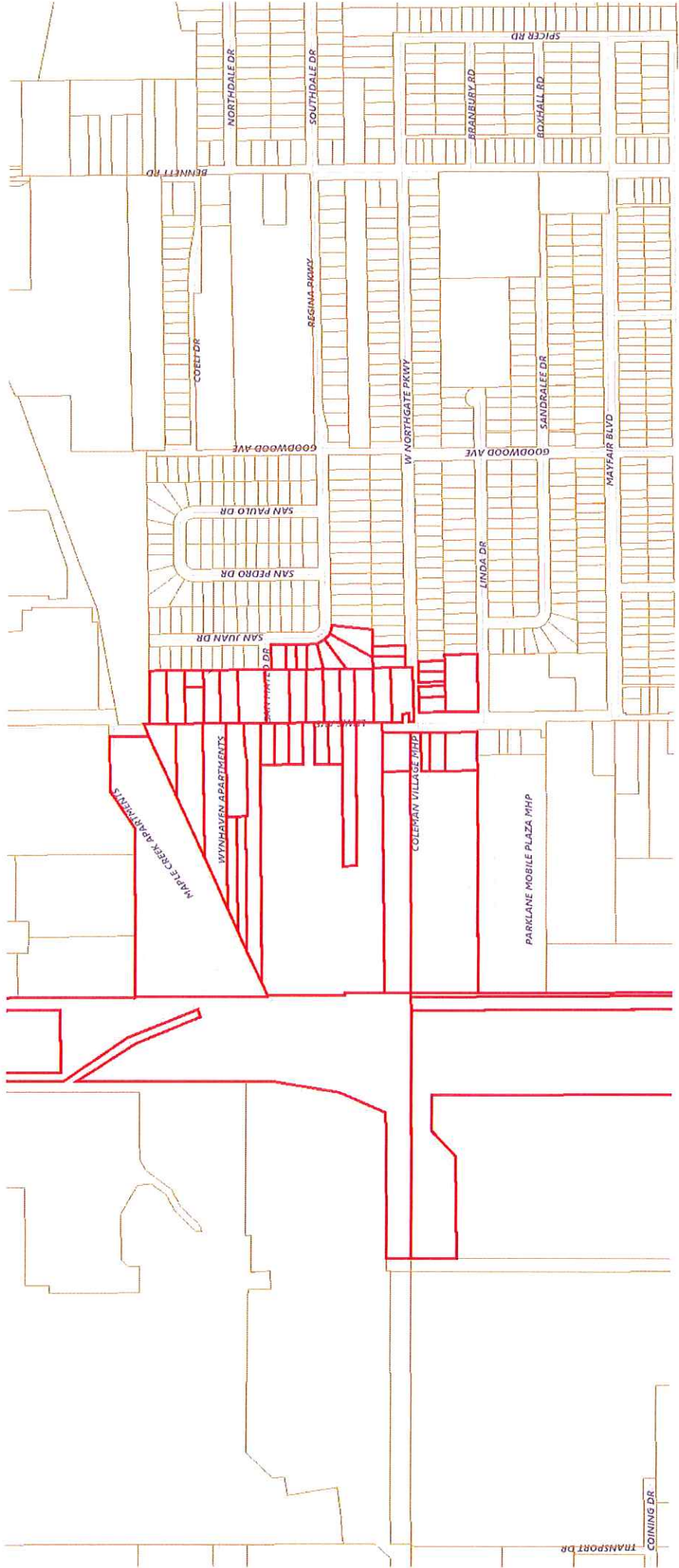
WRIGHT NICOLE
3614 WATSON AVE
TOLEDO OH 43612

MO DARI G1 OPERATIONS
5439 LEWIS AVE
TOLEDO OH 43612

JOHN CIAMPA
6725 W CENTRAL AVE
TOLEDO OH 43617

THERESA MORRIS
ONE GOVERNMENT CENTER
SUITE 2120
TOLEDO OH 43604

DANA REISING
ONE GOVERNMENT CENTER
SUITE 1620
TOLEDO OH 43604



MEMORANDUM OF CASE CONTACT

Date	Contact	Initials
10/27/22	Alan Olsen - Manager of the mobile home park, very against. For the past 3 months there have been issues with noise beginning at 6am every day from chain saws, back hoes, etc. Dust is a major issue because they clear cut the trees, now animals are getting into everyone's homes. Disabled and elderly live in the mobile homes, they don't have anywhere else they can go. Jeep came in and blocked their view of a forest. Scrap & salvage trucks are going to be tearing up Lewis Avenue. Right now Lewis Avenue is under construction.	DR
10/28/22	Rebecca Miller – 567-277-5031, neighbor with house abutting the property. All summer, the scrap & salvage operation has been a nuisance. They tore down trees that screened the property, and now see waste being moved around with backhoes and the noise is all day. She works from home and cannot open her windows to let air in. The trees drove out the animals into their property. Semi trucks also pull into their trailer park after missing the entrance.	DR
10/31/22	James – 419-503-7315, neighbor in Coleman Villa. Against it, the mobile home park is a nice park and he doesn't want any of the rats or nuisance issues.	DR
11/1/22	Chris Myers – 419-764-9312, neighbor, against the SUP and Zone Change. Feels it is a poor fit for the area with a daycare and residential right next to it. Concerned as scrap yards often catch fire.	DR
11/2/22	Ellen – 419-508-9964, neighbor, will stay in the mobile home park regardless of whether or not the scrap & salvage is approved, but is calling for the benefit of her neighbors. Concerned about the scrap & salvage catching fire. Also concerned about the children at the daycare.	DR
11/9/22	Paul – 419-490-6287, neighbor, in one of the duplexes, against the scrap and salvage. Applicant will operate heavy machinery late at night and wake everyone up.	DR
11/10/22	Mary Doyle – 419-984-3449, neighbor, in the apartments to the north. Against, ever since the trees were cut down, they hear noise at all hours. Concerned about the toxins and dust.	DR
11/15/22	Cathleen Perry – 419-343-9891, Does not want the scrap & salvage. Concerned about vandalism, nuisance issues.	DR
11/16/22	Victoria Welch – 419-476-0874, Does not want the scrap yard next to her.	DR
11/16/22	Anthony Shyra – 312-285-3980, father-in-law lives at one of the duplexes and is against it. Asked if council can represent at the hearing.	DR

MEMORANDUM OF CASE CONTACT

[illegible]

Per email received 10/28/22 from Mr. Alan Olsen



Pictures 1...this is the pile of rubbish Becky in lot 166 looks at now that the tree's are gone. It's 30 ft high.



Pictures 2.....shows that the fence line is just 35 ft from folks back door.



Pictures 3.....shows that we have 1 home for sale in the park...1 st one all summer, people want to live here (for now anyway)



Pictures 4.....shows how they cut huge trees on 1 side only, leaving it totally unbalanced with a 100 ft branch that weighs a thousand pounds dangling over our side endangering our safety



Pictures 5.....shows how the day care playground butts right up against this proposed hazard.

To the Toledo Planning Commission
My name is Annette Henley I currently
live at Coleman Village. My family has
lived there over 20 yrs. The community
has been through alot of changes. But none
have stopped quality of life. I'm disabled
and enjoy the quiet, I can open my windows
to get fresh air. That will stop if the Scrap Yard
goes in. All I will hear is alot of noise from
the trucks and diesel engines. The smell
from the engines etc. I'm not willing
to give up my right to peace & quiet.
Also the contamination from all the chemicals
seeping into the ground. And it will also ruin
the water and the little bit of nature we do
have. I don't want to hear the coming
and going of large trucks, the squashing
and crinkle of metal. When you can go
down Alexis Rd. where there is open fields
not a residential area. The noise won't bother
residents and pollute the ground where
alot of people grow gardens.

Annette Henley
Coleman Village

From: Carl Loar

Date: 18 Nov 2022

Subject: Rezoning of property at 5439 Lewis Ave. 43612

To whom it may concern;

I have to object to the proposal of rezoning 5439 for a salvage yard business.

I can assure that this action will lower value to our homes and the lots that we rent.

Since there is a salvage type business less than a quarter of a mile to our south and a factory with railroad tracks to our west, both that make loud noise as they work all hours, by adding more noise and clutter to our area will only bring down the neighborhood but will affect and decrease our Quality of Life!

This is not acceptable!

Carl Loar

5383 Lewis Ave. Lot 129

Toledo, OH 43612

November 18, 2022

5383 Lewis Ave Lot 171

Toledo, OH 43612

To whom it may concern:

We would like to voice our opinion about rezoning the lot 5439 Lewis Ave Toledo, OH 43612. Let me start off saying that when we decided to buy a home in Coleman Village 5383 Lewis Ave Lot 171 we were happy with the area. We liked that it was close to businesses but still had a bit of quiet in the back of our little village.

Now we are worried about the peace and quiet we have back there for several reasons.

1. **Traffic:** Lewis St is already very busy and the roads are ridiculously bad! Do you think if you fix them as you are planning on doing in 2023 that they will remain in good shape with an even higher volume of traffic, and presumably more semi's!
2. **CRIME:** Unfortunately, we already have to worry about this, but with a scrap yard right next door we are very fearful that people will be going through our yards to get into the scrap yard! As well as bringing more attention to our homes. As neighbors we look out for each other but to be brutally honest, crime in Toledo has gotten out of control, the last thing we need is to have more attention on our homes due to a scrap yard being next door.
3. **Hazardous Waste:** This is by far our biggest fear! Toledo already has issues with having to boil water, that could be made far worse if there is a hazardous waste leak!
4. **Our property value:** I am not trying to be petty but when we bought our home, we bought it with an expectation of possible property prices going up with improvement! Not the worry about it going down because of rezoning issues! This is very unfair to even be entertaining this idea!
5. **Noise Pollution:** We live in back of the property and as of right now we are away from the majority of the noise. The last thing we need in our residential area, let me say that one more **RESIDENTIAL AREA** is to have industrial noise going on!

Although I believe this is more than enough reason to **NOT REZONE** 5439 Lewis Ave Toledo, OH 43612 if you need one more reason here is a big one; Children, although this may not be my responsibility to speak of, we have a daycare center that will be right next door to this supposed scrap yard, and Regina Coeli is not that far away. This is a residential area with light industrial sprinkled in. Please do not

bring a full-blown scrap yard to our residential area! Please do not infringe on our peace of mind and safety!

Thank you,


Mario & Tracy Madrid



5383 Lewis Ave Lot 171

Toledo, Ohio 43612

To whom it may concern,

My name is David Brazeal. It would be a great hardship if this passes, they say it's just for salvage, but once it's rezoned they can do whatever is allowed under the new zoning. Would you or your workers want your kids to go to a day care center with toxic fumes and chemicals in the air....I think not.

We are all completely against this infringement of our right to health and safety. Traffic, noise, pollution, crime and rodents are not beneficial to our area.

As a couple with serious medical issues we have the right to live in our own home without being made miserable for someone else's profit.

David Brazeal

David F. Brazeal 11/18/22

Al,

I can't make the meeting, but; I called all 3 numbers and told them my name, lot # and that I've been here 13 yrs. I also said how nice you keep this park. How beautiful it is and well taken care of.

Also I absolutely do not want a junk yard next door. I sure hope it helps!

Vickie

Statement for -

G1 operations LLC on Lewis Ave
regarding - scrap yard

The rezoning gives opportunity
for sounds, smells, fires &
more to affect those around
the area.

Please consider anything that can
be done to protect the vulnerable

most of the people who live here
are old or disabled, or very poor.
I am one who lives here because
it is the only place in the entire
Toledo area I can afford.

My disabilities could & would
be made worse with more noise,
smells, or burning of chemicals. I
moved here to be safe in my home
not to be at risk even more by it.

11/17/22

Hillary Faust
Hillary Faust

From: [Rankins-Anderson, Lindsey](#)
To: [Reising, Dana](#)
Subject: FW: Zone Change for 5439 Lewis Avenue
Date: Monday, October 31, 2022 4:28:18 PM

Hi Dana!

This is for Z-9001-22 & SUP-9002-22.

Lindsey Rankins-Anderson

Clerk Specialist II

Toledo-Lucas County Plan Commissions

419-245-1200

Lindsey.Rankins-Anderson@toledo.oh.gov

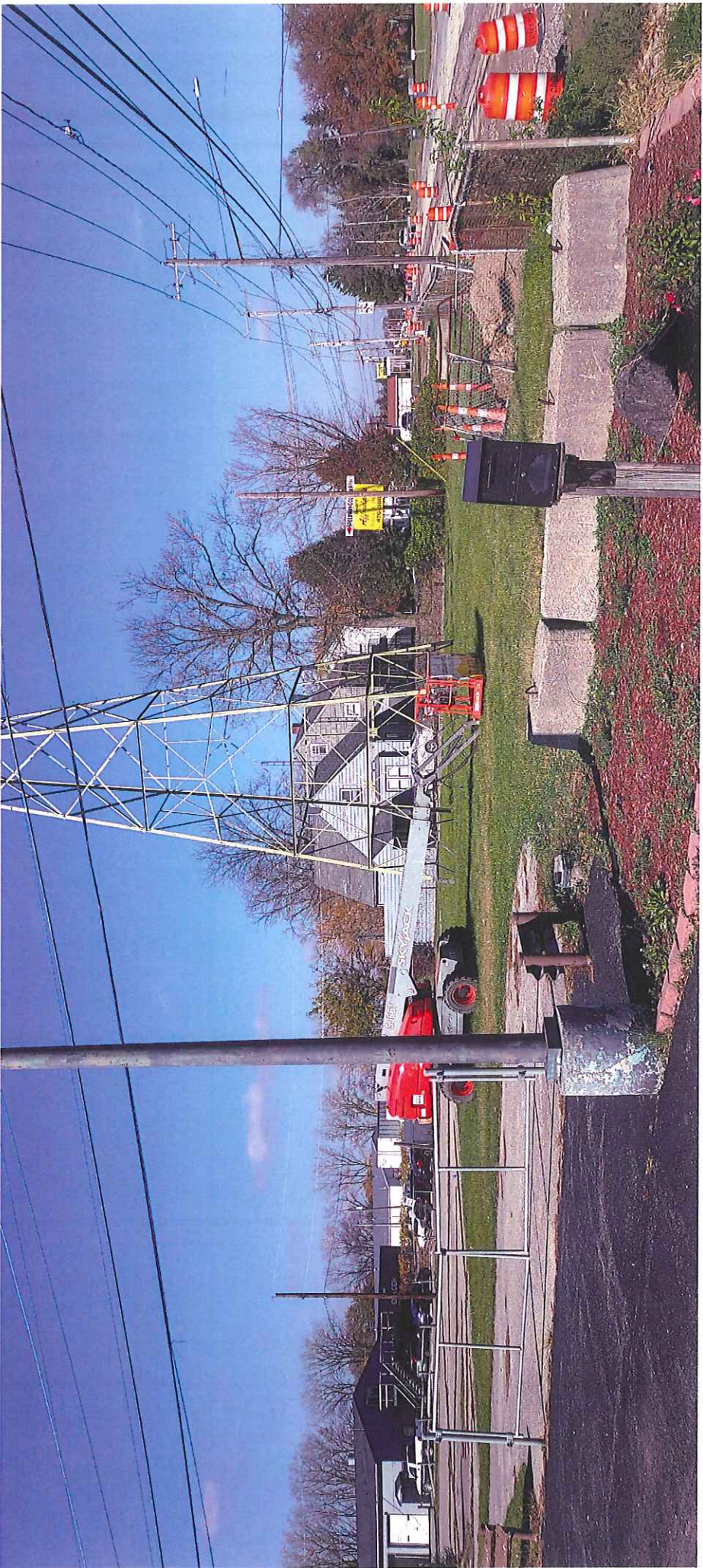
From: Mark Jay Roberts

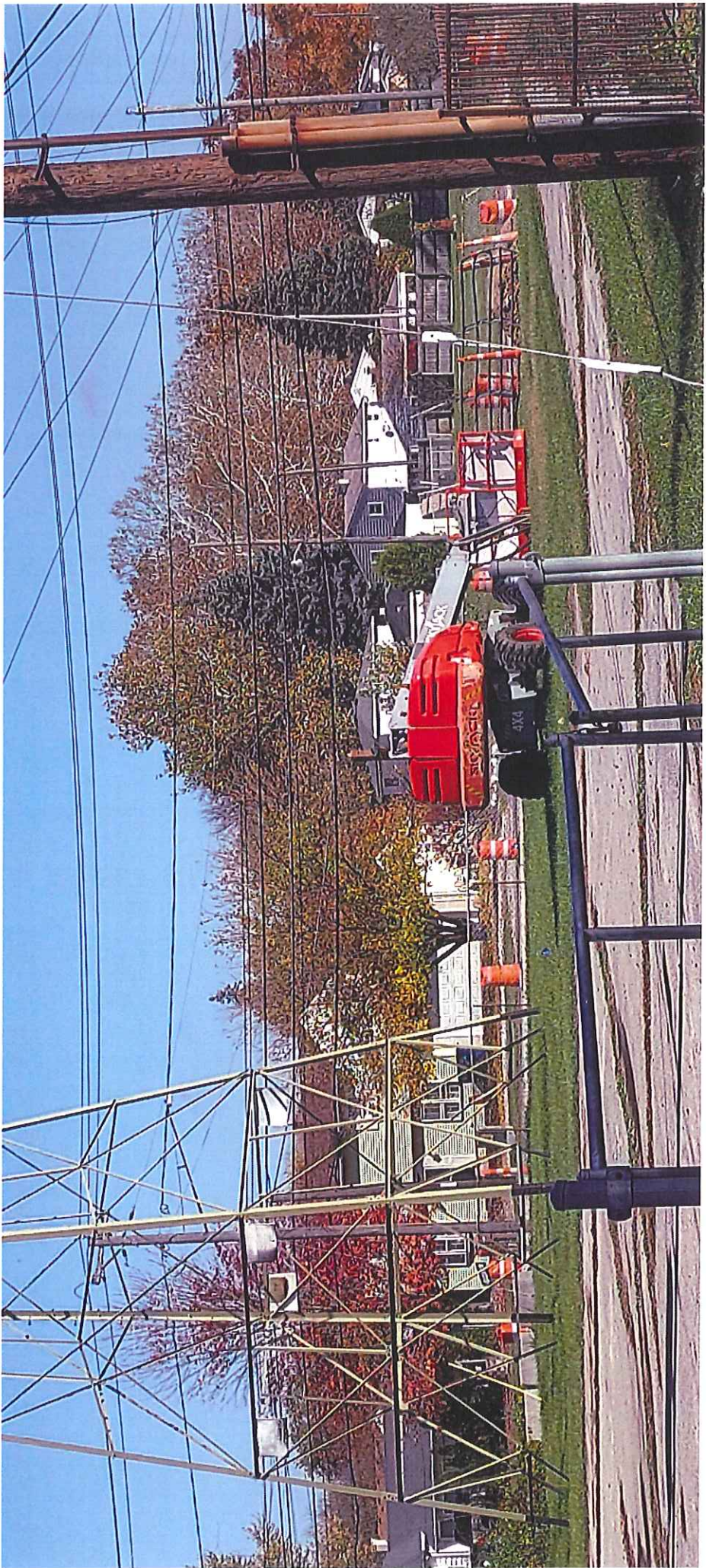
Sent: Sunday, October 30, 2022 1:32 PM

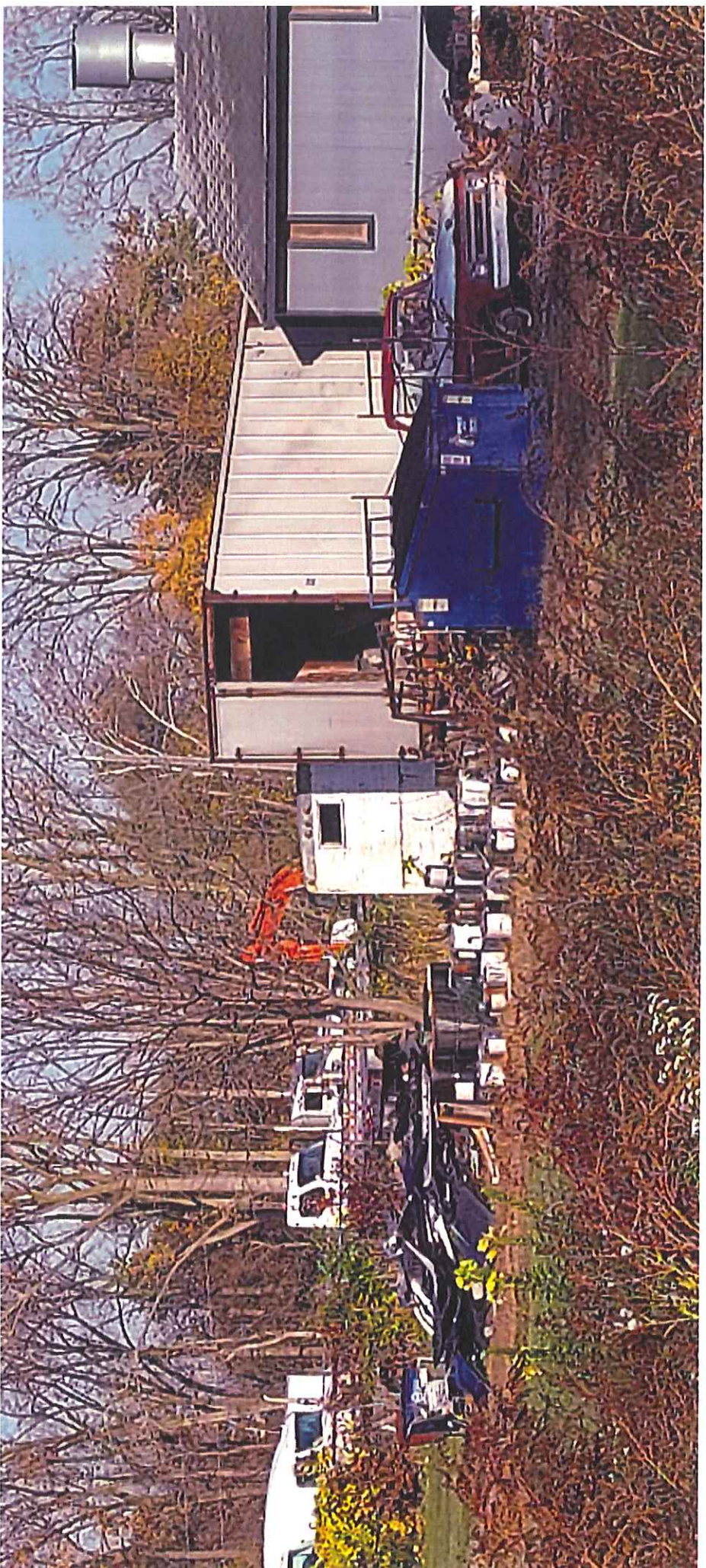
To: Rankins-Anderson, Lindsey

Subject: Zone Change for 5439 Lewis Avenue

I recieved a letter explaining a zoning change for 5439 Lewis Ave, They want to change the zoning from Limited to General so that they can put in a scrap yard in at this address. I am strongly against this action as this company does not know how to run the business they have now. REF:Z-9001-22, SUP-9002-22









RECEIVED

NOV 14 2022

TOLEDO-LUCAS COUNTY
PLAN COMMISSIONS

G1 OPERATIONS, LLC

5439 Lewis Ave.
Toledo, OH 43612

Dear Neighbors,

G1 Operations, LLC would like to cordially invite all interested neighbors to join us for an on-site meeting to discuss the proposed salvage yard planned at 5439 Lewis Ave., Toledo, OH, 43612. The meeting will take place onsite at our location on the following date:

G1 Operations, LLC

5439 Lewis Ave., Toledo, OH 43612

Date: November 19th, 2022

Time: 12:00 p.m.

Location: Inside our building, chairs and light refreshments will be provided

G1 Operations welcomes our neighbors and will address any questions or concerns regarding the proposed salvage yard at our existing property. For your reference, we have attached a site plan which outlines the zoning to our parcel #2204197.

We look forward to your input and welcome any feedback you may have. For those not able to attend our on-site neighborhood meeting, please reach out to me at 567-318-5444.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mo Dari', with a long horizontal line extending to the right.

Mo Dari

G1 Operations, LLC

Questions for Dari:

1. You stated in the WTOL-TV interview that you intend to establish a scrap and salvage business that will salvage difficult-to-obtain truck parts for resale.
 - a. Do you intend to purchase trucks that are operational (capable of being driven) that contain batteries, contain oil, contain gasoline or diesel fuel, and have tires attached?
Yes
 - b. Do you intend to purchase trucks that have been wrecked that will have to be towed to your premises?
Yes
 - c. Do you intend to purchase all makes and models of trucks?
No
 - d. Will you also be purchasing other motor vehicles such as cars, motorcycles, all-terrain vehicles?
Yes
2. From whom will you be purchasing these vehicles?
 - a. Individuals
 - b. Businesses (trucking companies)
 - c. Automotive/public auctions
 - d. Automotive dealers
Wholesalers
3. How will your company disassemble the vehicles on site?
 - a. Individual parts as requested from a vehicle parked on the lot?
 - b. Whole vehicle disassembled and then parts inventoried and stored on site?
Disassemble vehicles indoors (not on the ground) wholesalers will buy the parts.
{we failed to ask if it takes 4 months to get parts as he stated how many vehicles will he be taking apart at a time. Will he stop taking vehicles apart due to limited space since he says he won't be taking vehicles apart outside?}
4. Will the entirety of your property at 5439 Lewis Avenue be used for the scrap and salvage operation?
 - a. If not, what percentage of the property will be used for the scrap and salvage operation?
A quarter to a 3rd of the property will be used for the scrap and salvage operation.

- b. Will other business operations be conducted at the site also? If so, please list and describe their functions.

Yes many other businesses.

5. To whom will these salvaged parts be sold?

- a. Individuals
- b. Businesses (trucking companies)
- c. Automotive/public auctions
- d. Automotive dealers

Salvaged parts will be sold to wholesalers

6. Will your business be a wholesale or retail operation?

Wholesale only no retail

7. What hours do you expect to operate? Which days do you intended to operate?

6a-9p M-F and Sat and Sun when necessary (emergencies)

8. Your 5439 Lewis Avenue property borders Shantee Creek. What steps will you take to mitigate groundwater pollution from oil, gasoline, diesel, and acid spills from the vehicles on your grounds?

When 1st asked (vehicles will be completely drained before coming to his facility) when he received opposition he stating the vehicles will be drained inside the building).

9. Will you store and or sell tires from the vehicles you purchase for salvage?

- a. What steps will you take to mitigate the possibility of tire fires on the premises?

Keep tires stored indoors and weekly pickup

10. What steps will you take to prevent rodent infestation on the premises and within the vehicles?

The goal is to keep the grounds clean. But residents state how he currently keeps his grounds less than desirable.

11. What steps will you take to mitigate noise pollution stemming from operation of heavy equipment and from the cutting of metals?

Nothing louder than the current level

12. What other items or metals will your scrap and salvage operation purchase or sell?

Any and all equipment

13. Will your scrap and salvage operation buy or sell any items or parts that contain asbestos or any other hazardous materials?

No (residents brought up freon, metals containing asbestos, drained chemicals, sitting parts, and corrosion).

14. What benefit does your company have to the neighbors in this community?
Employ 15 people, pay his taxes and increase the property value. (the residents disagreed that the property values will go up in fact it was stated they believed the property value will go down)

REPORT regarding Nov. 19, 2022, Neighborhood Meeting for the purpose of informing residents and property owners adjacent to and near 5439 Lewis Avenue about the requested Zoning Change from IL- Limited Industrial to IG-General Industrial; and, Special Use Permit for a Scrap & Salvage Facility.

The Toledo-Lucas County Plan Commission, during its November 3, 2022, meeting directed applicant Moyad A. Dari to hold a Neighborhood Meeting. Mr. Dari set the meeting for noon, Saturday, November 19, on the premises of his property located at 5439 Lewis Avenue. Although some residents and property owners reported receiving a notice via mail about the meeting, many never received such a notice. Those receiving the notice shared the information and a flyer containing the meeting time, date, and place was circulated by the residents. Despite cold and blustery weather, an estimated 50 residents attended.

During the meeting, which lasted slightly more than an hour, Mr. Dari stated that part (8,000 square feet) of his property is already zoned IG-General Industrial. Initially he expects from a quarter to a third of his property to be used but stated that he applied for rezoning in order that the full capacity of his property can be used to expand his business, which he described as "disassembling trucks for parts." At first, he insisted that he would not be operating a "salvage" business. However, when it was pointed out that the legal definition of "salvage" includes "taking apart vehicles" he conceded that he would be operating a salvage business. He tried to differentiate his business by stating that it would not be stacking or pressing vehicles on site as is commonly done in a scrap facility. However, when asked if he would agree to limit the scope of his operation to "disassembling" vehicles for parts and do so in writing, he refused to entertain any limitations. "I can't control potential," he said in a condescending tone and with a broad smile on his face. He also refused to answer specific questions about what areas he intends to expand in his business operations and whether it could someday encompass the full range of operations conducted in a traditional scrap and salvage facility.

Mr. Dari said the basic difference in his current operation and what the zoning change would allow him to do is to sell vehicle parts. He said under current zoning he is allowed to service the fleet of trucks and equipment used for landscaping and snow removal parked on his premises. The zoning change to IG would allow disassembling the vehicles and selling parts to wholesalers.

Residents raised many questions about soil and ground water contamination resulting from gasoline, oil, antifreeze, acids, freon and other fluids leaking from vehicles being parked on the premises. They noted that Shantee Creek borders and crosses the property. Mr. Dari was dismissive, stating there would not be problems with leaks because all the vehicles, upon entering the property, would be brought inside on a concrete floor and drained of all such liquids and potential contaminants and that his facility contains tanks for storing the liquids.

He stated that vehicles, both operational and inoperative, purchased for salvage would be brought to the premises by his fleet of trucks. He did not explain what would happen if vehicles arrived and no space was available to off-load them inside for the drainages to be performed.

He said that tires and batteries recovered from vehicles are stored on the property for approximately a week before being picked up for sale. Thus, he insisted they would not present safety hazards.

When residents asked about noise and air pollution, he retorted it would be “the same as now” because he intends to use his existing trucks to haul the salvage vehicles to and from his premises. He did not offer any plan for dealing with an increase in business, which would logically indicate an increase in truck traffic to and from the premises. Residents complained there is already significant noise and air pollution directly contributed by the trucks used in his current business.

Mr. Dari stated that he expects operational hours to remain the same with the expansion into salvage operations. He said his business operates Monday through Friday and sometimes on Saturdays. He stated that drivers usually begin arriving around 6 a.m. and business hours are from 8 a.m. to 5 p.m. He added that it is not unusual for work to continue in the facility until 8 to 9 p.m. on weekdays.

Residents also voiced concerns about safety due to an increased flow of truck traffic. They noted there are no sidewalks or crosswalks on streets surrounding the property, which forces anyone walking in the area to walk on the side of the streets. Some residents voiced concerns regarding deteriorating street conditions likely to be incurred due to increased heavy loads on the trucks transporting vehicles to the property. Essentially Mr. Dari said streets are not his problem.

Attendees at the meeting noted that more than 700 residents and property owners have signed a petition opposing the rezoning and special use permit. They voiced beliefs that their quality of life will be diminished by the scrap and salvage operation. They also pointed to the likelihood of diminished property values due to proximity of the scrap and salvage operation to their homes.

Most of the attendees expressed disappointment regarding the evasive way Mr. Dari responded to their questions. They pointed to inconsistencies and contradictions in the information he provided, leading to increased feelings of mistrust.

Report submitted by
Dorthelia Smith-Garrett
Admins. Valley View Learning Center
5407 Lewis Ave Toledo Oh 43612
419-469-8910
November 30, 2022