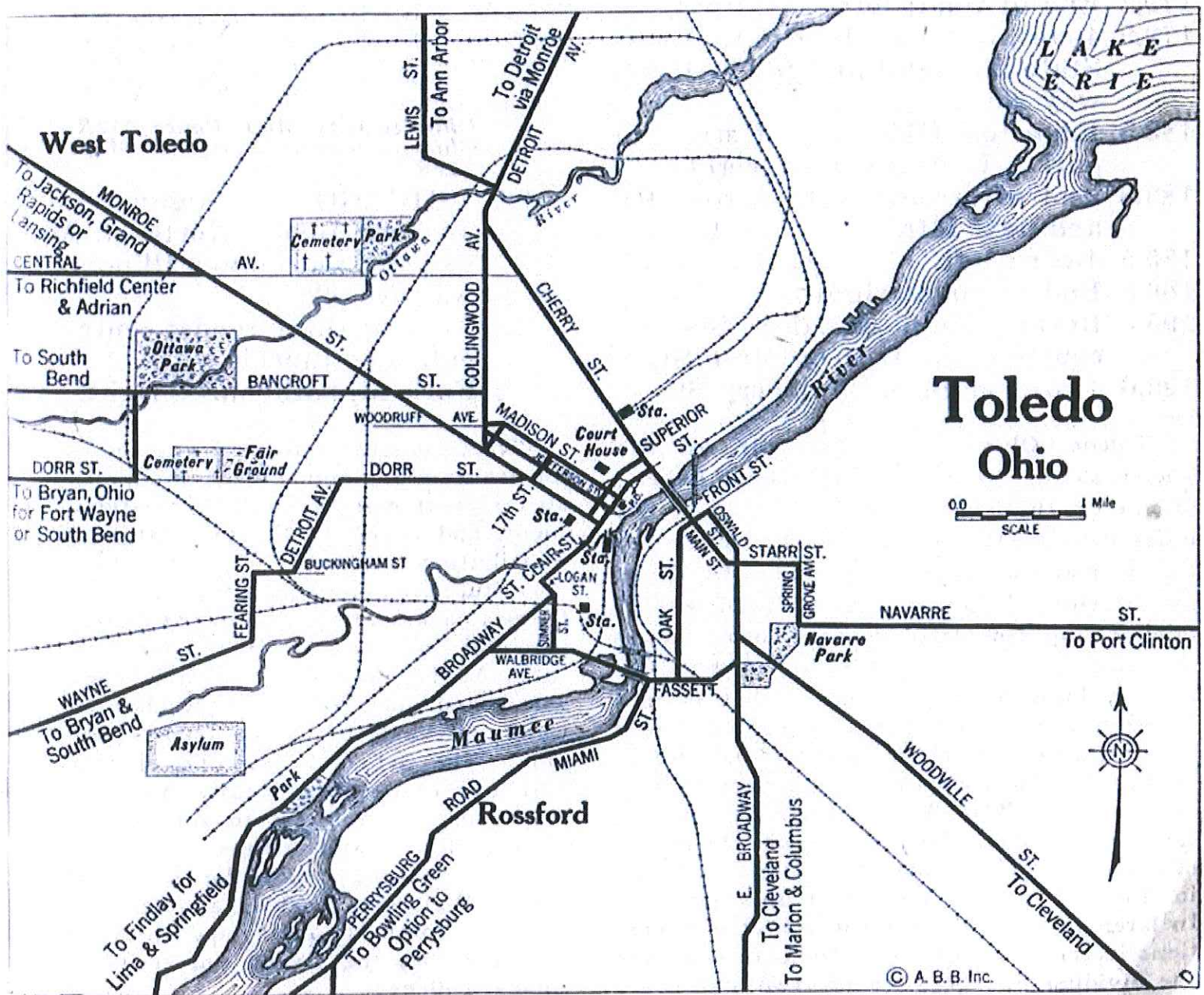




BOARD OF ZONING APPEALS

May 16, 2022

City of Toledo



ADMINISTRATIVE BOARD OF ZONING APPEALS (BZA)

MONDAY, MAY 16, 2022 - 10:00 A.M.
CITY COUNCIL CHAMBERS, FIRST FLOOR
GOVERNMENT CENTER

BZA BOARD APPROVAL CASE ORDER

DOCKET #	BZA No	ADDRESS
1	BZA22-0007	1505 MILBURN AVE

MEETING: May 14, 2022
10:00 A.M.

CITY COUNCIL CHAMBERS
1st Floor

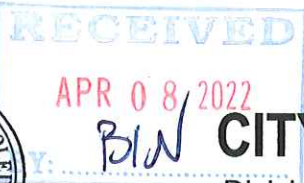
Agenda

BOARD MEMBERS
STEPHEN SERCHUK- CHAIRMAN
NATHAN KNAPKE
ROBERT PASKER
MARY GLOWACKI
PAUL RASKUSON
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	BZA22-0007	May 16, 2022	1505 Milburn Ave Toledo, OH 43606	Jackson Industries Corp.	Applicant requests variance from TMC 1105.0301 (A) for a fence in the front yard setback to be 42" over the maximum 42" height for a 7' high fence.	RD6	None	



PAID
4/11/22

CITY OF TOLEDO
Division of Building Inspection

BZA22-0007

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 1505 MILBURN AVE Zoning District RDC6 Date 4/4/22

Legal Description AUBURNDALE EXTENSION LOT 193 AND N 18' AND LOTS 194-196

Applicant's Name (print) JACKSON INDUSTRIES CORPORATION

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

Exception _____ Appeal decision _____ ADA Accommodation _____

TMC § 1105.0301 (B) BOOKS VARIANCE FOR FENCE IN FRONT YARD

Applicant Signature John J. Jackson Phone 419-215-6292

Applicant's Street Address 1489 MILBURN AVE Fax 419-244-0401

Applicant's City, State, Zip TOLEDO, OH 43606 E-Mail JACKSONINDUSTRIES@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 = \$200.00. 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 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 Comments: _____

Board Decision _____ Date _____



RECEIVED
APR 08 2022
BIN

CITY OF TOLEDO

Division of Building Inspection

BZA22-0007

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 1505 MILBURN AVE Zoning District RDC6 Date 4/4/22

Legal Description AUBURNDALE EXTENSION LOT 193 AND N 18' AND LOTS 194-196

Applicant's Name (print) Jackson Industries Corporation

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

Exception _____ Appeal decision _____ ADA Accommodation _____

TMC § 1105.0301 Books VARIANCE for fence in front yard

Set back to be 42" over the max 42" height for 7' high fence
Applicant Signature [Signature] Phone 419-215-6292

Applicant's Street Address 1489 MILBURN AVE Fax 419-244-0401

Applicant's City, State, Zip TOLEDO, OH 43606 E-Mail Jacksonindustryseal.com

Applications must be accompanied with:

1. 3 photos - showing different views of the site
2. Letter explaining your zoning request with full and accurate information.
3. Complete, clear site plan - recommended scale 1"=20' on 8-1/2" x 11" paper showing dimensions to all lot lines and the size of all structures on the premises.
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+++++ 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 Comments: THREE BUSHES CREATE A LINE OF SIGHT ISSUE AT THE

INTERSECTION OF MILBURN AND AUBURN AVE. PER TMC 1107.2000, IF BUSHES ARE REMOVED, TRANSPORTATION WILL APPROVE THIS BZA, CARON GILMOR 4-26-22

Board Decision _____ Date _____

HEARING DATE: **May 16, 2022**
 BZA NO: **BZA22-0007**
 APPLICANT: **Jackson Industries Corporation**
 SITE LOCATION: **1505 Milburn Ave**
 ZONING DISTRICT: **RD6**
 SWO or NOL Issued: **N/A**
 ANALYSIS: **Applicant requests variance from TMC 1105.0301 (A) for a fence in the front yard setback to be 42" over the maximum 42" height for a 7' high fence.**
 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:							
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Matt Cherry	_____	_____	_____	_____	_____	_____	_____
Nathan Knapke	_____	_____	_____	_____	_____	_____	_____
Rob Pasker	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

Jackson Industries Corp.

Certified City of Toledo Minority Business Enterprise
Ohio Nursery & Landscaping Association
Ohio Dept. of Transportation D.B.E.
Certified Master Technician
Minority Business Enterprise
State of Ohio MBE-20247
Edge Certification
State of Ohio EDGE-20165

419-215-6292

Thomas Jackson

A Landscaping & Snow Removal Firm

Fax: 419-244-0401

Email: jacksonindustries@aol.com

April 6, 2022

To Whom It May Concern at the Division of Building Inspection/BZA;

Jackson Industries Corporation would like the permission for a variance for a seven foot fence at our Organic Bed #3 located at 1505 Milburn Ave. We are requesting this for the purpose of preventing theft and a deterrent for vermin such as deer, groundhogs, rabbits, skunks and raccoons. These intrusions will result in a financial hardship for the business.

The fence on Auburn and Milburn sides will be concealed behind the large fencelike burning bushes, which are set back six feet off the sidewalk and the fence will be two feet behind the burning bushes. The fence on the alley side and next to the structure will be exposed.

Rowlson, Kylee

From: Straub, Lori on behalf of toledobi
Sent: Monday, April 18, 2022 10:31 AM
To: Rowlson, Kylee
Subject: FW: 1505 MILBURN - BZA REVIEW FOR FENCE HEIGHT - BZA22-0007

Importance: High

FYI from transportation

Lori Straub

Permit Technician/Residential Plans Examiner
City of Toledo - Division of Building Inspection
One Government Center - Ste 1600
Toledo, OH 43604
419-245-1220 Office
419-245-1329 Fax
toledobi@toledo.oh.gov

From: Galambos, Aaron
Sent: Monday, April 18, 2022 10:14 AM
To: Straub, Lori <Lori.Straub@toledo.oh.gov>
Cc: Lalonde, Doug <Doug.Lalonde@toledo.oh.gov>; toledobi <toledobi@toledo.oh.gov>; Stookey, Gary <Gary.stookey@toledo.oh.gov>; Bartlett, Stephanie <stephanie.bartlett@toledo.oh.gov>
Subject: RE: 1505 MILBURN - BZA REVIEW FOR FENCE HEIGHT - BZA22-0007

Transportation is going to work with the owner on this one because of a line of sight issue with the landscaping and how they plan on placing the fence. Transportation will be requiring a revised site drawing to this BZA application.

Aaron Galambos

Engineering Associate

Division of Transportation
aaron.galambos@toledo.oh.gov
office 419-245-1300
→ toledo.oh.gov



From: Straub, Lori
Sent: Thursday, April 14, 2022 3:13 PM
To: Galambos, Aaron <Aaron.Galambos@toledo.oh.gov>
Subject: 1505 MILBURN - BZA REVIEW FOR FENCE HEIGHT - BZA22-0007
Importance: High

To whom it may concern,

I am in support of Thomas Jackson for a variance (7ft fence) at organic bed #3 at 1505 Milburn Ave.
Thank you!

Kind regards,

John Hobbs III

Councilman District One
Office of City Council

john.hobbs@toledo.oh.gov

Office (419) 245-1050

Cell (567) 377-3793

One Government Center, Suite 2100
Toledo, OH 43604

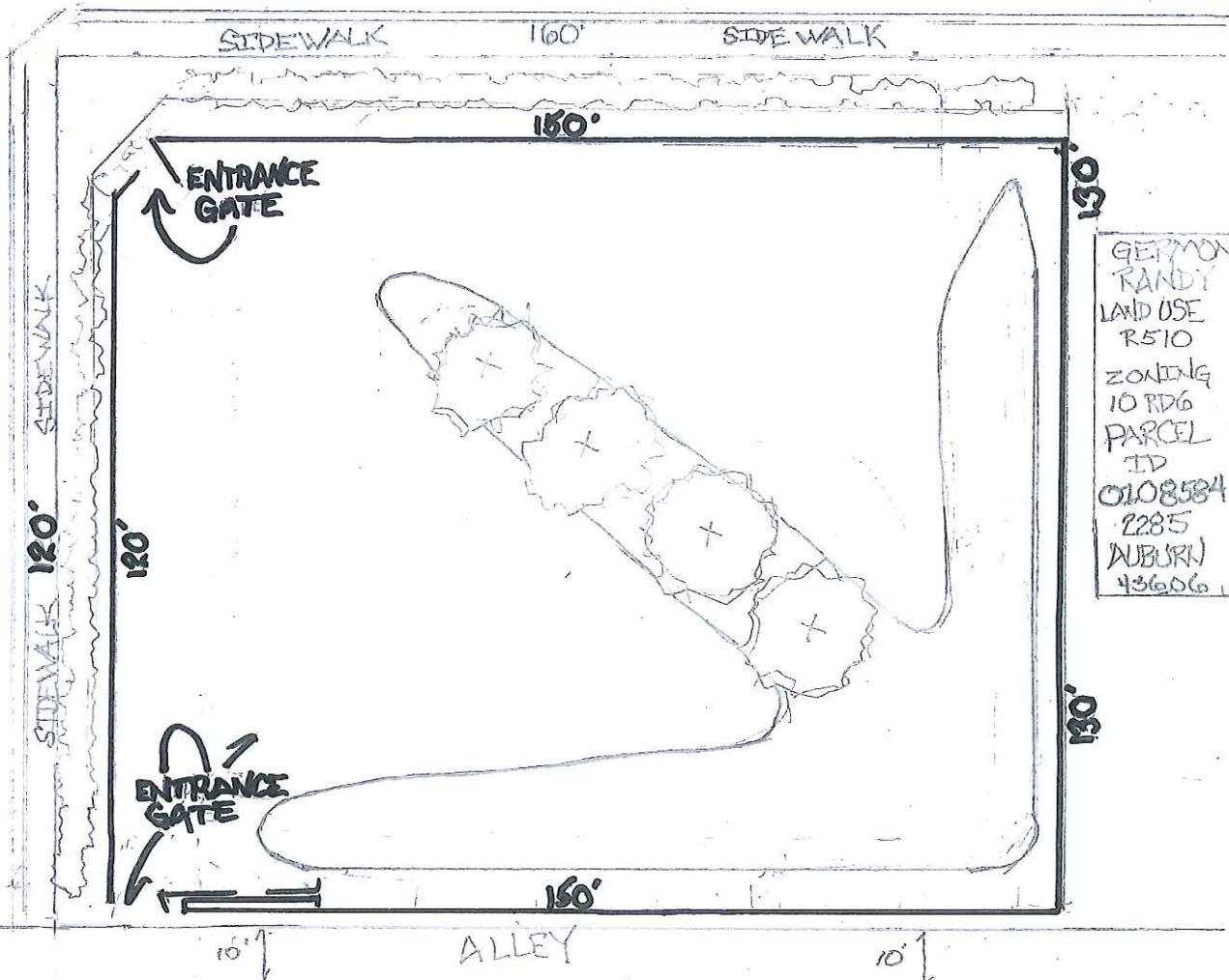
→ toledo.oh.gov

AUBURN



AUBURN

300' 0" 113



GERMON
RANDY
LAND USE
R510
ZONING
10 RDG
PARCEL
ID
0108584
2285
AUBURN
43606

510R 408R
PARCEL 0109794
1515 MILBURN 43606
KING LATOYA
ETAL
ZONING DESC. 10RS6

20' 1 INCH = 20 FT

REQUEST FOR SPECIAL USE PERMIT
LEGAL DESCRIPTION:

1505 MILBURN 43606
JACKSON INDUSTRIES CORP.
500 R RESIDENTIAL
VACANT LAND
MARKET AREA: 408 R
ZONING CODE 10RDG





1505 Milburn

PARCEL ID: 0108601
MARKET AREA: 408R
JACKSON INDUSTRIES CORPORATION
TAX YEAR: 2022

ASSESSO

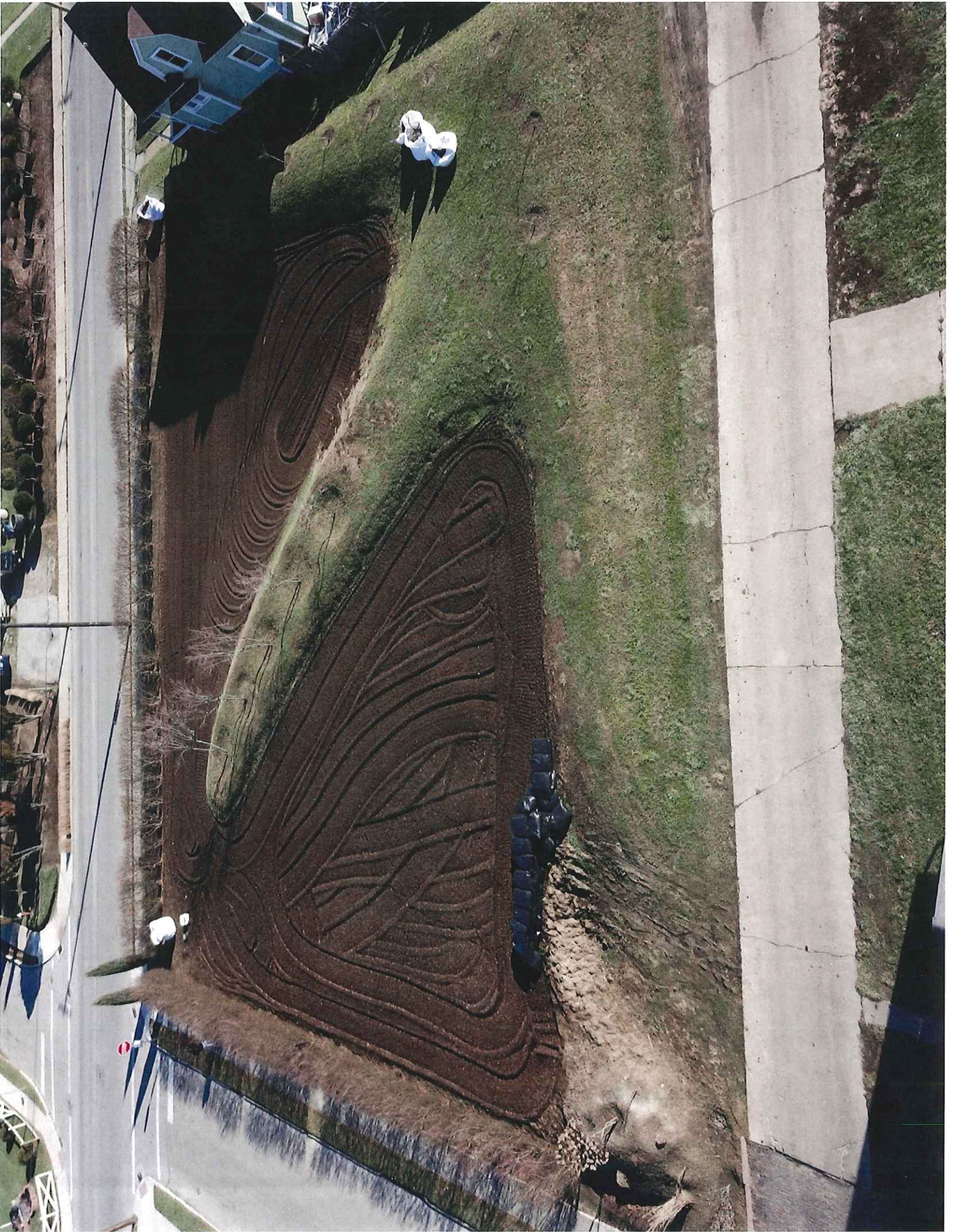
1505 S



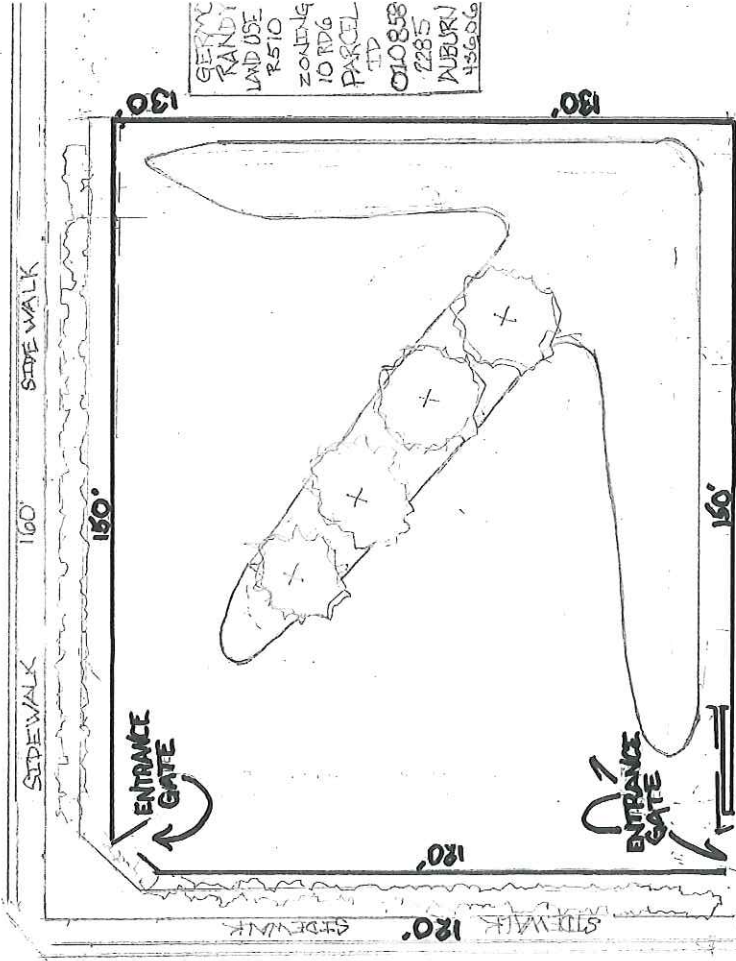


1-11





AUBURN N AUBURN



GERM
RANDY
LAND USE
R510
ZONING
10 RDG
PARCEL
ID
010858
2285
AUBURN
43606

10' ALLEY

510R 408R
PARCEL 0109794
1515 MILBURN 43606
KING LATOWA
ETAL
ZONING DESC. 10R56

1" = 20' 1 INCH = 20 FT

REQUEST FOR SPECIAL USE PERMIT
LEGAL DESCRIPTION:
1505 MILBURN 43606
JACKSON INDUSTRIES CORP.
500 R RESIDENTIAL
VACANT LAND
MARKET AREA 408R
ZONING CODE 10RDG

PARCEL ID: 0108601
MARKET AREA: 408R
JACKSON INDUSTRIES CORPORATION
TAX YEAR: 2022

ASSESSOR#: 04134071
ROLL: RP_OH
1505 MILBURN AVE
STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	500 : R - RESIDENTIAL, VACANT LAND, LOT
Market Area	408R - 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	SECONDARY ROAD
Street Type	CONCRETE OR BLACKTOP
Owner	JACKSON INDUSTRIES CORPORATION
Property Address	1505 MILBURN AVE TOLEDO OH 43606
Mailing Address	1489 MILBURN AVE TOLEDO OH 43606
Legal Desc.	AUBURNDALE EXTENSION LOT 193 & N 18 FT & LOTS 1 94-196
Certified Delinquent Year	
Census Tract	14

Summary - Most Recent Sale

Prior Owner	MAUMEE VALLEY HABITAT FOR HUMANITY
Sale Amount	\$3,500
Deed	12101543
Sales Date	19-MAR-2012

Summary - Values

Land	120	350	180	500
Building	0	0	0	0
Total	120	350	180	500

Tax Credits

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

Printed on Wednesday, April 6, 2022, at 10:05:39 PM EST

MEETING: April 18, 2022
1000 A.M.

CITY COUNCIL CHAMBERS
1st Floor

Minutes

BOARD MEMBERS
STEPHEN SERCHUK- CHAIRMAN
NATHAN KNAPKE
ROBERT PASKER

MARY GLOWACKI
PAUL PASMAISON
JAMES MOSSING-VICE CHAIRMAN
DOUG LALONDE- SECRETARY
KEN FRICHER- COMMISSIONER
MATT CHERT

ATTENDANCE
A

City of Toledo - Administrative Board of Zoning Appeals

Case	BZA #	HEARING DATE	Address	Applicant Name	WAIVER REQUEST	Zoning District	STAFF COMMENTS	BOARD ACTION
1	BZA22-0003	April 18, 2022	3657 Shamrock Dr Toledo, OH 43615	Michael Moore	Applicant requests variance from TMC 1106.0101 to install an addition to be 8.5 ft less than the 35 ft minimum rear yard setback required within residential zoning.	RS-12	None	Approved
2	BZA22-0005	April 18, 2022	3734 Stannard Dr Toledo, OH 43613	Ross Hermiller	Applicant requests variance from TMC 1105.0201C to install a detached garage 2'-6" less than the required 3' minimum side setback.	RS6	1. Garage will be 6" off side setback.	Approved