

BOARD OF ZONING APPEALS

July 15th, 2019

City of Toledo



ADMINISTRATIVE BOARD OF ZONING APPEALS (BZA)

MONDAY JULY 15TH, 2019 - 10:00 A.M.
CITY COUNCIL CHAMBERS, FIRST FLOOR
GOVERNMENT CENTER

BZA BOARD APPROVAL CASE ORDER

DOCKET #	CASE NO	ADDRESS
1	19-26	4216 SECOR
2	19-27	4528 290 TH ST
3	19-28	4855 296 TH ST
4	19-29	2250 CROSSBOUGH
5	19-30	1015 WESTERN
6	19-31	516 WINFIELD RD
7	19-32	117 PAINE

MEETING: July 15, 2019
10:00 A.M.

CITY COUNCIL CHAMBERS
1st Floor
GOVERNMENT CENTER

Agenda

BOARD MEMBERS
STEPHEN SERCHUK- CHAIRMAN
FANNY EFFLER
ROBERT PASKER
MARY GLOWACKI
PAUL RASMUSSEN
JAMES MOSSING-VICE CHAIRMAN
SANDY SPANG - CITY COUNCIL
DOUG LALONDE - SECRETARY
KEN FISCHER - COMMISSIONER

ATTENDANCE

City of Toledo - Administrative Board of Zoning Appeals

Case	BZA #	HEARING DATE	CASE	Waiver Bldg #	Applicant Name	WAIVER REQUEST	Zoning District	STAFF COMMENTS	BOARD ACTION
1	BZA19-0024	July 15, 2019	19-26	4216 Secor Rd Toledo, OH 43623	Michael Cappelletty	Applicant requests a variance from TMC 1106.0102 to install a new building 10.6' less than the required 15' side setback for a new auxiliary building.	CR	The proposed auxiliary building is 4.40 feet from the property line which violates the 15' side setback from residential zoned property. Note: The 20' property setback from Vogel is a secondary frontage, it is required to be 20' which is ok for commercial zoned property.	
2	BZA19-0025	July 15, 2019	19-27	4528 290th St Toledo, OH 43611	Kenneth Socie	Applicant requests a variance from TMC 1105.0301 B to install 16' of 6' high fence along southerly side setback.	RS6	Fence is 2' over max 4' height allowed within side yard setback.	
3	BZA19-0026	July 15, 2019	19-28	4855 296th St Toledo, OH 43611	Roger Stuart (All Phase Building & Garages)	Applicant requests a variance from TMC 1105.0204 A to install a 24 X 31 garage 56 square feet over the max square footage allowed.	RS6	Applicant is 56 square feet over the 688 square footage allowed for rear yard. Note: This calculation includes the attached open porch area at the side.	
4	BZA19-0027	July 15, 2019	19-29	2250 Crossbough Toledo, OH 43614	George Wagner	Applicant requests a variance from TMC 1105.0301 (A & B) to install 6' high fencing within front yard & side yard setback.	RS12	The proposed replacement fence is 2' over the 4' max allowed along Crossbough. The proposed new fence is 2'6" over the max 3' 6" allowed along Heatherbank.	
5	BZA19-0028	July 15, 2019	19-30	1015 Western Toledo, OH 43609 Nuisance Order #550927	Eva Rivera-Cruz	Applicant requests variance from TMC 1107.1202 (A1), TMC 1116.0130 Driveway (Definition), & TMC 1107.1906 Surfacing & Drainage to maintain a gravel parking lot within front yard setback of a residentially zoned property.	RM36	Per TMC 1107.1202 (A1), parking is not permitted within front yard setbacks. Per TMC 1116.0130, gravel does not meet the definition/qualification of a hard surface. Per TMC 1107.1906, gravel is not considered a dust-free material.	
6	BZA19-0029	July 15, 2019	19-31	516 Winfield Rd Toledo, OH 43610 SWO	Walter Wells	Applicant requests a variance from TMC 1105.0301 A to maintain a 6' fence that was installed within the front yard setback.	MX	The fence is 2' 6" over the 3' 6" max height allowed within the front yard setback.	
7	BZA19-0030	July 15, 2019	19-32	117 Paine Toledo, OH 43605	Ethel Joyce Moore-Upham & Raymond M. Upham	Applicant requests a variance from TMC 1105.0301 (A) (B) to install 6' high fence within front yard & side yard setback along Genesee.	RD6	The proposed fence is 2' 6" over the 3' 6" max height allowed along Genesee within the front setback. The fence is 2' over the 4' max height allowed along Genesee within the side yard setback.	



CITY OF TOLEDO
 Department of Inspection
 Division of Building Inspection

BZA 19-0024

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

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

TMC Chapter 1112.0200

Site Location 4216 Secor Rd. Zoning District 10-CR Date 05/20/19

Legal Description 7 9 17 SW 1/4 N 85FT W 292 FT S 10 AC N 15 AC SW 1/4 EXC RD WDNG

Applicant's Name (print) Michael R. Cappelletty, P.E.

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

TMC § 1106.0102 CR District Side Yard Setback - 15' required, a reduction of 10.40' to match existing nonconforming building. Requested to allow required parking.

Applicant Signature *[Signature]* Phone 419-475-8200

Applicant's Street Address 6145 Douglas Rd. Fax 419-475-8200

Applicant's City, State, Zip Toledo, OH 43613 E-Mail mike@cappellettyengineering.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 = \$150. 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 N/A
 Code Enforcement notified if orders are being appealed. N/A Permit Tech's Initials *[Signature]* Date 5-21-19

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

1-1 PAID 5/21/19

HEARING DATE: July 15th, 2019

CASE NO: 19-26

APPLICANT: Michael Cappelletty

SITE LOCATION: 4216 Secor

ZONING DISTRICT: CR

SWO or NOL Issued: N/A

ANALYSIS: Applicant requests a variance from TMC 1106.0102 to install a new building 10.6' less than the required 15' side setback for a new auxiliary building.

STAFF COMMENTS: The proposed auxiliary building is 4.40 feet from the property line which violates the 15' side setback from residential zoned property. Note: The 20' property setback from Vogel is a secondary frontage; it is required to be 20' which is ok for commercial zoned property.

BOARD ACTION:

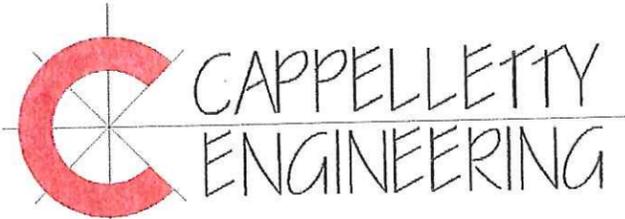
	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
MOTION TO APPROVE/DISAPPROVE:							
Fanny Effler	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Sandy Spang	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

1-2



6145 DOUGLAS RD. TOLEDO, OH 43613
PHONE / FAX 419.475.8200
mike@cappellettyengineering.com

Mr. Ryne Sundvold, Planner
Toledo – Lucas County Plan Commissions
Plans Examiner
One Government Center, Suite 1620
Toledo, Ohio 43604

Date: 05/15/2019

**Re: Variance Request
Board of Zoning Appeals
4216 Secor Rd..**

Ryne :

A variance for a sideyard setback reduction is requested for a new auxiliary building at 4216 Secor Road. Earl Brothers Transmission would like to construct a new building for indoor vehicle storage. If the new building is permitted to match the existing non conforming building line, needed aisle and outdoor parking can be maximized. If the required setback is maintained, 9 parking spaces would be lost.

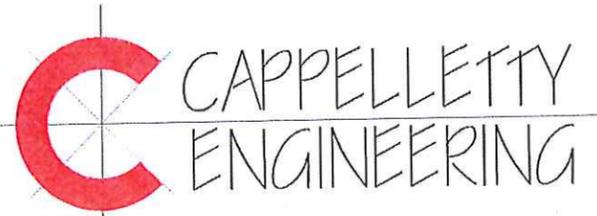
The variance would permit a uniform expansion of the site. The new auxiliary building and new parking spaces will provided orderly short term storage of vehicles.

Thanks for your assistance. Please contact me should you have any questions.

Very truly yours

Michael R. Cappelletty P.E

Cc: File



6145 DOUGLAS RD. TOLEDO, OH 43613
PHONE / FAX 419.475.8200
mike@cappellettyengineering.com

Mr. Ken Fischer
Commissioner of Building Inspections
One Government Center
Toledo, Ohio 43604

Date: 06/07/2019

**Re: Variance Request
Board of Zoning Appeals
4216 Secor Rd..**

Ken :

A variance for a front yard setback reduction is requested for a new auxiliary building at 4216 Secor Road. This property has a dual frontage. The front yard setback requirement for an auxiliary building, along Vogel Drive is 60 feet. We request a reduction to 25 feet. This is consistent with the building line along Vogel. This is greater than the 20' required for a main building.

Earl Brothers Transmission would like to construct a new auxiliary building for indoor vehicle storage. There is an electrical easement at the east end of the existing building. This economically prevents construction of a building addition. If the new building is permitted to match the existing building line, needed drive aisle and outdoor parking can be maximized.

The variance would permit a uniform expansion of the site. The new auxiliary building and new parking spaces will provided orderly short term storage of vehicles awaiting repairs. If the setback is maintained the building area would be reduced by almost 50%.

Thanks for your assistance. Please contact me should you have any questions.

Very truly yours

Michael R. Cappellety P.E

Cc: File

1-4

Print

Toledo Municipal Code

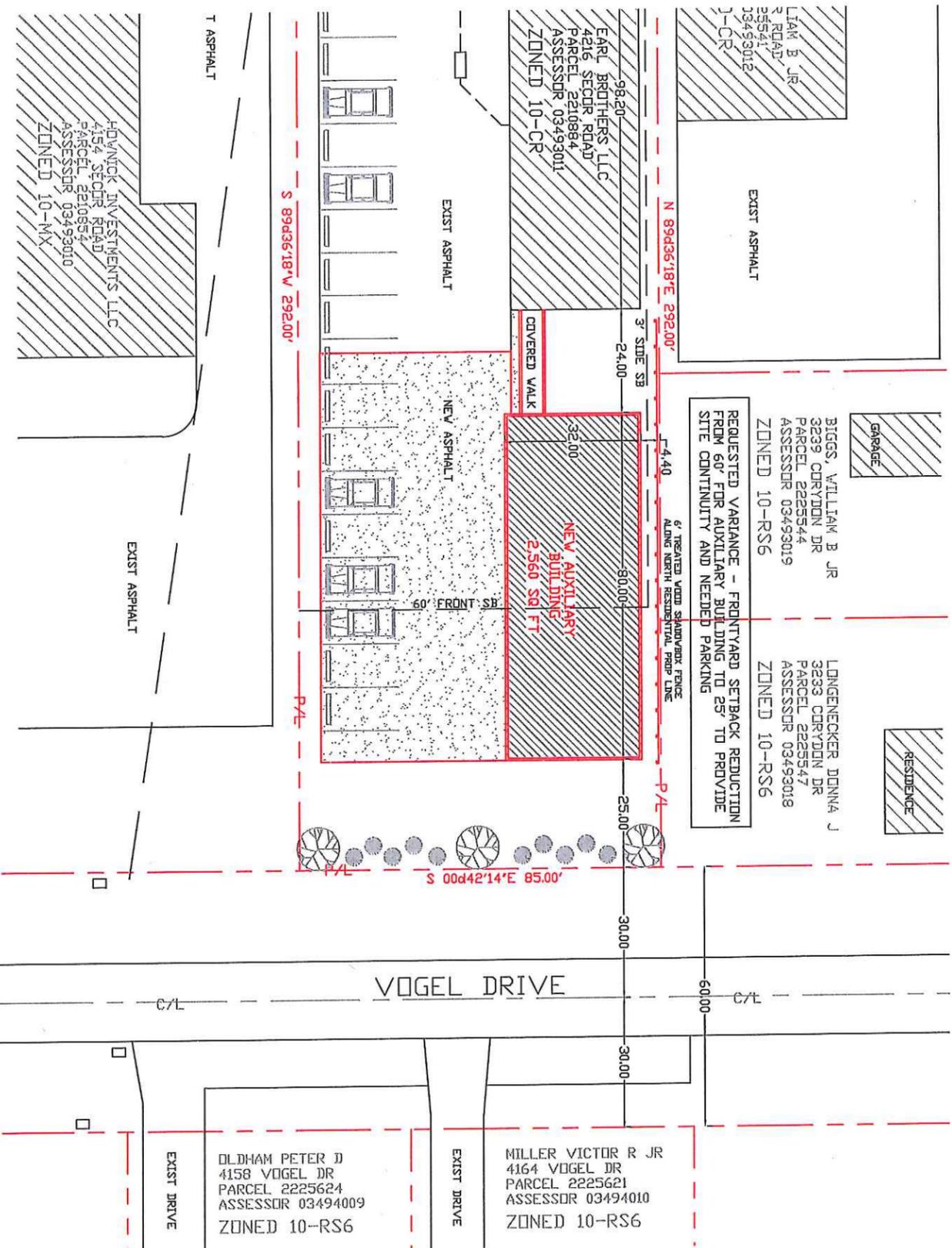
1106.0201 Lot Area.

A. **Measurement.** The area of a lot includes the total horizontal surface area within the lot's boundaries, not including rights-of-way. For nonconforming lots see Section 1114.0400.

B. **Contiguous Parcels.** Two or more parcels, lots of record or platted lots that are contiguous and held in common ownership may be treated together as a single lot for purposes of this Zoning Code, provided such lots are located in the same zoning district and provided they are combined on the same tax card.

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

1-5



B JR
D
012

EXIST ASPHALT

N 89d36'18"E 292.00'

98.20
RL BRDTHERS LLC
6 SECOR ROAD
RCEL 2210884
SESSDR 03493011
NED 10-CR

24.00

4.40

6' TREATED WOOD SHADOWBOX FENCE
ALONG NORTH RESIDENTIAL PROP LINE

PARCEL 2225544
ASSESSDR 03493019
ZONED 10-RS6

PARCEL 2225547
ASSESSDR 03493018
ZONED 10-RS6

REQUESTED VARIANCE - SIDEYARD SETBACK REDUCTION
PROPOSED ALIGNMENT WITH EXISTING NON CONFORMING
BUILDING LINE TO ALLOW NEEDED PARKING

NEW AUXILIARY
BUILDING
2,560 SQ FT

15' SIDE SB

80.00

32.00

EXIST ASPHALT

NEW ASPHALT

20' FRONT SB

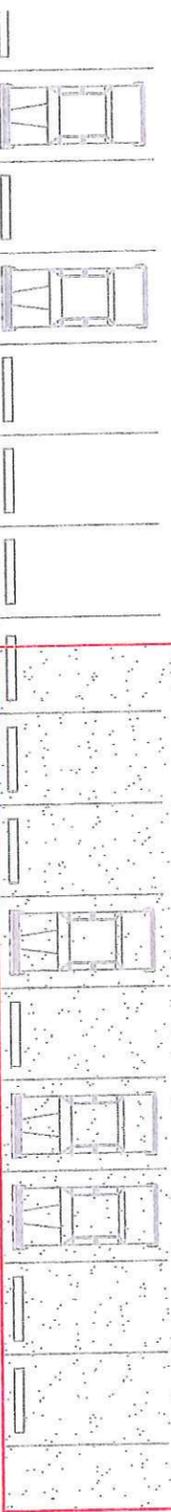
25.00

30.00

S 00d42'14"E 85.00'

S 89d36'18"W 292.00'

P/L



1-8

Google Maps

4216 Seagr
~~4216 Vogel Dr~~
View from Vogel Drive

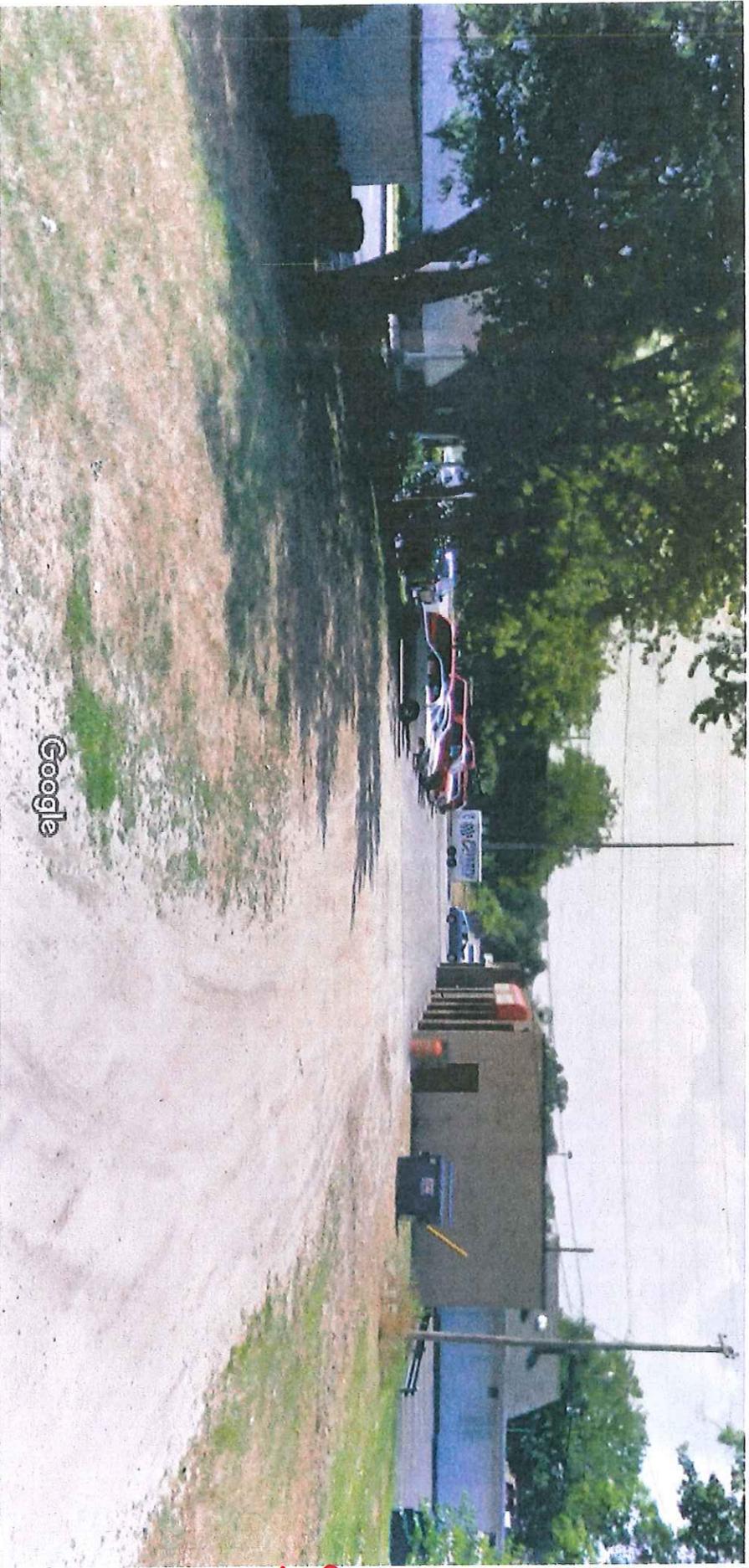


Image capture: Jul 2011 © 2019 Google

1-9

Toledo, Ohio
Google

Street View - Jul 2011

Street View

Street View

Street View

Street View

Street View



4216 Secor

 Set a home address

 Set a work address

Google Maps

4216
~~Secor~~ Secor Rd
View from Secor



Toledo, Ohio



Street View - Oct 2018

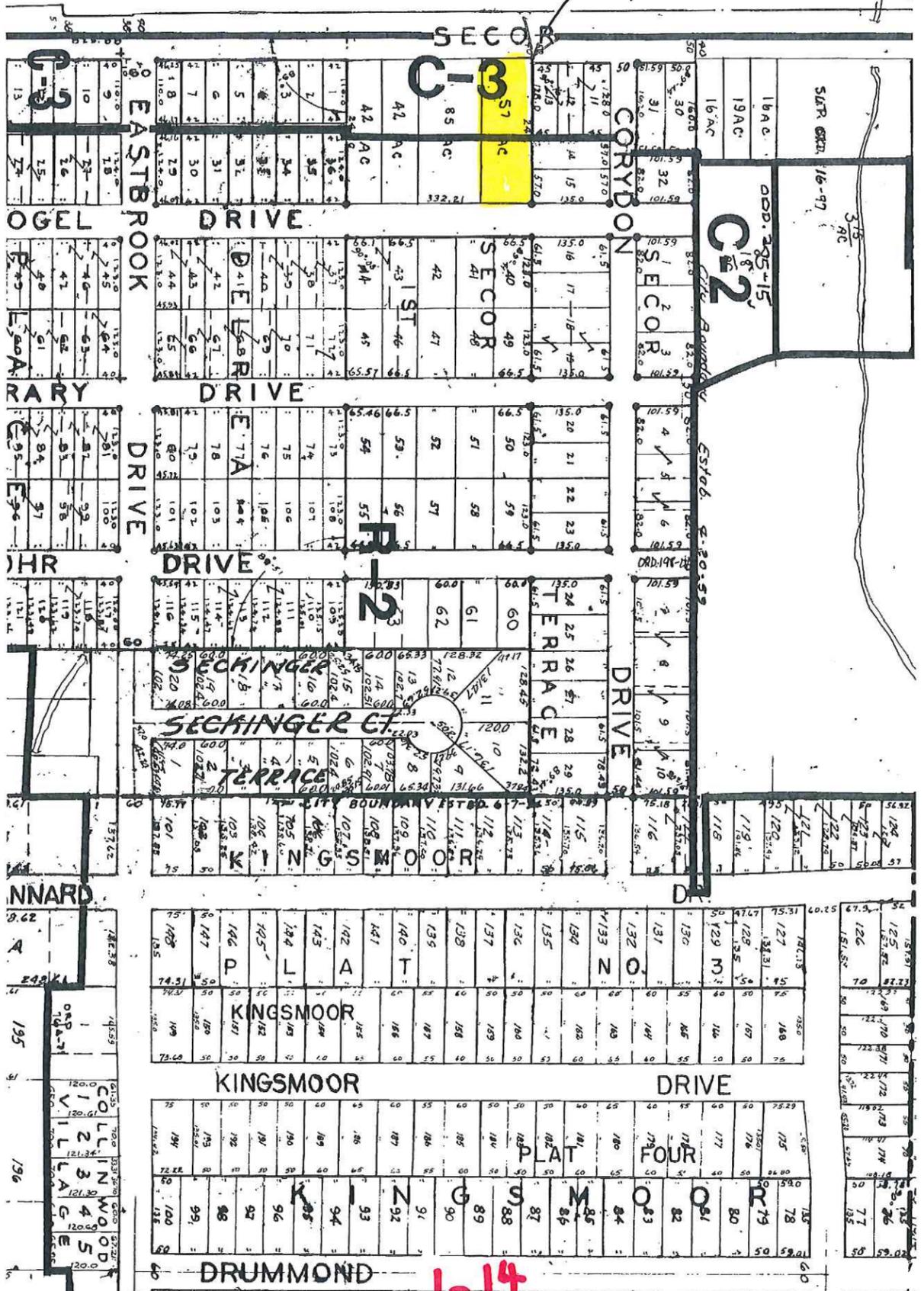
Image capture: Oct 2018 © 2019 Google

4216 SECOR



11/21/2016

4216 SECOR



1-14

PARCEL ID: 2210884
 MARKET AREA: 5002C
 EARL BROTHERS LLC AN OHIOLIMITED LIABILI
 TAX YEAR: 2019

ASSESSOR#: 03493011
 ROLL: RP_OH
 4216 SECOR RD
 STATUS: Active

Summary - General

Tax District	TOLEDO CITY - WASHINGTON LSD
Class	COMMERCIAL
Land Use	455 : C - COMMERCIAL GARAGES
Market Area	5002C - 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	HEAVY MAIN
Street Type	CONCRETE OR BLACKTOP
Owner	EARL BROTHERS LLC AN OHIOLIMITED LIABILI TY COMPANY
Property Address	4216 SECOR RD TOLEDO OH 43623
Mailing Address	5257 RENWYCK DR TOLEDO OH 43615 5923
Legal Desc.	7 9 17 SW 1/4 N 85 FT W 292 FT S 10 AC N 15 AC SW 1/4 EXC RD WDNG
Certified Delinquent Year	
Census Tract	60

Summary - Most Recent Sale

Prior Owner	EARL JAMES A ETAL
Sale Amount	\$0
Deed	10205986
Sales Date	10-NOV-10

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	46,970	134,200	46,970	134,200
Building	37,910	108,300	37,910	108,300
Total	84,880	242,500	84,880	242,500

Tax Credits

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

Printed on Tuesday, May 21, 2019, at 10:17:45 AM EST

1-15



CITY OF TOLEDO
 Department of Inspection
 Division of Building Inspection

BZA19-0025

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

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

TMC Chapter 1112.0200

Site Location 4528 - 290th Toledo Zoning District RS6 Date 5/29/19

Legal Description Parcel # 1878991

Applicant's Name (print) Kenneth Socie

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

TMC § 1105.0301 b; for 16 linear feet of a six foot high fence instead of four feet in my sideyard.

Applicant Signature Kenneth Socie Phone 419-262-0676

Applicant's Street Address 4528-290, Toledo OH 43611 Fax 419-726-6571

Applicant's City, State, Zip Toledo, OH 43611 E-Mail ksocie@netscape.net

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 = \$150. 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 N/A

Code Enforcement notified if orders are being appealed. N/A Permit Tech's Initials JS Date 5-29-19

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

PAID
5/29/19

HEARING DATE: July 15th, 2019

CASE NO: 19-27

APPLICANT: Kenneth Socie

SITE LOCATION: 4528 290th St

ZONING DISTRICT: RS6

SWO or NOL Issued: N/A

ANALYSIS: Applicant requests a variance from TMC 1105.0301 B to install 16' of 6' high fence along southerly side setback.

STAFF COMMENTS: Fence is 2' over max 4' height allowed within side yard setback.

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:							
Fanny Effler	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Sandy Spang	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

May 29, 2019

City of Toledo
Department of Inspection
Division of Building Inspection

Sirs,

I would like to apply for a zoning waiver to install 16 linear feet of a six feet high fence instead of the four feet required by code in my side yard. I live on a corner lot at 4528 290th Street and part of the area under zoning regulations is considered my side yard.

There now exists a six foot fence in the backyard. I would like to add an additional 40 linear feet of new six foot fence, of which 24 lf. would be considered in my backyard to legally install at 6' high and 16 lf. in my side yard as zoned 4' high, for which I am applying for this variance. None of the fence would be in either property's front yard.

I am having problems with my adjacent neighbor with name calling, nuisance and property line issues among other things. We have filed a police report and been to mediation with them. My neighbor has put blocks on the property line to hinder me cutting the grass there. My intention is to extend the existing fence along that area, mulch the ground and not have to mow it. The additional 24 inch height in the last two fence panels would help block our vision of each other so we can hopefully live a peaceful existence.

Respectfully,

Kenneth Socie

Kenneth Socie
4528 290th ST
Toledo, OH 43611
419-262-0676



Picture of house directly across the street at 4511-290th st. showing sideyard fence height variance to 6' high, granted two years ago, to Richard Campbell.

2.4

Print

Toledo Municipal Code

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.)

Site Plan

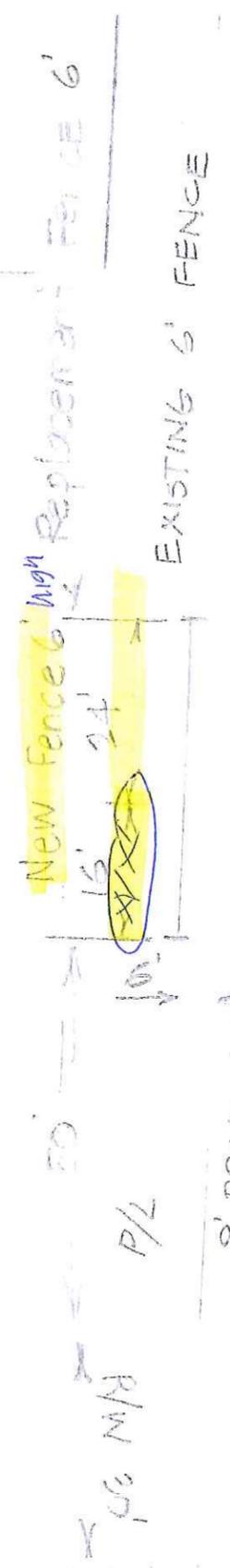


Sidewalk

Property

290th ST

2-6

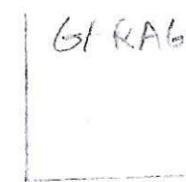


8' DRIVEWAY

4514-290
Jim Johnstone

50'

30x30



Scale 1" = 20'

Site Plan



Backyard

Sideyard

4528

4514

P/L

290th

16
59
24

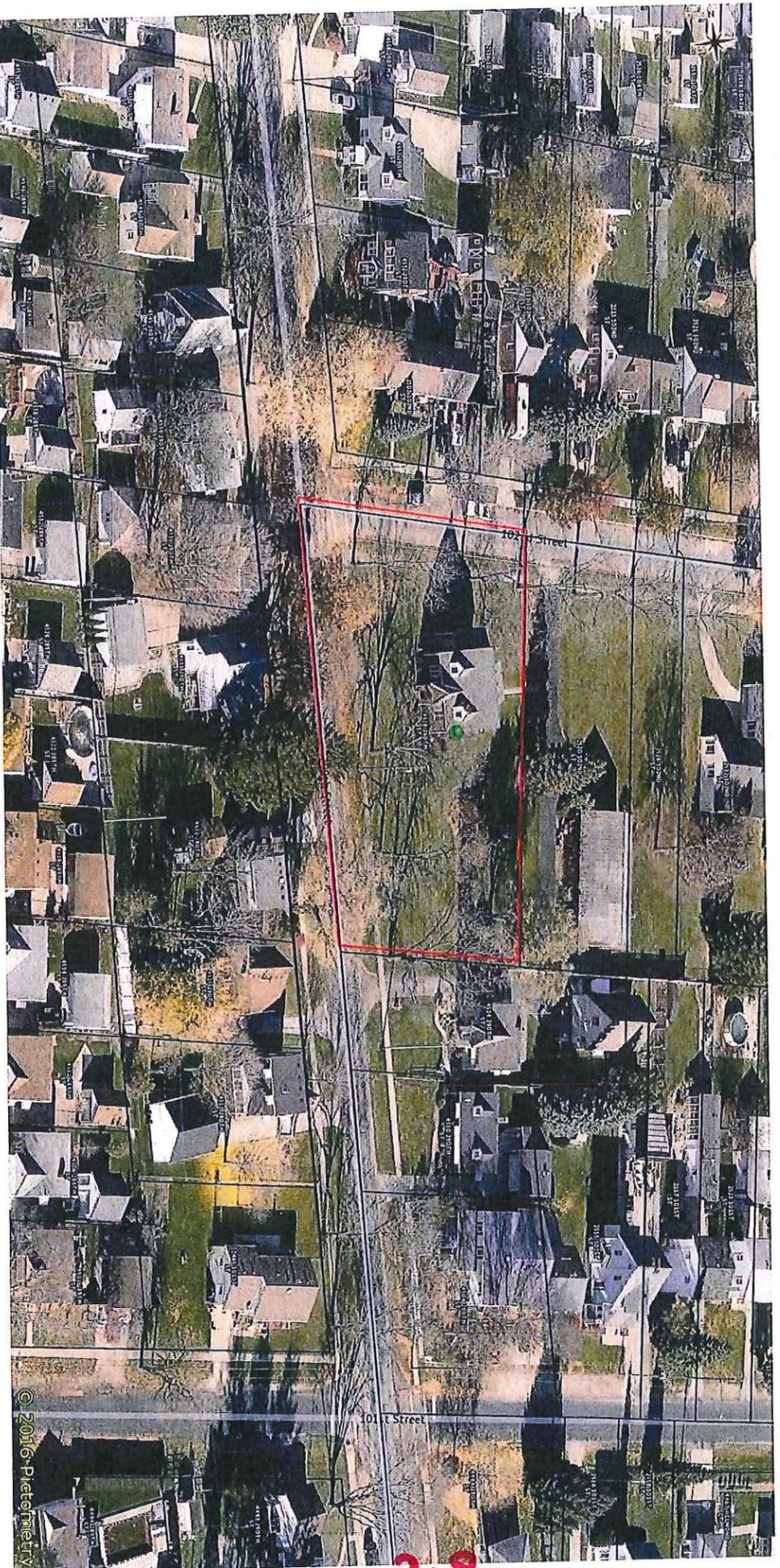
1" = 20'

2-7

290th ST
description for your map.

306

4528 290TH





4528 290TH ST

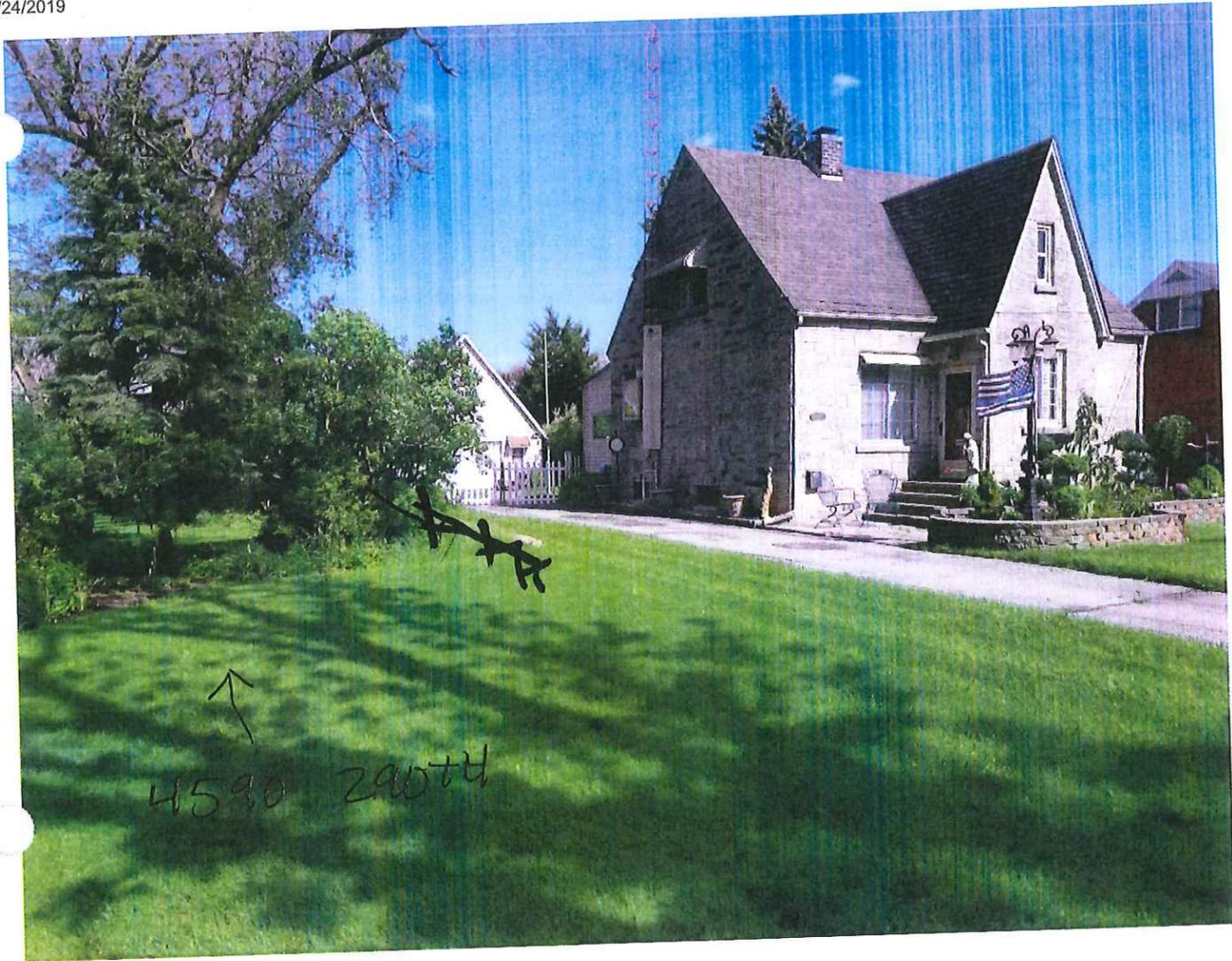
2-9



4528 290th St.

4514 290th

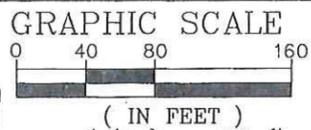
2-10



2-11

MONUMENT LEGEND

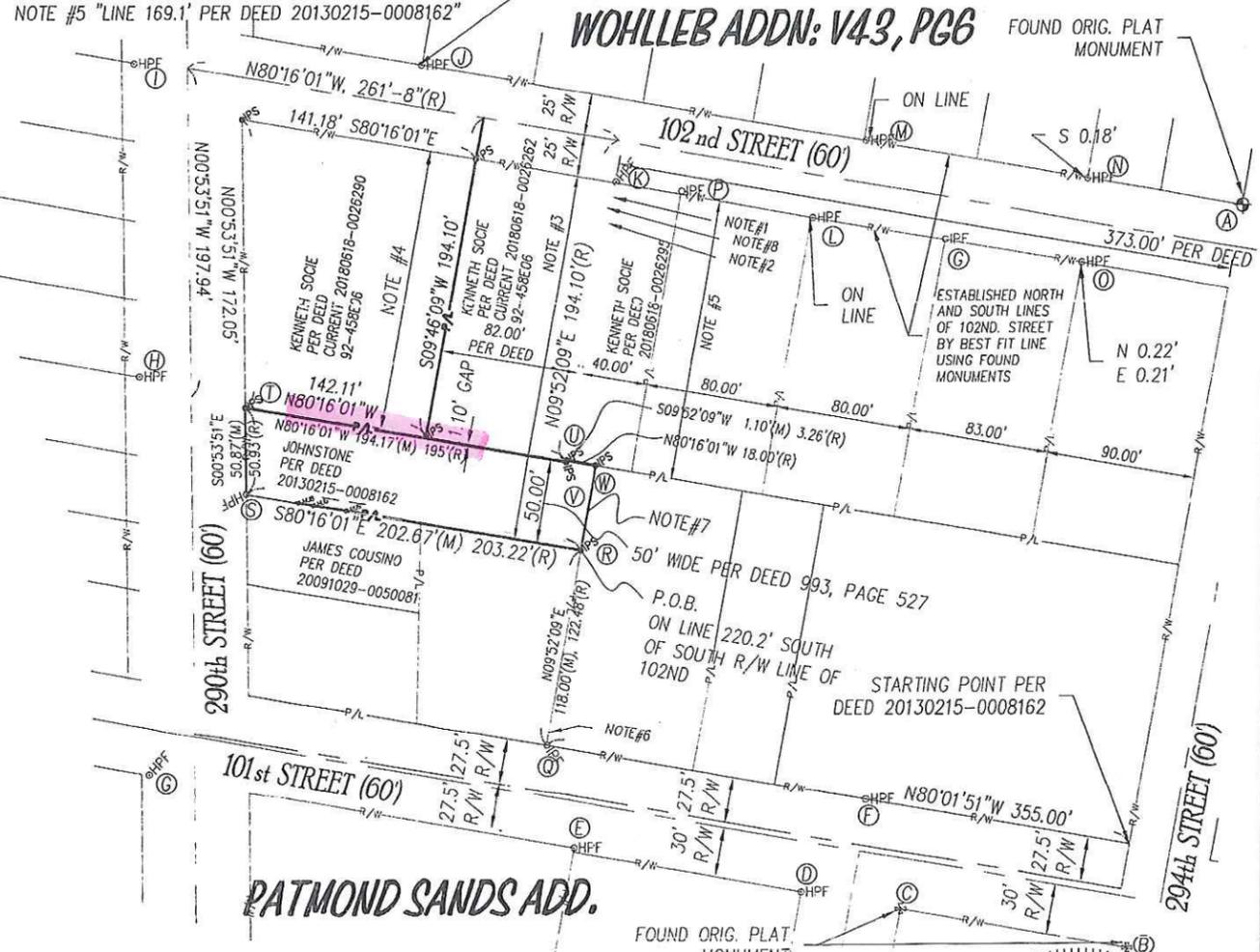
MONUMENT	DESCRIPTION
A,B,C	EXISTING ORIG. PLAT MON. (1/2" IRON PIN, IN 6" CONCRETE)
D-O,S	1/2" IRON PIPE FOUND
P-Q	1/2" IRON PIN FOUND
R,T-W	SET 5/8" IRON PIN W/ CAP STAMPED "BRYAN D. ELLIS 8292"



NOTE #1 "LINE WEST 373' OF 294TH WEST R/W PER DEED"
 NOTE #2 "LINE EAST 773' OF WEST LINE OF LAMAR TRACT PER DEED"
 NOTE #3 "LINE 220.20' PER DEED 20130215-0008162" THIS LINE HELD OVER 122.48' NORTH OF NORTH LINE OF 101ST.
 NOTE #4 "LINE 169.1' PER DEED 20180618-0026295"
 NOTE #5 "LINE 169.1' PER DEED 20130215-0008162"

NOTE #6 "LINE WEST 355' OF 294TH WEST R/W PER DEED"
 NOTE #7 N09°52'09"E 51.10'(M), 46.62'(R) (HELD TO THE LINE 169.1' S. OF S R/W LINE OF 102 ND. ST.
 NOTE #8 "LINE 261'8" FROM INTERSECTION OF 290TH. PER DEED"

WOHLLEB ADDN: V43, P66



PATMOND SANDS ADD.

SURVEYOR CERTIFICATION

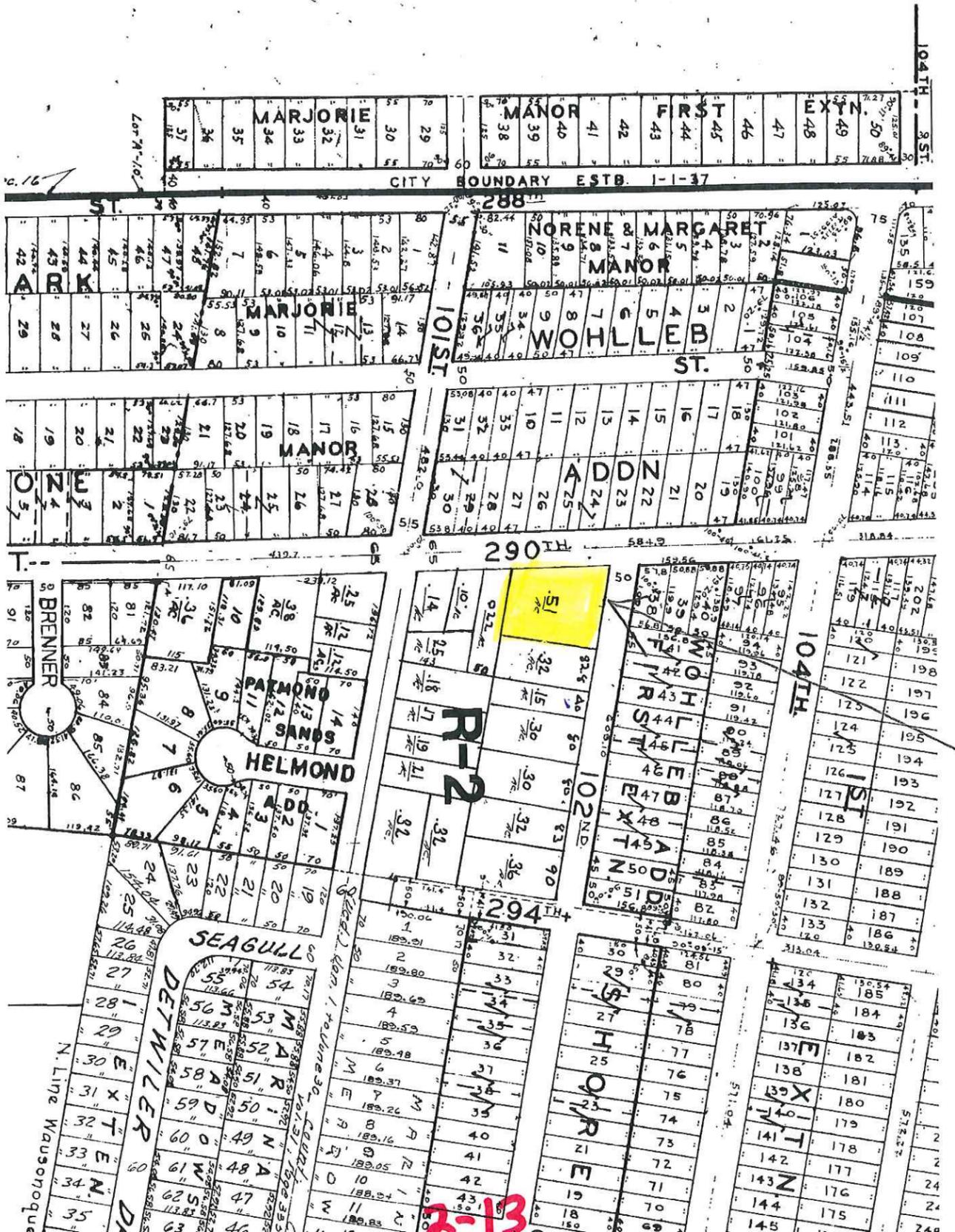
This is to certify to KEN SOCIE that this plat of survey 06/21/18 was made in accordance with "Minimum Standards for Boundary Surveys in the State of Ohio" as adopted 5-1-80 of the Administrative Code, Chapter 4733-37. Local governing requirements, if more stringent, shall be adhered to.

[Signature]
 BRYAN D. ELLIS, P.L.S.
 REGISTERED SURVEYOR NO. 8292



 ENGINEERING & SURVEYING, LLC 2001 RIVER ROAD, MAUMEE, Ohio 43537 (419) 283-8362, Fax (419) 794-9391-	LOT SURVEY PARCEL I.D #18-78991 PART OF LAMAR TRACT., LUCAS COUNTY, OHIO		ORDER NO. 18-135 REF. 808-1401
	SCALE 100 DRAWN BDE DATE 06-21-18 CHECKED BDE	EMAIL: BRYAN.ELLIS@GCENGINEERINGANDSURVEYING.COM	

2-12



4528 290TH ST.

2-1-3

PARCEL ID: 1878991

ASSESSOR#: 10202004

MARKET AREA: 1005R
SOCIE KENNETH J TR OF THE KENNETH J SOCIE TRUST &
TAX YEAR: 2019

ROLL: RP_OH
4528 290TH ST

STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	1005R - 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	SOCIE KENNETH J TR OF THE KENNETH J SOCIE TRUST & SOCIE GINGER L TR OF THE GINGER L SOCIE TRUST
Property Address	4528 290TH ST TOLEDO OH 43611
Mailing Address	4528 290TH ST TOLEDO OH 43611
Legal Desc.	LAMAR TRACT PT LAWRENCE LANDS W 179 FT N 169.1 FT THT PT S OF CEN LINE 102ND ST & E OF C EN LINE 290TH ST
Certified Delinquent Year	
Census Tract	55.02

Summary - Most Recent Sale

Prior Owner	SOCIE KENNETH J & GINGER L
Sale Amount	\$0
Deed	18204089
Sales Date	18-JUN-18

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	15,510	44,300	15,510	44,300
Building	35,770	102,200	35,770	102,200
Total	51,280	146,500	51,280	146,500

Tax Credits

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

Printed on Wednesday, May 29, 2019, at 2:19:53 PM EST

2-14



PAID 6-6-19

BZA19-0026

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 • onestopshop@toledo.oh.gov

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

Site Location 4855 296th Zoning District R56 Date 6/6/19

Legal Description R56105M03 Pk03, Lot # 115

Applicant's Name (print) ALL PHASE 3, 4, 5, 6 AND 6A, 6B

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

Exception _____ Appeal decision _____ ADA Accommodation _____

TMC § 1105.0204 A - Requesting Variance to install

24x31 garage over the Max coverage Allowed. 565 SF over 688 SF

Applicant Signature Rep. Stu Phone 419-472-5853 - This includes the open area for a porch on side of garage.

Applicant's Street Address 5352 Jackson, #10 Fax 419-471-1195

Applicant's City, State, Zip Toledo, Ohio, 43613 E-Mail _____

- Applications must be accompanied with:
- 3 photos - showing different views of the site
 - Letter explaining your zoning request with full and accurate information.
 - 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.
 - Fee = \$150. 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 65 <http://local.live.com/> Transportation notified to check site distance hazard _____

Code Enforcement notified if orders are being appealed. _____ Permit Tech's Initials BT Date 6/6/19

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

HEARING DATE: July 15th, 2019
CASE NO: 19-28
APPLICANT: Roger Stuart (All Building & Garages)
SITE LOCATION: 4855 296th St
ZONING DISTRICT: RS6
SWO or NOL Issued: N/A
ANALYSIS: Applicant requests a variance from TMC 1105.0204 A to install a 24 X 31 garage 56 square feet over the max square footage allowed.
STAFF COMMENTS: Applicant is 56 square feet over the 688 square footage allowed for rear yard. Note: This calculation includes the attached open porch area at the side.

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:							
Fanny Effler	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Sandy Spang	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

6-6-19

BZA BOARD

I WISH TO REMOVE MY ROTTEN 20'x22' GARAGE AND
REPLACE IT WITH A NEW 26'x24' WITH A 5'x24' OVERHANG ON 1 SIDE
I NEED THE LARGE SIDE FOR MY 2-CARS AND MISL. YARD EQUIPMENT
AND WOOD WORKING TOOLS AND BENCH SPACE I RECENTLY INHERITED.
I AM ON A SMALL LOT. I AM ALLOWED 621 SF AND MY NEW GARAGE
WILL BE 624 SF WITH A 120' OPEN PATIO ROOF

THANK YOU

Jim Vander

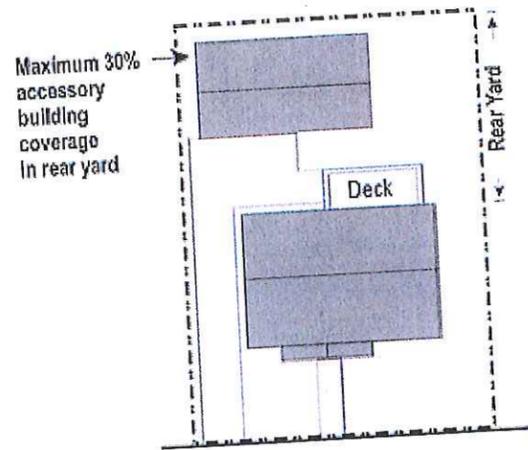
Print

Toledo Municipal Code

1105.0204 Rear Yard Coverage.

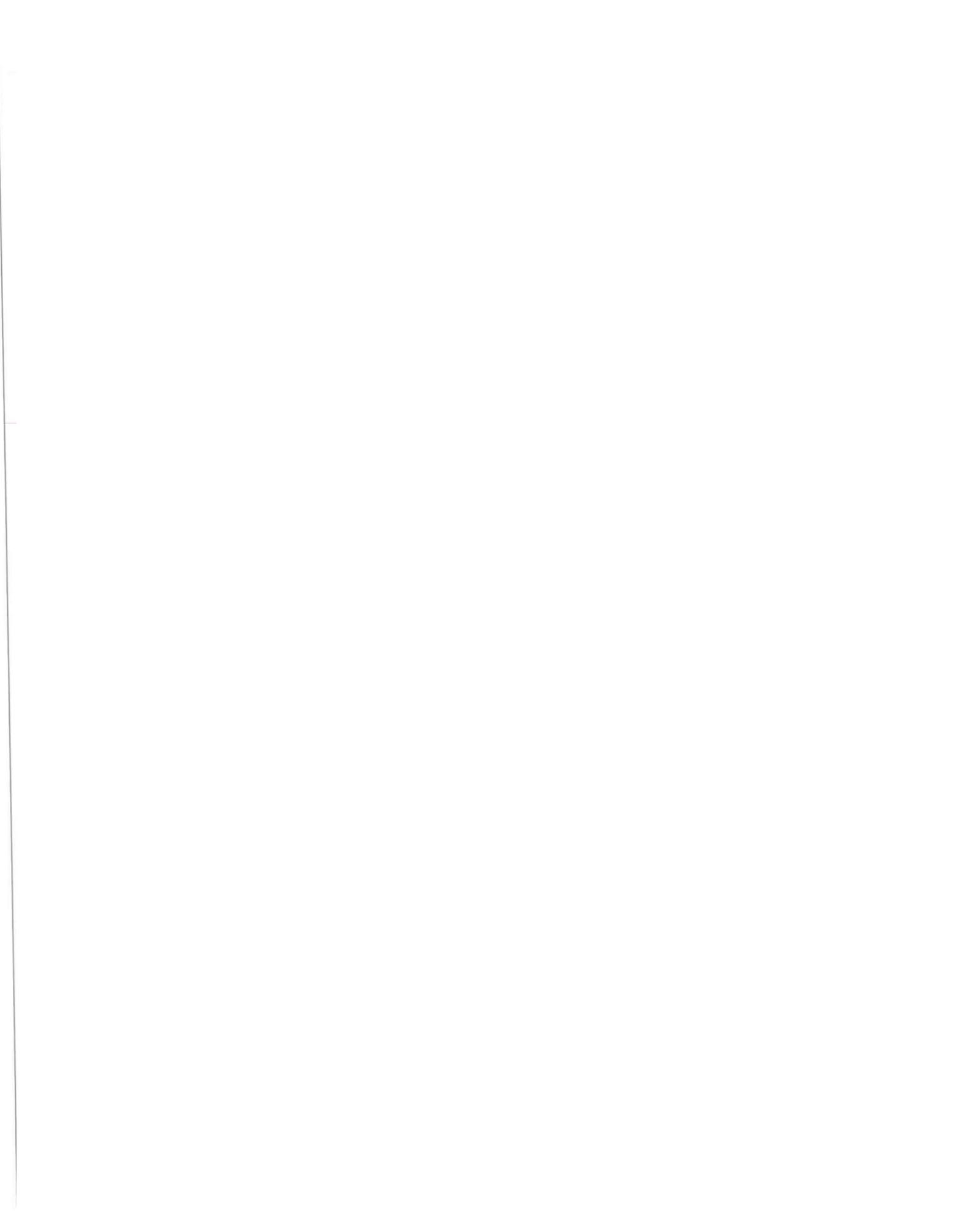
Rear yard refers to the total area of a lot from the rear of a structure to the rear property line as that term is defined in Section 1116.0100.

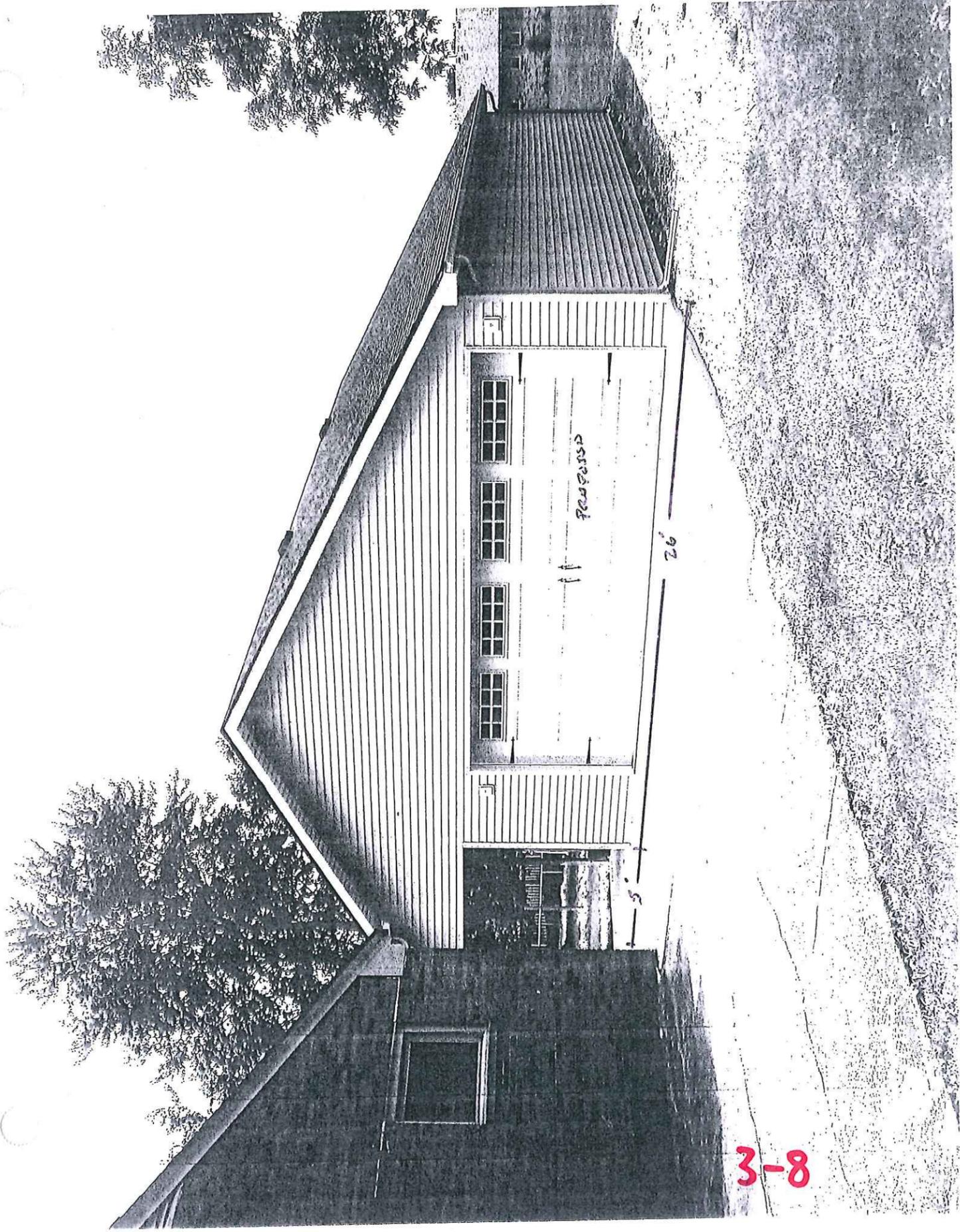
A. The total of all accessory buildings may not occupy more than 30 percent of the total rear yard in a Residential District.



B. The coverage of driveways, open air parking, detached garages and carports may not occupy more than 50 percent of the total rear yard in a Residential District.
(Ord. 170-04. Passed 3-23-04.)

3-4





3-8







3-11

MAP # 65

ORD. 467-58
65
6 AC

8 AC
AD 343-24

ESTABLISHED 80' WIDE TO 131 ST.
IN 1852-CO. RD. RECORD V. 1, P. 390

PARCEL ID: 1322074

MARKET AREA: 1004R
 VANDERGRIFT RONALD L & VIVIAN L
 TAX YEAR: 2019

ASSESSOR#: 10160004

ROLL: RP_OH
 4855 296TH ST
 STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	1004R - 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	VANDERGRIFT RONALD L & VIVIAN L
Property Address	OR SURVTC 4855 296TH ST TOLEDO OH 43611
Mailing Address	4855 296TH TOLEDO OH 43611
Legal Desc.	RESIDENCE PLACE LOT 45
Certified Delinquent Year	55.02
Census Tract	

Summary - Most Recent Sale

Prior Owner	VANDERGRIFT RONALD L & VIVIAN L
Sale Amount	\$0
Deed	18200827
Sales Date	06-FEB-18

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	5,220	14,900	5,220	14,900
Building	24,260	69,300	24,260	69,300
Total	29,480	84,200	29,480	84,200

Tax Credits

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

Printed on Monday, July 01, 2019, at 10:51:52 AM EST

3-12



CITY OF TOLEDO
Division of Building Inspection

BZA19-0027

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 2250 Crossbough Zoning District RS12 Date 6/7/19

Legal Description White Cliff Plat 2 Lot 62 and S 10ft 63

Applicant's Name (print) George Wagner Hardship Variance Exception Appeal decision

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

TMC § 1105.0301(A)(B). To allow 2 1/2' over the 3 1/2' max allowed in front setback.
and to allow 1/2' over the allowed 3 1/2' max allowed in front setback

Applicant Signature George Wagner Phone 419-779-3813

Applicant's Street Address 2250 Crossbough DR. Fax _____

Applicant's City, State, Zip Toledo, OH 43614 E-Mail WAGNER.george@shcglobal.net

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 properly completed Photos Letter Proper Site Plan

Copy Zoning Map 148 <http://local.live.com/> Transportation notified to check site distance hazard _____

Code Enforcement notified if orders are being appealed. _____ Permit Tech's Initials JTB Date 6/1/19

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

4-1

PAID
6/7/19

HEARING DATE: July 15th, 2019
CASE NO: 19-29
APPLICANT: George Wagner
SITE LOCATION: 2250 Crossbough
ZONING DISTRICT: RS12
SWO or NOL Issued: N/A

ANALYSIS: Applicant requests a variance from TMC 1105.0301 (A & B) to install 6' high fencing within front yard & side yard setback.

STAFF COMMENTS: The proposed replacement fence is 2' over the 4' max allowed along Crossbough.
The proposed new fence is 2' 6" over the max 3' 6" allowed along Heatherbank.

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:							
Fanny Effler	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Sandy Spang	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

George J. Wagner
Milva M. Valenzuela Wagner
2250 Crossbough Dr. Toledo, OH 43614 419-77-3813

6/7/19

Board of Zoning Appeals
Division of Building Inspection
One Government Center, Suite 1600
Toledo, OH 43604

Dear Board of Zoning Appeals Members:

We are respectfully requesting a variance on our property fence at our residence at 2250 Crossbough Drive which is located at the corner of Crossbough Drive and Heatherbank Road. This property is also referred to as 5684 Heatherbank Road.

All of the fence on the property was in place when we acquired our home in July of 2016. The current fence is in need of being replaced, due to its age and deteriorated condition. The fence restricts access to the back yard where an in-ground swimming pool is located.

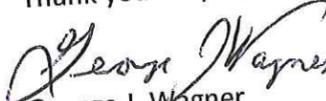
We would like to replace the current 4 feet high split rail fence (with wire mesh) with 260 feet of similar height and style along with new wire mesh. This fence goes across the rear, side and front yards. In the rear yard, a 50-inch wide gate allows access to a utility box. In the front yard fence, between our property and 2240 Crossbough, there is a 9 feet wide, two section, access gate. We would like to increase this access gate width to 10 feet to allow easier maneuverability to the backyard for any equipment for pool or yard maintenance or utility company access.

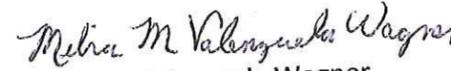
Currently, the privacy fence is located primarily along the Heatherbank Road side of our property. It is 5-feet high. There are two gates located on the section of the fence which comes off the house (19 ft 10 in) running parallel with the driveway. The separate gates on this section are 52 inches and 78 inches wide.

Our proposed replacement privacy fence will be 6 feet high, and extend approximately 27 feet from the house, thus moving the fence about 7 feet closer to Heatherbank Road. Moving the fence closer to the street will let us widen the larger gate to 10 feet to allow easier access/maneuverability to the backyard for any equipment for pool or yard maintenance or utility companies. The proposed replacement privacy fence will be located on property that slopes toward Heatherbank Road. Utilizing a 6 feet fence will compensate for the slope and maintain the privacy.

The proposed 6 feet replacement fence will also be a straight run of approximately 79 feet that will be located on the Heatherbank side of existing tree trunks of two, mature, blue spruce trees. The current privacy fence, switches to split rail in order to go on the pool side of the tree trunks, then resumes to backyard fence between our property and 2237 Brothan.

Thank you for your consideration of our application.


George J. Wagner


Milva M. Valenzuela Wagner

4-3

Print

Toledo Municipal Code

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.)

4-4

**A Boundary Survey Of Lot 62, And
The South 10 Feet Of Lot 63 In
White-Cliffs Plat 2, City of Toledo,
Lucas County, Ohio**

For: George Wagner

The bearings used hereon are for the purpose of angular measurement only and are not referenced to true or magnetic north.



I hereby certify this to be a true copy of a survey performed under my supervision and to be correct to the best of my knowledge. I also certify that the monuments have been located and/or set as indicated.

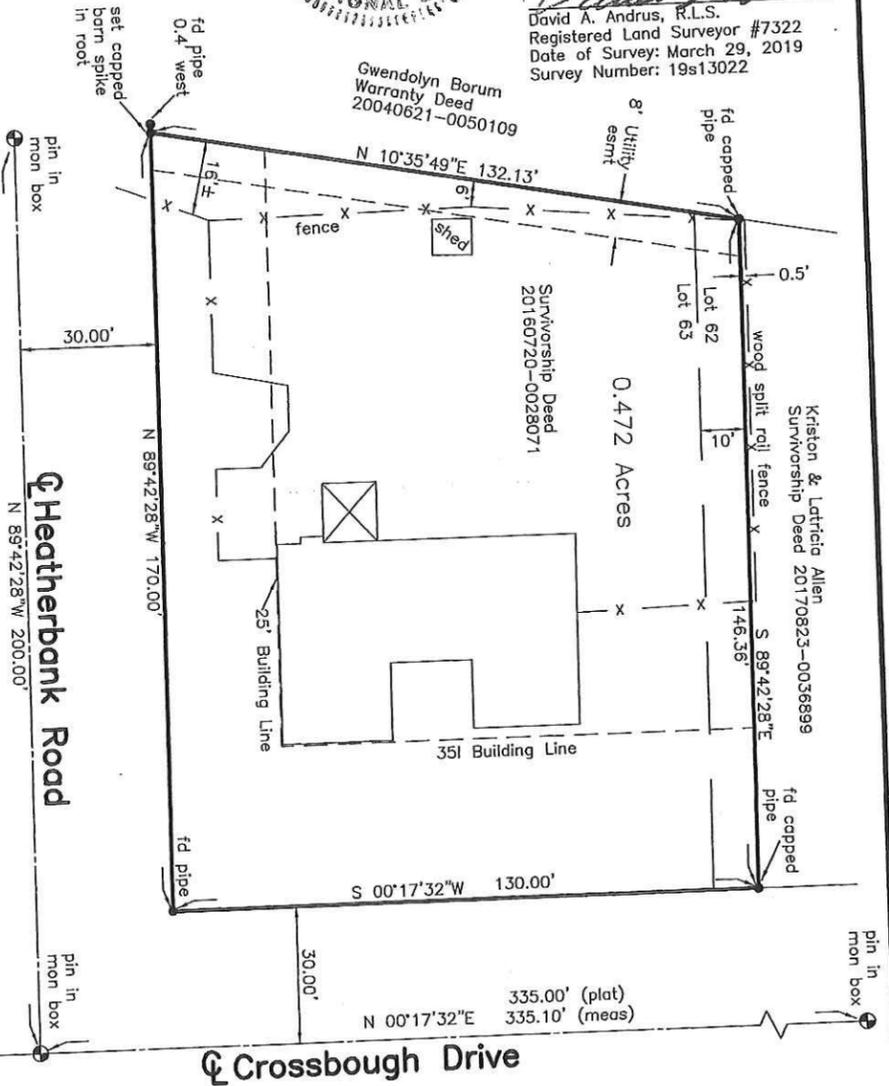
David A. Andrus

David A. Andrus, R.L.S.
Registered Land Surveyor #7322
Date of Survey: March 29, 2019
Survey Number: 19s13022

Gwendolyn Borum
Warranty Deed
20040621-0050109

Survivorship Deed
20160720-0028071

Kriston & Latricia Allen
Survivorship Deed 20170823-0036899



DRAWN BY: DAA
DATE: 3/31/19
NAME: 19s13022
JOB NUMBER: 19s13022



J.C. ANDRUS & ASSOCIATES, INC.
- SURVEYORS -
5241 SECOR ROAD SUITE A TOLEDO, OHIO 43623
(419) 248-3737 (800) 669-5315
FAX: (419) 248-1099

REVISIONS:

4-5

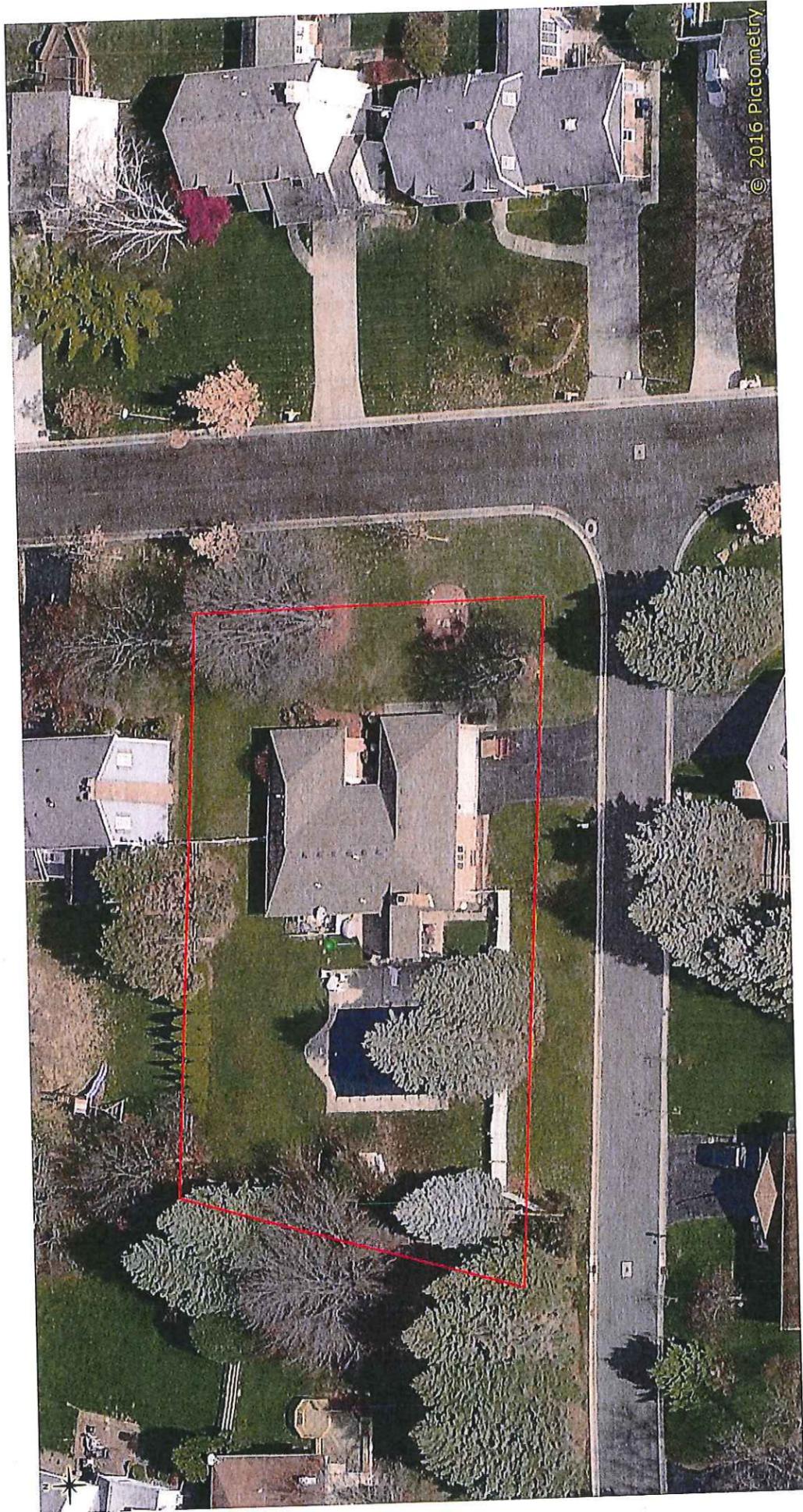


4-6

Wagner, 2250 Crossbough Dr. Proposed fence revision: Blue line indicates replacement of current 4 ft split rail fence with wire mesh with similar 4 ft split rail fence with wire mesh. Green line indicates proposed 6 ft privacy fence moved an additional 7 feet away from the house. Please see application letter for more details.

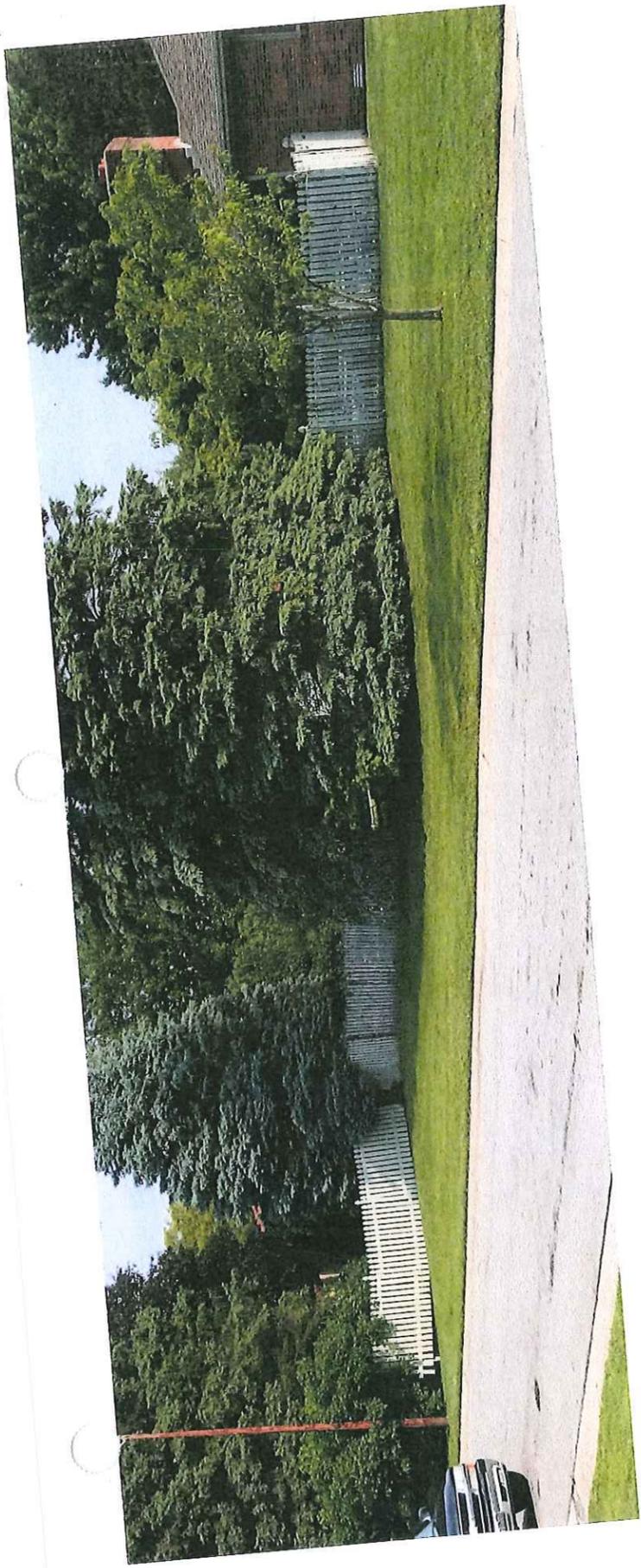


2250 CROSSBOUGH



4-8

11/22/2016



Wagner, 2250 Crossbough Drive, Side yard. Heatherbank Rd is the street shown in the photo. 2237 Brothan is located behind the fence that runs perpendicular to Heatherbank, near the street light pole to the left of the photo.

4-9



Wagner, 2250 Crossbough Drive, Front and side yard. Crossbough Dr. is behind the photographer. Heatherbank Rd. is shown in the photo.

4-10



Wagner, 2250 Crossbough Drive, side yard. Crossbough Dr. is to the right of the photographer. Heatherbank Rd. is shown in the photo. 2247 Brothan is located behind the fence that runs perpendicular to Heatherbank Rd.

4-11



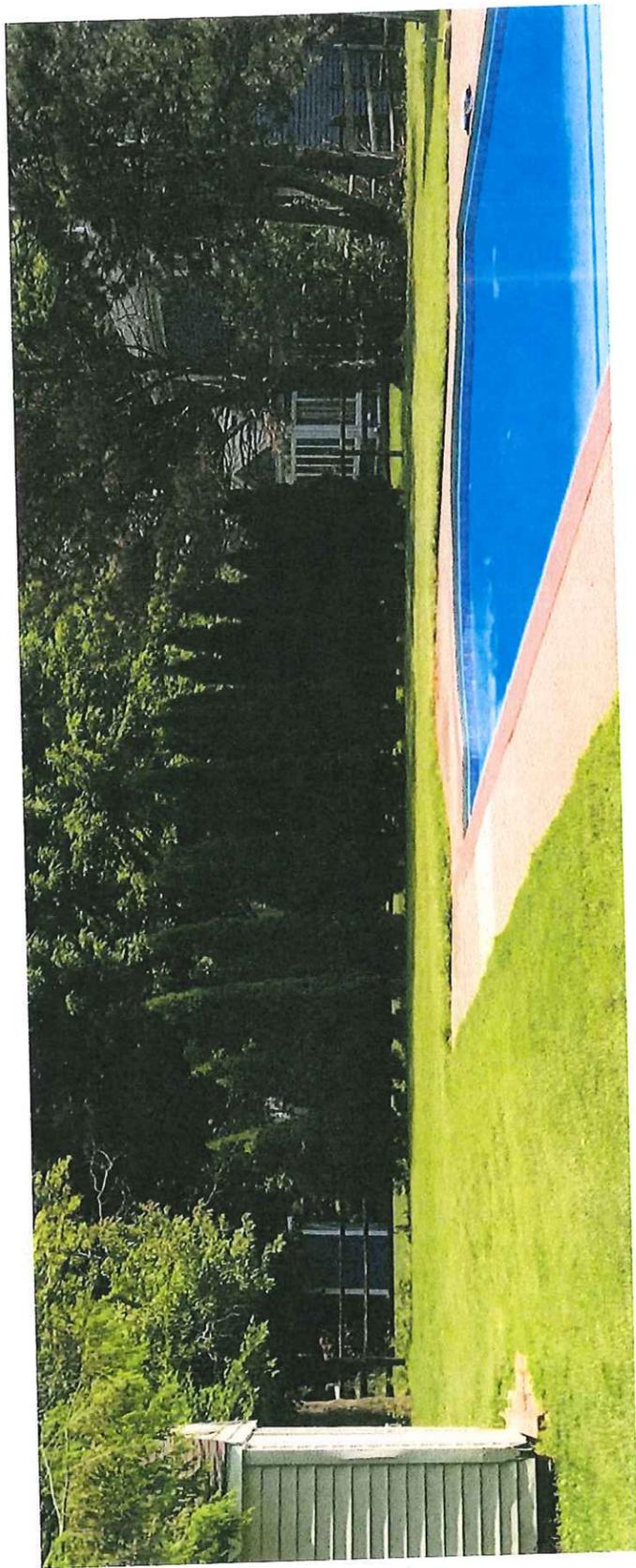
Wagner, 2250 Crossbough Dr. – front yard. Crossbough Dr. is behind the photographer. 2237 Brothan is the light grey house located in the upper right corner of the photo. The house on the left is ours (2250 Crossbough Dr.). The dark grey house located on the right edge of the photo is 2240 Crossbough Dr.

4.12



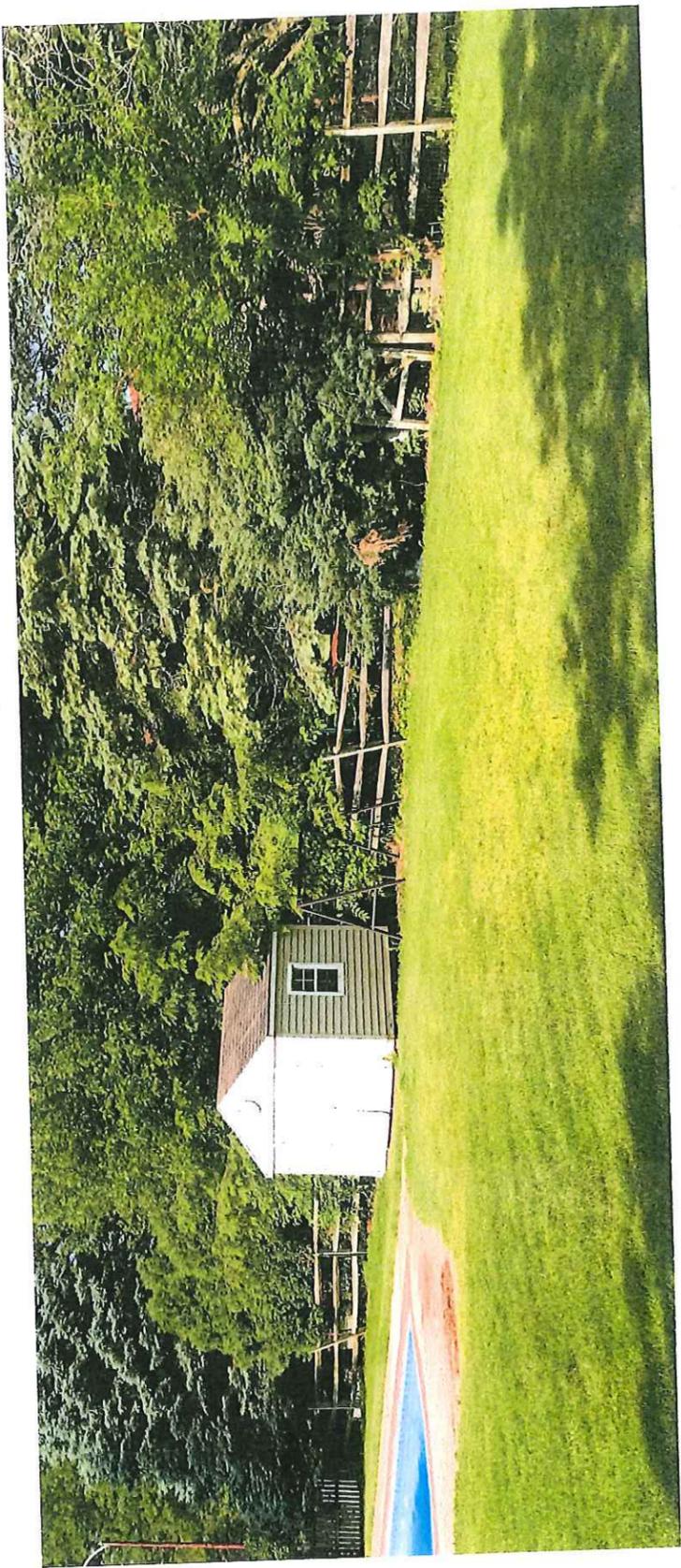
Wagner, 2250 Crossbough Dr. – Backyard. Heatherbank Rd is to the left of the photographer.
2247 Brothan is located behind the shed. 2237 Brothan is located in the upper right corner of the photo.

4.13



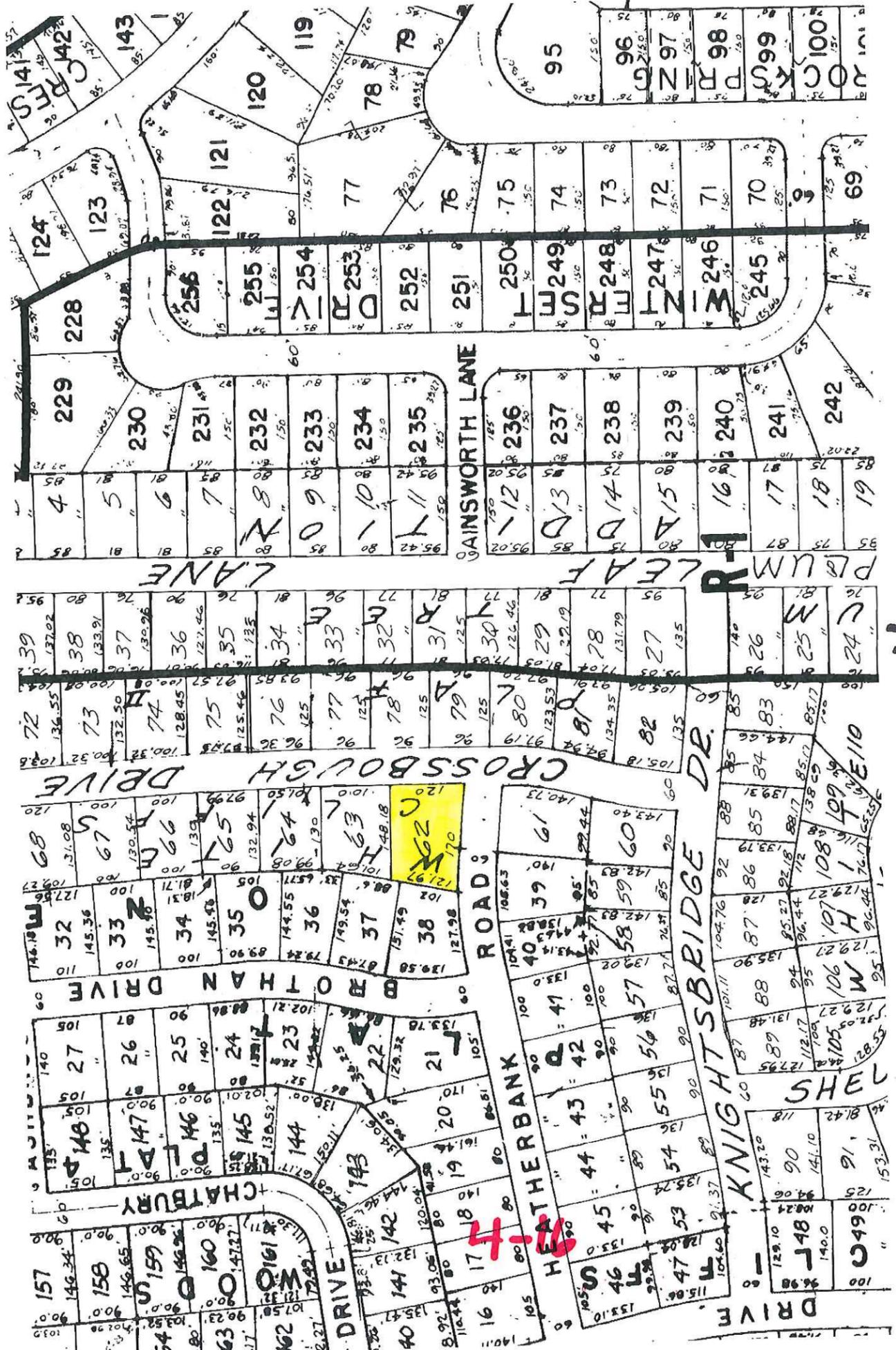
Wagner, 2250 Crossbough Dr. – Backyard facing 2240 Crossbough Dr. Heatherbank Rd is behind the photographer.

4-14



Wagner, 2250 Crossbough Drive - Back yard - Heatherbank Rd is located at the left, upper corner of the photo

4-15



MAP # 148

PARCEL ID: 1661204
 MARKET AREA: 621R
 WAGNER GEORGE J II & MILVA M VALENZUELA
 TAX YEAR: 2019

ASSESSOR#: 06337010
 ROLL: RP_OH
 2250 CROSSBOUGH
 STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	621R - Click here to view map
Zoning Code	10-RS12 - Click here for zoning details
Zoning Description	Single-Family Residnce-12
Water and Sewer	CITY WATER / CITY SEWER
Traffic	RESIDENTIAL SIDE STREET
Street Type	CONCRETE OR BLACKTOP
Owner	WAGNER GEORGE J II & MILVA M VALENZUELA
Property Address	5684 HEATHERBANK RD TOLEDO OH 43614
Mailing Address	2250 CROSSBOUGH TOLEDO OH 43614
Legal Desc.	WHITE CLIFFES PLAT 2 LOT 62 & S 10 FT 63
Certified Delinquent Year	
Census Tract	72.04

Summary - Most Recent Sale

Prior Owner	COLLINS CAROL J
Sale Amount	\$168,000
Deed	16104768
Sales Date	20-JUL-16

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	10,190	29,100	10,190	29,100
Building	36,400	104,000	33,180	94,800
Total	46,590	133,100	43,370	123,900

Tax Credits

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

Printed on Friday, June 07, 2019, at 2:57:31 PM EST

4-17



CITY OF TOLEDO

Division of Building Inspection

BZA19-0028

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 1015 WESTERN Zoning District RM36 Date 6-7-19

Legal Description MILLERS SUBD LOTS 124 TO 126

Applicant's Name (print) Eva Rivera-Cruz

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

TMC § 1107.1200(A)(1) & 1116.0130 FOR DRIVEWAY ~~TO~~

REMAIN AS GRAVEL RATHER THAN PAVED AS REQ'D

BY
CODE

Applicant Signature [Signature] Phone 419-917-3918

Applicant's Street Address 1015 western Ave Fax _____

Applicant's City, State, Zip Toledo, OH 43609 E-Mail _____

Applications must be accompanied with:

- 3 photos - showing different views of the site
- Letter explaining your zoning request with full and accurate information.
- 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.
- 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 properly completed Photos Letter Proper Site Plan

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 [Signature] Date 6-10-19

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

5-1

PAID
6/7/19

HEARING DATE: July 15th, 2019
CASE NO: 19-30
APPLICANT: Eva Rivera-Cruz
SITE LOCATION: 1015 Western
ZONING DISTRICT: RM36
SWO or NOL Issued: Nuisance Order #550927

ANALYSIS: Applicant requests variance from TMC 1107.1202 (A1), TMC 1116.0130 Driveway (Definition), & TMC 1107.1906 Surfacing & Drainage to maintain a gravel parking lot within front yard setback of a residentially zoned property.

STAFF COMMENTS: Per TMC 1107.1202 (A1), parking is not permitted within front yard setbacks. Per TMC 1116.0130, gravel does not meet the definition/qualification of a hard surface. Per TMC 1107.1906, gravel is not considered a dust-free material.

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:							
Fanny Effler	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Sandy Spang	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

CITY OF TOLEDO



DEPARTMENT OF NEIGHBORHOODS AND BUSINESS DEVELOPMENT

Our Division's web-site can be accessed 24/7 at www.toledo.oh.gov

05/31/2019
Order #550927 SR # 249158

EGUILAR JOSE CRUZ

VIOLATION LETTER
72 HR PUBLIC NUISANCE ORDER: TMC 1726.01 (a)

1015 WESTERN AVE
TOLEDO OH 43609 2338

Property location: 1015 WESTERN AVE

An inspection of the above listed property was conducted on or about 05/31/2019.

Emergency Conditions were observed and recorded.

An examination of the Lucas County Auditor's Records shows that you are the Record Owner/Vendee of the property and premises of this violation location.

You are hereby notified, pursuant to Section 1726.02 of the Toledo Municipal Code, that the above property has been declared a public nuisance by the Director of Neighborhoods and/or the Commissioner of the Division of Code Enforcement. and you are subject to civil fines up to \$600.00. THE NUISANCE CONDITIONS THAT EXIST AT THIS PROPERTY ARE AN IMMEDIATE THREAT TO THE HEALTH, SAFETY OR WELFARE OF THE PUBLIC.

YOU ARE HEREBY ORDERED TO correct the violations as described on the attached page(s) and to maintain property in a nuisance free condition at all times. T.M.C. 1726.01(a)

Unless you cause the abatement of this public nuisance within seventy-two (72) hours after service of this notice you may have criminal charges and/or a civil complaint filed against you in Toledo Municipal Court. In addition, the public nuisance may be abated or demolished by the City of Toledo at your expense.

You may, within three (3) business days from the date of this notice/order or no later than 24 hours from the date received, make an in-person request to the Manager of the division of Code Enforcement, for a hearing on the question of whether a public nuisance as defined in section 1726.01(a) exists and merits summary abatement. Your request must be accompanied by a cash bond in the amount of fifty (\$50.00) dollars (no personal checks accepted). The hearing shall be held at the first regularly scheduled Nuisance Abatement Housing Appeals Board meeting following the in-person request. The appeal does not stay the order to abate the nuisance.

SECTION 1726.08(c) of the Toledo Municipal Code provides that failure to obey this order may result in criminal charges being filed against you. Any person who transfers his or her property to another after the property has been declared a public nuisance without first abating the nuisance, is guilty of a misdemeanor of the first degree and shall be liable for any and all costs incurred by the City in abating the nuisance.

For inspection details please refer to the following pages of this letter. All questions and/or correspondences are to be directed to city inspector TILMAN at 419-936-3616.

Please call for an appointment prior to visiting Code Enforcement to avoid unnecessary delays.

5-3

05/31/2019

Property location: 1015 WESTERN AVE

INSPECTION # 59647

During the inspection of referenced structure and premises the City of Toledo Code Enforcement inspector found the following violations of the Toledo Municipal Code:

Vehicle Parked on Lawn/Gravel YES

Inspector's comments:

5-4

Translated

June 7, 2019

To Whom it may concern:

This is the letter in correspondence to the violation that I have received at 1015 Western Avenue Toledo - Oh, 43609. In reference to the parking area that I created with gravel at my property. I am asking for a permit to keep it, for the moment I can not put concrete. I have lived here for 6 years and have kept the property clean and maintained. I can not leave the vehicles on the street parking due to numerous accidents where people have crashed. That is why I park my vehicles on the lot. I would also like to get a permit for a privacy fence. I would like you to please take this into consideration in reference to this matter please and Thank you.

Sincerely



5-5

Original letter

Junio-7-2019.

A quien corresponda.

Esta es la carta de la violacion que me mandaron de la casa 1015 wester Ave toledo Ohio 43609 sobre el Parquadero referente a la que le puse grave y estoy pidiendo Permiso para dejarla porque por el momento no puedo ponerle concreto y en vivido aqui durante 6 años y en mantenido limpio el lugar donde vivo no los puedo dejar abajo los carros porque en esta ~~tra~~ avenida an sufrido varios accidente que an chocado algunos carros por tal motivo los en subido para arriba debido a estos acontecimientos me gustaria que ustedes tomaran esas cosas como referencia para dejarme quedar con el Parquadero. Gracias A y tambien quisiera poner la cerca en frente para tener mas privacidad en casa. Gracias

Atf. Eva Rivera-Cruz.

Original letter

A quien corresponda.

Esta es la carta de la violación que
mandaron de la casa Lois Weste
6110 43609 sobre el Parquadero
a la que le puse grave y estoy
Permiso para dejarla porque por el
no puedo ponerle concreto y en
durante 6 años y en mantenido
lugar donde vivo no los puedo
los carros porque en esta ha venido
sufriendo varios accidentes que en
algunos carros por tal motivo lo
para arriba debido a estos aconte
me gustaría que ustedes tomaran
como referencia para dejarme que
Parquadero. Gracias a y también que
la cerca en frente para tener más privacidad

Atte. Eva Rivera

Print

Toledo Municipal Code

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.

B. Commercial and Industrial Districts. Off-street parking facilities, including vehicular drives and maneuvering areas, in Commercial or Industrial Districts are prohibited within:

1. Required landscape buffers (see Chapter 1108);
2. 15 feet, and for properties over 5 acres and/or those with over 500 feet of frontage 30 feet, of street rights-of-way, except for approved driveways from streets;
3. 25 feet for properties less than 5 acres and/or those with less than 500 feet of frontage of the street right-of-way when located within 50 feet of a Residential district that fronts on the same street as the lot containing the off-street parking area; and
4. 10 feet from all RS and RD Districts.

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

1107.1906 Surfacing and Drainage.

Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways shall 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 system subject to the regulations and approval of the Department of Public Utilities.

(Ord. 155-16. Passed 4-26-16.)

A. An internal storm drainage system shall be provided and connected to the nearest outlet, subject to the regulations and approval of the Department of Public Utilities.

B. All off-street parking, loading and other vehicle circulation areas shall be graded and continuously maintained and designed to preclude free flow of stormwater across or onto adjacent lots, properties, or streets.

C. Concrete curbs may also be required as part of the overall drainage design for all or part of the parking lot or driveway perimeter.

D. The Planning Director may authorize all or a portion of required off-street parking spaces (not to include drive aisles) to be provided on permeable/porous surfaces. A permeable/porous parking area shall be maintained by the property owner for its intended function for the duration of its life.

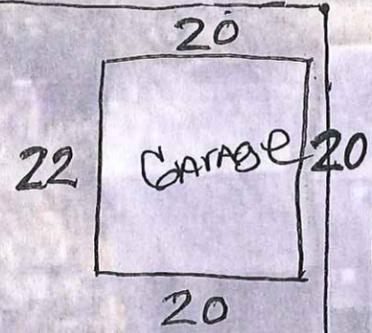
(Ord. 253-09. Passed 4-28-09.)

1116.0130 Driveway.

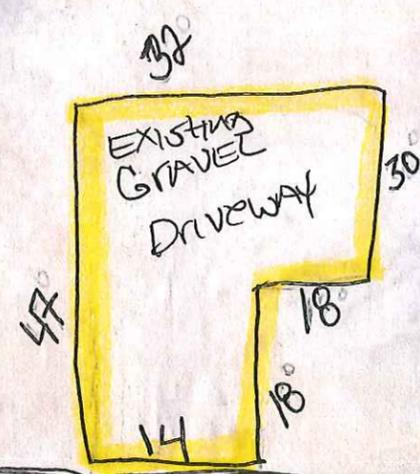
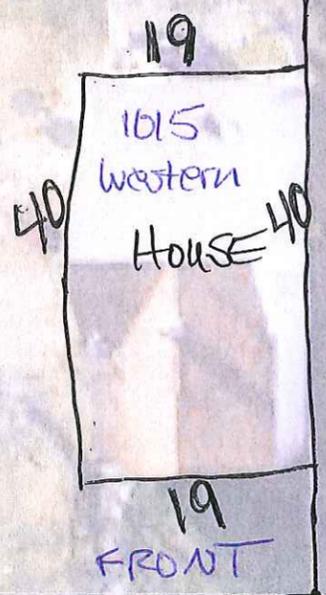
A permanent hard-surfaced way that provides access to a garage, carport, unsheltered parking space, or parking lot from a street or place.

(Ord. 170-04. Passed 3-23-04; Ord. 158-18. Passed 4-24-18.)

120



RM36



150

150

121

WESTERN AVE

S-A

6/7/2019

20190607_144742.jpg



1015 Western Avenue
Toledo, Ohio 43609

5-10

6/7/2019

20190607_144726.jpg



1015 Western Avenue
Toledo, Ohio 43609

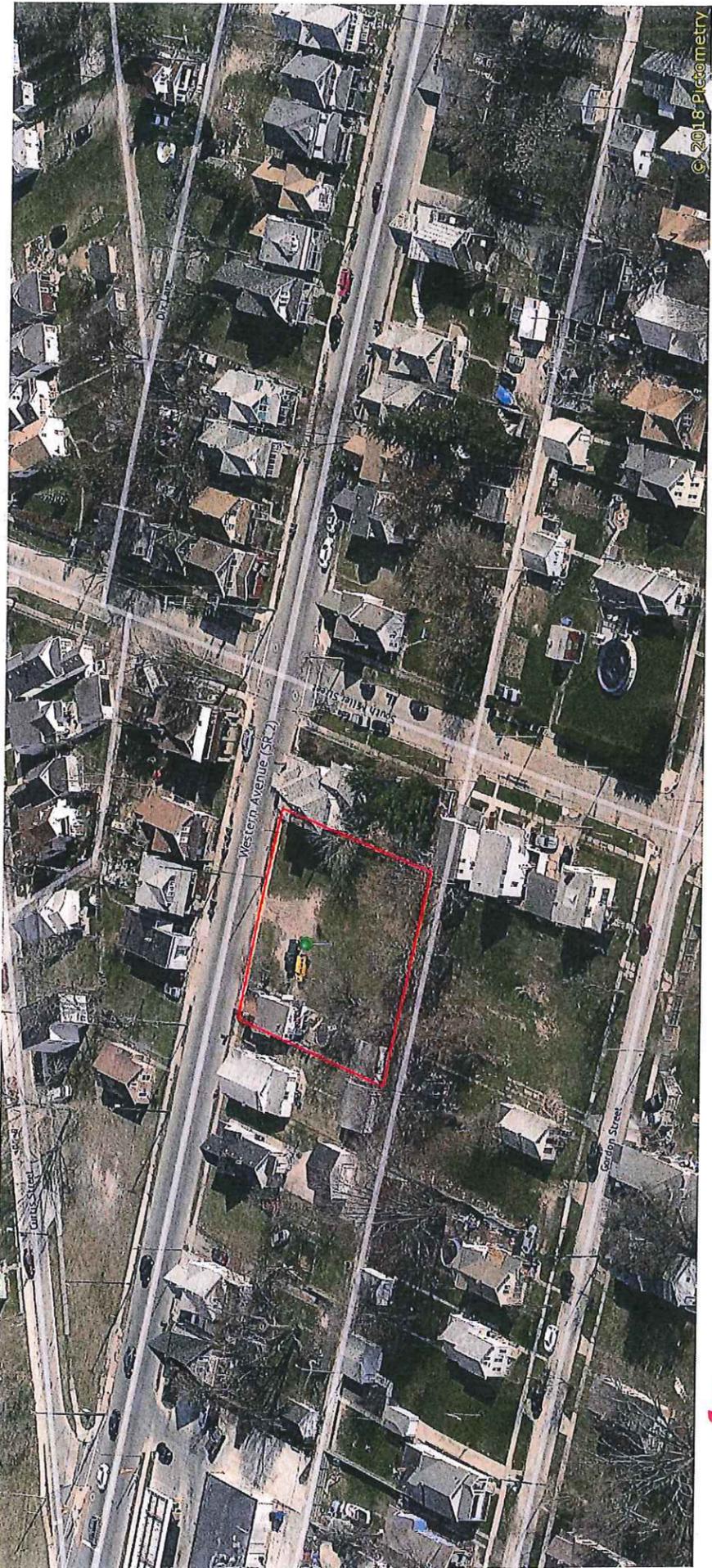
5-11



1015 Western Avenue
Toledo, OH 43609

5-12

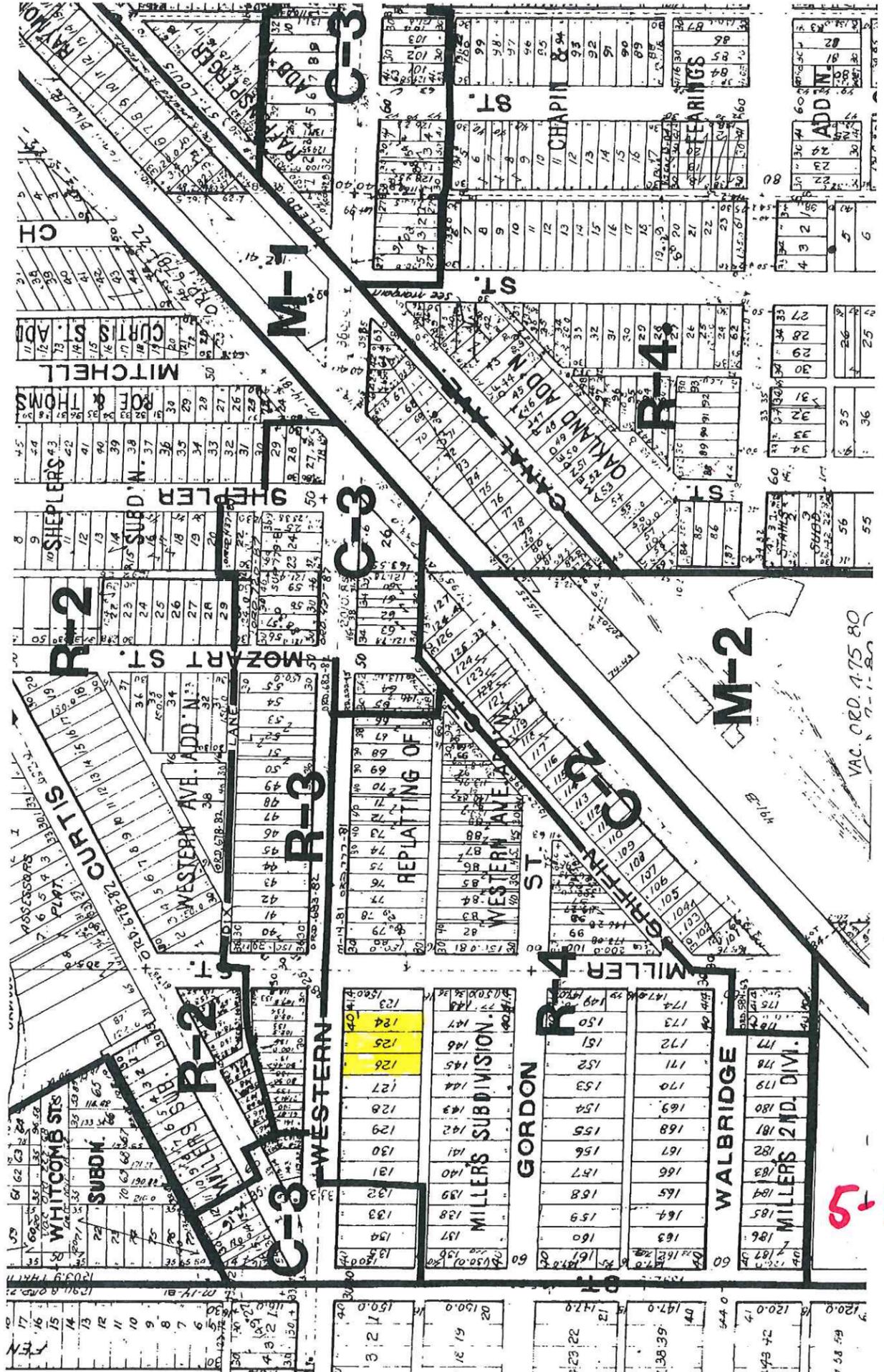
1015 WESTERN AVE



5-13

04/13/2018

1015 WESTERN



5-14

PARCEL ID: 1017904
 MARKET AREA: 701R
 EGUILAR JOSE CRUZ
 TAX YEAR: 2019

ASSESSOR#: 07331025
 ROLL: RP_OH
 1015 WESTERN AVE
 STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	701R - Click here to view map
Zoning Code	10-RM36 - Click here for zoning details
Zoning Description	Multi-Family Residence-36
Water and Sewer	CITY WATER / CITY SEWER
Traffic	MAIN - MAJOR ARTERY
Street Type	CONCRETE OR BLACKTOP
Owner	EGUILAR JOSE CRUZ
Property Address	1015 WESTERN AVE TOLEDO OH 43609
Mailing Address	1015 WESTERN AVE TOLEDO OH 43609 2338
Legal Desc.	MILLERS SUBDIVISION LOTS 124 TO 126
Certified Delinquent Year	2018
Census Tract	40

Summary - Most Recent Sale

Prior Owner	MAIN BRANDON
Sale Amount	\$7,000
Deed	12108316
Sales Date	17-DEC-12

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	3,050	8,700	3,050	8,700
Building	4,380	12,500	4,200	12,000
Total	7,430	21,200	7,250	20,700

Tax Credits

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

Printed on Friday, June 07, 2019, at 3:27:57 PM EST

5-15



CITY OF TOLEDO
Division of Building Inspection

16/10/19

BZA19-0029

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 516 WINFIELD RD Zoning District MX Date 6-16-19

Legal Description HUDSON TERRACE LOT 18 & IRREG PT LOTS 22 & 23 THT MEAS 11.51 FT NW LINE 31.77 FT SW LINE EXC PT IN RD THT PT ST VAC ADJ

Applicant's Name (print) Walter Wells

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

TMC § 1105.0301(A) For Fence 30" over the max 42" height allowed
in 6' yard setback for a 6' high fence

Applicant Signature Walter Wells Phone 419-870-1769

Applicant's Street Address 516 Winfield Fax _____

Applicant's City, State, Zip Toledo Oh. 43610 E-Mail wbcleaning@shglobal.net

- | | |
|---|---|
| <p>Applications must be accompanied with:</p> <ol style="list-style-type: none"> 3 photos - showing different views of the site Letter explaining your zoning request with full and accurate information. 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. Fee = \$200. Checks may be made payable to "City of Toledo." | <p>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.</p> |
|---|---|

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 properly completed Photos Letter Proper Site Plan

Copy 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 6-31-19

Reviewed by _____ Date _____ Staff Recommendation TRANSPORTATION DOES NOT HAVE ANY ISSUES. Ann Palumbo
Date 6-18-19

Board Decision _____ Date _____

6-1



CITY OF TOLEDO
Division of Building Inspection

PAID
6/10/19

BZA19-0029

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 516 WINFIELD RD Zoning District MX Date 6-10-19
Legal Description HUDSON TERRACE LOT 18 & IRREG PT LOTS 22 & 23 THT MEAS 11.51 FT NW LINE 31.77 FT SW LINE EXC PT IN RD THT PT ST VAC ADJ

Applicant's Name (print) Walter Wells
Appeal. (Dept. of Inspection ruling - Title Nine Sign Code) _____ Hardship Variance Exception _____ Appeal decision _____

TMC § 1105.0301(A) FOR FENCE 30" OVER THE MAX 42" HEIGHT ALLOWED IN FRST YARD setback for a 6' high fence

Applicant Signature Walter Wells Phone 419-870-1769

Applicant's Street Address 516 Winfield Fax _____
Applicant's City, State, Zip Toledo Oh. 43610 E-Mail wbcleaning@sbcglobal.net

Applications must be accompanied with:

- 3 photos - showing different views of the site
- Letter explaining your zoning request with full and accurate information.
- 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.
- 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 properly completed Photos Letter Proper Site Plan

Copy 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 YS Date 6-3-19

Reviewed by _____ Date _____ Staff Recommendation _____
Date _____

Board Decision _____ Date _____

HEARING DATE: July 15th, 2019

CASE NO: 19-31

APPLICANT: Walter Wells

SITE LOCATION: 516 Winfield Rd

ZONING DISTRICT: MX

SWO or NOL Issued: SWO

ANALYSIS: Applicant requests a variance from TMC 1105.0301 A to maintain a 6' fence that was installed within the front yard setback.

STAFF COMMENTS: The fence is 2' 6" over the 3' 6" max height allowed within the front yard setback.

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:							
Fanny Effler	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Sandy Spang	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

RE: SIG WINFIELD

I Walter Wells regret in -
stalling without asking
questions First, thought it
was part of my property, didn't
know a permit was needed.

I would like to keep the
fence up and at the six foot
height for privacy because I'm
* Living near a busy intersection.

I also wanted to keep kids
out, they were using it for
a playground and damaging my
property and vehicles with
footballs, baseballs, rock throw-
ing etc.

6-4

Print

Toledo Municipal Code

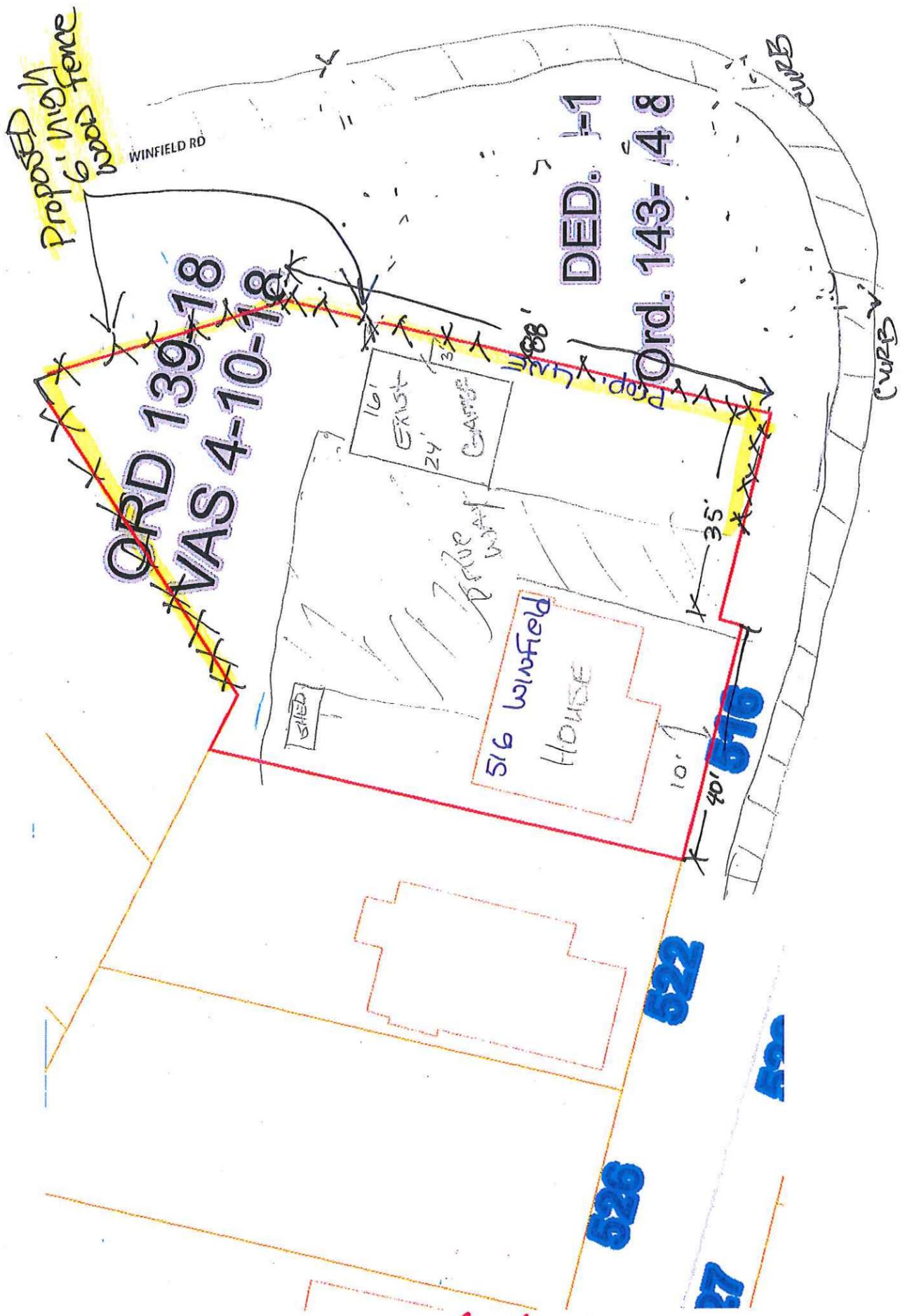
1105.0301 Residential Districts.

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.

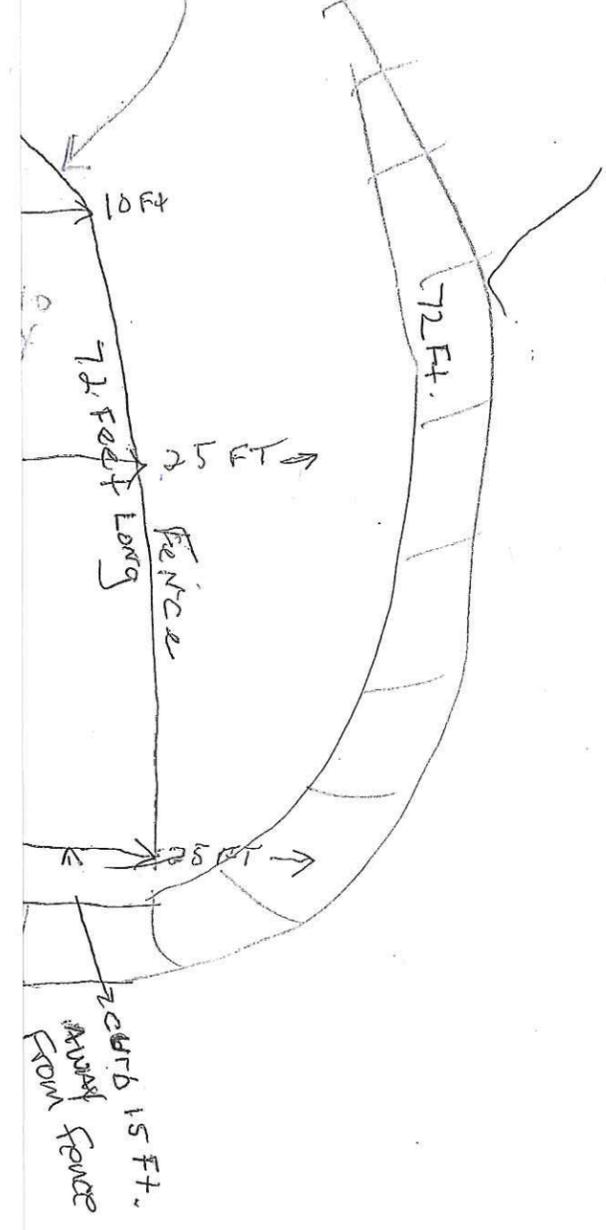
(Ord. 170-04. Passed 3-23-04; Ord. 402-11. Passed 8-23-11.)

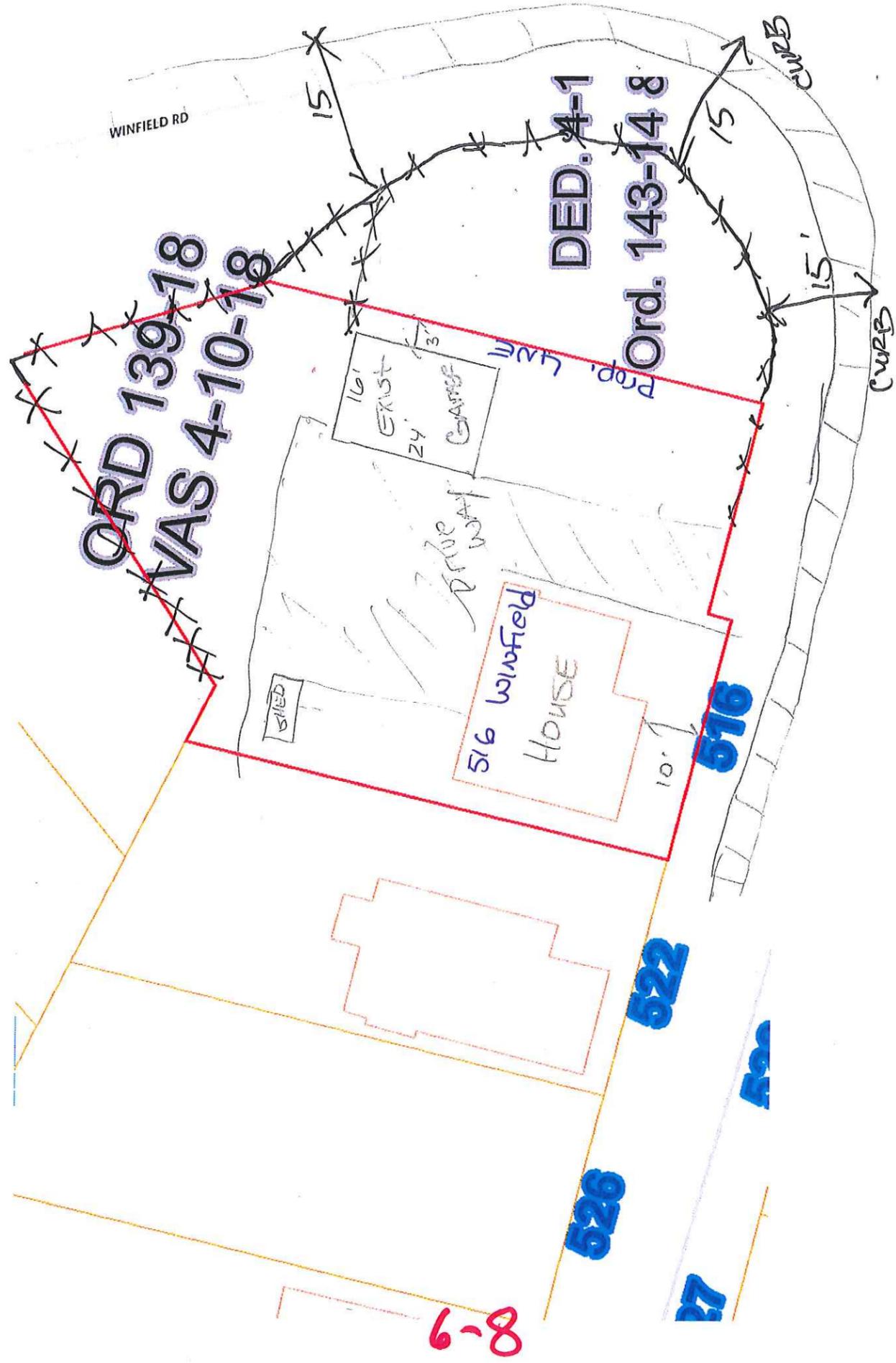
6-5



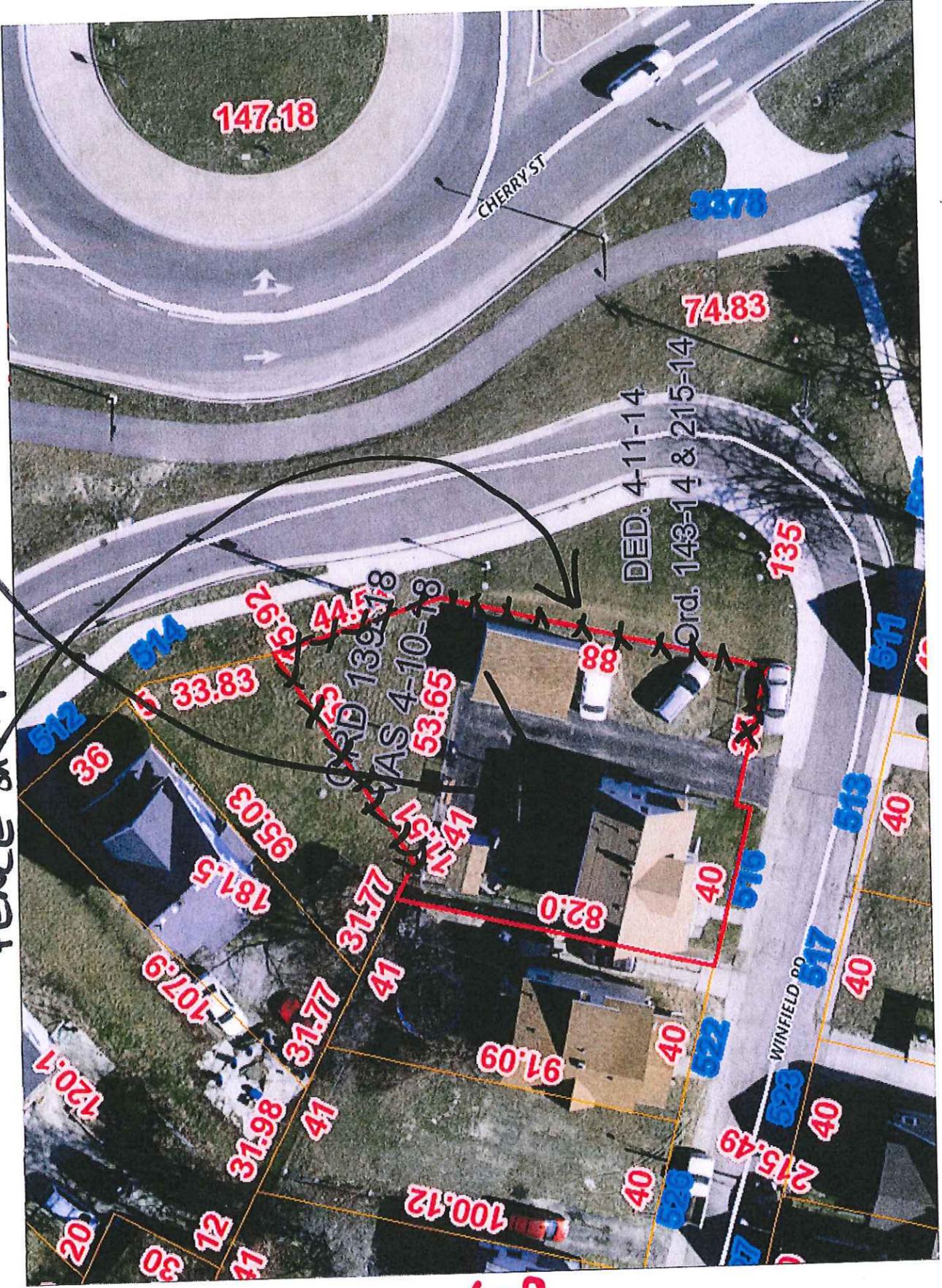
http://icare.co.lucas.oh.us/LucasCare/maps/StreamAGSJSMapImage.aspx?id=agjsmi_4fihzo25eh51zadhu0ra1soz_45a801dd-30... 6/10/2019

Fencing at 516
vs installed





*** 6' high wood fence on prop. line 516 WINFIELD



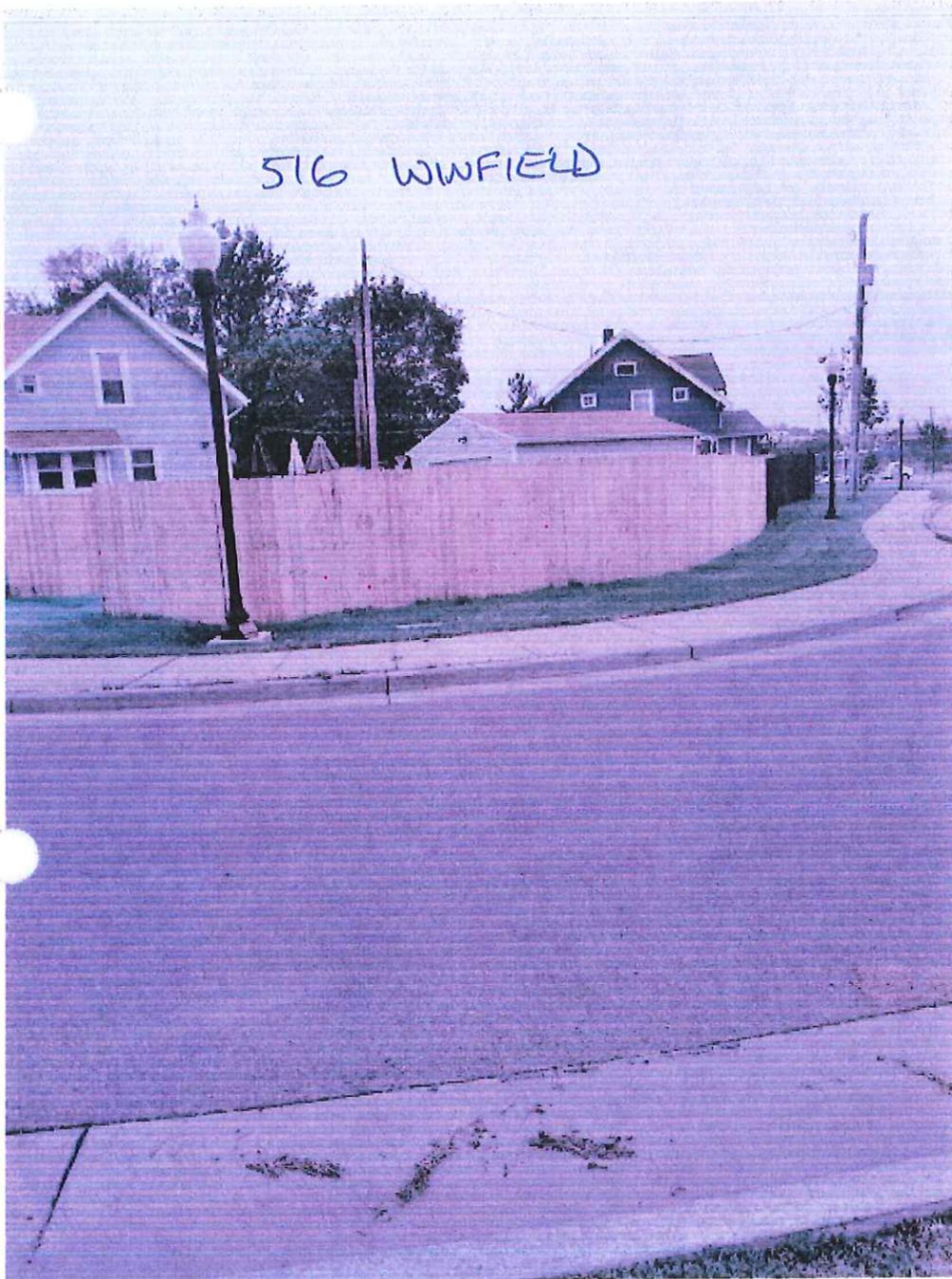
6-9

516 WINFIELD



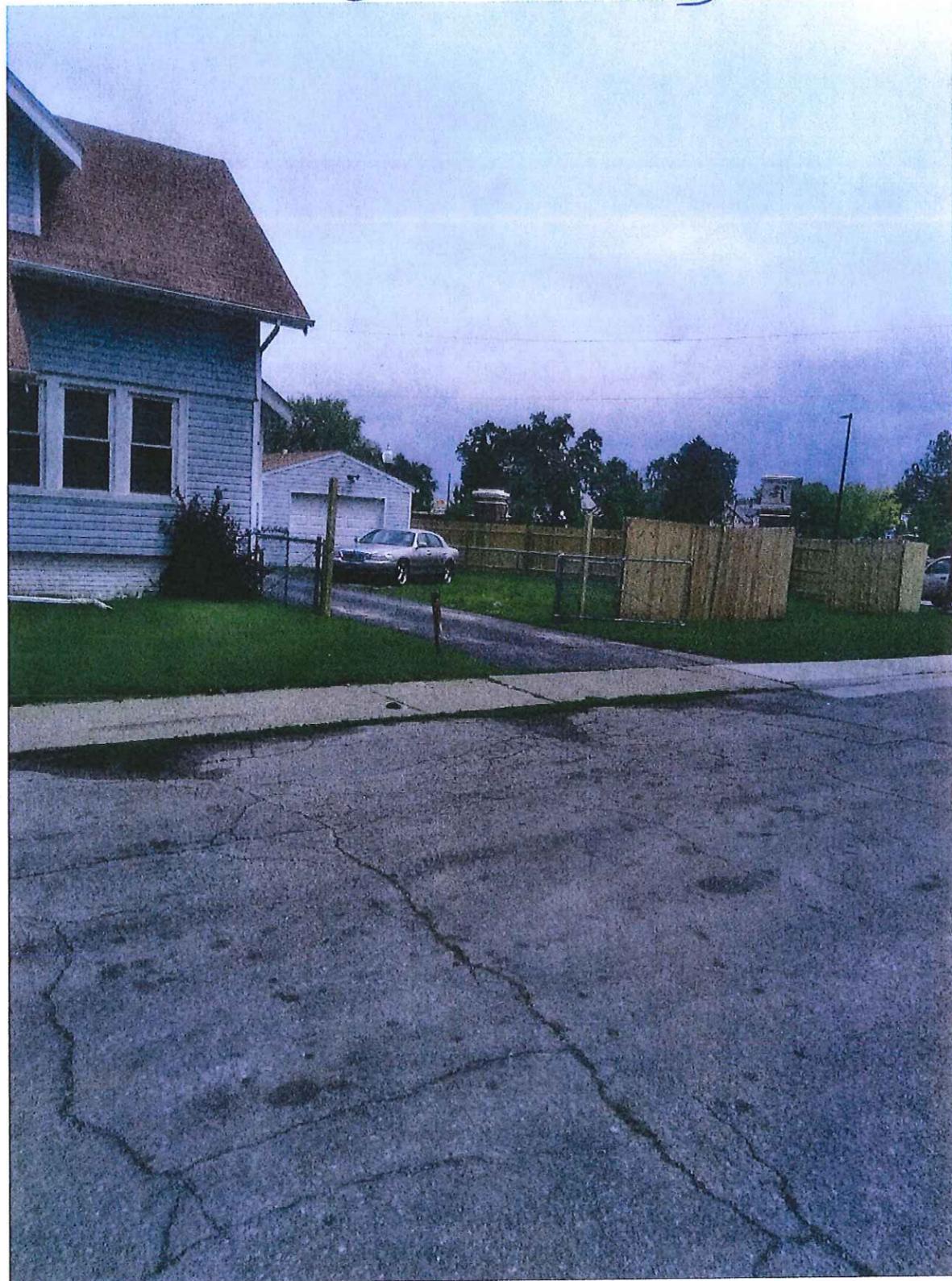
6-10

xxxxx -> 6' fence is 15' in from sidewalk at all points



6-11

516 WINFIELD



6-12

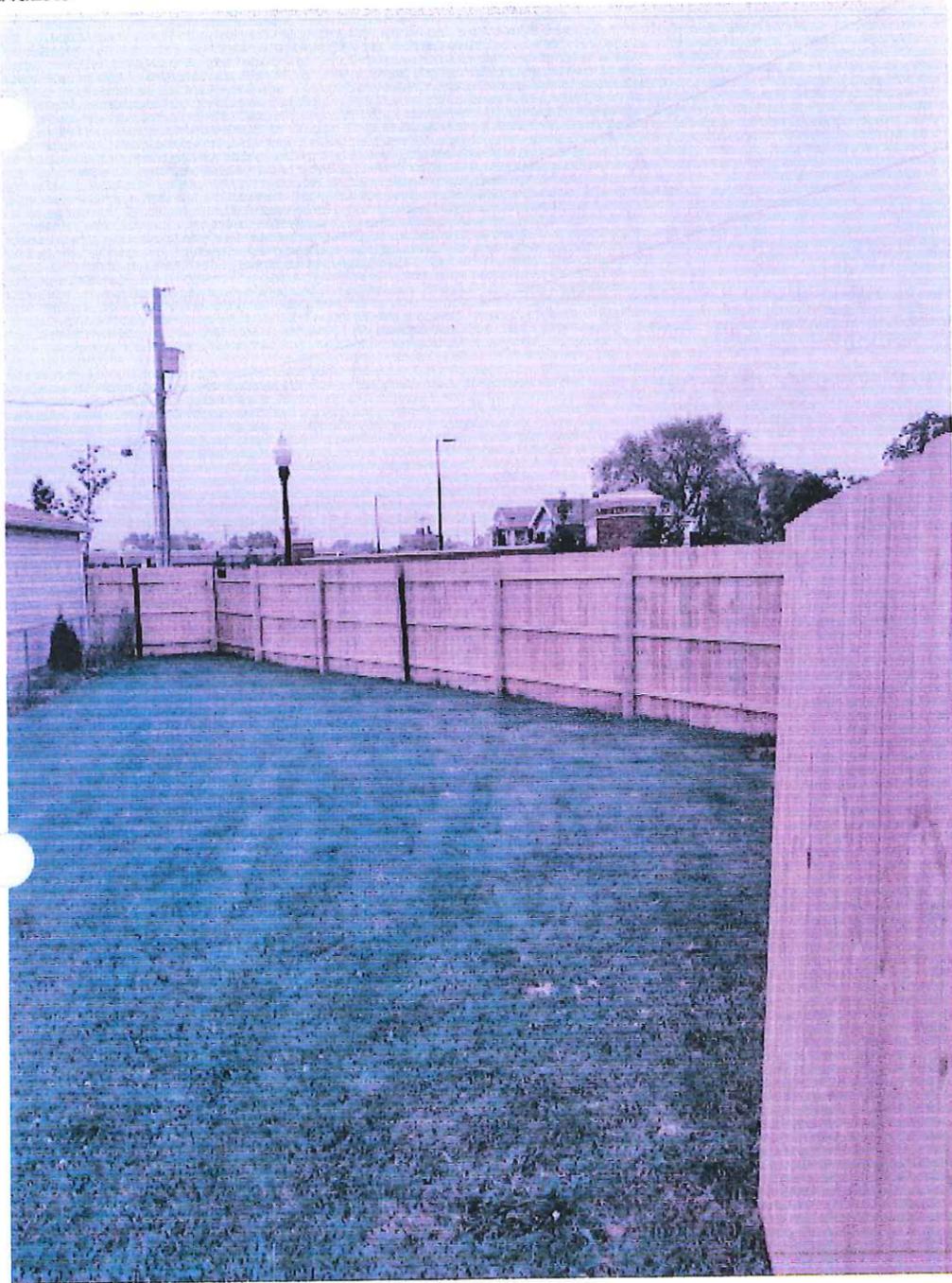


516 WINFIELD

6-13

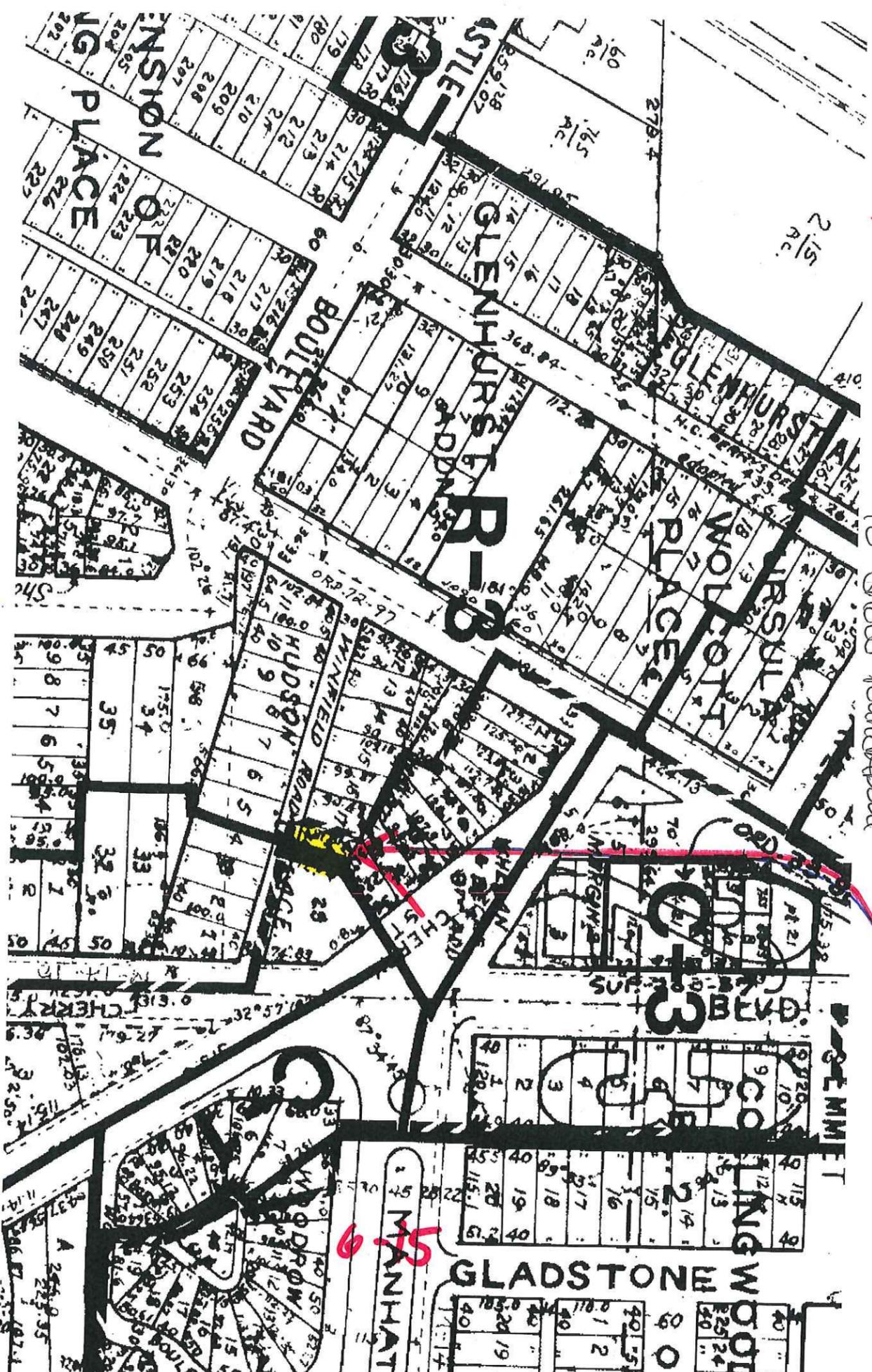
6/10/2019

Photo - Google Photos



516 WINFIELD

6-14



* ZONING MAP NOT UPDATED to show roundabout

516 WINDFIELD

PARCEL ID: 0742841
MARKET AREA: 107R
WELLS WALTER JR
TAX YEAR: 2019

ASSESSOR#: 02255002
ROLL: RP_OH
516 WINFIELD RD
STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	107R - 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	WELLS WALTER JR
Property Address	516 WINFIELD RD TOLEDO OH 43610
Mailing Address	516 WINFIELD RD TOLEDO OH 43610 1156
Legal Desc.	HUDSON TERRACE LOT 18 & IRREG PT LOTS 22 & 23 THT MEAS 11.51 FT NW LINE 31.77 FT SW LINE EXC PT IN RD THT PT ST VAC ADJ
Certified Delinquent Year	
Census Tract	8

Summary - Most Recent Sale

Prior Owner	WELLS WALTER JR
Sale Amount	\$0
Deed	10204133
Sales Date	11-AUG-10

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	1,330	3,800	1,330	3,800
Building	6,510	18,600	6,510	18,600
Total	7,840	22,400	7,840	22,400

Tax Credits

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

6-16



CITY OF TOLEDO

Division of Building Inspection

BZA19-0030

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 117 Paine Zoning District RDC Date 6-11-2019
Legal Description Birmingham Lots 69 70 71 & SW 20ft x 72... NW 90ft x 1/2 Lot 73
Applicant's Name (print) Ethel Joyce Moore - Upham and Raymond M. Upham

Appeal (Dept. of Inspection ruling - Title Nine Sign Code) Hardship Variance Exception Appeal decision
TMC § 1105.0301(A) for 30" over the max 42" height allowed in front yard setback

Applicant Signature Ethel Joyce Moore Phone 419-691-3841
Applicant's Street Address 117 Paine Fax
Applicant's City, State, Zip Toledo, Ohio 43605 E-Mail EJ489@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.

Permit Tech Checklist: Application properly completed [checked] Photos [checked] Letter [checked] Proper Site Plan [checked]
Copy Zoning Map [checked] http://local.live.com/ Transportation notified to check site distance hazard [checked]
Code Enforcement notified if orders are being appealed. N/A Permit Tech's Initials JS Date 6-11-19

Reviewed by Date Staff Recommendation
TRANSPORTATION HAS NO ISSUES, Aaron Halambos 6-17-19

Board Decision Date

PAID 6/11/19

7-1

HEARING DATE: July 15th, 2019

CASE NO: 19-32

APPLICANT: Ethel Joyce Moore-Upham & Raymond M. Upham

SITE LOCATION: 117 Paine

ZONING DISTRICT: RD6

SWO or NOL Issued: N/A

ANALYSIS: Applicant requests a variance from TMC 1105.0301 (A) (B) to install 6' high fence within front yard & side yard setback along Genesee.

STAFF COMMENTS: The proposed fence is 2' 6" over the 3' 6" max height allowed along Genesee within the front setback. The fence is 2' over the 4' max height allowed along Genesee within the side yard setback.

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:							
Fanny Effler	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Sandy Spang	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

RES 117 PAINE

6-11-19

To Whom it May Concern;
I'm wanting to put
6 ft Fence around my property
to make it Look Nice,
I'm good at Keeping my
property Clean and Nice
Looking. Also so Nobody
throws trash on these
Empty Lots

Thank- you
Ethel Joyce Moore-Uphan

Print

Toledo Municipal Code

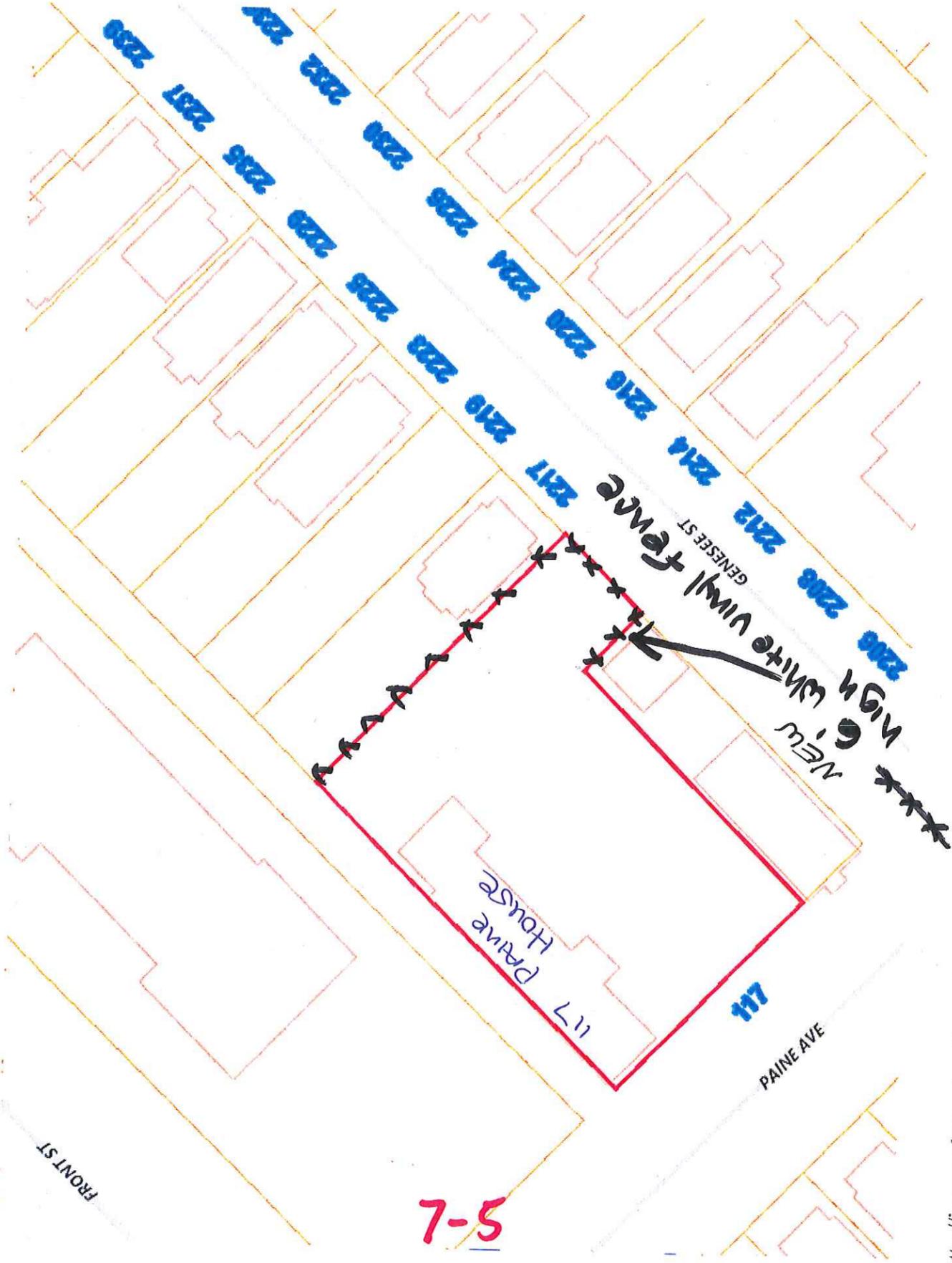
1105.0301 Residential Districts.

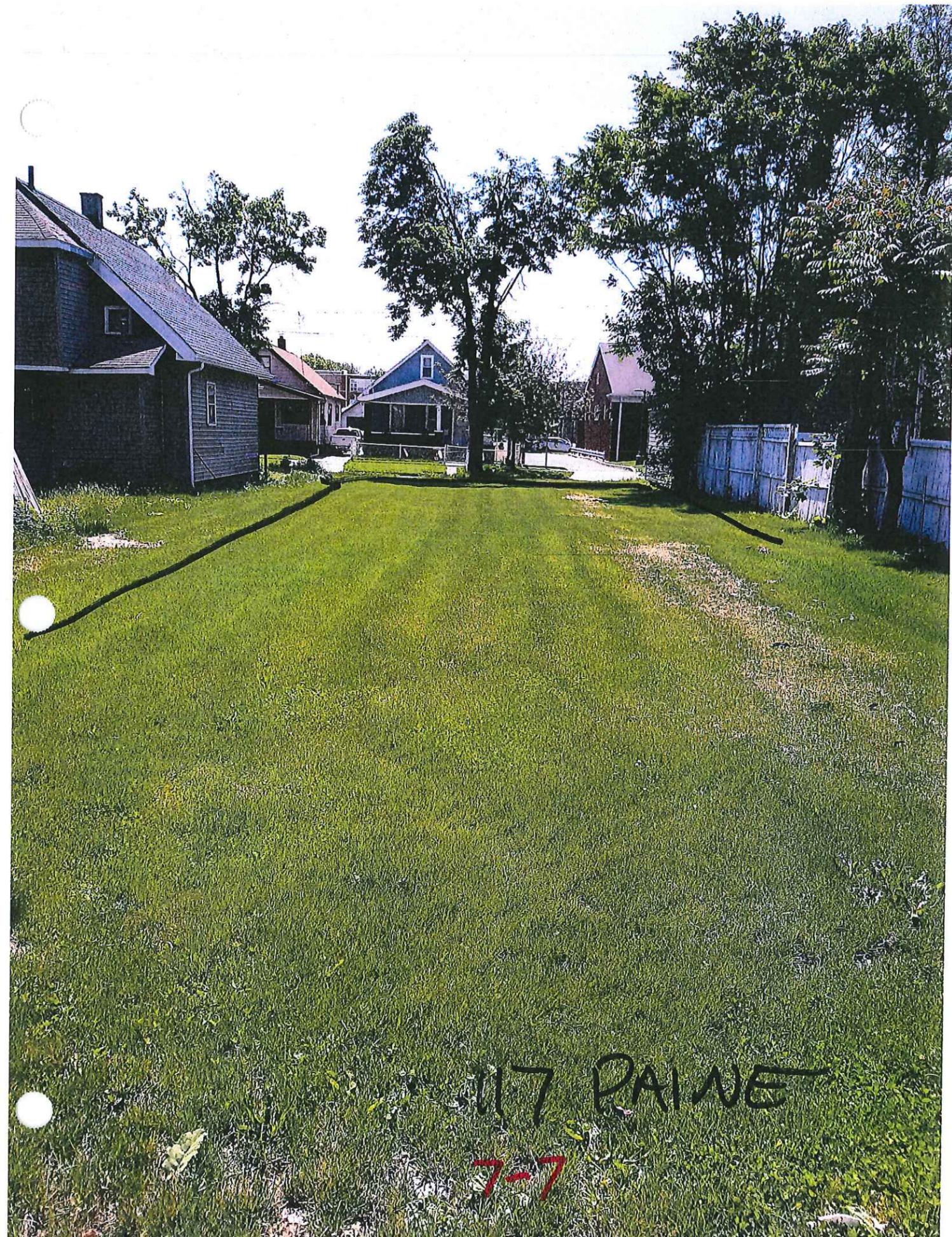
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- B. Fences may not exceed 4 feet in height in the required side setback adjacent to the main building and projected to the required front setback. Any recess in the rear building plane shall not be considered part of the required setback.
- C. Fences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

7-4

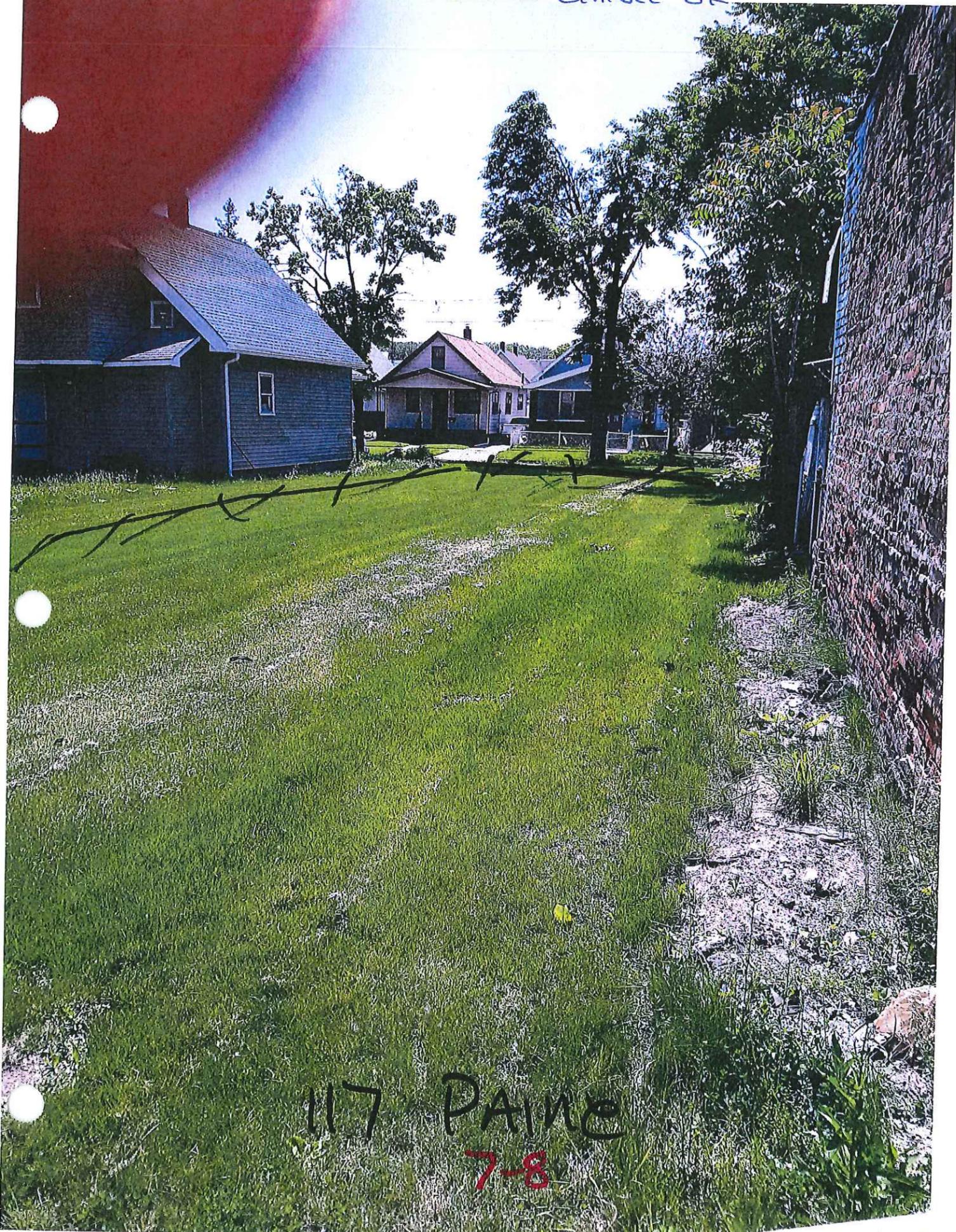




117 RAINE

7-7

LOOKING AT FRONT AT Genesee ST

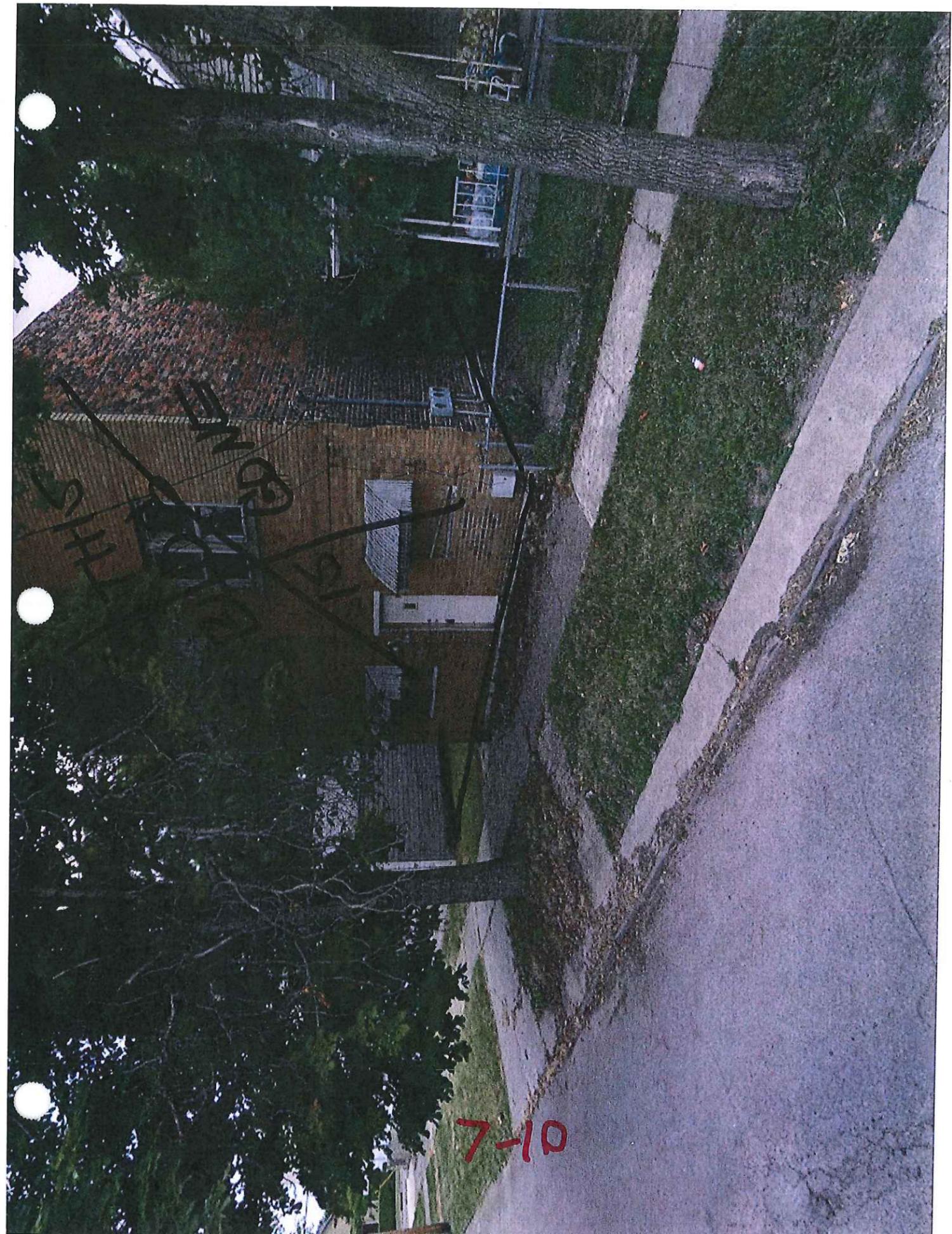


117 PAINE
7-8



alley

7-9
117 Paine



7-10

117 FAINE



7-11

11/18/2016

PARCEL ID: 0216227

MARKET AREA: 803R
 UPHAM ETHEL JOYCE MOORE- & RAYMOND M
 TAX YEAR: 2019

ASSESSOR#: 08134016

ROLL: RP_OH
 117 PAINE
 STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	510 : R - SINGLE FAMILY DWELLING, PLATTED LOT
Market Area	803R - 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	RESIDENTIAL SIDE STREET
Street Type	CONCRETE OR BLACKTOP
Owner	UPHAM ETHEL JOYCE MOORE- & RAYMOND M
Property Address	117 PAINE AVE TOLEDO OH 43605
Mailing Address	117 PAINE TOLEDO OH 43605
Legal Desc.	BIRMINGHAM LOTS 69 70 71 & SW 20 FT 7 2...NW 90 FT
Certified Delinquent Year	
Census Tract	46

Summary - Most Recent Sale

Prior Owner	MOORE ETHEL JOYCE
Sale Amount	\$0
Deed	05203036
Sales Date	28-APR-05

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	3,920	11,200	3,920	11,200
Building	8,650	24,700	8,650	24,700
Total	12,570	35,900	12,570	35,900

Tax Credits

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

Printed on Tuesday, June 11, 2019, at 12:34:25 PM EST

7-13

MEETING: June 17, 2019
10:00 A.M.

CITY COUNCIL CHAMBERS
1st Floor
GOVERNMENT CENTER

Minutes

BOARD MEMBERS
STEPHEN SERCHUK- CHAIRMAN
FANNY EFFLER
ROBERT PASKER
MARY GLOWACKI
PAUL RASMUSSEN
JAMES MOSSING-VICE CHAIRMAN
SANDY SPANG - CITY COUNCIL
DOUG LALONDE - SECRETARY
KEN FISCHER - COMMISSIONER

ATTENDANCE
x
x
x
x
x
x
x
x
x

City of Toledo - Administrative Board of Zoning Appeals

Case	BZA #	HEARING DATE	CASE	Waiver Bldg #	Applicant Name	WAIVER REQUEST	Zoning District	STAFF COMMENTS	BOARD ACTION
1	BZA19-0017	June 17, 2019	19-19	2905 Gracewood Rd Toledo, OH 43613 SWO	Jane Helfer	Applicant requests a variance from TMC 1105.0301 (B) to allow a 6' high fence to remain as installed over the 4' maximum height allowance within the side yard setback.	RS6	Applicant is 2' over the maximum 4' side yard fence height allowance.	Approved
2	BZA19-0018	June 17, 2019	19-20	4312 Imperial Dr Toledo, OH 43615	Michael Kaminski	Applicant requests a variance from TMC 1105.0301 (B) to allow a 6' high fence to be installed over the 4' maximum height allowance within the side yard setback.	RS12	Applicant is requesting 2' variance over the maximum 4' side yard fence height allowance.	Disapproved
3	BZA19-0019	June 17, 2019	19-21	5960 Davida Dr Toledo, OH 43612 SWO	Nanette Kniffen	Applicant requests a variance from TMC 1105.0301 (A) to allow a 6' high fence to remain as installed over the 3'6" maximum height allowance within the (secondary) front yard setback.	RS6	Applicant is 2' 6" over the maximum 3' 6" front yard fence height allowance.	Disapproved
4	BZA19-0020	June 17, 2019	19-22	1843 W. Bancroft Toledo, OH 43606 SWO	Delano Carter	Applicant requests variance from TMC 1106.0102 to allow a 23' 2" X 40' 4" carport less than the 3' minimum setback to remain as is. Applicant also requests variance from TMC 1116.0102 to allow the accessory structure to remain without an established principal building.	CR	The structure is short of the minimum setback to the south (rear). The accessory structure has no established principal building on the parcel. Applicant needs to have site plan review performed by Plan Commission per TMC 1108.0203 (A)- screening is required for this type of use along rear lot line.	Disapproved
5	BZA19-0021	June 17, 2019	19-23	2303 Goddard Rd Toledo, OH 43606	Nathan Kelper & Lindsay Sutton	Applicant requests a variance from TMC 1105.0301 (A) to install a 6' high fence within the secondary frontage along Brantford Rd.	RS6	The proposed fence is 2' 6" over the 3' 6" maximum within the secondary frontage.	Disapproved
6	BZA19-0022	June 17, 2019	19-24	6004 Pickard Dr Toledo, OH 43613 Prior 1998 BZA Case #29-98.	Douglas Schmaus	Applicant requests a variance from TMC 1105.0201 (D) (E) to install a carport 18' less than the required 25' setback along the secondary front. Applicant requests variance from TMC 1105.0203 (A) to install a third structure beyond the maximum two allotted. Applicant also requests variance from 1107.1202 (2) to install 9' additional width of pavement over the maximum 24' width allowance.	RS6	The carport extends 18' into required setback. Carport is the third accessory structure to be installed on the property. The drive width proposed is 9' over the max 24' allowed for a 33' wide driveway. 1998 BZA case #29-98 was approved conditionally for setback of secondary frontage of 14' variance of the required 21'. Now 25' for today's standard.	Disapproved
7	BZA19-0023	June 17, 2019	19-25	5554 Gay St Toledo, OH 43613 SWO	Judy Gullikson	Applicant requests variance from TMC 1105.0201 (C) to allow 6" variance for a detached garage to remain as installed on an existing foundation.	RS6	Applicant is 2.8' from side property line, which is less than the 3' requirement.	Approved- upon installing fire-rated rear wall