



## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: March 12, 2021

REF: SUP-1003-21

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

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

SUBJECT: Special Use Permit for Convenience Store

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, March 11, 2021 at 2:00 P.M.

### GENERAL INFORMATION

#### Subject

Request	-	Special Use Permit for Convenience Store
Location	-	2005 Glendale Ave
Applicant	-	Gabriel Barrow 2005 Glendale Ave Toledo, OH 43614
Architect	-	Buehrer Group Architecture 314 Conant St Maumee, OH 43537

#### Site Description

Zoning	-	CN / Neighborhood Commercial
Area	-	±0.16 acres
Frontage	-	±60.2' along Glendale Avenue
Existing Use	-	Multi-tenant retail building
Proposed Use	-	Convenience Store

#### Area Description

North	-	Parking lot, retail businesses / CN
South	-	Single-family Residential, Open Space / RS6
Southeast	-	Harvard Elementary School / RS6
East	-	Residential Duplex / RD6
West	-	Parking lot, retail businesses/ CN

## GENERAL INFORMATION (cont'd)

### Parcel History

- None on record

### Applicable Regulations

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

## STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a convenience store located at 2005 Glendale Avenue. This type of use is categorized as Food and Beverage Retail Sales. There are two (2) types of Food and Beverage Retail Sales uses: convenience stores, with a floor area of less than 5,000 square feet and large stores with a floor area of 5,000 square feet or more per TMC§1116.0217. This tenant space is 1,350 square feet which is under the 5,000 square foot category. The operator of the convenience store was informed by the Plan Commission approximately one year ago about the need for a special use permit. The tenant transformed the mobile phone store into a convenience store without a Special Use Permit. The property owner was cited by Code Enforcement for the zoning code violation on 10/27/20.

The site is the multi-occupancy Beaute Asylum building, constructed in 1926. Surrounding land uses include a parking lot to the west and north, small local retail businesses to the north, residential to the east and south, the Harvard Elementary School to the southeast and open space to the south.

The site is zoned CN, Neighborhood Commercial and a convenience store is subject to approval of a Special Use Permit. The letter of intent states that the convenience store will sell bread, dairy products, produce, beverages, snacks, and tobacco products. The market will be operating five (5) days a week from approximately 10 a.m. to 6:30 p.m.

The following is an overview of key project details is included in this analysis. A full review of all project related items is included in the agency conditions as an exhibit.

### Use Specific Regulations

There is one school, park, library, day care, or other use for minors within 1,000 feet of the proposed facility: The store is located within  $\pm 37'$  of the Harvard Elementary School measured from the lot line of the subject property to the lot line of the school.

### Parking

The reuse of a single unit in a multi-tenant space does not typically require significant site improvements; however, the Division of Transportation included conditions of approval for the existing parking lot.

## **STAFF ANALYSIS (cont'd)**

### Landscaping

The reuse of a single unit in a multi-tenant space does not typically require significant site landscaping improvements and none will be required as part of this review.

### Elevations

There are no changes proposed from the building exterior at this time

### 20/20 Plan

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial land uses. Development is intended to be pedestrian-oriented small-scale retail and service businesses that serve nearby residential neighborhoods. The use is consistent with this recommendation.

Staff is recommending disapproval of the proposed convenience store because of spacing violations. The spacing regulation was adopted by Toledo City Council in 2009 to limit negative secondary effects associated with convenience stores throughout the City. This regulation is most effective when spacing is broadly applied and exceptions are granted under the most rigorous and unique of circumstances. The proposal does not meet the stated purpose of the zoning code and is not in compliance with all applicable standards of this Zoning Code.

## **PLAN COMMISSION RECOMMENDATION**

The staff recommended the Toledo City Plan Commission recommend disapproval of SUP-1003-21, a request for a Special Use Permit for a convenience store located at 2005 Glendale Avenue, to the Toledo City Council, for the following two (2) reasons:

1. The request does not meet the stated purpose of the Zoning Code – TMC 1111.0706.A
2. The request is not compliant with all applicable standards of this Zoning Code – TMC 1111.0706.B.

However, the Toledo City Plan Commission recommends approval of SUP-1003-21, a Special Use Permit for a convenience store at 2005 Glendale Avenue to Toledo City Council. The Toledo City Plan Commission makes the following recommendation to the Toledo City Council on the following waivers for SUP-1003-21:

### **Chapter 1104 Use Regulations**

#### **1104.0603 Spacing Requirements**

Approve a waiver of the 1,000-foot radius spacing requirement from a school, public park, public library, licensed child day care center, or other use established specifically for the activities of minors.

**PLAN COMMISSION RECOMMENDATION (cont'd)**

The Toledo City Plan Commission further recommends approval of SUP-1003-21, a Special Use Permit for a convenience store at 2005 Glendale Avenue to the Toledo City Council, subject to the following **twenty-one (21)** conditions:

The conditions of approval are as follows and are listed by agency of origin. Applicants are encouraged to contact each of these agencies to address compliance with their conditions.

Division of Engineering Services

1. A pre-submittal meeting is not required; however, one may be requested. Contact information is as follows:

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850

Right-of-Way and Inspection: Joe Warnka 419-245-1341

Roadway: Tim Grosjean 419-245-1344

Water: Andrea Kroma 419-936-2163

Stormwater Drainage: Lorie Haslinger 419-245-3221; Andy Stepnick 419-245-1338

Sanitary Sewers: Mike Elling 419-936-2276

2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.

3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop/opening.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.

4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.

5. Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.

Division of Environmental Services

6. Applicant shall maintain compliance with the City of Toledo's Storm Water regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential storm water impacts from the modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.

**PLAN COMMISSION RECOMMENDATION (cont'd)**

Division of Environmental Services (cont'd)

7. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
  
8. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
  
9. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials.  
[http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives\\_to\\_Ohio\\_Invasive\\_Plant\\_Species.pdf](http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf)
  
10. Applicant shall maintain compliance with the City of Toledo and the State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to the Asbestos and the Anti-Noise Laws.

Division of Fire

11. It appears that this building may undergo a change of use. This will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.
  
12. Approved Premises identification is required.

Sewer & Drainage

13. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
  
14. S&DS requires that the private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity

Division of Transportation

15. Bicycle parking must be shown per TMC 1107
  
16. Wheel stops are required at all parking spaces abutting sidewalks, property lines, buildings, and planting areas per TNC 1107.

**PLAN COMMISSION RECOMMENDATION (cont'd)**

Division of Transportation (cont'd)

17. Where driveways are under 25' wide, they must be arrowed and signed for "one-way only" or widened to a minimum of 25' for two-way traffic per TMC 1107. (Specifically, the southwest driveway on S. Glendale Avenue.
18. Glendale street parking in front of buildings must be shown correctly with the existing driveway shown and lighted crosswalk. (***Parking cannot block driveways or crosswalks.***)

Plan Commission

19. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
20. Minor adjustments to the site plan that do not violate the above conditions or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
21. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

Respectfully Submitted,



Thomas C. Gibbons  
Secretary

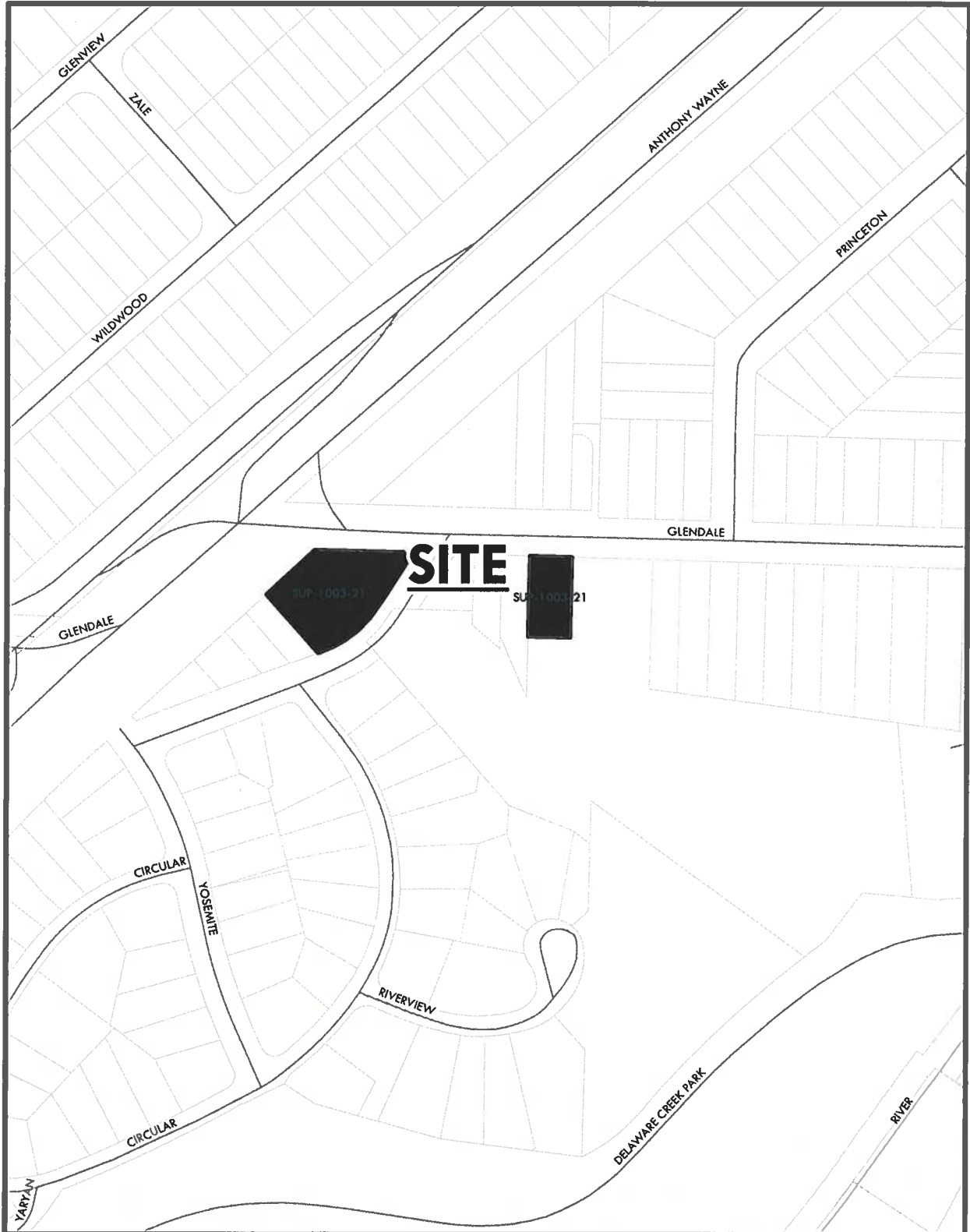
NH

Three (3) sketches follow

Cc: Gabe Barrow, Applicant  
Lisa Cottrell, Administrator  
Nancy Hirsch, Planner

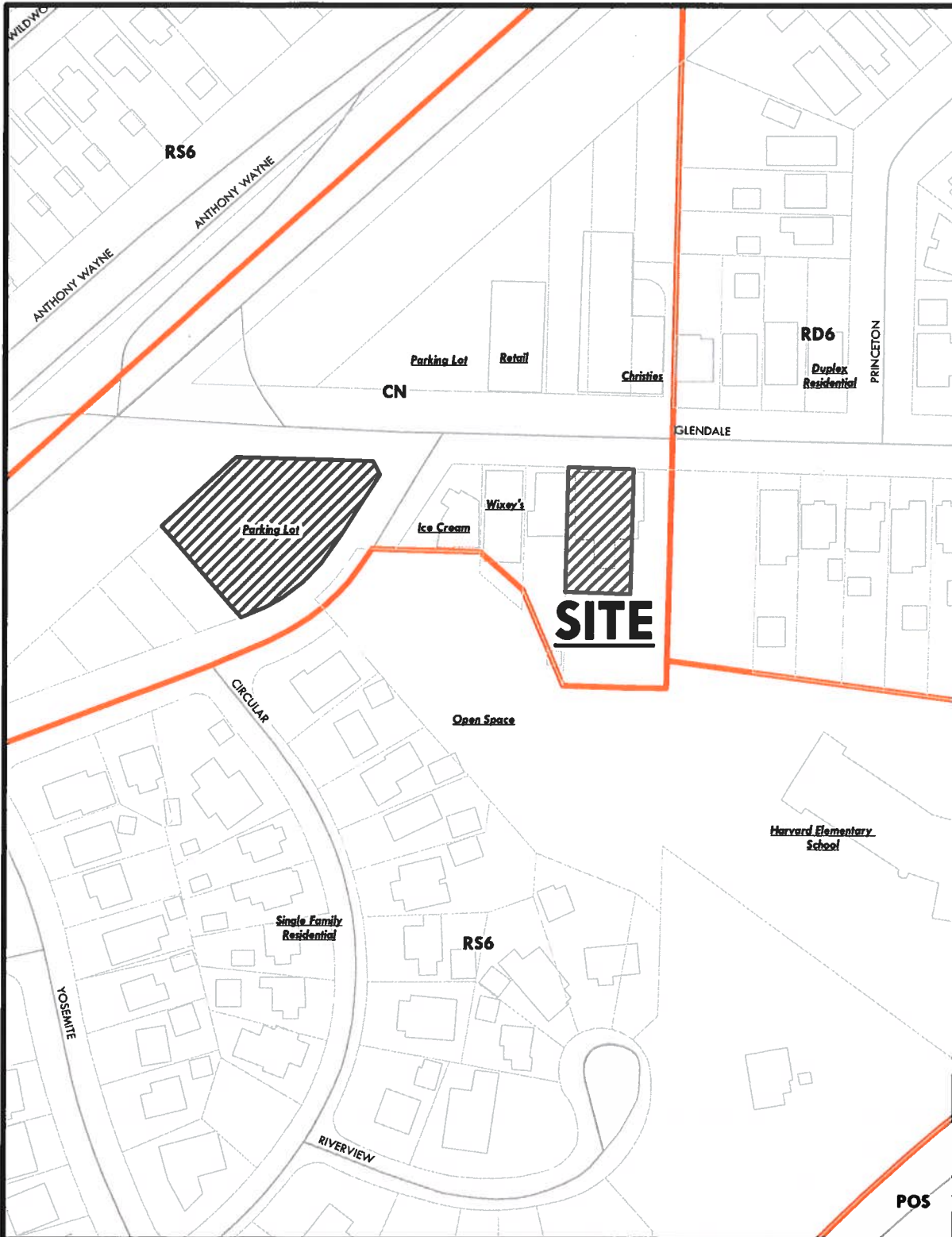
# General Location

**SUP-1003-21**  
ID 34



# Zoning & Land Use

SUP-1003-21  
ID 34









## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: February 26, 2021  
REF: SUP-1003-21  
PLANNER: Hirsch

### **NOTICE OF PUBLIC HEARING**

on

**Date: Thursday, March 11, 2021**

Request: Special Use Convenience Store

Location: 2005 Glendale Ave

The complete legal description of the land in question is on file at the office of the Toledo City Plan Commission, located at One Government Center, Suite 1620, Toledo, Ohio 43604.

Notice of this hearing is mailed to the **project applicant** as well as owners of property within and contiguous to and directly across the street from subject parcel (or parcels at the addresses of such owners appearing on the County Auditor's current tax list). Please share this notice with neighbors that may lie beyond the range of this mailing. They may attend the public hearing and/or otherwise make their feelings known about this case.

The Toledo City Plan Commission will hold a hearing to consider this request at **2:00 p.m.** on **Thursday, March 11, 2021** as a Zoom meeting. You may attend this hearing by clicking on the following link at the time of the hearing. You will then be added as an "attendee" and will have opportunity to communicate via a "question and answer" tab. We will receive your comments/questions, and a facilitator will communicate them to the Commission Members. **If you are the project applicant, please make every effort to attend the hearing.**

#### **Zoom Link:**

Join from PC, Mac, Linux, iOS or Android:

<https://toledo-oh-gov.zoom.us/j/82797725260?pwd=QS9oM3pGNFVb2lrSWZXaVE1ZW5UUT09>

Passcode: 682523

Or Telephone:

Dial:

USA 602 333 2017 US Toll

USA 888 204 5987 US Toll-free

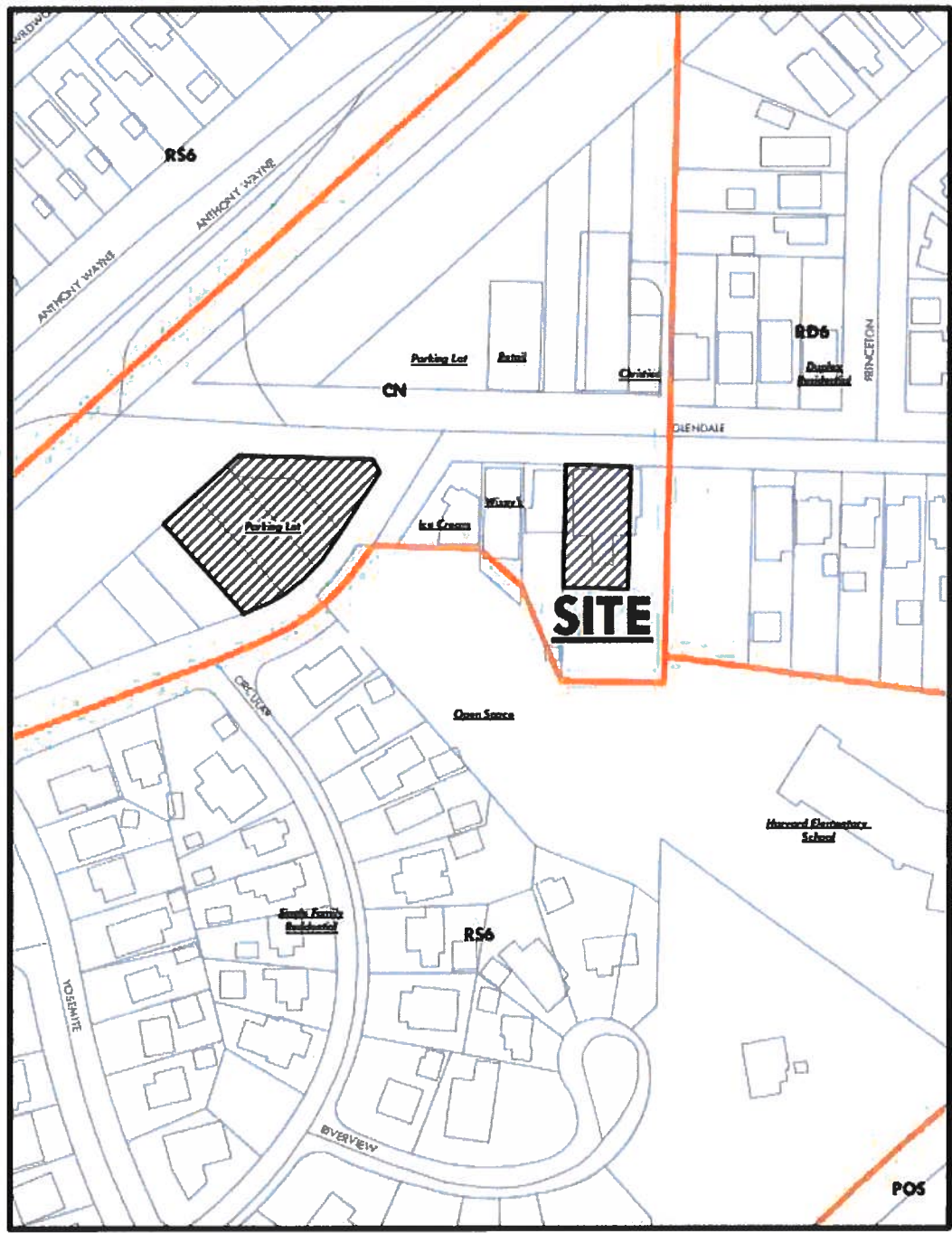
Conference code: 291916

You may also call the office of the Toledo City Plan Commission at 419-245-1200 or email any comments that you have to the planner at [nancy.hirsch@toledo.oh.gov](mailto:nancy.hirsch@toledo.oh.gov). We will ensure that your comments are incorporated as part of the public record.

**TOLEDO CITY PLAN COMMISSION**

**Zoning & Land Use**

**SUP-1003-21**  
ID 34



**CITY OF TOLEDO, OHIO**

Clerk of Council  
One Government Center  
Toledo, Ohio 43604

Julie Gibbons  
Assistant Clerk of Council

Telephone  
419-245-1060

Date: February 26, 2021  
Ref: SUP-1003-21

**NOTICE OF PUBLIC HEARING**

Wednesday, April 14, 2021

The Zoning and Planning Committee of Council, at a Zoom meeting to be held on Wednesday, April 14, 2021 at 4:00 p.m., will consider the following request:

**Special Use Permit for a Convenience Store at 2005 Glendale Ave.**

When: April 14, 2021 04:00 PM Eastern Time (US and Canada)  
Topic: Toledo City Council Zoning & Planning Committee Meeting

Please click the link below to join the webinar:

<https://toledo-oh-gov.zoom.us/j/84767280845?pwd=MURmc0hVSG83Y3V2b2FKbDRra1g3UT09>

Passcode: 253123

Or Telephone:

Dial:  
USA 602 333 2017  
USA 8882045987 (US Toll Free)  
Conference code: 623767

Julie Gibbons  
Assistant Clerk of Council

**\*\*Failure of applicant to appear may result in a deferral or denial of your request.**

NOTICE PUBLISHED IN TOLEDO CITY JOURNAL

# MAILING MAP

SUP-1003-21



<b>owner/occupant</b>	<b>mailing address 1</b>	<b>mailing address 2</b>
3060-62 RIVER ROAD LLC	PO BOX 141163	TOLEDO OH 43614
ACG PROP LTD	2015 GLENDALE AVE	TOLEDO OH 43614
ARENT GREGORY L & CATHERINE J	1625 CIRCULAR RD	TOLEDO OH 43614 4202
ARMSTRONG ADRIENNE A	1934 GLENDALE AVE	TOLEDO OH 43614 2918
AUSTIN MARCIA A ET AL	2225 TOWNLEY RD	TOLEDO OH 43614 4337
BALL KURT A	1856 GLENDALE AVE	TOLEDO OH 43614 2916
BARROW HOLDING COMPANY GGLD LLC	2015 GLENDALE AVE	TOLEDO OH 43614
BAY MARIAN J	1917 GLENDALE AVE	TOLEDO OH 43614
BOARD OF EDUCATION OF THE CITY SCHOOL	3068 RIVER RD	TOLEDO OH 43614
BRANDON KEVIN T	1947 GLENDALE AVE	TOLEDO OH 43614 2919
CAD TAVERN INC	1948 GLENDALE AVE	TOLEDO OH 43614
CALDWELL ARCHIE W & RENEE M (ORSURVTC)	3066 RIVER RD	TOLEDO OH 43614
CECE PROPERTIES, LLC AN OHIO LIMITED LIA	2002 GLENDALE AVE	TOLEDO OH 43614 2801
CHOW ADAM P ETAL OR SURVTC	1916 GLENDALE AVE	TOLEDO OH 43614 2918
CLARK BRADLEY J ET AL	1912 GLENDALE AVE	TOLEDO OH 43614
CRITCHLEY DELMAR L & DEBRA A	2030 RIVERVIEW CT	TOLEDO OH 43614 4221
CULP CRYSTAL D & ROBERT L (ORSURVTC)	1871 GLENDALE AVE	TOLEDO OH 43614
CZAJKA DONALD P & LORI L	11341 DORAN RD	WHITEHOUSE OH 43571 9711
DAVIS CAROLYN A F/K/A/ CAROLYN A	2010 RIVER VIEW CT	TOLEDO OH 43614
ELLIS DION E & LISA C	1937 GLENDALE AVE	TOLEDO OH 43614 2919
FRUSHOUR MICHAEL A & NATALIE N	1601 CIRCULAR RD	TOLEDO OH 43614
GERATHY ADAM T	1631 CIRCULAR RD	TOLEDO OH 43614 4202
GERONIMO ROBERT J JR & THERESA A	1931 GLENDALE AVE	TOLEDO OH 43614 2919
GONZALEZ ERNESTO	1619 CIRCULAR RD	TOLEDO OH 43614
GRASS LAKE LLC	6270 DEXTER LN	MANITOU BEACH MI 49253
GRD ENTERPRISES OF TOLEDO LLC	1776 ARLINGTON AVE	TOLEDO OH 43609
HAYES AMANDA L	1866 GLENDALE	TOLEDO OH 43614
HEATH MATTHEW R & JULIE B	2006 RIVERVIEW	TOLEDO OH 43614
HENRY MICHAEL C & DIANE V TRUSTEES	3528 MAPLEWAY DR	TOLEDO OH 43614
HERSHEY KEITH & JOAN	1457 EASTGATE RD	TOLEDO OH 43614
HOLY TRINITY LUTH CHGLENDALE & BROADWAY	3056 RIVER RD	TOLEDO OH 43614
HOOD JEFFREY W	1617 CIRCULAR RD	TOLEDO OH 43614 4202
IRISH JOHN F & DIANA L	3068 RIVER RD	TOLEDO OH 43614 4238

JENNINGS WILLIE J III	1850 GLENDALE AVE	TOLEDO OH 43614
KASS COLIN D	1930 GLENDALE AVE	TOLEDO OH 43614
KROEGER KEVIN R	1935 GLENDALE AVE	TOLEDO OH 43614
LOOS JEFFREY A	1862 GLENDALE AVE	TOLEDO OH 43614
LUCE RAYMOND J ETAL	1853 GLENDALE	TOLEDO OH 43614
LUGIBIHL RYAN P	3064 RIVER RD	TOLEDO OH 43614
MAENLE DANIEL P JR & MARYE	1944 GLENDALE AVE	TOLEDO OH 43614 2947
MARSHALL RYAN C & SARA (ORSURVTC)	3056 RIVER RD	TOLEDO OH 43614
MARTELL DAVID A & TERESAS	2004 RIVERVIEW CT	TOLEDO OH 43614 4221
MCDONALD TASCHE MARIE & SCOTT (ORSURVTC)	1635 CIRCULAR RD	TOLEDO OH 43614
MCHUGH JAMES MICHAEL	1855 GLENDALE AVE	TOLEDO OH 43614 2917
MISIR BIBI A	1875 GLENDALE AVE	TOLEDO OH 43614 2917
MITCHELL SAMUEL E	1329 E ALAMEDA	POCATELLO ID 83201
OCCUPANT	1449 VASSAR DR	TOLEDO OH 43614
OCCUPANT	1611 CIRCULAR RD	TOLEDO OH 43614
OCCUPANT	1615 CIRCULAR RD	TOLEDO OH 43614
OCCUPANT	1847 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	1849 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	1902 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	1908 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	1923 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	1927 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	1939 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	2006 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	2010 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	2014 GLENDALE AVE	TOLEDO OH 43614
OCCUPANT	2021 GLENDALE AVE	TOLEDO OH 43614
O'NEILL DAVID P TRUST	146 HANNUM	ROSSFORD OH 43460
PARKES COLLEEN F	1877 GLENDALE AVE	TOLEDO OH 43614
PITZEN DAVID B	1926 GLENDALE AVE	TOLEDO OH 43614 2918
PROPERTY OF PEN LLC	4626 SHERINGHAM LN	SYLVANIA OH 43560 2914
PURTEE KIM M	1922 GLENDALE AVE	TOLEDO OH 43614 2918
SCHORLING RONALD L	1952 GLENDALE AVE	TOLEDO OH 43614
SOUTH SHORE INVESTORS LLCAN OHIO LIMITED	5330 HEATHERDOWNS S	TOLEDO OH 43614

STAMOS JULIE ANN

WELTY JARED J & MILEENA L (ORSURVTC)

WILLIAMSON JOHN J & ALAINA N (ORSURVTC)

WIXEY ENTERPRISES, LLC, AN OHIO LIMITED

WYMER MARK R

YOUNG KIERSTEN E & MATTHEW J

1958 GLENDALE AVE

1915 GLENDALE AVE

405 N MACOMB

2017 GLENDALE AVE

1604 BRADNER RD

2005 RIVERVIEW CT

TOLEDO OH 43614

TOLEDO OH 43614

MONROE MI 48162

TOLEDO OH 43614

NORTHWOOD OH 43619

TOLEDO OH 43614



# PUBLIC HEARING

CASE NO. SUP-1003-21

**REQUEST:** Special Use Permit for Convenience Store  
at 2005 Glendale Ave. Toledo

**APPLICANT NAME:** Gabriel Barrow

**ADDRESS:** 2005 Glendale Ave, Toledo, OH 43614

**DATE:** March 11, 2021 **TIME:** 2:00 p.m.

Contact Person: Nancy Hirsch

Contact Person Phone Number: 419-936-2585

**PLACE:** Council Chamber, 1<sup>st</sup> Floor, One Government Center  
Jackson & Erie Streets, Toledo, OH

**For Further Information, Contact**  
**The Toledo-Lucas County Plan Commissions**

**PHONE:** (419) 245-1200

**FAX:** (419) 936-3730

**TMC 1111.0304**

# CITY OF TOLEDO

## SIGN POSTING REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedure established by the City Zoning Code (TMC 1111.0304) are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of the public rights-of-way (if the way has been in use) also require signs.

The applicant is responsible for posting the required sign(s) and ensuring that the signs remain posted throughout the 15-day period prior to public hearing. **Failure to maintain the signs during this entire period may be cause for deferral or denial of the application.** Upon notification, the sign(s) is to be picked up at the Toledo-Lucas County Plan Commission office between the hours of 8:00 a.m. and 4:45 p.m.

### 1. LOCATION

- A. The sign shall be conspicuously located. **It shall be located within twenty feet of the public sidewalk** (or edge of public street). Plan Commission staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

### 2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then in addition to a sign placed on the property a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

### 3. PHYSICAL POSTING

- A. Sign(s) shall be mounted on a post, stake or building at the site.

### 4. PERIOD OF POSTING

- A. Signs must be posted from (dates) 02.23.21 to 04.23.21.

### 5. REMOVAL

- A. The sign shall not be removed before the final hearing on the request.
- B. The sign shall be removed between seven (7) and ten (10) days after the final hearing.

I hereby acknowledge that I have read the above Sign Posting Requirements and discussed them with the Plan Commission staff. I understand all the requirements and agree to comply with each of them. I acknowledge receiving a copy of these Sign Posting Requirements.

\_\_\_\_\_  
(Applicant or Agent)

\_\_\_\_\_  
(Print Name or Organization)

\_\_\_\_\_  
(Telephone No.)

I issued 1 signs for this application 02.08.21  
(Date)

Nancy Hirsch  
(Staff Member)

Location of sign(s) 2005 Glendale Avenue  
Toledo

CASE NUMBER SUP-1003-21

# CITY OF TOLEDO



## DEPARTMENT OF NEIGHBORHOODS AND BUSINESS DEVELOPMENT

Our Division's web-site can be accessed 24/7 at [www.toledo.oh.gov](http://www.toledo.oh.gov)

10/27/2020

Case #CE20-01756

VIOLATION LETTER  
ZONING VIOLATION ORDER

ACG PROP LTD  
2015 GLENDALE AVE

TOLEDO, OH 43614

**Property location: 2007 GLENDALE AVE, TOLEDO**

**43614**

An inspection of the above listed property was conducted on or about 10/27/2020.

It was determined that the property is not in compliance with the Toledo Municipal Zoning Code per inspection findings listed on the following page.

You are hereby notified to correct said violation within seven (7) business days of your receipt of this order. Failure to correct the violation(s) may result in civil penalties and/or criminal charges being filed against you. The Commissioner of Building Inspection and Code Enforcement may impose a civil penalty of up to \$300 per violation. A Toledo Municipal Court Judge may impose fines up to \$250.00 and 30 days in jail for the first offense.

You have the right to appeal this order to the Administrative Board of Zoning Appeals. Appeals must be submitted in writing within twenty (20) days of the date on this notice along with a filing fee of \$200.00 to the Division of Building Inspection and Code Enforcement, One Stop Shop (419-245-1220), One Government Center, 16th Floor.

**For inspection details please refer to the following pages of this letter. All questions and/or correspondences are to be directed to city inspector DICKERSON at 419-936-3623.**

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

Case #

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



# CITY OF TOLEDO



## DEPARTMENT OF NEIGHBORHOODS AND BUSINESS DEVELOPMENT

Our Division's web-site can be accessed 24/7 at [www.toledo.oh.gov](http://www.toledo.oh.gov)

02/08/2021

Case #CE20-01756

VIOLATION LETTER  
ZONING VIOLATION ORDER

ACG PROP LTD  
2015 GLENDALE AVE

TOLEDO, OH 43614

**Property location: 2007 GLENDALE AVE, TOLEDO**

**43614**

An inspection of the above listed property was conducted on or about 02/08/2021.

It was determined that the property is not in compliance with the Toledo Municipal Zoning Code per inspection findings listed on the following page.

You are hereby notified to correct said violation within seven (7) business days of your receipt of this order. Failure to correct the violation(s) may result in civil penalties and/or criminal charges being filed against you. The Commissioner of Building Inspection and Code Enforcement may impose a civil penalty of up to \$300 per violation. A Toledo Municipal Court Judge may impose fines up to \$250.00 and 30 days in jail for the first offense.

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**For inspection details please refer to the following pages of this letter. All questions and/or correspondences are to be directed to city inspector DICKERSON at 419-936-3623.**

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

Case # CE20-01756

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

Other

Yes

1104.0603(B) A convenience store shall not be located within a 1,000 foot radius of a school, public park, public library, licensed child day care center, or other use established specifically for the activities of minors.





**Toledo Public Schools**

Harvard Elementary School  
1949 Glendale Avenue  
Toledo, Ohio 43614

419-671-2700  
Fax 419-671-2745

To whom it may concern,

1/26/21

This letter is to inform you that as Harvard Elementary school's principal, I have no problem with the Harvard Market running its business so close to our school. It hasn't caused any disruption to the normal routine of our school day and when the children come back in the Yellow/Hybrid model, of two days per week for in-person learning, next month, I still don't foresee a problem.

I was asked to write this letter in support of their small business. I wish the owners good luck with this "fight." It is a tough time with the Covid pandemic and all of the other disruptions to our lives, but this little store should not be a problem for anyone at this time. If you have any other questions for me, feel free to contact me through the school's phone number included in this letter.

Sincerely,

A handwritten signature in black ink that reads "Mr. John Jordan". The signature is written in a cursive, flowing style.

Mr. John Jordan



A few years ago we had a lot of snow that wasn't going anywhere anytime soon. My car broke down and every one was too busy taking care of thier own family's to help. I had to layer up and march through icy mounds and sink into soft drifts all the way to Kroger then all the way back! I never want to do that again. I think a close by market would help everyone in this area out and then hopefully no one will have to go though that.

~Stephen

2009 Glendale Avenue, Apartment #1



To whom it may concern,

My name is Janet Stuard, and I am the acting Site Coordinator for Harvard Elementary, the school adjacent to the Harvard Market. Their store has evolved from a cell phone retail and repair shop into a local store that the kids can walk to after school for a refreshing snack. The owners of the store have always added products based on request and have made the local area aware of the products they plan to add soon. Wixey's bakery is awesome, Christies Candy is too but where's the heathy option for the kids and the community? Allowing the Harvard Market to remain and grow into what they are trying to become would be that option. I have spoken to most of the staff here at our school and we do not have any issues with the Harvard Market being here and we look forward to and wish them much success.

Sincerely,

Janet Stuard

A handwritten signature in cursive script that reads "Janet Stuard". The signature is written in black ink and is positioned to the right of the typed name.

1/27/21

To whom it may concern,

My name is Maurice Allen and I am the owner of The Harvard Market. I have proudly served the Harvard community since 2017 but it's been a struggle. We started off as a computer repair shop, Optimal Communications and have gradually evolved into The Harvard Market. I began to add food products to our inventory due to multiple customer requests. The more I added, the more the customers requested. There's simply no place for our customers to go within walking distance for groceries. The ability to obtain groceries is something that I used take for granted but there is a deep need for staple foods in this community. I connected with a local urban farmer Sonia Flunder-McNair the founder of Urban Wholistics to work on obtaining fresh fruit and vegetables in the Spring and also purchased a few coolers so that we could add staple foods like milk, eggs, meat to go along with the produce.

We've never turned a profit since we've been in this location and even though 2020 was a horrible year to everyone due to COVID-19; we progressed. We progressed because we are finally filling a void in this community and we'd really love to build on that progress. I was completely oblivious of the need to apply for zoning changes and permits until my landlord Gabe Barrow notified me that he was contacted by the County and the City. I apologize for any and all violations and am doing everything that I can to correct them.

Regards,

Maurice Allen

Planning Commission  
Lisa Cottrell

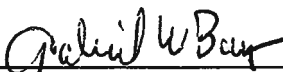
January 27, 2021

I own the property at 2007 Glendale Ave, Toledo, Ohio 43614.

I am in support for the "Harvard Market" to be able to operate on our block. I am an owner of Barrow's Jewelers for 43 years located at 2015 Glendale Avenue on the same block as Maurice Allen who is the proprietor of that store is located. There use to be Larks an IGA grocery store when we opened up in 1977, they were a great asset to our community. The convience for the entire neighborhood and many from outside of the neighborhood would stop there. Many of our customers would stop at Larks on the way home to pick up a few items. They really enjoyed not having to go to the "supermarkets" for a gallon of milk or a loaf of bread. When Maurice said he wanted to open a market the entire block was happy to hear this. Other than sweets and candy on the block there is not a place to get bread, lunch meats or something that you heat up in a microwave. There are 7 business that are on Glendale, 5 of that I know go to his store and do their customers for a refreshment, chips or a snack. As he was doing business the neighborhood residents were glad that he was there. I fully support his vision for opening a market up at that location. I am also His intentions are to be a part of the community in suppling a need that has been in a vacuum since our grocery store closed down years ago. I know many renters and homeowners who live within our area of Harvard School, from Broadway and the streets between Broadway and the Trail and they are glad that a store that would offer groceries can be in walking distance. Many of these do not have access to a car, a ride or can afford to take the bus which by the way I was told limits you to 3 bags of groceries. Maurice is also a caring and polite person who interest is to help out his customers with products that they are asking for. He plans to carry a modest selection of vegetables, lunch meats, bread, eggs and milk. After seeing what type of business, he gets from this he may expand into more items but will have the staple items needed. We have support letters from the Principal of Harvard Elementary School as well as the Site Coordinator for Harvard Elementary School, residents, business owners and customers as well as petitions attached.

I also want to thank Lisa Cottrell and Ryne for giving Maurice and myself direction as to how this process is put forward.

I Sincerely thank you for your consideration in this matter:

  
\_\_\_\_\_  
Gabriel W. Barrow

Drew VanDyke  
2015 /12 Glendale Ave.  
Toledo, OH 43614  
(419) 460-6729

Dear Planning Commission and Toledo City Council,

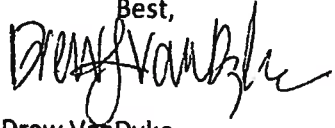
Good morning, my name is Drew VanDyke, and I am a resident at 2015 ½ Glendale Ave, above Barrows Jewelers and Harvard Barber Shop. I have lived here for about six months now and find it to be one of the best areas in town. There is such a community vibe that most areas wish they could have, it is just a pleasure. Part of that feeling comes from the local shops and stores that are within walking distance, including Maurice's shop that recently opened in the building next to me at the corner, at 2005 Glendale Ave.

It has been brought to our attention that there is a possibility of this corner store, not being allowed to reopen. I want to express the importance of this shop in our community, as an individual who sometimes must rely on public transportation (including the struggles of getting a bus with COVID-19 restrictions and capacity regulations), this corner store is sometimes a lifesaver when you need a quick thing or two for dinner or any day needs. Maurice is a friendly addition to the block of stores in that building. He is always a pleasure to see and to work with. We can express our needs for that store to him, so he knows how to better service the surrounding area.

In addition, there is a lot of traffic into his shop. I see all my neighbors utilize that store for their needs as well, as I know personally, that some of them rely completely on public transportation, and that store is a must for them. The school located behind the building, you can see when in service, the teachers and students also utilize the store location.

His store is part of his dream for business ownership. It would not be a great message to send to other small business who would potentially do business in that area in the future, if the city denies Maurice to open. Please take into consideration the amount of people who utilize and rely on his business being there. It really is part of our growing community and we really want him to thrive.

Thank you for your time to listen to a concerned resident of the area.

Best,  
  
Drew VanDyke

Jan., 2021

To Whom It May Concern.

I am writing this letter on behalf of Harvard Market and to let you know how grateful I am to have this store in my neighborhood.

As a senior citizen who doesn't drive it has been a godsend to be able to have this store nearby. With the pandemic bus service is limited and the market has been there in my time of need. I hope the market continues to be a part of the neighborhood and continues to grow for many years.

Thank you!

Michael D. Szymanski

**Toledo Edison**  
A FirstEnergy Company

2009 Glendale.

January 2021

I am in full support of the Harvard Market to be able to sell stable foods in our neighborhood. There are no stores to do so in walking distance. The closest store to us is Kroger's on Glendale avenue or the store on Broadway.

Name: <u>CleShaun Anderson</u>	Address: <u>533 Geneva Ave. Toledo</u>
Name: <u>Joe Marcom</u>	Address: <u>139 AMHERST</u>
Name: <u>Tim Short</u>	Address: <u>5526 Crothorn Lane</u>
Name: <u>Rich Guenin</u>	Address: <u>1404 Harvard blvd</u>
Name: <u>Eric Oyer</u>	Address: <u>1601 Circular Rd</u>
Name: <u>GERMAINE MITCHELL</u>	Address: <u>118 princeton</u>
Name: <u>Perriana Sunderfer</u>	Address: <u>2011 Glendale Ave.</u>
Name: <u>Anthony Griffin</u>	Address: <u>3101 Daleford Dr</u>
Name: <u>WALT TUCKER</u>	Address: <u>916 SECOR</u>
Name: <u>CHARLES ANTAL</u>	Address: <u>3220 FANNING DR</u>
Name: <u>JAMES FREITZ</u>	Address: <u>2817 SCHMIDT</u>
Name: <u>Tom Grajter</u>	Address: <u>1611 Circular Rd.</u>
Name: <u>Ray Luce</u>	Address: <u>1453 GLENDALIE</u>
Name: <u>Stephanie Haus</u>	Address: <u>1820 Glendale ave.</u>
Name: <u>Dorian Johnson</u>	Address: <u>1331 peck</u>
Name: <u>Christiana Barber</u>	Address: <u>975 Gordon</u>
Name: <u>Robert Rich</u>	Address: <u>975 Gordon</u>
Name: <u>CRAIG Bowden</u>	Address: <u>1943 Princeton Drive</u>
Name: <u>Taylor Head</u>	Address: <u>1613 Circular Rd</u>
Name: <u>Stephen Forlage</u>	Address: <u>1636 Yosemite</u>
Name: <u>Robert Highsmith</u>	Address: <u>1430 VASSAR</u>
Name: <u>Nikki Hill</u>	Address: <u>1430 VASSAR</u>
Name: <u>Wahne' Byert</u>	Address: <u>2011 Glendale Ave</u>
Name: <u>Madie Brown</u>	Address: <u>2011 Glendale Ave</u>







January 2021

I am in full support of the Harvard Market to be able to sell stable foods in our neighborhood. There are no stores to do so in walking distance. The closest store to us is Kroger's on Glendale avenue or the store on Broadway.

Name: Jennifer Codo Address: 1241 Indiana Ave

Name: Frank Mojese Address: 740 Memphis Ave

Name: Janet Allen Address: 1450 Beecham

Name: Tasha Jones Address: 3123 Chase

Name: Abioye (Charles Phoenix) Address: 3123 Chase

Name: Leona Jones Address: 1031 Avondale

Name: JOE LOCE Address: 1353 Glendale Ave

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

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Name: \_\_\_\_\_ Address: \_\_\_\_\_

**Ohio**

Department of  
Taxation

Prescribed by the  
Tax Commissioner

48-0058

License No. Assigned

**2020**

**RETAIL  
Cigarette Dealer's License**

**2021**

**THIS IS TO CERTIFY** that the dealer designated hereon, having complied with the provisions of O.R.C. 5743.15, is hereby authorized to sell cigarettes at retail at the place of business specified hereon until May 24, 2021. This license does not authorize any person to sell cigarettes at any place of business other than the dealer designated hereon at the place specified hereon, and such license must be conspicuously posted in a conspicuous place therein. **Important Notice:** Ohio passed legislation that prohibits the sale of tobacco products in Ohio that have not been approved by the Attorney General's Office. A list of brands that are legal to sell in Ohio can be found at [www.ohioattorneygeneral.gov](http://www.ohioattorneygeneral.gov). This list is periodically updated. Any brand not listed on this website is considered contraband and is subject to confiscation. Also, it is unlawful to purchase cigarettes/tobacco products from an unlicensed wholesaler or distributor. A list of licensed manufacturers and distributors can be found at [tax.ohio.gov](http://tax.ohio.gov).

Name NEXT LEVELECHELON, INC.

Date MAY 25 2021

Address 2005 GLENDALE AVE

City TOLEDO OH 43614

ANITA LOPEZ, LUCAS

County Auditor By B. STRUFFOLINO

Deputy

**Anita Lopez • Lucas County Auditor**



# RETAILLER SALES LICENSE

**LICENSE NON-TRANSFERABLE**

EXPIRATION DATE: May 13, 2023  
ISSUED TO: NEXT LEVEL ECHELON, INC.

RETAILER NUMBER: 053911

FOR SALE OF  
OHIO LOTTERY TICKETS AT:

THE HARVARD MART  
2005 GLENDALE AVE  
TOLEDO, OH 43614-2802

This license is issued by the director of the Ohio Lottery Commission and authorizes the sale of Ohio Lottery tickets only by the above retailer and only at the above address. This license is governed by the terms and conditions contained in Chapter 3770 of the Ohio Revised Code; the Rules of the Ohio Lottery Commission contained in the Ohio Administrative Code; the Regulations of the Director of the Ohio Lottery Commission; and all orders, regulations, standards, conditions and procedures adopted by the Commission or its Director, including the conditions of Ohio Lottery Retail Sales Licenses set out in the Application for this license.

*Pat McDonald*  
**Pat McDonald**  
Executive Director



The Ohio Lottery is an Equal Opportunity Employer and Service Provider.

**THIS LICENSE MUST BE DISPLAYED PROMINENTLY AT ALL TIMES AT THE ABOVE ADDRESS**