

Board of Zoning Appeals

November 17, 2025

Toledo Lucas County Plan Commission's Recommendations

1111.1705 Approval Criteria.

Zoning variances shall only be approved when the Board of Zoning Appeals finds substantial evidence in the official record to support at least five of the following findings:

- A. Unnecessary hardships or practical difficulties apply to the subject land, buildings or uses which are not generally applicable to other land, buildings, structures, or uses in the same zoning district;
- B. The undue hardship or practical difficulties are not the result of the actions of the property owner or applicant, their agent, employee, or contractor;
- C. Granting the requested variance will not result in advantages or special privileges to the applicant or property owner that the Zoning Code denies to other land, structures, or uses in the same district, and that the variance is the minimum variance necessary to provide relief;
- D. The variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance;
- E. The variance is not inconsistent with the stated purpose and intent of this Zoning Code (See Section 1101.0400);
- F. Granting this request will not change or alter the overall image and character of the neighborhood, or introduce new materials or colors that are incompatible with the neighborhood; and
- G. The variance is not an after-the-fact approval of an intentional violation.

313 Morris St

Plan Commission recommends approval of this request. The applicant has demonstrated a unique hardship meeting at least five (5) of the approval criteria (A, B, C, F, & G). Due to the nature of business and heavy equipment being staged, as well as the frequency of usage, the staff recommends approval of this request, conditioned that the gravel parking lot use shall cease should the business operation end.

1609 W Bancroft

Plan Commission recommends disapproval of this request. The applicant has not demonstrated a unique hardship meeting at least five (5) of the approval criteria (A, B, C, E, & F). There are no fences of this height along Hawthorne Street, and the buildings along Hawthorne Street are also aligned. A 6-foot fence located near the right-of-way will impact visibility along Hawthorne for pedestrians and noticeably affect the neighborhood's aesthetics. The applicant can explore other options, such as an outdoor patio in front of the building, to provide a safe space for customers.



2969 113th St

The Plan Commission recommends disapproval of this request. Approving the waiver request as it stands would visibly impact the neighborhood's aesthetics. However, staff will support a modified variance request. The applicant has demonstrated a unique hardship meeting at least five (5) of the approval criteria (A, B, C, E, & G) to support a modified waiver. The location of the house results in nearly no rear yard, making it challenging to meet zoning regulations. Staff supports approval of the modified waiver, conditioned on the carport and storage structure being setback and aligned with the building on site along 113th Street. This recommendation is appropriate because all buildings are similarly aligned along 113th Street. This ensures consistency and maintains the neighborhood's aesthetic.



5516 Edgewater Dr

Plan Commission recommends disapproval of this request. The applicant has not demonstrated a unique hardship meeting at least five (5) of the approval criteria (A, B, C, F, & G). The applicant had pulled partial permits for the construction of the new home without getting the required final inspections. Due to the applicant's history of illegal work, they should have been aware of the need to check with the City before installing the driveway. Additionally, approving this variance creates an opportunity for illegal parking in the front yard and negatively impacts the neighborhood's aesthetics.

1045 Matzinger Rd

Plan Commission recommends disapproval of this request. The applicant has not demonstrated a unique hardship meeting at least five (5) of the approval criteria (A, B, C, F, & G). The applicant installed the fence after he was informed that a 6' fence in the front yard was not permitted. The applicant was aware of the regulations and installed the fence without a permit or a waiver. The current 6' fence was installed close to the right-of-way and impacts the aesthetics of the area. The applicant has sufficient space to install a 6' fence in the front that is aligned with the building and complies with zoning regulations. Almost all fences in the vicinity are aligned with the buildings and appropriately setback. The applicant does not have a special hardship that warrants a waiver of this requirement.

