

## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

REF: Z-2002-23

DATE: April 13, 2023

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

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

SUBJECT: Zone Change from CR Regional Commercial to RS6 Single-dwelling Residential

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, April 13, 2023 at 2:00 P.M.

### GENERAL INFORMATION

#### Subject

Request	-	Zone Change from CR Regional Commercial to RS6 Single-dwelling Residential
Location	-	1955 Starr Avenue
Applicant + Owner	-	Merrill Guy Mullins, Sherry Mullins 809 Delence Street Toledo, Ohio 43605

#### Site Description

Zoning	-	CR Regional Commercial
Area	-	± 0.070 Acres
Frontage	-	± 47.0' along Starr Avenue
Existing Use	-	Single-family Home
Proposed Use	-	Single-family Home

#### Area Description

North	-	RD6, Single-family Homes, Church
South	-	RD6 / Office Building, Single-family Homes, Office
East	-	CR / Restaurant, Pharmacy
West	-	CR / Duplex

#### Parcel History

No parcel history

## **GENERAL INFORMATION (Cont'd)**

### Applicable Plans and Regulations

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

## **STAFF ANALYSIS**

The applicant is requesting a Zone Change from CR Regional Commercial to RS6 Single-Dwelling Residential for an existing home located at 1955 Starr Avenue. The house occupying the site was built in 1923 and has been used as a single-family home since that time. The property is surrounded by predominantly single-family homes to the north, Guy's Pizza and a pharmacy to the east, to the south are single-family homes and office buildings, and to the west is a duplex. The applicant is requesting a Zone Change in order to reduce the property tax liability. The applicant is currently paying commercial tax rate although the site is being used as a single-family residence.

The RS6 Single Family Residential zoning district is intended to accommodate the development of single-family houses on individual lots. Approval of this petition, Z-2002-23 will make a legal non-conforming property conforming and will be appropriately zoned according to its historic land use.

### Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the site for Neighborhood Commercial land use. Neighborhood Commercial land uses are predominantly small and medium scale commercial uses that serve neighborhoods. Small and medium scale office and mixed uses may also be included. However, since the Toledo 20/20 Comprehensive Plan was written and single-family residences have been long established in this neighborhood, the CN Neighborhood Commercial zoning district still creates a legal non-conforming use.

Staff recommends approval of the Zone Change from CR Regional Commercial to RS6-Single-Family Residential because the proposed rezoning is consistent with the existing land uses of properties to the immediate north of the site. Also, the uses permitted under the proposed Zone Change are compatible with uses in the proposed Zoning classification. Finally, the rezoning will correct an issue of a non-conforming land use in the proper Zoning classification.

## **PLAN COMMISSION RECOMMENDATION**

The Toledo City Plan Commission recommends approval of Z-2002-23, a request for Zone Change from and CR Regional Commercial to RS6 Single-dwelling Residential at 1955 Starr Avenue to Toledo City Council for the following two (2) reasons:

TO: President Cherry and Members of Council  
April 13, 2023  
Page 3

REF: Z-2002-23

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

1. The request is compatible with existing land uses within the general vicinity of the subject property **(TMC§1111.0606(B))**;
2. The rezoning will correct an issue of a non-conforming land use in the proper zoning classification.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Th C Gibbons', written in a cursive style.

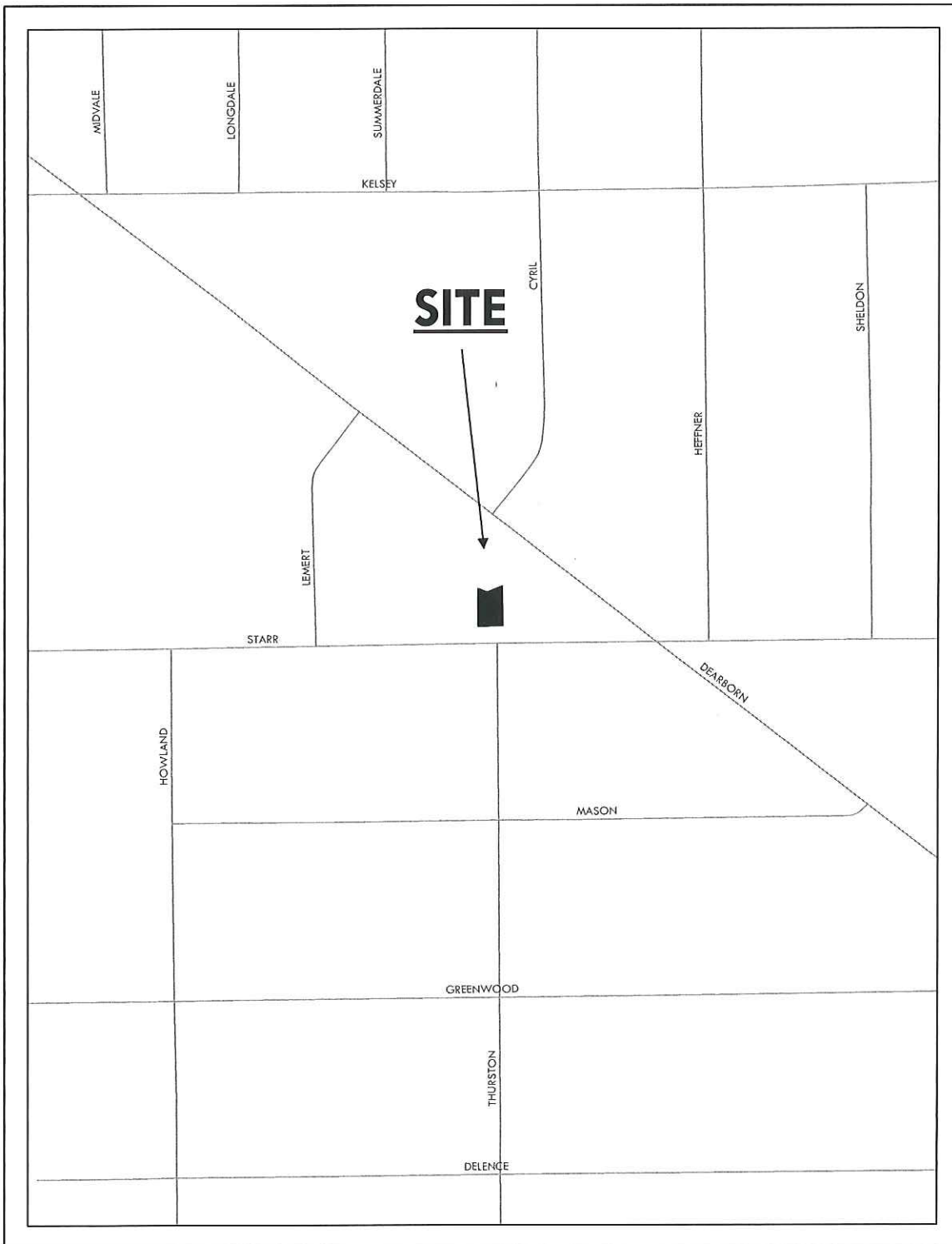
Thomas C. Gibbons

Secretary

ET  
Two (2) sketches follow

# GENERAL LOCATION

Z-2002-23





# ZONING & LAND USE

Z-2002-23

