



# TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604

PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR



DATE: September 14, 2018

REF: Z-7002-18

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

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

SUBJECT: Request for a Zone Change from RM12 Multi Dwelling & IL Limited Industrial to RS6 Single Dwelling

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, September 13, 2018 at 2:00 P.M.

## GENERAL INFORMATION

### Subject

Request	-	Zone Change from RM12 Multi Dwelling & IL Limited Industrial to RS6 Single Dwelling
Location	-	3319 Nebraska Avenue
Applicant	-	Toledo Muslim Community Center 5045 Sylvania Avenue Toledo, OH 43623
Attorney	-	Jerome Parker One SeaGate, Ste. 1645 Toledo, OH 43604

### Site Description

Zoning	-	RM12 / Multi Dwelling & IL / Limited Industrial
Area	-	± 21.263 acres
Frontage	-	± 660' along Nebraska Avenue
Existing Use	-	Religious Assembly
Proposed Use	-	Religious Assembly

### Area Description

North	-	Single Family Residential, Place of Worship / RS6
South	-	Vacant / IL
East	-	Warehouses / IL
West	-	Multi Dwelling / RM36 Warehouses / IL

## GENERAL INFORMATION (cont'd)

### Parcel History

- |          |   |   |
|----------|---|---|
| Z-270-76 | - | Special Use Permit for a church, school and auditorium. (Plan Commission recommended approval on 9/30/76, City Council approved on 11/23/76 by Ord. 869-76).  |
| Z-271-80 | - | Zone Change from M-1 Restricted Industrial to R-2A Restricted Multi Family for 10.25 acres of parcel. (Plan Commission recommended approval on 12/04/1980, City Council approved on 12/23/1980 by Ord. 868-80). |

### 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 RM12 Multi Dwelling & IL Limited Industrial to RS6 Single Dwelling at 3319 Nebraska Avenue. Currently, the ±21.263 acre site is split zoned. The western/southwestern portion of the parcel is zoned RM 12 (±10.25 acres), while the eastern/northeastern portion is zoned IL ((±11.01 acres).

A 37,847 square foot church, constructed in 1986 currently sits on the site. More than half the parcel is wooded. Surrounding land uses include single family homes and a church to the north; industrial warehouses to the east and southwest; vacant industrial land to the south; and multifamily to the west.

The subject parcel is legal nonconforming. In 1976, City Council approved a Special Use Permit for a church, school and auditorium, on what at that time was an M-1 Restricted Industrial district. The previous zoning code allowed such uses in industrially-zoned districts with an approved SUP. The current zoning code defines the existing use on the subject parcel as "Religious Assembly" This use is not permitted, even through an SUP, in any of the industrial-zoned districts.

The applicant wishes to bring the subject parcel into conformity by rezoning the entire parcel to RS6 Single Dwelling Residential. Religious Assembly is a permitted use in all of the residential zoning districts.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan recommends *Single Family* uses for this area of Nebraska Avenue; *"Intended to accommodate the development of single dwelling units on individual lots. May also include libraries, schools, churches, and community centers. The district is intended to create, maintain and promote housing opportunities for individual households, although it may include nonresidential uses, duplexes, and planned unit developments that are typically compatible with residential neighborhoods."* (Toledo 20/20 Comprehensive Plan/Appendix D, Legend)

**STAFF RECOMMENDATION**

The Toledo City Plan Commission recommends approval of Z-7002-18, a Zone Change from RM12 Multi Dwelling & Limited Industrial to RS6 Single Dwelling at 3319 Nebraska Avenue to Toledo City Council for the following three (3) reasons:

1. The request conforms to the Toledo 20/20 Comprehensive Plan and the stated purpose of the Zoning Code (TMC§1111.0606(B) – *Review and Decision Making Criteria*).
2. The request is consistent with existing land uses within the general vicinity of the subject property. (TMC§1111.0606.B *Review & Decision-Making Criteria*).
3. The request is consistent with the zoning classifications of the properties within the general vicinity of the subject property. (TMC§1111.0606.C *Review & Decision-Making Criteria*).

Respectfully Submitted,



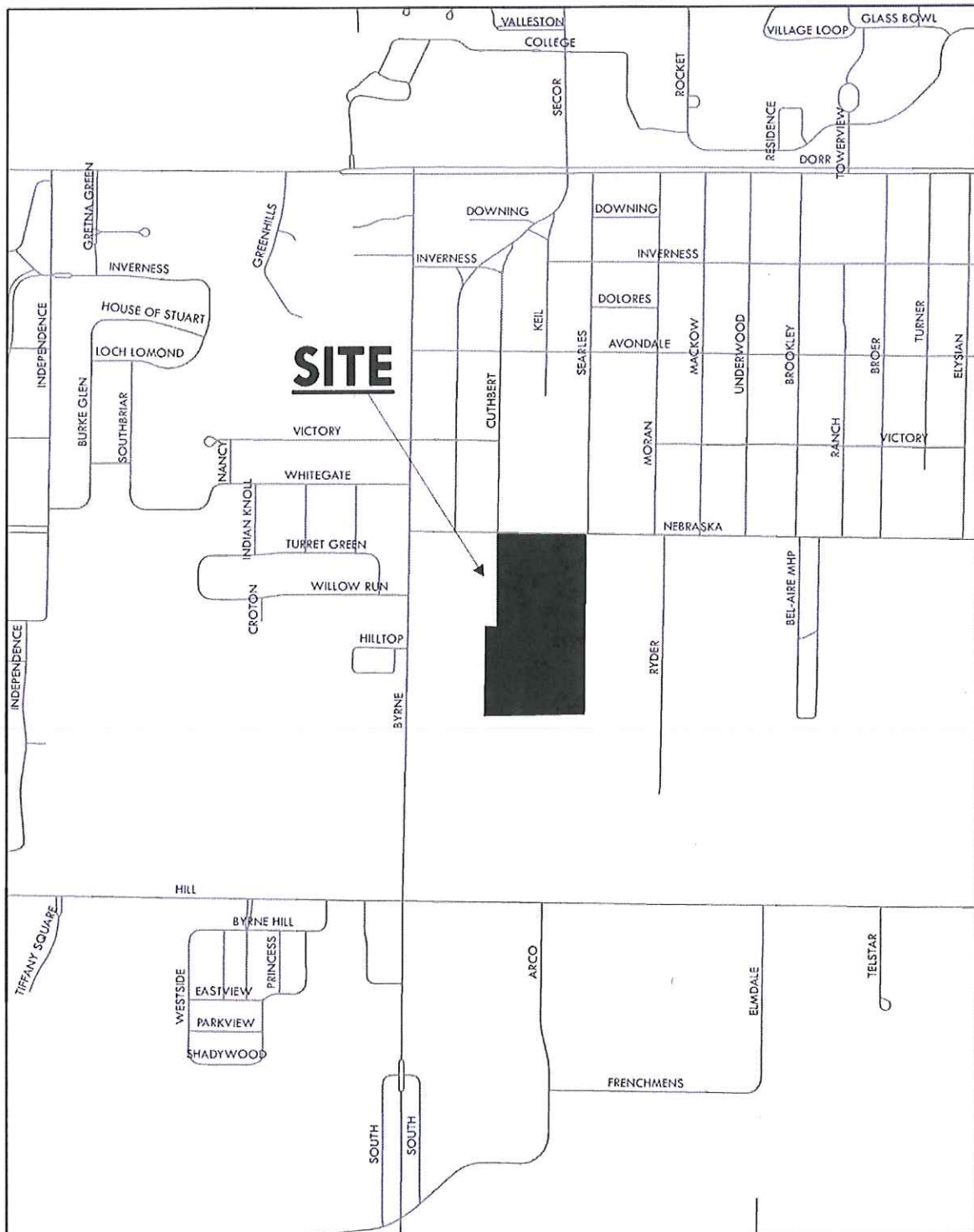
Thomas C. Gibbons  
Secretary

Two (2) sketches follow  
CC: Lisa Cottrell, Administrator  
Daryl Graus, Planner



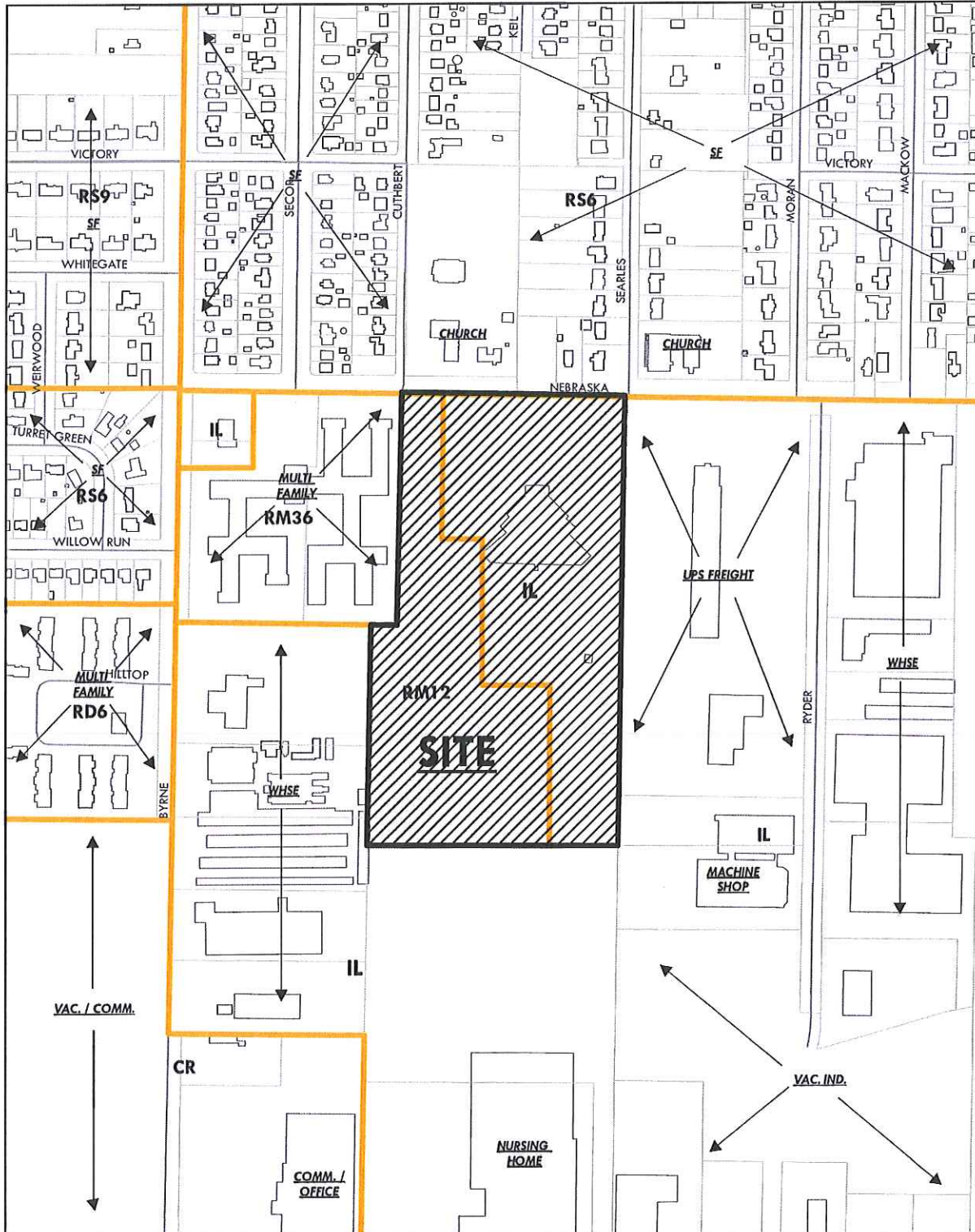
## GENERAL LOCATION

**Z-7002-18**  
**ID 52**



# ZONING & LAND USE

Z-7002-18  
ID 52



September 7, 2018

To:

Toledo Lucas County Plan Commission's  
Planner: DARYLE GRANS

This letter is in regard to the letter that was delivered to my address: 603 Secor Rd, Toledo, Ohio 43607 on Sept. 06, 2018. As, a resident-home owner I'm opposing the zone change - R56 single dwelling at 3319 Nebraska Ave. The reasoning for opposing this zone change is: there's existing single family complex in the area, INCREASE in traffic which is CAUSING INCREASE in ACCIDENTS in this residential AREA. And INCREASE in CRIME.

Thank You

KATHERINE Coleman

603 SECOR RD.

TOLEDO, OHIO 43607