

BOARD OF ZONING APPEALS

November 18, 2019

City of Toledo



ADMINISTRATIVE BOARD OF ZONING APPEALS (BZA)

MONDAY NOVEMBER 18, 2019 - 10:00 A.M.
CITY COUNCIL CHAMBERS, FIRST FLOOR
GOVERNMENT CENTER

BZA BOARD APPROVAL CASE ORDER

DOCKET #	CASE No	ADDRESS
1	19-43	2040 W. CENTRAL
2	19-47	406 IRVING AVE.
3	19-48	3708 WEST LASKEY AKA 3702 WEST LASKEY
4	19-49	714 MAIN ST.



CITY OF TOLEDO

Division of Building Inspection

BZA19-0043

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 2040 W Central Zoning District CR Date 9.09.05

Legal Description includes 2020, 2022, 2030, 2044, 2046 W Central & O Kelly Ave.

Applicant's Name (print) THE TOLEDO HOSPITAL / LEWANDOWSKI ENGINEERS

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

TMC § 1106.0102 VARIANCE FOR 15' less than the min. 20' front setback REQ'D

~~1/2 TMC 1107.1212(B) VARIANCE FOR 12.5' less than the min 15' front greenbelt setback REQ'D~~

Applicant Signature [Signature] Phone 419-255-4111

Applicant's Street Address 234 N. Erie Fax _____

Applicant's City, State, Zip Toledo OH 43604 E-Mail MAL@LEWANDOWSKI.ENG.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.

+++++ 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. N/A Permit Tech's Initials [Signature] Date 9-18-19

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

PAID 9/15/19

1-1

HEARING DATE: November 18, 2019
 CASE NO: 19-43
 APPLICANT: The Toledo Hospital; Lewandowski Engineers
 SITE LOCATION: 2040 W. Central
 ZONING DISTRICT: CR
 SWO or NOL Issued: N/A
 ANALYSIS: Applicant requests variances from TMC 1106.0102 & TMC 1107.1202(B) for a four story hotel 15' less than the required 20' minimum setback.
 STAFF COMMENTS: The code requires 20' minimum front setback and the hotel is proposed at 5' minimum 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:							
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Sandy Spang	_____	_____	_____	_____	_____	_____	_____
Fanny Effler	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:



LEWANDOWSKI
ENGINEERS

Civil Engineers & Surveyors
234 North Erie Street
Toledo, OH 43604
419-255-4111 fax 255-4112

established 1916

Matthew D. Lewandowski P.L.S.
John R. Lewandowski P.E., P.L.S., 1922-1995
Louis Lewandowski P.E., P.L.S., 1894-1983

RE: 2040 W Central including 2030, 2022, 2036, 2044 & 2046 W Central
& O Kelly Ave

Lewandowski Engineers, as agent for Toledo Hospital, is requesting two variances per the attached site plan. Variance one: waiver on the required 20' front yard setback required along W. Central Avenue (1106.0102). Variance two: 12.5' waiver of the required 15' greenbelt frontage setback along W. Central Avenue (1107.1212[B]). The goal of this site is to erect a proposed four-story hotel. Please contact my office with any further questions.

Justin Heil

1-3

site development
wetland delineation
sewage treatment
storm drainage
pavements
geotechnical design
construction supervision
surveys

Print

Toledo Municipal Code

1106.0102 Commercial Districts.

Unless otherwise expressly stated, all buildings in Commercial (C) zoning districts must comply with the standards of the following table.

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

Standard	CN	CO	CM	CS	CR	CD
Minimum Lot Area (sq. ft.)						
Detached House	6,000	NA	NA	NA	NA	NA
Duplex/Attached House (per unit)	3,000	NA	1,400	NA	NA	1,400
Multi-Dwelling (per unit)	4,200	1,800	1,400 [1]	1,800	1,800	500 [1]
All Other Development	None	None	None	None	None	None
Maximum Floor Area Ratio (FAR)	0.75	2.5	1	3	2.5	12
Minimum Setbacks (feet)						
Front	20	20	0	0	20[2]	0
Side/Rear abutting other C or I Districts	0	0	0	0	0	0
Side/Rear abutting R Districts	[3]	[3]	[3]	[3]	[3]	[3]
Maximum Front Setback (feet)	35	35	10[4]	10[4]	None	10[4]
Maximum Height (feet)	35	65	120	45	65	None
Maximum Building Coverage (% of site)	85	85	100	100	85	100

NA = Not Applicable

Table Notes

[1] See Section 1106.0400 on minimum lot area reductions in CM and CD Districts.

[2] Minimum Front Setback is increased to 30 feet for properties over 5 acres and/or with over 500 feet of frontage.

[3] Minimum side and rear setbacks from Residential zoning districts:

1-4

Height of Accessory or	Setback Abutting Side Lot Line of R- Zoned Lot (feet)	Setback Abutting Rear Lot Line of R- Zoned Lot (feet)
-------------------------------	--	--

Principal Building (feet)		
0-20	10	15
21+	10 + 1 per 2 feet of building height above 20 feet. Setback is not required to exceed 50 feet	15 + 1 per 4 feet of building height above 20 feet. Setback is not required to exceed 50 feet.

[4] At least 50 percent of the length of the ground level building must be located within 10 feet of the front lot line. For sites with three or more lot frontages, this standard applies to only two of the street facing walls. The Plan Commission is authorized to waive maximum front setback standards in the -DO district to accommodate plazas or other pedestrian amenities.

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

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.

1-5

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

2040 W CENTRAL

NORTH AERIAL VIEW OF BUILDING TO BE DEMOLISHED



EAST STREET VIEW OF BUILDING TO BE DEMOLISHED

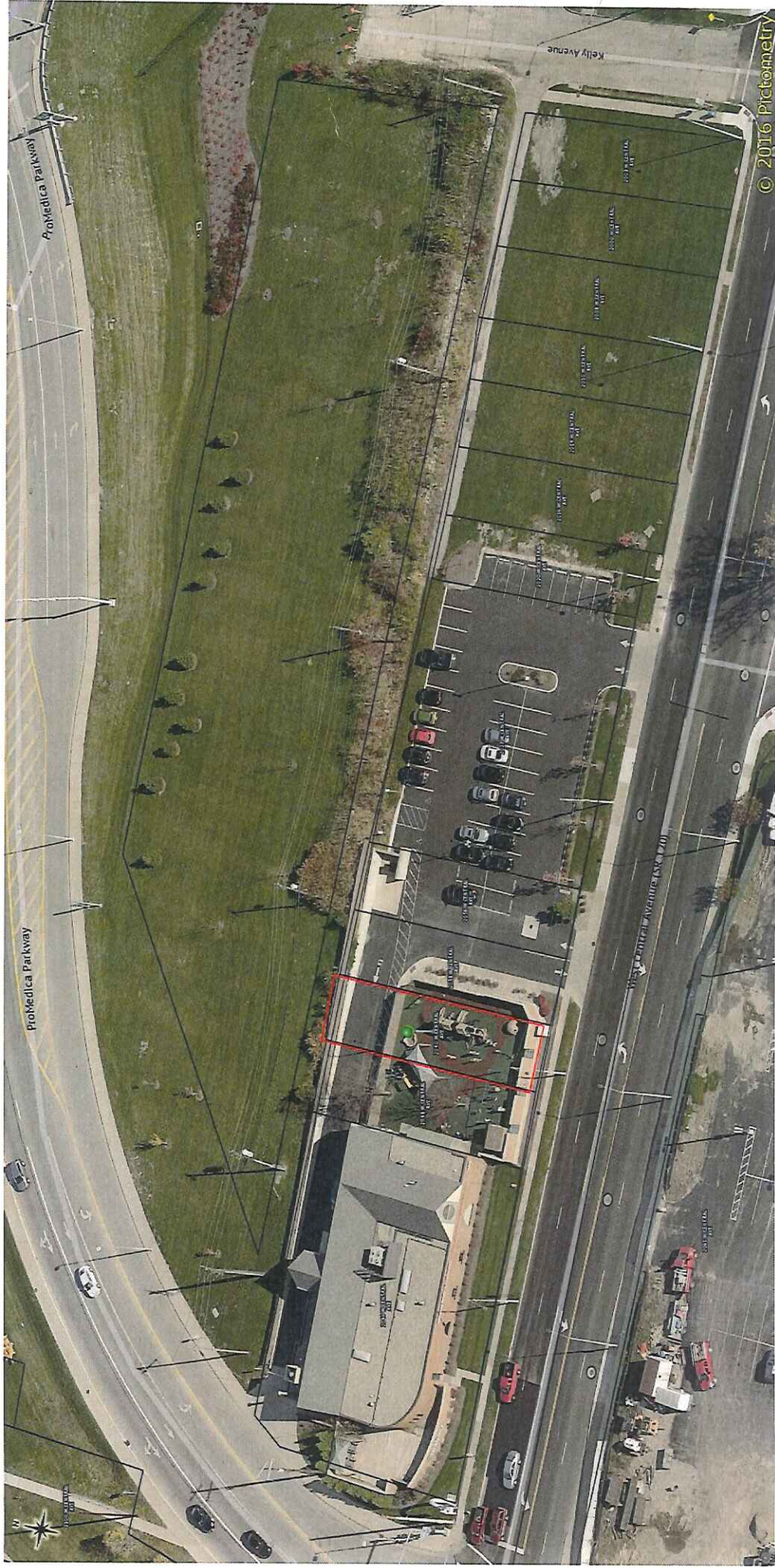


NORTH STREET VIEW OF BUILDING TO BE DEMOLISHED



1-7

2040 w central & 5 other parcels - site for 4 story hotel



1-6

2040 W Central

LE PROJECT : 50701
CONTRACT : I-17674

WARNING

UNDERGROUND CONDUITS IN AREA;
CONTACT THE OHIO UTILITIES
PROTECTION SERVICE (OUPS) TWO
WORKING DAYS PRIOR TO ANY
EXCAVATION, DEMOLITION OR
CONSTRUCTION.....1-800-362-2764

CONTRACTOR SHALL IDENTIFY AND
CONTACT ANY UTILITY COMPANIES
THAT DO NOT PARTICIPATE IN THE
OUPS SYSTEM.



Know what's below.
Call before you dig.



MAJOR SITE PLAN, VARIANCE R

THE COLO

ALL OF LOTS 27-35 & 39-44, PT. OF
PT LOTS 279-281, 286, ALL OF LOTS 282-285 &
CITY OF TOLEDO, OH

VARIANCE REQUESTS

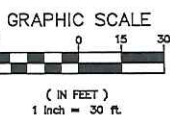
1. 15' WAIVER OF THE REQUIRED 20' FRONT YARD SETBACK ALONG W. CENTRAL AVENUE (1106.0102)
2. 12.5' WAIVER OF THE REQUIRED 15' GREENBELT FRONTAGE SETBACK ALONG W. CENTRAL AVENUE (1107.1212(B))

FLOOD PLAIN

ZONE X-OUTSIDE THE 100 YEAR
FLOOD PLAIN
MAP # 35005C00087E
EFFECTIVE 08/16/2011

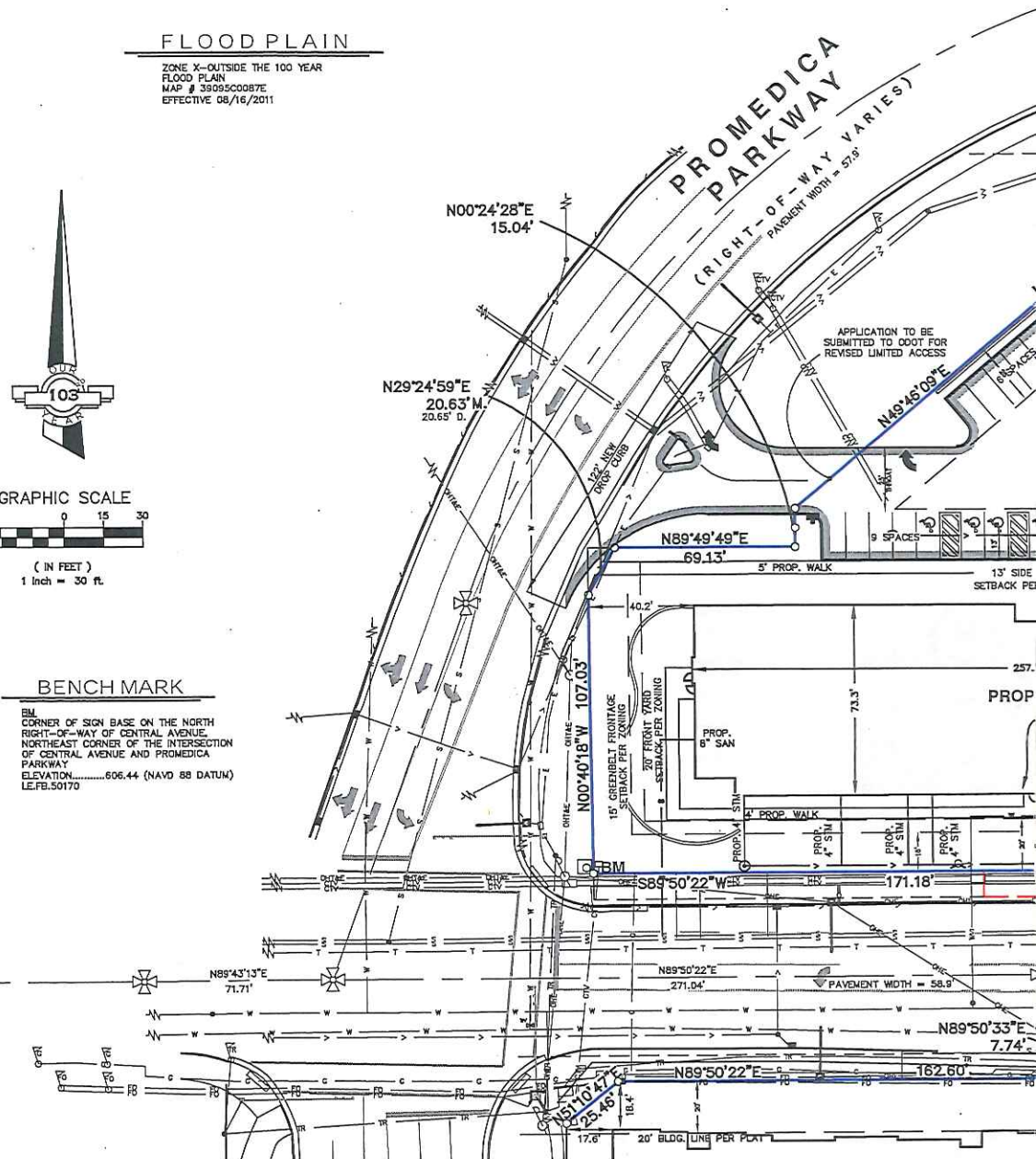
LEGEND

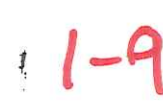
CABLE	— CTV —
ELECTRIC	— E —
GAS	— G —
SANITARY	— S —
STORM	— > —
TELEPHONE	— T —
TRAFFIC	— TR —
WATER	— W —
FENCE	— X —
OVERHEAD ELECTRIC	— OHE —
OVERHEAD TELEPHONE & ELECTRIC	— OHTAC —
CATCH BASIN	
CURB INLET	
MANHOLE	
YARD BASIN	
HYDRANT	
VALVE	
POWER POLE	
GUY WIRE	
YARD LIGHT	
STREET LIGHT	
TRAFFIC SIGNAL	
BOLLARD	
METER	
SIGN	
FENCE POST	
UTILITY ENDMARK	
DENOTES PARKING SPACES	
MONUMENT, FOUND	
SURVEY MARKER (FOUND/SET)	
CALCULATED	
DEED	
RECORD	
MEASURED	
DENOTES SCHEDULE "B" ITEMS	



BENCH MARK

BM
CORNER OF SIGN BASE ON THE NORTH
RIGHT-OF-WAY OF CENTRAL AVENUE,
NORTHEAST CORNER OF THE INTERSECTION
OF CENTRAL AVENUE AND PROMEDICA
PARKWAY
ELEVATION.....606.44 (NAVD 88 DATUM)
LE.FB.50170





WARNING
UNDERGROUND CONDITIONS IN AREAS
CONTACT THE QHO UTILITIES
PROTECTION SERVICE (QUPS) TWO
MORNING DAYS PRIOR TO ANY
EXCAVATION, DEMOLITION OR
CONSTRUCTION. 1-800-352-2-2-2
CONTRACTORS SHALL NOTIFY AND
CONTACT ANY UTILITY COMPANIES
THAT DO NOT PARTICIPATE IN THE
QUPS SYSTEM.

now what's below.
Call before you dig.



THE COLONY NORTH

ALL OF LOTS 27-35 & 39-44, PT. OF LOTS 36-38 & ADJ VACATED ALLEYS
PT LOTS 279-281, 286, ALL OF LOTS 282-285 & ADJ VACATED ALLEYS IN FAIRFAX EXTENSION
CITY OF TOLEDO, LUCAS COUNTY, OHIO

1. 15' WAIVER OF THE REQUIRED 20' FRONT YARD SETBACK ALONG W. CENTRAL AVENUE (1105.0102)
2. 12.5' WAIVER OF THE REQUIRED 15' GNEIDIBELT FRONTAGE SETBACK ALONG W. CENTRAL AVENUE (1107.1212(B))

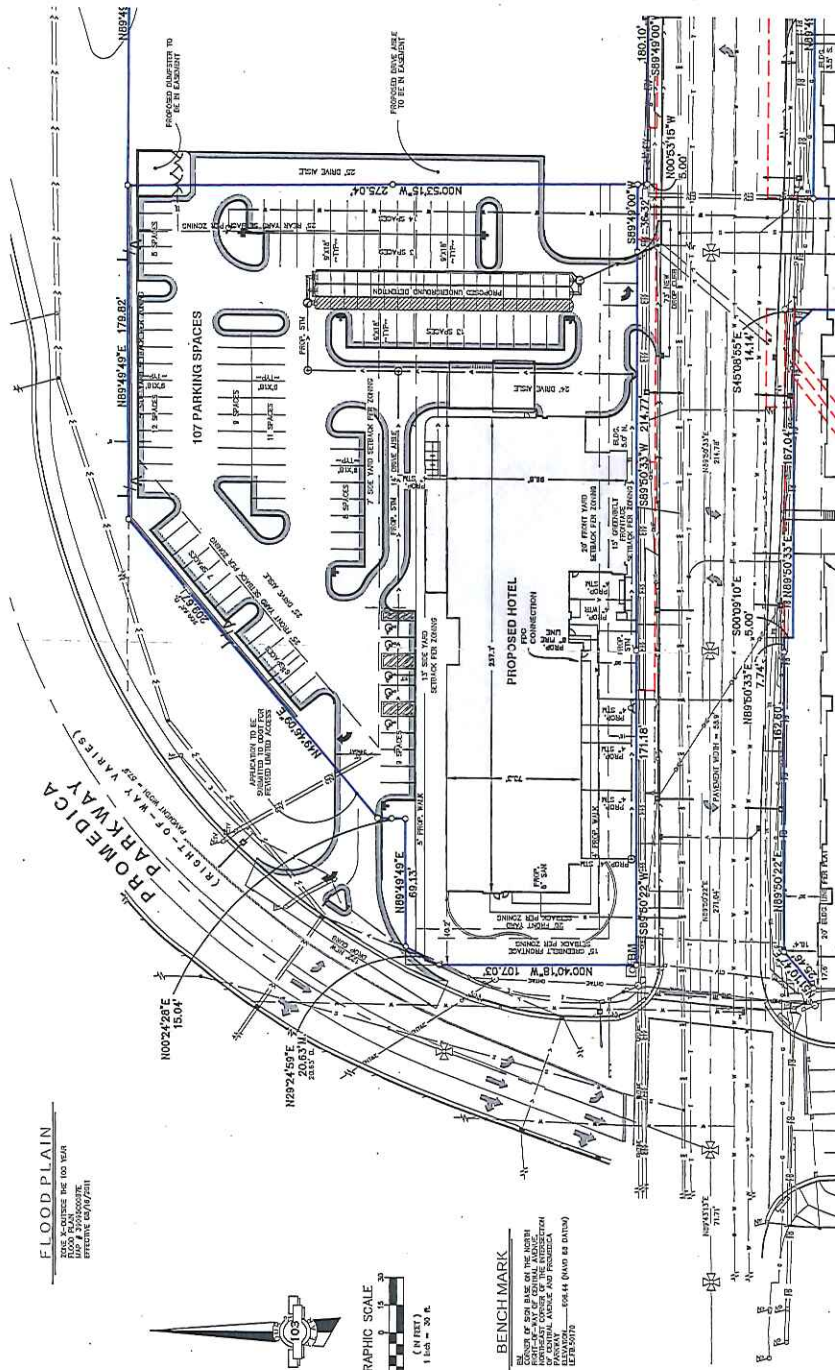
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2. 12.5' WAIVER OF THE REQUIRED 15' GNEIDIBELT FRONTAGE SETBACK ALONG W. CENTRAL AVENUE (1107.1212(B))

FLOODPLAIN
ZONE X-OUTSIDE THE 100 YEAR
FLOOD PLAN
MAP # 370100007E
EFFECTIVE 02/19/2011



GRAPHIC SCALE
(IN FEET)

CORNER OF SON BASE ON THE NORTH
RIGHT-OF-WAY OF CENTRAL AVENUE,
NORTHEAST CORNER OF THE INTERSECTION
OF CENTRAL AVENUE AND PROMEDICA
PARKWAY
ELEVATION—608.44 (NAVD 83 DATUM)

[illegible]

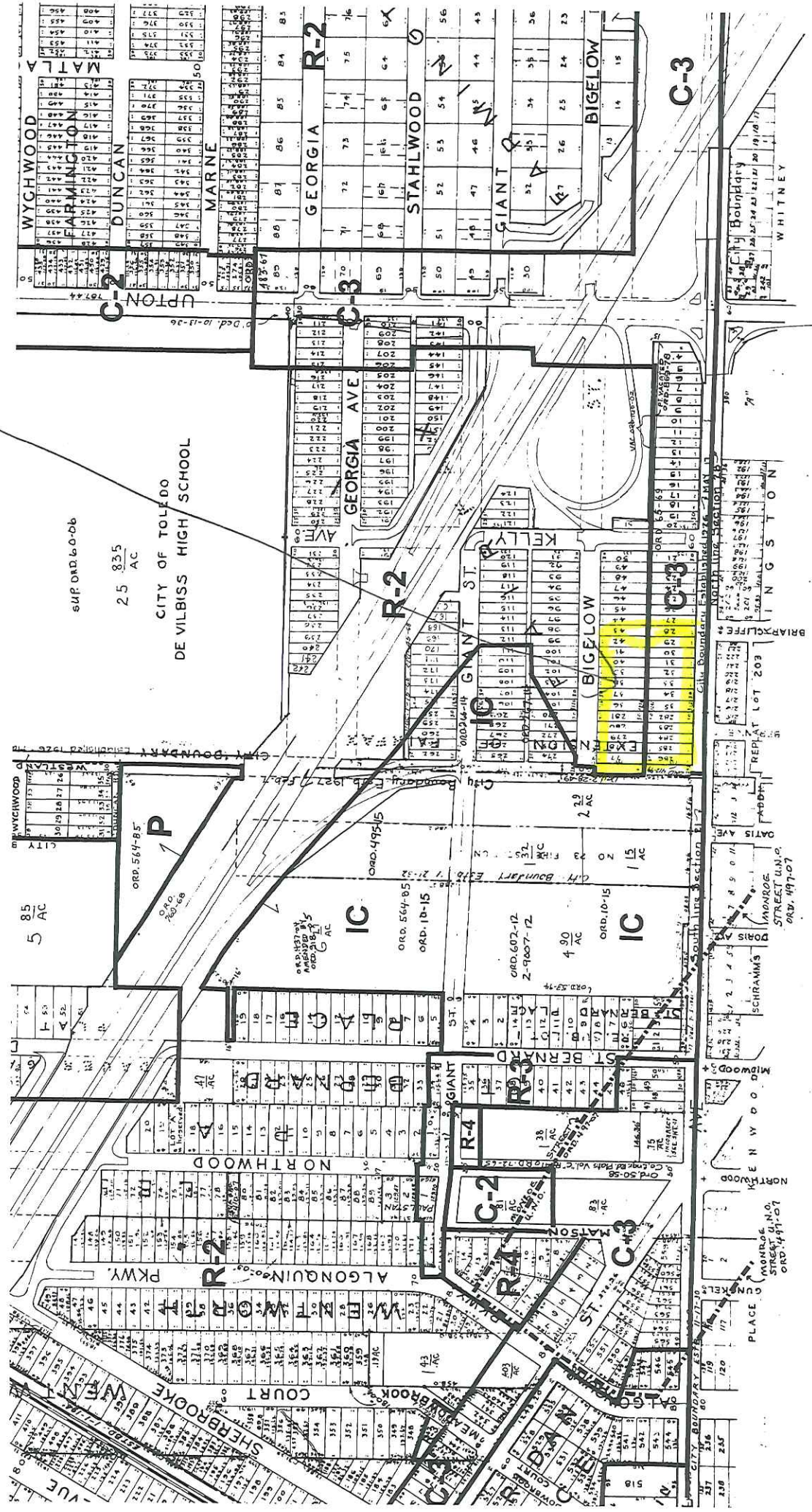
MAJOR SITE PLAN, VARIANCE AND ZONE CHANGE:
THE COLONY NORTH
 FAIRFAX EXTENSION & WEST CENTRAL STORES
 CITY OF TOLEDO, LUCAS COUNTY, OHIO

DATE: 08/26/2010
DRAWN: NJG
CHECKED: MDL
BOUNDARY: RPL
TOPG: NJG
UTM: 18S
GPS: NAD '83
CEC0-12A, 3401

SCALE: 1"=30'
DWG #: 50701-PLAN COMM
D/R #: 50701
DATUM: NAD 83 GPS
CIVL 3D 2014
GIS: ARCMAP 9.2
OHIO N, 3401

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466
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2040 W Central + ADDITIONAL PP 7015



41

1-1

SUP ORD 60-06

2.5 835 AC

CITY OF TOLEDO
DE VILBISS HIGH SCHOOL

MONROE N.O.
STREET U.N. 07
ORD. 497-07

MONROE
STREET U.N. 07
ORD. 497-07

MONROE
STREET U.N. 07
ORD. 497-07

MONROE
STREET U.N. 07
ORD. 497-07

MONROE
STREET U.N. 07
ORD. 497-07

MONROE
STREET U.N. 07
ORD. 497-07

MONROE
STREET U.N. 07
ORD. 497-07

PARCEL ID: 0500111

MARKET AREA: 5006C

TOLEDO HOSPITAL AN OHIONOT-FOR-PROFIT CO

TAX YEAR: 2019

ASSESSOR#: 03216015

ROLL: RP_OH

2040 W CENTRAL AVE

STATUS: Active

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	COMMERCIAL
Land Use	420 : C - SMALL (UNDER 10,000SF) DETACH RETAI
Market Area	5006C - Click here to view map
Zoning Code	10-CR - Click here for zoning details
Zoning Description	Regional Commercial-CR
Water and Sewer	CITY WATER / CITY SEWER
Traffic	HEAVY MAIN
Street Type	CONCRETE OR BLACKTOP
Owner	TOLEDO HOSPITAL AN OHIONOT-FOR-PROFIT CO
Property Address	RP 2040 W CENTRAL AVE TOLEDO OH 43606
Mailing Address	MSC-S29779 100 MADISON AVE TOLEDO OH 43604
Legal Desc.	FAIRFAX LOT 34 EXC PT IN SR 120
Certified Delinquent Year	
Census Tract	7

Summary - Most Recent Sale

Prior Owner
Sale Amount
Deed
Sales Date

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	4,100	11,700	0	0
Building	141,230	403,500	0	0
Total	145,330	415,200	0	0

Tax Credits

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

Exemption Status

Exemption Type	EX (600 SERIES)
Exemption Status	PENDING

Printed on Tuesday, October 01, 2019, at 9:00:58 AM EST

1-12



PAID
10/8/19

CITY OF TOLEDO

Division of Building Inspection

BZA19-0047

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 406 Irving Ave Toledo Oh, 43620 Zoning District RD6 Date 10/01/19

Legal Description ORCHARD ADDITION BLK 6 LOTS 31 & 32 & STRIP 12.9 FT E OF & ADJ & W OF HORTON ST R/W

Applicant's Name (print) Nicholas Botek

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

TMC § 1106.0205 Part B-2 Double-frontage lots must provide a front setback on both streets.

Applicant Signature Nicholas Botek Phone 567-202-6818

Applicant's Street Address 535 Winthrop St. Fax _____

Applicant's City, State, Zip Toledo, OH, 43620 E-Mail njb9601@gmail.com

Applications must be accompanied with:

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+++++ 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. _____ Permit Tech's Initials B-1 Date 10/8/2019

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

HEARING DATE: November 18, 2019

CASE NO: 19-47

APPLICANT: Nicholas Botek

SITE LOCATION: 406 Irving Ave.

ZONING DISTRICT: RD6

SWO or NOL Issued: N/A

ANALYSIS: Applicant requests variance from TMC 1106.0205(B-2) to construct new home within 5' of the secondary frontage along Horton St.

STAFF COMMENTS: 25' setback is required from both fronts on a corner lot (double frontage). The applicant needs 25' minimum on the secondary frontage and only has 5'.

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

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

To: Toledo Zoning Commission
Cc:
From: Kevin Brown RA
Date: October 7, 2019
Re: Zoning Appeal Letter

Zoning Commission,

Our appeal is for a variance to TMC 1106.0205 Part B-2 which requires a front set back of 25 feet on both frontages of a corner lot. We are asking to reduce the distance required for the set back adjacent to the Horton street right of way to 5 feet for this project.

My clients have worked very hard for the residents of the old west end district. Together they have dedicated themselves to creating the community garden located on 2427 Collingwood. One day it will become a small model food forest that could sustain a large portion of the Old West End community. It is already providing food to those who wish to harvest from what it currently produces. In a similar fashion they wish to clear a path for the residents of Toledo who seek to build a home that could reduce many of the financial burdens that we all face while living in our modern society. A key aspect of this new home is its ability to utilize the sun's energy from dawn to dusk. This drives the home's shape and orientation. The issue we have encountered is that when TMC 1106.0205 Part B-2 is applied to this particular lot it becomes impractical to build such a home. We understand why these codes exist and the order, beauty and comfort the city aim's to preserve. We do not wish to disrupt such a goal. However, we feel that at this particular site following this code without a variance is not conducive to the zoning commissions objectives.

If we consider the context along Horton street there are no built structures that conform to TMC 1106.0205 Part B-2 without an exception from Part B-3. In fact, on the west side of the street there are no lots that *could* conform without an exception unless more than one lot is purchased. All of the exceptions used nullify the requirements of B-2 in one way or another. In addition the orientation of the lots imply that it is very unlikely that any of the lots would produce a structure that would use Horton as the front of their structure. As such a side set back would fit much better into the fabric of this particular neighborhood.

Considering these items we believe this variance would be welcome and have a positive impact on the future owners of the lots west of the street. While also reinforcing the objective of Toledo's zoning commission.

Sincerely,
Kevin Brown RA

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[Print](#)

Toledo Municipal Code

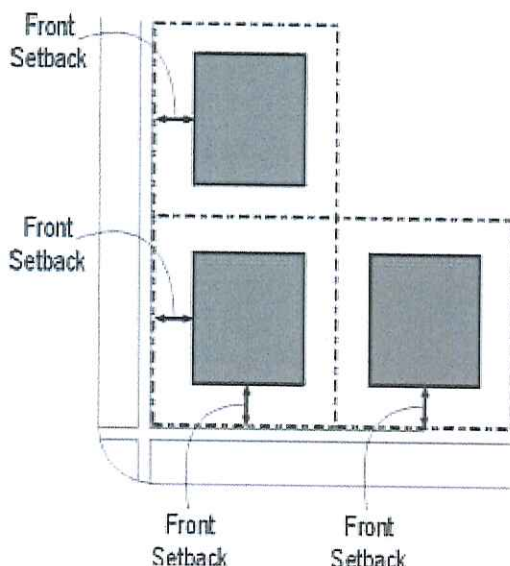
1106.0205 Setbacks.**A. Measurement.**

Setbacks must be unobstructed from the ground to the sky except as otherwise expressly allowed in this subsection. Some exceptions are allowed. (See Section 1106.0205E.)

B. Front Setbacks.

1. **Measurement.** Front setbacks extend the full width of a lot and are measured from the street or place right-of-way line.
2. **Double-Frontage Lots.** Double-frontage lots must provide a front setback on both streets.
3. **Corner Lots.** Where front setbacks have been established or are required on each of two intersecting streets, a front setback must be provided on each lot frontage of the corner lot, with the following two exceptions:
 - a. In Residential districts, where the required front setback exceeds 25 feet, only one front setback in excess of 25 feet is required by this Zoning Code.
 - b. The building width of a lot of record need not be reduced to less than 28 feet when the owner of such lot can show that ownership and control of any adjacent lot or lots of record are by another person. Under this provision, no structure shall be constructed closer than 10 feet to a right-of-way without review and approval from the Board of Zoning Appeal, unless specified in Sec. 1106.0100.

(Ord. 276-13. Passed 5-28-13.)

**2-4**

4. **Contextual Front Setbacks.** Regardless of the minimum front setback requirements imposed by the zoning district standards in this Chapter, applicants shall be allowed to use a Contextual Front Setback. A Contextual Front Setback may fall at any point between the required front setback and the front setback that exists on a lot that is nearest and oriented to the same street as the subject lot. If the subject lot is a corner lot, the Contextual Setback may fall at any point between the required front setback and the front setback that exists on the lot that is nearest and oriented to the same street as the subject lot. If all lots on the block face of the subject lot are vacant, the setback that is required by the zoning district shall apply.

a. In no case shall the setback resulting from this provision exceed any applicable maximum setback in the Commercial Districts Intensity and Dimensional Standards Table, Section 1106.0102.

b. Enclosed porches extending into a setback will not be considered part of the structure in determining the Contextual Front Setback.

C. Side Setbacks.

1. Side setbacks extend from the front setback line to the rear setback line and are measured from the side lot line. If no front, or rear, setback is required, the required setback area must run to the opposite lot line.

2. Side setbacks on through lots must run the full length of the lot between front lot lines.

3. The side setback of a corner lot is on the side opposite of the lot frontage without the address.

4. Whenever the wall of any building, principal or accessory, exceeds 50 feet in length adjacent to the side lot line of a residential zoning district, the required setback for the building must be increased by 1 foot for each 10 feet of wall length or fraction thereof beyond 50 feet, provided that the required setback need not exceed 50 feet.

5. For nonconforming lots see Section 1114.0400.

D. Rear Setbacks.

1. Rear setbacks extend the full width of the lot and are measured from the rear lot line.

2. The rear setback of a lot with more than one lot frontage is on the side of the lot opposite the lot frontage with the address.

E. Permitted Exceptions to Setback Standards.

The following features may project in required setbacks to the extent indicated:

1. Sills, belt courses, cornices, eaves and ornamental features not to exceed 12 inches;

2. Satellite dishes are allowed within rear setbacks, subject to the standards of Section 1105.0700;

2-5

3. Terraces, uncovered porches and ornamental features that do not extend more than 3 feet above the ground, provided they are set back at least 2 feet from side lot lines;

4. Enclosed balconies, enclosed fire escapes, accessibility ramps, accessibility lifts, unenclosed porches or metal awnings may project into a front or rear setback by up to 10 feet, or into a side setback for up to 3 feet, provided that a porch with jalousies or windows will be considered an enclosed porch (see Sec. 1111.1801D for enclosure of front porches); and

5. Enclosed vestibules containing not more than 40 square feet may project into a front setback by up to 4 feet.

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

6. Air conditioner condensing units may be placed within the required side yard setback but must be setback at least one (1) foot from the side lot line.

(Ord. 589-07. Passed 9-4-07.)

7. Whenever a lot abuts upon or adjoins an alley, one half of the alley width may be considered as a portion of the required rear yard setback.

8. The Plan Director may grant further exceptions to setback standards where the setback is needed to accommodate a person's disability for accessibility ramps and accessibility lifts.

(Ord. 198-11. Passed 4-19-11; Ord. 193-16. Passed 5-24-16.)

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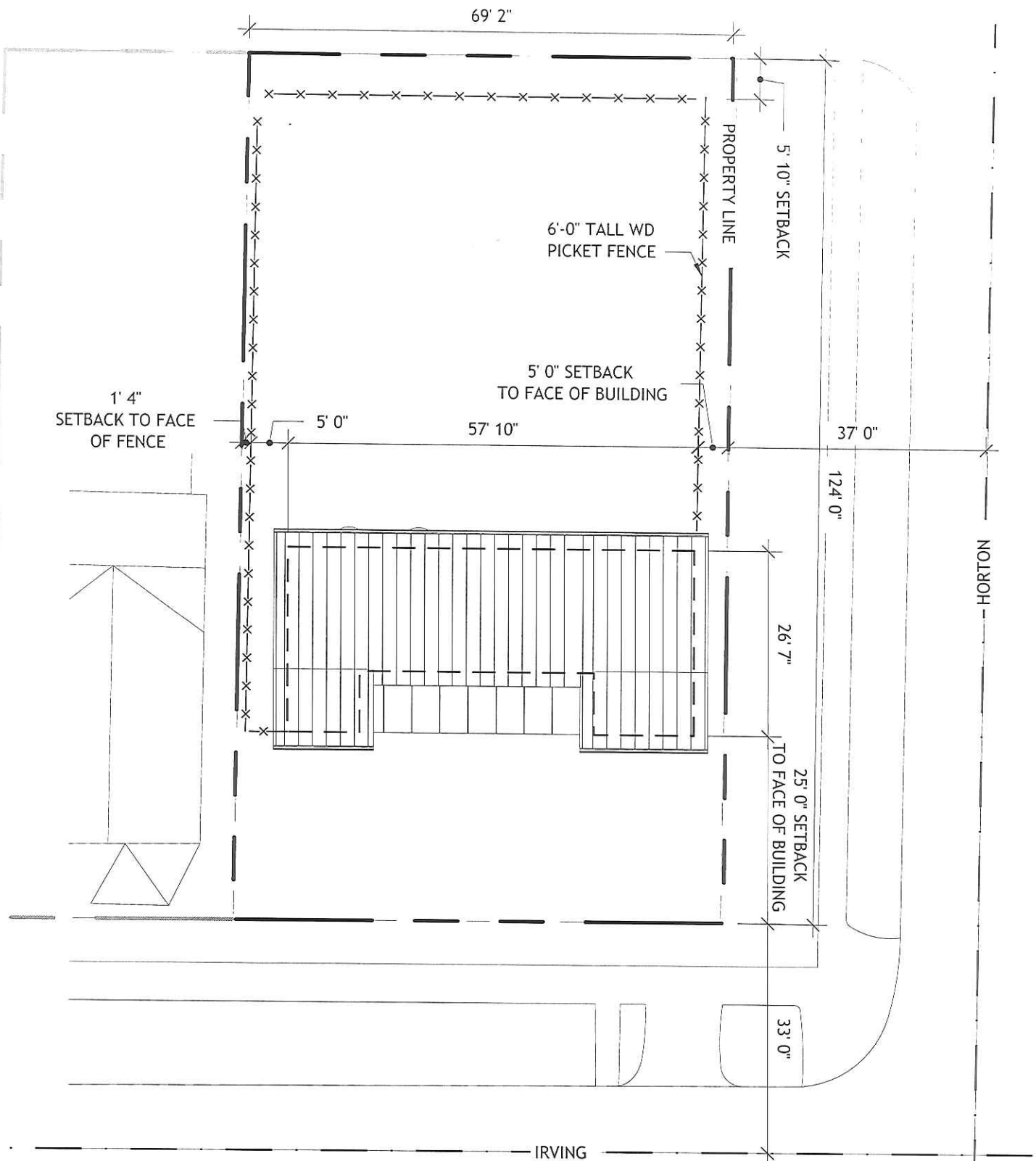
2-7



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SITE PLAN

SCALE: 1/20" = 1'-0"

LEGAL DESCRIPTION:

ORCHARD ADDITION BLK 6 LOTS 31 &
32 & STRIP 12.9 FT E OF & ADJ & W
OF HORTON ST R/W

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[Address](#) [Owner](#) [Parcel Number](#) [Assessor #](#) [Advanced](#) [County Map](#) [Multi-Year Search](#)

Summary

Map

Pictometry

Transfers

Values

Residential Attributes

Commercial Attributes

Outbuildings

Land

Remarks & Splits

Permits

Current Taxes

Tax Distribution

By Fund

By Fund & Levy

Prior Taxes

Special Assessments

Payments

Levy Estimator

Prior Specials

Pro # Inquiry

CAUV

Agriculture

Forest

Mylar Tax Map

Photos

Sketch

Manufactured Home
(MH_OH)Manufactured Home
(MH_EQ)

BOR/Appeals

PARCEL ID: 1161471

MARKET AREA: 104R
BOTEK NICHOLAS
TAX YEAR: 2019

ASSESSOR#: 01456004

ROLL: RP_OH
406 IRVING ST
STATUS: Active

1 of 1

[Return to Search Results](#)

Summary - General

Tax District	TOLEDO CITY - TOLEDO CSD
Class	RESIDENTIAL
Land Use	500 : R - RESIDENTIAL, VACANT LAND, LOT
Market Area	104R - 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	BOTEK NICHOLAS
Property Address	406 IRVING ST TOLEDO OH 43620
Mailing Address	535 WINTHROP ST TOLEDO OH 43620
Legal Desc.	ORCHARD ADDITION BLK 6 LOTS 31 & 32 & STRIP 12.9 FT E OF & ADJ & W OF HORTON ST R/W
Certified Delinquent Year	
Census Tract	23

Summary - Most Recent Sale

Prior Owner	FORFEITED LAND
Sale Amount	\$0
Deed	16207766
Sales Date	10-NOV-16

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	1,470	4,200	1,470	4,200
Building	0	0	0	0
Total	1,470	4,200	1,470	4,200

Tax Credits

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

Actions

- [Market Area Sales](#)
- [Printable Summary](#)
- [Printable Version](#)

Reports

- [Property Attributes Export](#)
- [Mailing List](#)
- [Lucas Composite](#)
- [Tax Bill](#)
- [Property Record Card](#)

The property and tax information on this site represents data as of the current tax year.
Information provided is deemed a reliable point of reference but is not guaranteed
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