

## BOARD OF ZONING APPEALS

**November 16, 2020**

# City of Toledo



## ADMINISTRATIVE BOARD OF ZONING APPEALS (BZA)

MONDAY NOVEMBER 16, 2020 - 10:00 A.M.  
CITY COUNCIL CHAMBERS, FIRST FLOOR  
GOVERNMENT CENTER

### BZA BOARD APPROVAL CASE ORDER

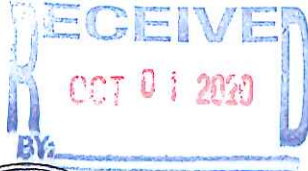
**DOCKET #**  
**1**

**CASE NO**  
**20-15**

**ADDRESS**  
**224 DECATUR ST**







# CITY OF TOLEDO

Division of Building Inspection

BZA20-0022

## 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](http://www.toledo.oh.gov)

Site Location 224 DECATUR Zoning District RD6 Date 9-30-2020

Legal Description FEARING HEIGHTS EXTN LOT 169 & N 20 FT LOT 170

Applicant's Name (print) Refugio Vallejo Jr

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

TMC § 1105.0301(A) SEEKS VARIANCE FOR A FENCE WITHIN FRONT YARD SETBACK THAT IS 6FT HIGH

WHICH IS 30" OVER THE MAX 42" FENCE HEIGHT ALLOWED WITHIN A FRONT YARD SETBACK

Applicant Signature [Signature] Phone 419 905 6996

Applicant's Street Address 224 Decatur St Fax \_\_\_\_\_

Applicant's City, State, Zip Toledo Oh 43609 E-Mail thisvato@yahoo.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 ☒

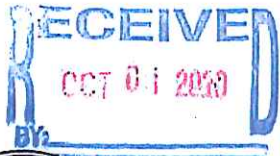
Code Enforcement notified if orders are being appealed. N/A Permit Tech's Initials [Signature] Date 10-8-20

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_ Staff Recommendation \_\_\_\_\_

Board Decision \_\_\_\_\_ Date \_\_\_\_\_

PAID 10/8/20

1-1



**CITY OF TOLEDO**  
Division of Building Inspection

BZA20-0022

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Copy Zoning Map ☒ <http://local.live.com/> Transportation notified to check site distance hazard ☒

Code Enforcement notified if orders are being appealed, N/A Permit Tech's Initials [Signature] Date 10-8-20

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_ Staff Recommendation TRANSPORTATION DOES NOT APPROVE BECAUSE OF SIGHT DISTANCE ISSUES WITH VEHICULAR AND PEDESTRIAN TRAFFIC,

Board Decision \_\_\_\_\_ Date \_\_\_\_\_

Aaron Galambos 10-9-2020



HEARING DATE: November 16, 2020

CASE NO: 20-15

APPLICANT: Refugio Vallejo Jr

SITE LOCATION: 224 Decatur St

ZONING DISTRICT: RD6

SWO or NOL Issued: SWO

ANALYSIS: Applicant requests variance from TMC 1105.0301 (A) for a fence within the front yard setback that is 6ft high which is 30" over the max 42" fence height allowed within a front yard setback.

STAFF COMMENTS: Transportation does not approve because of sight distance issues with vehicular and pedestrian traffic.

### BOARD ACTION:

	1 <sup>ST</sup> /2 <sup>ND</sup> MOTIONS	1 <sup>ST</sup> /2 <sup>ND</sup> IF 2 <sup>ND</sup> MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
MOTION TO APPROVE/DISAPPROVE:							
Fanny Effler	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Paul Rasmusson	_____	_____	_____	_____	_____	_____	_____
Mary Glowacki	_____	_____	_____	_____	_____	_____	_____
Matt Cherry	_____	_____	_____	_____	_____	_____	_____
Jim Mossing	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

### VOTING RESULTS:

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ DEFERRED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

CONDITIONS OF APPROVAL:

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We would like to replace our old 3 1/2 foot fence with a 6 foot privacy fence. The fence is facing the back alley and Airline Ave. Our property has 2 front yards so it needs to be rezoned accordingly. We have no privacy because the front porches of the neighboring houses on Airline Ave face toward our back yard. If we do not get zoning approval, we will have to take down last fence panel closet to Airline Ave. Also, the fence will go past the driveway toward Decatur Street (the front of the house ) and connect to the corner of the house. Eventually we would like to put a gate across the driveway.

Thank You,  
224 Decatur Street







New 6' Privacy fence proposed in same location,  
as existing picket fence





# 224 DECATUR ST



© All Pictometry

1-7

04/07/2017



224 DECATUR

This is where  
New fence will be  
to replace old fence



Back Yard

Arling

Alle



Air line Rd

need  
to replace  
old fence

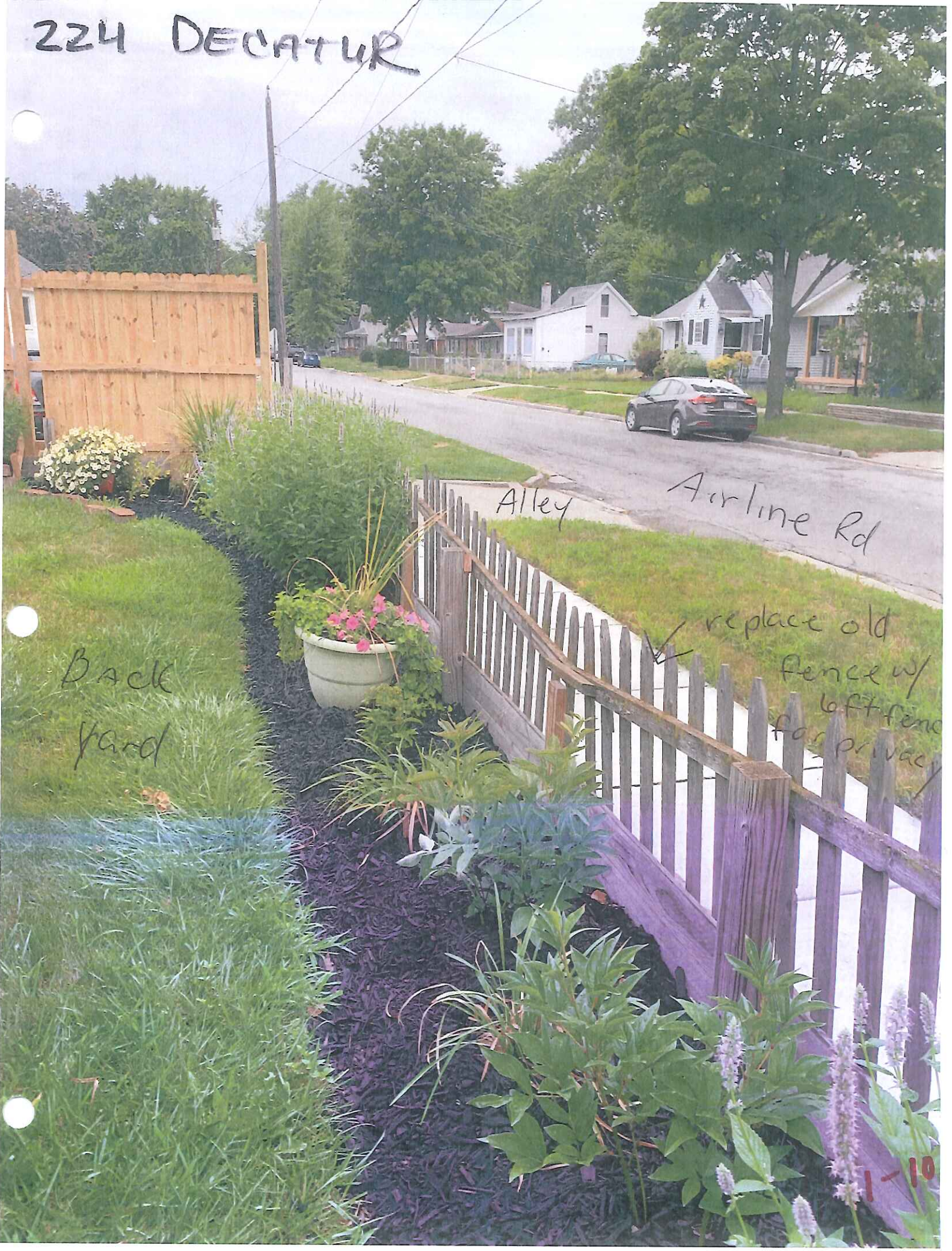
Backyard

224 DECATUR

1-4



224 DECATUR



Back  
yard

Alley

Airline Rd

✓ replace old  
fence w/  
left fence  
for privacy

1-10



Air line St

Replace old  
fence w/ loft  
fence for  
privacy

224 DECATUR

Back yard view

1-11



1-12

1-12

**Straub, Lori**

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**From:** Galambos, Aaron  
**Sent:** Friday, October 09, 2020 11:44 AM  
**To:** toledobi; One Stop Shop  
**Cc:** Straub, Lori; Stookey, Gary; Bartlett, Stephanie  
**Subject:** RE: 22 4 DECATUR - BZA REVIEW FOR FENCING IN FRT YARD  
**Attachments:** 20201009115355396.pdf

**Categories:** Yellow Category

Lori,

Transportation does not approve because of sight distance issues with vehicular and pedestrian traffic. Please see attachment.

**Aaron Galambos**  
**Engineering Associate**  
Division of Transportation

[aaron.galambos@toledo.oh.gov](mailto:aaron.galambos@toledo.oh.gov)  
**office 419-245-1300**  
→ [toledo.oh.gov](http://toledo.oh.gov)



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**From:** Straub, Lori **On Behalf Of** toledobi  
**Sent:** Thursday, October 8, 2020 11:00 AM  
**To:** Galambos, Aaron <[Galambos.Aaron@toledo.oh.gov](mailto:Galambos.Aaron@toledo.oh.gov)>  
**Subject:** 22 4 DECATUR - BZA REVIEW FOR FENCING IN FRT YARD  
**Importance:** High

Aaron,

Please review and comment on approval for a proposed 6ft high privacy fence on the side of a lot that is on a corner, and an alley.

Thanks.

**Lori Straub**  
Permit Technician  
City of Toledo - Division of Building Inspection  
One Government Center - Ste 1600  
Toledo, OH 43604  
419-245-1220 Office  
419-245-1329 Fax  
[toledobi@toledo.oh.gov](mailto:toledobi@toledo.oh.gov) (Note new email)



**Straub, Lori**

---

**From:** Straub, Lori on behalf of toledobi  
**Sent:** Thursday, October 08, 2020 11:00 AM  
**To:** Galambos, Aaron  
**Subject:** 22 4 DECATUR - BZA REVIEW FOR FENCING IN FRT YARD  
**Attachments:** 224 DECATUR - BZA FOR 6' FENCE FRT YARD AREA.pdf

sent to  
TRANSPORTATION

**Importance:** High

Aaron,

Please review and comment on approval for a proposed 6ft high privacy fence on the side of a lot that is on a corner, and an alley.

Thanks.

**Lori Straub**

Permit Technician

City of Toledo - Division of Building Inspection

One Government Center - Ste 1600

Toledo, OH 43604

419-245-1220 Office

419-245-1329 Fax

[toledobi@toledo.oh.gov](mailto:toledobi@toledo.oh.gov) (Note new email)

[illegible]

FANNY EFFLER  
ROBERT PASKER  
MARY GLOWACKI  
PAUL RASMUSSEN  
JAMES MOSSING-VICE CHAIRMAN  
DOUG LALONDE - SECRETARY  
KEN FISCHER - COMMISSIONER  
MAIT CHERRY

JAMES MOSSING-VICE CHAIRMAN  
DOUG LALONDE - SECRETARY  
KEN FISCHER - COMMISSIONER  
MATT CHERRY

## City of Toledo - Administrative Board of Zoning Appeals

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