



Legislation Details (With Text)

File #: O-200-22 **Version:** 1 **Name:**

Type: Ordinance **Status:** Reported to Council

File created: 4/14/2022 **In control:** City Council

On agenda: 4/26/2022 **Final action:**

Title: Granting a Special Use Permit for an AMI Pole, for a site located at 114 Wellington Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Plan Commission Report

Date	Ver.	Action By	Action	Result
4/26/2022	1	City Council	Suspension	Pass
4/26/2022	1	City Council	Emergency	Pass

Zoning & Planning Committee

Granting a Special Use Permit for an AMI Pole, for a site located at 114 Wellington Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

SUMMARY & BACKGROUND:

By application (SUP-1007-22) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for an AMI Pole for a site located at 114 Wellington Street, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On March 10, 2022, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit for an AMI Pole for a site located at 114 Wellington Street, in the City of Toledo, Lucas County, Ohio.

On April 13, 2022, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a Special Use Permit for an AMI Pole for a site located at 114 Wellington Street, the City of Toledo, Lucas County, Ohio and all other things required by law to be done, have been done.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That a Special Use Permit for an AMI Pole for a site located at 114 Wellington Street, in the City of Toledo, Lucas County, Ohio and the same is hereby approved, subject to the conditions contained in Section 2 hereof which must be complied with, as to the property more fully described as follows:

LOTS NOS. 615 TO 629, BOTH INCLUSIVE, 631 TO 636, BOTH INCLUSIVE, 650, 652 TO 657, BOTH INCLUSIVE, AND 660 TO 670, BOTH INCLUSIVE, IN LENKS ADDITION TO THE CITY OF TOLEDO, ALL IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO.

SECTION 2. That the approval of the Special Use Permit for an AMI Pole for a site located at 114

Wellington Street, in the City of Toledo, Lucas County, Ohio, shall be subject to compliance with the 7 conditions as follows:

The following seven (7) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Plan Commissions

1. TMC§1104.1804.C requires that the pole be located at least 100 feet from any property line where abutting a residential zoning district or use. The proposed pole shall be moved south so that it is at least 100 feet from the northern property line. Staff recommends areas further from neighboring residential uses and less visible from publicly travelled rights-of-way. Possible sites include areas close to the rear of the Mott Branch library parking lot, or adjacent to the tennis courts. Final location shall be subject to the approval of the Director.
2. The proposed pole shall be protected and visually screened by an 8-foot solid wood privacy fence, as well as a combination of evergreen and canopy trees surrounding the facility, subject to the approval of the Director. (TMC§1104.1801.C)
3. All operation of the facility shall be in accordance with the requirements of TMC§1104.1800, “Wireless Telecommunications Facilities”.
4. Minor adjustments to the Site Plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
5. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
6. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
7. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

SECTION 3. That when the conditions contained herein above have been complied with, the Secretary of the Toledo City Plan Commission be and he is hereby directed to change the zoning maps to conform with the within Ordinance.

SECTION 4. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that the Ordinance must be immediately effective in order to provide for the orderly regulation and use of the property and to protect the land value in the area.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council