



Legislation Details (With Text)

File #: O-341-21 **Version:** 1 **Name:**

Type: Ordinance **Status:** Approved

File created: 6/17/2021 **In control:** Zoning & Planning Committee12324

On agenda: 6/22/2021 **Final action:** 6/22/2021

Title: Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property described as Part of parcel 12-40585 located at Nebraska Avenue and Division Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency

Sponsors:

Indexes:

Code sections:

Attachments: 1. Plan Commission Report, 2. Audio: Zoning & Planning Committee June 16, 2021, 3. Audio: City Council June 22, 2021

Date	Ver.	Action By	Action	Result
6/22/2021	1	City Council	Dispense with the rules of Council requiring...	Pass
6/22/2021	1	City Council	declare emergency	Pass
6/22/2021	1	City Council	passage	Pass

ZONE CHANGE
NEBRASKA AVE. & DIVISION ST.

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property described as Part of parcel 12-40585 located at Nebraska Avenue and Division Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency

SUMMARY & BACKGROUND:

An application (Z-3009-21) for a proposed change in zoning for the property located at Nebraska Avenue and Division Street, Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On May 13, 2021, the Toledo City Plan Commission recommended approval of the request for a zone change from “CN” Neighborhood Commercial and “RM36” Multi Family Residential to “CM” Mixed Commercial for the property located at Nebraska Avenue and Division Street, Toledo, Ohio.

On June 16, 2021, the Toledo City Council sent without recommendation the request for a zone change from “CN” Neighborhood Commercial and “RM36” Multi Family Residential to “CM” Mixed Commercial for the property located at Nebraska Avenue and Division Street, Toledo, Ohio.

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

SECTION 1. That the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, are hereby authorized to be revised by changing the zone districts of that part of the City of Toledo more fully described as follows:

Prior Deed: O.R.2021 0204-0006235
Parcel: Part of 1 2-40585 LE
Survey #4330 I

Legal Description of Proposed Zone Change: Being part of Lot 6 in Collingwood Green Second Recording as recorded in Lucas County Official Record 2021 0204-0006235 in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at a 1 inch iron bar monument found at the centerline intersection of Division Street and Nebraska Avenue.

Thence South 89 degrees, 56 minutes, 09 seconds East, along the centerline of Nebraska Avenue, a distance of 30.00 feet to a point on the Southerly prolongation of the East Right-of-way of Division Street.

Thence North 00 degrees, 47 minutes, 44 seconds East, along the Southerly prolongation of the East Right-of-way of Division Street, a distance of 30.00 feet to a brass plate monument previously set on the North 30 foot Right-of-way of Nebraska Avenue, said point also being the True Point of Beginning.

Course 1: Thence continuing North 00 degrees, 47 minutes, 44 seconds East, along the East Right-of-way of Division Street, a distance of 229.07 feet to a point.

Course 2: Thence South 89 degrees, 54 minutes, 36 seconds East, a distance of 76.26 feet to a point. Course 3: Thence North 00 degrees, 05 minutes, 24 seconds East, a distance of 46.23 feet to a point.

Course 4: Thence South 89 degrees, 54 minutes, 36 seconds East, a distance of 139.39 feet to a point on the West 30 foot Right-of-way of Rogan Way.

Course 5: Thence South 00 degrees, 05 minutes, 24 seconds West, along the West 30 foot Right-of-way of Rogan Way, a distance of 275.19 feet to a 1/2 inch galvanized steel pipe previously set on the North 30 foot Right-of-way of Nebraska Avenue.

Course 6: Thence North 89 degrees, 56 minutes, 09 seconds West, along the North 30 foot Right-of-way of Nebraska Avenue, a distance of 218.47 feet to the True Point of Beginning

Containing 56,151.24 square feet or 1.2890 acres of land. Bearings used herein are based upon an assumed meridian and are intended to indicate angular measurement only. All 1/2 inch galvanized steel pipe set are capped with the company name and PLS No. 7476. This legal description is based upon a field survey prepared by Lewandowski Engineers on March 30, 2021.

Parcel 1 2-40585 is vested in the name of Lucas Metropolitan Housing Authority by Official Record 2021 0204-0006235, commonly known as O Bresnahan's Green.

SECTION 2. The Secretary of the Toledo City Plan Commission is hereby authorized and directed to make the said change on the original zoning maps.

SECTION 3. 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 11, nays 0.

Passed: June 22, 2021, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

June 22, 2021
Wade Kapszukiewicz
Mayor