



Legislation Details (With Text)

File #: O-634-21 **Version:** 1 **Name:**
Type: Ordinance **Status:** Reported to Council
File created: 12/10/2021 **In control:** Zoning & Planning Committee12324
On agenda: 12/21/2021 **Final action:** 12/21/2021

Title: Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 3810 Angola Road, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Plan Commission Report

Date	Ver.	Action By	Action	Result
12/21/2021	1	City Council	Suspension	Pass
12/21/2021	1	City Council	Emergency	Pass
12/21/2021	1	City Council	Passage	Fail

Zoning & Planning Committee

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 3810 Angola Road, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

An application (Z-9001-21) for a proposed change in zoning for the property located at 3810 Angola Road, Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On November 4, 2021, the Toledo City Plan Commission recommended disapproval of the request for a zone change from “RS6” Single Dwelling Residential to “CR” Regional Commercial for the property located at 3810 Angola Road, Toledo, Ohio.

On December 8, 2021, the Toledo City Council sent with a recommendation of disapproval the request for a zone change from “RS6” Single Dwelling Residential to “CR” Regional Commercial for the property located at 3810 Angola Road, 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:

LEGAL DESCRIPTION - 3810 ANGOLA ROAD, TOLEDO, OH
THE EAST ONE HUNDRED NINETY-FIVE AND SEVENTY HUNDREDTHS (195.70) FEET OF THE

WEST FOUR HUNDRED TWENTY-FOUR (424) FEET OF THE SOUTH ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF THE SOUTHWEST ONE-QUARTER (1/4) OF THE SOUTHEAST ONE QUARTER (1/4) OF SECTION SEVEN (7), TOWN THREE (3) IN THE UNITED STATES RESERVE OF TWELVE (12) MILES SQUARE IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO.

EXCEPTING THEREFROM THAT PART THEREOF CONVEYED TO THE CITY OF TOLEDO BY OFFICIAL RECORD NO. 20050322-0019161 BOUNDED AND DESCRIBED AS FOLLOWS:

PARCEL 158-WD

LUC-C-16.68

SITUATED IN THE STATE OF OHIO, COUNTY OF LUCAS, CITY OF TOLEDO, FRACTIONAL SECTION SEVEN (7), TOWN THREE (3), UNITED STATES RESERVE AND ALSO BEING ON THE LEFT SIDE OF A SURVEY OF STATE ROUTE 2, (AIRPORT HIGHWAY), MADE IN 2002 FOR THE OHIO DEPARTMENT OF TRANSPORTATION AS RECORDED IN INSTRUMENT NUMBER 200401060000823 OF THE RECORDS OF LUCAS COUNTY AND BOUNDED AND DESCRIBED AS FOLLOWS:

1. COMMENCING AT A STONE IN A MONUMENT BOX FOUND MARKING THE INTERSECTION OF THE CENTERLINE OF SURVEY AND RIGHT OF WAY OF S.R.2 (AIRPORT HIGHWAY) WITH THE CENTERLINE OF SURVEY AND RIGHT OF WAY OF BYRNE ROAD, SAID POINT BEING STATION 728+15.21 ON THE SAID CENTERLINE OF S.R.2 (AIRPORT HIGHWAY);
2. THENCE SOUTH SEVENTY-THREE (73) DEGREES, FIVE (5) MINUTES, FORTY-SIX (46) SECONDS WEST ALONG THE SAID CENTERLINE OF S.R.2 (AIRPORT HIGHWAY), A DISTANCE OF NINE HUNDRED FOURTEEN AND THIRTY-FIVE HUNDREDTHS (914.35) FEET TO THE INTERSECTION OF THE SAID CENTERLINE OF S.R.2 (AIRPORT HIGHWAY) WITH THE CENTERLINE OF SURVEY AND RIGHT OF WAY OF ANGOLA ROAD AS DETERMINED BY THE SAID 2002 SURVEY, SAID POINT BEING STATION 719+00.86 ON THE SAID CENTERLINE OF S.R.2 (AIRPORT HIGHWAY) AND STATION 20+00.00 ON THE SAID CENTERLINE OF ANGOLA RD.;
3. THENCE NORTH EIGHTY-NINE (89) DEGREES, EIGHT (8) MINUTES, FIFTY-EIGHT (58) SECONDS WEST ALONG THE SAID CENTERLINE OF ANGOLA RD., SAME BEING THE SOUTH LINE OF THE SAID FRACTIONAL SECTION SEVEN (7), A DISTANCE OF SIX HUNDRED EIGHTY-ONE AND SEVENTEEN HUNDREDTHS (681.17) FEET TO THE SOUTHEASTERLY PROPERTY CORNER OF THE GRANTOR, SAID POINT BEING STATION 13+18.83 ON THE SAID CENTERLINE OF ANGOLA RD., SAID POINT BEING THE TRUE POINT OF BEGINNING;
4. THENCE CONTINUING NORTH EIGHTY-NINE (89) DEGREES, EIGHT (8) MINUTES, FIFTY-EIGHT (58) SECONDS WEST ALONG THE SAID CENTERLINE OF ANGOLA RD. AND THE SOUTH LINE OF THE SAID FRACTIONAL SECTION SEVEN (7), SAME BEING THE SOUTHERLY PROPERTY LINE OF THE GRANTOR, A DISTANCE OF ONE HUNDRED NINETY-FIVE AND SEVENTY-ONE HUNDREDTHS (195.71) FEET TO THE SOUTHWESTERLY PROPERTY CORNER OF THE GRANTOR, SAID POINT BEING STATION 11+23.12 ON THE CENTERLINE OF ANGOLA RD.;
5. THENCE NORTH ZERO (00) DEGREES, TWENTY (20) MINUTES, FIFTY-THREE (53) SECONDS EAST ALONG THE WESTERLY PROPERTY LINE OF THE GRANTOR, A DISTANCE OF THIRTY AND NO HUNDREDTHS (30.00) FEET TO A POINT SET ON THE NORTHERLY EXISTING RIGHT OF WAY LINE OF ANGOLA RD., SAID POINT BEING THIRTY AND NO HUNDREDTHS (30.00) FEET LEFT OF STATION 11+22.86 ON THE SAID CENTERLINE OF ANGOLA RD.;
6. THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF SIX HUNDRED FORTY-FOUR AND SEVEN HUNDREDTHS (644.07) FEET THROUGH A CENTRAL ANGLE OF TEN (10) DEGREES, SEVENTEEN (17) MINUTES, TWENTY-SEVEN (27) SECONDS, AN ARC DISTANCE OF ONE HUNDRED FIFTEEN AND SIXTY-EIGHT HUNDREDTHS (115.68) FEET TO A POINT SET, SAID POINT BEING FORTY-SIX AND SIX HUNDREDTHS (46.06) FEET LEFT OF STATION 12+37.26 ON THE SAID CENTERLINE OF ANGOLA RD., SAID CURVE

HAVING A CHORD DIRECTION OF NORTH EIGHTY-TWO (82) DEGREES, FIFTY-ONE (51) MINUTES, THIRTY-TWO (32) SECONDS EAST AND A CHORD LENGTH OF ONE HUNDRED FIFTEEN AND FIFTY-THREE HUNDREDTHS (115.53) FEET;

- 7. THENCE NORTH SEVENTY-SEVEN (77) DEGREES, FORTY-TWO (42) MINUTES, FORTY-NINE (49) SECONDS EAST A DISTANCE OF EIGHTY-THREE AND SEVENTEEN HUNDREDTHS (83.17) FEET TO A POINT SET ON THE EASTERLY PROPERTY LINE OF THE GRANTOR, SAID POINT BEING SIXTY-FOUR AND NINETY-SEVEN HUNDREDTHS (64.97) FEET LEFT OF STATION 13+18.26 ON THE SAID CENTERLINE OF ANGOLA RD;
- 8. THENCE SOUTH ZERO (00) DEGREES, TWENTY (20) MINUTES, FIFTY-THREE (53) SECONDS WEST ALONG THE EASTERLY PROPERTY LINE OF THE GRANTOR AND PASSING THE NORTHERLY EXISTING RIGHT OF WAY LINE OF ANGOLA RD. AT THIRTY-FOUR AND NINETY-SEVEN HUNDREDTHS (34.97) FEET, A DISTANCE OF SIXTY-FOUR AND NINETY-SEVEN HUNDREDTHS (64.97) FEET TO THE TRUE POINT OF BEGINNING;

THE ABOVE DESCRIBED AREA IS CONTAINED WITHIN THE LUCAS COUNTY AUDITOR'S PERMANENT PARCEL. NUMBER 20-05201 AND CONTAINS A GROSS TAKE OF 0.199 ACRES MORE OR LESS WHICH INCLUDES 0.135 ACRES IN THE PRESENT ROAD OCCUPIED.

THIS DESCRIPTION WAS PREPARED AND REVIEWED ON JULY 8, 2003 BY DANSARD GROHNKE LONG LIMITED, LLC, KENNETH E. DUCAT, REGISTERED SURVEYOR NUMBER 6783.

THIS DESCRIPTION IS BASED ON A FIELD SURVEY MADE IN MARCH OF 2002 BY DANSARD GROHNKE LONG LIMITED, LLC, UNDER THE DIRECTION AND SUPERVISION OF KENNETH E. DUCAT, REGISTERED SURVEYOR NUMBER 6783.

THE BASIS OF BEARINGS IN THIS DESCRIPTION ARE BASED ON AN ASSUMED MERIDIAN AND ALL OTHER BEARINGS ARE RELATIVE THERETO FOR THE PURPOSE OF INDICATING ANGULAR MEASUREMENT. POINTS REFERRED TO AS SET ARE 3/4 INCH DIAMETER BY 30 INCH LONG RE-BARS WITH A 1 1/2 INCH DIAMETER ALUMINUM CAP MARKED "ODOT R/W DGL PS #6783".

STATIONS REFERRED TO HEREIN ARE FROM THE CENTERLINE OF SURVEY AND RIGHT OF WAY OF STATE ROUTE 2 OR FROM THE CENTERLINE OF SURVEY AND RIGHT OF WAY ANGOLA RD. AS FOUND ON O.D.O.T. RIGHT OF WAY PLAN LUC 2-11.68.

TAX PARCEL NUMBER: 20-05201

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 _____, 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