



Legislation Text

File #: O-506-21, **Version:** 1

Zoning & Planning Committee

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 4747 Heatherdowns Boulevard, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

An application (Z-6002-21) for a proposed change in zoning for the property located at 4747 Heatherdowns Boulevard, Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On August 12, 2021, the Toledo City Plan Commission recommended approval of the request for a zone change from "RS12" Single Dwelling Residential to "IC" Institutional Campus for the property located at 4747 Heatherdowns Boulevard, Toledo, Ohio.

On September 22, 2021, the Toledo City Council sent as approved the request for a zone change from "RS12" Single Dwelling Residential to "IC" Institutional Campus for the property located at 4747 Heatherdowns Boulevard, 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:

A parcel of land being part of the Northeast 1/4 of Section 25, Town 2 of the United States Reserve of Twelve miles square at the foot of the Rapids of the Miami of Lake Erie, in the City of Toledo, Lucas County, Ohio, which is more particularly described as follows: Commencing at a found 5/8" Iron Pin in a Monument Box at the Northwest corner of the Northeast quarter (1/4) of Section 25 also being the intersection of the centerline of Right-of-Way of Heatherdowns Boulevard (R/W varies) and the centerline of Right-of-Way of Cass Road (60' R/W); thence S00°50'31"W, on and along the West line of the Northeast quarter (1/4) of Section 25 also being the Centerline of Right-of-Way of Cass Road (60' R/W), a distance of 575.10' (feet) to a point; thence S88° 04'23"E, on and along a line parallel and 575.00' (feet) Southerly of the North line of the Northeast quarter (1/4) of Section 25 also being the Centerline of Right-of-Way of Heatherdowns Boulevard (R/W varies), a distance of 30.01' (feet) to a set Mag Nail on the Easterly Right-of-Way line of Cass Road (60' R/W) and being the True Point of Beginning for the split off of tax parcels # 21-00727 and 21-00745; thence continuing S88°

04'23"E, on and along a line parallel and 575.00' (feet) Southerly of the North line of the Northeast quarter (1/4) of Section 25 also being the Centerline of Right-of-Way of Heatherdowns Boulevard (R/W varies), a distance of 500.09' (feet) to a set Mag Nail; thence N00°50'31"E, on and along a line parallel and 530.00' (feet) Easterly of the West line of the Northeast quarter (1/4) of Section 25 also being the Centerline of Right-of-Way of Cass Road (60' R/W), a distance of 189.03' (feet) to a set Iron Pin; thence S88°04'23"E, on and along a line parallel and 386.00' (feet) Southerly of the North line of the Northeast quarter (1/4) of Section 25 also being the Centerline of Right-of-Way of Heatherdowns Boulevard (R/W varies), a distance of 289.76' (feet) to a set Iron Pin; thence S01°55'37"W, on and along a line normal to the North line of the Northeast quarter (1/4) of Section 25 also being the Centerline of Right-of-Way of Heatherdowns Boulevard (R/W varies) also being the Westerly line of a parcel of land currently or formerly owned by Stranahan Theater Property Holding, LLC, as recorded in Deed 20090710-0032609 in the Lucas County Records Office, a distance of 774.31' to a set Iron Pin on the Northerly Right-of-Way of the Ohio Turnpike as recorded in Deed Volume 1488, Page 291 and Volume 1525, Page 227 in the Lucas County Records Office said set Iron Pin being 115.00' (feet) Northerly and normal to the Centerline of Right-of-Way of the Ohio Turnpike as shown on the Plat of Survey as recorded in Plat Volume 50, Page 15 and 16 of the Lucas County Records Office; thence N87°37'25"W, on and along the said Northerly Right-of-Way line of the Ohio Turnpike said line being 115.00' (feet) Northerly and normal to the Centerline of Right-of-Way of the Ohio Turnpike as shown on the Plat of Survey as recorded in Plat Volume 50, Page 15 and 16 of the Lucas County Records Office, a distance of 736.43' (feet) to a set Iron Pin on the said Northerly Right-of-Way of the Ohio Turnpike; thence on and along the said Northerly Right-of-Way of the Ohio Turnpike being a tangential horizontal curve to the right and having a radius of 6760.50' (feet), curve length of 38.90' (feet), chord bearing N87°27'31"W and chord length of 38.90' (feet) said curved line being 115.00' (feet) Northerly and normal to the Centerline of Right-of-Way of the Ohio Turnpike as shown on the Plat of Survey as recorded in Plat Volume 50, Page 15 and 16 of the Lucas County Records Office to a set Iron Pin on the Easterly Right-of-Way of Cass Road (60' R/W); thence N00°50'31"E, on and along the Easterly Right-of-Way of Cass Road (60' R/W) being a line parallel and 30' (feet) Easterly of the West line of the Northeast quarter (1/4) of Section 25, a distance of 579.22' (feet) to the True Point of Beginning for the split off of tax parcels # 21-00727 and 21-00745 and passing a found Iron Pin at 550.18' at the intersection of the Easterly Right-of-Way line of Cass Road (60' R/W) with the Southerly property line of parcel 21-00727 as recorded in deed 20090710-0032610 in Lucas County Records Office; Containing a measured area of 11.685 Ac., 509,041 SF of land more or less, and subject to all legal highways, leases, easements and restrictions of record. NOTE: Bearings used in the above description are based on the Centerline of Right-of-Way of Heatherdowns Boulevard (R/W varies) also being the North line of the Northeast quarter (1/4) of Section 25 as

established between a found 5/8" Iron Pin in a Monument Box at the intersection of Centerline of Right-of-Way of Heatherdowns Boulevard and the Centerline of Right-of-Way of Key Street also being the Northeast corner of the Northeast quarter (1/4) of Section 25 and a found 5/8" Iron Pin at the intersection of Centerline of Right-of-Way Heatherdowns Boulevard and the Centerline of Right-of-Way of Cass Road also being the Northwest corner of the Northeast quarter 1/4) of Section 25 and corresponding to a bearing of N88°04'23"W. Bearings are for the express purpose of showing angular measurement only. Bearings are for the express purpose of showing angular measurement only. The land in the above description is contained all within Lucas County Permanent Tax Parcels 21-00727 and 21-00745. The land in the above description being the same parcel as recorded in current Instrument 20090710-0032610, also previous Instrument Volume 1921, Page 481 and, in Lucas County Records Office. All iron pins set are 5/8" diameter rebar x 36" long with a yellow cap marked "Bryan D. Ellis 8292". This parcel was surveyed by Bryan D. Ellis on June 5, 2010. Tax Parcel Number: 21-00747

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 12, nays 0.

Passed: September 28, 2021, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

September 28, 2021
Wade Kapszukiewicz
Mayor