



## Legislation Text

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**File #:** O-153-20, **Version:** 1

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### Zoning & Planning Committee

#### **Granting a Special Use Permit, for a Bed and Breakfast, for a site located at 4601 Dorr Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and waivers; and declaring an emergency.**

##### SUMMARY & BACKGROUND:

By application (SUP-1002-20) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Bed and Breakfast for a site located at 4601 Dorr Street, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On March 12, 2020, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for a Bed and Breakfast, for a site located at 4601 Dorr Street, in the City of Toledo, Lucas County, Ohio.

On April 15, 2020, Toledo City Council, Planning and Zoning Committee reviewed, and sent without recommendation a request for a Special Use Permit for a Bed and Breakfast for a site located at 4601 Dorr Street, in 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 a Bed and Breakfast for a site located at 4601 Dorr Street, City of Toledo, Lucas County, Ohio; be 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:

##### Parcel 1:

The west 75 feet of the north 300 feet of the following described property, to wit:

That part of the east 1/2 of the east 1/2 of the northeast 1/4 of Section No. 1 in Town 2 of the United States Reserve of 12miles square at the foot of the Rapids of the Miami of Lake Erie in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Beginning at a point on the easterly line of said Section No. 1 at its intersection with the southerly line of the right-of-way granted to The Toledo and Indiana Railway Company by Deed recorded in Volume 287 of Deeds, page 206 and Volume 293 of Deeds, page 201, Lucas County, Ohio records; thence southerly along said easterly line of said Section, 650 feet; thence westerly parallel with the centerline of Dorr Street, 579.44 feet, more or less, to a point on the extension southerly of the easterly property line of Ella Stansbery as fixed by agreement and decree in Cause No. 143771 Lucas County; Ohio Common Pleas Court; thence northerly along said easterly property line of Ella Stansbery as fixed by said agreement and decree and its extension southerly

to a point on the southerly line of the right-of-way of The Toledo and Indiana Railway Company, which point is 576 feet, more or less, westerly of the place of beginning; thence easterly 576 feet, more or less, to the point of beginning, together with the part of the right-of-way of the Toledo and Indiana Railway Company lying between the easterly and westerly line of the above described property extended to the southerly line of Dorr Street. Subject to legal highways.

The above-described property has been surveyed by Gordon W. MacCammon, Registered Surveyor No. 4075, as reflected in his survey dated March 7, 1985. In accordance with such survey the above described property is also known and described as follows:

All that part of the east 1/2 of the east 1/2 of the northeast 1/4 of Section 1 in Town 2, United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at a railroad spike found at the northeast corner of Section 1, Town 2, United States Reserve; thence south 3° 25' 47" East along the easterly line of said Section 1, 60.11 feet to a point on the southerly right-of-way line of Dorr Street; thence north 90° 00' 00" west along the southerly line of Dorr Street, 500.82 feet to an iron pin and the true point of beginning of the herein described parcel; thence south 03° 09' 26" east, and passing through the southerly right-of-way line of the Toledo and Indiana Railway Company, 303.46 feet to an iron pin; thence north 90° 00' 00" west 75.11 feet to an iron pin on the easterly line of Ella Stansbery as fixed by agreement and decree in Cause No. 143771, Lucas County, Ohio Common Pleas Court; thence north 03° 09' 26" west along the easterly line of Ella Stansbery as fixed by agreement and decree in Cause No. 143771, Lucas County, Ohio, Common Pleas Court and passing through, the southerly right-of-way line of The Toledo and Indiana Railway Company 303.46 feet to a point on the southerly right-of-way of Dorr Street; thence north 90° 00' 00" east along the southerly right-of-way line of Dorr Street 75.11 feet to the place of beginning; containing 0.522 acres, more or less, and subject to easements and restrictions of record.

Parcel 2:

The west 1/3 of the following property, to-wit:

That part of the east 1/2 of the east 1/2 of the northeast 1/4 of Section No. 1, Town 2 of the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Beginning at a point on the easterly line of said Section No. 1 at its intersection with the southerly line of the right of way granted to The Toledo and Indiana Railway Company by Deed recorded in Volume 287 of Deeds, page 206 and Volume 293 of Deeds, page 201, Lucas County, Ohio records; thence southerly along said easterly line of said Section, 650 feet thence westerly parallel with the center line of Dorr Street, 579.44 feet, more or less, to a point on the extension southerly of the easterly property line of Ella Stansbery as fixed by agreement and decree in Cause No. 143771 Lucas County, Ohio Common Pleas Court thence northerly along said easterly property line of Ella Stansbery as fixed by said agreement and decree and its extension southerly to a point on the southerly line of the right of way of The Toledo and Indiana Railway Company, which point is 576 feet, more or less, westerly of the place of beginning;

Thence easterly 576 feet, more or less, to the point of beginning, together with that part of the right of The Toledo and Indiana Railway Company lying between the easterly and westerly lines of the above described property extended to the southerly line of Dorr Street, excepting from said west 1/3 and the southerly 50 feet

thereof, and also excepting from said west 1/3 thereof the west 75 feet of the south 300 feet. Subject to legal highways.

Parcel 3:

The northerly 406 feet of the westerly 67 feet of the east 1/2 of the east 1/2 of the northeast 1/4 of Section 1 in Town 2 in the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, in the City of Toledo. Lucas County, Ohio. Subject to all legal highways.

Parcel 4:

The easterly 126.3 feet of the following described property:

The west 1/4 of the northeast 1/4, and the east 1/2 of the northwest 1/4 of Section Number 1, Town 2, of the United States Reserve of 12miles square at the foot of the Rapids of the Miami of Lake Erie, situated in the City of Toledo, Lucas County, Ohio, excepting therefrom the north 1/4 of the west 20 acres of the northeast 1/4 and the north 1/4 of the east 20 acres of the northwest 1/4 of said Section; also excepting the east 195 feet of the west 1/4 of the northeast 1/4 of said Section No. 1. Subject to legal highways.

Parcel 5:

The north sixteen (16) rods of the east ten (10) rods of the west 1/2 of the west 1/2 of the northeast 1/4 of Section No. 1, Town 2 in the United States Reserve of 12miles square at the foot or the Rapids of the Miami of Lake Erie formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio. Subject to legal highways.

Parcel 6:

The west 1/2 of the East 1/2 of the Northeast 1/4, and the east 1/2 of the west 1/2 of the northeast 1/4 of Section No. 1, Town 2, in the United States Reserve of 12miles square at the foot of the Rapids of the Miami of Lake Erie, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, excepting therefrom the easterly 76 feet of the northerly 381 feet of that part of the west 1/2 of the east 1/2 of said northeast 1/4 which lies south of the centerline of Dorr Street, also excepting therefrom the right-of-way of The Toledo and Indiana Railway Company over the north part of said premises. Subject to legal highways.

AND

The east 195 feet of the west 1/4 of the northeast 1/4 of the Section No. 1, Town 2, of the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, situated formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, excepting therefrom the north 16 rods of the east 10 rods of said tract, and also excepting from said tract, the part thereof conveyed to The Toledo and Indiana Railway Company by deed dated April 19, 1902 and recorded its Volume 287 of Deeds, page 208, Lucas County, Ohio Records. Subject to legal highways.

AND

Being a 33 foot strip of land lying south of and adjacent to the south line of Dorr Street, thru those parts of the northeast 1/4 of Section No. 1, Town 2, of the United States Reserve of 12miles square at the foot of the Rapids

of the Miami of Lake Erie, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, more fully described as follows, to-wit:

Parcel A:

Being the west 1/2 of the east 1/2 of the northeast 1/4 of Section 1, Town 2 of the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, excepting therefrom the east 76 feet of the north 381 feet thereof.

Parcel B:

Being the east 1/2 of the west 1/2 and the northeast 1/4 of Section 1, Town 2, of the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio.

Parcel C:

Being the east 195 feet of the west 1/4 of the northeast 1/4 of Section 1, Town 2 of the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, excepting therefrom the north 16 rods of the east 10 rods thereof.

All subject to legal highways.

AND

That part of the east 1/2 of the east 1/2 of the northeast 1/4 of Section 1, Town 2, in the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, bounded as follows: Commencing at a point on the westerly line of the east 1/2 of the east 1/2 of the northeast 1/4 of said Section No. 1, which is 406 feet south of the north line of said Section No. 1 and running thence east on a line parallel with the north line of said Section, 67 feet; thence south on a line parallel with the West line of said tract of land a distance of 307 feet to a point thence east and on a line parallel with the center line of Dorr Street to a point on the east line of a tract of land; thence south on said east line to the southeast corner of said tract of land; thence west along the south line of said tract of land to the southwest corner of said tract of land and thence north on the west line aforesaid to the place of beginning, containing 29.57 acres, excepting and reserving a right-of-way along the easterly line thereof for the purpose of constructing and maintaining a sewer, also subject to legal highways.

AND

The north 18 acres of the west 1/2 of the east 1/2 of the southeast 1/4 of Section No. 1, Town 2 of the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, more particularly bounded and described as follows;

Beginning at a point in the east and west centerline of said Section 1, which is 655.6 feet west of the east 1/4 post of said Section 1; thence south 1192 feet along a right line which intersects the south line of said Section 1 at a point which is 665.25 feet west of the southeast corner of Section 1; thence west 659.95 feet along a line parallel with the east and west center line of said Section 1 to a point in the west line of the east 1/2 of the southeast 1/4 of said Section 1; thence north 1192 feet along the west line of the east 1/2 at the southeast 1/4 of

said Section 1, to a point in the east and west centerline of said Section 1; thence east along the east and west centerline of said Section 1, 655.6 feet to the place of beginning, being formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio.

AND

The south 50 feet of the following described property, to-wit:

All that part of the northeast 1/4 of Section 1, Town 2, United States Reserve of 12miles square at the foot of the Rapids of the Miami of Lake Erie, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, described as follows:

Beginning at a point on the north line of said Section 1, 575.67 feet west of the northeast corner of said Section 1; thence east along the north line of said Section 1, a distance of 575.67 feet to the northeast corner of said Section 1; thence south along the east line of said Section 1, a distance of 713.03 feet to an iron pipe thence west parallel to the north line of said Section 1, a distance of 579.44 feet to an iron pipe which is on the extension southerly of the easterly corner property line of Ella Stansbery as fixed by agreement and Decree in Cause No. 143771, Lucas County, Ohio, Common Pleas Court; thence north a distance of 713.03 feet (along said easterly property line of Ella Stansbery as fixed by said agreement and decree and its extension southerly) to the point of beginning,

AND

East 40 acres of the northeast 1/4 in Section No. 1, Town 2, in the United State Reserve of 12miles square at the foot of the Rapids of the Miami of Lake Erie, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, lying west of the south 257 feet of the west line of the following described premises:

All that part of the northeast 1/4 of Section 1, Town 2, United States Reserve of 12miles square at the foot of the Rapids of the Miami of Lake Erie, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, described as follows:

Beginning at a point on the north line of said Section 1, 575.67 feet west of the northeast corner of said Section 1; thence east along the north line of said Section 1, a distance of 575.67 feet to the northeast corner of said Section 1; thence south along the east line of said Section 1, a distance of 663.03 feet to a concrete monument; thence west, parallel to the north line of said Section 1, a distance of 579.18 feet to a concrete monument which is on the extension southerly of the easterly property line of Ella Stansbury as fixed by agreement and decree in Cause No. 143771, Lucas County, Ohio, Common Pleas Court; thence north a distance of 663.03 feet (along said easterly property line of Ella Stansbery, as fixed by said agreement and decree and its extension southerly) to the point of beginning.

AND

That part of the southeast 1/4 of Section 1, Town 2, United States Reserve, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, described as follows:

Starting at a stone monument in the center of said Section 1; thence south  $88^{\circ} 11' 15''$  east along the east and west center line of said Section 1, a distaste of 460.88 feet to the point of beginning thence south  $88^{\circ} 11' 15''$  east along the east and west center line of said Section 1, a distance of 195.05 feet; thence south  $0^{\circ} 32' 35''$  west along the east line of the west 1/2 of the west 1/2 of the southeast 1/2 of said Section 1, a distance of 50.01 feet;

thence south 88° 11' 15" east and parallel in the east and west center line of said Section 1, a distance of 606.1 feet thence south 0° 19' 02" west along a line 50.0 feet west of and parallel to the west line of the east 1/2 of the southeast 1/4 of said Section 1, a distance of 12.0 feet; thence north 88° 11' 15" west and parallel to the east and west center line of said Section 1, a distance of 801.13 feet; thence north 0° 27' 56" east a distance of 62.01 feet to the point of beginning. Containing 0.44 acres of land.

AND

That part of the southeast 1/4 of Section 1; Town 2, United States Reserve, formerly in Adams Township, now in the City of Toledo, Lucas County, Ohio, described as follows:

Starting at a stone monument in the center of said Section 1: thence south 88° 11' 15" east, along the east and west center line of said Section 1, a distance of 460.88 feet; thence south 0° 27' 56" west a distance of 62.01 feet to the point of beginning; thence south 88° 11' 15" east and parallel to the east and west centerline of said Section 1, a distance of 801.13 feet; thence south 0° 19' 02" west along a line 50 feet west of and parallel to the west line of the east 1/2 of the southeast 1/4 of said Section 1, a distance of 15 feet; thence north 88° 11' 15" west and parallel to the east and west center line of said Section 1, a distance of 801.13 feet; thence north 0° 27' 56" east, a distance of 15 feet to the point of beginning.

Parcel 7:

The northerly 381 feet of the easterly 76 feet of the west 1/2 of the east 1/2 of the northeast 1/4 of said Section 1, all in Town 2, in the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, in the City of Toledo, Lucas County, Ohio.

Parcel 8:

The East 1/2 of the West 1/2 of the Southeast 1/4 of Section Number 1; the East 1/2 of the South 1/2 of the West 1/2 of the West 1/2 of the Southeast 1/4 of Section 1; the North 1/2 of the West 1/2 of the West 1/2 of the Southeast 1/4 of Section Number 1, all in Town Number Two in the 12 mile Square Reserve at the foot of the rapids of the Miami in the City of Toledo, Lucas County, Ohio, excepting from the foregoing the following described parcels:

- (1) Commencing on the south line of the Southeast 1/4 of Section Number 1 in town 2 in said Twelve mile square reserve where the West line of the East 1/4 of the South 1/2 of the West 1/2 of the Southeast 1/4 intersects said South line; thence Northerly along the West line of said East 1/4 of the South 1/2 of the West 1/2 of said West 1/2, 353.46 feet; thence Easterly parallel with the South line of said Southeast 1/4 of Section Number 1, 370 feet; thence Southerly parallel with said West line of said East 1/4 of said South 1/2 of the West 1/2 of said West 1/2, 353.46 feet to the said South line of said Southeast 1/2 of Section Number 1; thence Westerly along said South line of the Southeast 1/4 of Section Number 1, 370 feet to the place of beginning;
- (2) The North 50 feet of the East 1/2 of the West 1/2 of the Southeast 1/4 of said Section Number 1;
- (3) The East 50 feet of the North 18 acres of the East 1/2 of the West 1/2 of the Southeast 1/4 of said Section Number 1;
- (4) Starting at a stone monument in the center of said Section 1; thence South 88 degrees, 11 minutes, 15 seconds East along the East and West center line of said Section 1, a distance of 560.88 feet to the point of

beginning; thence South 88 degrees, 11 minutes, 15 seconds East along the East and West center line of said Section 1, a distance of 195.05 feet; thence South 0 degrees, 32 minutes, 35 seconds West along the East line of the West ½ of the West ½ of the Southeast ¼ of said Section 1, a distance of 50.01 feet; thence South 88 degrees, 11 minutes, 15 seconds East and parallel to the East and West center line of said Section 1, a distance of 606.01 Feet thence South 0 degrees, 19 minutes, 02 seconds West along a line 50.0 feet West of and parallel to the West line of the East ½ of the Southeast ¼ of said Section 1, a distance of 12.0 feet; thence North 88 degrees, 11 minutes 15 seconds West and parallel to the East and West center line of said Section 1, a distance of 801.13 feet; thence North 0 degrees, 27 minutes, 56 seconds East, a distance of 62.01 feet to the point of beginning;

(5) Starting at a stone monument in the center of said Section 1; thence South 88 degrees, 11 minutes, 15 seconds East along the East and West center line of said Section 1, a distance of 460.88 feet; thence South 0 degrees, 27 minutes, 56 seconds West, a distance of 62.01 feet to the point of beginning; thence South 88 degrees, 11 minutes, 15 seconds East and parallel to the East and West center line of said Section 1, a distance of 801.13 feet; thence South 0 degrees, 19 minutes, 02 seconds West along a line 50 feet West of and parallel to the West line of the East ½ of the Southeast ¼ of said Section 1, a distance of 15 feet; thence North 88 degrees, 11 minutes, 15 seconds West and parallel to the East and West center line of said Section 1, a distance of 801.13 feet; thence North 0 degrees, 27 minutes, 56 seconds East, a distance of 15 feet to the point of beginning.

Further excepting therefrom that part thereof conveyed to the City of Toledo by Deed 84-232-D04, bounded and described as follows:

Commencing at the South quarter corner of Section 1, said point also being the grantor's Southwesterly property corner and Station 238 + 42.85 on the centerline of right of way of Hill Avenue; thence North 87° 11' 43" East along the grantor's Southerly property line, said line being a South line of Section 1, same being the centerline of right of way of Hill Avenue, a distance of 868.19 feet to a point of beginning, said point also being a Southwesterly property corner of the grantor's property, same being Station 247 + 11.04 on the centerline of right of way of Hill Avenue; thence North 02° 12' 55" West along a Westerly property line of the grantor's property, a distance of 50.00 feet to a point 50.00 feet left of Station 247 + 11.55; thence North 87° 11' 43" East and parallel to the centerline of right of way of Hill Avenue, a distance of 462.13 feet to a point on an Easterly property line of the grantor's property, said point being 50.00 feet left of Station 251 + 73.68; thence South 02° 33' 37" East along said Easterly property line, a distance of 50.00 feet to a point, said point being a Southeasterly property corner of the grantor's property and Station 251 + 73.47 on the centerline of right of way of Hill Avenue; thence South 87° 11' 43" West along the grantor's Southerly property line, said line also being the South line of Section 1, same being the centerline of right of way of Hill Avenue, a distance of 462.43 feet to the point of beginning.

Said parcel contains 23,114 square feet, more or less, including the present road easement which occupies 13,870 square feet, more or less. Net area to be acquired contains 9,244 square feet, more or less.

Subject to legal Highways

SECTION 2. That the approval of the Special Use Permit for a Bed and Breakfast for a site located at 4601 Dorr Street, in the City of Toledo, Lucas County, Ohio; shall be subject to compliance with the 51 conditions as follows:

The following fifty-one (51) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Engineering Services

1. A pre-submittal meeting is not required; however, one may be requested. Contact information is as follows:  
  
Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850  
Right-of-Way and Inspection: 419-245-1341  
Roadway: 419-245-1344  
Water: 419-936-2163  
Stormwater Drainage: 419-245-3221; 419-245-1338  
Sanitary Sewers: 419-936-2276
2. All proposed sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening. Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.  
  
Contact (419) 245-1341 for inspection of above-mentioned items.
5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. Water service for this project shall be from the 8-inch diameter public water main on the north side of Dorr Street. The 24-inch diameter public water main on the north side of Dorr Street is a transmission main and is not available for domestic water usage. An additional connection, to the 24-inch water main, will be allowed if the development demonstrates, via a hydrant flow test, a need for additional water for fire protection. The Division of Water Distribution performs flow tests for a fee of \$150. Contact the Division of Water Distribution (419-245-1395) to schedule a flow test.
7. Private water mains feeding proposed hydrant(s) shall be minimum 8-inch diameter. The size of the domestic water service lines shall be shown on the plans.
8. Detailed plans for the water service lines shall be submitted to the Division of Engineering Services for review and approval. Plan design and submittal shall comply with the current version of the City of Toledo DPU Infrastructure Design and Construction Requirements.
9. The current version of "WATER GENERAL NOTES FOR CITY OF TOLEDO PRIVATE WATER MAINS, FIRE LINES AND LARGE SERVICES" shall be included on the plans and can be obtained from the City of Toledo Division of Engineering Services.
10. Plans for water service lines supplying multi-unit housing shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service lines.



11. The water meter setting detail, including meter bypass (if applicable) and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S. Erie Street, Toledo, OH 43602 for review and approval.
12. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. The Division of Water Distribution must verify installation of the devices and all devices must be registered with [BSIOnlineTracking.com](http://BSIOnlineTracking.com) @ 800-414-4990. Contact the Division of Water Distribution (419-936-2839) to verify the backflow prevention requirements for this site.
13. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site. Verify that the hydrant locations shown are acceptable to the Toledo Fire Prevention Bureau. Contractors performing work on new or existing fire systems shall be licensed by the State of Ohio Fire Marshall and certified by the City of Toledo Fire & Rescue Department.
14. Maintain a minimum of 10 feet separation between proposed hydrant and proposed storm and sanitary sewers.
15. Contact the Division of Transportation (419-245-1306) for maintenance of traffic requirements for work in Dorr Street.
16. Stormwater drainage for site development submittals are required in compliance with the latest version of the City of Toledo's Infrastructure Design and Construction Requirements  
<http://toledo.oh.gov/services/public-utilities/engineering-services/plan-review-process/>
17. The proposed basin is nonstandard and will be evaluated for approval based on a submittal of design calculations. While a basis of design is required for all stormwater management proposals, it shall be customized for the unique proposal, and follow Ohio guidelines for the proposed practice. The Ohio method for calculating runoff reduction may add to the strength of the proposal. Appropriate construction methods to avoid compaction and premature clogging of the infiltration bed would also need to be proposed in the engineering plans. If the evaluation finds the design justification to be inadequate, a standard connection between the basin and a storm sewer outlet will be required. In either case, a post-construction maintenance plan for the final design is required and shall be recorded.
18. A Stormwater Pollution Prevention Plan (SWP3) submittal shall be approved by the city prior to commencement of construction.
  - Submittal of the completed CGP checklist is required for a full stormwater review of the proposal; therefore, it shall be submitted in order for the city to issue a list of required stormwater corrections.
  - SWP3 shall include, in its final form, a list of responsible parties and their contact information. Form is available at <http://www.tmacog.org/store/swp3.htm>.
19. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
20. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system.

Developer shall use existing sanitary tap, when available.

21. All sanitary sewer manholes in the project area shall have solid lids installed on them.

#### Sewer & Drainage Services

22. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm and sanitary) be cleaned and inspected.
23. S&DS requires that the private sanitary lines (after they have cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

#### Environmental Services

24. Applicant shall maintain compliance with the City of Toledo's Storm Water regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential storm water impacts from the modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
25. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
26. Applicant is strongly encouraged to include multiple green infrastructure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
27. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials.  
[http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives\\_to\\_Ohio\\_Invasive\\_Plant\\_Species.pdf](http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf)
28. Applicant shall maintain compliance with the City of Toledo and the State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to the Asbestos and the Anti-Noise Laws.

#### Fire Prevention

29. TMC Rule 5: Fire Service Features: Private hydrants shall be supplied by at least an 8 inch main. Plans show a 6 inch line.
30. OFC 507.5.6 Hydrants shall be physically protected from damage.
31. OFC 503.1.1 Approved fire apparatus access roads shall be provided for all new facilities, buildings or portion of a facility or building constructed or moved into the jurisdiction which are not readily accessible from a public and/or private street. The access road shall extend to within 150' of all portions of the facility.
32. OFC 503.21 Fire apparatus access roads shall have an unobstructed width of not less than 20' and an

unobstructed vertical clearance of not less than 13'6".

- 33. OFC 503.2.3 Fire apparatus access roads shall be designed and maintained to support imposed loads of fire apparatus and shall be surfaced to support all-weather driving capabilities.
- 34. OBC 503.2.5 Dead end fire apparatus access roads in excess of 150' shall be provided with an approved turn around area.
- 35. The new buildings will comply with all requirements of the OBC, OFC for new structures.
- 36. OFC 505.1 Approved Premises identification is required.

#### Transportation

- 37. 25' drive aisle width required to accommodate two-way traffic per TMC 1107.
- 38. 25' driveway width required to accommodate two-way traffic per TMC 1107.
- 39. Accessible parking signage required at accessible parking spaces per TMC 1107.
- 40. 12' wide golf cart path is recommended to accommodate two-way traffic to Northern golf cart parking area.

#### Plan Commission

- 41. Per TMC§1104.0402, a bed and breakfast use may not exceed four bedrooms for guests or a maximum of six guests per night. Not acceptable as depicted on site plan. Applicant shall obtain a waiver to allow twenty-four (24) bedrooms.
- 42. Per TMC§1106.0300, multiple buildings on a lot are permitted in RM12, RM24, RM36, IL, IG, IP and IC zoning districts. Not acceptable as depicted on site plan. Applicant shall obtain a waiver to allow three (3) additional buildings at the site.
- 43. Per Parking Schedule A, the minimum number of parking spaces required for a bed and breakfast is half (0.5) per sleeping room. Acceptable as depicted on site plan.
- 44. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. Acceptable as depicted on site plan.
- 45. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot or to a stormwater treatment facility subject to the regulations approval of the Department of Public Utilities.
- 46. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or

damaging any structure or landscaping (TMC§1107.1907(A)). Not acceptable as depicted on site plan. Wheel stop devices shall be added to prevent damage to the required shrub rows.

47. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors (i.e. gray, brown, tan). Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director.
48. A detailed site, lighting, fencing and four (4) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place or driveway, or which is visible from an adjacent property, and shall be ten feet (10') in width; not acceptable as depicted, shrub rows shall screen headlights of parked vehicles from driveway and surrounding uses.
  - b. Topsoil must be back filled to provide positive drainage of the landscape areas;
  - c. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage;
  - d. The location number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained; acceptable as depicted on landscaping plan, acceptable as depicted;
  - e. The location, height and materials for any fencing to be installed and maintained. Pursuant to TMC§1105.0302(A)(1), fences may not exceed 3 ½ feet in height in the required front setback, acceptable as depicted, existing fence shall remain; and,
  - f. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties).
49. 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.
50. 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.
51. 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. Waiving the following sections of the Toledo Municipal Code for the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 4601 Dorr Street, in the City of Toledo, Lucas County, Ohio:

#### Chapter 1104 Use Regulations

Sec. 1104.0402 Bed and Breakfast - Maximum Size - A Bed and Breakfast use may not exceed four (4)

bedrooms for guests or a maximum of six (6) guests per night.

Approve a waiver to allow twenty-four (24) bedrooms at the site. Staff does not have concerns with high density at the site. The entire site is  $\pm 216$  acres and primarily used for recreational purposes.

Chapter 1106 Intensity and Dimensional Standards

Sec. 1106.0301 Applicability - More than one principal building shall be allowed on a lot when all of the buildings are intended to be operated as a single enterprise and the lot and all portions of it are owned, leased, or under option by a single entity. This applies to the RM12, RM24, RM36, IL, IG, IP and IC zoning districts. More than one principal building on a lot in other zoning districts is allowed only in a Planned Unit Development (PUD).

Approve a waiver to allow multiple buildings on a lot in RS6 - Single Family Residential. The existing site is legal non-conforming to this regulation currently, and again as the site is  $\pm 216$  acres, high density is not a concern.

SECTION 4. 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 5. 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