



Legislation Text

File #: O-033-22, Version: 1

Councilman Hobbs

Authorizing the waiver TMC section 1111.0705 entitled “City Council Hearing and Decision” to allow the Zoning & Planning Committee of Toledo City Council to hold a public hearing prior to 30 days after receipt of the Plan Commission recommendation on SUP-1001-22: Special use permit for Day Care Center at 1824 Sylvania Ave; and declaring an emergency.

SUMMARY & BACKGROUND:

The purpose of this ordinance is to waive TMC. Sec. 1111.0705 that states as follows:

Not less than 30 days after receiving the Plan Commissions recommendation or after having allowed the time required for the Plan Commissions consideration, the City Council must hold at least one public hearing on the proposed Special Use Permit. Following the public hearing, at the same or subsequent meeting, the City Council must take action to approve, approve with modifications or deny the proposed amendment based on the criteria of section 1111.0706.

Plans have been brought forth to open a new Day Care Center at 1824 Sylvania Ave. Unusual circumstances have delayed the applicant’s site plan submittal. The site plan is currently under review.

The public notice requirement prior to the Council hearing under TMC sections 1111.0702 and 1111.0302 and 1111.0302 will be provided.

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

SECTION 1. That TMC section 1111.0705 is waived to allow for a reduction in the required time period between the City Plan Commission hearing and the Zoning & Planning Committee public hearing. The Plan Commission hearing will be held on February 10, 2022 and the Zoning & Planning Committee will be held on Wednesday February 16, 2022. This is a time frame of 6 days.

SECTION 2. That the waiver of TMC Sec. 1111.0705 be limited to the following properties located at 1824 Sylvania Ave and more described below:

Parcel no. 07-08011
HEARTHSTONE LOT 16 & W 17 FT 15 EXC ST

Parcel no. 07-08004
HEARTHSTONE LOT 14

Parcel no. 07-08001
HEARTHSTONE LOT 13

SECTION 3. That this ordinance is hereby declared to be an emergency measure and shall take effect

and be in force 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 for the redevelopment of an area and to allow an applicant who has met all requirements established by the City to proceed henceforth, in a timely manner.

Vote on emergency clause: yeas 12, nays 0.

Passed: February 1, 2022, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

February 1, 2022
Wade Kapszukiewicz
Mayor