Legislation Details (With Text)

File #:	O-405-19	**Version:**	1	**Name:**	
Type:	Ordinance			**Status:**	Approved
File created:	8/16/2019			**In control:**	City Council
On agenda:	8/20/2019			**Final action:**	8/20/2019
Title:	Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the properties located at 123 Alpena Street, 708 Adrian Street, 917 Pontiac Street, 3084, 3092, 3100 and 3336 Edison Street and 3120, 3130, 3136 and 3146 Joseph 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 8/14/2019, 3. Audio: TCPC 7/11/2019, 4. Audio: City Council 8/20/2019				

Date	Ver.	Action By	Action	Result
8/20/2019	1	City Council	Dispense with the rules of Council requiring...	Pass
8/20/2019	1	City Council	declare emergency	Pass
8/20/2019	1	City Council	passage	Pass

Zoning & Planning Committee

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the properties located at 123 Alpena Street, 708 Adrian Street, 917 Pontiac Street, 3084, 3092, 3100 and 3336 Edison Street and 3120, 3130, 3136 and 3146 Joseph Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

An application (Z-5005-19) for a proposed change in zoning for the properties located at 123 Alpena Street, 708 Adrian Street, 917 Pontiac Street, 3084, 3092, 3100 and 3336 Edison Street and 3120, 3130, 3136 and 3146 Joseph Street, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On July 11, 2019, the Toledo City Plan Commission recommended approval of the request for a zone change from “IL” Limited Industrial and “RD6” Duplex Residential to “POS” Parks and Open Space for the properties located at 123 Alpena Street, 708 Adrian Street, 917 Pontiac Street, 3084, 3092, 3100 and 3336 Edison Street and 3120, 3130, 3136 and 3146 Joseph Street, in the City of Toledo, Lucas County, Ohio.

The City Council Zoning and Planning Committee on August 14, 2019, sent as approved the request for a zone change from “IL” Limited Industrial and “RD6” Duplex Residential to “POS” Parks and Open Space for the properties located at 123 Alpena Street, 708 Adrian Street, 917 Pontiac Street, 3084, 3092, 3100 and 3336 Edison Street and 3120, 3130, 3136 and 3146 Joseph Street, in the City of Toledo, Lucas County, 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:

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Parcel 1:

A parcel of land being approximately Zero and Four Tenths (0.40) Acres in Township Nine (9) South, Range Eight (8) East, North Toledo, Lucas County, Ohio, and being more particularly described as follows:

Commencing at a corner defined as X,Y (-83.499862,41.686044);

Thence South Two Hundred Twenty Four (224) Degrees, Eight (8) Minutes, Fifty (50) Seconds West, a distance of One Hundred Forty Six and Fifty Hundredths (146.5) Feet; Thence South One Hundred Forty One (141) Degrees, Three (3) Minutes, Forty Four (44) Seconds East, a distance of One Hundred Twenty and Two Hundredths (120.02) Feet; Thence North Forty Four (44) Degrees, Eight (8) Minutes, Seventeen (17) Seconds East, a distance of One Hundred Forty Six and Fifty Hundredths (146.5) Feet; Thence North Three Hundred Twenty One (321) Degrees, Five (5) Minutes, Three (3) Seconds West, a distance of One Hundred Twenty and Two Hundredths (120.02) Feet to the point of beginning of the parcel herein described.

(Containing all of T.D. Parcel No.'s 11-19187, 11-19191, 11-19194)

Parcel 2:

A parcel of land being approximately Zero and Thirteen Hundredths (0.13) Acres in Township Nine (9) South, Range Eight (8) East, North Toledo, Lucas County, Ohio, and being more particularly described as follows:

Commencing at a corner defined as X,Y (-83.499667,41.686204);

Thence South Two Hundred Twenty Four (224) Degrees, Eight (8) Minutes, Thirty Two (32) Seconds West, a distance of One Hundred Forty One and Fifty Hundredths (141.5) Feet; Thence South One Hundred Eighty Two (182) Degrees, Nineteen (19) Minutes, Thirty Two (32) Seconds West, a distance of Seven and Seven Hundredths (7.07) Feet; Thence South One Hundred Forty One (141) Degrees, Four (4) Minutes, Twenty Six (26) Seconds East, a distance of Thirty Four and One Hundredths (34.01) Feet; Thence North Forty Four (44) Degrees, Seven (7) Minutes, Thirty Nine (39) Seconds East, a distance of One Hundred Forty Six and Fifty Hundredths (146.5) Feet; Thence North Three Hundred Twenty One (321) Degrees, Four (4) Minutes, Fifty Five (55) Seconds West, a distance of Thirty Nine and One Hundredths (39.01) Feet to the point of beginning of the parcel herein described.

(Containing all of T.D. Parcel No. 11-19184)

Parcel 3:

A parcel of land being approximately Zero and Four Tenths (0.40) Acres in Township Nine (9) South, Range Eight (8) East, North Toledo, Lucas County, Ohio, and being more particularly described as follows:

Commencing at a corner defined as X,Y (-83.499248,41.685899);

Thence North Two Hundred Seventy Two (272) Degrees, Fifty Eight (58) Minutes, Three (3) Seconds West, a distance of Seven and Seven Hundredths (7.07) Feet; Thence South Two Hundred Twenty Four (224) Degrees, Nine (9) Minutes, Six (6) Seconds West, a distance of One Hundred Forty One and Fifty Hundredths (141.5) Feet; Thence South One Hundred Forty One (141) Degrees, Three (3) Minutes, Twenty One (21) Seconds East, a distance of One Hundred Nineteen and Three Hundredths (119.03) Feet; Thence North Forty Four (44) Degrees, Eight (8) Minutes, Thirty One (31) Seconds East, a distance of One Hundred Forty Six and Fifty Hundredths (146.5) Feet; Thence North Three Hundred Twenty One (321) Degrees, Four (4) Minutes, Forty Three (43) Seconds West, a distance of One Hundred Fourteen and Three Hundredths (114.03) Feet to the point of beginning of the parcel herein described.

(Containing all of T.D. Parcel No.'s 11-19211, 11-19214, 11-19217)

Parcel 4:

A parcel of land being approximately Zero and Nineteen Hundredths (0.19) Acres in Township Nine (9) South, Range Eight (8) East, North Toledo, Lucas County, Ohio, and being more particularly described as follows:

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Commencing at a corner defined as X,Y (-83.498924,41.686191);

Thence South Two Hundred Twenty Four (224) Degrees, Eight (8) Minutes, Thirty Five (35) Seconds West, a distance of One Hundred Fifty Two and Eighty Hundredths (152.8) Feet; Thence South One Hundred Forty One (141) Degrees, Four (4) Minutes, Twenty One (21) Seconds East, a distance of Fifty Three (53) Feet; Thence North Forty Four (44) Degrees, Seven (7) Minutes, Forty (40) Seconds East, a distance of One Hundred Fifty Three (153) Feet; Thence North Three Hundred Twenty (320) Degrees, Fifty Two (52) Minutes, Thirty One (31) Seconds West, a distance of Fifty Three (53) Feet to the point of beginning of the parcel herein described.

(Containing all of T.D. Parcel No. 11-19147)

Parcel 5:

A parcel of land being approximately Zero and One Tenths (0.10) Acres in Township Nine (9) South, Range Eight (8) East, North Toledo, Lucas County, Ohio, and being more particularly described as follows:

Commencing at a corner defined as X,Y (-83.496137,41.687614);

Thence South Two Hundred Twenty Four (224) Degrees, Six (6) Minutes, Fifty One (51) Seconds West, a distance of One Hundred Twenty (120) Feet; Thence South One Hundred Forty One (141) Degrees, Seven (7) Minutes, Three (3) Seconds East, a distance of Thirty Five (35) Feet; Thence North Forty Four (44) Degrees, Six (6) Minutes, Nine (9) Seconds East, a distance of One Hundred Twenty (120) Feet; Thence North Three Hundred Twenty One (321) Degrees, Seven (7) Minutes, Forty Two (42) Seconds West, a distance of Thirty Five (35) Feet to the point of beginning of the parcel herein described.

(Containing all of T.D. Parcel No. 11-18454)

Parcel 6:

A parcel of land being approximately Zero and Fourteen Hundredths (0.14) Acres in Township Nine (9) South, Range Eight (8) East, North Toledo, Lucas County, Ohio, and being more particularly described as follows:

Commencing at a corner defined as X,Y (-83.493978,41.687009);

Thence South Two Hundred Twenty Four (224) Degrees, Six (6) Minutes, Twenty Five (25) Seconds West, a distance of Forty Three and Eighty Nine Hundredths (43.89) Feet; Thence South One Hundred Forty One (141) Degrees, Five (5) Minutes, Ten (10) Seconds East, a distance of One Hundred Thirty Nine and Thirty Hundredths (139.3) Feet; Thence North Forty Four (44) Degrees, Seven (7) Minutes, Forty Six (46) Seconds East, a distance of Forty Three and Ninety Hundredths (43.9) Feet; Thence North Three Hundred Twenty One (321) Degrees, Six (6) Minutes, Four (4) Seconds West, a distance of One Hundred Thirty Nine and Thirty One Hundredths (139.31) Feet to the point of beginning of the parcel herein described.

(Containing all of T.D. Parcel No. 11-17271)

Parcel 7:

A parcel of land being approximately Zero and Nine Hundredths (0.09) Acres in Township Nine (9) South, Range Eight (8) East, North Toledo, Lucas County, Ohio, and being more particularly described as follows:

Commencing at a corner defined as X,Y (-83.491062,41.688097);

Thence North Two Hundred Seventy One (271) Degrees, Forty (40) Minutes, Twenty Five (25) Seconds West, a distance of One Hundred Twenty Seven and Thirty Hundredths (127.3) Feet; Thence South One Hundred Forty One (141) Degrees, Eleven (11) Minutes, Fifty One (51) Seconds East, a distance of Eighty Eight and Twenty Hundredths (88.2) Feet; Thence North Forty Four (44) Degrees, Three (3) Minutes, Eighteen (18) Seconds East, a distance of Ninety One and Ninety One Hundredths (91.91) Feet to the

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point of beginning of the parcel herein described

(Containing all of T.D. Parcel No. 11-15684)

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: August 20, 2019, as an emergency measure: yeas 12, nays 0.

Attest:
Gerald E. Dendinger — Clerk of Council
Matt Cherry — President of Council

Approved: August 20, 2019
Wade Kapszukiewicz
Mayor

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