

## GENERAL INFORMATION

### Subject

- Request - Zone Change from RS6 (Single-Dwelling Residential) & IL (Limited Industrial) to IG (General Industrial)
- Location - 0 S Byrne Road
- Applicant - Ed Moore  
Rocky Ridge Development LLC  
3793 Silica Road  
Sylvania, OH 43560
- Owner - Emkott LTD  
6505 W Bancroft Street  
Toledo, OH 43615
- Surveyor / Engineer - George Oravec, P.E., P.S.  
Oravec Consulting & Engineering Services  
5333 Secor Road, Suite 2  
Toledo, OH 43623

### Site Description

- Existing Zoning - RS6 (Single-Dwelling Residential) & IL (Limited Industrial)
- Proposed Zoning - IG (General Industrial)
- Area - ± 37.70 Acres
- Frontage - ± 190.53 along S Byrne Rd  
± 131.79 along Marine Rd  
± 134.01 along Marine Rd
- Existing Use - Farmland
- Proposed Use - Surface Mine

### Area Description

- North - IG / Vacant Industrial, Manufacturing, Car Sales, Supply Stores
- South - IL & RS6 / Farmland & Single-Dwelling Homes
- East - IL, CN, RS12, RD6 / Single-Dwelling Homes, Apartments, Animal Rescue
- West - RS6 / Surface Mine

**GENERAL INFORMATION** (cont'd)Parcel History (cont'd)

- |            |   |   |
|------------|---|---|
| Z-8009-99  | - | Zone Change from R-2 & M-1 to M-1 at 606-636 S Byrne Road & 3550-3636 Angola (P.C. approved 02/10/00; Council approved 03/28/00, Ord. 303-00, subject to Industrial Plat) |
| Z-12002-20 | - | Zone Change from RS6 to IL at 0 S Byrne Rd (P.C. approved 02/11/21; Council referred to Ord. 303-00, which was still in effect subject to Industrial Plat)                |
| S-21-22    | - | Final Plat of Kott's Landing, located at 3550-3636 Angola Road (P.C. deferred indefinitely 02/09/23)  |
| S-8-23     | - | Final Plat pf Kott's Landing, located at Angola Road & Byrne Road (P.C. approved 06/08/23, did not satisfy Industrial Plat requirement)                                   |

Applicable Plans & Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Forward Toledo Comprehensive Land Use Plan

**STAFF ANALYSIS**

The applicant is requesting a Zone Change from RS6 (Single-Dwelling Residential) & IL (Limited Industrial) to IG (General Industrial) for 0 S Byrne Road. The ±37.7-acre parcel is currently farmland. To the north is the vacant industrial, manufacturing, car sales, and supply stores, to the south is farmland and single-dwelling homes, to the east is S Byrne Road, single-dwelling homes, apartments, and an animal rescue, and to the west is a surface mine.

The applicant is requesting the zone change to permit the expansion of the existing surface sand mine to the west. Mining is only permitted in IG (General Industrial) districts.

The Ohio Department of Natural Resources (ODNR) Division of Mineral Resources Management (DMRM) reviews and issues mining permits in the State of Ohio. A mining permit for the proposed extension has not yet been applied for. According to ODNR DMRM, mining permits are required to submit a plan for reclamation and future use of the mine area (see ORC§1514.02). The applicant has expressed their desire to pursue a similar reclamation plan in the mine expansion area, which uses on-site clay blended with spent lime generated by the Collins Park Water Treatment Plant to refill the mined site up to grade. The end result would be wetland soil which could be used for agricultural planting or conservation.

Neighborhood Meeting

A neighborhood meeting was held on February 24, 2025. Roughly twenty (20) people were in attendance, most of whom were business owners along neighboring Marine Drive. These business owners were most concerned with ensuring the proposed project had nothing to do with

**STAFF ANALYSIS (cont'd)**

Neighborhood Meeting (cont'd)

a previous project which slated the subject property to be used as a combination of a recycling facility and urban agriculture. The applicant assured them that this project had nothing to do with that project. The business owners and other attendees speaking on the expansion area otherwise sought mitigation of adverse negative impacts – chiefly that of dust. The applicant offered to construct a berm similar to the one constructed around the current mining operation. Staff suggested a fifty-foot (50') conservation as well. With these measures the Marine Drive owners seemed supportive of the project. Other attendees either agreed with the Marine Drive owners, did not speak, or spoke about impacts from the existing mine – this last group is explained further in companion case Z25-0001.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan targets this site Low Impact Industrial land uses. Designations in the plan have three components which must be evaluated for compatibility: physical design, land uses, and geographic characteristics. The Low-Impact Industrial land use designation provides space for industrial uses which do not noticeably affect the character of the neighborhood. These uses are typically smaller-scale facilities, higher technology, or research and development based facilities which often cater to the demand of High Impact Industrial users. The proposed use is a high impact industrial user; however, the uses negative impacts may be mitigated using appropriate buffering. As such, staff will recommend that this application be contingent upon the recordation of a commercial plat including a fifty-foot (50') conservation easement along the northern property line and fifty-foot (50') conservation buffers abutting residentially zoned lots on the east side of the property. With the above conditions, the proposed use is compatible with the Forward Toledo Plan.

Staff recommends approval of the Zone Change from RS6 (Single-Dwelling Residential) & IL (Limited Industrial) to IG (General Industrial) for 0 S Byrne Road because it is consistent with the Forward Toledo Comprehensive Land Use Plan and it is compatible with existing land uses within the general vicinity of the subject property.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z24-0002, a Zone Change from RS6 (Single-Dwelling Residential) & IL (Limited Industrial) to IG (General Industrial) for 0 S Byrne Road, to Toledo City Council for the following two (2) reasons:

1. The proposed Zone Change is consistent with the Comprehensive Plan and the stated purpose of the Zoning Code (**TMC§1111.0606(A)**); and
2. The proposed Zone Change is compatible with existing land uses within the general vicinity of the subject property (**TMC§1111.0606(B)**).

The staff further recommends that the Toledo City Plan Commission recommend approval of Z25-0002, a Zone Change from RS6 (Single-Dwelling Residential) & IL (Limited Industrial) to IG (General Industrial) for 0 S Byrne Road, to Toledo City Council, subject to the following **three (3)** conditions:

**STAFF RECOMMENDATION** (cont'd)

1. That the zoning not take effect until a commercial plat is approved and recorded;
2. That commercial plat shall have a fifty foot (50') wide conservation easement along the north side of the site.
3. That commercial plat shall have fifty foot (50') wide conservation easements along the residentially zoned properties to the east side of the site.

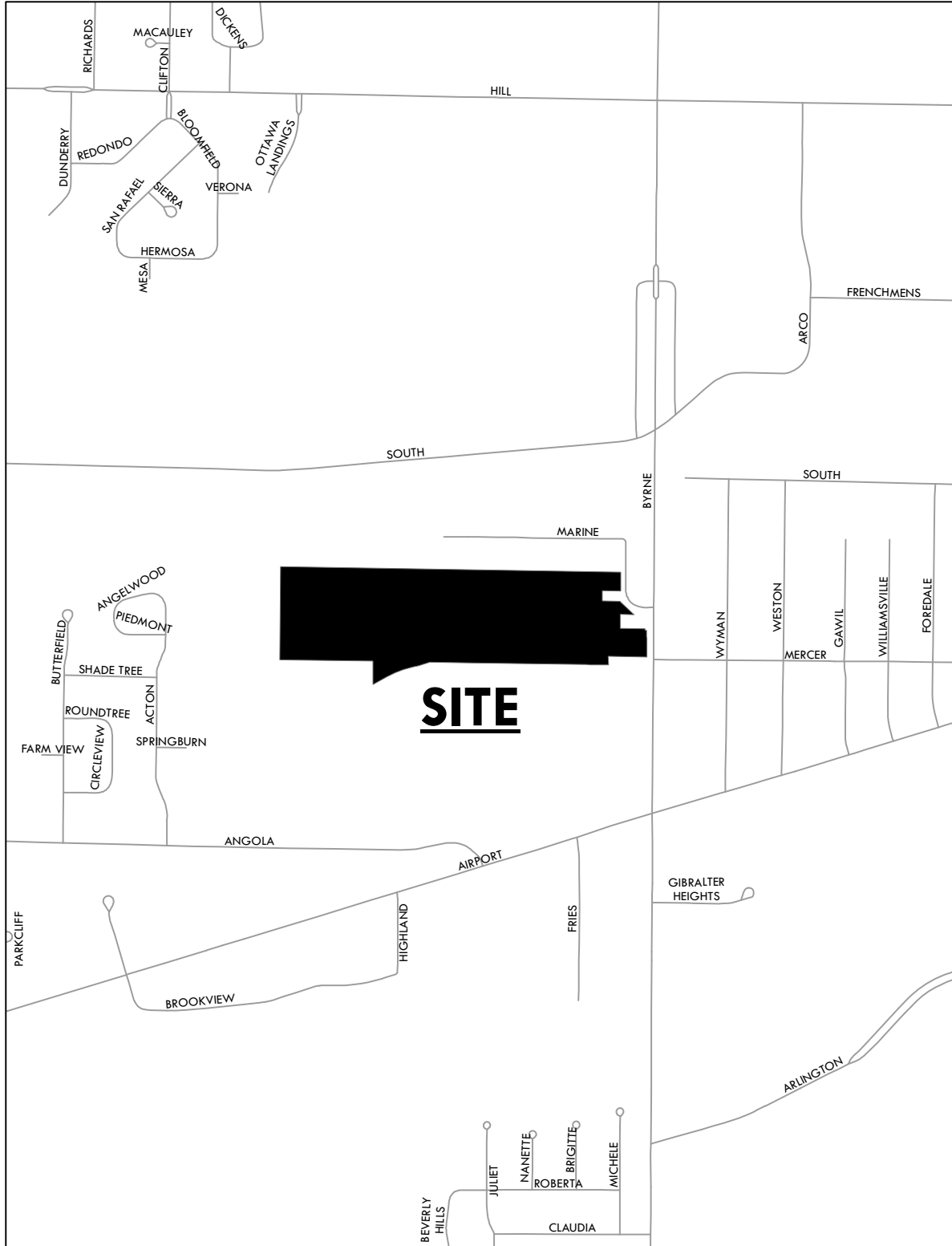
ZONE CHANGE  
TOLEDO PLAN COMMISSION  
REF: Z24-0002  
DATE: March 13, 2025  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: April 16, 2025  
TIME: 4:00 P.M.

AS  
Three (3) sketches follow

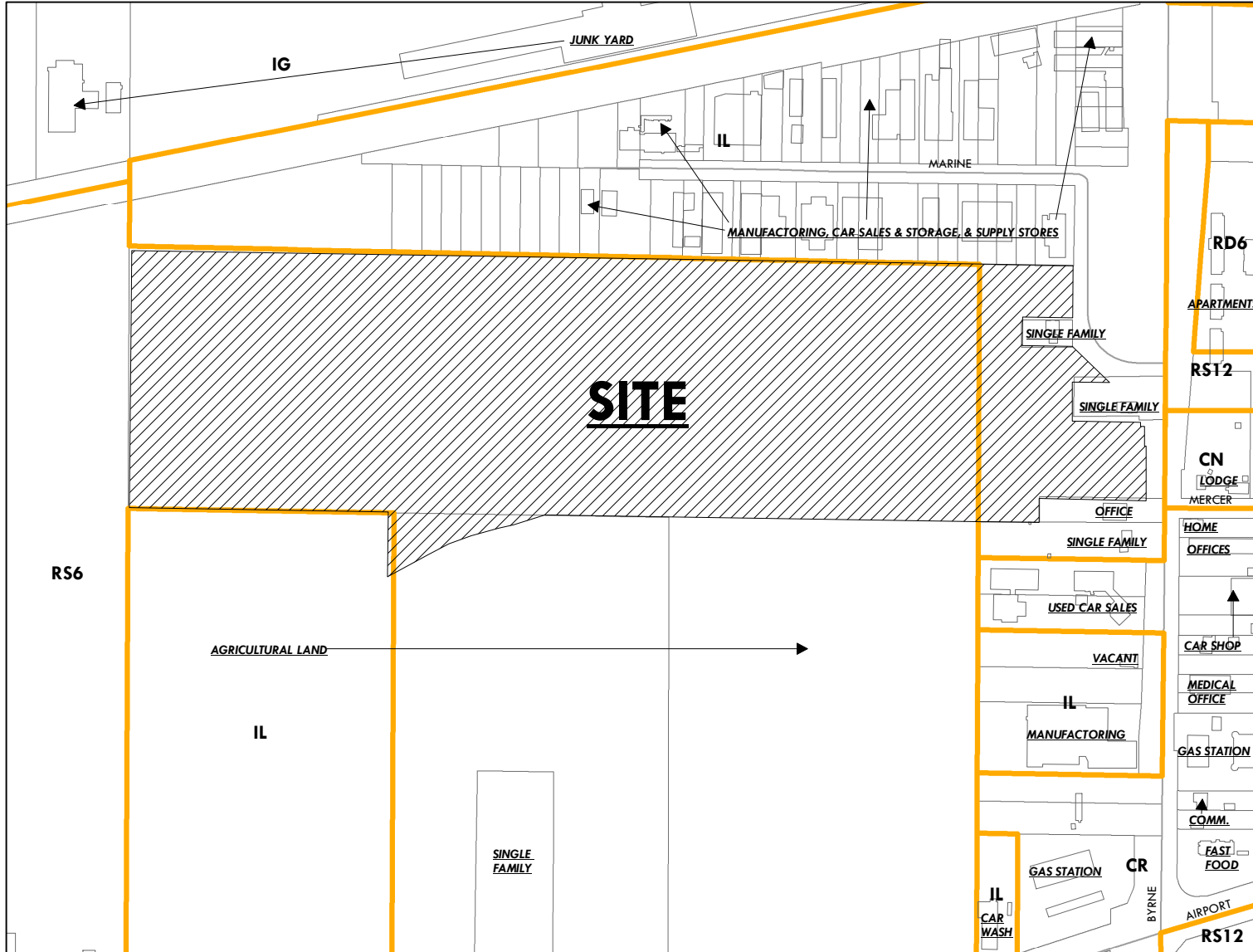
# GENERAL LOCATION

Z25-0002  
ID 84



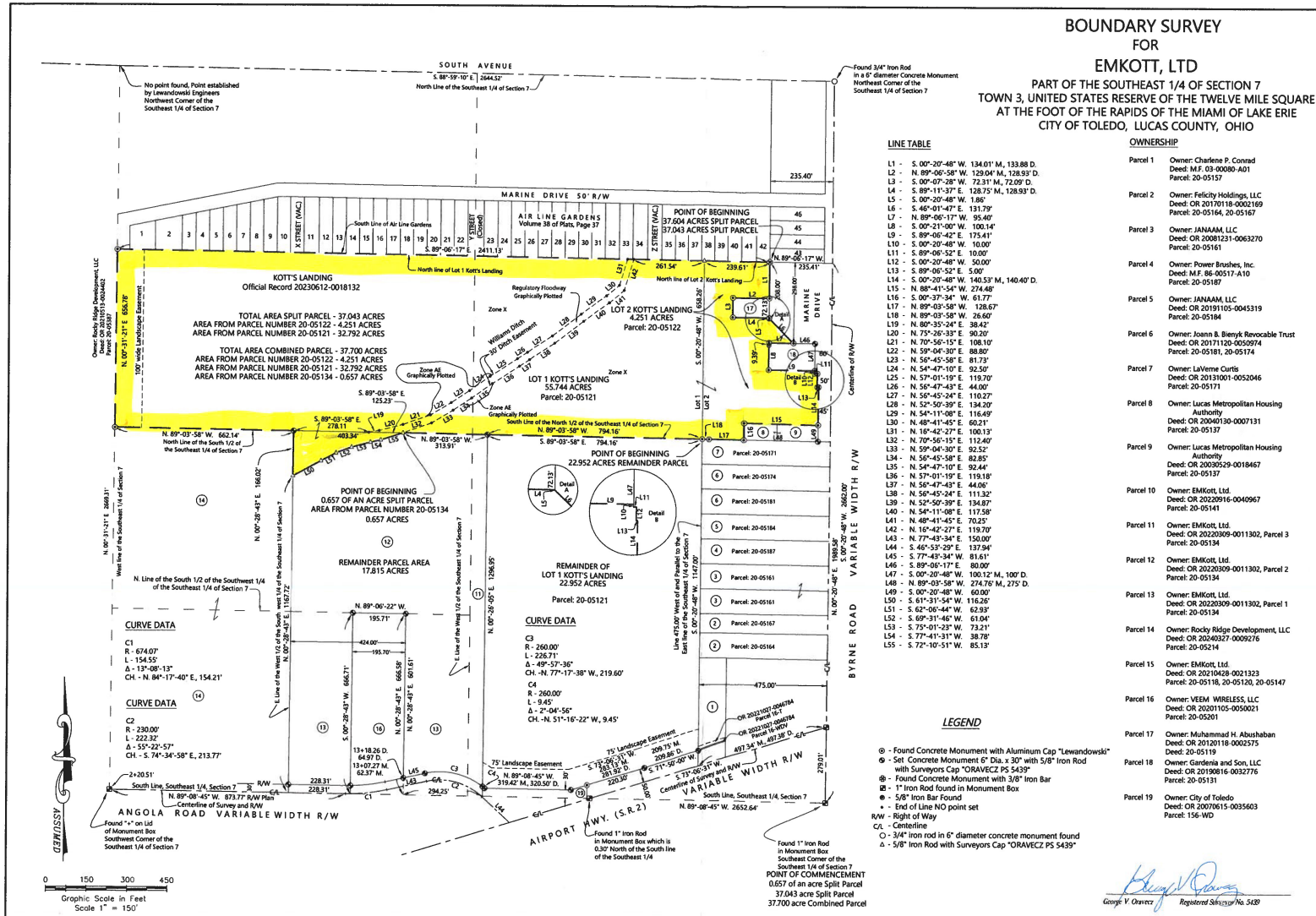
# ZONING & LAND USE

Z25-0002  
ID 84



# SITE PLAN

## Z25-0002 ID 84



### BOUNDARY SURVEY FOR EMKOTT, LTD

PART OF THE SOUTHEAST 1/4 OF SECTION 7  
TOWN 3, UNITED STATES RESERVE OF THE TWELVE MILE SQUARE  
AT THE FOOT OF THE RAPIDS OF THE MIAMI OF LAKE ERIE  
CITY OF TOLEDO, LUCAS COUNTY, OHIO

REVISED DATE

#### OWNERSHIP

- Parcel 1 Owner: Charlene P. Conrad  
Deed: M.F. 03-00080 AD1  
Parcel: 20-05157
- Parcel 2 Owner: Felicity Holdings, LLC  
Deed: CR 20170118-0002169  
Parcel: 20-05166, 20-05167
- Parcel 3 Owner: JANAMM, LLC  
Deed: CR 20081231-0063270  
Parcel: 20-05161
- Parcel 4 Owner: Power Brushes, Inc.  
Deed: M.F. 86-00517-A10  
Parcel: 20-05187
- Parcel 5 Owner: JANAMM, LLC  
Deed: CR 20191105-0045319  
Parcel: 20-05184
- Parcel 6 Owner: Joann & Biemk Revocable Trust  
Deed: CR 20171120-0050974  
Parcel: 20-05181, 20-05174
- Parcel 7 Owner: LaVerna Curtis  
Deed: CR 20131001-0052046  
Parcel: 20-05171
- Parcel 8 Owner: Lucas Metropolitan Housing Authority  
Deed: CR 20046730-0007131  
Parcel: 20-05137
- Parcel 9 Owner: Lucas Metropolitan Housing Authority  
Deed: CR 20030529-0018467  
Parcel: 20-05137
- Parcel 10 Owner: EMKOTT, Ltd.  
Deed: CR 20020016-0040967  
Parcel: 20-05141
- Parcel 11 Owner: EMKOTT, Ltd.  
Deed: CR 20020309-0011302, Parcel 3  
Parcel: 20-05134
- Parcel 12 Owner: EMKOTT, Ltd.  
Deed: CR 20020309-0011302, Parcel 2  
Parcel: 20-05134
- Parcel 13 Owner: EMKOTT, Ltd.  
Deed: CR 20020309-0011302, Parcel 1  
Parcel: 20-05134
- Parcel 14 Owner: Rocky Ridge Development, LLC  
Deed: CR 20040327-0009276  
Parcel: 20-05214
- Parcel 15 Owner: EMKOTT, Ltd.  
Deed: CR 20010428-0021123  
Parcel: 20-05118, 20-05120, 20-05147
- Parcel 16 Owner: VEEM WIRELESS, LLC  
Deed: CR 20201105-0050021  
Parcel: 20-05201
- Parcel 17 Owner: Muhammad H. Abushaban  
Deed: CR 20120118-0002375  
Parcel: 20-05119
- Parcel 18 Owner: Gardinia and Son, LLC  
Deed: CR 20190816-0032776  
Parcel: 20-05131
- Parcel 19 Owner: City of Toledo  
Deed: CR 20070615-0035603  
Parcel: 156-WD

PART OF THE SOUTHEAST 1/4 OF SECTION 7, TOWN 3, UNITED STATES RESERVE CITY OF TOLEDO, LUCAS COUNTY, OHIO

**ORAVECZ & ASSOCIATES, LLC**  
 5383 SECOR BOULEVARD, SUITE 400, TOLEDO, OHIO 43623  
 PHONE: 419-474-6664 or 419-474-2405  
 FAX: 419-474-5059  
 EMAIL: GORAVECZ@ORAVECZASSOCIATES.COM

DRAWN BY: RDC  
 SCALE: 1" = 150'  
 DATE: 12/24/2024

SHEET NO. 1  
 1  
 ORDER NO. 24883-1

*George V. Oravec*  
 Registered Surveyor No. 5439