

GENERAL INFORMATION

Subject

- Request - Appeal of a Certificate of Appropriateness (COA) to Install a New 6' Wood Privacy Fence in Front Yard
- Location - 2701 Parkwood
- Owner - Brandi Winkelman
2701 Parkwood
Toledo, OH 43610

Site Description

- Zoning - RD6/ Duplex Residential
- Frontage - 53' on Parkwood
135' on Baldwin
- Use - Single-Family Residential
- Year Built - 1915

Parcel History

- OWE-25-24 – Install a New 6' Wood Privacy Fence in Front Yard (Historic District Commission Approved 3.5ft Fence in Front Yard 9/9/24)
- OWE-187-23 – Replace Rotten Wood, roof and Windows (Admin Approved 12/15/23)
- OWE-119-22 – Reroof with Like Material (Admin Approved 7/29/22)
- OWE-31-21 – Tuckpointing (Admin Approved 4/1/21)
- OWE-53-21 – Install Satellite Dish (Admin Approved 5/14/21)
- OWE-104-18 – Reroof with Like Material (Admin Approved 10/18/18)
- OWE-115-18 – Site Work (Commission Approved 3/29/19)
- OWE-127-00 – Reroof with Like Material (Admin Approved 11/22/00)
- OWE-118-95 – Replace Rear Porch with Sliding Glass Doors (Historic District Commission Approved 6/12/95)

Applicable Plans, Regulations

- Toledo Municipal Code (T.M.C.), Part 11, Planning and Zoning Code, Chapter 1103.0300 - Historic Overlay Districts, Chapter 1111.1100 Certificates of Appropriateness
- U.S. Secretary of Interior's Standards and Guidelines for Rehabilitating Historic Buildings, Windows.

STAFF ANALYSIS

This request is an appeal of a Certificate of Appropriateness (COA) to install a new 6' wood privacy fence in a front yard. The applicant asserted that a number of 6' fences are located in the front yards in the area and neighborhood and the fence is requested to provide privacy and security. The applicant stated that a number of rental properties are located in the immediate area and crime has been on the increase. The area to be fenced is a garden area located at the rear of the property. However, this property is located on the corner of Parkwood and Baldwin resulting in the area being identified as a front yard. Pursuant to TMC§1116.0137 – a Front Yard is defined as a yard extending across the front of a lot between the side lot lines, being the horizontal distance between the right-of-way and the principal building or any projections thereof other than the projections of permitted uncovered steps, uncovered balconies or unenclosed porches. As a result, the property has multiple “front yards”.

Fences located in the front yard setback are permitted up to three and a half (3.5') feet in height. Pending the outcome of the appeal, the applicant will seek a variance to allow a fence of six (6') feet in height. The Old West End Historic District Commission (OWEHDC) found that a 3.5' fence in the front yard setback was appropriate as a 6' tall fence would not only be out of character in the area it would obstruct the Baldwin Road façade from public view. Therefore, the OWEHDC approved a 3.5' fence in the front yard and 7' fence elsewhere in the rear yard.

The applicant is seeking a Certificate of Appropriateness (C.O.A) because as stated in TMC§111.1101 "no contractor, owner or other person may make any environmental changes to any property designated as a historic landmark or within a designated historic district unless a valid written C.O.A has been issued by the respective Historic District Commission in accordance with the procedures of TMC§111.1100".

The U.S. Secretary of Interior's Standards and Guidelines for Rehabilitating Historic Buildings

Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.

REF: OWE-25-24
DATE: October 10, 2024

The building site is located in a designated historic district and consists of a historic building or buildings, structures, and associated landscape features and their relationship within a designed or legally-defined parcel of land. A site may be significant in its own right or because of its association with the historic building or buildings. The U.S. Secretary of Interior's Standards and Guidelines for the Treatment of Historic Properties recommends identifying, retaining, and preserving features of the building site that are important in defining its overall historic character. Site features may include walls, fences, or steps; circulation systems, such as walls, paths, or roads. Retaining the historic relationship between buildings and the landscape is also recommended. The Standards and Guidelines does not recommend altering buildings and their features or site features which are important in defining the overall historic character of the property so that, as a result, the character is diminished.

Based on OWEHDC decision to permit only a 3.5' board-on-board fence in the front yard setback, the applicant has appealed the Certificate of Appropriateness (COA) to install a new 6' board-on-board wood privacy fence in the front yard along the Baldwin Road frontage, staff recommends that the Plan Commission uphold the Old West End Historic District Commissions approval of 3.5' fence in the front yard.

STAFF RECOMMENDATION

The staff recommends that the Plan Commission uphold the Old West End Historic District Commission approval of 3.5' fence in the Baldwin Road front yard setback at 2701 Parkwood for the following reasons:

1. The proposed 6' fence would be out of character for the area, and
2. The proposed 6' fence would obstruct the historic features of the Baldwin Road façade from public view.

BH
Attachments follow

Exhibit "A"
Application



CITY OF TOLEDO HISTORIC DISTRICT COMMISSIONS
APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
SUPPLEMENTAL INFORMATION

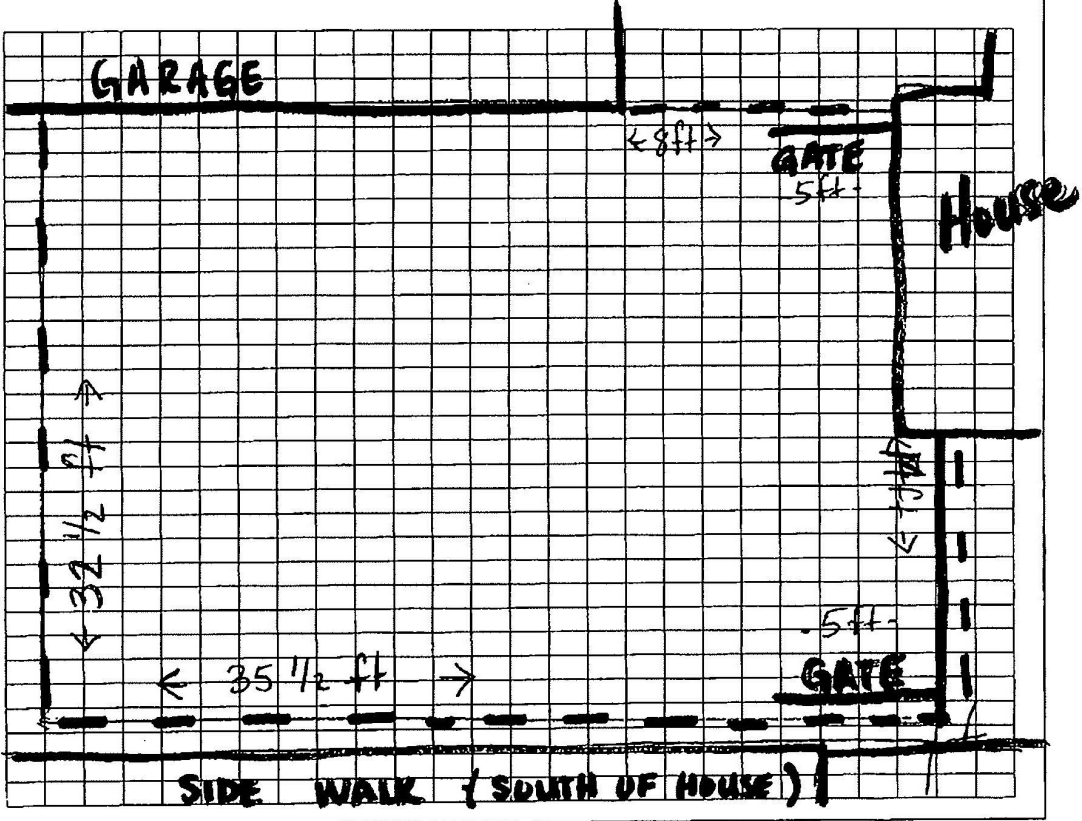
3. DESCRIPTION OF PROPOSED WORK

Please use the space below to provide additional details regarding proposed work.

Property Address: 2701 Parkwood Ave., Toledo, Ohio, 43610
Install of 6ft privacy fencing at rear of house / side of garage around the back yard. Two gates; one between house/garage + one at side walk on south-east corner of fencing. Property behind house is an unoccupied rental that has fallen into disrepair.

4. SITE DETAILS

Please use the space below to illustrate site details.



* A building permit is required for the activity detailed. Please contact the Division of Building Inspection at 419-245-1220 for more information.

REF: OWE-25-24
DATE: October 10, 2024

Exhibit "B"
Front of House



REF: OWE-25-24
DATE: October 10, 2024

Exhibit "C"
Fence Location from Baldwin

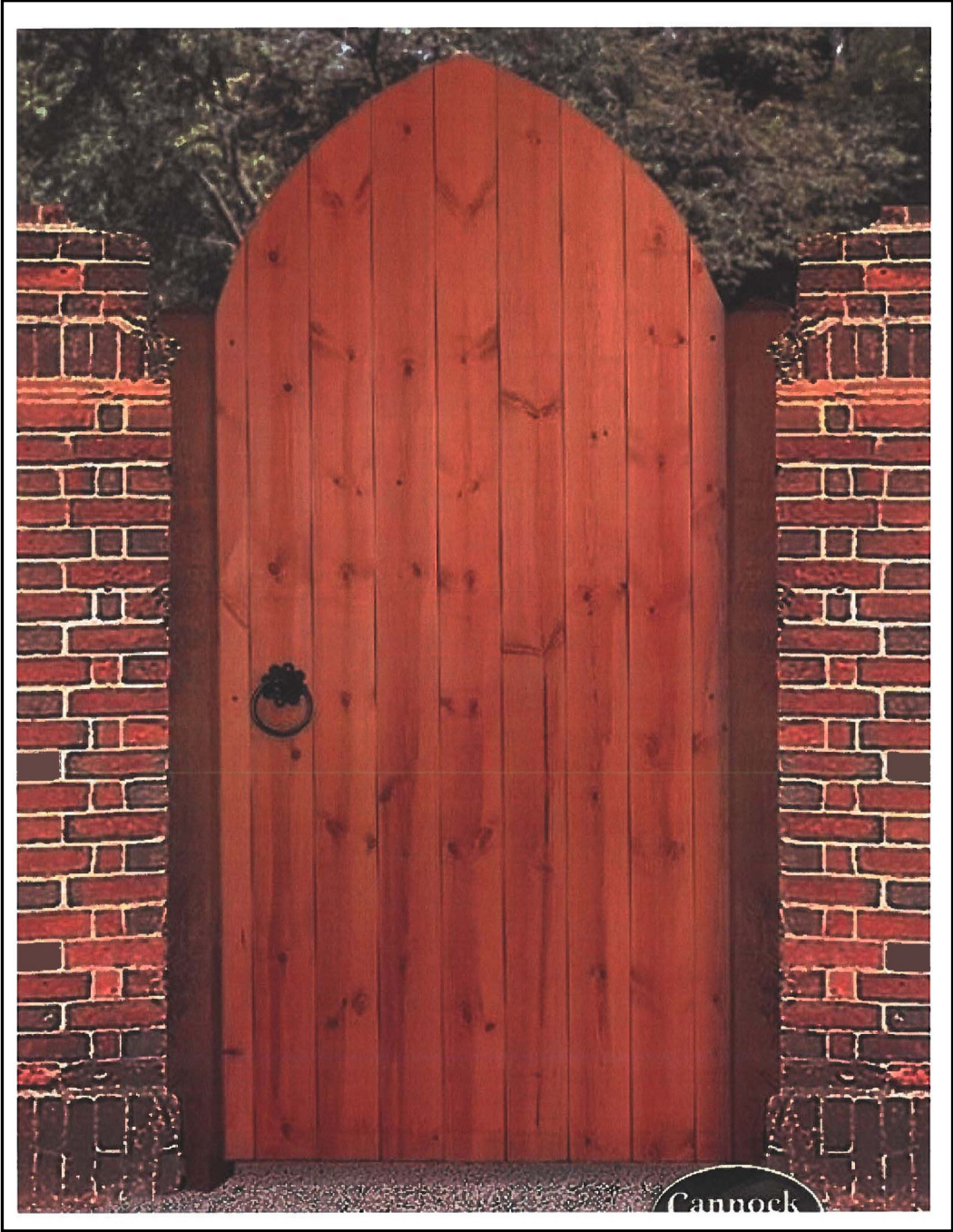


REF: OWE-25-24
DATE: October 10, 2024

Exhibit "D"
Fence



Exhibit "E"
Gate



REF: OWE-25-24
DATE: October 10, 2024

Exhibit "F"
Appeal Request and Crime Report

Harbert, William

From: Brandi W <bw.mft4u@gmail.com>
Sent: Sunday, September 15, 2024 9:48 PM
To: Harbert, William
Subject: Re: Request for Appeal; OWE-25-24
Attachments: toledo police biannual community safety report 2023 pgs 12 to 15.pdf

Please review the additional statistics from the Toledo Police Department's biannual community safety report for reports from 2023 specific to the zip codes 43610 and 43620.

On Sun, Sep 15, 2024 at 9:38 PM Brandi W <bw.mft4u@gmail.com> wrote:

Additional information pertaining to crime statistics in the immediate area: according to Toledo Police's crime map, in my area (43610) thus far this year there have been 81 crime reports which included 21 burglaries, 13 robberies, 15 assaults, 26 auto thefts, and 6 thefts from a motor vehicle. These numbers do not include the 5 homicides reported in the historic district of the neighborhood from 2020 to 2023, or the 16 shootings within one block of my property within the last four years. These statistics show good cause for increased security measures in support of the proposed privacy fencing.

Information obtained from: [Crime Stats | Toledo Police Department Transparency \(arcgis.com\)](#)

On Sun, Sep 15, 2024 at 8:40 PM Brandi W <bw.mft4u@gmail.com> wrote:

Here are additional examples attached...

On Sun, Sep 15, 2024 at 8:38 PM Brandi W <bw.mft4u@gmail.com> wrote:

REF: OWE-25-24
DATE: October 10, 2024

Exhibit "F"
Appeal Request and Crime Report

Here are several examples of existing privacy fencing taller than 3.5ft limitation for frontage within the historic district.

On Tue, Sep 10, 2024 at 2:54 PM Brandi W <bw.mft4u@gmail.com> wrote:

Hello Mr. Harbert,

I am writing to request an appeal of the decision made by the Old West End Historic District Commission on 9/09/2024.

Application Reference #OWE-25-24; my application for a certificate of appropriateness (COA) permitting a new fence installation. I was denied the COA and allowance of a fence of six (6') feet in height, for which the Board of Zoning Appeals had asked that the Historic District Commission review the application prior to their review. The (COA) request was to install a new six (6') foot tall board-on-board fence around the garden portion of the property that is along the Baldwin Road frontage. The property is situated on the corner of Parkwood and Baldwin Roads. A front yard is defined as a yard extending across the front of a lot between the side lot lines, being the horizontal distance between the right-of-way and the principal building or any projections thereof other than the projections of permitted uncovered steps, uncovered balconies or unenclosed porches. As a result, the property has multiple "front yards". Fences located in the front yard setback is permitted up to three and a half (3.5') feet in height.

According to historical preservation guidelines, preservation is defined as the act or process of applying

Exhibit "F"
Appeal Request and Crime Report

measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.

With historical guidelines in mind, I would like to submit the following points for consideration to appeal the denied variance in height and associated COA:

- 1) The requested fencing height was found to not be out of place in the neighborhood and several examples of six foot fencing behind homes on corner lots were viewed at the meeting. Please review attached photos of privacy fencing within two to three blocks from the parcel location.
- 2) The board has found the chosen materials for fencing to be an appropriate style and an enhancement of the property, which supports meeting the criteria for maintaining the historic character and integrity of the property.
- 3) The protective value of this fencing will provide added security in relation to the parcel's location in the neighborhood. Please review and consider the attached police statistics pertaining to crime in the immediate vicinity.
- 4) The adjacent parcels are rental properties, which will equally benefit from the privacy afforded by this fence. I have already spoken with the neighbor closest to the proposed privacy fence at 616 Baldwin, and they are in agreement as to the increased privacy for their renters.

REF: OWE-25-24
DATE: October 10, 2024

Exhibit "F"
Appeal Request and Crime Report

5) The fencing does not obstruct any significantly attractive or valuable perspectives or views from nearby homes in the vicinity.

My hope is that these considerations will highlight the appropriateness and added value of the proposed fence; and, so that we can obtain the COA and variance needed to proceed. Thank you for your time and consideration in this matter.

Regards,

Brandi Winkelman
2701 Parkwood Ave
Toledo, Ohio 43610
419-984-2973

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REF: OWE-25-24
DATE: October 10, 2024

Exhibit "G"
Photo of Fence at 2642 Scottwood



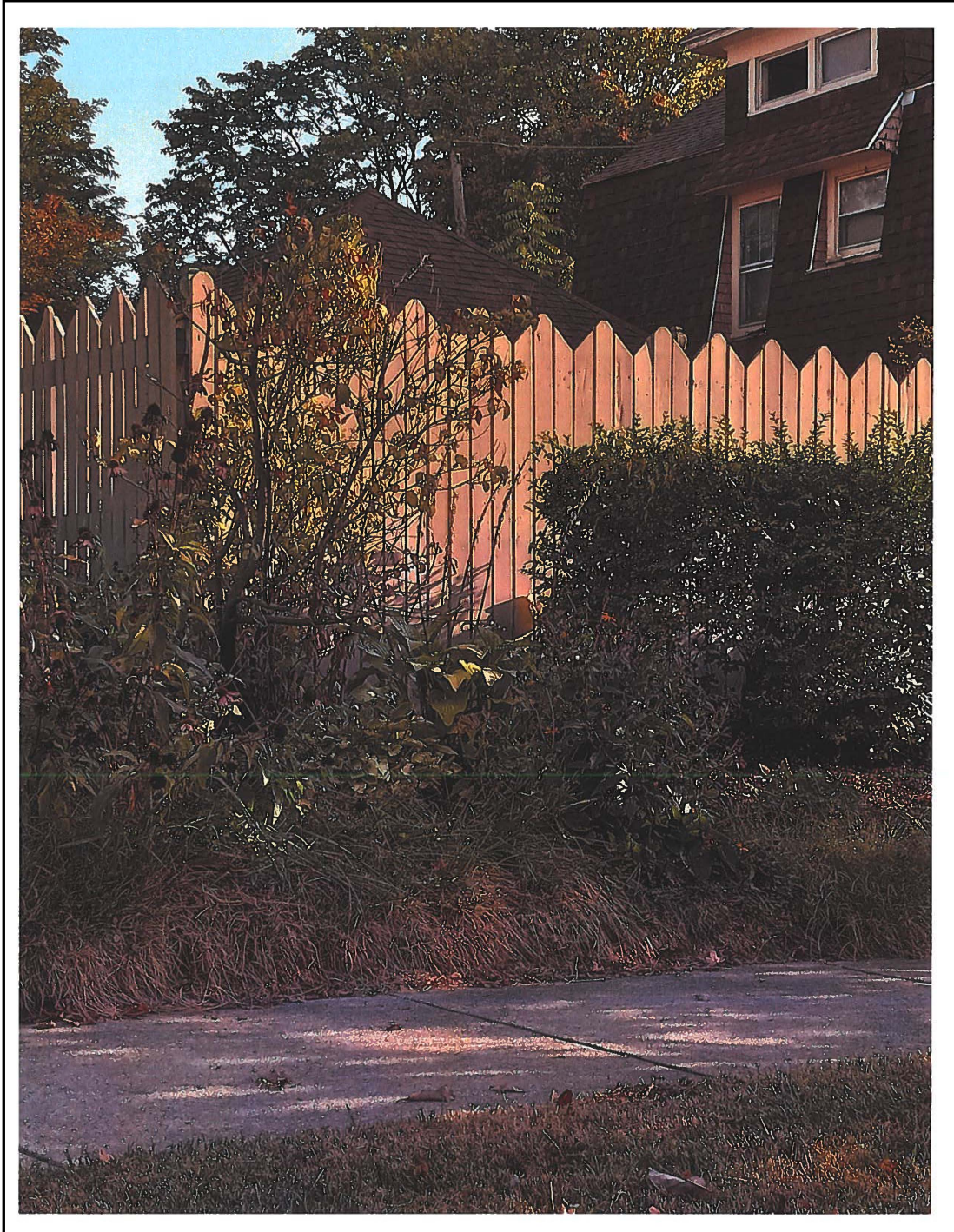
REF: OWE-25-24
DATE: October 10, 2024

Exhibit "H"
Photo of Fence at 2601 Scottwood



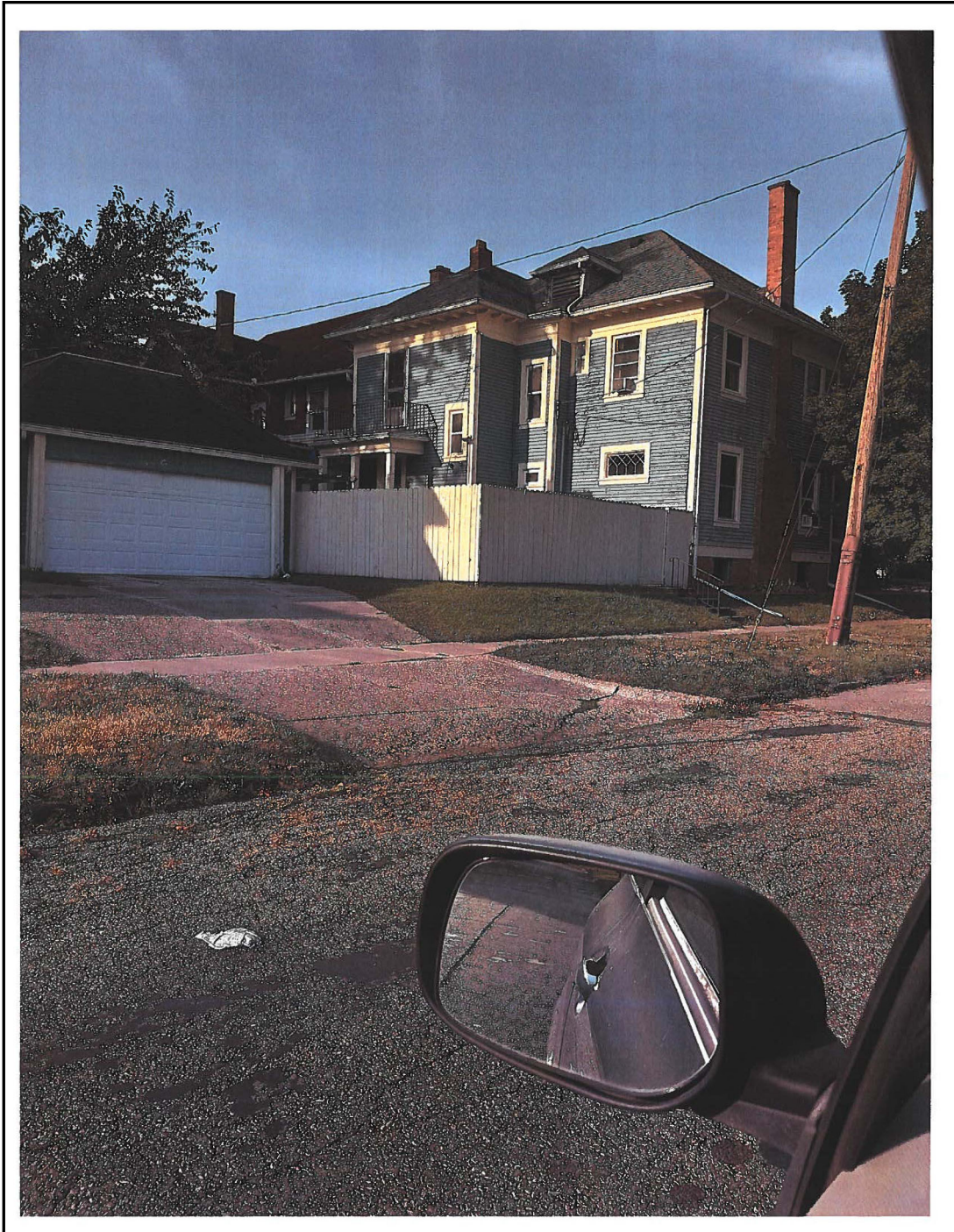
REF: OWE-25-24
DATE: October 10, 2024

Exhibit "T"
Photo of Fence at 2602 Scottwood



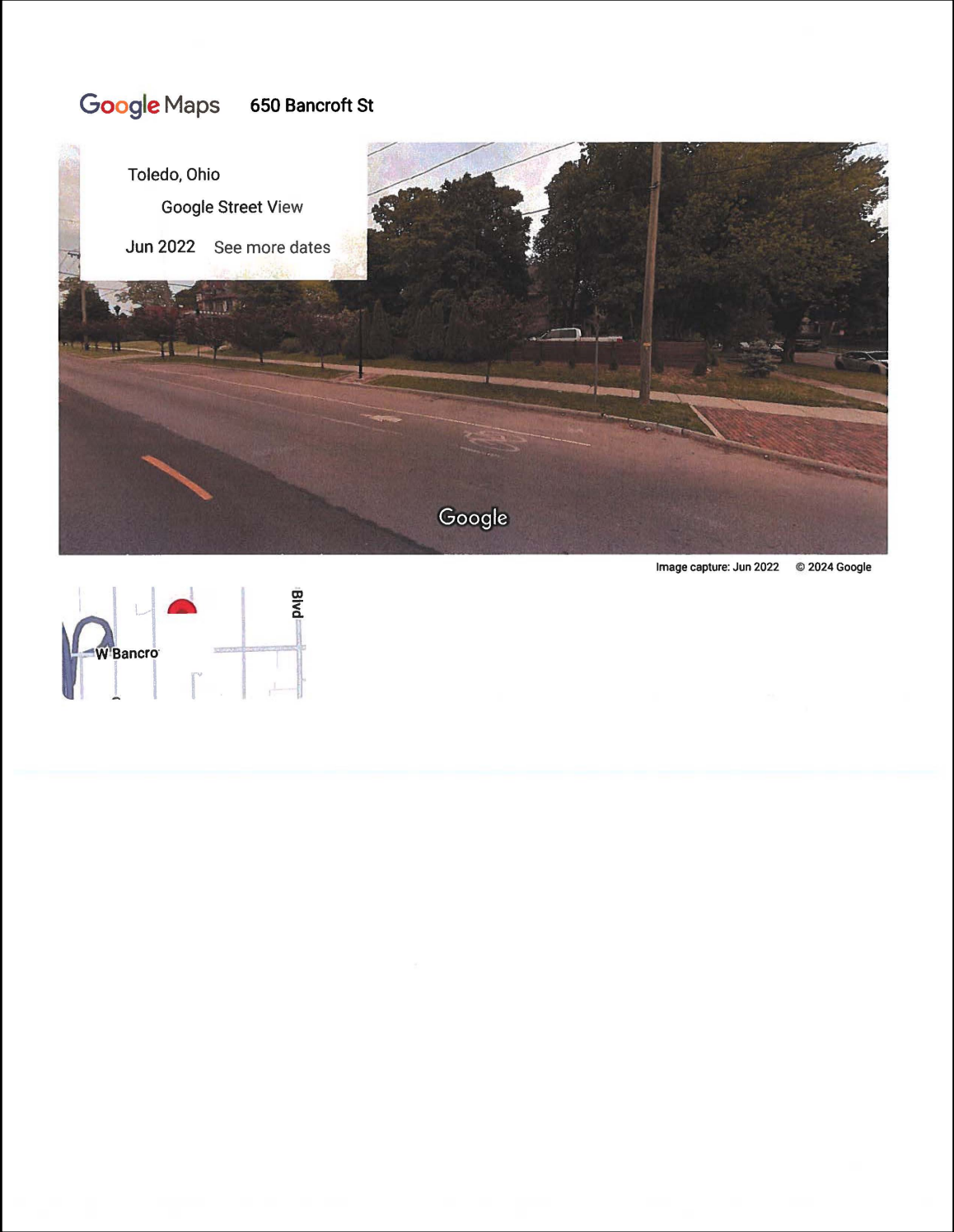
REF: OWE-25-24
DATE: October 10, 2024

Exhibit "J"
Photo of Fence at 2742 Scottwood



REF: OWE-25-24
DATE: October 10, 2024

Exhibit "K"
Photo of Fence at 2200 Scottwood



REF: OWE-25-24
DATE: October 10, 2024

Exhibit "L"
Photo of Fence at 2273 Robinwood



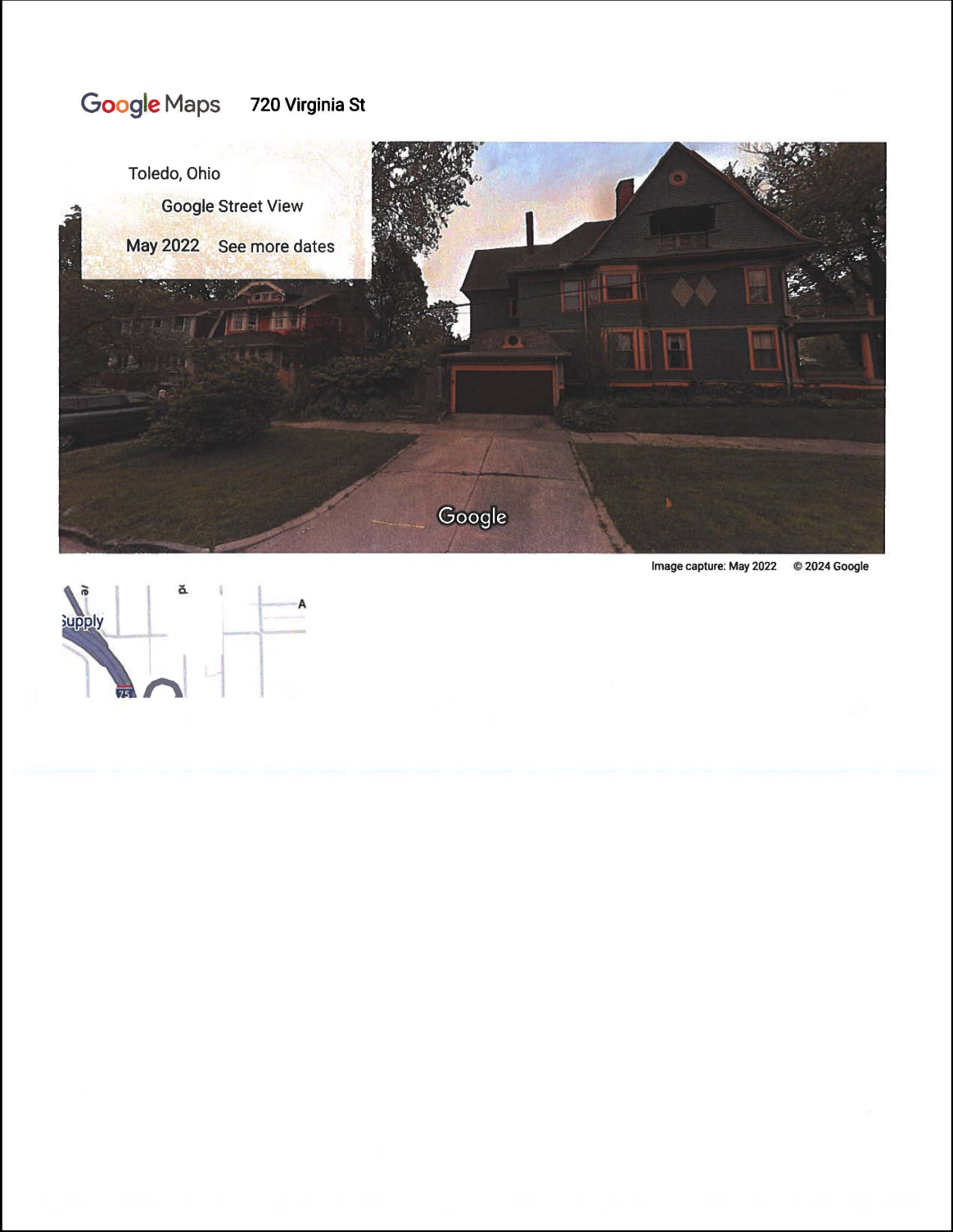
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DATE: October 10, 2024

Exhibit "M"
Photo of Fence at 2562 Glenwood



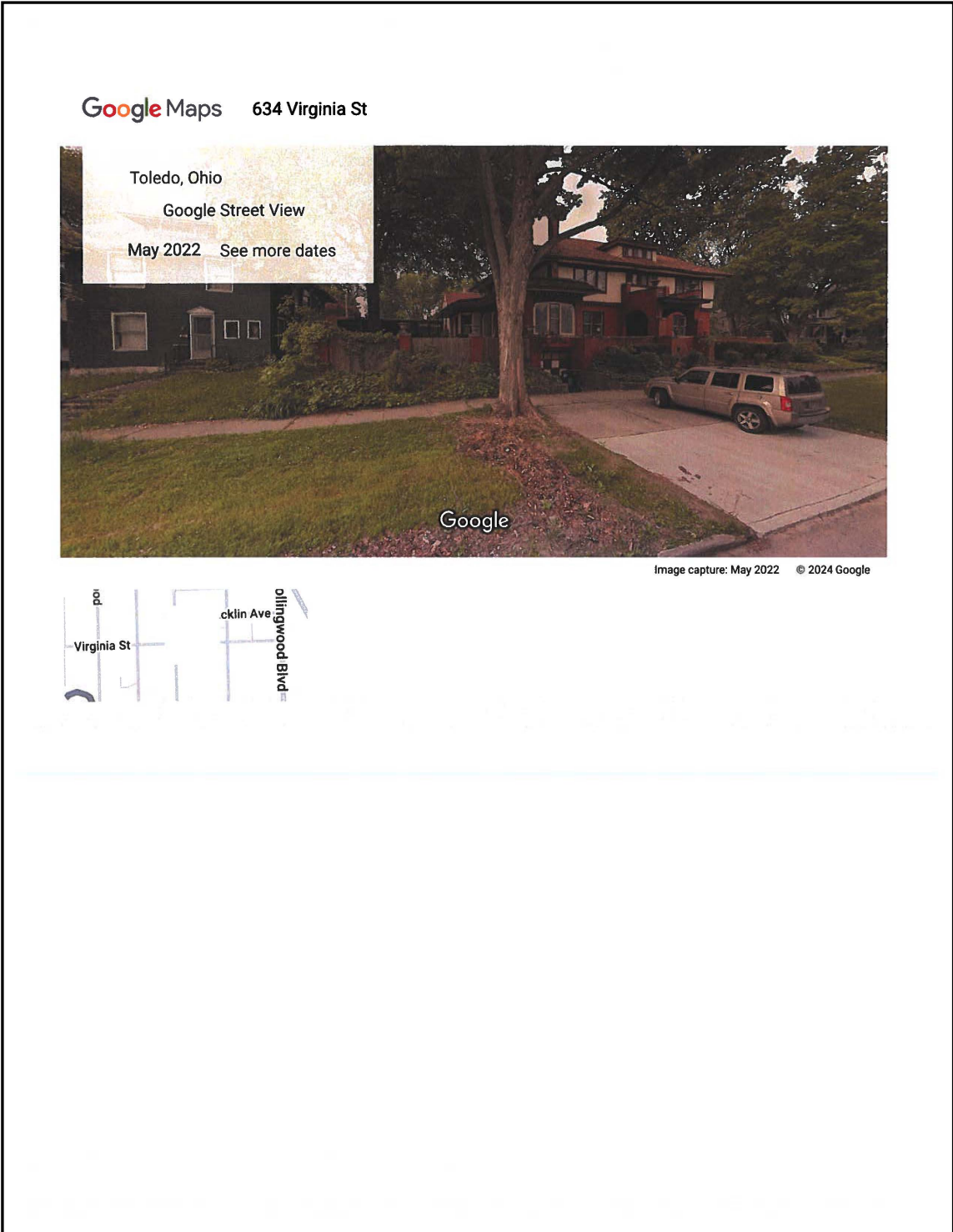
REF: OWE-25-24
DATE: October 10, 2024

Exhibit "N"
Photo of Fence at 2273 Glenwood



REF: OWE-25-24
DATE: October 10, 2024

Exhibit "O"
Photo of Fence at 2272 Scottwood



REF: OWE-25-24
DATE: October 10, 2024

Exhibit "P"
Photo of Fence at 2370 Parkwood

