
APPLICATION FOR A SPECIAL USE PERMIT

APPLICATION #: SUP26-0018
APPLICANT: Kyle D. Tucker, Atty.
OWNER: EDS Investments LLC
ADDRESS: 5825 Angola Road
PARCEL(S): 26-11551
ZONING: Limited Industrial (IL)
NEIGHBORHOOD: South Hill
REPORT DATE: July 31, 2026
HEARING DATE: August 13, 2026
STAFF REVIEWER: Vachon

Details of Special Use Permit Request:

The request is for storage of towaway vehicles located at 5825 Angola Road. The use is permitted within Limited Industrial (IL) zoning districts with an approved Special Use Permit.

Parcel History

There is no legible case history for the site. The property has been utilized for various types of uses including warehousing, automotive repair, fleet storage, and currently an active tow lot.

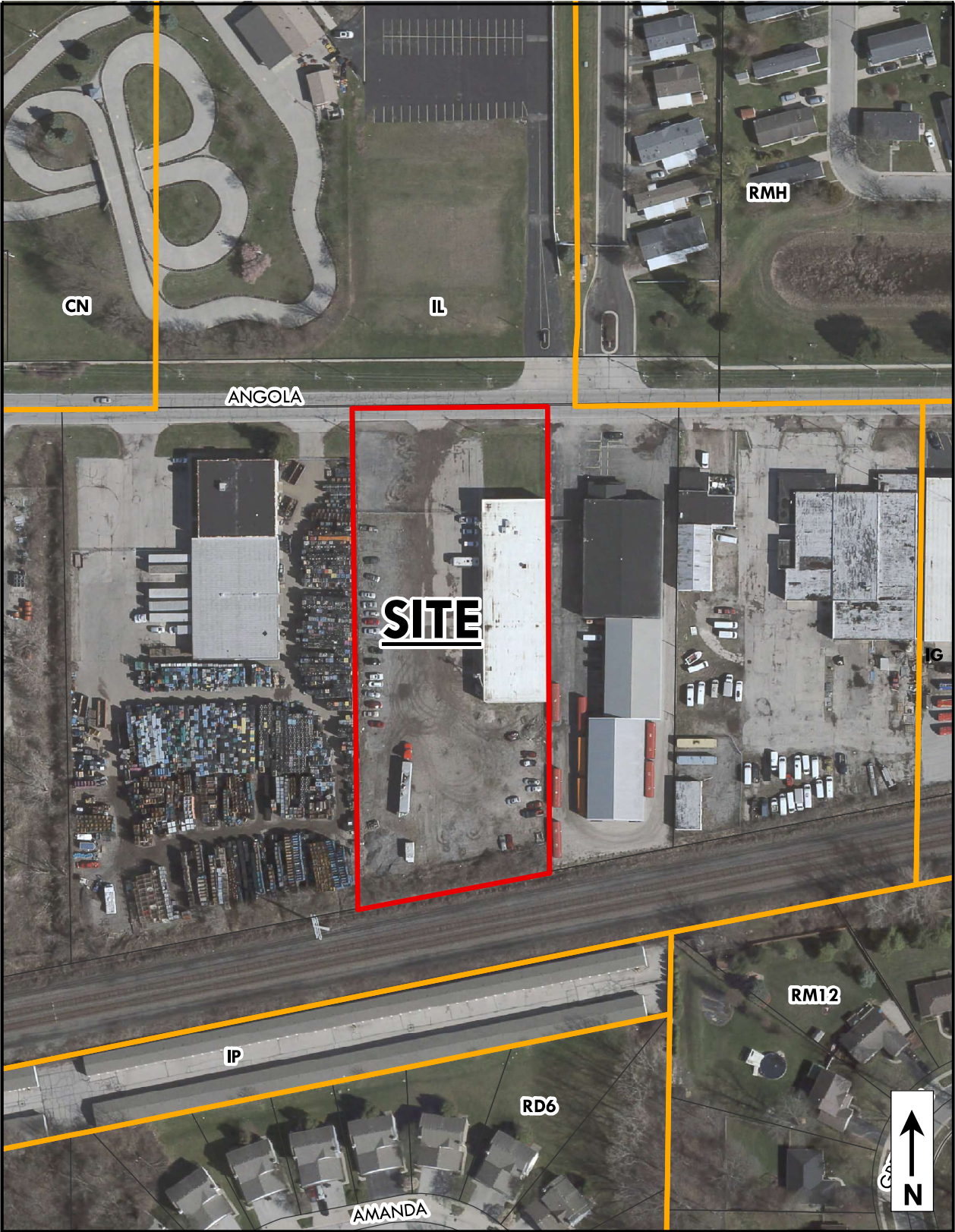
Existing Conditions

Historically, the parking area consisted of a dirt and gravel lot. Between 2008 and 2010 the site was vacant and revegetation occurred. Around 2015, stone was laid in the parking area. In 2024, the applicant began operations of storing towaway vehicles without an approved Special Use Permit. Therefore, the existing stone/gravel parking lot and use of the site are non-compliant.

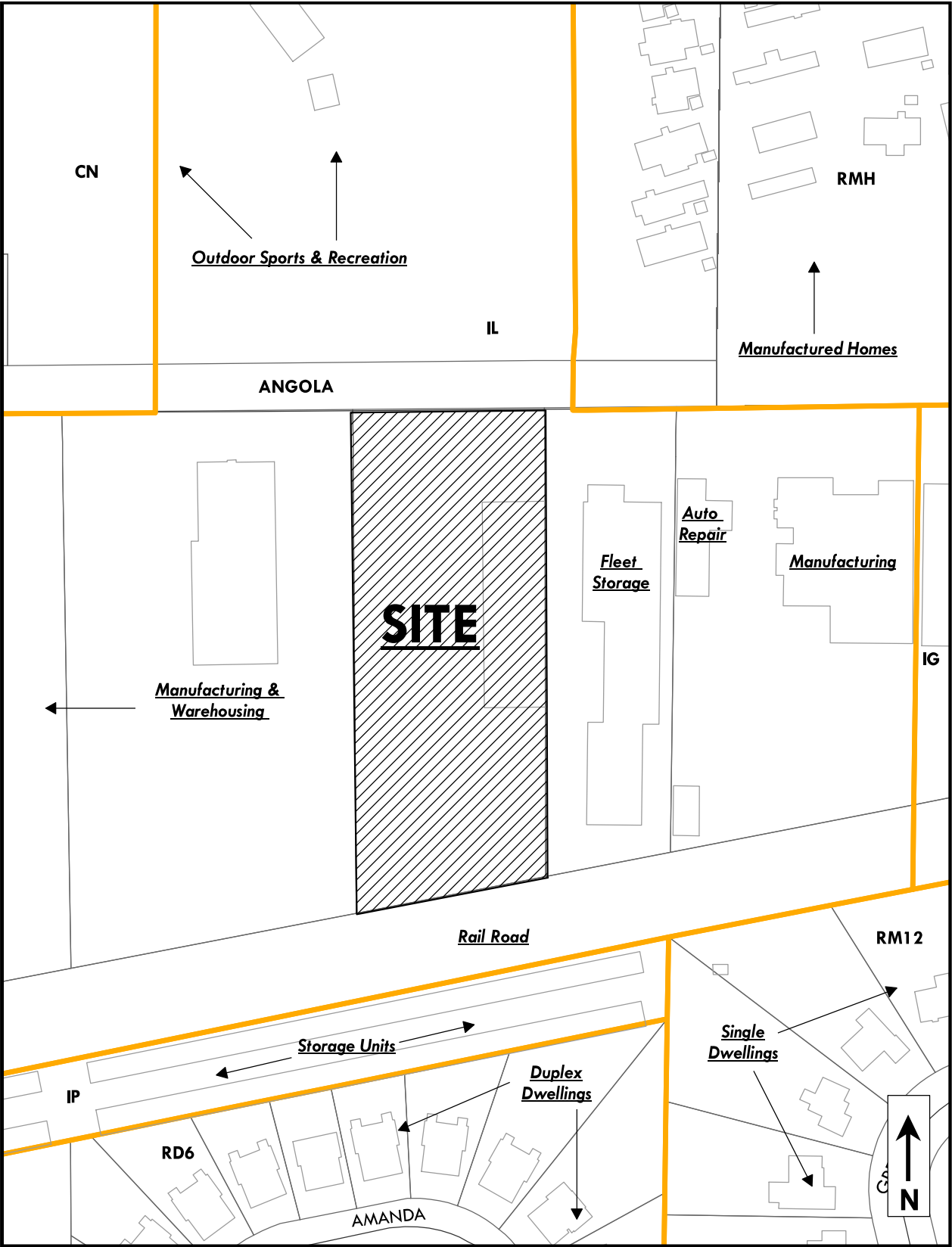
Proposed Project

The applicant proposes a tow lot operation at the subject site. Pursuant to TMC§1104.1600 – Storage of towaway vehicles must be located on a major street and be 500-feet from any Residential District. North of the site across Angola Road is Manufactured Housing Park - RMH zoning; south of the site across a railroad is Multi-Dwelling Residential - RM12 and Duplex Residential - RD6 zoning. The entire subject site is located within 500-feet of a residential district and cannot meet the use regulation of TMC§1104.1601 thus, staff cannot recommend approval of the Special Use Permit.

Staff is recommending **disapproval** of the Special Use Permit. There are thirty (30) conditions if approved, and two (2) waiver requests.



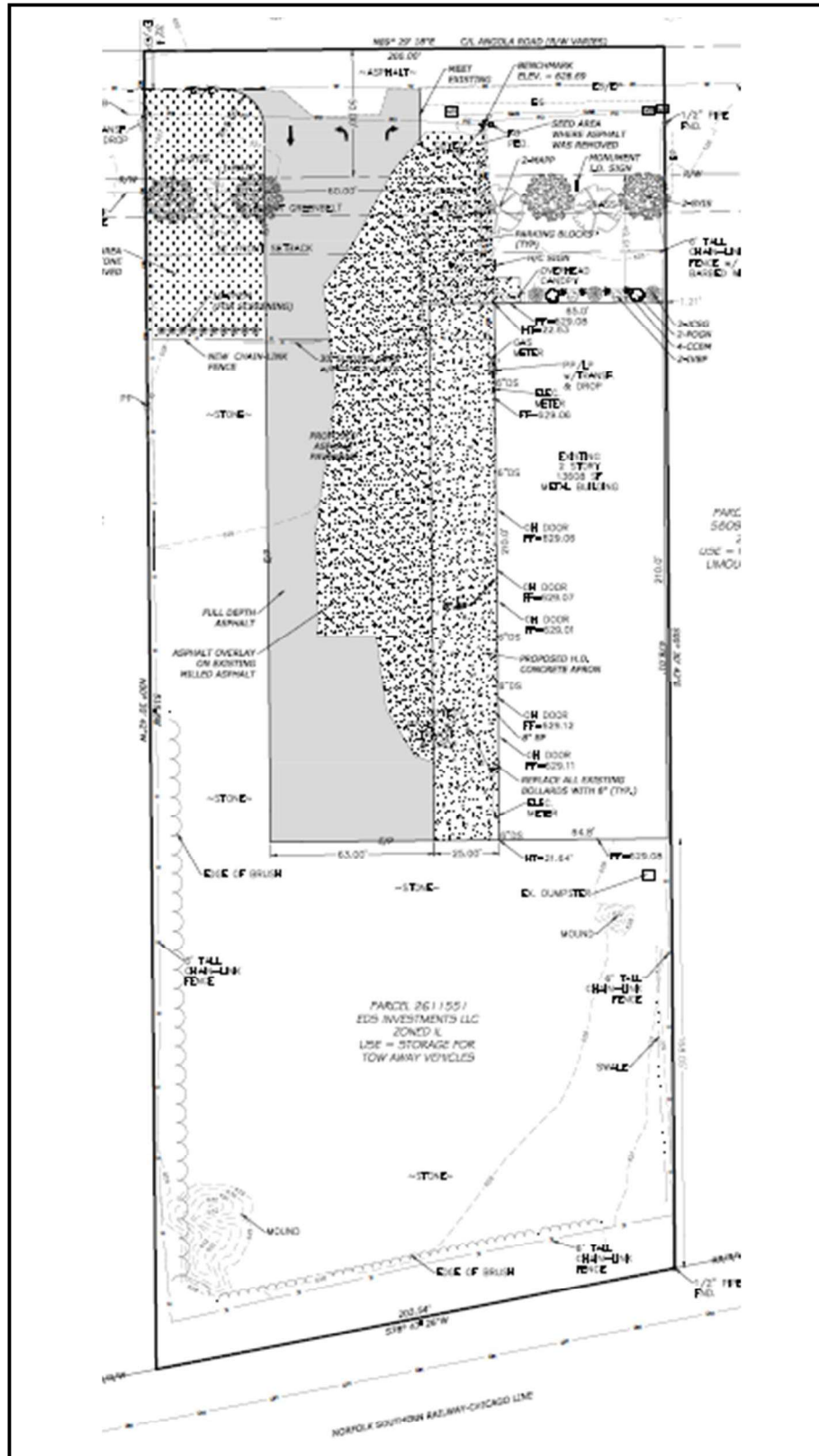
Aerial image of the subject property from the Plan Commissions GIS.



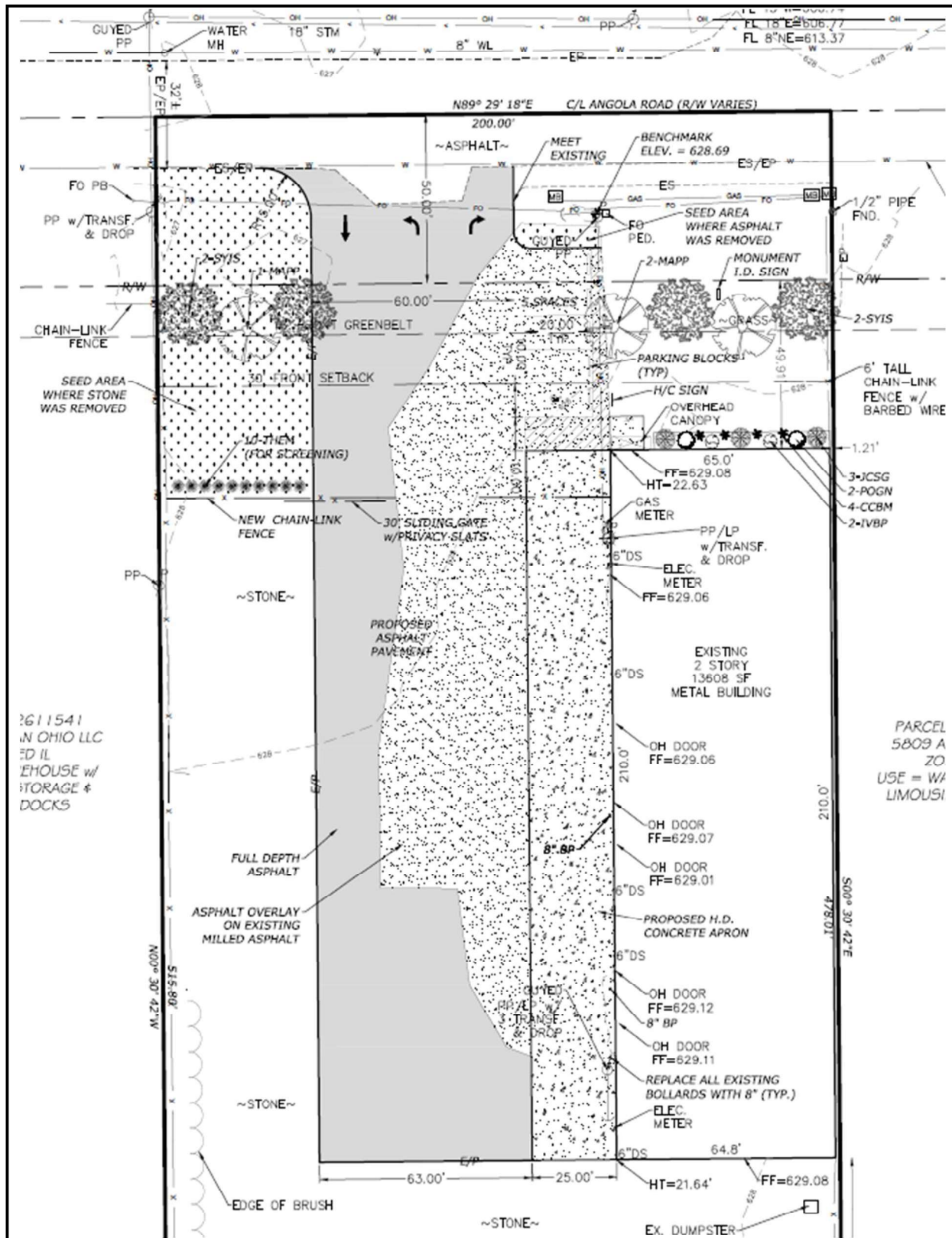
Zoning and Land Use Map.



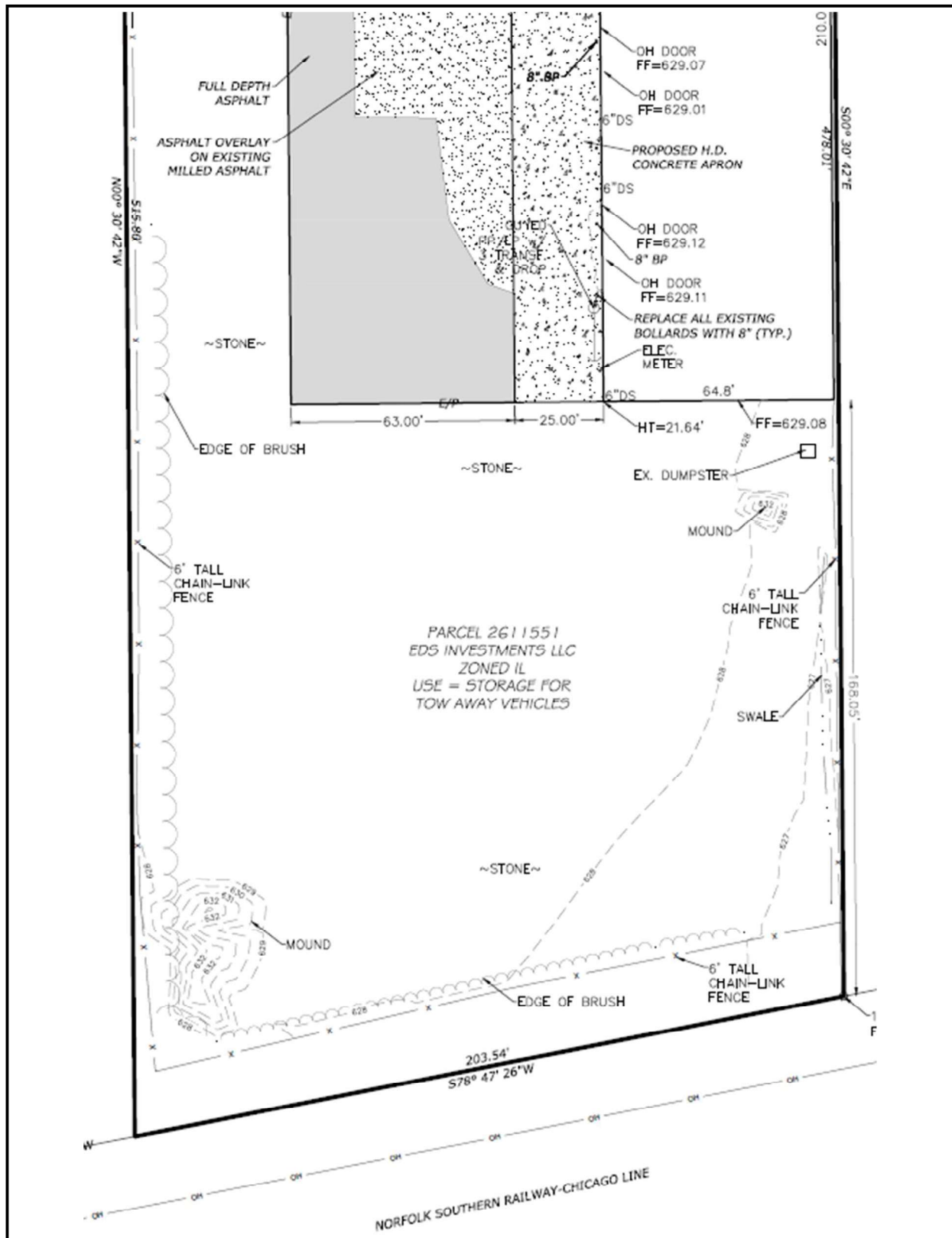
Google Street View of the subject site from Angola Road (September 2025).



Overall proposed site plan.



Northern area of the proposed site plan.



Southern area of the proposed site plan.

Analysis

Chapter 1104 – Use Regulations

- (a) *Location (1104.1600)*. Storage of vehicles must be 500-feet from any Residential district and be located on a major street. – Angola Road is classified as a major street; however, the entire site is within 500-feet of a residential district. A waiver of this use regulation is requested.
- (b) *Outdoor Storage (1104.1602)*. Storage of vehicles outdoors must be shielded by a fence between six feet (6') and ten feet (10') tall that shields the premises from ordinary view on all sides. All inventory of the business must be stored behind the fence. – The applicant proposes a six-foot (6') tall slatted fence along the frontage to screen towaway vehicles.
- (c) *Landscaping (1104.1603)*. A Type A landscape buffer shall be provided along the fence. The Type A landscape buffer shall be ten feet (10') in width and consist of four (4) canopy trees and fifteen (15) shrubs for every 100 linear feet. – The applicant proposes ten (10) six foot (6') tall Arborvitae trees. Staff finds this acceptable for screening purposes.

Chapter 1105 – Accessory Uses

- (a) *Industrial Districts (1105.0302)*. Fences shall not exceed a height of three and one-half feet (3.5') in the front yard and no part of the fencing shall extend into the public right-of-way. – An existing six-foot tall fence extends from the front of the building through the front yard and into the public right-of-way. Staff requests this fence be removed.
- (b) *Barbed Wire (1105.0303)*. The use of barbed wire, razor wire, or concertina wire is prohibited in the front yard setback or anywhere along a street right-of-way. - The site plan indicates that the six foot (6') tall fence in the front yard will be topped with barbed wire. Barbed wire in the front yard or along the street right-of-way is not permitted.

Chapter 1106 – Intensity and Dimensional Standards

- (a) *Industrial District Standards (1106.0103)*. The existing building complies with all applicable regulations of this section.

Chapter 1107 – Parking, Loading and Access

- (a) *Setbacks (1107.1202(B)(1)&(2))*. Off-street parking facilities, including vehicular drives and maneuvering areas are prohibited within required landscape buffers and fifteen feet (15') of the street right-of-way. – Not acceptable as depicted. The site plan proposes five (5) parking spaces north of the building. Three (3) spaces are within the required frontage greenbelt and fifteen feet (15') of the right-of-way. The three (3) spaces shall be removed.

Analysis (continued)

Chapter 1107 – Parking, Loading and Access (continued)

- (b) *Maneuvering Area (1107.1904(A))*. The maneuvering area for a parking space may occur anywhere on a parcel except within any required landscape buffers. – Not acceptable as depicted, through the removal of the northern three (3) parking spaces this code section will be satisfied.
- (c) *Surfacing and Drainage (1107.1906)*. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways shall be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill. – Not acceptable as depicted, a waiver of this code section is requested.

Chapter 1108 – Landscaping and Screening

- (a) *Frontage Greenbelt (1108.0202)*. If a parking lot is proposed to be developed in the front of the property, the frontage greenbelt shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of any vehicles can be seen from the street. – Not acceptable as depicted, a solid evergreen hedge planting shall be provided adjacent to the parking spaces in front of the building.
- (b) *Outdoor Storage Screening (1108.0203(H))*. Fencing six feet (6') to ten feet (10') in height is required to screen outdoor storage. The fence type may be shadow box, chain link with slats, or stockade – The site plan depicts a six foot (6') tall fence surrounding the perimeter of the site. The perimeter fencing shall have slats to fully screen all outdoor storage.

Chapter 1109 – Design Standards

Building facade modifications are not proposed.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Future Land Use Map targets this site for Low Impact Industrial - LI. The intent of the LI land use designation is to provide space for smaller-scale industrial users that have minimal exposure of nuisance conditions such as noise, odor, or outdoor storage when adjacent to non-industrial uses. Given the close proximity to residential users and the typical operational characteristics of towing vehicles leads to potential nuisances of noise and outdoor storage. The request for a Special Use Permit for a tow lot at 5825 Angola Road does not align with the Forward Toledo Comprehensive Plan.

Findings

1. The entire site is within 500 feet of a residential district.
2. The proposed use does not align with the Forward Toledo Comprehensive Land Use Plan.

Development Approval Criteria

1. The proposed use does not comply with all applicable provisions of the zoning code (TMC§1111.0706(B)), and;
2. The proposed use is not compatible with adjacent uses in terms of scale, site design, and operating characteristics (TMC§1111.0706(C)).

Recommendation

1111.0706 Review and Decision-Making Criteria – DISAPPROVE – Special Use Permit for Towaway Vehicles at 5825 Angola Road.

Requested Waiver Recommendations

- (a) *Location (1104.1600)*. Waiver to allow storage of vehicles within 500 feet of a Residential district- **DISAPPROVE**; The intent of a buffer from Residential districts is to limit nuisances of noise created by trucks towing vehicles. The 500-foot buffer wholly encompasses the site. Allowing a waiver of this use regulation could set a precedent.
- (b) *Surfacing and Drainage (1107.1906)*. Waiver to allow stone gravel in the parking areas for vehicle storage – **APPROVE**; The applicant proposes paving improvements to the drive aisles and utilizing existing stone gravel in the parking areas for storage of towaway vehicles. The gravel area is setback sixty-five feet (65') from the right-of-way and is screened. Additionally, the applicant has provided a Dust Mitigation Plan attached as Exhibit “B”. Applicant shall still maintain compliance with all stormwater requirements.

Although staff is recommending disapproval of the Special Use Permit, agency conditions are attached to this report as exhibit “A” for reference purposes.

Exhibit "A"
Agency Conditions

The following conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. 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.
2. All proposed 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.
3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from Steve Kessinger at (419) 245-1347 or steve.kessinger@toledo.oh.gov. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.
4. Contact Dusty May at (419) 936-2697 or dusty.may@toledo.oh.gov for inspection of the above-mentioned items.
5. Timeline for Plan Commission's enforcement of paving condition shall account for the time needed for the applicant to provide a stormwater compliance site layout. Any site plan changes made for the stormwater compliance site layout will need review and accepted by Plan Commission. Following the acceptance of a stormwater compliance site layout, Stormwater Engineering Plans and a construction SWP3 will need submitted and approved by City of Toledo Engineering. The site plan designer is aware of stormwater management and submittal requirements, which are also available upon request.
5. Toledo cannot permit drainage increases to the rear property line without an easement to drain across it.

Sewer & Drainage Services

6. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
7. S&DS requires that the existing private sanitary lines (after they have been 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.

Exhibit “A” (continued)

Division of Environmental Services

8. Applicant shall determine if the facility and associated activities are eligible for coverage under the Ohio’s Industrial Storm Water permit. Facilities and activities eligible for coverage are identified in Appendix D of the Ohio Multi-Sector General Permit No.: OHR000007. If applicable, your facility should apply for coverage by submitting a Notice of Intent to the Ohio EPA by the end of construction.
9. Applicant shall maintain compliance with the City of Toledo’s Stormwater 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.
10. Applicant shall maintain compliance with Ohio EPA’s General Storm Water NPDES permit programs.
11. Applicant is strongly encouraged to install permanent inlet filters with oil absorbent pillow in parking lot catch basins to treat stormwater.
12. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
13. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials. Information is at <https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/plants-trees/invasive-plants>; a list of invasive plants and alternative species can be downloaded from https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf
14. 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 Bureau

No comment nor concern.

Exhibit “A” (continued)

Division of Traffic Management

15. Sidewalks required per TMC§1107.1300 and City of Toledo Complete Streets Ordinance Ord. 391-23.
16. All off-street parking, loading spaces, parking lots, maneuvering areas, drive aisles and driveways must be surfaced with concrete, asphalt or other dust-free material other than gravel or loose fill per TM§C1107.1906. (Stone is not permitted).
17. Proposed parking in the right-of-way is not permitted.
18. Traffic Management requests the property line be brought into alinement with the right-of-way line.

Plan Commission

19. Request to remove the existing six-foot tall fence extending from the front of the building through the front yard and into the public right-of-way.
20. Pursuant to TMC§1105.030, any existing barbed wire in the front yard setback or anywhere along a street right-of-way shall be removed; new barbed wire is prohibited.
21. Pursuant to TMC§1107.0900, bicycle parking shall be provided. A revised site plan indicating number and location of bicycle parking spaces shall be submitted.
22. Per TMC§1107.1202(B)(1)&(2), off-street parking facilities, including vehicular drives and maneuvering areas are prohibited within required landscape buffers and fifteen feet (15') of the street right-of-way. Three (3) parking spaces proposed in required setbacks north of the building shall be removed and shown on a revised site plan.
23. A solid evergreen hedge planting shall be provided adjacent to the parking spaces north of the building and depicted on a revised site plan.
24. The six-foot (6') tall fence surrounding the perimeter of the site shall have slats to fully screen all outdoor storage.
25. Any proposed future signage shall meet the standards of TMC§1113 *Signs* and shall obtain separate sign permits.
26. 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.

Exhibit “A” (continued)

Plan Commission (continued)

27. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
28. 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.
29. 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.

Exhibit "B"

DUST MITIGATION PLAN

This Dust Mitigation Plan is submitted by Piasecki Towing Service, LLC, an Ohio limited liability company ("Piasecki"), in connection with Piasecki's application for a special use permit (the "SUP") to use the real property located at 5825 Angola Road, Toledo, Ohio 43615, and identified as Lucas County Parcel 26-11551 (the "Subject Property") for the storage of towaway vehicles.

BACKGROUND INFORMATION:

A. Under Toledo Municipal Code Section 1107.1906, off-street parking lots are to be "surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill";

B. In furtherance of the SUP, Piasecki seeks a variance to continue using the existing stone or gravel surface material on the area of the Subject Property behind the fencing (the "Variance Area");

C. The traffic in the Variance Area is and will continue to be minimal and dust has not historically created a problem at the Subject Property; and

D. The City of Toledo is supportive of granting the requested variance, but has requested that Piasecki adopt a dust mitigation plan to control the dust generated from the Variance Area.

NOW, THEREFORE, Piasecki agrees to implement the following dust control measures to minimize the generation of dust from the Variance Area.

1. Application of Water. During the dry season, and at such other times as conditions reasonably warrant, Piasecki shall spray water on the Variance Area as needed to mitigate dust. Water shall be applied in an amount and at a frequency reasonably sufficient to control visible dust associated with vehicle movement in the Variance Area, taking into account weather conditions, site conditions, and the volume of traffic on the Subject Property. Piasecki may adjust the timing and frequency of water application based on actual site conditions, including extended dry periods, unusually hot or windy weather, and the level of activity on the Subject Property.

2. Duration and Compliance. Piasecki shall maintain this Dust Mitigation Plan for so long as the variance allowing gravel or stone surfacing of the Variance Area remains in effect, and shall comply with this Dust Mitigation Plan in all material respects as part of its operation for the storage of towaway vehicles on the Subject Property.

Piasecki Towing Service, LLC,
an Ohio limited liability company

Sign

Print Name and Title

Date