
APPLICATION FOR TEXT AMENDMENT

APPLICATION #: **M-15-25**
APPLICANT: Plan Commission
REPORT DATE: May 29, 2026
HEARING DATE: June 11, 2026
STAFF REVIEWER: Harbert

Analysis

The Plan Commission in collaboration with stakeholders from the Old West End Historic District Commission, City Historic District Commission, Women of the Old West End, Land Bank and City and Private Attorneys have worked to propose an amendment to TMC§1111.1104 “No Retroactive Certificates”. This section is proposed to be replaced with 1111.1104 “Post Environmental Change Certificates”.

The change will assist with an ongoing issue of Staff being unable to accept or approve any application for retroactive certificates. This also results in building permits being withheld in historic districts. As it stands today, Post Environmental Changes require either full removal or a housing court ruling. Housing court has been consistent with supporting the TMC, which has resulting in many cases being dismissed without preservation being taken into account. It never made since for a homeowner to be required to remove a \$60,000 roof or \$40,000 driveway when a permit or COA was overlooked in error. Although these dismissed cases can be refiled into the court system, there was never a path towards compliance with preservation.

The proposed legislation will require all post environmental changes to be subject to review at the next available historic district commission meeting (subject to application deadlines). A submitted application does not guarantee that an approval will be granted. This only provides an application process. It should be noted that no Post Environmental Change Certificates will be permitted for demolitions of any structures. The funds collected through the post environmental change applications will be utilized for the improvement of the historic district overlays.

Recommendation:

1111.1104 Post Environmental Change Certificate – APPROVE – Text Amendment regarding post environmental change certificates for the following reason:

1. The proposed text amendment will allow staff to accept post environmental change applications which will result in less case being referred to housing court where often preservation or safety (building permits) outcomes became difficult to obtain.

Exhibit "A"

1111.1104 Post Environmental Change Certificates

An environmental change made without the prior issuance of a Certificate of Appropriateness are subject to the following procedures of this Section:

- A. Applications for a Post Environmental Change Certificate of Appropriateness for environmental changes upon landmarks or within designated Historic Districts shall be submitted directly to the Planning Director on forms provided by the Plan Commission in accordance with current procedures (portal submissions), together with complete sets of all applicable plans, designs, elevations, specifications and documents relating thereto.
- B. All Post Environmental Change Certificate of Appropriateness Applications must be reviewed at a posted and advertised Historic District Commission Meeting.
- C. Post Environmental Change Certificate of Appropriateness Applications may be approved, approved with changes or denied by the Historic District Commission. Appeals of any Historic District Commission decision shall be subject to TMC§1111.1109.
- D. No Post Environmental Change Certificate of Appropriateness Applications will be accepted for any demolition within the Overlay Districts.
- E. Penalties
 1. Post Environmental Change Certificate of Appropriateness shall be subject to the following retroactive application fee:
 - a) Owner Occupied Application: \$500
 - b) Non-Owner-Occupied Application \$1000
 2. Post Environmental Change Certificate of Appropriateness application fees shall be utilized for the improvement of the historic district overlays. The fund will be administrated by the Plan Commission.



Exhibit "B"
CITY OF TOLEDO HISTORIC DISTRICT COMMISSIONS
APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
FOR A POST ENVIRONMENTAL CHANGE

One Government Center, Suite 1620, Toledo, OH 43604
Phone: 419-245-1200 • Fax: 419-936-3730

Answer all the questions on this form and submit all required attachments. Incomplete applications will not be reviewed. If you have questions about application requirements contact the Toledo-Lucas County Plan Commissions at 419-245-1200 to ensure your application is complete.

I. GENERAL INFORMATION Old West End Westmoreland Vistula

Is the property owner occupied: Yes No Proof of owner occupancy may be required.

Property Address: _____

Property Owner:
 Print Name: _____
 Mailing Address: _____
 Phone: _____ Fax: _____ Email: _____
 Signature: _____

Contractor or Agent:
 Print Name: _____
 Mailing Address: _____
 Phone: _____ Fax: _____ Email: _____
 Signature: _____

I certify that all information contained in this application is true and accurate to the best of my knowledge.
 Applicant/Owner Signature: _____

A Post Environmental Change Certificate of Appropriateness (PECCOA) is a permit issued to allow for an exterior alteration or environmental change in the Historic Districts for work that was conducted without a COA. An environmental change means any exterior alteration, demolition, removal or new construction.

For Office Use Only

Fee Paid: _____

Date Received: _____ Application No. _____

Historic District: Vistula Old West End City _____

Signed: _____

Historic Commission Review Date: _____ Decision Date: _____

Certificate of Appropriateness Expires One Year from Date of Approval on _____

Approved Denied Deferred Details: _____

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Appealed: Yes \$25 No If Yes, Date of Submission: _____

Hearing Date: _____ Appeal Decision: Affirmed Overturned

Decision Date: _____ Details: _____

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Certificate Issued on: _____ Signed: _____

Requirements for Certificate of Appropriateness Application for Post Environmental Changes in the City of Toledo

The Historic District Commissions meet on the following:

Old West End	2 nd Monday of the Month* Collingwood Presbyterian Church 2108 Collingwood Avenue Fellowship Hall @ 5:30 p.m.
Toledo City Historic (Westmoreland) (Vistula)	4 th Monday of the Month* Collingwood Presbyterian Church 2108 Collingwood Avenue Fellowship Hall @ 5:30 p.m.

*Dates subject to change due to holiday schedules (schedules are available upon request)

Applications to be reviewed by the Commissions must be submitted a minimum of 3 weeks prior to the meeting. A schedule for the Historic District Commission's meetings can be found at <https://toledo.oh.gov/departments/plan-commission> or in the office of the Toledo-Lucas County Plan Commissions.

Any exterior work, including repairs, on any property (contributing, non-contributing, or vacant) located in the Old West End, Vistula, or Westmoreland Historic District that did not obtain a Certificate of Appropriateness before must make a Post Environmental Change COA application and have the work approved by the Historic District Commission (See TMC 1103.0306 Certificate of Appropriateness). **If you have a question about the appropriateness of the work you want to do, or about whether a certificate of appropriateness is required, please call the Plan Commission at 419-245-1200 and staff will discuss it with you.**

Failure to obtain a Certificate of Appropriateness prior to performing work will result in a notice of violation or a stop work order from the Division of Building Inspection and the applicant will be required to remove all improvements or apply for a post environmental change. Failure to comply will result in litigation. In addition to a Certificate of Appropriateness for a Post Environmental Change, a building permit may also be required. Please contact the Division of Building Inspections at 419-245-1220 for more information. Post environmental changes are not a guarantee that an application will be approved, approved with changes or denied. All post environmental changes require Historic District Commission review.

In order to be reviewed by either staff or the Historic District Commissions, applications must be complete. The documentation listed below must be submitted with the application form. Copies of all drawings must be submitted. **Photos of existing conditions must be submitted for all projects. All applications need to be submitted via the City of Toledo Online Portal - <https://applyforpermits.toledo.oh.gov/portal>.**

**Requirements for Certificate of Appropriateness Application for
Post Environmental Changes in the City of Toledo**

Submittal Requirements Checklist

- 1. Fences/Gates/Pergolas/Sheds/Garages**
 - A site plan of the property showing the location of the fence, gates, garages, and/or pergola. The plan must show the property's dimensions.
 - A picture of the proposed structure. This can be an elevation drawing, sketch, brochure or photo of an existing shed, fence, gate, garage or pergola provided that the dimensions are included.
 - A description of the materials that will be used in the project.
 - Photo of the yard(s) in which the structure will be placed.

- 2. New Construction/Additions**
 - Elevation drawings to scale of each façade indicating proposed alterations or additions. Drawing must clearly depict the existing building and the proposed changes.
 - Site plan showing lot dimensions, location and dimensions of existing building, location and dimensions of proposed addition, location of all exterior ground and roof mounted equipment.
 - Description and/or samples of materials to be used.
 - Where applicable, drawings and site plan of other improvements such as fences, walkways, lighting, decks, etc.
 - Photos of existing building or structure.

- 3. Signs/Awnings**
 - Sketch or elevation drawing of the building façade with proposed sign/awning.
 - Dimensioned drawing of awning/sign. A dimension for lettering and spacing between lines is required.
 - Sample of colors.
 - Photo of building.

- 4. Site Improvements/Driveway/Walkway/AC/Mechanical**
 - A survey of the property may be required.
 - Site plan showing lot dimensions, location and dimensions of existing building, location and dimensions of proposed improvements.
 - Description and/or samples of materials to be used.
 - AC/Mechanical equipment must be screened by shrubs or other means deemed appropriate by the Commission.

**Requirements for Certificate of Appropriateness Application for
Post Environmental Changes in the City of Toledo**

Submittal Requirements Checklist

- 5. Replacement Windows/Doors**
 - Photos of building facades where replacement will occur.
 - Photos of each deteriorated windows/doors.
 - Dimensions of all replacement windows and doors and the existing dimensions of the openings.
 - Pictures (brochures or photos) of the proposed windows/doors.
 - Composition of proposed replacement window/doors.
 - Written explanation of how the proposed replacement complies with Secretary of Interior's Standard's for Rehabilitation. Refer to *Toledo Municipal Code 1103.0306A* for additional information.

- 6. Siding/Flooring/Porch**
 - Photos of existing deteriorated materials.
 - Description of replacement materials.
 - Written explanation of how the proposed replacement complied with Secretary of Interior's Standard's for Rehabilitation.
(See http://www.nps.gov/history/hps/tps/download/standards_guidelines.pdf)

- 7. Roofs/Gutters/Downspouts**
 - Photos of building facades impacted by improvements.
 - Description and/or sample of building materials to be used.

- 8. Relocation**
 - Provide a reason for the relocation.
 - Explain what will be moved, where, why and any proposed changes.
 - Include photos of the existing site and structure/building be moved and the proposed relocation site.
 - Provide a dimensioned site plan of the new site showing the location and dimensions of the structure/building.
 - Describe any site features which will be altered as a result of the placement of the structure/building.

- 9. Demolition of Structure**
 - See Section Written explanation of how the proposed replacement complies with Secretary of Interior's Standard's for Rehabilitation. Refer to *Toledo Municipal Code 1111.1108* for additional information. (See https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-106523 for details.)