
APPLICATION FOR ZONE CHANGE FROM RS12 & CN TO CR

APPLICATION #: Z26-0008
APPLICANT: Steve Kiessler, Toledo Animal Rescue
OWNER: Toledo Animal Shelter Association (dba Toledo Animal Rescue)
LOCATION: 640 Wyman Street
ZONING: RS12 Single-Dwelling Residential & CN Neighborhood Commercial
NEIGHBORHOOD: Byrne-Airport
REPORT DATE: May 29, 2026
HEARING DATE: June 11, 2026
STAFF REVIEWER: Karcher

Details of Zone Change Request:

The applicant is requesting a zone change from RS12 Single-Dwelling Residential and CN Neighborhood Commercial to CR Regional Commercial at 640 Wyman Street to allow for the expansion of the existing Toledo Animal Rescue shelter at this location.

Parcel History:

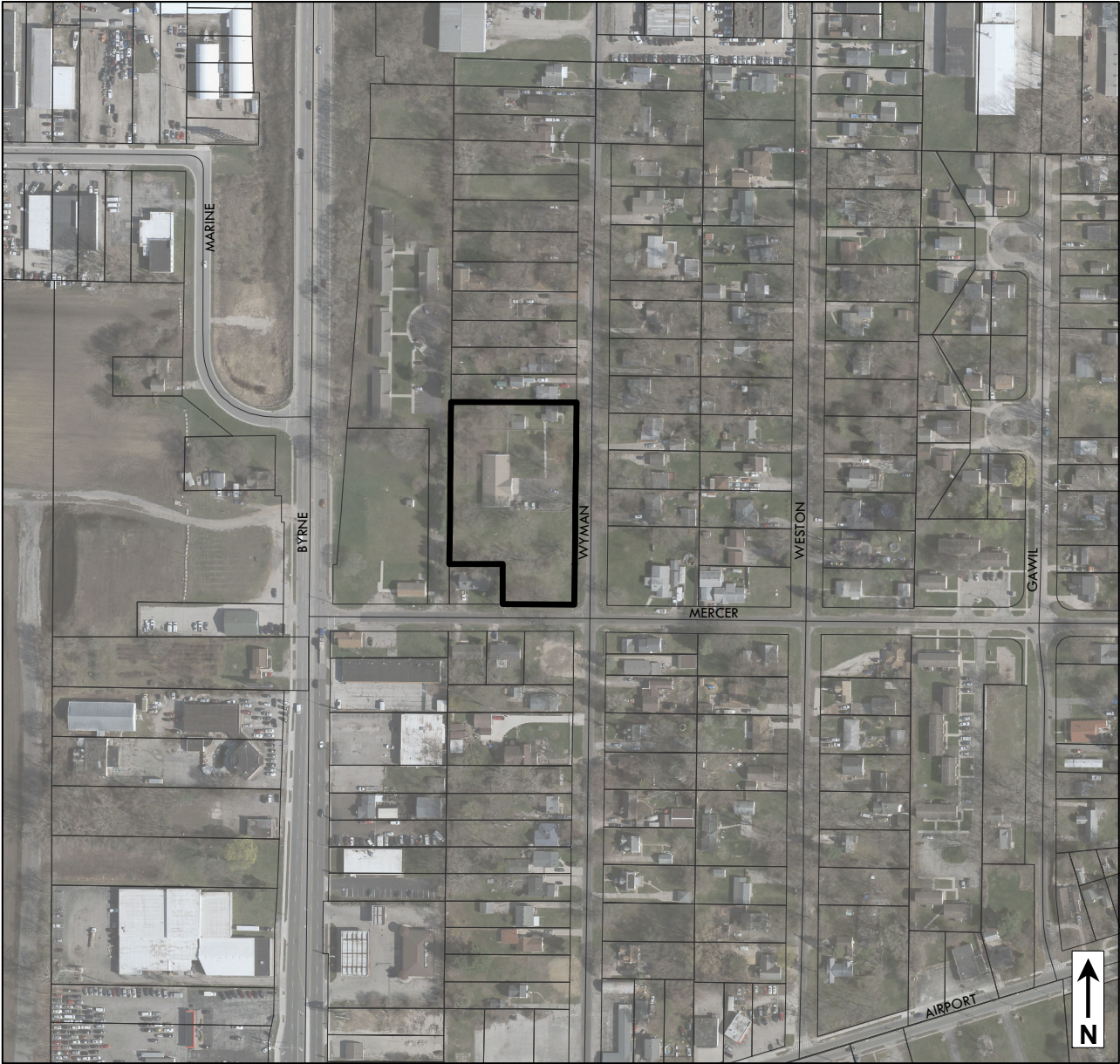
The Toledo Animal Rescue operations has been at the 640 Wyman Street location since 1930, and was initially developed before the subject property was annexed to the City. The property was rezoned to CN in 2002 to allow for the construction of the existing facility. Since then, the Planning and Zoning Ordinance has been amended to further define animal shelters and kennels and to put in place specific use regulations for them. As a result, the current facility is considered a legal nonconforming use.

Existing Conditions:

The subject property consists of 1.83 acres, which was originally platted as seven (7) individual lots. The northern fifty feet (50') was one of the individual lots and was developed with a single-family dwelling and detached garage. These structures remain; however, they are now used as meeting and storage space for Toledo Animal Rescue. In addition the rear yard is fenced and used as an outdoor area for dogs. The southern seventy-four feet (74') was also one of the individual lots and is currently undeveloped. Both of these lots are zoned RS12. The remaining property in between these two lots is zoned CN Neighborhood Commercial. The existing Toledo Animal Rescue facility has been developed on the northern 150 feet of this area and includes a 3,600 square foot building, parking, and fenced outdoor areas for animals. The area upon which the existing facility is situated is entirely fenced. Surrounding land uses include single-family homes to the north; multi-family housing and vacant land to the west; and single-family homes to the south and east across Mercer Street and Wyman Street respectively.

Proposed Project:

The applicant is in the planning stages of a capital expansion and renovation project to the Toledo Animal Rescue facilities on the subject property. The purpose of the expansion project is to upgrade their facilities to better align with animal rescue practices. The expansion will involve the addition of approximately 2,400 square feet to the existing building, additional parking, and a potential fenced dog park/play area. Since the existing use of the property is legally non-conforming, it may only be expanded by up to ten percent (10%). The proposed expansion is anticipated to be more than the allowable ten percent (10%). The applicant is therefore requesting the zone change so that the animal shelter is a permitted use and can be expanded by more than ten percent (10%). Staff is recommending **disapproval** of the zone change request.



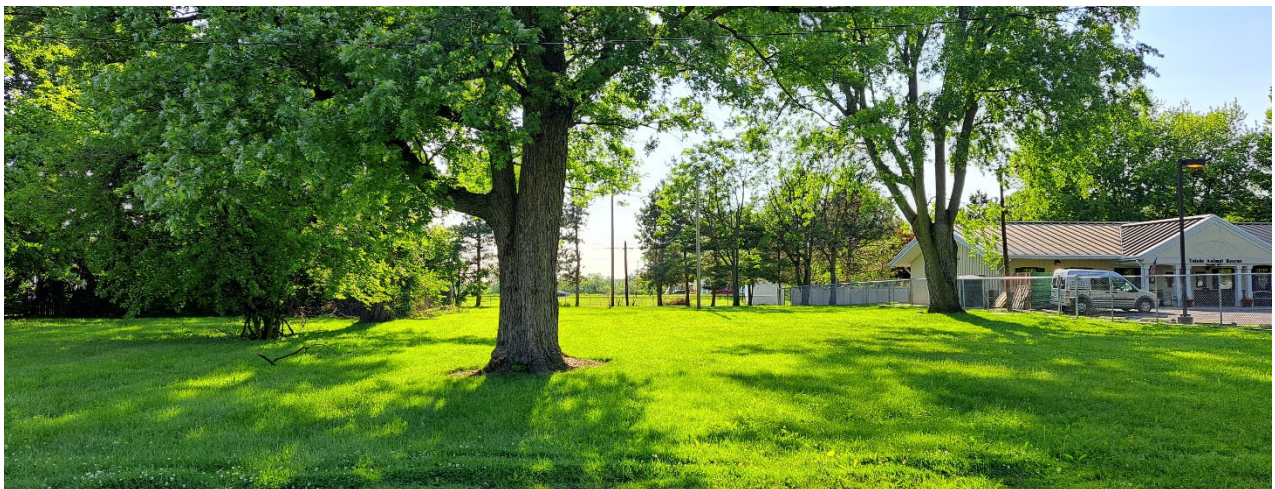
Aerial image of the subject property from Plan Commission GIS.



Street View image of northern 50' of the subject property from Wyman Street.



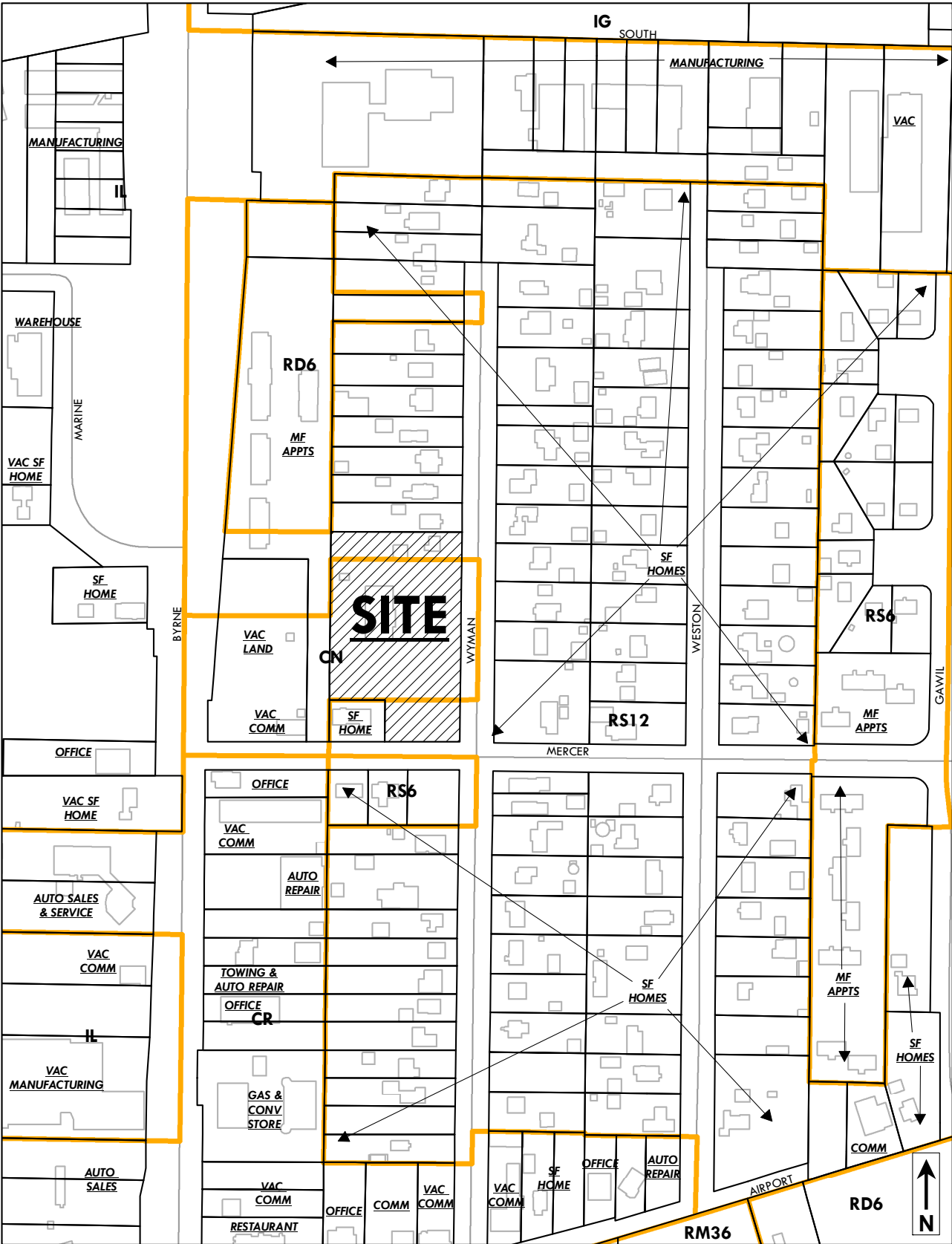
Street View image of existing Toledo Animal Rescue facility from Wyman Street.



Street View image of the subject property south of existing Toledo Animal Rescue facility from Wyman Street.



Street View image of the subject property looking northwest from the intersection of Wyman and Mercer Streets.



Zoning and Land Use Map of surrounding area.

Analysis:**1104 – Use Regulations**

Under the current CN zoning district, only fully enclosed animal shelters are permitted. Since there are outdoor exercise areas, the existing animal shelter is legally nonconforming and can only be expanded by up to ten percent (10%) per TMC§1114.0202(D). In order for the applicant to expand the current facility by more than ten percent (10%) in the CN zoning district, no outdoor dog runs or exercise areas would be permitted. The applicant is therefore requesting the zone change to the CR zoning district. The CR zoning district permits animal shelters subject to the use standards in TMC§1104.1200 Animal Shelters and Kennels. Staff is not supportive of the zone change to CR as it is the most intensive commercial zoning district intended for auto-oriented commercial development, which is not compatible with the surrounding residentially zoned and developed neighborhood.

1104.1200 – Use Specific Standards for Animal Shelters and Kennels

- (a) *Setbacks.* If an animal shelter has a dog run or exercise area, the run or exercise area shall be set back no less than 200 feet from any residential district. Based on the size of the subject property and adjacent residential zoning and land uses, this standard can't be met. A waiver would need to be granted with the Site Plan Review for any proposed expansion/redevelopment of the site.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan designates the subject property as Neighborhood Residential (NR). The Neighborhood Residential land use designation provides space for low- and medium-density housing and is intended to be predominately pedestrian-oriented with emphasis on maintaining neighborhood scale. The NR designation may include neighborhood uses such as schools and churches, and may also include small scale commercial/office uses with minimum daily traffic demand at major intersections or when compatible with adjacent uses. The CR zoning district is the most intensive commercial zoning district intended to accommodate auto-oriented commercial development in areas already built in this manner and to accommodate community and regional-oriented commercial uses. The proposed CR zoning district is therefore not consistent with the Forward Toledo Comprehensive Land Use Plan designation.

Development Approval Criteria:

1. The proposed zone change is not consistent with the Forward Toledo Comprehensive Land Use Plan (TMC§1111.0606(A));
2. The proposed zone change is not compatible with existing land uses within the general vicinity of the subject property (TMC§1111.0606(B)); and
3. The proposed zone change is not compatible with zoning classifications of properties within the general vicinity of the subject property (TMC§1111.0606(C)).

Recommendation:

1111.0600 Zoning Map Amendment – DISAPPROVE – Zone Change from RS12 Single-Dwelling Residential and CN Neighborhood Commercial to CR Regional Commercial at 540 Wyman Street.

Findings:

1. The proposed zone change is not consistent with the Forward Toledo Comprehensive Land Use Plan.
2. The proposed zone change is not compatible with the existing residentially zoned and developed neighborhood within the general vicinity of the subject property.
3. While the proposed zone change will permit the current proposed use and expansion, the specific use standards in the Zoning Code cannot be met.