

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: November 8, 2024
REF: Z24-0003

TO: President Carrie Hartman and Members of Council, City of Toledo
FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary
SUBJECT: Zone Change from RS6 Single-Dwelling Residential to RD6 Duplex Residential to at 102 Melrose Avenue

The Toledo City Plan Commission considered the above-referenced request at its meeting on November 7, 2024 at 2:00 P.M.

GENERAL INFORMATION

Subject

- Request - Zone Change from RS6 Single-Dwelling Residential to RD6 Duplex Residential
- Location - 102 Melrose Avenue
- Applicant/Owner - Bronson & Central LLC
23768 Timber Bluff Court
Moreno Valley, CA 92557
- Agent - Tom Yoder
P.O. Box 818
Holland, OH 43528

Site Description

- Zoning - RS6 / Single-Dwelling Residential
- Area - ± 0.11 Acres (4,600 SF)
- Frontage - ± 40' along Melrose Avenue
- Existing Use - Duplex
- Proposed Use - Duplex

GENERAL INFORMATION (cont'd)

Area Description

North	-	Single-family homes and duplexes / RD6
South	-	Melrose Street, single-family homes, duplexes and multi-family dwellings / RS6 and RM36
East	-	Single-family homes and a multi-family dwelling / RD6
West	-	Single-family homes and duplexes / RS6

Parcel History

Z-11-81	-	Zone Change from R-4 Multi-Family Residential to R-2 Single-Family Residential in area bounded by Cherry and Fulton; Victoria, Boston Place, Islington and Melrose (PC approved 2/19/1981; CC approved 3/10/1981 via Ord. 138-81).
M-1-81	-	Administrative Revisions to the Land Use Maps in the Old West End Conservation Area (PC approved 2/19/1981; CC approved 3/10/1981 via Ord. 140-81).

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Forward Toledo Comprehensive Land Use Plan

STAFF ANALYSIS

The Applicant is requesting a zone change from RS6 Single-Dwelling Residential to RD6 Duplex Residential for 102 Melrose Avenue. The subject property consists of ±0.11 acres and is located north of Melrose Avenue in the block between Edmund Lane and Franklin Avenue. There is currently a two-unit dwelling on the subject property. Surrounding land uses include a mix of single-family homes and duplexes to the north and west; a mix of single-family dwellings, duplexes and multi-family dwellings to the south across Melrose Avenue; and single-family homes and a multi-family dwelling to the east.

The subject property was rezoned from R-4 Multi-Family Residential to R-2 Single-Family Residential in 1981 as a result of a neighborhood rezoning study. The intention of the rezoning was to preserve the existing low density residential character of the neighborhood, prevent conversion of single-family homes to multi-family dwellings, and prevent construction of new multi-family dwelling units. The subject property was noted as a duplex in the study.

STAFF ANALYSIS (cont'd)

The applicant is requesting the zone change from RS6 to RD6 to allow for the continued use of the property as a duplex dwelling unit. Under the current RS6 Zoning District, duplex dwelling units are not permitted. The home is therefore considered a legal non-conforming use and will not be able to be rebuilt if destroyed beyond seventy-five percent (75%) of its fair market value per TMC§1114.0205(C). Legal non-conforming statuses can cause complications for home-insurance, home resale, and other financial considerations. In this case, a potential buyer is unable to secure financing because of the non-conforming use status. The proposed RD6 Duplex Residential zoning district permits both single-family dwellings and duplex units, but not multi-dwelling structures. Approval of this request will correct a legal non-conforming use and will appropriately zone the property according to its historic land use and the existing low density residential character of the neighborhood.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan designates the subject property as Neighborhood Residential. The Neighborhood Residential land use designation is intended to provide space for low- and medium-density housing demands while making the best use of neighborhoods with constraints such as narrow lots. Typically, the majority of buildings are single- and two-unit houses; however, three-, four-, and multi-family homes are compatible when located near or along busier corridors where lot size and building height are most appropriate. The proposed zone change from RS6 Single-Dwelling Residential to RD6 Duplex Residential is consistent with the Neighborhood Residential land use designation of the Forward Toledo Plan as it permits both single- and two-unit dwellings.

Staff recommends approval of the Zone Change from RS6 Single-Dwelling Residential to RD6 Duplex Residential because the proposed Zone Change is consistent with the Forward Toledo Plan and with the existing zoning and land uses in the surrounding vicinity. Additionally, approval of this request will correct a legal non-conforming use and will appropriately zone the property according to its historic land use.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of Z24-0003, a request for a Zone Change from RS6 Single-Dwelling Residential to RD6 Duplex Residential at 102 Melrose Avenue, to Toledo City Council for the following **three (3) reasons**:

1. The rezoning is consistent with the Forward Toledo Comprehensive Land Use Plan;
2. The rezoning is compatible with the existing zoning and land uses in the general vicinity of the subject property (TMC§1111.0606(B)); and
3. The rezoning will correct a legal non-conforming land use with an appropriate zoning classification.

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Respectfully Submitted,



Thomas C. Gibbons
Secretary

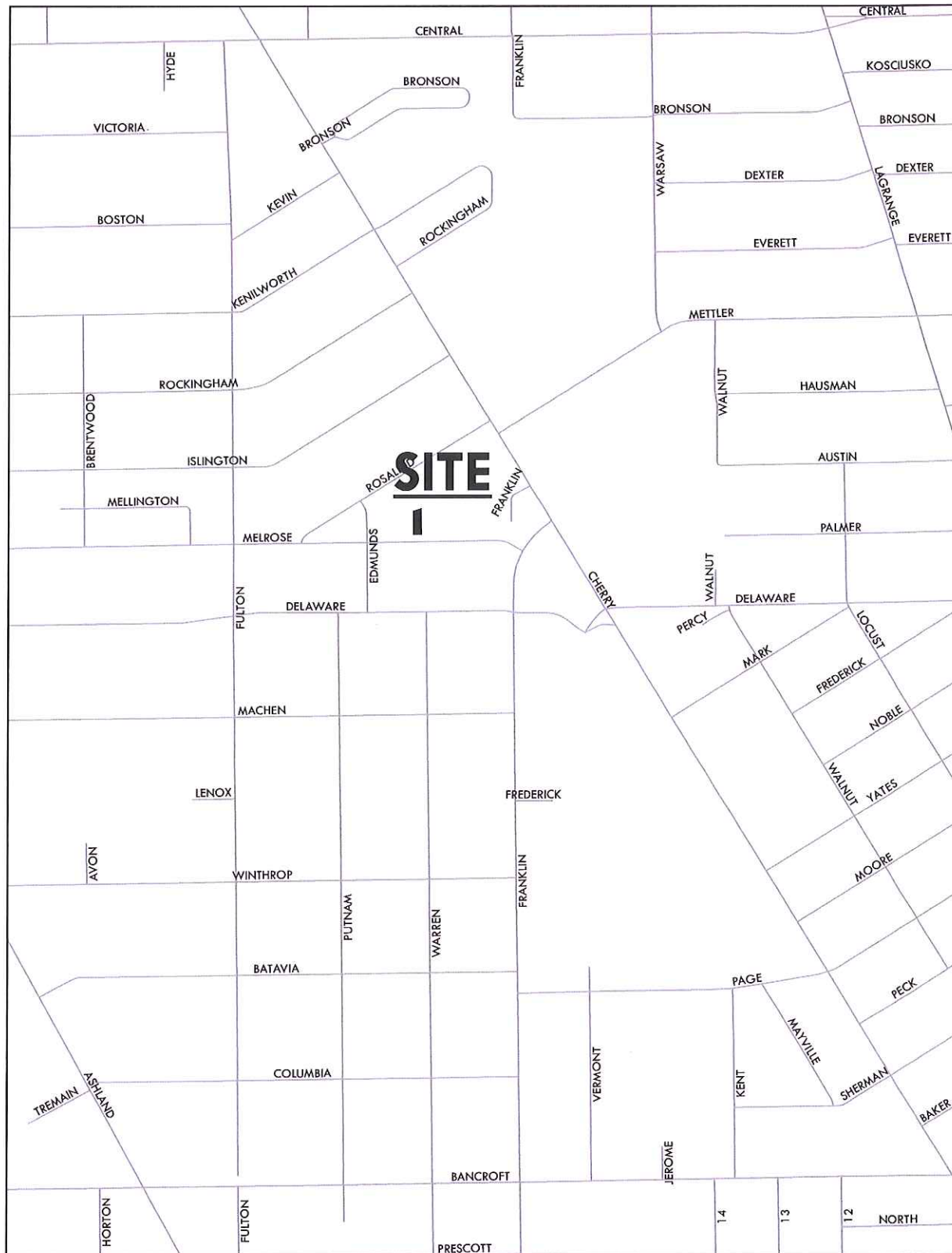
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Two (2) sketches follow

CC: Tom Yoder, P.O. Box 818, Holland, OH 43528
Lisa Cottrell, Deputy Director
Lisa Karcher, Planner

GENERAL LOCATION

Z24-0003



ZONING & LAND USE

Z24-0003

