

BOARD OF ZONING APPEALS

February 24, 2025

City of Toledo



ADMINISTRATIVE BOARD OF ZONING APPEALS (BZA)

MONDAY, FEBRUARY 24, 2025 - 10:00 A.M.
CITY COUNCIL CHAMBERS, FIRST FLOOR
GOVERNMENT CENTER

BZA BOARD APPROVAL CASE ORDER

DOCKET #	BZA No	ADDRESS
1	BZA24-00030	1818 BROADWAY ST
2	BZA24-00048	1336 & 1338 INDIANA AVE
3	BZA25-00002	2437 BROADWAY ST
4	BZA25-00004	434 MATZINGER RD
5	BZA25-00005	3457 RIVER RD
6	BZA25-00006	2000 CASSANDRA DR
7	BZA25-00007	241 LINDEN LN

City of Toledo - Administrative Board of Zoning Appeals

Agenda

Case	BZA #	HEARING DATE	Address	Applicant Name	WAIVER REQUEST	Zoning District	STAFF COMMENTS	BOARD ACTION
1	BZA24-00030	February 24, 2025	1818 Broadway St	Justin Lathon	Applicant requests variance from TMC 1105.0301 (A) for a privacy fence to be 2 1/2' over the required 3 1/2' height in the front yard setback along Prouty Ave.	10-RD-6		
2	BZA24-00048	February 24, 2025	1336 & 1338 Indiana Ave	Alethea Easterly	Applicant requests variance from TMC 1107.1202 (B)(3) of 20' under the required front setback along Indiana Ave and 15' under the required front setback along Junction Ave for parking facilities.	10-CR		
3	BZA24-00048	February 24, 2025	1336 & 1338 Indiana Ave	Alethea Easterly	Applicant requests variance from TMC 1105.0302 (F)(1) of 2 1/2' over the required 3 1/2' fence height in the front yard.	10-CR		
4	BZA25-00002	February 24, 2025	2437 Broadway St	Nathan Walker	Applicant requests variance from TMC 1105.0201 (A). Setbacks variance of 29' under the required 60' front setback for accessory building (carport).	10-RM36		
5	BZA25-00004	February 24, 2025	434 Matzinger Rd	Darin Lawrence	Applicant request variance from TMC 1107.1906. Surfacing and drainage variance from having all drive aisles being paved and to remain constructed of stone.	10-IG		
6	BZA25-00005	February 24, 2025	3457 River Rd	Adam Bonnell	Applicant requests variance from TMC 1105.0201 (A). Setbacks variance of 29' under the required 60' front setback for accessory building (garage). This will match this setback on the house.	10-RS9		
7	BZA25-00006	February 24, 2025	2000 Cassandra Dr	Matt Hittle	Applicant requests variance from TMC 1107.1906. Surfacing and drainage variance to expand the current gravel parking lot.	10-IL		
8	BZA25-00007	February 24, 2025	241 Linden Ln	Yolanda & Trinidad Lopez	Applicant requests variance from TMC 1105.0301 (B & C). Fences and hedges variance of 4 1/2' height of fence in the front yard and 2' over the height in the side and rear yards.	10-RM36		

HEARING DATE: February 24, 2025

BZA NO: BZA24-00030

APPLICANT: Justin Lathon

SITE LOCATION: 1818 Broadway St

ZONING DISTRICT: RD6

SWO or NOL Issued: N/A

ANALYSIS: Applicant requests variance from TMC 1105.0301 (A) for a privacy fence to be 2 1/2' over the required 3 1/2' height in the front yard setback along Prouty Ave.

STAFF COMMENTS: N/A

BOARD ACTION:

MOTION TO APPROVE/DISAPPROVE:	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Eric Craig	_____	_____	_____	_____	_____	_____	_____
Christy Soncrant	_____	_____	_____	_____	_____	_____	_____
Carrie Hartman	_____	_____	_____	_____	_____	_____	_____
Devon Overton	_____	_____	_____	_____	_____	_____	_____
Nathan Knapke	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

HEARING DATE: **January 27, 2025**
 BZA NO: **BZA24-00030**
 APPLICANT: **Justin Lathon**
 SITE LOCATION: **1818 Broadway St**
 ZONING DISTRICT: **RD6**
 SWO or NOL Issued: **N/A**
 ANALYSIS: **Applicant requests variance from TMC 1105.0301 (A) for a privacy fence to be 2 1/2' over the required 3 1/2' height in the front yard setback along Prouty Ave.**
 STAFF COMMENTS: **N/A**

BOARD ACTION:

MOTION TO APPROVE/DISAPPROVE:	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
Devon Overton	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Eric Craig	_____	_____	_____	_____	_____	_____	_____
Christy Soncrant	_____	_____	_____	_____	_____	_____	_____
Carrie Hartman	_____	_____	_____	_____	_____	_____	_____
Nathan Knapke	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED _____ WITHDRAWN _____

CONDITIONS OF APPROVAL:

Meeting Deferred.

HEARING DATE: November 18, 2024

BZA NO: BZA24-00030

APPLICANT: Justin Lathon

SITE LOCATION: 1818 Broadway St

ZONING DISTRICT: RD6

SWO or NOL Issued: N/A

ANALYSIS: Applicant requests variance from TMC 1105.0301 (A) for a privacy fence to be 2 1/2' over the required 3 1/2' height in the front yard setback along Prouty Ave.

STAFF COMMENTS: N/A

BOARD ACTION:

MOTION TO APPROVE/DISAPPROVE:	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
Christy Soncrant	X						
Carrie Hartman					X		
Devon Overton					X		
Robert Pasker							
Eric Craig							
Nathan Knapke		X					
Steve Serchuk							

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED X WITHDRAWN _____

CONDITIONS OF APPROVAL:
Applicant No Show.

HEARING DATE: October 21, 2024

BZA NO: BZA24-00030

APPLICANT: Justin Lathon

SITE LOCATION: 1818 Broadway St

ZONING DISTRICT: RD6

SWO or NOL Issued: N/A

ANALYSIS: Applicant requests variance from TMC 1105.0301 (A) for a privacy fence to be 2 1/2' over the required 3 1/2' height in the front yard setback along Prouty Ave.

STAFF COMMENTS: N/A

BOARD ACTION:

MOTION TO APPROVE/DISAPPROVE:	1 ST /2 ND MOTIONS	1 ST /2 ND IF 2 ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN
Carrie Hartman	_____	_____	_____	_____	_____	_____	_____
DeVon Overton	_____	_____	_____	_____	_____	_____	_____
Robert Pasker	_____	_____	_____	_____	_____	_____	_____
Eric Craig	_____	_____	_____	_____	_____	_____	_____
Christy Soncrant	_____	_____	_____	_____	_____	_____	_____
Nathan Knapke	_____	_____	_____	_____	_____	_____	_____
Steve Serchuk	_____	_____	_____	_____	_____	_____	_____

VOTING RESULTS:

APPROVED _____ DISAPPROVED _____ DEFERRED 1 WITHDRAWN _____

CONDITIONS OF APPROVAL:

Applicant no show.



RECEIVED
AUG 26 2024
BT: [initials]

CASE # BZA24-0030

CITY OF TOLEDO

Department of Economic and Business Development
Division of Building Inspection

One Government Center, Suite 1600 • Toledo, OH 43604 • Phone (419) 245-1220 • Fax (419) 245-1329 • www.toledo.oh.gov

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

TMC Chapter 1112.0200

Site Location 1820 BROADWAY ST Zoning District _____ Date _____

Legal Description THAMES ADDITION LOT 141 + SW 6 FT 140 + S TR LOT 10 S CHAPIN + RINGS ETC

Applicant's Name (print) JUSTIN LATHON

Appeal (Dept. of Inspection ruling - Title Nine Sign Code) _____ Hardship Variance _____

Exception Appeal decision _____ ADA Accommodation _____

TMC § 1405.0301 A FENCES OR HEDGES SHALL NOT EXCEED EXCEED 3 1/2 FEET
IN HEIGHT IN THE FRONT YARD

Applicant Signature [Signature] Phone 419-973-9159

Applicant's Street Address 538 MYERS ST Fax _____

Applicant's City, State, Zip TOLEDO, OH, 43609 E-Mail JUSTINLATHON61@YAHOO.COM

Applications must be accompanied with:

1. 3 photos - showing different views of the site
2. Letter explaining your zoning request with full and accurate information.
3. Complete, clear site plan - recommended scale 1"=20' on 8-1/2" x 11" paper showing dimensions to all lot lines and the size of all structures on the premises.
4. Fee = \$200 Checks may be made payable to "City of Toledo."

Applicant:

You should receive a written notice of the staff recommendation no later than Wednesday preceding the hearing date. Please call (419) 245-1220 if you do not receive this notice.

Return the application documents by mail to: Division of Building Inspection, One Government Center, Suite 1600, Toledo, OH 43604; or in person with the application documents and fee. Applications are due 6 weeks before the Board of Zoning Appeals' meeting to allow proper notification of neighbors. Meetings are typically held the third Monday of every month at 1:30 p.m. in City Council Chambers, One Government Center, Toledo, OH 43604. The applicant or the applicant's representative must be present.

+++++ OFFICE USE +++++

Permit Tech Checklist: Application complete Photos Letter Proper Site Plan SWO

Copy Zoning Map IC <http://local.live.com/> Transportation notified to check site distance hazard

Code Enforcement notified if orders are being appealed. _____ Permit Tech's Initials JH Date 8/27/24

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

P, Inspection, BZA

3/15/2022 kjr

7-1

Justin Lathon

538 Myers St
Toledo, OH, 43609

Toledo Plan Commission

1 Government Ctr # 1620
Toledo, OH, 43609

I hope this letter finds you well. I am writing to address a concern that has significantly impacted my property and to seek your assistance in finding a resolution.

As the owner of a property located at 1820 Broadway St, I am experiencing considerable hardship due to the restriction on installing a privacy fence. Our home is uniquely situated with two frontages, which, while providing aesthetic appeal and accessibility, has created a challenge with maintaining privacy and security for my tenants.

The lack of a privacy fence has led to several issues:

1. Privacy Concerns: The absence of a privacy fence means that their outdoor spaces are exposed to the view of passersby and neighbors. This lack of seclusion affects their ability to enjoy their backyard and front yard areas freely and comfortably.
2. Security Issues: Without a privacy fence, my property is more vulnerable to trespassing and unwanted attention. This has raised concerns for the safety of their family and personal belongings.
3. Impact on Quality of Life: The inability to have a private outdoor area has affected their quality of life. They are unable to fully utilize our outdoor space for activities and relaxation, which is a significant drawback for our household.

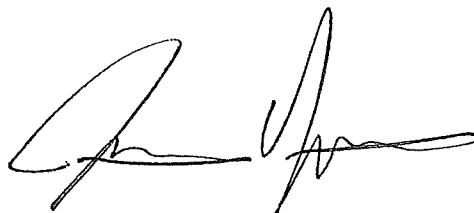
I understand that there may be zoning and aesthetic guidelines in place to maintain the character of the neighborhood. However, I kindly request a review of these guidelines with the hope of finding a feasible compromise that would allow us to install a privacy fence while respecting the community's standards.

I am open to discussing alternative solutions or modifications that could address both our privacy needs and any concerns related to maintaining the neighborhood's appearance. Your understanding and assistance in this matter would be greatly appreciated.

Thank you for considering my request. I look forward to your response and hope we can find a satisfactory resolution.

Sincerely,

Justin Lathon



822 Prouty Ave
Toledo, OH, 43609

Toledo Plan Commission
1 Government Ctr # 1620
Toledo, OH, 43609

To whom it may concern,

I am writing to inform you that I have no objections to the new privacy fence installed by my neighbor at 1820 Broadway St. I have reviewed the fence and am satisfied with its placement and appearance.

Please let me know if any further information or action is required on my part. Otherwise, I am pleased with the new addition and have no concerns.

Thank you for your attention to this matter.

x TINA Moore

(Print Name)

x Tina Moore

(Signature)

Acknowledgment

State of Ohio, County of LUCAS. Subscribed and sworn to before a Notary Public in and for said County personally appeared Tina Moore who acknowledged the signing of the forgoing instrument and such signing is his free act and deed.

In Testimony whereof, I have the hereunto set my hand and affixed my official seal this 26th day of Aug., 2024 in the county of LUCAS State of Ohio.

x [Signature]

My commission expires 1-26-2027



SAVANNA BORK
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 01-26-27

Managing Member
DAC Rentals LLC.
1812 Broadway St
Toledo, OH, 43609

Toledo Plan Commission
1 Government Ctr # 1620
Toledo, OH, 43609

To whom it may concern,

I am writing to inform you that I have no objections to the new privacy fence installed by my neighbor at 1820 Broadway St. I have reviewed the fence and am satisfied with its placement and appearance.

Please let me know if any further information or action is required on my part. Otherwise, I am pleased with the new addition and have no concerns.

Thank you for your attention to this matter.

x DAVID A COON

(Print Name)

x [Signature]

(Signature)

Acknowledgment

State of Ohio, County of LUCAS, Subscribed and sworn to before a Notary Public in and for said County personally appeared David Coon who acknowledged the signing of the forgoing instrument and such signing is his free act and deed.

In Testimony whereof, I have the hereunto set my hand and affixed my official seal this 26th day of AUG., 2024 in the county of LUCAS State of Ohio.

x [Signature]

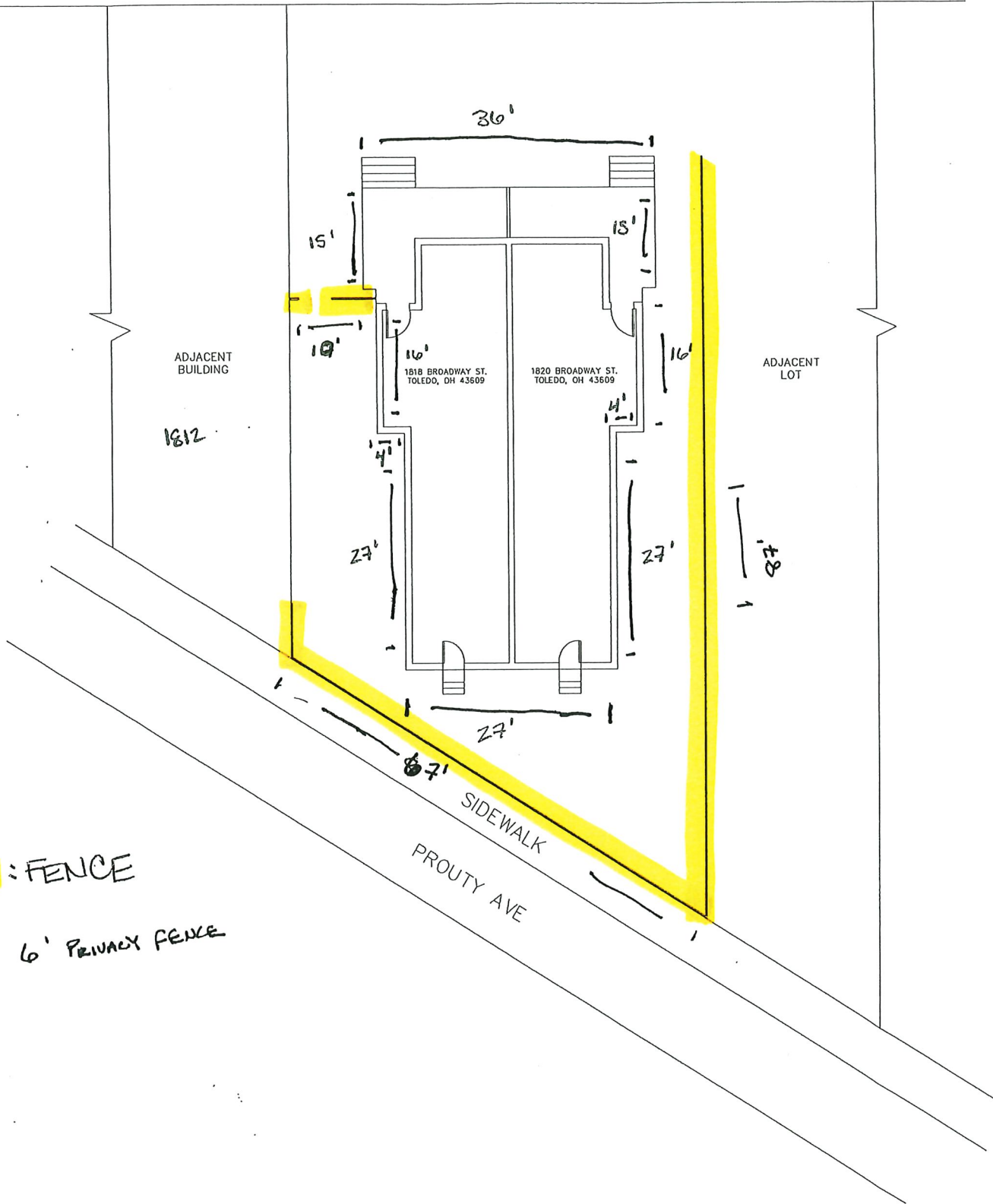
My commission expires 1-26-2027



SAVANNA BORK
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 01-26-27

BROADWAY ST

SIDEWALK

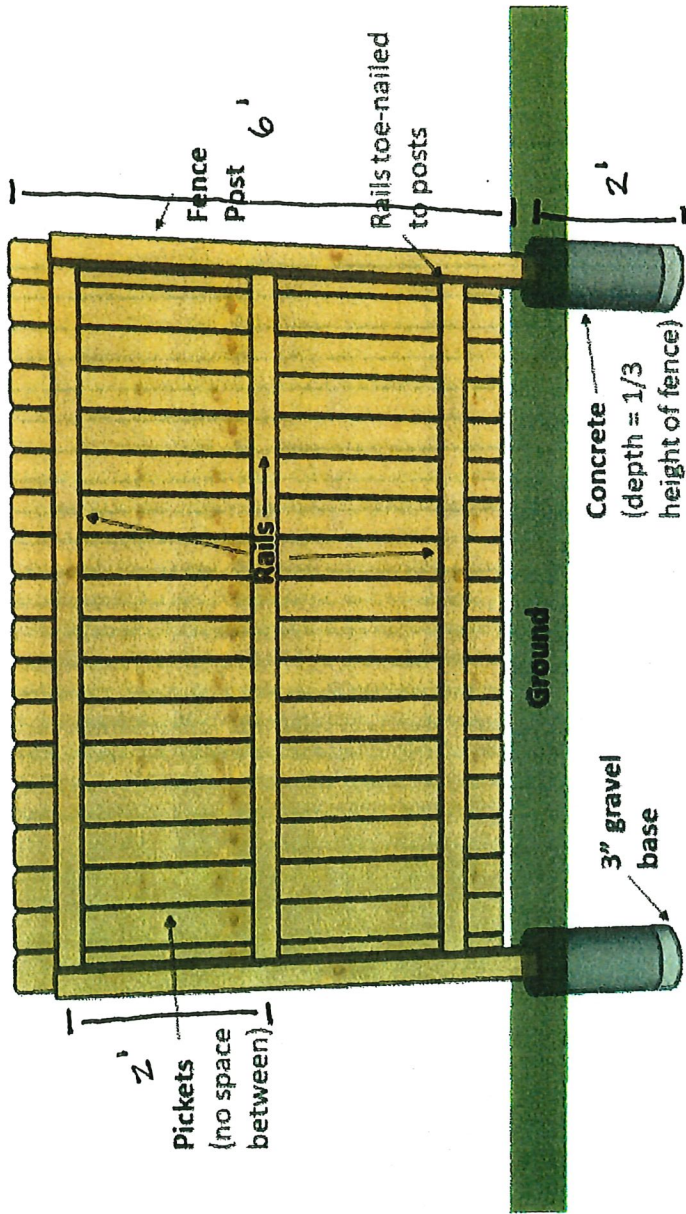


 : FENCE

6' PRIVACY FENCE

8'

Wood Fence Components



4'

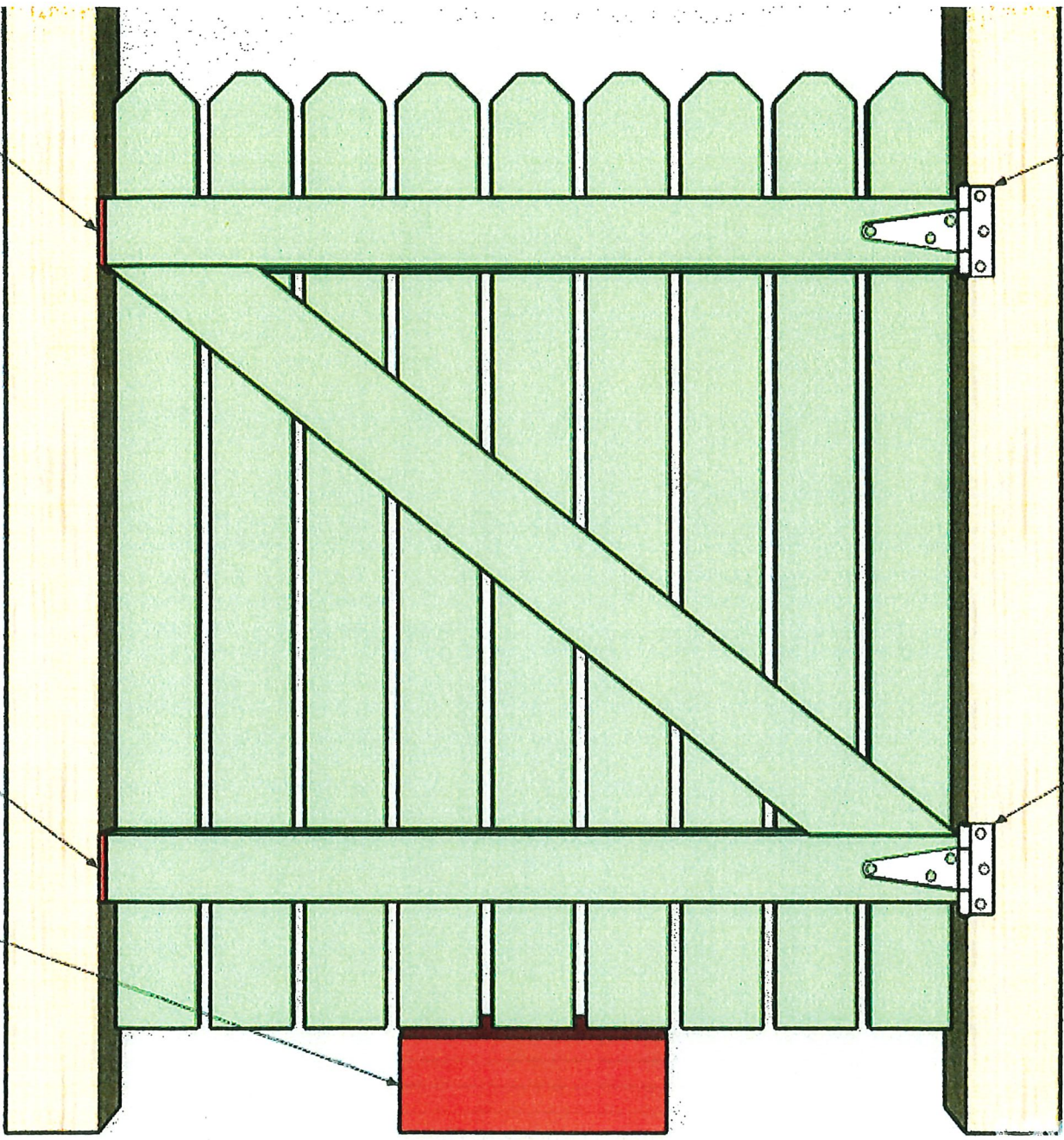
ch

Atta

6'

Att

d





Fencing and Overgrown Landscape

Pictured here is the overgrown landscaping covering a broken fence in the backyard of the property



Pictured below is an after shot of the rebuilt fence. The new fence completely brightens up the house. All of the overgrown landscaping has been removed.





T-3: U.S.R.



R.T. 9

R.T. 8

