

BZA25-00011

CASE #

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 5439 Secor Rd Toledo, OH 43623 Zoning District 10-CN Date 1/2/2025

Legal Description GRAYLING PLACE LOT 14

Applicant's Name (print) Jesse Bratty

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

Exception _____ Appeal decision _____ ADA Accommodation _____

TMC § 1105.0301 C. FENCES MAY NOT EXCEED
6 FEET IN HEIGHT IN THE SIDE OR
REAR YARD

Applicant Signature [Signature] Phone 567-202-7990

Applicant's Street Address 5439 Secor Rd Fax _____

Applicant's City, State, Zip Toledo, Oh 43623 E-Mail aliasinvestment@gmail.com

Applications must be accompanied with:

- 3 photos - showing different views of the site
- Letter explaining your zoning request with full and accurate information.
- 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.

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 N/A

Copy Zoning Map ☒ http://local.live.com/ Transportation notified to check site distance hazard SENT TO AARON G

Code Enforcement notified if orders are being appealed CE24-03629 Permit Tech's Initials JN Date 2/10/25

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

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CITY OF TOLEDO BOARD OF ZONING APPEALS - MEETING NOTES

HEARING DATE: Monday, April 21, 2025	BZA NO: BZA25-00011	APPLICANT: Jesse Beatty
SITE LOCATION: 5439 Secor Rd	ZONING DISTRICT: 10-CN	SWO OR NOL ISSUED: N/A

TMC CODE:	1105.0302
CODE DESCRIPTION:	<p>The following standards apply in all Commercial and Industrial districts:</p> <ol style="list-style-type: none"> 1. Fences may not exceed 3½ feet in height in the required front setback. 2. Fences may not exceed 10 feet in any other location on a lot. 3. No part of any fencing or swing gate may extend into the public right-of-way. 4. If the site does not have a primary structure, the area between the front property line and the required front setback listed in Sec. 1106.0100 is defined as the front yard. <p>B. See Sec. XX1108.0203HXX for required outdoor storage screening standards. C. See Sec. XX1104.1600 XX for storage of towaway vehicles screening standards</p>
ANALYSIS:	Applicant requests variance of 2 1/2' over required 3 1/2' height in front yard set-back. 8' under required 18 ' set-back.

BOARD MEMBERS	1ST/2ND MOTION	1ST/2ND IF 2ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN	
CHRISTY SONCRANT								
CARRIE HARTMAN								
DEVON OVERTON								
JULIA RANGLES								
ERIC CRAIG								
ROBERT PASKER								
NATHAN KNAPE								

VOTING RESULTS:	APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
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CONDITIONS OF APPROVAL



CITY OF TOLEDO BOARD OF ZONING APPEALS - MEETING NOTES

HEARING DATE: Monday, March 17, 2025	BZA NO: BZA25-00011	APPLICANT: Jesse Beatty
SITE LOCATION: 5439 Secor Rd	ZONING DISTRICT: 10-CN	SWO OR NOL ISSUED: N/A

TMC CODE:	1105.0302
CODE DESCRIPTION:	<p>The following standards apply in all Commercial and Industrial districts:</p> <ol style="list-style-type: none">1. Fences may not exceed 3½ feet in height in the required front setback.2. Fences may not exceed 10 feet in any other location on a lot.3. No part of any fencing or swing gate may extend into the public right-of-way.4. If the site does not have a primary structure, the area between the front property line and the required front setback listed in Sec. 1106.0100 is defined as the front yard. <p>B. See Sec. XX1108.0203HXX for required outdoor storage screening standards. C. See Sec. XX1104.1600 XX for storage of towaway vehicles screening standards</p>
ANALYSIS:	2 1/2' over required 3 1/2' height in front yard set-back. 8' under required 18' set-back.

BOARD MEMBERS	1ST/2ND MOTION	1ST/2ND IF 2ND MOTION	YEA	NAY	ABSENT	RECUSE	LEFT BEFORE VOTE TAKEN	
ROBERT PASKER								
CHRISTY SONCRANT	X							
CARRIE HARTMAN					X			
DEVON OVERTON								
NATHAN KNAPKE	X							
JULIA RANGLES					X			
ERIC CRAIG								

VOTING RESULTS:	APPROVED	DISAPPROVED	DEFERRED ✓	WITHDRAWN
CONDITIONS OF APPROVAL				
Re-submit				

Dear Toledo Zoning Commission,

I would like to have approval for a exception for a 6 foot fence extending out of my back yard. I am on a corner lot so my side yard is a front yard. The purpose of the fence is for privacy and protection from our neighbors immediately behind us. There have been threats of physical violence from them, as caught on the news, aimed at myself, my girlfriend, and our kids. It is also so we can let out German Shepard, Raya Sunshine, out the backdoor and have a fence she can't jump over. The fence only extends 8 feet into the house to cover the back door. And 16 feet into the said/front yard for t room for the dog.

With the photos attached it will show that the fence is in good repair, structurally sound, and does not block line of sight for traffic. I also have some attached photos of some houses I've seen with fences similar to mine in Toledo, also on corner lots. My front yard has a 6 foot chain link fence as well, that has been there since before I moved in for several years. The previous business that owned the house installed it.

Thank you for your time and consideration. I hope to hear a quick favorable ruling from you, if you see appropriate.

Regards,

Jesse L Beatty

1105.0300 | Fences and Hedges

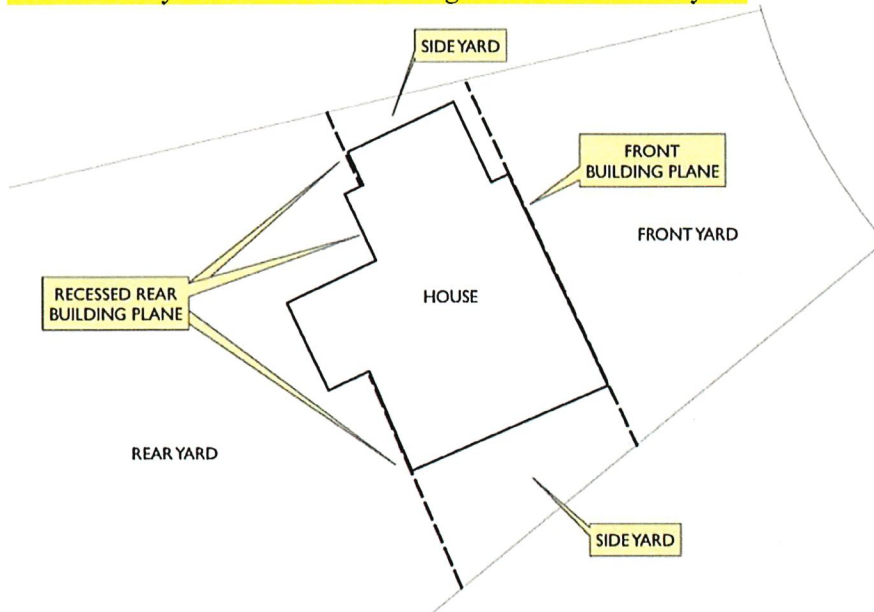
Fences and hedges shall be permitted in any required setback.

1105.0301 Residential Districts

The following standards apply in all Residential districts:

B. Fences or hedges may not exceed 3½ feet in height in the required front setback.

C. Fences may not exceed 6 feet in height in the side or rear yard.

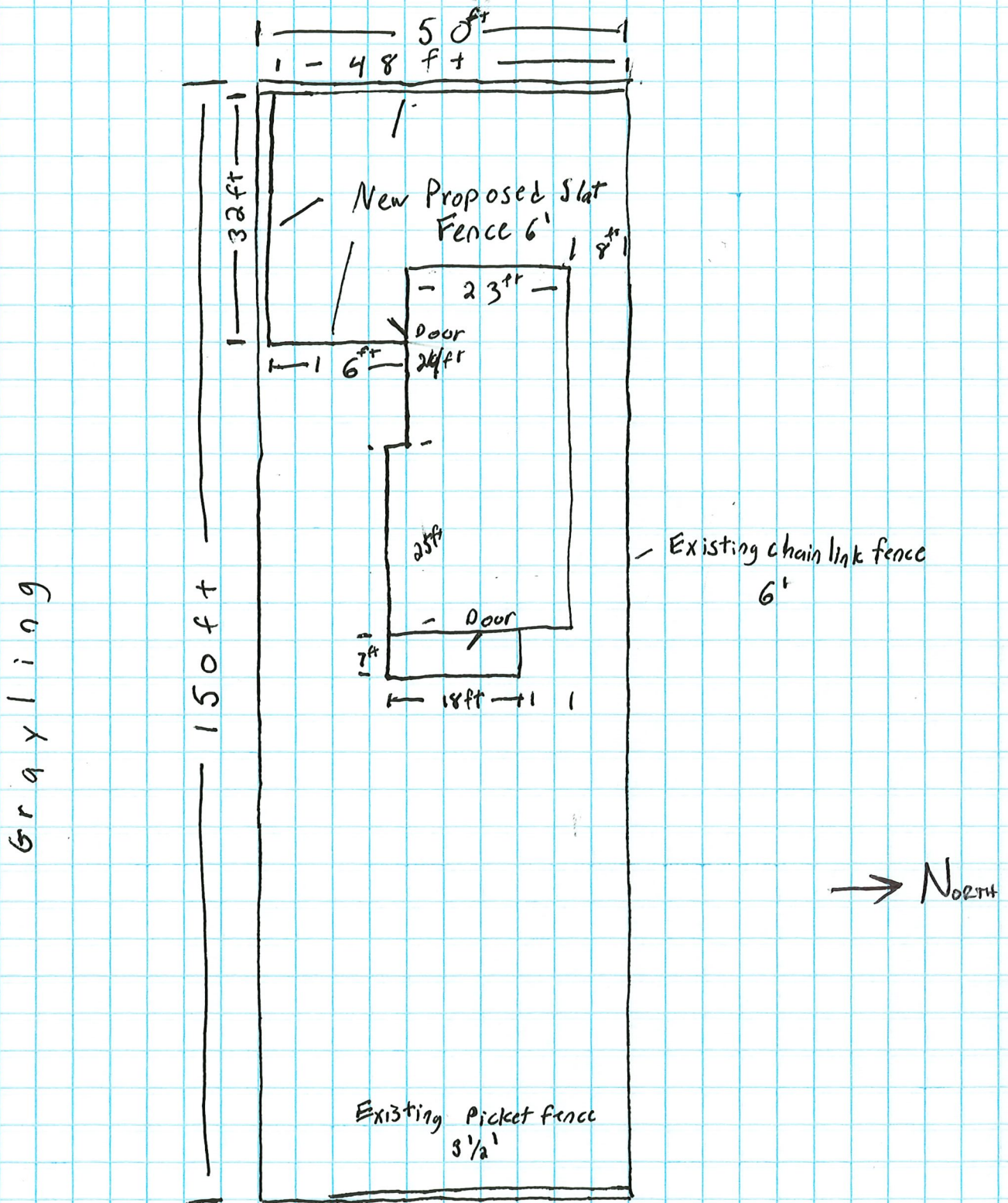


D. If the site does not have a primary structure, the area between the front property line and the required front setback listed in Sec. 1106.0100 is defined as the front yard.

E. No part of any fencing may extend into the public right-of-way.

(Ord. 592-23. Passed 10-24-2023.)

5439 S e c o r R d



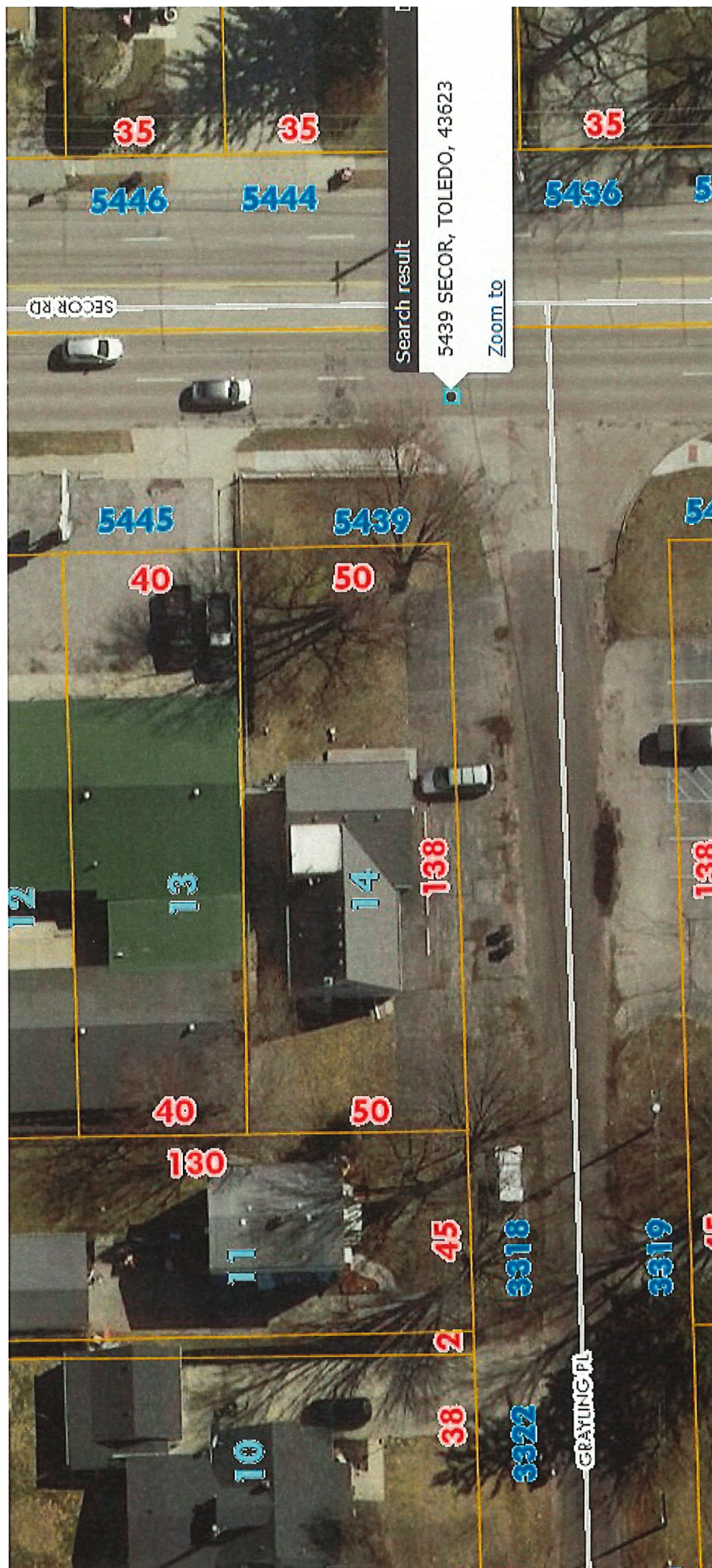
one block is $5' \times 5'$



Case # CE 24-03629

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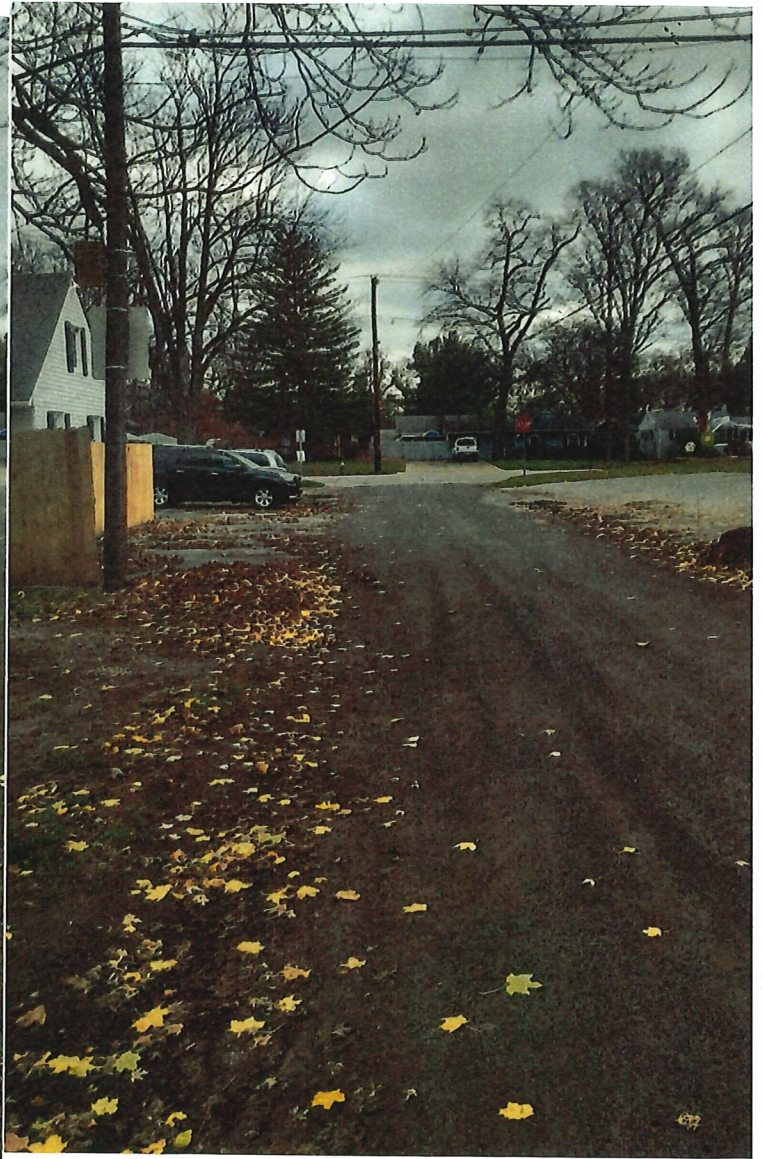
100

GRAYLING



6-9.

5439 SECOK



5439 SECOK



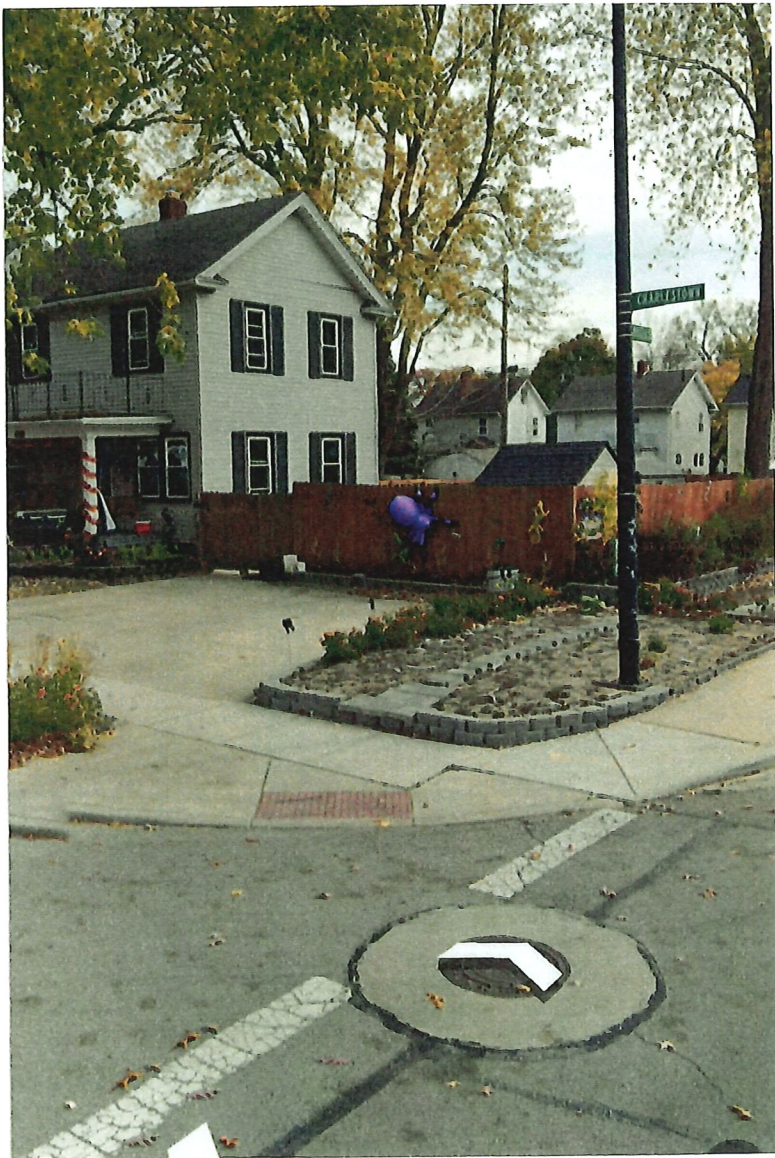
5439 SECK



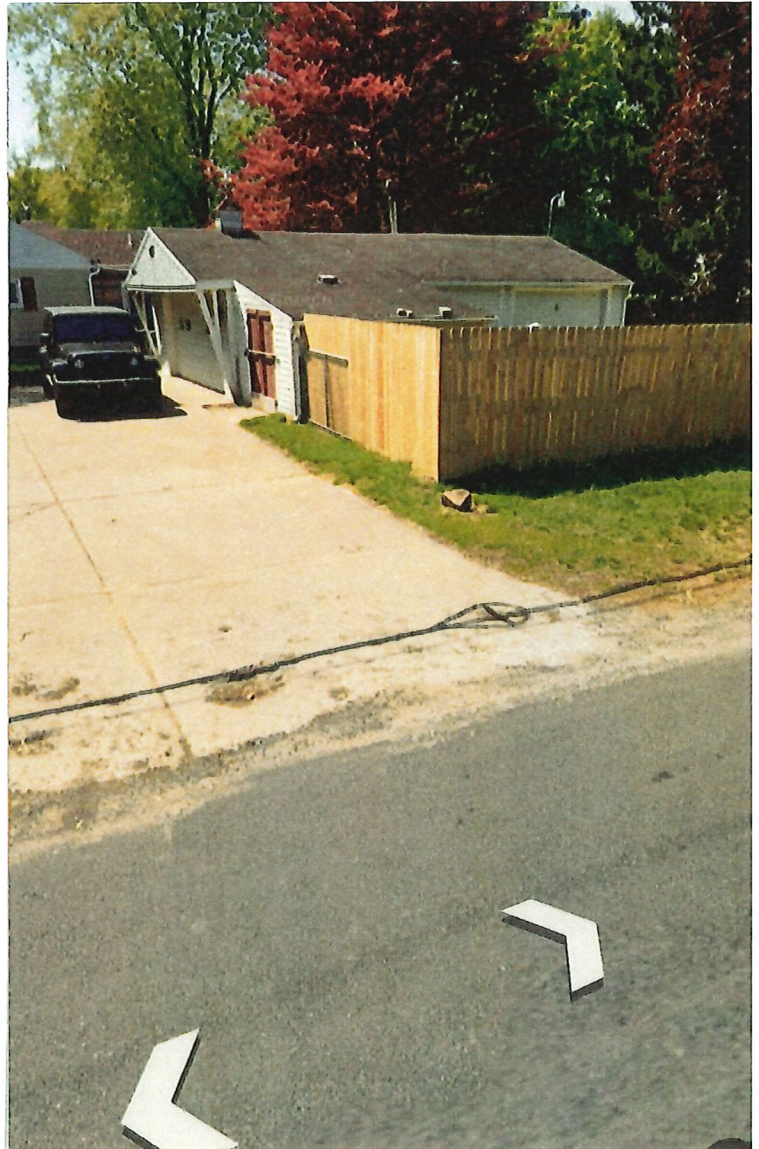
16-12

NEIGHBORING PROPERTIES

CHARLESTON & DOUGLAS



RAMBO & MCGREGOR



NEIGHBOR FENCE - No Location Provided





Building and Code Compliance | One Government Center Suite 1800 | Toledo, OH 43604

Date: 12/30/2024
Inspection Date: 12/30/2024
Case Number: CE24-03629
Property: 5439 SECOR RD, TOLEDO OH
43623

JESSE BEATTY
5439 SECOR RD

TOLEDO, OH 43623

72 HR PUBLIC NUISANCE ORDER: TMC 1726.08 (a)

Dear JESSE BEATTY,

Following our recent inspection of the property listed above, we have determined that the conditions of your property do not meet the expectations outlined in the Toledo Municipal Code which we use to make sure that all properties are and remain safe. We are hopeful that you will be able to fix the issues outlined here within three days.

What to do now:

1. Fix it. The best-case scenario is that you, or a licensed contractor, resolve the issues on your property within the next three days.
2. We are here to help. Call Engage Toledo at 419-936-2020, 24/7/365 and let an agent know if you require more time. Requests will be considered on a case-by-case basis. Make sure you give the agent the case number from the top of this notice.

Please don't ignore this notice. If the problem isn't addressed within 72 hours, then you may be fined or criminally charged depending on the severity of the issues on your property. Please note that transferring the property to another party without first abating the nuisance is a first-degree misdemeanor. The City of Toledo may even abate or demolish the structure and those costs will be charged to you.

Finally, if you do not believe the property listed here meets the criteria for public nuisance as it is defined in Toledo Municipal Code section 1726, then you may request for an appeal hearing within 24 hrs. of receiving this notice. You will need to fill out the 72-Hour Notice Appeal Form, on our website at toledo.oh.gov/72-hr-appeal and pay the \$50.00 fee as a money order or cash bond. Please note: an appeal does not grant you more time to fix the noted issues. It is only meant to determine whether or not the violations are present on the property.

To learn more about what nuisance abatement means, how the process works, or remedying the violation(s), visit toledo.oh.gov/guide

Thank you for your timely attention to this matter.

The City of Toledo does not discriminate on the basis of disability in its services, programs, or activities. If you require accommodations in order to fully participate in a city program, service, or other activity, please contact the Department of Diversity, Equity, and Inclusion at (419) 245-1198 or Diversity&Inclusion@toledo.oh.gov.

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12/30/2024

Property location: 5439 SECOR RD, TOLEDO OH 43623

Case # CE24-03629

During the inspection of referenced structure and premises the City of Toledo Code Enforcement inspector found the following violations of the Toledo Municipal Code:

Occupancy

Occupied

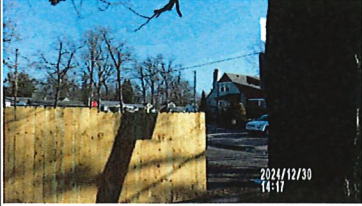
Brush

Yes

andrewsj 12/30/2024 3:11:28PM



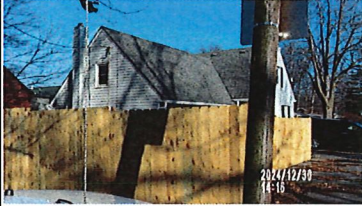
andrewsj 12/30/2024 3:11:28PM



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andrewsj 12/30/2024 3:11:28PM



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andrewsj 12/30/2024 3:11:28PM



andrewsj 12/30/2024 3:11:28PM





Building and Code Compliance | One Government Center Suite 1800 | Toledo, OH 43604

Date: 12/30/2024
Inspection Date: 12/30/2024
Case Number: CE24-03629
Property: 5439 SECOR RD, TOLEDO OH
43623

JESSE BEATTY
5439 SECOR RD

TOLEDO, OH 43623

ZONING VIOLATION ORDER

Dear JESSE BEATTY,

It was determined that the property is not in compliance with the Toledo Municipal Zoning Code per inspection findings listed on the following page.

You are hereby notified to correct said violation within thirty (30) business days of your receipt of this order. Failure to correct the violation(s) may result in civil penalties and/or criminal charges being filed against you. The Commissioner of Building Inspection and Code Enforcement may impose a civil penalty of up to \$300 per violation. A Toledo Municipal Court Judge may impose fines up to \$250.00 and 30 days in jail for the first offense.

You have the right to appeal this order to the Administrative Board of Zoning Appeals. Appeals must be submitted in writing within twenty (20) days of the date on this notice along with a filing fee of \$200.00 to the Division of Building Inspection and Code Enforcement, One Stop Shop (419-245-1220), One Government Center, 16th Floor.

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12/30/2024

Property location: 5439 SECOR RD, TOLEDO OH 43623

Case # CE24-03629

During the inspection of referenced structure and premises the City of Toledo Code Enforcement inspector found the following violations of the Toledo Municipal Code:

1105.0301 (A) - Having a fence/hedges that exceeds 3' 6" in height in the required front setback of a residential district. A front setback must be provided on each lot frontage of a corner lot.

Yes

Being a corner lot there are 2 front yards



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