Cleveland Board of Zoning Appeals
February 6, 2022

Preamble

IN COMPLIANCE WITH NOTIFICATION REQUIREMENTS OF THE CITY’S OPEN MEETING LAW, AND SECTION 101.021 OF THE CODIFIED ORDINANCES OF CLEVELAND, OHIO, 1976, NOTICE OF THIS MEETING HAS BEEN PUBLICLY POSTED.

All BOARDS AND COMMISSIONS UNDER THE PURVIEW OF THE CITY PLANNING DEPARTMENT CONDUCTS ITS MEETINGS ACCORDING TO ROBERT’S RULES OF ORDER. ACTIONS DURING THE MEETING WILL BE TAKEN BY VOICE VOTE. ABSTENTIONS FROM ANY VOTE DUE TO A CONFLICT OF INTEREST SHOULD BE STATED FOR THE RECORD PRIOR TO THE TAKING OF ANY VOTE.

IN ORDER TO ENSURE THAT EVERYONE PARTICIPATING IN THE MEETING HAVE THE OPPORTUNITY TO BE HEARD, WE ASK THAT YOU USE THE RAISE HAND FEATURE BEFORE ASKING A QUESTION OR MAKING A COMMENT. THE RAISE HAND FEATURE CAN BE FOUND IN THE PARTICIPANTS PANEL ON THE DESKTOP AND MOBILE VERSION AND ACTIVATED BY CLICKING THE HAND ICON. PLEASE WAIT FOR THE CHAIR OR FACILITATOR TO RECOGNIZE YOU AND BE SURE TO SELECT UNMUTE AND ANNOUNCE YOURSELF BEFORE YOU SPEAK. WHEN FINISHED SPEAKING, PLEASE LOWER YOUR HAND BY CLICKING ON THE RAISE HAND ICON AGAIN AND MUTE YOUR MICROPHONE.

WE WILL ALSO BE UTILIZING THE CHAT FEATURE TO COMMUNICATE WITH PARTICIPANTS. THE CHAT FEATURE CAN BE ACTIVATED BY CLICKING THE CHAT BUTTON LOCATED ON THE BOTTOM OF THE WEBEX SCREEN.

CALL-IN USERS CAN UNMUTE BY USING *6
Cleveland Board of Zoning Appeals  
February 6, 2022

Preamble

ALL MEETING ACTIVITY IS BEING RECORDED VIA THE WEBEX PLATFORM. THESE PROCEEDINGS ARE ALSO BEING LIVE STREAMED VIA YOUTUBE FOR PUBLIC VIEW.

WE HAVE PROVIDED A LINK TO THE MEETING FOR THOSE WHO WISH TO SPEAK ON A PARTICULAR CASE VIA OUR WEBSITE AND EMAIL.

ALL REQUESTS TO SPEAK ON A PARTICULAR MATTER HAVE BEEN CONSIDERED.

WE HAVE ALSO RECEIVED EMAILS FROM THOSE WHO HAVE PROVIDED WRITTEN COMMENT ON A PARTICULAR MATTER.
Call to Order & Roll Call
Cleveland Board of Zoning Appeals

Postponements/Withdrawals
NONE TODAY
Cleveland Board of Zoning Appeals

Public Hearing
Lutheran Metropolitan Ministry appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the determination in site/zoning application B22009273 and subsequent Notice of Nonconformance adjudicated by Zoning Administrator Richard Riccardi on May 13, 2022.
Public Hearing

Calendar No.23-014: Lutheran Metropolitan Ministry appealing the decision of the Zoning Administrator in Building and Housing.

SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.
Madam Chair, Members of the Board, Appellant is appealing an administrative decision of the Zoning Administrator. The standard of review to be applied is whether the administrative decision was illegal, arbitrary, capricious, unreasonable or unsupported by the preponderance of substantial, reliable, and probative evidence. If the Appellant fails to meet this burden, the administrative decision must be affirmed.
May 9, 2022

Youth Drop-In Center Project Overview and Narrative

Lutheran Metropolitan Ministry (LMM) is the operator of the Youth Drop-In Center, and owner of the proposed site located at 4100 Franklin Blvd. LMM will remain both the owner and operator of the Youth Drop-In Center. The Center will meet basic needs and connect young people to a broad range of services they want and need in a single site, in an environment that is safe, secure, comfortable, and non-stigmatizing. The Youth Drop-In Center is a collaborative effort between Lutheran Metropolitan Ministry (LMM) and A Rose 4 Me, the community’s initiative to prevent and end youth homelessness in Cuyahoga County. In addition, the Cuyahoga County Office of Homeless Services is an important partner in the collaborative for the Center, a system-wide response to address the housing instability among young people in the county.

There is a history of providing social services at the proposed site for the Youth Drop-In Center, 4100 Franklin Blvd, Cleveland, Ohio 44113 which is owned by Lutheran Metropolitan Ministry and formerly owned and operated by Lutheran Family Services. The history includes services to children, youth and families; adoption services and related family counseling and supports; behavioral health services including counseling, education and support for individuals and groups; workforce education and training; youth parenting and other educational groups; benefits assistance and case management; and family events.

The Youth Drop-in Center will provide services targeted to young people ages 16-24 experiencing homelessness or who are housing unstable. The services provided within the facility for the Youth Drop-In Center will remain consistent within a social services framework, including basic needs, behavioral health services, benefits assistance, case management and counseling, education, job placement assistance, housing placement assistance and other related support. Guests of the center can access food in the kitchen, clothing and personal hygiene items, wash clothes in the laundry room, shower, and take a break in the living room, dining room, or library. A small computer lab will be available for guests to use for various purposes (e.g. job search, online education, virtual connections for services), as well as multiple charging ports. There will be an area for guests’ children to play. Staff will link guests to a variety of housing supports and services, including access to diversion and prevention assistance, family mediation and reunification support, emergency rental assistance, Rapid Re-Housing, and supportive housing. Offices and conference areas will be used to house professional staff and co-located service partners. The Youth Drop-in Center is not a shelter and will not provide overnight bed capacity.

There are plans to operate the center 10 hours per day, seven days a week. We have tentatively considered hours of operation as 10 a.m. - 8 p.m., and are amenable to adjustments within this framework (e.g. 8 a.m. - 7 p.m., shorter hours on the weekend days, etc.) that align with the needs of young people and partners who provide services in this area. It is anticipated that there will be 32 to 75 young adult guests on the premises at any given time on a daily basis, along with anywhere from 3 to 12 staff members and 2-5 service partners.
YOUTH DROP-IN CENTER
NEIGHBORHOOD QUESTIONS & ANSWERS

Introduction
The Youth Drop-In Center is an initiative of A Place 4 Me in partnership with Lutheran Metropolitan Ministry.

A Place 4 Me, the community’s initiative to prevent and end youth homelessness, has partnered with Lutheran Metropolitan Ministry (LMM), young adult leaders, local funders and service providers to introduce a drop-in center where young people seeking housing stability can find relief and safety. This drop-in center will meet basic needs and connect young people to a broad range of services they want and need in a single site, in an environment that is safe, secure, comfortable, and non-stigmatizing.

There is a critical need for a place to serve young people experiencing homelessness in our community. On average, about 550 young adults ages 18 to 24 seek emergency housing services and support in Cuyahoga County each year. As the lead agency for the Cleveland/Cuyahoga County Continuum of Care (CoC), the Office of Homeless Services (OHS) aligns local efforts to reduce and end homelessness. OHS is an important partner in the collaborative for the drop-in center, which requires a system-wide response to address the housing instability among young people in the county. Drop-in centers serve as critical access and navigation points to link young people to appropriate resources. A study by the U.S. Department of Health and Human Services found that homeless youth are more than twice as likely to use drop-in centers as shelters, and both are used more often than other services for medical, substance use and mental health needs.

A Place 4 Me serves hundreds of young people each year and works in partnership with its own REACH Youth Action Board toward a goal of preventing and ending youth homelessness in Cuyahoga County. The young adults who comprise the REACH Youth Action Board of A Place 4 Me all have lived expertise in homelessness, housing instability or child welfare issues, and the group has been the lead partner in planning the building design and amenities. They will continue to serve as partners throughout the services-design and building processes.

Building upon its continuum of youth reentry services, LMM will serve as the operating partner of the youth drop-in center. LMM will be responsible for the day-to-day management of the center, staffing and volunteers, safety and security, onsite service provider, partnerships, outreach, donation management and facility management. A Place 4 Me staff as well as other partners providing services related to housing stability and overall wellness (education and employment services; health and wellness services; public benefit access; housing assistance, etc.) will also be working with guests within the center.

The partnership of Lutheran Metropolitan Ministry (LMM) and A Place 4 Me, including its many local and national partners and the REACH Youth Action Board, are referred to in the below FAQ as “the Collaborative.” All questions are answered on behalf of the entire Collaborative.

Building Use
1. The property currently has a business occupancy classification. Do you anticipate needing to apply for a variance or conditional-use permit?

We do not anticipate the need for a variance or new conditional use permit in order to open the youth drop-in center. Lutheran Metropolitan Ministry (LMM) remains both the building owner and tenant. The occupancy permit was issued to Lutheran Family Services (LFS), which is LMM (LFS merged into LMM in 2017). The existing conditional use variance was issued for a Use Group B (Business) occupancy, which will remain unchanged. The services provided within the facility will remain consistent, with the primary charge of providing social services including counseling, education, job placement assistance, housing placement assistance and other related supports.

2. The Building Department’s on-line records show an application for a Youth Drop-In Center (217MP-027593). When did you apply? Will you provide copies of the application and supporting documents to the block club to review?

As part of an initial exploratory phase, LMM worked with the City of Cleveland Building Department and initiated an online application for the purpose of getting an idea of the type of information that was required. It became clear it was too early in the process to respond appropriately, so that specific application did not move forward.

3. The building is within a historic district. Are there constraints to planned improvements resulting from operating in a historic district? How do planned improvements make the building better fit with the historic character of the neighborhood?

LMM is the current owner and tenant of the building, and is aware and respectful of the preservation of the look of the neighborhood within the historic district, where the organization is already proud to call home. All drop-in center partners have had input on the exterior modification plans, which will at a minimum maintain the vernacular of the existing building. We will work with Landmarks to ensure an acceptable execution of our design, compliant with the historic district guidelines.

Community Engagement
4. Why have you not contacted the immediate neighbors/neighbors on the block between W. 38th and W. 44th? Your materials state that you want to know community interest and any barriers to acceptance before selecting a site.

In the summer of 2021, the Youth Drop-In Center Collaborative began to explore the potential of utilizing the 4100 Franklin Blvd. location. At that time, the team began to develop an outreach strategy, and as a starting point, compiled a list of potential
stakeholders (neighbors, public officials, social service organizations, churches, and public servants). We met first with Councilman Kerry McCormack and county Councilwoman Yvonne Connell to share the project and to gather their feedback on how best to engage the community. During this meeting, it was suggested that we next contact Ohio City Incorporated and the Franklin-Clinton Block Club. A joint meeting was held in November with leadership from both of these entities. Following the November meeting, and with the advice of these community leaders, we had meetings with the Cleveland Police Department - 2nd District, May Dugan Center, Greater Cleveland RTA, St. Paul Community Church, St. Herman Focus and Malachi Center. The leaders also recommended we attend and present to the full block club at their January 2022 meeting. It is our hope to be able to have smaller, more focused conversations with immediate neighbors in coming weeks. We remain open to community feedback during this planning phase.

5. Have you discussed this project with Ohio City, Inc.? If so, when did you first approach OGI? Who is your contact at OGI? Will you provide copies of any documents that you provided to OGI?

A joint meeting was held with leadership from Ohio City, Inc. and the Franklin-Clinton Block Club in November of 2021. Tom McAllister from Ohio City, Inc. joined the conversation with leaders of the Franklin-Clinton Block Club including Alex Frondorf, Priscilla Rocha, and Karen Desotel. Councilman Kerry McCormack also joined for the start of the conversation. A project description and a Frequently Asked Questions document were sent in advance of the meeting, and a presentation was given to this leadership group along with a discussion and feedback opportunity.

Location

6. Which cities/counties in Ohio have youth drop-in centers? What are their names? Are these centers in residential neighborhoods?

- Cleveland is the only major urban city in Ohio that does not have a much-needed youth drop-in center. The following youth drop-in centers exist in Ohio:
  - Cincinnati/Hamilton County - Lighthouse Youth Services Sheelel Center, situated directly adjacent to residential homes
  - Dayton/Montgomery County - DayBreak Drop-In Center - commercial area
  - Columbus/Franklin County - Star House - commercial area
  - Columbus/Franklin County - Kaleidoscope Youth Center (drop-in center specifically for LGBTQ youth ages 12-20, including those experiencing housing instability) - the center is located in the Discovery District directly across the street from an apartment building

7. Is this the only center in Cuyahoga county serving the youth population? If so, can we assume that people will visit from any part of the county?

This is the only center of its kind in Cuyahoga County focused exclusively on youth and young adults ages 16 to 24 who are experiencing homelessness or housing instability. Drop-In Center staff will be collaborating with youth service providers across the county to ensure that young people coming to the center gain access to community supports and services that are geographically accessible.

8. Where does LMM anticipate the youthful/young adults will come from? Should the drop-in center be close to where its clients are coming from?

In the experience of the Collaborative, neither quantitative nor qualitative data suggest that young people experiencing housing instability are more likely to come from a single location within the county. Homelessness is a county-wide challenge.

9. Where are LMM's current youth resiliency services?

LMM operates a shelter for youth ages 13-17 located on the Cleveland/Lakewood border, and an independent living program for youth ages 16-21 out of an apartment building located in Lakewood. Both sites are in residential areas.

10. Can you share how you define "accessibility" to public transportation?

Accessibility is an important element we considered when selecting a drop-in center site. We define access to public transportation as being within a reasonable walking distance (less than a 15-minute walk) to the center.

11. Did LMM consider locations on public-transit lines? (Lorain, Detroit, W. 25th, W. 65th)

The 4100 Franklin site is in close proximity to public transit lines, based on the site selection criteria for accessibility as defined above. Greater Cleveland RTA operates a main transit line on Detroit Avenue, with a bus stop near 36th street. This bus stop is 2 miles and a 6-minute walk to 4100 Franklin Blvd. GCRTA also operates a main transit line on W. 25th St. with a 12-minute walk to the center.

12. The fact sheet states that a site should be close to public transit, restaurants, groceries, and libraries. How close should each of these be to the program site?

Having the drop-in center close to restaurants, groceries, libraries and public transit will benefit the youth, and is a specific element of the search criteria that young people developed. Each of these entities should be walking distance or reasonably accessible to public transit lines.

Drop-In Center Neighborhood FAQ - 3
4100 Franklin Blvd is a 5-minute walk to a bus stop on 38th and Detroit which accesses the 26, 26A and 71; it is also a 12-minute walk to a bus stop on IV, 25th that accesses the 22, 26, 49, 51 & 51A.

4100 Franklin Blvd is a 12-minute walk to Dave's Groceries and a 12-minute walk to Ohio City Grocery. It is an 8-minute walk to the Hingetown neighborhood of Ohio City which has a coffee shop, tea shop, a deli and other retail.

4100 Franklin is a 10-minute walk to the Carnegie West Library.

13. What were the criteria used to select a location? How were these criteria defined? Can you provide analysis that was done to select this location as optimal? What are the pros/cons of this location in terms of serving the center’s mission?

The exploration and vetting of sites for a youth drop-in center was a critical element of the planning process. With funding from The Cleveland Foundation and the Sisters of Charity Foundation of Cleveland, the collaborative engaged Allegro Real Estate Brokers to support a site search and selection process for the youth drop-in center. Criteria were defined in partnership with the youth-led planning team for the drop-in center.

Criteria:

- **Safety.** Most critically important to young people is safety. Young people experiencing homelessness are more likely to be victims of crime than to perpetrate crime. It is essential that the center be located in a community where crime is low in order for young people to feel safe enough to access the center.

- **Residential and walkable.** The center is intended to create a feeling of home for young people who have none. Young people asked that the center be located in a residential, family-oriented environment as opposed to an institutional or commercial one. An institutional environment is particularly disengaging and can feel especially unwelcome for this population.

- **Access via public transit.** The majority of young people expected to visit the center will be using public transportation, though some will have vehicles.

- **Access to amenities that any young person would want – cafes, libraries, shops, etc.** Ohio City was specifically named by young people as a community that feels welcoming and engaging to them.

- **Near downtown, but not in downtown.** We heard that it is important for the center to be located close enough to downtown in order to facilitate young people’s access to necessary downtown services but that young people preferred that the center itself not be located downtown. Most especially, young people did not want the center located near the large downtown emergency shelters.

- **A building that is appropriate in size so as to be wholly devoted to the drop-in center and not shared with other tenants.**

**Analysis and selection process:**

Allgro combed their database of on-the-market properties and also held nearly 20 interviews with community stakeholders and organizations who might have off-the-market property holdings that could meet the criteria.

A Place 4 Me administered a survey to community providers and young people that explored how the drop-in center could operationalize five core values (racial and LGBTQ equity, safe/youth friendly, radical hospitality, highly relational, and low barrier). Location feedback on the survey specifically identified Ohio City as sharing many of the same core values.

The 4100 Franklin location was one of several prospective properties, and it was the only one that the Collaborative concluded met all criteria. The exploration of the feasibility to renovate the site began in the summer of 2021.

14. What is the addressable market for the proposed services? Have you conducted analysis to identify the location of potential beneficiaries of this proposed service throughout the county? Can you provide the analysis?

Homelessness and housing instability can affect any young person anywhere in the county. Through our work and partnership with young people experiencing the trauma of homelessness, we know that this population is often reluctant to identify as "homeless" due to stigma and fear. This makes such an analysis difficult to conduct. To the extent that the Cuyahoga County Office of Homeless Services can capture this data, we know the majority of young people who seek support for housing instability live in the city of Cleveland and adjacent communities.

Of homeless individuals served by Coordinated Intake in the calendar year of 2021:

- 9% were between 18-24 years old
- 13% were between 13-17 years old

Of youth 18-24 served by Coordinated Intake in CY2021:

<table>
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<tr>
<th>a</th>
<th>87% had last prior zip code listed as one in Cuyahoga County</th>
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<tr>
<td>i.</td>
<td>26% of those who listed Cuyahoga County came from Ohio City or surrounding zip codes (44102, 44113, 44114, 44144, 44109, 44115, 44114, 44127, 44107)</td>
</tr>
<tr>
<td>ii.</td>
<td>5% of those who listed Cuyahoga County came from Ohio City zip codes (44102, 44113)</td>
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15. How do you expect the potential users of the service to access the location? What analysis has been done to support that the proposed location is accessible to the target population? Can you please provide the analysis?

We expect young people to access the center primarily via public transit. Some young people have cars and will be able to drive to the center. Young people are resilient and resourceful, and our experience working with them shows that if the service is valued, they will find a way to us. We will also work with street outreach teams and other partners to arrange transportation for young people as necessary.

Operations

16. What are the hours of operation? During the meeting, LMM said 10:00 a.m. to 8:00 p.m. initially. LMM is considering 24/7 in the future. (When?) Are there quiet hours published in conjunction with the intended hours of operations?

We are anticipating operating 10 hours per day, seven days a week. Our approach is to take time to get the programming established and evaluate needs over time. We have tentatively considered hours of operation as 10 a.m. - 6 p.m., and are amenable to adjustments within this framework (e.g. 9 a.m. - 7 p.m., shorter hours on the weekend days, etc.) that align with the needs of young people and partners who provide services in this area. There will be no overnight hours. We will make every effort to ensure our guests adhere to and comply with city ordinances.

While 24/7 operation is a best practice for centers like this one, we recognize that a move to 24/7 is a significant change. Many factors would impact a consideration to move to 24/7 operations (demonstrated needs, accessibility, funding, etc.). If this option were to be considered, a feasibility review would be conducted and would include soliciting and addressing feedback from the community prior to any decision.

Updated January 2023:

In alignment with requests from Councilman Kerry McCormack and feedback from the community, there will be no 24/7 operations at this location at any point. Our commitment to being a good neighbor and establishing a much-needed resource in this location is most important. We will not compromise the relationships we have built, and we will have no future discussion of 24/7 operations at 4100 Franklin.

17. What days of the week will the center be open?

7 days a week.

18. Where will youth/young adults go after the drop-in center closes? Will they be permitted to stay on the property? How will LMM enforce people leaving?

Many young people who will visit the center already have places to stay overnight and will be using the center to access resources, do laundry, have a meal or seek respite from what may be a challenging situation. Guests in need of sleeping arrangements will be assisted in finding suitable locations and services. We will have youth advocates and safety personnel on site to assist our guests in getting to their next location. We will also have resources available for those in need of transportation assistance. They will not be permitted to stay on the property after closing hours.

19. What’s the protocol for friends/relatives of youth at the center? Is there a limit to the number of friends/family that each youth can bring?

The center is for young people who are experiencing housing instability. We know these youth will not hesitate to bring a friend or sibling in need to the center, as a referral for resources. This is an important element in building community and serving more young people experiencing housing instability. Because of the center’s age limit, family members over the age of 24 would not be welcomed to use the center, and would be connected with or referred to a community partner. Some young people experiencing homelessness who meet the age criteria are parents, and they will be welcome to bring their children.

20. What’s the ratio of caregiver to youth? How many caregivers will work at the drop-in center at a given time?

The staffing plan is based on operational assumptions (hours and number of guests) and will be adjusted if there are fluctuations in guest utilization. Staff include the center director, receptionist, youth advocates, safety officers, youth navigators, clinicians, maintenance, etc. In addition, professionals from other social service partners will be on site as needed.

21. Does operating within a block of an elementary school result in any constraints to the operation of the service?

LMM’s drop-in center maintains the existing Business (Social Services) Use that the facility has been approved for by the City of Cleveland. Cleveland Zoning code and building code do not have operational constraints related to this type of Business Use and its proximity to schools.

Security

22. Will security stay on site after the center closes? If not, how will LMM handle people outside the building after the center closes?

Security personnel will not stay on site after the center closes. The facilities will be secured at closing time, and safety features will be in place, including appropriate lighting and security monitoring systems. Staff will help young people identify a plan for where they will be at night. Youth Navigators will be on site to work individually with
youth to resolve their housing plans. Guests in need of sleeping arrangements will be assisted in finding suitable locations and services. Guests will not be permitted to loiter, and youth advocates and safety personnel will assist our guests in getting to their next location. We will also have resources available for those in need of transportation assistance. They will not be permitted to stay on the property after closing hours.

23. Please explain the need for security at the facility.

Safety personnel specially trained in trauma-informed, youth-centered de-escalation will be on site to both proactively monitor for and also be responsive to any conflicts or issues that may arise that impact safe participation in center activities. In most cases, safety personnel will be able to address the situation and will remove individuals if appropriate. The Cleveland Police Department - 2nd District will be called in for support, if needed. We are building relationships with the Community Engagement Officers of the Community Services Unit of the CPD - 2nd District so we can partner on responses as well as identify proactive ways to ensure a safe and secure environment.

24. If a security issue happens - either in the center itself or with an unwanted visitor, what is the protocol?

Safety personnel specially trained in trauma-informed, youth-centered de-escalation will be on site to both proactively monitor for and also be responsive to any conflicts or issues that may arise that impact safe participation in center activities. In most cases, safety personnel will be able to address the situation and will remove individuals if appropriate. The Cleveland Police Department - 2nd District will be called in for support, if needed. We are building relationships with the Community Engagement Officers of the Community Services Unit of the CPD - 2nd District so we can partner on responses as well as identify proactive ways to ensure a safe and secure environment.

25. How will security be managed outside of the facility in the neighborhood to support safe coming and going from the service area?

Guests will not be permitted to loiter, and youth advocates and safety personnel will assist our guests in getting to their next location. We will also have resources available for those in need of transportation assistance. They will not be permitted to stay on the property after closing hours.

Services

26. Will the clients be linked with permanent-supportive housing or transitional housing?

One of the main priorities of the drop-in center is to connect young people with resources for permanent housing. Staff will link guests to a variety of housing supports and services based on the unique strengths and needs of the young person. These include access to diversion and prevention assistance, family mediation and reunification support, emergency rental assistance, Rapid Re-Housing, and supportive housing.

27. Does not being able to function 24/7 limit the effectiveness of the services? In what ways? What is the impact of operating during limited hours on the neighborhood?

About 24/7 operations: 24/7 operations have been identified as a best practice for drop-in centers, as it provides immediate access to safety for young people at any hour of the day. A 24-hour drop-in center is not a shelter, and 24/7 operation does not mean that individual young people will stay there for 24 hours in a day. Peer youth drop-in center programs often limit access to no more than 10 to 12 hours in a 24-hour period. This is where navigation services will be important to help youth who are reluctant to leave or who have not identified a nighttime residence find a place to stay.

At this location: Peer youth drop-in center programs recommend opening a center with daytime hours only, to establish operations and build staff capacity, and then assess the need for overnight hours. This ensures a more thoughtful, intentional growth that will serve the best needs of the guests, the staff, and the community surrounding the center.

Updated January 2023:

In alignment with requests from Councilman Kerry McCormack and feedback from the community, there will be no 24/7 operations at this location at any point. Our commitment to being a good neighbor and establishing a much-needed resource in this location is most important. We will not compromise the relationships we have built, and we will have no future discussion of 24/7 operations at 4100 Franklin.

28. What is the process for receiving approval to operate the service 24/7?

If 24/7 operations were to be considered, a feasibility review would be conducted and would include looking into any required approvals and soliciting and addressing feedback from the community prior to any decision.

Updated January 2023:

In alignment with requests from Councilman Kerry McCormack and feedback from the community, there will be no 24/7 operations at this location at any point. Our commitment to being a good neighbor and establishing a much-needed resource in this location is most important. We will not compromise the relationships we have built, and we will have no future discussion of 24/7 operations at 4100 Franklin.

29. Please define your target market for this service more precisely. How do you define housing unstable? Who will be able to use the proposed services?

“Housing unstable” means the young person does not have a safe, secure, or permanent place to live. They may be doubled-up with a relative, friend, neighbor, etc. or couch-surfing. A young person might be staying in a hostel, hotel, shelter, or navigating the streets. Despite their resilience or tenacity, their housing challenges create greater deficits in their lives. We also refer to those individuals as “young people experiencing homelessness,” “young people striving for housing stability,” or “young people experiencing housing instability.”
30. How do you plan to ensure that the housing unstable, homeless youth population is primary beneficiary of the service? What specific measures will you take to ensure that the service doesn’t become a more general purpose youth drop-in center?

The Collaborative has decades of experience combined in working with young people striving for housing stability. Trust and confidentiality are paramount for many of these young people. The culture of the center and all materials, signage and communications will make clear that this center is a resource and respite for those who are in the process of seeking housing stability.

31. If someone tries to use the center who is outside of the defined age range, what is the protocol for the center?

Anyone outside of the designated age range who tries to access the center’s services will find assistance to address any immediate basic needs (restrooms, refreshments, safety) and then be referred to appropriate service providers.

**Neighborhood Impact**

32. What is the expected impact on the immediate neighborhood and its residents resulting from an influx of teenage and young adult non-residents into the neighborhood? What research/analysis has been done to support this?

The sidewalks nearest the center will likely see a slight increase in foot traffic. which is the most likely means of access to the center. Based on the current services and experience of A Place 4 Me, whose youth navigation team will be on site, it is anticipated that 12-15 youth would be using the center at any one time.

33. What is the expected impact on the neighborhood of providing a transient service 24/7? What about until the proposed 8:00pm closing time?

In any scenario, there will be youth exiting the drop in center throughout the day, and there will be foot traffic at different times as youth come and go. They will have had some basic needs met and will have access to transportation. As previously addressed, 24/7 operation will not be implemented without feasibility studies and neighborhood dialogue.

*Updated January 2023:*

There will be no 24/7 operations at this location at any time.

34. Have you consulted with any community officials - i.e. 2nd District CPD, local elementary school administration, church leaders, parks officials, etc. to gather their perspective about the impact to their operations and the neighborhood more broadly of placing the services in this specific location? Who? When? What was their feedback?

Since November 2021, our team has met with City and County Officials, 2nd District CPD, Greater Cleveland RTA, and several social service providers in the neighborhood and surrounding neighborhoods, including NEECH, May Dugan, St. Paul Community Church, St. Herman’s FOCUS, LGBT Community Center, and Malachi Center.

As a result of conversations to date, we have a growing list of stakeholders and additional meetings are being planned. Feedback received to date has been positive, with those who work closely with young people in the community affirming the center will fill a significant gap in services, and many offers of partnership and support.

35. What consideration was given to mixing the youth population with the adult male population of St. Herman’s and the population that frequents St. Paul’s services? What is the expected impact on the youths using the proposed services? What about the neighborhood?

Acknowledging the unique developmental stage of young adults is one of the establishing factors of the movement to end youth homelessness and offer a drop-in center. Young adults need services tailored directly to them. We do not expect much duplication in terms of the population served, and teams at St. Paul’s and St. Herman’s have affirmed that the drop-in center will be a resource for referring young people that do not meet their service criteria and/or who can be better served by our programming.

36. What is the expected impact on crime in the neighborhood?

A Place 4 Me staff provide ad hoc drop-in services to young adults at the YWCA of Greater Cleveland office. That building has had no increase in crime or impact in account of the young people who access it for support.

37. What is the expected impact to traffic on Franklin Blvd, and throughout the neighborhood resulting from providing a transient service at this location? Does this support the planned work on Franklin Blvd. to calm traffic and make the neighborhood more pedestrian friendly? Does the planned road work impede the delivery of services? What analysis has been done to support this?

We anticipate the majority of the young people will come to the center via public transit and by foot from the bus stop, thus contributing little to vehicle traffic on Franklin Blvd. We were alerted to the proposed roadwork by the neighborhood and are keeping in touch to better understand the timeline and implications. Depending on the timeline for the work and our timeline for opening, this may or may not be an issue to work around.
38. What is the expected total influx of nonresidents into the residential neighborhood that will result from serving 200 youths annually and 10-12 youths at any given time on a daily basis?

Based on our projections on the number of young people anticipated at the center at any given time during operating hours, there will be anywhere from 5 to 12 staff at those times based on guest utilization. In addition, professionals from service partner organizations will be on site as scheduled, and as needed, which may account for an additional 2-3 people.

39. What is the plan to mitigate littering on Franklin sidewalks as a result of the center?

Guests will not be permitted to litter and youth advocates and safety personnel will assist our guests in getting to their next location after they leave. We will also have resources available for those in need of transportation assistance. They will not be permitted to stay on the property after closing hours.

Youth advocates, navigators and staff establish and maintain excellent rapport with young adults, and they work to foster a culture of care and respect for the neighborhood. Mutual respect and care will grow through community events and volunteer opportunities among neighborhood residents.

Service Demand

40. What percentage of the 550 underserved youth will leverage this center?

550 is the number of young people ages 18 to 24 who sought emergency housing services in Cuyahoga County last year through the county’s Coordinated Intake system. This translates to one to ten young people daily at Coordinated Intake. Young people seeking emergency shelter can still utilize this resource without coming to the youth drop-in center, and we expect that many will.

The team at A Place 4 Me has been serving young people for the last several years in a “drop-in” capacity. Last year, A Place 4 Me served 415 unique young people, some of whom had also visited Coordinated Intake. Most of the services have been provided through the telephone because of pandemic protocols. Based on this experience, we are anticipating about 200 unique young people will come to the center in the first year of operation.

41. How often will the same people that are projected to return to the center, versus first-time visitors?

From experience, we expect that some young people will come to the center one time, receive what they need, and not return. We hope that young people will find the center to be a safe and welcoming respite from the daily stress of their experience, and thus find value in returning.

About the Partners

A Place 4 Me is the community’s coordinated initiative to prevent and end homelessness among youth and young adults. The initiative was created in 2014 to coordinate and align systems to better meet the needs of young people experiencing homelessness; to cultivate and support youth leadership and voice in developing solutions to youth homelessness; and to provide direct services that fill gaps in the system of care. APM is overseen by a diverse, public-private steering committee, which includes the REACH Youth Action Board, Cuyahoga County Division of Children and Family Services, Office of Homeless Services, EDEN Inc., FrontLine Service, Lutheran Metropolitan Ministry, Sisters of Charity Foundation of Cleveland, Anne E. Casey Foundation, and YWCA, which also serves as the host and fiscal agent of the collaborative.

Lutheran Metropolitan Ministry (LMM) was established in 1969 as a nonprofit organization with a mission to serve those who are oppressed, forgotten and hurting to be empowered, valued and healed. Focusing on Housing & Shelter, Workforce Development, and Health & Wellness Services, LMM creates innovative programs that serve with people who are homeless, youth who are at-risk, older adults who are vulnerable, people impacted by the criminal justice system, and individuals with behavioral health needs. LMM’s mission and work aligns with that of A Place 4 Me’s goal to prevent and end youth homelessness and engage youth voice and choice. The Youth Drop-In Center operation fits into LMM’s existing continuum of services for youth. Youth Resiliency Services, which currently includes a shelter for youth ages 12 – 17 years old and a youth independent living program for youth ages 16-21.
A Place 4 Me has partnered with Lutheran Metropolitan Ministry, young adult leaders, local funders and service providers to introduce a drop-in center where young people seeking housing stability can find respite and safety.

Drop-in centers are critical elements of a systemic approach to prevent and end youth homelessness, yet Cuyahoga County remains the only major urban area in Ohio without one.

What happens in the youth drop-in center?

Young adult guests, staff, and volunteers will be welcomed at the center’s reception desk by a receptionist and a trained and informed safety officer. Guests will be greeted by staff who will offer them something to eat or drink. New guests will be offered a tour and/or orientation to the center. Guests of the center can access food in the kitchen, clothing and personal hygiene items, wash clothes in the laundry room, shower, and take a break in the living room, dining room, or library. A small computer lab will be available for guests, as well as multiple charging pads. There will be an area for guests’ children to play. Staff will link guests to a variety of housing supports and services, including access to diversion and prevention assistance, family mediation and reunification support, emergency rental assistance, Rapid Re-Housing, and supportive housing.

Is this different than a shelter?

The youth drop-in center is not a shelter and does not provide overnight bed capacity. Many young people who visit the center already have places to stay overnight and will be using the center to access resources, do laundry, have a meal or seek respite from what may be a challenging situation.

The center is intended to complement and provide coordinated access to the community’s existing array of services for young people seeking housing stability.

Will the center stay open overnight?

No. We will not implement a 24-hour model at this location. We have considered hours of operation as 10 a.m. to 8 p.m. and are amenable to adjustments within this framework to allow flexibility to meet the needs of young people.

Why do we need the center?

Cleveland is the only major urban city in Ohio that does not have a much-needed youth drop-in center. Young people are often wary of traditional systems of care, which have not been designed to support the unique needs of young people. They may evade those systems altogether or quickly disengage from them, making them more likely to experience long-term homelessness. The holistic, youth-centered approach of the drop-in center will allow service providers to be tailored to the unique strengths and needs of each individual young person.

What will happen?

The youth drop-in center will be available for youth and young adults ages 16 to 24 who are seeking stable housing in Cuyahoga County. Recognizing that about 25 percent of youth experiencing housing instability are parents, the center will also welcome guests’ children.

Based on current services and experience at A Place 4 Me, it is anticipated that 12 to 15 young people would be using the center at any given time. Young people experiencing housing instability do not have a safe, secure, or permanent place to live. Many have college degrees and are dealing with debt or crisis situations. Young people often report severe family conflict as the primary reason for their homelessness. They may be couch-surfing, doubled-up with a relative or friend, staying in a hostel, hotel, or shelter; or navigating the streets. Some may be rejected or abused by their families because of their sexual orientation or gender identity. Nationally, 40 percent of young people experiencing homelessness identify as LGTBQ.

Despite their resilience or tenacity, their housing challenges create greater deficits in their lives. The drop-in center partners have decades of experience combined in working with young people striving for housing stability.

Why the location of 4100 Franklin?

We are committed to the 4100 Franklin site as an accessible, safe ressource point identified in partnership with young people. The exploration and vetting of sites for a youth drop-in center was a critical element of the planning process. With funding from The Cleveland Foundation and the Stewards of Charity Foundation of Cleveland, the drop-in center partners engaged Allegro Real Estate Brokers to support a site search and selection process. Criteria were defined in partnership with the youth-led planning team for the drop-in center. Criteria include safety, access to public transit, residential and walkable access to amenities such as libraries, shops and cafes; near downtown but not in downtown in order to avoid being near large emergency shelters; appropriate in size and home to only the drop-in center. The 4100 Franklin location was one of several prospective properties, and it was the only one that met all criteria.

A Place 4 Me administered a survey to community providers and young people that explored how the drop-in center could operationalize five core values (racial and LGBTQIA equity, safe/young friendly, radical hospitality, high-written, and low barrier). Location feedback on the survey specifically identified Ohio City as sharing many of the same core values. Additionally, data from Cuyahoga County Office of Homeless Services shows that nearly one-third of young people who visit coordinated intake have their last zip code in Ohio City or an adjacent neighborhood.

What will staffing and security look like?

Staff include the center director, receptionist, youth advocate, safety officers, youth navigators, clinicians, maintenance, etc. In addition, professionals from other social service partners will be on site as needed. Safety personnel specially trained in trauma-informed, youth-centered de-escalation will be on site to both proactively monitor for and also be responsive to any conflicts or issues that may arise that impact safe participation in center activities. In most cases, safety personnel will be able to address the situation and will remove individuals if appropriate. The Cleveland Police Department - 2nd District will be called in for support, if needed. We are building relationships with the Community Engagement Officers of the Community Services Unit of the CPD - 2nd District so we can partner on responses as well as identify proactive ways to ensure a safe and secure environment. The facilities will be secured at closing time and armed personnel will be in place, including appropriate lighting and security monitoring systems. No lighting will be permitted.

Where will young people go after hours?

Many young people who will visit the center already have places to stay overnight. They may be couch-surfing, doubled-up with a relative or friend; or staying in a hostel, hotel or shelter. Guests in need of sleep arrangements will be assisted in finding suitable locations and services. We will have youth advocates and safety personnel on site to assist our guests in getting to their next location through public transit, ride shares or other transportation assistance. Young people will not be permitted to stay on the property after closing hours.

How can community members support the center?

The partners at A Place 4 Me, Lutheran Metropolitan Ministries and other members of the movement to end youth homelessness are committed to being good neighborhood partners. We are grateful for general acceptance among community members, and we are dedicated to fostering a culture of hospitality and safety. We are committed to ongoing dialogue with this community. Please stay in touch with us to learn more about opportunities for volunteering, donations and community events.

To whom can I direct questions or concerns?

Please direct any questions or concerns to any of the following:

Maria Fuschia, CEO, Lutheran Metropolitan Ministry
216-658-7209
mfuschia@lutheranmetro.org

Kate Ludje, director, A Place 4 Me
216-363-7714
kludje@lutheranmetro.org

Angela O’Drade, program officer for housing, Sisters of Charity Foundation of Cleveland
216-363-7714
aodrada@sistersofcharity.org

Sisters of Charity Foundation of Cleveland
November 2022
February 3, 2023

The Center is not a shelter. At the end of each day, LMM and its operating partners will make sure that each guest has a place to go and a way to get there.

1. The Neighborhood Where The Property Is Located

The property is located on the north side of Franklin Blvd. between W. 38th Street and W. 45th Street. That neighborhood consists of a variety of uses, most of which are single- and two-family homes. But there are also commercial uses, multi-family uses, a man’s shelter, and transitional housing on the same block in addition to the charitable institutional social and family services and offices on the property. A bed and breakfast and multi-family apartments flank Franklin just west of W. 38th Street. Transitional housing operated by St. Herman’s Focus is three parcels to the west of the building. Two doors to the west of that property is the “Most Haunted House in Ohio” – Franklin Castle – which offers tours and overnight stays. Next to that property is a man’s shelter operated by St. Herman’s Focus. East of W. 38th Street is a nursing home at 3600 Franklin Blvd. with hundreds of beds and dozens of parking spaces.

There are numerous bus stops along Detroit Avenue north of Franklin at W. 29th, W. 30th, W. 32nd, W. 36th, and W. 40th, some of which are less than a five-minute walk from the property.

2. The Center Is A Permitted Charitable Institution Use Of The Property

The property is in the City’s Two-Family Residential (“2FR”) District. The uses permitted in the 2FR District include those permitted in the City’s One-Family Residential (“1FR”) District. Cleveland Zoning Code (“Code”) §337.05(b).

“Charitable Institution” uses are permitted in the 1FR District (and, therefore, the 2FR District) pursuant to and as set forth in Code §337.02(g)(x)(v). The Code provides for no definition for “charitable institutions.” A “charitable institution” has been defined by the Cuyahoga County Court of Appeals as: “any group of persons who band together for a charitable purpose and maintain headquarters for the purpose of dispensing charity to the needy...” Fedor v. Cleveland, 7 Ohio L. Abs. 116 (Cuyahoga App. 1929).

And in Church of God in N. Ohio v. Levine, 124 Ohio St. 3d 36, 2009-Ohio-5939, 918 N.E.2d 981, the Ohio Supreme Court defined “charity” as: “the attempt in good faith, spiritually, physically, intellectually, socially and economically to advance and benefit mankind in general, or those in need of advancement and benefits in particular, without regard to their ability to supply that need from other sources, and without hope or expectation, if not with positive abnegation, of gain or profit by the donor or beneficiary of the charity.” 2009-Ohio-5939, 1R, quoting Planned Parenthood Fed’n v. Tax Commn., 5 Ohio St. 2d 117, 214 N.E.2d 222, paragraph one of the syllabus (1966).

The building has always been used for “charitable institution” uses. At the time the COO was issued in 2009, the building housed three nonprofit agencies (Lutheran Family Services, Lutheran Chaplaincy Services, and the Cleveland Housing Network) and offices leased to attorneys. Lutheran Family Services provided professional counseling including child and adult mental health

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1 The NOA is incorporated herein by reference.
2 See Attachment 1.
3 See Attachment 2.
counseling, marriage counseling, and grief counseling throughout the day and, when requested, evening appointments were available. Also, a licensed professional counselor provided adoption and foster care services, home inspections, background checks and home visits. The building was open every day and was available for evening meetings by appointment.

The COO issued in 2009 confirms that the use of the Property for charitable family and social services and for offices for up to 20 people confirmed to the provisions of the Code.

Before any permit or certificate of occupancy is issued, the Commissioner of Building or the Commissioner of Housing shall examine or cause to be examined the application therefor, and any plans and plot plans accompanying such application, to ascertain whether the proposed work and use will conform to the provisions of this Zoning Code. No permit or certificate of occupancy shall be issued unless the proposed work and use conform to the provisions of this Zoning Code.

Code §337.02(d) The Center undeniably is a charitable institutional use. See, e.g., Capital City Rescue Mission v. City of Albany Board of Zoning Appeals, 235 A.2d 815, 652 N.Y.S.2d 388 (1997) (holding that a facility providing “food, clothing, shelter, counseling, medical care, educational training and spiritual guidance to disadvantaged individuals” is a “charitable institution”). It follows that the charitable institution uses provided at the Property are conforming uses. Therefore, the Center is permitted by the Code, per the COO.

3. Even If The Property's Use Is An "Existing, Legal, Non-Conforming Charitable Institution In A Two Family Residential District," As Stated In The NNC, The Center Is Permitted.

According to the NNC, LMM's Center fails to conform to Code §§ 337.02(g), 337.02(h), and 359.01(a). More specifically, the NNC states that the Center adds a use to the “existing, legal non-conforming charitable institution in a Two Family Residential District” that will have “expanded hours of operation.” Because the Center will operate in a building that is less than 30 feet away from the Property’s eastern boundary line, the NNC appears to state that the Center cannot be operated. The NNC does not suggest that LMM should seek a variance from the 30-foot minimum distance requirement in Code §337.02(g)(g).

In fact, the Center is neither a “new” nor “expanded” non-conforming use. It is a continuation of the charitable social and family services that have been provided at the Property since 1965. The Center narrowly tailors those charitable services to the vulnerable group it is intended to serve. Providing basic needs like washing, laundry, food services for the needy is a charitable institutional use. The Center enhances the availability of those basic needs and services for homeless youth and young adults. That neither changes nor negates the Property’s charitable institutional use. The Code does not allow the Zoning Administrator to determine what customary charitable services are permissible provided by charitable institutions, or how those services are provided or when. Nor does the Code prescribe how many people can be served by charitable

* The Center will not be offering medical care.

* The NNC also states that the approval of the Cleveland Landmarks Commission was required per Code §341.02 (LMM met with Ohio City, Inc. and the Commission last year and received and accepted suggestions from both, following which the Commission approved the appropriateness of LMM’s proposed improvements.

* Kitchen, laundry and shower facilities were present in the building, though they were not included in the array of charitable social and family services programs that were provided.
EXPERT REPORT OF ALAN WEINSTEIN
Planning and Zoning Evaluation of Proposed Youth Drop-In Center
Located at Lutheran Metropolitan Ministries – 4100 Franklin Blvd.

1. Qualifications and Methodology

A. Qualifications

I hold degrees in city planning (M.C.P., Massachusetts Institute of Technology) and law (J.D., University of California-Berkeley). I was a tenured full Professor in both the College of Law and College of Urban Affairs at Cleveland State University (CSU) up to my retirement from those positions on December 31, 2010 after thirty years as a faculty member. CSU subsequently awarded me the titles of Professor Emeritus of Law and Professor Emeritus of Urban Studies in June 2020. Prior to joining the CSU faculty, from Fall 1970 through Spring 1984 I was an Assistant Professor of Urban Planning in the School of Architecture & Urban Planning at the University of Wisconsin, Milwaukee and from Fall 1984 through Spring 1989 an Associate Professor of Law at the Yves University Jacob D. Fuchsberg Law Center, then located in Huntington, New York.

In the positions noted above, from 1970 to 1984 and 1989 to 2019, I taught Land Use Planning and Land Use Planning Law in Masters degree city planning programs fully accredited by the Planning Accreditation Board. From 1984 to 2019, I taught Land Use Planning Law in law schools fully accredited by the Association of American Law Schools and the American Bar Association.

I also have substantial professional experience in local planning and zoning issues. I have worked as a consultant both to government and private parties on planning, zoning and development issues for over 40 years, including, but not limited to: the formulation of general plans, zoning ordinances, subdivision regulations, and uniform development ordinances; the formulation of specific district plans and implementing ordinances; the formulation of specific policy plans and implementing legislation; and the application of planning and zoning legislation and regulations, both to existing and proposed land uses. Most of the above work has been undertaken for local or county governments in Ohio, or involved land use planning or zoning issues in Ohio municipalities or townships. In addition to my professional planning experience in Ohio I am a co-author of the one-volume treatise, OHIO PLANNING & ZONING LAW, published annually by Thomson Reuters.

I am providing my current Curriculum Vitae with this Report.

1. B. Methodology

The data, documents, and information I relied on to form my opinion were either provided to me by the Barnes, Ochner & Greenberger law firm or my own research, including personal observations made during a visit to the site of the proposed Youth Drop-In Center at 4100 Franklin Blvd. and the surrounding area on February 9, 2023. The specific documents I relied on to form those opinions are:

- City of Cleveland Zoning Ordinance.
- City of Cleveland Zoning Map.
- Final Certificate of Occupancy CO09062019 for premises at 4100 Franklin Blvd. showing Permit Date June 6, 2009 and Issue Date July 14, 2009.
- City of Cleveland Dept. of Building & Housing Zoning Review Notice of Non-Conformance dated May 15, 2022.
- Various materials provided by Benjamin J. Ochner, Esq. and Lutheran Metropolitan Ministries.
- Information obtained from online searches of Google, Google maps and Google earth.

I also relied on my cumulative training and experience in city planning/land use regulation practice to form my opinion.

II. Scope of Report

I have been requested to make the following determinations from a professional land use and planning perspective:

1. Whether or not Lutheran Metropolitan Ministries (LMM)’ proposed use of the premises at 4100 Franklin Blvd. is consistent with and part of the property’s approved existing office and charitable institution uses.

2. Whether or not LMM’s proposed use of the premises at 4100 Franklin Blvd. is an enlargement, expansion, substitution of, or change in the property’s use as an “existing legal non-conforming charitable institution.”

1. LMM also operates the building with A Place 4 Me and the Soins of Charity Foundation with assistance from the Cuyahoga County Office of Residential Services.
3. Whether or not the HZA should it conclude that: (1) LMM’s proposed use amounts to an enlargement or expansion of the existing lawful nonconforming use, grant LMM a variance under Code Ch. 320 allowing such enlargement or expansion; and/or (2) LMM’s proposed use amounts to a substitution or other change in the existing lawful nonconforming use to other than a conforming use, grant a special permit to allow LMM’s proposed use of the premises.

4. Opinions on Requested Determinations

A. Whether or not Lutheran Metropolitan Ministries (LMM) proposed use of the premises at 4100 Franklin Blvd. is consistent with and part of the property’s approved existing office and charitable institution uses.

There is no listing in the Definitions Section of the Cleveland Zoning Code for either “charitable institution” or “office.” The most comprehensive listing of definitions related to zoning and planning, “A Planners Dictionary” [hereinafter “Dictionary”], published by the American Planning Association, also does not define “charitable institution” but does define “charitable organization.” In my professional opinion, these two terms are sufficiently similar that the definition for one can be used for the other. The Dictionary provides examples of definitions from three jurisdictions: Durham, N.C.; Lake Elmo, MN; and Golden, CO. While these definitions differ somewhat, they all state that a charitable organization is operated on a non-profit basis and is engaged in providing assistance in the form of food, goods, shelter, services or other socially useful programs on a charitable basis.

In my professional opinion, because the proposed use will provide, on a charitable basis, food and clothing, bathing and clothes-washing facilities; and various counseling services to individuals in need of those goods, facilities and services, it meets the definition of “charitable institution” as properly understood within professional planning practice.

The Dictionary provides examples of definitions of the term “office” from three jurisdictions: Miami, FL; Champaign, IL; and Huntington, IN. While these definitions differ somewhat, they all define “office” as comprising a room or group of rooms for conducting the affairs of a business, profession, service industry, or government. In my professional opinion, because the proposed use will conduct its own affairs and also provide various counseling services in a group of rooms on the premises of the 4100 Franklin Blvd. building, the proposed use also meets the definition of “office” as properly understood within professional planning practice.

Accordingly, in line with my conclusions above, LMM’s proposed use of the premises at 4100 Franklin Blvd. is consistent with and part of the property’s approved existing office and charitable institution use.

B. Whether or not LMM’s proposed use of the premises at 4100 Franklin Blvd is an enlargement, expansion, substitution of, or change in the property’s use as an “existing legal non-conforming charitable institution.”

There is no listing in the Definitions Section of the Cleveland Zoning Code for any of the terms in the phrase “enlargement, expansion, substitution of, or change in the property’s use.” Further, the Code provides no guidance as to what those terms mean in various other Sections where the terms appear, with one exception of no relevance to the proposed use. My professional opinion, as a matter of general planning practice, all of the above terms refer either to some increase in the physical dimensions of the structure housing the non-conforming use, particularly a change that would significantly affect the degree of non-conformity of the structure, or some change of use that will intensify the degree to which the nonconforming use differs from uses that conform to the current use regulations in the relevant zoning district.

In my professional opinion, while the proposed alterations to the front and rear of the 4100 Franklin building results in a minor increase to the physical dimensions of the structure; and thus may require the grant of a variance allowing the minor enlargement, they neither expand or enlarge the portions of the structure that comprise the non-conforming use nor lessen the distance between the building and the neighboring property which is the basis for the building being a non-conforming structure.

It is also my professional opinion that providing the goods, facilities and services envisioned by the proposed use will not be an enlargement, expansion, substitution of, or change in the property’s use as an “existing legal non-conforming charitable institution.” The counseling services that will be provided differ from the services that have traditionally been offered only as regards the target population.

The LMM building at 4100 Franklin Blvd. has been used to provide social and family services since it opened in 1965, starting with use by LMM’s predecessors and sister organizations, Lutheran Children’s Aid Society and Lutheran Family Services (LFS). Both organizations supported children, youth and families, by offering domestic adoption services, supportive services for foster parents, parenting classes for young parents, mental health counseling for anyone in the community, and even housing community events such as rummage sales. The building also provided office space both for LMM and

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4 § 340.15, which regulates “Incidental Parking,” provides numerical guidance for the meaning of “expansion” in subsection (b) & (c).

5 The physical dimensions of the building will increase by 3.4% from 4255 s.f. to 4418 s.f.
other service partners, including Cleveland Housing Network and Lutheran Chaplaincy, as well as offices leased to a few professionals, and an apartment with a tenant.

LMM began working in partnership with LPS in 2014 and LPS merged with LMM in 2017. Since the merger, the focus of services at the 4100 Franklin building has been behavioral health services, case management, benefits assistance, and counseling, education and support for groups for individuals, youth and families. These services were available for both day and evening appointments. In addition, a licensed counselor provided adoption and foster care services, again with appointments available both day and evening. Service partners utilized space, most recently a benefits counseling organization. The office remained occupied by LMM staff, and two attorneys who leased space. In addition LMM utilized the property for drive-thru holiday food distribution in 2020 and 2021.

LMM staff report that both individuals and small groups have used the 4100 Franklin building; with usage ranging from 4-6 people to upwards of 20. Hours of operation have also varied over the years, with the office space frequently occupied even when charitable social and family services were closed for the day. LMM staff also noted that assisting people with basic needs -- e.g., a snack, clean clothes, hygiene products, or a bus pass -- goes hand in hand with behavioral health, case management, benefits and counseling. According to LMM staff, any social service provider would affirm this.

LMM staff report that the COVID-19 pandemic in 2020-2021 significantly affected operations at the 4100 Franklin building since this was among the facilities LMM chose to utilize less. After LMM identified the 4100 Franklin building in 2021 as the potential site for the Youth Drop In Center, it kept usage low in anticipation of beginning to operate the Center by the end of 2022. After receiving the Notice of Non-Compliance in May 2022, LMM has intentionally kept usage of the building lower than its pre-pandemic level in anticipation that the use of the building for the Center will ultimately be approved.

The services described above were previously offered to the general population, while the services to be provided by the proposed Center are restricted to homeless youth. In my professional opinion, proper zoning practice does not and should not consider such a change in the target population for charitable services as constituting a substitution of, or change in the property’s use.

Similarly, in my professional opinion providing additional charitable services in the form of facilities for showering, cooking, clothes-washing do not constitute an enlargement, expansion, substitution of, or change in the property’s use as a charitable institution. All that has changed is the precise constellation of charitable services provided within the building. None of these additional services will have any effect or impact whatsoever on any persons or structures outside of the building.

Based on information provided by LMM, the proposed Center will be open a maximum of ten hours per day, seven days per week. LMM expects to serve about 300 clients in the Center’s first year of operation, with no more than 12-15 clients served on any given day and between five and twelve clients in the building at one time depending on the programming schedule and usage. While this is greater utilization of the building than the past few years during and after the pandemic, the usage is similar to pre-pandemic levels.

Based on the above, in my professional opinion the proposed use does not constitute an enlargement, expansion, substitution of, or change in the property’s use because the utilization of the building -- as measured by the number of clients served, number of employees present, and dayhours of operation -- will not be intensified beyond its normal pre-pandemic levels that were already permitted by the property’s status as an existing legal non-conforming charitable institution. While it is true that usage of the building may increase as compared to usage in recent years, that increase is irrelevant from a zoning standpoint.

C. Whether or not the BZA, should it conclude that: (1) LMM’s proposed use amounts to a substitution or other change in the existing lawful nonconforming use to other than a conforming use, grant a special permit to allow LMM’s proposed use of the premises; and/or (2) LMM’s proposed use amounts to an enlargement or expansion of the existing lawful nonconforming use, grant LMM a variance under Code Ch. 329 allowing such enlargement or expansion.

Cleveland’s Zoning Code §329.03(a) allows a “substitution or change in . . . [a] nonconforming use to other than a conforming use” by approval of a special permit, providing:

Such special permit may be issued only if the Board finds after public hearing that such substitution or other change is no more harmful or objectionable than the

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8 The counselor also provided off premises services such as home visits and home visits.
9 Similar examples include changing from serving the general population to serving only those over age 65, or only single parents, or only refugees and immigrants.

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5 Other services are frequently provided by other charitable institutions to those whom they serve, particularly churches and other houses of worship as part of their ministry to the homeless and others in need. Churches are a permitted use in the Two-family District provided they are at least 15 feet from an adjoining property.
6 To illustrate that point, consider a typical non-conforming auto repair service business that attended low income customers due to poor management and bad service. It is irrelevant to the zoning status of that property if new ownership, continuing to operate the property as an auto repair service, attracts a much larger number of customers because they offer better management and higher quality service.
previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use.

As explained in Section III.B. above, in my professional opinion the proposed use does not constitute a substitution or change from the previous nonconforming use. That said, were the BEA to view the proposed use as a substitution or change, then in my professional opinion the BEA should approve a special permit for the proposed use.

In my professional opinion the proposed use meets the criteria for approval of a special permit. Specifically, the proposed use is "no more harmful or objectionable than the previous nonconforming use:"

- "in floor or other space occupied" — as noted in the previous section of my Report, the proposed use does not involve an increase "in floor or other space occupied," other than the minor exterior alterations described previously and which in any case would be the subject of the variance request discussed below;
- "in volume of trade or production" — as noted in the previous section of my Report, the proposed use does not involve an increase "in volume of trade or production" from that which is already allowed;
- "in kind of goods sold or produced" — the proposed use neither sells or produces "goods";
- "in daily hours or other period of use" — as noted in the previous section of my Report, the proposed use does not involve an increase "in daily hours or other period of use" from those used at the facility in the past and which is already allowed;
- "in the type or number of persons to occupy or to be attracted to the premises" — as noted in the previous section of my Report, the proposed use does not involve an increase "in the ... number of persons to occupy or to be attracted to the premises from that which is already allowed. Further, in my professional opinion, basing zoning decision on the category of "type of persons" is at best unenforceable and at worst unlawful, with only limited exceptions of no relevance here;"  
  or "in any other characteristic of the new use as compared with the previous use" — as noted in the previous section of my Report, the proposed use does not involve "any other characteristic of the new use as compared with the previous use" that would be "more harmful or objectionable than the previous nonconforming use." While the proposed use will provide additional charitable services in the form of facilities for showering, cooking, and clothes-washing, none of these additional services will have any effect or impact whatsoever on any persons or structures outside of the building, let alone "be more harmful or objectionable than the previous nonconforming use."

In short, in my professional opinion the proposed use meets the criteria in § 359.01(a) for the issuance of a special permit allowing the proposed use.

It is also my professional opinion that the HZA should grant a variance allowing the 3.8% enlargement or expansion of the existing structure. The requested variance is minimal and does not bring the structure closer to the adjoining properties.

In my professional opinion, the most critical criteria in Chapter 329 that the HZA must consider in deciding on a variance request relate to meeting "a community need without adversely affecting the neighborhood" and ensuring that the character of the neighborhood will be preserved. To determine whether the requested variance can satisfy those criteria, we first need to determine what is the neighborhood and then describe its character.

In my professional opinion, the "neighborhood" in this instance comprises, at minimum, both sides of Franklin Blvd. between the west side of West 38th and the east side of West 45th plus the properties that front on the east side of West 38th and the west side of West 43rd. As noted previously, the Two-Family zoning for this neighborhood allows a variety of both residential and non-residential uses and the current uses reflect that.

In addition to the charitable/office use at 4100 Franklin Blvd., uses other than one or two family residences on Franklin Blvd., between the west side of West 38th and the east side of West 45th include:

- 3801 Franklin: The Eleanor, a 7,804 s.f. 41 apartment building with four 1BR/1BA and four 2BR/2BA dwelling units.
- 3806 Franklin: The Stone Gables Inn, a 9,000 s.f. self-described "small boutique hotel" with five rooms and a private parking lot behind the building.
- 4230 Franklin: St. Herman's Focus Cleveland, a 4,353 s.f. three-story building operated as a Youth Hostel.
- 4300 Franklin: The "Franklin Castle," a 7,744 s.f. structure that offers overnight accommodations in two rooms and tours for up to 12 visitors on Tuesday, Wednesday, and Thursday evenings from 7:45 to 7:50 pm.
- 4312 Franklin: St. Herman House, a 2,015 s.f. structure offering emergency shelter and a variety of support programs for homeless men.
- 4427 Franklin: St. Paul's Community Church, UCC, which, as part of its ministry, offers an outreach center and other services for those in need.

In addition to the uses listed above, the neighborhood uses include Franklin Plaza, just across West 38th Street at 3608 Franklin Blvd. a 218 unit, 85,724 s.f. Conventional Hospital with on-site parking for more than 50 cars.

* An example of such limited exceptions is prohibiting persons currently using drugs or alcohol from residing in a hallway room for recovering addicts.

97 All area measurements were obtained from Property Summary Reports accessed on Cuyahoga County's "MyPlace" website.
As shown above, there are a large number of existing uses in the neighborhood that are more intensive than one or two family dwellings. In my professional opinion, if the variance and special permit are required to allow the proposed use, then in accordance with the opinions previously expressed in this Report, granting the variance and special permit to allow the proposed use will meet ‘a community need without adversely affecting the neighborhood’ and in no way negatively affect the character of the neighborhood.

Alan Weinstein

Alan Weinstein, J.D., M.C.P.
Professor Emeritus of Law/Urban Affairs - Cleveland State University

Dated: February 3, 2023

Alan Weinstein

Curriculum Vitae

Revised: December 2022

Professor Emeritus of Law/Professor Emeritus of Urban Studies

Cleveland State University

211 Stonebrook Oval

Cleveland, OH, 44112

Tel: (216) 590-7752

E-Mail: a.weinstein@csuohio.edu or dean@planets.com

Education

B.A., University of Pennsylvania (1967); J.D., University of California, Berkeley (1977); M.C.P., Massachusetts Institute of Technology (1979)

Employment History

Professor Emeritus, College of Law, Leake College of Public Affairs & Education, Cleveland State University, Cleveland, OH (2019–present), Professor/Associate Professor (1989-2019)

Congres, Administrative Law, Community Advocacy Clinic, Environmental Law, Land Use Planning Law, Law & Public Policy Clinic, Law & Public Policy Seminar, Legislation & the Regulatory State, Marijuana Law & Policy. Property, Torts, Disability, Develop interdisciplinarity program of instruction, research and public service, panel conferences and symposium; coordinate interdisciplinary efforts between the Colleges and other university departments. Achievements: Awarded $1.30 million in externally-funded grants contracts. Created and directed JD/MIPA & JD/MUP Dual degree programs, and MLS degree program. Created and directed two Legal Clinics with four professional/clinical staff and annual budget of $325,000.

Associate Professor/Assistant Professor, Texas College Law Center, Arlington, TX (1984–89)

Assistant Professor, School of Architecture & Urban Planning, University of Wisconsin, Milwaukee, WI (1979-84)

Selected Publications

Books, Treatises, Chapters & CLF Monographs


“Three Approaches to the Regulation of On-Premise Signs,” National Westminster corporation for the ABA Section of State and Local Government Law, ABA Section of State and Local Government Law and the ABA Center for Professional Development (March 28, 2014)

“Regulating Adult Entertainment Businesses,” International Municipal Lawyers Association National Teleconference (March 18, 2013)

“New Developments in Statutes and Impact Fees,” Professor’s Corner (National Teleconference, American Bar Association Section of Real Property, Probate & Trust Law (December 12, 2012)

“Annual Planning Law Review,” ABA Section of State and Local Government Law, ABA Section of State and Local Government Law and the ABA Center for Professional Development (March 28, 2014)


“Regulating Digital Signs” AFA-Ohio Planning & Zoning Workshop, Westlake, OH (November 18, 2011)

“Religious Land Use and Institutionalized Person Act Claims: Strategies for Local Governments to Avoid or Defend KULPA Litigation,” Strofford Seminars National Webinar Teleconference (April 5, 2011)

“Development, Redevelopment, & the Law,” AFA-Ohio Planning & Zoning Workshop, Cleveland, OH (October 29, 2011)

“Religious Use of Land,” International Municipal Lawyers Association National Teleconference (April 6, 2011)

“Regulating Digital Signs & Billboards,” American Planning Association National Webinar (March 5, 2011)

“Regulating Digital Signs & Billboards” and “StreetSmart for Dealing with LULUs,” AFA-Ohio Planning & Zoning Workshop, Cleveland, OH (November 13, 2010)


“Sex, God and the First Amendment: Zoning of Sexually Oriented Businesses, Signs and KULPA,” Cuyahoga County Law Directors Association, Cleveland, OH (March 12, 2009)

“Signs, Sex, and God: Regulating Land Uses that Potentially Involve the First Amendment,” OCPA’s Planning & Zoning Workshop, Cleveland, OH (November 14, 2008)


“Growth Management Regulations and Wetlands Protection,” CLE International Ohio Wetlands Conference, Cleveland, OH (October 2, 2008)

“Concerning the Fordrein Court in Cuyahoga County, National Association of County Community and Economic Development Officials 31st Annual National Conference, Atlanta, GA (September 8, 2008)


“Update on KULPA,” Cleveland Metropolitan Bar Association CLE Presentation, Cleveland, OH (May 22, 2008)

“Legally Defensible Sign Regulations,” OCPA Planning & Zoning Commission Workshop, Akron, OH (May 9, 2008)


“New Rules for Fencinglaws and Errant Domains,” OCPA’s Planning & Zoning Conference, Cleveland, OH (November 9, 2007)


“Planning & Zoning Considerations in Real Estate Development,” Lorman Education Services Seminar, Real Estate Development From Beginning to End, Akron, OH (March 21, 2007)

“The Socioeconomic Effect of Land Use Regulation in Northeast Ohio: Where Have All the Developers Gone?” CLE International Land Use Law Conference, Cleveland, OH (March 6, 2007)

“Implementing H 2: 21 New Rules for Township Regulation of Adult Entertainment Businesses,” Ohio Township Association Winter Conference, Columbus, OH (February 5, 2005)


“Current Legal Issues in Sign Regulation,” Cuyahoga County Law Directors Association, Cleveland, OH (June 8, 2004)


“Smart Growth,” Lorman Education Services - Ohio Land Use Seminar, Akron, OH (January 26, 2004)

“Federal Mandates & Local Zoning,” OCPA State Planning Conference, Cleveland, OH (September 30, 2003)


“Land Use and the Constitution: Challenging the Court’s 2005 Property Regulation Cases,” Cuyahoga County Law Directors Association 11th Anniversary Municipal Law Workshop, Cleveland, OH (February 11, 2005)


“Hot Topics: Signage, Errant Domain, and KULPA” OCPA’s Planning & Zoning Workshop, Cleveland, OH (October 6, 2004)

“Client Develops Involving KULPA and Sexually Oriented Businesses,” Cuyahoga County Law Directors Association, Cleveland, OH (June 10, 2003)

“Large Land and the First Amendment: Regulating Adult Businesses, Signs and Religious Use,” CLE International Ohio Land Use Conference, Cleveland, OH (November 17, 2002)

“Hot Topics: Billboards and KULPA” and “Sign Regulation: Keys to Effective and Legally Defensible Regulations,” OCPA’s Planning & Zoning Workshop, Cleveland, OH (October 30, 2003)

“When the First Amendment and Land Use Collide – Adult Entertainment Regulations,” ABA Section of State & Local Government Law Fall Meeting, Albany, NY (October 24, 2003)

“Hot Topics: KULPA’s Sexualized Orientations” and “Sign Regulation: Keys to Effective and Legally Defensible Regulations,” OCPA’s Planning & Zoning Conference, Independence, OH (October 25, 2002)

“Impact Fees,” Squire Sanders & Dempsey 1999 Seminar on Public Law & Policy, Cleveland, OH (October 3, 1998) and Columbus, OH (October 14, 1998).


“Sign Regulations,” “Township Zoning Issues,” and “Ask the Experts Panel,” OCPA/ALA Zoning Workshop, Cleveland, OH (October 31, 1997).

“Legal and Policy Issues in Landmark Preservation of Houses of Worship: Can We Preserve Both the House and the Worship?” Kayode Adenuga, Conference on the “Church” and the City, Cleveland, OH (April 18, 1997).

“Update on Regulating Adult Businesses,” Cuyahoga County Law Directors Association 4th Annual Municipal Law Workshop, Cleveland, OH (February 17, 1997).


“Recent Developments in Impact Fee Legislation,” Cuyahoga County Law Directors Association, Cleveland, OH (June 8, 1996).


“Sign Regulation: Perspectives of Industry and Regulators,” Midwest Sign Association Conference on Signage, Cleveland, OH (April 25, 1993), Covington, KY (May 20, 1994) and Detroit, MI (October 26, 1994).


“Regulation of "Transitory" Retail Uses,” Cuyahoga County Planning & Economic Development Directors Association, Cleveland, OH (October 10, 1993).

“Residential in Land Use,” Cuyahoga County Law Directors Association, Cleveland, OH (September 9, 1993).


COMMUNITY & PUBLIC SERVICE

Koll Latin Reconstructionist Synagogue
Member at Large, Board of Trustees (2005-07, 2011-13), Vice President (2007-11), Finance Committee (2017-present), Chair (2017-19).

Cleveland Civil Rights Commission, Ohio/Kentucky/Allegeny Region of the Anti-Defamation League (2003-)
Member of committee that advises ADF on legal policy matters and writing amicus curiae briefs.

Cleveland Bar Association Region 1 Taskforce (2003-2006).
Consultant to Bar Association project proposing regional governance options for greater Cleveland.

Cleveland Board, National Center for Postsecondary Improvement (1997-2002)
Member of advisory panel for national study of improvement of higher education conducted by Stanford University, the University of Pennsylvania, and the University of Michigan.

Participate in group charged with developing a strategy making the political and legal landscape amenable to changes that would make sustainable communities possible in Northeast Ohio.

Advise group formed to bring a business community focus to the issues raised by recent court decisions challenging 1866’s MBE contracting program.

Hudnow Schools Committee (1998)
Volunteer leader of research team providing data analysis supporting passage of school levy.

Hudnow Library & Historical Society (1987-98)
Member of Board of Trustees for public library serving community of 22,000.

Hudnow Heritage Association (1994-98)
Board member of organization that seeks to preserve the architectural and cultural history of the community.

Heights Community Congress (1989-93)
Member of group seeking to maintain an integrated community in Cleveland’s eastern suburbs.

Ohio Supreme Court Committee on Dispute Resolution (1989)
Tasked on the use of alternative dispute resolution when government is a party.

Suffolk County Law Department, Hauppauge, NY (1988)
Rounded opinion to Suffolk County Attorney on constitutionality of legislation abolishing existing County Ethics Board and establishing County Ethics Commission.

Conference on the Future of Georgia’s Bank, University of Rhode Island Coastal Resources Center, Narragansett, RI (1982)
Prepared report on using dispute resolution techniques to resolve natural resource conflicts.

Wisconsin Legislative Ad Hoc Committee on Hazardous Waste Management, Madison, W.I (1981)
Participated in development of waste facility siting legislation.

Massachusetts Special Legislative Commission on Hazardous Waste, Boston, MA (1979)
Testified on the legal bases for opposition to hazardous waste management facilities.

Advise Council on the use of alternative dispute resolution in environmental disputes.

Selected Professional Experience

Anchorage, Alaska (City of)
- Consultation on proposed amendments to city’s sign code (2006).

Ashtabula Township, Ohio

Avon, Ohio (City of)
- Prepared supporting studies for and drafted the city’s Recreation Impact Fee Ordinance. (1986)
- Advise Law Director on constitutional issues in threatened litigation. (2004)

Avon Lake, Ohio (City of)
- Prepared supporting studies for and drafted park and recreation impact fee amendment to subdivision regulations. (1994)

Betta Township, Ohio

Beckman Township, Ohio
- In court with the Mahoning County Prosecutor’s Office, prepared supporting land use planning studies for and drafted Sexually Oriented Business zoning and Adult Cabaret Registration resolutions. (2002).

Brook Park, Ohio (City of)

Bridgeport, Connecticut (City of)
- Consultant to city attorney for federal court adult business litigation and revision of adult business zoning licensing ordinance. (2004).

Buckingham, Dodds & Harbaugh, LLP, Cleveland, OH

Canfield Board of Education, Canfield, Ohio
Charles Village, Ohio

Chester Township, Ohio
- Advisor to Township Trustees and Zoning Commission on proposed zoning amendment. (2022)

Cincinnati, Ohio (City of)
- Drafted Unified Development Code. Partnership with American Communities Partnership, Inc., Columbus, OH. (2005-68)

Cleveland, Ohio (City of)
- Advisor to City Chief Ethics Officer on statutory interpretation of city charter amendment (2002)

Copley Township, Ohio
- Comprehensive revision of township’s zoning resolution. (2007-2010)

Davis Wright Tremaine LLP, New York, New York
- Expert witness in federal court litigation challenging amendments to regulation of outdoor advertising. (2006)

Delaware, Ohio (City of)

Dublin, Ohio (City of)

Easton, Ohio (City of)
- Revised Zoning and Subdivision Regulations. Partnership with American Communities Partnership, Inc., Columbus, OH. (2003)

Eller Media - Houston, Texas

Elgin, Ohio (City of)
- Prepare land use planning studies for and draft Sexually Oriented Business zoning and licensing ordinances. (2006-07)

Environmental Resources, Ltd., London, UK

Enclid, Ohio (City of)
- Prepared supporting land use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (2006)

Fontana, California (City of)

Garfield Heights, Ohio (City of)
- Prepared supporting land use planning studies for and drafted Sexually Oriented Business zoning ordinances. (2006)

Greene County, Ohio
- Review proposed amendment to sign regulations. (2021)

Greenboro, North Carolina (City of)
- Consultant (2003-04) and defense expert witness (2006-07) in federal court adult entertainment litigation.

High Forest Township, Minnesota

Howland Township, Ohio
- Planning consultant for possible rezoning of residential area to commercial (PUD) (2004)

Hubbard, Ohio (City of)
- Prepared supporting land use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (1997)

Lakewood, Ohio (City of)
- Prepared supporting land use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (2006-2010)

Lamar Outdoor Advertising – Lubbock, Texas

Lamar Outdoor Advertising – Tope, Oklahoma

Los Angeles, California (City of)
- Consultant to City Attorney in federal court adult entertainment litigation. (2007)

Mid-Ohio Regional Planning Commission, City of Columbus, and Central Ohio Transit Authority
- Report on “Railroad Corridor Preservation and Transit-Oriented Development.” In association with American Communities Partnership, Columbus, OH, and Wilbur Smith Associates, Cleveland, OH. (2005)
Mid-Ohio Regional Planning Commission, City of Columbus, Franklin County, and Metropolitan Park District of the City of Columbus & Franklin County


Milwaukee Metropolitan Sewerage District, Milwaukee, Wisconsin

Consultant on citizen participation programs. (1979)

New York State Joint Legislative Committee on Water Resources Needs of Long Island, Hauppauge, NY


Outdoor Advertising Association of America, Washington, D.C.

- Researched and authored report on local regulation of outdoor advertising in 200 jurisdictions. (2002)
- Researched and authored report on local regulation of electronic message and changeable copy for outdoor advertising in 270 jurisdictions. (2006)
- Researched and authored report on local regulation of outdoor advertising in 214 jurisdictions. (2010)
- Researched and authored report on local regulation of outdoor advertising in 232 jurisdictions. (2014)

Parkman Township, Ohio


Parma, Ohio (City of)

- Consultant to city attorney for federal court adult entertainment litigation. (2001)
- Prepared supporting land-use planning studies for and draft Sexually Oriented Business ordinance. (2003-04)
- Consultant to city attorney for revision of sign code. (2003-22)

Peninsula, Ohio (Village of)


Poland Township, Ohio

- Successfully represented township in appeal of state trial court ruling on surface mining. Co-counsel with Walter & Havenfeld, Cleveland, OH (1990)
- Successfully represented township in state trial court review of County Commissioner’s approval of annexation. Co-counsel with Walter & Havenfeld, Cleveland, OH (1997)

Portland, Oregon (City of)

- Consultant on regulatory issues for assessment of City’s Design District Zone. Partnership with Walker/Macy, Portland, OR (2010-17)

Preble County, Ohio

- Revised County Zoning and Subdivision Regulations. Partnership with American Communities Partnership, Inc., Columbus, OH (2002-2003)

Quarles & Brady, Milwaukee, Wisconsin

- Advised law firm on methods for proving valuation in eminent domain proceedings (1983)

Richtfield Village, Ohio

- Prepared supporting land-use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (1998)

Rocky River, Ohio (City of)

- Prepared supporting land-use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (1998)

Sandy Springs, Georgia (City of)


Seven Hills, Ohio (City of)

- Expert witness for adult entertainment site court litigation. Retained by City Law Director (1997)
- Prepared supporting land-use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (1998)

Shaker Heights, Ohio (City of)


Sharon Township, Ohio

- Advised trustees on zoning for outdoor/indoor shooting ranges. (1998)

Signage Foundation, Inc. – Alexandria, VA


Signage Foundation for Communication Excellence – Sherwood, Oregon

- Consultant to Coffman (Baltar & Greenwald, LLP) (Cleveland, OH) in federal court challenge to sign regulations. (1995-2000)
- Evaluated sign ordinance in Nashua, NH, Decatur, IL, And Lake Oswego, OR for possible litigation. (2001-02)
- Consultant to Shinnors & Cook (Spokane, MD) in federal court challenge to sign regulations. (2002)

Sisson, Ohio (City of)


South Euclid, City of (City of)

- Prepared supporting land-use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (2007)
Strongsville, Ohio (City of)  
- Prepared supporting land-use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (2000-2011).

Tallmadge, Ohio (City of)  

Tarrant Biblical College, Owasso, N.Y.  

Tucker & Ellis, Cleveland, OH  

United States Attorney for the Southern District of New York, New York, NY  

United States Department of Justice, Washington, D.C.  

Upper Arlington, Ohio (City of)  

Ventura County, California, Office of County Counsel  
- Consultant to County Counsel on zoning regulation of outdoor events involving expressive activities. (2019).

Village of Valley View, Ohio  

Village of Woodmere, Ohio  
- Prepared supporting land-use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (2006-).

Warren, Michigan (City of)  

Waterbury, Connecticut (City of)  

West Chester Township, Ohio  
- Prepared supporting land-use planning studies for and drafted Sexually Oriented Business zoning and Adult Cabaret Regulation resolutions. (2003).

Westlake, Ohio (City of)  
- Prepared supporting land-use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (1996).

Western Reserve Resource Conservation and Development Council, Painesville, OH  

Wentworth, Ohio (City of)  

Wellington, Ohio (City of)  
In determining the zoning analysis regarding the applicability of the constitution of a change/expansion of a non-conforming use per Section 359.01, the initial threshold is the determination of whether the existing use is non-conforming. The current use, established in 2009, is for Lutheran Family Services & Private Offices for 20 People. Applying the code most favorable to the property owner, the use is most similar to a Charitable Institution, which is permitted in the underlying Two Family Residential District, provided that it is at least 30 feet away from adjoining premises and requires the Cleveland Board of Zoning Appeals approval to determine.

"...after public notice and public hearing, and if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood" Cleveland Zoning Code Section 337.02(f)(3)(G).

The existing facility not at least 30 feet away from adjoining premises, and is, therefore, a non-conforming use.

After the threshold determination of non-conformity, the issue is whether the new or additional activity constitutes a change/expansion of the non-conforming use. The permit application is for building renovations for a proposed Youth Drop-In Center. This new use or activity, as described in the Lutheran Metropolitan Ministry Blog posting found at [https://www.lutheranmetro.org/2022/03/31/lmm-youth-drop-in-center-update/](https://www.lutheranmetro.org/2022/03/31/lmm-youth-drop-in-center-update/), will be first and only use of its kind in Cuyahoga County, and is the result of a collaboration with other agencies, including A Place 4 Me, the Sisters of Charity Foundation, and the Cuyahoga County Office of Homeless Services. The proposed use will provide homeless juveniles age 16, and homeless adults, with daytime shelter, shower facilities, provisions, and other services relating to the homeless condition. LMM engaged a site search and selection professional to find a location that met their special criteria for the unique use.

City staff conducting the zoning analysis reviewed the application and prospective use in the context of Section 359.01, which states:

§ 359.01 Existing Nonconforming Buildings and Uses  (a) ...a use of building or land lawfully existing on the effective date of this Zoning Code or of any amendment or supplement thereto, or for which a permit has been lawfully issued, may be continued even though such use does not conform to the provisions of this Zoning Code for the use district in which it is located, but no enlargement or expansion shall be permitted except as a variance under the terms of Chapter 329, and no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such substitution or other change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use.

An apparent different occupation of the existing floor space will occur; the daily hours/period of use is changing, and a difference or alteration of the type or numbers of persons to occupy or to be attracted to the premises is the main focus of the Youth Drop-In Center. For these reasons, the determination was made that the new proposed activity constituted a change/expansion of the existing use and activity at the facility, and that Section 359.01 requiring a Board of Zoning Appeals public hearing and approval.
May 9, 2022

Youth Drop-In Center Project Overview and Narrative

Lutheran Metropolitan Ministry (LMM) is the operator of the Youth Drop-In Center, and owner of the
proposed site located at 4100 Franklin Blvd. LMM will retain both the owner and operator
of the Youth Drop-In Center. The Center will meet basic needs and connect young people to
a broad range of services they want and need in a single site, in an environment that is safe,
secure, comfortable, and non-stigmatizing. The Youth Drop-In Center is a collaborative effort
between Lutheran Metropolitan Ministry, (LMM) and A Place 4 Me, the community’s initiative to
prevent and end youth homelessness in Cuyahoga County. In addition, the Cuyahoga County
Office of Homeless Services is an important partner in the collaborative for the Center, a system-
wide response to address the housing instability among young people in the county.

There is a history of providing social services at the proposed site for the Youth Drop-In Center,
4100 Franklin Blvd., Cleveland, Ohio 44113 which is owned by Lutheran Metropolitan Ministry
and formerly owned and operated by Lutheran Family Services. The history includes services to
children, youth and families: adoption services and related family counseling and support;
behavioral health services including counseling, education and support for individuals and
groups; workforce education and training; youth parenting and other educational groups;
benefits assistance and case management; and family events.

The Youth Drop-In Center will provide services targeted to young people ages 16-24 experiencing
homelessness or who are housing unstable. The services provided within the facility for the
Youth Drop-In Center will remain consistent within a social services framework, including: basic
needs, behavioral health services, benefits assistance, case management and counseling,
education, job placement assistance, housing placement assistance and other related support.

Guests of the center can access food in the kitchen, clothing and personal hygiene items, wash
dishes in the laundry room, shower, and take a break in the living room, dining room, or library.
A small computer lab will be available for guests to use for various purposes (e.g., job search,
online education, virtual connections for services), as well as multiple charging pods. There will
be an area for guests’ children to play. Staff will link guests to a variety of housing supports and
services, including access to diversion and prevention assistance, family mediation and
mediation, support, emergency rental assistance, Rapid Re-housing, and supportive housing.

Officers and conference areas will be used to house professional staff and co-located service
partners. The Youth Drop-In Center is not a shelter and will not provide overnight bed capacity.

There are plans to operate the center 12 hours per day, seven days a week. We have tentatively
considered hours of operation as 9 a.m. - 9 p.m., and are amenable to adjustments within this
framework (e.g., 6 a.m. - 7 p.m., shorter hours on the weekend days, etc.) that align with the
needs of young people and partners who provide services in this area. It is anticipated that there
will be 12 to 35 young adult guests on the premises at any given time on a daily basis, along with
up to five from 5 to 12 staff members and 2-3 service partners.

Respectfully,

Mark B. Olson
Principal, AIA, LEED AP

Cc: Maria Fuchta, LMM
Sue Cypynak, LMM
Public Hearing

Calendar No. 22-213: 4100 Franklin Blvd. Ward 3

Lutheran Child Aid Society, owner, proposes to renovate existing legal non-conforming charitable institution to add use as drop-in care center for teens and adults, and to expand hours of operation at in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Sections 337.03(b) and 337.02(g) which state that a charitable institution in a Two Family Residential District must be at least 30 feet away from adjoining premises, and requires review and approval by the Board of Zoning Appeals after public notice and public hearing to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood. The proposed use is not 30 feet from adjoining premises.

2. Section 349.01(a) which states a use of building or land for which a permit has been lawfully issued, may be continued even though such use does not conform to the provisions of this Zoning Code for the use district in which it is located, but no enlargement or expansion shall be permitted except as a variance under the terms of Chapter 329, and no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such substitution or other change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use.

3. Section 341.02 which states approval of the Cleveland Landmarks Commission is required.
SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.
Public Hearing

Calendar No. 22-213: 4100 Franklin Blvd. Ward 3

HISTORY OF THE PROPERTY
LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance from the requirements of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

1. Will result in an unnecessary hardship particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.
Calendar No. 22-213: 4100 Franklin Blvd. Ward 3
GLASS-1
Clear Low-E Glazing

MTL-2
Dark Bronze standing seam roof

MTL-1
New Alum. fencing

CURTAIN WALL-1/STOREFRONT-1
Clear Anodized Alum. Curtain wall or Storefront system
Lutheran Metropolitan Ministry – BZA Calendar Nos. 22-213 and 23-014

Building Permit

Inspector: ROBERT SANTORA
Phone No: 954-4474
Email:

Permit No: B101034525

DATE PRINTED: 10/30/2023
POST THIS PERMIT IN PLAIN VIEW.

Location: 3210 FRANKLIN BLVD, CLEVELAND, OH 44113

Issue Date: 09/13/2010

PH Process Fee:

Rah Process Fee:

She Development Fee: $0.00

Storm Water Process Fee: $0.00

Additional Permit Fee: $0.00

Additional Const Cost: $0.00

Floor Covered:

Surcharge: $0.00

Additional Fee Surcharge: $0.00

Use: U Utility - Miscellaneous

C.O. Fee: $60.00

Cond: Class: UNKNOWN

Late Fee:

Zoning District: B 1

Zoning:

Went: 3

Pursuant to filing the required application, the Owner or contractor is required to contact the undersigned at the phone number indicated on behalf of:

Contractor: OWNER IS CONTRACTOR
Address:

On behalf of:

Owner: FRED PRESLER
Phone No: 216.876.0756
Address: 532 PARK AVE, AMHERST, OH 44001

PERMISSION IS HEREBY GRANTED TO:

DESCRIPTION OF USE: 1 STORY WOODFRAME DETACHED HOUSE AS A YOUTH HOSTEL, 2011 HOUSING|

A CERTIFICATION OF OCCUPANCY IS REQUIRED. THIS PREMISES SHALL NOT BE OCCUPIED UNTIL THE CERTIFICATION OF OCCUPANCY HAS BEEN ISSUED.

THE PERMIT IS FOR THE WORK SPECIFIED ON THE APPLICATION FILED THEREFORE ANY UNAUTHORIZED CHANGE OR ALTERATION FROM THE AS COMPLETED APPLICATION OR PLANS WILL RENDER THIS PERMIT NULL AND VOID.

DIRECTOR, DEPARTMENT OF BUILDING AND HOUSING
There have been rumors of paranormal activity at Franklin Castle since at least the 1980s. A little girl's cries, followed by the jarring sounds of an organ and heavy footfalls, led to the belief of a shadowy figure being seen on the third floor, and other odd occurrences are among the most well-known things that have happened here. The most told and peculiar stories that came to visit frequently at night are the most unusual!

The castle surrounding Franklin Castle has become so extensive over the years that many people believe it to be one of the most haunted houses in the entire country. There has never been a better time to arm oneself with knowledge and learn the truth for yourself. The Mysterious Tour is here to accomplish.

[Please note that you need to sign in THIS WAIVER before this tour]

THE CASTLE TOURS

LOCATION
Franklin Castle
4308 Martin Blvd, Cleveland, OH 44135, USA

DATE
Tue, Jan 3rd 2023

TIME
5:45 pm - 7:00 pm

COST
$35.00

GET TICKETS

HOURLY SCHEDULE

Welcome to Franklin Castle Tour

5:45pm - 6:00pm Introduction:
Sign in here, and a brief overview of the tour.

The Tour
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<tr>
<td>Name</td>
<td>St. Herman House</td>
</tr>
<tr>
<td>Address</td>
<td>3195 W. 119th St., Cleveland, OH 44102</td>
</tr>
<tr>
<td>Contact</td>
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**Object Management**

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**Object Details**

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Emergency Shelter

Emergency shelter for 48 men in our main house.

If you are in need of shelter, please call us at 216-982-9000, stay between 9-5, or email us at saintherman@hcanw.org.

Hot Meal Program

Three meals a day, 365 days a year. To enroll: In need. We are the only facility in the city of Cleveland that provides three meals a day to the public. In 2017 we served more than 25,000 meals. We are a member agency of the Greater Cleveland Food Bank.

Breakfast is served daily from 7:30 am to 8 am in the dining room. Coffee & pastries are served between 8-9 am.

Lunch is served daily from 11:30 to 1 pm, and dinner is served daily from 5:30 to 6 pm. Lunch and dinner are served outdoors during the summer, except when it’s raining.

Basic Needs

We give away clothing to men year-round. Our food pantry also distributes grocery bags during the last five weekends of each month to families with dependents. Sandwiches and toiletries kits are handed out daily as needed.

Clothing: Mon-Sat from 9-2 pm

Hygiene Items: Daily between 12:00 & 6:00 pm. Also 1-2 pm on Mondays and Fridays.

Sandwiches: Every day between 12:30 and 6:00 pm. (Depends on availability)

Costs, hats, gloves & scarves after weather is cold same as hygiene items schedule above.

Toilets: 24 hours a day. Located in the hallway.

Conserves: Last 5 weekends of the month for households with children or dependents, 3-5 pm.

Clearer cleanout: First 2 and other food items on Thursdays from 8:30-5:00 am.

Resident & Community Services and Referral Program

We provide on-site case management to residents. Through referrals and collaboration with other agencies, we connect residents to counseling, health care, housing, and other resources to support residents on the path to independent living.

Case management is available to the community on Tuesdays from 11 – 3 pm. No appointment required.

Our Programs

The mission of St. Herman House - FOCUS Cleveland is to shelter and support homeless men on the path to well-being and independence and meet the basic needs of people in our community.

St. Herman House was founded in 1977 as an Orthodox Christian monastery with a mission of serving the homeless and poor. In 2013, St. Herman’s became part of FOCUS North America, a national Orthodox Christian 501(c)(3). St. Herman’s is no longer a monastery, but its original purpose remains the same: serving the homeless and poor.
needed. People needing help with obtaining an ID can drop in during these hours or schedule an appointment by calling 216-961-3800.

Jobs and Life Skills Program

At present, this program has several components. Landscaping in the main house work is temporary positions for people with limited mental capacity and landscaping for which they are paid. There are unpaid positions within the house for those who are able to do light work. These include kitchen, laundry, housekeeping, cleaning, and entry service positions. The paid and unpaid positions give structure to the day, but it is a matter of responsibility and give residents a more engaging workday.

Transitional Housing

Transitional housing (four doors down from the main house) for 16 men is available to live in the transitional house after they have completed programs, six months of sobriety, and are working with a case manager. Residents pay a program fee of approximately $300 per month, equivalent to subsidized rent. In 2016, we housed 70 men in the shelter and transitional house.

If you are seeking transitional housing, please call us at 216-961-3800.

At St. Herman’s, I know I’m on the right track. I’m putting all of my time into bettering myself, staying sober and getting my GED. It’s going to make me out to be something great.”

— NAME —

RESIDENT AT ST. HERMAN RESOURCES CLEVELAND

4 of 5

1/15/2023, 10:54 PM

Page 12 of 20

5 of 5

1/15/2023, 10:54 PM

Page 13 of 20
Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

One of the things I am most proud of in the Ohio City neighborhood I have chosen to call home for the past 12 years is the compassionate support my neighbors show for those less fortunate. Supporting the enhancement of services for vulnerable youth is in line with our community’s values.

Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

I support the Youth Drop-In Center because every youth should have access to a safe space, the neighborhood is currently in need. Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,

Aubrey Wood
Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to express my support for the proposed Youth Drop-In Center at 4100 Franklin Blvd. As a member of the LMM Board of Directors, I believe wholeheartedly that this important resource is a necessary and beneficial addition to the community that will provide much needed services for young people experiencing homelessness and housing instability.

As you have heard, the site for the Youth Drop-In Center was selected by young adult leaders with lived expertise of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. The Youth Drop-In Center will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The people of Cleveland have a long tradition of working together to find creative ways to support one another. The kind of community support provided by this Youth Drop-In Center represents the best of that tradition.

The Youth Drop-In Center provides a tremendous opportunity to create deeper relationships and opportunities in the neighborhood for guests at the Center as well as community-based organizations like ours. Please consider this support from LMM’s Board members in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations of the Center at 4100 Franklin Blvd.

Sincerely,

Nicole Braden Lewis
Immediate Past Chair
LMM Board of Directors

Nicole E. Braden Lewis | Attorney | Tucker Ellis LLP
950 Main Avenue, Suite 1100 | Cleveland, OH 44113
RE: Proposed Youth Drop-In Center at 4100 Franklin Blvd.
Support for BZA Calendar Item BZA 22-213, 4100 Franklin Blvd.

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to express my strong support for the proposed Youth Drop-In Center at 4100 Franklin Blvd. This resource addresses a critical need and will benefit the entire community in many ways. We have an urgent need to help the youths in our neighborhoods who are facing homelessness and housing insecurity.

The site for the Youth Drop-In Center was selected by young adult leaders with lived expertise of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. The Youth Drop-In Center will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The Youth Drop-In Center provides a tremendous opportunity to create deeper relationships and opportunities in the neighborhood for guests at the Center as well as community-based organizations. We have a moral obligation to address the needs of our young citizens and the Drop-In Center will be an important first step in meeting this obligation. While I understand the concerns of residents in this neighborhood, there are no facts to suggest that a Drop-In Center, fully staffed and supervised, would represent any danger. In fact, providing a safe secure location for youths, where they can spend time together and have access to counselors and material resources such as computers, is more likely to make the neighborhood safer.

Please consider these points in your review of Lutheran Metropolitan Ministry’s appeal to begin operations of the Center at 4100 Franklin Blvd.

Sincerely,
Barbara Daly, PhD, RN
Barbara.daly@case.edu

From: paul sherlock <itsaboutlove@sbcglobal.net>
Sent: Saturday, January 28, 2023 10:07:44 PM (UTC+00:00) Monrovia, Reykjavik
To: Board of Zoning Appeals <BoardofZoningAppeals@clevelandohio.gov>
Cc: Paul Sherlock <itsaboutlove@sbcglobal.net>
Subject: Letter of support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Hello, my name is Paul Sherlock, I live at 3406 Clinton Ave. I am writing to show my support for the Youth Drop In Center being located at 4100 Franklin Blvd. I am a firm believer in community solutions for community problems. My longtime involvement working in the homeless community frames my thinking around why it would be good to have the drop in center in Ohio City. The homeless in our community often become invisible people, they get pushed to the margins, forced to move if they linger too long, and generally get left behind as society continues on around them. As I have been part of the effort to help the homeless move up and out of their situation, what we have long known when it comes to creating a catalyst for change in someone’s life is to build relationships that are without judgment and to treat someone with dignity. Part of showing someone dignity involves the person feeling included in the larger community. Too often we have seen where people who are homeless end up in jail or are housed in a warehouse on the outskirts of town as a means of keeping them out of sight, which is simply not a supportive environment when it comes to helping people realize their potential. Having a space in our community where at risk youth can feel welcomed and cared for goes a long way in them making positive choices in their lives. I urge that we embrace young people who seek a better life, and be willing to work with them as they look to make changes for themselves. And as far as the people who are opposed to 4100 Franklin being used as a drop in center, should the Board of Zoning Appeals permit this use perhaps we can invite them to be a part of a steering committee that can oversee the operations at 4100 to ensure that the concerns of all neighbors have a way to not just be heard but a chance to implement safeguards to reduce those concerns.

Thank you.

Sincerely,
Paul Sherlock
Dear Chairwoman Britt and Board Members Hamilton, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

As a resident of Ohio City I am in support of the young people experiencing housing instability with 44113 as their zip code. This is their community as well, and the 4100 Franklin Blvd. location is accessible to local transit stops and other helpful services in the area. Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,
Julie R. Idoine

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Dear BZA members,

I live at 3808 Clinton Ave and am a member of the Franklin Clinton Block Club. I have met representatives from LMM and the young people who have suffered from homelessness and have helped design and need the Youth Drop in Center. I could not be prouder to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

From the LMM website: "Founded in 1969, the mission of Lutheran Metropolitan Ministry (LMM) is to promote peace, well-being and justice through a Christian ministry of service and advocacy with those who are oppressed, forgotten and hurting. LMM’s founding began as an ecumenical response, started by the Lutheran Church, to the urban uprising that took place on the East Side of Cleveland in the mid-1960s. Over the last five decades, LMM has demonstrated an unwavering commitment to addressing chronic needs, enabling people in our community facing adversity to become self-sufficient, and advocating for systems change. Our programming focuses on innovative and effective services in the areas of Guardianship, Housing & Shelter, Workforce Development, and Youth Resiliency."

On the mission of the work, I support LMM’s efforts, and question what we must strive to be as a neighborhood, a community and a city. We must strive to be an inclusive, open and accessible place for all people, regardless of race, creed, religion, class and income. The decision to locate the services at this location has been difficult for some in our neighborhood, however, the vulnerable youth mentioned above identified this location citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. I am fully supportive of listening to them.

On the merits of denied application as indicated in the Notice of non-conformance letter. as stated "Use is not 30 feet from adjoining premises." LMM has owned and operated the property at 4100 Franklin where services have been provided over decades of work. They already have a non-conforming use permit for the existing structure as Charitable institution. Current services at the facility are among those charitable social and family services that have been provided by LMM (and its related predecessors) since the mid-1960’s which have included basic needs; adoption services and related family counseling and supports; behavioral health services including counseling, education and support for individuals and groups; workforce education and training; youth parenting and other educational groups; benefits assistance and case management; family events; and meeting, work and office space for LMM’s nonprofit business operations, social service partners, and others. The YDIC will only serve to continue those charitable institution services, with particular attention to the specific needs of young people experiencing homelessness or housing instability.

I hope that you will overrule the non-conformance determination and allow the application to renovate the facility to move forward.
We are counting on you.
Sincerely,
Richard Barga
3808 Clinton Ave
Cleveland Ohio
From: Alex Abramowitz <a.r.abramow@gmail.com>
Sent: Monday, January 30, 2023 12:58:31 AM (UTC+00:00) Monrovia, Reykjavik
To: Board of Zoning Appeals <BoardofZoningAppeals@clevelandohio.gov>
Subject: Letter of support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd. I live at 4617 Franklin and am in full support of seeing this happen. I am a City employee and know the challenges that we face in the housing space. When we have a willing and able partner ready to provide such necessary services, we must do our part to support and facilitate their invaluable work.

Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Best,
Alex Abramowitz

Nicholas Ngong
8205 Franklin Blvd., Apt 5
Cleveland, OH 44102
Nic.mtb@gmail.com
January 30, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscila Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd. As a resident of the Near West side, I’m so proud of the neighborhood’s commitment to lifting up our less fortunate Clevelanders. With this site, there is an opportunity to meet the needs currently of a group currently not addressed anywhere in the city (the only major metro area in the state not to do so).

Whether or not this is the “perfect” location should not matter, when we consider the fact that, once again, this kind of center does not yet exist in the city and, further, that there is a willing and experienced partner in Lutheran Metropolitan Ministry willing to make sure this center is functioning at the highest level.

I welcome the opportunity to create a new safe space for a vulnerable cle, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,
Nicholas Ngong
January 30, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscila Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd. This drop in center is an important service to our community and to block this zoning change and prevent its opening is a disservice to our youth and community. Every child deserves a stable and loving home but not all children are afforded this option. Opening this center expands upon the tradition of our neighborhood extending services to children and youth, and will provide some of the stability that these young people deserve. It is difficult when adults are unhoused, it is unconscionable when it is our children. We are the ones responsible for helping them develop into responsible members of our community and to provide the resources necessary for this. This drop-in center is only a small part of the work we need to do to help house our youth, but it is still a vital part of the process. I do not want to live in a community that wants to write off youth before they even have the chance to grow to their full potential. Blocking the opening of this center send the message that Ohio City cares more about our rich adult residents who are uncomfortable with expanding their views than our children. I would be ashamed to call this neighborhood my home, if we cannot make it a location that accepts the worth of all of our community members regardless of the amount of taxes they pay or how desirable they are for the area.

Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location's legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society. The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources. I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,
Carolyn Troha
February 1, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscilla Rocha  

Board of Zoning Appeals  

Cleveland City Planning Commission  

601 Lakeside Ave, City Hall, Room 516  

Cleveland, Ohio 44114  

RE: Support for BZA 22-213, Youth Drop-In Center 4100 Franklin Blvd  

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd. I have a duty to protect my constituents, this includes those that may be displaced or homeless at the moment. Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,

Representative Terrence Upchurch  

House District 20
Margaret & James Misak  
3018 Clinton Ave  
Cleveland, OH 44113

February 2, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscilla Rocha  
Board of Zoning Appeals  
Cleveland City Planning Commission  
601 Lakeside Ave, City Hall, Room 516  
Cleveland, Ohio 44114

Via email to:  boardofzoningappeals@clevelandohio.gov

RE: Calendar No. 22-213, Support for Youth Drop-In Center at 4100 Franklin Blvd.

Dear Chairwoman Britt and Members of the Board of Zoning Appeals:

I am writing on behalf of my partner/co-owner, James Misak, and myself, who live a block and a half from the proposed Youth Drop-In Center. We are very supportive of the request of Lutheran Metropolitan Ministry (LMM) and its collaborators to locate the Youth Drop-In Center at 4100 Franklin Blvd. We have attended several of the community-wide meetings about the Drop-In Center, as well as block club meetings and listening sessions about it, to learn about the details and potential impact on the neighborhood.

We have lived in the neighborhood for over 32 years, raising our children here since they were 2 and 6 years old. In that time, there was a 24-hour home for teen girls across the street from us, as well as a Y-Haven program for formerly incarcerated men, which operated around the corner from our house at the former YMCA building. There is also a women’s shelter down the street (which our children never knew about). Additionally, Recovery Resources continues to operate a group home a half block from our home. Just like churches and schools, charitable institutions are recognized in the zoning code as being legitimate uses in two-family districts such as ours. Operating in residential neighborhoods, they serve needed purposes for those who are served and, I would argue, for those of us who live around them.

Like the charitable institutions that are closest to our house, 4100 Franklin has been the site of LMM and its legal predecessor organizations, Lutheran Children and Family Services and, before that, Lutheran Children’s Aid Society, for decades. They operated out of the current building and out of a large frame house on that property before that. (See https://clevelandmemory.contentdm.oclc.org/digital/collection/press/id/4606/rec/1 for a photo of the previous building.)

Our support for this project at this location has been strongly influenced by the youth leaders involved in the project who talk about the safety that our neighborhood can help provide them - as vulnerable teens, some of them young parents, some of them LGBTQ youth - as they navigate housing instability on their road to a secure adulthood. I’ve also heard neighbors express a sincere interest in getting involved in the Drop-In Center when it opens. It’s been our experience in the neighborhood that creating such a community creates safety for everyone. Our children were positively influenced by connections with adults who were not like them. One particular example from when Y-Haven was here: the guys there who smoked had to do so outside, so they would congregate in front of the YMCA building at West 32nd and Franklin. They made a point to let me know that they were watching out for my middle school son as he walked a last block alone from the school bus stop after dropping off his friend. I could see him for most of that block, but there was a crucial corner – the Y-Haven corner – where I couldn’t, and I was grateful for the security the men staying at the Y Haven provided for my child.

Unfortunately, some in our neighborhood are quick to associate the presence of the Drop-In Center with increased crime. They cite other crimes – carjackings, house break-ins – and worry that the Drop-In Center will bring more crime.

What are the characteristics that would lead someone to associate Drop-In Center youth with criminality? Is it age? Is it race? Is it sex? Is it LGBTQ status? Is it familial status, having a child perhaps? Maybe it’s being housing insecure or poor? What exactly about them makes them more likely to bring crime to the neighborhood?

It’s a very slippery slope to consider any personal characteristics in relation to a zoning decision. If, for example, a church needs a zoning variance to expand their building, should the Board of Zoning Appeals consider who their worship group consists of?

It is false equivalence to equate other crimes in the neighborhood with an assumption that the Drop-In Center will bring more crime. As neighbors, we want our young people to feel safe and for them to have access to needed resources, not to be further victimized by biased and unfair characterizations.

Much has been made by neighbors who oppose the project about the fact that LMM will hire a security guard and have staff trained in de-escalation techniques. That must mean it will be a dangerous place, some say. In this day and age, what large event, what public place, what school doesn’t have a concern about safety in mind for their guests, staff, clients, students? What institution would not welcome staff trained in de-escalation techniques? People who become angry and need mediation or de-escalation are not engaging in criminal behavior. My children as grade-schoolers went to a school with a mediation program. Were they labeled as criminals when they were sent to mediation to resolve a dispute? Of course not.

Mislabling safety responses – alarm systems, cameras, security guards, a no-guns policy (many of which opposed neighbors requested in meetings) – as danger signs is false and misleading, and distracts from the central zoning issues of the Youth Drop-In Program:

- The building and the property surrounding it are more than adequate in size and proposed layout to accommodate the Drop-In Center. While the use of the property may have lessened during the Covid pandemic, the Center’s hours of operation and number of people using the building are appropriate to the size of the building and the property surrounding it.

Lutheran Metropolitan Ministry and its partner agencies, including A Place for Me, have experience in running a Youth Drop-In Center. They are the experts on what is needed to
• conduct its operations - not the neighborhood resident ‘experts’ who are suddenly quoting ‘best practices’ on Drop-In Centers.

• The Youth Drop-In Center will meet a community need and it will add value and purpose to our neighborhood. The services offered, such as basic needs, behavioral health services, benefits assistance, and housing placement assistance, are very similar to the kinds of services that have been offered at 4100 Franklin Blvd. throughout its history and its predecessors’ histories, Lutheran Family Services and Lutheran Children’s Aid Society.

We welcome the potential for interacting with the Center and becoming a welcoming presence to youth entering adulthood in our city. We respectfully urge the Board of Zoning Appeals to decide in favor of Lutheran Metropolitan Ministry’s appeal to begin operation of the Youth Drop-In Center at 4100 Franklin Blvd.

Thank you for your consideration.

Sincerely,

Margaret and James Misak
3018 Clinton Avenue
Cleveland, OH 44113
216-299-1641
Marge.misak@gmail.com
Good evening,

I will not be able to attend Thursday night as I am having surgery earlier that day, but I did want to note my strong support for all efforts necessary to allow this drop-in center's creation for the benefit of the community.

I am aware from a number of sources that these kind of services are most helpful to a goodly number of the persons who are the objects of the centers' efforts.

Beyond that, while many think that there are too many social service organizations in and around the Block Club, those services help contribute overall to a community that does not become a monolithic group of residents in high-end market and above market housing.

The beauty of this community that I have now enjoyed in a quarter-century as a resident of this block club, or one immediately south of it, is substantially heightened by a community that is not homogenous in any demographic, ethnic, or other stratification.

Jacob Kronenberg
3100 Clinton Avenue

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Hello Block Club Members. I am unable to attend the January 26, 2023 meeting, but pursuant to By-Laws Article 4, Sect. C (4.10), I offer the following "opinion and comments":

I have been a resident (Circle Court) of the block club area for 25 years, and a "business owner," as a tenant at 4100 Franklin Blvd., for 16+ years. The business is my pro bono law office.

The record should reflect that I support the Youth Drop-In Center proposed for 4100 Franklin Blvd.

I say this knowing that I will "lose" my office, and acknowledging that "opposing" neighbors have cognizable concerns.

However, based on my many years of experience with Lutheran Metropolitan Ministry (LMM), and knowledge of its project partners, it is my opinion that LMM and its partners will structure and manage the project in ways that will allay any such concerns. I should add that the young people who have been involved with the planning process are really quite extraordinary.

This will certainly not be the first time in its many years that 4100 has welcomed, and aided, members of our community who are experiencing an array of "life challenges."

Accordingly, I hope we as a community, neighborhood and block club will welcome and support the proposed Youth Drop-In Center.

Thanks to all for your time and consideration. Questions always welcome.

Respectfully Submitted

Tom Buford
3015 Circle Court
Ladies and Gentlemen of The Board of Zoning Appeals:

During the COVID 19 Pandemic, The Cleveland Hostel (2090 West 25th Street) transitioned into a homeless shelter in December 2020 and was managed by Lutheran Metropolitan Ministries. As neighbors, we were surprised with the news, as prior to their arrival we were never informed through our Block Club or any other avenue regarding this reuse of the building. Fully understanding that this unknown virus was compromising the lives of everyone, we understood the desperate need to keep everyone safe. Yet, as a resident with several rental properties and elderly parents within mere yards of the facility I had several concerns regarding the new focus of the operation. Being pro-active, I was accompanied by the owner of the Hostel to meet the LMM management team and exchange contact information with them. I was assured that security was at the forefront of their concerns and that their clientele would not negatively interact with the residents. I received the cell phone number of the manager as well as that of the desk phone that was monitored around the clock.

Within a day, there were concerns that I had with the clients and their associates loitering, littering and being disruptive. I felt that they needed “to get the kinks outs,” so I was tolerant. Within that week, I began to address my issues with the manager. He either did not respond to my texts/calls or responded that he was “off duty” and would let his security team know. I cannot recall an instance when the manager or security team came outside of the shelter to investigate. The desk phone always went unanswered. As the days continued, the blatant drug activity, disruptive noise and increased loitering was alarming. I continued to contact, with minimal results the team at the Shelter. I soon decided that I would now just call the police to handle the problems if LMM was unwilling to address my safety concerns.

As the days passed, I, along with my neighbors became increasingly uneasy with the unsettling amount of negative activity that we were enduring. There were fights, obvious drug transactions and people loitering adjacent to our homes. Well into the night cars would be parked with people in them and music blaring. It was evident that these were Shelter residents, as at 9:55pm, the music stopped so the occupants could be inside the Shelter for the 10:00pm curfew. The neighbors were especially alarmed when Cuyahoga County notified us that a registered sex offender was living at the Shelter, when a family with two preschool age children was right next door. When I was able to speak with an LMM representative to express my concerns, the general answer was that they essentially don’t control what happens outside of their facility or with whom their clients associate with.

The trend continued well into 2021. Frustrated with the lack of accountability and concern on the part of LMM, I continued to call the responsive police. By March the incidents and phone calls to the police were less frequent. We were all looking very forward to April 15th, 2021, as that was the scheduled last day of operation for the Shelter.

As the deadline approached, I noticed no moving vans or any indication that LMM was vacating the Hostel property. On April 15th, I texted the owner of the Hostel asking why they was no movement. Within an hour I received an email from the housing director, Michael Sering informing me that they would remain at the Hostel location for another month. This decision was clearly decided well before the April 15th date, no information regarding the time extension was passed on to the neighbors by LMM or the owner of the Cleveland Hostel. As of May 15th, 2021, as stated, LMM and their clients vacated the Cleveland Hostel.

At the time, I had lived on Chatham Avenue and West 26th Street for 32 years. Never, in all of those years have I felt so insecure and uneasy in my own home until The Cleveland Hostel transitioned into the Shelter. During those seven months I was fearful for my safety and for the safety of my parents, tenants and other neighbors. It was apparent that there was a lack of interest in managing the area surrounding the Shelter and a disregard for the quality of life of the neighbors. Initially we embraced the need to shelter the homeless population and welcome them into our neighborhood, however through the mismanagement, lack of transparency and lack of communication on the part of Lutheran Metropolitan Ministries, we were soon disillusioned.

I am confident that LMM will provide much needed resources for their vulnerable clients while they are inside of their building. While the clients are off of the LMM property, unsupervised and left to their own devices, I foresee similar issues to their arrival we endured while LMM occupied The Cleveland Hostel.

Timothy Del Papa
2512 Chatham Avenue
Dear Chairwoman Britt and Board Members Hamilton, Brown, Holzer, and Rocha,

I am writing to ask you to support the proposed Youth Drop-in Center to be operated by the very reputable Lutheran Metropolitan Ministries, which has a long history in Cleveland and works under the motto “Right Relationships.”

My wife and I have lived in the Ohio City Neighborhood for 26 years and are very involved in St. Paul’s Community Church just down the street from 4100 Franklin Ave. We currently live right around the corner on Randall Road.

I believe that the proposed use is consistent with the history of the use of that building and will serve many needs for young people in need of community and supportive services, and will provide was for them to give back and serve each other and the surrounding neighborhood.

We very much create our own sense of safety by forming relationships with our neighbors and even with those who appear to be “other” or different.

I commit to helping our neighbors who are fearful and anxious of the change to stay in dialogue and connection with other neighbors who may know the population to use the center and can help mitigate and even mediate any issues that may arise.

As neighbors we do not want an us vs. them dynamic. As a member of the neighborhood and also St. Paul’s, we will do our best to convene dialogues and seek peace for all sides in this situation.

We are asking you to model compassion and also recognize the consistency of use at this location with a long history of helping the common good and most vulnerable among us, as you carry out your responsibilities as the Board of Zoning Appeals.

Thank you for your service to our beautiful, struggling city, as we all seek to be in right relationship with each other across all races, income levels and backgrounds.

Sincerely,

Ian Heisey and Christine Lee

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Youth Drop-in Center information:

- Lutheran Metropolitan Ministry (LMM), a charitable institution, owns the building at 4100 Franklin Blvd. and uses it as its principal place of business. For more than a year, LMM worked with other charitable organizations and the County Office of Homeless Services to develop a plan for a Youth Drop-in Center (YDIC), to be housed at 4100 Franklin Blvd.
- As part of that process, the collaborative presented twice with the Franklin Clinton Block Club and at the OCI Community Meetings and held several neighborhood meetings and listening sessions in Ohio City with 30+ residents and had many individual meetings with residents in the vicinity of the proposed project. Representatives of the Center have also attended Ohio City Inc. community meetings and Franklin Clinton Block Club meetings to discuss the YDIC.
- The YDIC will meet a community need and it will add value and purpose to our neighborhood. The YDIC will provide services targeted to young people ages 16-24 experiencing homelessness or who are housing unstable. The services, such as basic needs, behavioral health services, benefits assistance, and housing placement assistance, are very similar to the kinds of services that have been offered at 4100 Franklin Blvd. throughout its history and its predecessors’ histories, Lutheran Family Services and Lutheran Children’s Aid Society.
- Many young people experiencing housing instability report Ohio City and 44113 as their zip code. This is their community as well, and the 4100 Franklin Blvd. location is accessible to local transit stops and other helpful services in the area.
- The YDIC is not a shelter. A core component of the services will be to increase housing stability for youth coming to the YDIC and ensure that before they leave for the day, guests have a specific place to go for the night and a way to get there. A Place 4 Me has been operating since 2013 doing exactly this work and has experience and success in this. Their current location at the YWCA is not large enough and cannot be expanded.
- Neighbors want our young people to feel safe and for them to have access to resources. The YDIC will partner with multiple community agencies to provide greater security, stability and safety for at-risk youth.
- Services to families, youth and children have been part of the fabric of Ohio City on Franklin for over a hundred years. Lutheran Metropolitan Ministries, and its predecessor organizations - Lutheran Family Services and Lutheran Children’s Aid Society – have operated on that site for decades. Lutheran Children’s Aid Society was incorporated in 1903. The old frame building (see photo below) was replaced in the 1970s.
LMM has continued to operate the current building as a charitable institution, an allowable use in a Two Family Residential District.

Lutheran Metropolitan Ministries, as the legal successor charitable organization to Lutheran Children’s Aid Society, has applied for and received Cleveland Landmarks approval for the exterior changes they are proposing to the current building.

While the use of the property may have lessened during the Covid pandemic, the Center’s hours of operations and number of people using the building are appropriate to the size of the building and the property surrounding it.

As residents of Ohio City, we welcome the Youth Drop-In Center to our neighborhood
- We welcome the much-needed enhanced services to vulnerable youth.
- We welcome the appropriate use of an existing building.
- We welcome the upgrading of the physical property.
- We welcome the potential for interacting with the Center and being a welcoming presence to youth entering adulthood in our City.
- Neighbors want our young people to feel safe and for them to have access to resources. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve.
- Many young people experiencing housing instability report Ohio City and 44113 as their zip code. This is their community as well, and the 4100 Franklin location is accessible to local transit stops and other helpful services in the area.

I have attended community meetings regarding this matter and am in full agreement and support of all of the above, which is stated with much more information and clarity than I personally could provide.

Emma Keeshin
2036 W. 45th St.
Cleveland, OH 44102
emmakkeeshin@gmail.com

January 29, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holtzer, Priscila Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave., City Hall, Room 516
Cleveland, Ohio 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd
Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holtzer, and Rocha:

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

I lived at 4000 Franklin Blvd., directly across from the proposed site, for almost three years, from September 2016 to November 2019 when I was in my early 20s.

I love this neighborhood and consider myself a committed and active member of the Ohio City community. In addition to living at 4000 Franklin Blvd, I have lived at Franklin & W. 45th, Franklin & W. 71st, and on Lorain and W. 45th. I also have a garden plot at the Kentucky Garden, kiddo corner from the proposed Drop-in Center at Franklin & W. 38th, where I go regularly in the summer. Many of my closest friends live within a few blocks of me.

When I lived at 4000 Franklin Blvd., I only felt unsafe when Franklin Blvd. was deserted, and I knew that if anyone tried anything, there would be no one around to witness it or intervene.

One spring, someone broke into our house in broad daylight on a quiet weekday when we were all at work—an expected feature of living in a city. The person walked out of our house in broad daylight with a large TV covered in a bright yellow blanket and not a single person was around to notice.

I would have loved it if a Youth Drop-In Center were across the street from me, with young people populating the sidewalks, going in and out of the building during the day, getting services they need and deserve, and being another set of eyes in our neighborhood.

The proposed Youth Drop-In Center wouldn’t only improve the lives of the many youth it would serve. It would make our whole neighborhood safer as well.

As one of many supportive Ohio City residents, I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Respectfully,
Emma Keeshin
and families that come to Ohio City seeking help and resources, but amongst the individuals and families of Ohio City itself, that permanently reside here.

If the Franklin Block Club has voted in support of this use, please do not allow public tantrums of two or three selfish residents to delay the approval of this use, its program, and its operators any further.

Young people of Cleveland deserve to feel safe, welcomed and embraced; the future Youth Drop-In Center at 4100 Franklin Blvd will provide them with that space and the resources to flourish.

Sincerely,

[Signature]

Stephanie Thomas
(216)801-5218

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Stephanie Thomas
Ohio City Street Outreach Worker
3308 Lorain Avenue
Cleveland, OH 44113
thomas@neoch.org

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscila Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

January 31, 2023

Dear Chairpersons,

I am writing in support of the future Youth Drop-In Center located at 4100 Franklin Blvd. It is going to be an asset to the Ohio City Community and a vital resource for the young people of Cleveland.

I have been working as the Ohio City Street Outreach Worker at Northeast Ohio Coalition for the Homeless, in partnership with Ohio City Improvement Corporation since October 2021. I graduated in 2008 from Pratt Institute in Brooklyn, NY with a Bachelor of Architecture, and worked professionally in New York City, primarily as a Building Code & Zoning Expert for over a decade.

Ohio City is a beautiful and diverse community, with a historical fabric that makes it unique to Cleveland.

One of the main historical features of Ohio City is the large network of charity organizations and churches, that provide resources to the unhoused population of Cleveland. However, there is a serious gap in the mosaic of care, in that there is no place specifically designed and designated for young people that are experiencing housing instability or homelessness to turn to for help.

Putting aside the historical use of the LMM property, and that the Youth Drop-In Center is essentially a continuation of that existing use, I’d like to point out the broad community support the YDC has. Not only within the various charity organizations and churches which I work with daily to serve individuals
January 27, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscila Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Proposed Youth Drop-In Center at 4100 Franklin Blvd.
Support for BZA Calendar Item BZA 22-213, 4100 Franklin Blvd.

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state support from Fairmount Presbyterian Church for the proposed Youth Drop-In Center at 4100 Franklin Blvd. Fairmount Presbyterian Church believes this important resource is a necessary and beneficial addition to the community that will provide much needed services for young people experiencing homelessness and housing instability.

The site for the Youth Drop-In Center was selected by young adult leaders with lived expertise of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. The Youth Drop-In Center will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

Fairmount Presbyterian Church is a long-standing partner of Lutheran Metropolitan Ministry and we support the vital work they are doing to care for our marginalized neighbors. We believe this drop-in center is a critical way to provide our young adults with a safe place to be seen and receive the services they need.

The Youth Drop-In Center provides a tremendous opportunity to create deeper relationships and opportunities in the neighborhood for guests at the Center as well as community-based organizations like ours. We hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations of the Center at 4100 Franklin Blvd.

Sincerely,
Rev. Ryan L. Wallace
Senior Pastor
of welcoming a stranger in our midst
In my opinion, the proposed center is
centric to an opportunity for that to
happen.
While our neighborhood is prolonged
due to rapid gentrification, such a
center could provide an opportu-
nity for persons with diverse backgrou-
ds to build relationships across our own
community. So many of our young people are
exiting from the foster care system
and are left with little or no support.
The shop and center would provide for the
need for an opportunity to secure resources

around employer education, and
life skills, instead of living on
the streets. It would also be a resource
to help prevent domestic abuse.

If we cannot provide a suitable
place for our youth to come and
grow, then we are demonstrating that
idea of welcome and hospitality to our
neighbors to the neighborhood 50
years ago.

While the board focuses on the legal
aspect of this, I feel this is another level
that we need to consider that is ult-
imately to our own benefit.
That is a lot of work.

Speaking of those who profess to be Christ, the most important question we need to ask ourselves concerning the issue is the following: "What would Jesus do?"

Jesus can truly cleave to the words and teach us well to walk the right path, the path of the Lord our King.

Jen Scott
1903 W 32
Cleve

Drew Crawford
6208 Bridge Avenue
Cleveland, OH 44102
DrewWCrawford@gmail.com

January 26, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alcon Park, Nina Holzer, Priscilla Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Dear Chairwoman Britt and Board Members Hamilton-Brown, Fair, Holzer, and Rocha,

I'm writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd. I am supporting this center as vulnerable youth in our community need further resources to provide stability and structure to their lives to help them be successful in the future. Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location's legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children's Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood praise to earn and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry's appeal to begin operations at 4100 Franklin Blvd.

Sincerely,

Drew Crawford
Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I'm writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

Lutheran Metropolitan Ministry (LMM), a charitable institution, owns the building at 4100 Franklin Blvd. and uses it as its principal place of business. For more than a year, LMM worked with other charitable organizations and the County Office of Homeless Services to develop a plan for a Youth Drop-In Center (YDIC), to be housed at 4100 Franklin Blvd. As part of that process, the collaborative presented twice with the Franklin Clinton Block Club and at the OIC Community Meetings and held several neighborhood meetings and listening sessions in Ohio City with 30+ residents and had many individual meetings with residents in the vicinity of the proposed project. Representatives of the Center have also attended Ohio City Inc. community meetings and Franklin Clinton Block Club meetings to discuss the YDIC.

The YDIC will meet a community need and will add value and purpose to our neighborhood. The services, such as basic needs, behavioral health services, benefits assistance, and housing placement assistance, are very similar to the kind of services that have been offered at 4300 Franklin Blvd. throughout its history and its predecessors' histories. Lutheran Family Services and Lutheran Children's Aid Society. Many young people experiencing housing instability report Ohio City and 44113 as their zip code. This is their community as well, and the 4100 Franklin Blvd. location is accessible to local transit stops and other helpful services in the area.

As a resident of Ohio City, I welcome the Youth Drop-In Center to our neighborhood.

- I welcome the much-needed enhanced services to vulnerable youth.
- I welcome the appropriate use of an existing building.
- I welcome the upgrading of the physical property.
- I welcome the potential for interacting with the Center and being a welcoming presence to youth entering adulthood in our City.

Ohio City neighbors want our young people to feel safe and for them to have access to resources. I hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,
Max Herzog

Amy Moniot
2203 W. 36th St.
Cleveland, OH 44113
amoniot@gmail.com
440.474.2209
January 26, 2023

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I'm writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

One of the things I am most proud of in the Ohio City neighborhood I have chosen to call home for the past 12 years is the compassionate support my neighbors show for those less fortunate. Supporting the enhancement of services for vulnerable youth is in line with our community’s values.

Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,
Amy L. Moniot
Pastor Matt Whisenhunt
Harbor and Bridge-Community Center
4521 Bridge Ave. Cleveland
mattw@harborandbridge.com

February 1, 2023

Chairwoman Kelley Britt, Terry Hamilton-Brown, Alana Faith, Nina Holzer, Priscilla Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, OH 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,
Thomas J. Schreiber
January 30, 2023

Mary E. Trice
4223 Bridge Ave.
Cleveland, OH. 44113
Mtrice@uakron.edu

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscila Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to express my strong support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

Cleveland is currently the only major urban area in Ohio without a Youth Drop-in Center (YDIC). This facility, then, will be providing a sorely needed service for our city’s young people.

Further, the YDIC will fit seamlessly into the community and into the history and already-existing services provided by Lutheran Family Services and Lutheran Children’s Aid Society. Ohio City is a warm, welcoming, and supportive neighborhood, which also makes 4100 Franklin Blvd a fitting site for the YDIC.

I am very impressed with the fact that the site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community.

Unfounded statements that the YDIC will adversely affect the neighborhood reveal fears and racial bias that is unfair to the young people the center would serve and is, in fact, based on spurious reasoning. Support services like this drop-in center play a key role in ensuring safety and the long-term vibrancy of the neighborhood and city by providing services for young people that enable them to navigate the transition to a safe and sound place as adults.

I urge you to allow the Youth Drop-In Center to be established at 4100 Franklin Blvd.

Kind regards,

Mary E. Trice, Ph.D.

Jefferson Leech
2005 W 42nd St
Cleveland, Ohio 44113
Jeff8310@gmail.com
January 30, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscila Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

This week will mark my 5-year anniversary as a resident of the Ohio City neighborhood. In that time, I have seen so many projects, new constructions, challenges, and growth within the neighborhood and I am happy every day that I chose to buy a house here and become part of the community. I am writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

I was very happy to hear about this YDIC that was planned for our neighborhood. The Lutheran Metropolitan Ministry and other involved groups have been exceptional in their planning and communication with everyone about the project. Representatives of the Center have also attended Ohio City Inc. community meetings and Franklin Clinton Block Club meetings to discuss the YDIC. Beyond that, it is providing basic human needs for some of our community’s most vulnerable people. It is morally and ethically one of the easiest decisions to support this project.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you consider this support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,

Jefferson Leech
Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

As a neighborhood homeowner, I support continuing to create a welcoming and supportive environment in Ohio City for all community members—particularly our youth and young adults. Many young people experiencing housing instability report Ohio City and 44113 as their zip code. This is their community as well, and the 4100 Franklin location is accessible to local transit stops and other helpful services in the area.

I also welcome the appropriate reuse of an existing building, and the upgrading of the physical property on a core Ohio City street.

Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The fact that the site for the YDIC was selected by young adult leaders with lived experience of homelessness tells me the Franklin Blvd location is the best one to meet their needs. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. And it runs completely counter to my experience living near WSCC.

Sincerely,

Jonathan Welle
RE: Proposed Youth Drop-In Center at 4100 Franklin Blvd.
Support for BZA Calendar Item BZA 22-213, 4100 Franklin Blvd.

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha:

I am writing today to express support from CHN Housing Partners for the proposed Youth Drop-In Center at 4100 Franklin Blvd. We at CHN believe this important resource is a necessary and beneficial addition to the community that will provide much needed services for young people experiencing homelessness and housing instability.

The site for the Youth Drop-In Center was selected by young adult leaders with lived expertise of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. The Youth Drop-In Center will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

CHN has worked with the Youth Drop-In Center partners in various capacities. We believe they do great work in our community and provide sorely needed advocacy and support for our youth. Most recently, the Sisters of Charity Foundation and A Place 4 Me partnered with us to plan Cuyahoga TAY, a new supportive housing development for young adults ages 18-24 experiencing homelessness or aging out of the foster care system in Cuyahoga County. The 50-unit building will offer services that help young adults access support and build relationships to succeed. Construction will begin this spring and complete in early 2024. While planning this development, the CHN team became very familiar with the needs of our young adults thanks to these partners’ expertise. We believe the need is great and the Youth Drop-In Center is necessary.

We also believe the Youth Drop-In Center provides a tremendous opportunity to create deeper relationships and opportunities in the neighborhood for guests at the Center as well as community-based organizations like ours.

We hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations of the Center at 4100 Franklin Blvd.

Sincerely,

Kevin J. Nowak
Executive Director

January 30, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscilla Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Proposed Youth Drop-In Center at 4100 Franklin Blvd.
Support for BZA Calendar Item BZA 22-213, 4100 Franklin Blvd.

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha:

I am writing today to state support from Cleveland Department of Public Health (CDPH) for the proposed Youth Drop-In Center at 4100 Franklin Blvd. CDPH believes this important resource is a necessary and beneficial addition to the community that will provide much needed services for young people experiencing homelessness and housing instability.

The site for the Youth Drop-In Center was selected by young adult leaders with lived expertise of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. The Youth Drop-In Center will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

CDPH addresses the critical public health issues of Cleveland residents. CDPH strives to eliminate health disparities through innovative strategies and collaboration by providing outreach, health education, direct primary medical services, mental health and addiction recovery programs, lead poisoning prevention, air quality monitoring and other environmental health initiatives. Housing is health and the Youth Drop-In Center fills a needed gap in our continuum of care for those experiencing homelessness.

The Youth Drop-In Center provides a tremendous opportunity to create deeper relationships and opportunities in the neighborhood for guests at the Center as well as community-based organizations like ours. We hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations of the Center at 4100 Franklin Blvd.

Sincerely,

David Margolius, MD
Director of Public Health
City of Cleveland

January 30, 2023
Dear BZA Members,

I own a home at 3808 Clinton Avenue, and am writing to state my strong support for the proposed Youth Drop-In Center at 4100 Franklin Boulevard.

When I bought my home on Clinton Avenue in 2015, I noticed the LMM building around the corner from me on Franklin, and I just assumed that it was being used to provide some mix of social services - to help people who really need help. I did not pay much attention to the building during the past seven years, but I have learned recently that this is exactly what has been going on at this site, for generations. You are the experts, but my understanding of the law is that, if LMM did not plan to make any physical changes to the building, they could start operating the Youth Drop-In Center today, without any permits or approvals, based on their existing non-conforming use variance as a charitable organization.

I was raised in New Jersey, and spent most of my life in larger cities on the east coast. When looking to leave New York City, my husband and I chose Cleveland, and specifically Ohio City, to be our home. We of course love the walkability, the proximity to the lake, and the fact that we could afford to purchase a house that is walking distance from a downtown. But more than all of this, we have come to love the community of welcoming people who want to take care of our neighbors.

Social services are woven into Ohio City - from the May Dugan Center to St. Hermans to the additional supportive housing buildings that exist on Franklin and Clinton Avenues. Ohio City already IS a neighborhood that has people who need help receiving that help - in an area zoned for residential use, in buildings that sit right next to single-family homes.

Some of my neighbors have argued that 4100 Franklin is not the ideal location for a Youth Drop-In Center. I hear that argument, but I also strongly believe that perfect is the enemy of good. There is a building here where we can help our young people, so let LMM do it. Let's not make the youth wait three more years for the "perfect" location. They have told us that this is good enough for them.

I also support the Youth Drop-In Center because it can make our neighborhood better. My daughters (ages 3 and 5) already recognize some of the young women on the Youth Drop-In Center planning committee, and they look forward to running into them for a chat as I walk them to school around the corner. (It is extremely important to me that my children continue to have interactions with people of different economic backgrounds, as our neighborhood becomes increasingly inaccessible to those below the highest levels of income.) I also believe having more young people out and about in our neighborhood - more eyes on the street - could serve to decrease the kind of crime that we typically see these days, especially car thefts.

Mostly, I support the Youth Drop-In Center because we are failing so many of our young people - in our nation, county, city, and community. There should be no neighborhood, no street, that is not appropriate for the children of our community to come and get some help. There is still a chance that we can help them grow into healthy and happy adults who thrive in our community.

Thank you for your time, and for your service on this important Board.

Best regards,
Emily Henehan
3808 Clinton Ave
February 4, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscila Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

In addition to providing much needed services for the youth of our city, it will add security for the neighborhood. Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children's Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,
Gary J Boska and Martha A. Boska
Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin. I strongly believe that the youth drop in center can offer those who may rarely feel a sense of security in their lives a space to experience some support and a feeling of safety. Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,

Hanna Wilde
February 5, 2023

Chairwoman Kelley Britt, Terri Hamilton-Brown, Alanna Faith, Nina Holzer, Priscila Rocha
Board of Zoning Appeals
Cleveland City Planning Commission
601 Lakeside Ave, City Hall, Room 516
Cleveland, Ohio 44114

RE: Support for BZA 22-213, Youth Drop-In Center at 4100 Franklin Blvd

Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

I’m writing today to state my support for the proposed Youth Drop-In Center (YDIC) at 4100 Franklin Blvd.

We know that there are significant disparities and unmet needs in marginalized individuals Cuyahoga County. These disparities are compounded onto the youth, in the form of housing or food insecurities, mental illness or substance abuse. A YDIC would be a safe space to distance teens from persons or places where they may not be welcome or safe. By providing the basics of life and connecting youth with support services, this could provide a much needed life line out of crisis and despair.

Opening the YDIC at this location would close the gap of Cleveland being the only major urban area in Ohio without this service, and it will provide a welcoming and secure environment with services that continue the location’s legacy of supporting young people through the histories of Lutheran Family Services and Lutheran Children’s Aid Society.

The site for the YDIC was selected by young adult leaders with lived experience of homelessness. They identified this as the ideal location, citing neighborhood walkability, safety, accessibility by public transit, and proximity to other important resources in the community. Assuming that the YDIC will adversely affect the neighborhood points to fears and racial bias that is unfair to the young people the center would serve. Neighbors want our young people to feel safe and for them to have access to resources.

I welcome the much-needed enhanced services to vulnerable youth, and hope that you will consider our support in your decision on Lutheran Metropolitan Ministry’s appeal to begin operations at 4100 Franklin Blvd.

Sincerely,
Melissa Schmitt
Proposed Drop-in Center at 4100 Franklin Blvd.

An Examination of the Efficacy and Motives of Lutheran Metropolitan Ministry’s Proposal

February 6, 2023

NOTE: Study conducted by private resident. All information/figures contained within are best good faith estimates and sourced from best publicly available data sources.
Objective

1. Establish a fact basis as to whether a drop-in center at 4100 Franklin Blvd. will meet the needs of housing insecure 16 to 24 year olds in Cuyahoga County

2. Assess the impact to the immediate neighbors of operating a drop-in center in the middle of residential block in the middle of a residential community

3. Document the tactics used by Lutheran Metropolitan Ministry (LMM) and partner organizations in their attempt to establish the drop-in center at 4100 Franklin Blvd.

4. Assess potential motives for Lutheran Metropolitan Ministry’s actions in attempting to establish the drop-in center
There are 3 constituencies’ well being that should be considered in establishing a drop-in center

**Primary**
- Target users of the proposed service
- Will the service meet their needs?

**Secondary**
- Neighbors of the service
- How will neighbors be impacted?

**Additional**
- Operator of the service
- Will providing the service impact the operator?
Establish a fact basis as to whether a drop-in center at 4100 Franklin Blvd. will optimally meet the needs of housing insecure 16 to 24 year olds in Cuyahoga County.
Does the proposed location optimally meet the needs of housing insecure people in Cuyahoga County?

Facilitators of User Engagement at Drop-in Centers

- Available when needed
- Low barriers to entry
- Safe environment
- Easily accessible to target population
- Welcoming environment

1 Neighborhood Context

4100 Franklin Blvd. Location and Immediate Vicinity Within Ohio City

- Within Franklin Blvd. historic district
- Residential 1-2 Family Zoning District
- Surrounded by 1-2 family homes
- In the center of residential Ohio City
- Immediate block is home to 14+ children
- 2 public elementary schools <500 feet away
- Public park frequented by neighborhood children
- $10's of millions of public and private investment in Franklin Blvd. in 3 blocks immediately to east
- In-Process $3.4MM public investment in traffic calming to make street more resident friendly
Other Ohio based drop-in centers are not in residential neighborhoods

<table>
<thead>
<tr>
<th>Drop-in Center &amp; Location</th>
<th>Zoning Classification</th>
<th>Surrounding Properties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Star House – Columbus, Ohio</td>
<td>Manufacturing District</td>
<td>Businesses</td>
</tr>
<tr>
<td>Kaleidoscope – Columbus, Ohio</td>
<td>Downtown District</td>
<td>Businesses + limited multifamily</td>
</tr>
<tr>
<td>Daybreak – Dayton, Ohio</td>
<td>Urban Business District</td>
<td>Businesses</td>
</tr>
<tr>
<td>Lighthouse Sheakley – Cincinnati, Ohio</td>
<td>Manufacturing General</td>
<td>Manufacturing + small cluster of homes at rear</td>
</tr>
</tbody>
</table>
Being located in a residential neighborhood limits hours of operations and service effectiveness

“Best practice and our goal is 24/7 operations. Service must be available when it is needed”

Maria Foschia; CEO Lutheran Metropolitan Ministry – January 27, 2022

“I am not supportive of anything operating 24/7 in a residential neighborhood”

Kerry McCormick; City Council Representative Ward 3 – January 26, 2022

Acknowledged and tacit agreement provided that not operating 24/7 will degrade service quality

Kate Lodge; YMCA, A Place 4 Me – April 26, 2022
Proposed location is in the immediate vicinity of 2 adult male homeless services

**4100 Franklin Vicinity to Other Homeless Services**

**Homeless Service #1**
St. Herman House – FOCUS
Distance from 4100 Franklin: 400 feet
Provides poor and homeless adult males:
- Emergency Shelter – 28 beds
- Hot Meals – 3x daily, 365 days
- Basic Needs
- Case Management

**Homeless Service #2**
St. Herman House – FOCUS
Distance from 4100 Franklin: 250 feet
Provides transitional housing services to adult men
- 12 beds for up to 6 months
Locations near adult services are not optimal due to potential impact on younger service users.

“Most of the environments we have looked at are not optimal because... the surrounding neighborhoods...are located in, near other homeless environments that house adults, older, older adults.”

Youth Leader (Name Withheld);
Lutheran Metropolitan Ministry – January 17, 2023
<2% of potential service users live in Ohio City; outlying neighborhoods have the largest populations.
12% of potential users live in areas contiguous to Ohio City and are generally widely dispersed.

Cleveland Neighborhoods Ranked by # of Nearby Residents\(^\text{1}\) w/ a Housing Burden

Ohio City Metrics:
- Neighborhood Rank – 22 of 34
- % of total Housing Insecure Residents: 12%

Top 10 Neighborhoods Locations by # of Nearby Housing Insecure Residents

Top 10 neighborhoods average 1.5X the potential users as Ohio City.

Source: The Center for Community Solutions; data released September 2021

\(^{1}\) Nearby residents are housing insecure residents that live in the stated neighborhood + any neighborhood that is immediately contiguous to the neighborhood.
The proposed location on Franklin Blvd is within a 10 minutes walk of only 9% of RTA mass transit lines.

1.4 miles from edge of downtown transit service area
4 of 43 transit lines within ½ mile of proposed location
9% of lines within ½ mile
13 blocks and 4,000 ft. from I-90
0.25 mile from nearest transit stop

Source: Greater Cleveland RTA System Transit Map
Note: Figures are best, good faith estimates meant to be used illustratively and as comparisons to other like services in Ohio.
Other Ohio drop-in centers are located in or near downtown due to their accessibility to widely dispersed housing insecure populations.

**Star House – Columbus**
- Near downtown transportation hub
- 11 of 36 Transit Lines within ½ mile
- 31% of transit lines within ½ mi.
- 2 blocks & 500 ft. from I-71
- 0.14 miles from nearest bus stop

**Kaleidescope – Columbus**
- In downtown transportation hub
- 19 of 36 Transit Lines within ½ mile
- 53% of transit lines within ½ mi.
- ½ block & 150 ft. from I-71
- Bus stop in front of location

**Daybreak – Dayton**
- 1 block from downtown transportation hub
- 14 of 16 Transit Lines within ½ mile
- 88% of transit lines within ½ mi.
- 1 block & 150 ft. from RT-35
- 0.066 miles from nearest bus stop

**Sheakley – Cincinnati**
- <1/2 mile from Downtown transportation hub
- 12 of 48 Transit Lines within ½ mile
- 25% of transit lines within ½ mi.
- 2 blocks & 500 ft. from I-71
- 0.075 miles from nearest bus stop

Source: COTA, Dayton RTA and Cincinnati Go Metro System Transit Map
Note: Figures are best, good faith estimates meant to be used illustratively and as comparisons to one another.

Location and ½ mile radius
The proposed location at 4100 Franklin Blvd. is substantially less accessible than other Ohio centers

<table>
<thead>
<tr>
<th>Metric</th>
<th>Daybreak</th>
<th>Kaleidoscope</th>
<th>Sheakley</th>
<th>Star House</th>
<th>Proposed Cleveland Center</th>
<th>Variance to Next Worst</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distance from Downtown Transportation Hub (Miles)</td>
<td>&lt;0.1</td>
<td>In Hub</td>
<td>&lt;0.5</td>
<td>&lt;0.75</td>
<td>1.4</td>
<td>1.9x</td>
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<tr>
<td># of Transit Lines within ½ mi.</td>
<td>14</td>
<td>19</td>
<td>12</td>
<td>11</td>
<td>4</td>
<td>2.8x</td>
</tr>
<tr>
<td>% of Transit Lines within ½ mi.</td>
<td>88%</td>
<td>53%</td>
<td>25%</td>
<td>31%</td>
<td>9%</td>
<td>2.8x</td>
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<tr>
<td>Distance to Nearest Major Highway (Feet)</td>
<td>150</td>
<td>150</td>
<td>500</td>
<td>500</td>
<td>4,000</td>
<td>8.0x</td>
</tr>
<tr>
<td>Distance from Nearest Bus Stop (Miles)</td>
<td>0.066</td>
<td>0</td>
<td>0.075</td>
<td>0.140</td>
<td>0.250</td>
<td>1.8x</td>
</tr>
</tbody>
</table>

Source: COTA, Dayton RTA and Cincinnati Go Metro System Transit Map
Note: Figures are best, good faith estimates meant to be used illustratively and as comparisons to one another.
# Does the proposed location meet the needs of the target market?

<table>
<thead>
<tr>
<th>Success Measure</th>
<th>Meet Criteria?</th>
<th>Rationale</th>
</tr>
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<tbody>
<tr>
<td>Home to Target Population?</td>
<td>X</td>
<td>&lt;2% of housing insecure Cleveland residents live in Ohio City</td>
</tr>
<tr>
<td>Easily Accessible to Target Population?</td>
<td>X</td>
<td>Not near transportation hubs or large % of mass transit lines</td>
</tr>
<tr>
<td>Available When Needed?</td>
<td>X</td>
<td>Cannot operate 24/7 due to residential neighborhood location</td>
</tr>
<tr>
<td>Safe Environment?</td>
<td>X</td>
<td>Located next to adult male homeless shelter and transitional housing services</td>
</tr>
<tr>
<td>Welcoming Environment?</td>
<td>X</td>
<td>Unanimously opposed by neighbors due to incompatibility w/ residential neighborhood</td>
</tr>
<tr>
<td>Low Barriers to Entry for Use of Service?</td>
<td>✓</td>
<td>Service built to accept users as they come regardless of circumstance</td>
</tr>
</tbody>
</table>
Assess the impact to the immediate neighbors of operating a drop-in center in the middle of a residential block in the middle of a residential community
Impact to the Residential Neighborhood

What will be the impact to the neighborhood?

“We have done no work to assess the impact of the service on the neighborhood”

Neighbor Question of Proposed Operator

Kate Lodge;
YWCA, A Place 4 Me – April 26, 2022
Drop-in center users display characteristics that are incompatible with residential neighborhoods

75% Substance Users/Abusers\(^1\)

\(\text{>33\%} \quad \text{\textgreater 50\%}\)

Have engaged in prostitution in some form\(^2\)

Rate of mental illness\(^1\)

Low barriers to entry are necessary in order to accommodate risky persons excluded by restrictive rules of shelters

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\(^1\) "Facilitators and Barriers of Drop-in Center Use Among Homeless Youth" by Eric Pederson, Joan Tucker and Stephanie Kovalchik. Published Journal of Adolescent Health, August 2016.

\(^2\) "Issue Brief. Consequences of Youth Homelessness" by The National Network for Youth.
Experiences at Ohio drop-in centers illustrate the incompatibility with residential neighborhoods

- “This place is a joke… I even saw a man blatantly shooting up heroin in the front of the building. I’m very confused about this building’s purpose.” – Lighthouse

- “I went in they told me to wait. I did. For an hour… I just needed a place to sleep… A lot of weed smoking and talk of ghetto.” – Lighthouse

- “Too violent. I was hit in the head and the staff didn’t do anything.” – Lighthouse

- “This place caterers to unruly kids and gives them a way to learn more bad habits amongst other unruly teens, henceforth kids think this place is fun!” – Daybreak

- “Strongly suggest you stay away from this place the youth are rude and have tried to rob me and my fiancé on two separate occasions… they keep the police from inside including when youth get dangerous.” – Star House

- “Safe house for thieves and crooks. Very shady”. – Star House

Source: User reviews of Ohio based drop-in centers on various online sources.
Locations near to schools are not optimal due to potential for unintended impact to children.

“Most of the environments we have looked at are not optimal because... the surrounding neighborhoods... are located in a school district, a bunch of school districts.”

Youth Leader (Name Withheld);
Lutheran Metropolitan Ministry – January 17, 2023

Yet the proposed location is in the immediate vicinity of 2 public elementary schools.

**School #1**
Joseph M. Gallagher School  
Ages: Pre-K to 8th Grade  
Cleveland Metropolitan Schools  
Distance from Service: ~548 feet  
*Note: Lincoln West High School will relocate to the same location in 2024.*

**School #2**
Near West Intergenerational School  
Ages: K to 8th Grade  
Cleveland Metropolitan Schools (Charter School)  
Distance from Service: ~432 feet
Long-time public servants believe the proposed location will negatively impact the neighborhood

“Is that right by St. Paul’s Church and St. Herman’s? That will be an absolute sh*t show for the neighborhood.”

Name Withheld;
Current County elected official and 20+ years at various state and city elected offices – April 26, 2022
A temporary homeless service operated in Ohio City by LMM\(^1\) resulted in significant impact to neighbors.

**Neighbor Experience with LMM Run Service at 2090 W. 25th St.**

- Drug usage witnessed regularly
- Drug trafficking activity witnessed regularly
- Public urination/defecation witnessed regularly
- Public sexual activity witnessed regularly
- Multiple home burglaries completed/attempted
- Increase in car break-ins
- 7 registered sex offenders living at building at once
- Young children witness body being removed from building following fatal drug overdose
- Service users caught videoing children
- Service users caught watching children through windows

\(^{1}\) Temporary shelter operated by LMM at 2090 W. 25th St. from December 2020 through May 2021. Neighbor provided information. Public records requests have been made of the CPD and Ohio Attorney General Office to quantify the precise figures.
Document the tactics used by Lutheran Metropolitan Ministries and partner organizations in their attempt to establish the drop-in center at 4100 Franklin Blvd.
Timeline of Community Engagement by LMM and Partners

**LMM Driven Engagement**

- **March 25, 2021**
  Lutheran Metropolitan Ministry selected to operate drop-in center

- **Unknown Dates, 2021**
  LMM reaches out to community partners to build support for service at Franklin Blvd location

- **February 25, 2022**
  Lutheran Metropolitan Ministry submits responses to questions

- **March 11, 2022**
  Sisters of Charity respond to letter

- **April 23, 2022**
  Sisters of Charity acknowledges receipt of 2nd letter refers neighbors to planned listening sessions

- **April 25-May 20, 2022**
  LMM and partners hold open community “listening sessions”

**Franklin Blvd. Neighbor Driven Engagement**

- **May 2021**
  Neighbor reaches out to express concern about rumor that LMM is planning to open a drop-in center at 4100 Franklin and is told it would only be a temporary location

- **February 10, 2022**
  Immediate neighbors submit questions to Lutheran Metropolitan Ministries

- **March 4, 2022**
  Neighbors submit letter to Sisters of Charity to express concern over the proposal

- **March 7, 2022**
  City Councilman sets up and facilitates a meeting between neighbors and LMM

- **March 15, 2022**
  Lutheran Metropolitan Ministry presents at Ohio City Inc community meeting

- **March 23, 2022**
  Neighbors respond to Sister of Charity expressing concern with use of misinformation and tone of neighborhood engagement

- **April 7-14, 2022**
  Neighbors reach out to and secure two on one meetings with LMM and partners to discuss concerns

- **May 4, 2022**
  LMM informs neighbor they will not provide requested information

- **May 16, 2022**
  Neighbor reaches out to LMM to offer suggestion on alternate location that is for sale in Ohio City

- **December 8, 2022**
  Lutheran Metropolitan Ministry presents at Franklin-Clinton Block Club seeking support for zoning variance

- **January 17, 2022**
  Lutheran Metropolitan Ministry presents at Ohio City Inc meeting seeking support for zoning variance
LMM has bypassed neighbors and focused on building broad community support

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<td># of months between</td>
<td>6+</td>
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<td>4+</td>
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<td>contract award and</td>
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<td>neighbors</td>
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<td># times LMM proactively</td>
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<td>reached out to neighbors</td>
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<td>to address questions/</td>
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<td>concerns</td>
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<td># meetings held w/ local</td>
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<td>school administration</td>
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<td>to solicit input on</td>
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<td>proposal</td>
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<td># partners engaged for</td>
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<td>support before discussion</td>
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<td>w/ neighbors</td>
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<td># open community forums</td>
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## False/Misleading Statement

<table>
<thead>
<tr>
<th>False/Misleading Statement</th>
<th>When</th>
<th>Facts</th>
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<tbody>
<tr>
<td>30% of target homeless population lives in zip codes contiguous to Ohio City; the homeless population are your neighbors</td>
<td>Ohio City Inc Meeting (3/15/22)</td>
<td>• &lt;2% of housing insecure Cleveland residents live in Ohio City&lt;br&gt;• 12% of housing insecure Cleveland residents live in neighborhoods contiguous to Ohio City&lt;br&gt;• Based on LMM proprietary data 9% live in zip codes 44113 &amp; 44102</td>
</tr>
<tr>
<td>Other Ohio based drop-in centers are in residential neighborhoods</td>
<td>Neighbor Question Response (2/25/22)</td>
<td>• No Ohio based drop-in centers are in zoned residential neighborhoods&lt;br&gt;• No Ohio based drop-in centers are surrounded by residential homes</td>
</tr>
<tr>
<td>Site selection began in the summer of 2021</td>
<td>Neighbor Question Response (2/25/22)</td>
<td>• A neighbor was told by then director of LLM that the 4100 Franklin site would be used as a temporary location for service with further locations considered after it was up and running</td>
</tr>
<tr>
<td>Allegro Realty executed a rigorous study to support site selection</td>
<td>Various in writing and Community Meetings</td>
<td>• Allegro Realty made no recommendations&lt;br&gt;• Allegro Realty employees facilitated partners creating a real estate vision and criteria for location selection</td>
</tr>
<tr>
<td>Acquisition of an alternative building for the service would cost $4MM+</td>
<td>Block Club Meeting (12/8/22)</td>
<td>• Alternate on-market sites were presented to LMM with much lower price tags by both Allegro Realty and neighbors</td>
</tr>
<tr>
<td>There is no change in use of the building</td>
<td>Various Block Club and Public Forums</td>
<td>• Current office usage&lt;br&gt;• Building currently houses 2 offices rented by 3rd parties&lt;br&gt;• Building currently houses 1 lightly used office for LMM partner</td>
</tr>
<tr>
<td>Location meets all objective criteria for drop-in center service delivery</td>
<td>Various Block Club and Public Forums</td>
<td>• Meets 1 of 5 research established criteria to support drop-in center utilization; low barrier to entry</td>
</tr>
<tr>
<td>Hours of operation for service were changed from 24/7 to 10am to 8pm to address neighbor’s concerns</td>
<td>Various Community Engagement Forums</td>
<td>• Hours were changed to avoid opposition from Ward 3 Councilman&lt;br&gt;• Hours were changed in an attempt to avoid change of use zoning variance</td>
</tr>
<tr>
<td>Partners have worked tirelessly to engage with community and address neighbor concerns</td>
<td>Ohio City Inc Meeting (1/17/23)</td>
<td>• Partners have repeatedly not followed through on commitments to meet with neighbors&lt;br&gt;• There has been zero good faith effort to address questions/concerns</td>
</tr>
</tbody>
</table>
LMM and partners have privately refused to provide information to neighbors to address basic questions

Information Request:

1. Why is this the optimal location from which to operate a county-wide service?

2. What will be the impact to the neighborhood from operating the service?

---

LMM Response:

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Sue Cyncynatus;
Acting CEO of Lutheran Metropolitan Ministry –
May 4, 2022
“We were advised not to provide the requested information because it could be used to damage the proposed service”

Angela D’Orazio;
Sisters of Charity –
January 17, 2023
Rather than address concerns and partner with their neighbors LMM started a PR campaign in local media.
In those articles LMM has made completely unfounded claims of neighbors being racist

“I think it’s quite clear that there are some racial undertones here, frankly,”

Maria Foschia;
CEO Lutheran Metropolitan Ministry –
January 23, 2023
LMM has gone so far as to attack neighbors viewed as opposition personally/professionally

Names and specifics withheld because neighbors fear retribution and professional impact

Ohio City Families
4 Assess potential motives for Lutheran Metropolitan Ministry’s actions in attempting to establish the drop-in center
4 Summary Context

- Location far from target users and limited accessibility compared to like services elsewhere
- Location doesn’t permit best practice in operation
- Location’s vicinity poses potential safety risks to users
- No research on impact to neighborhood, but agree that it shouldn’t be by schools
- No engagement with neighbors and dishonest with public
- Unwilling to provide information because it would be harmful to proposal
- Openly attacking neighbors in media and to employers
Why would LMM want to operate the service at a location which…?

- Its users cannot easily reach
- It is surrounded by neighbors they are openly disdainful of
- It cannot deliver its service according to accepted best practice
- In a community it is aggressively attempting to divide
LMM is a multi-million dollar corporate “non-profit” entity

Lutheran Metropolitan Ministry Financial Summary Year End 2021

Revenue: $17.8M
Total Profit: $2.4M
Net Assets: $15.7M
Cash and Liquid Investment Holdings: $8.7M

Source: Lutheran Metropolitan Ministry Consolidated Financial Report, December 31, 2021 as prepared by RSM and independent audit firm
Partners came to the block club in December 2022 and lied about their financial position.

“We don’t have millions of dollars for a new building”

Angela D’Orazio;
Sisters of Charity –
December 8, 2022
LMM stands to make millions of dollars from operating the service in their existing building.

- **Capital Budget**: In public and private funding to LMM to make capital improvements to currently non-earning real estate asset worth $500-$800K
- **Annual Operating Funds**: In annual income to LMM to support operations of service for stated 550 person target user base

$1.5MM + $1.1MM

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1. "Proposed Youth Drop-in Center in Ohio City Generates Heated Debate" – PBS Ideastream
2. LMM provided year 1 operating budget
The only beneficiary of delivering the service from this location is LMM

**Constituent:**
- **Primary:** Target users of the proposed service
- **Secondary:** Neighbors of the service
- **Additional:** Operator of the service

**Benefit from Selected Location:**
- **X** Meets 1 of 5 research established best practices for effective service delivery
- **?** Unknown impact but perceived negative
- **✓** Stand to make millions of dollars
LMM ignores constituents, attacks neighbors, divides community with lies in order to enrich themselves

Is that the someone we want to invite into our community?

Radical Hospitality
Granting of a zoning variance is perpetual; it lives on with the land

If we grant a variance, we have ceded control of a valuable part of our community to a corporate entity that has shown rampant disregard for our community

- Expand to 24/7 operations
- Expand scope of operation
- Sell newly rehabilitated building for profit
- Future owners of the property are unencumbered in use of the building
As Councilwoman for the Ohio City area from 1979-1998, I was requested by residents to rezone the Franklin/Clinton Avenues from multi-family to a two family district. Public hearings were held and with the neighborhood solidly in support of the rezing Ordinance, it was passed by City Council.

Rezoning was supported because the neighborhood was inundated with non-family uses. Even today on Franklin there are the following services:

4410 Franklin: St. Herman’s Monastery, a shelter for men.

4421 Franklin: St. Paul’s Community Church with outreach, drop in and food pantry services

1688 Fulton at Franklin: Franklin Circle Community Church: Provides shelter and meals from November to April.

A CMSD school is located at W. 38th and Franklin. A Community Garden and Nursing Home are on the other corners.

Attracting and maintaining families in our community is difficult when non-family uses proliferate.

There are safety concerns for users of this drop-in facility as well as neighborhood residents.

There are many other sites that could house this service in our Ohio City neighborhood and all residents stand ready to assist LMM in finding a better site.

Helen K. Smith
3016 Carroll
44113
prior, legal, non-conforming use that could not be established at this location under the current zoning classification.

My family has lived next to this property for almost 19 years. During that time, LMM has used the Property as an office building. It does not appear that the building has been open to the public for drop-in services of any kind since we moved into our home. Although there may have been a few more cars in the parking lot on a day-to-day basis for a few years after we moved in, there are rarely more than one or two cars belonging to LMM’s staff at the building Monday through Friday. This has been the situation for at least the past 10-12 years. These cars are not there most days when I leave for work around 8:00 a.m. or 8:15 a.m. They leave by the around the time that I get home around 4:45 p.m. or 5:00 p.m. Those cars are not there on Saturdays or Sundays. There is an attorney who rents space in the building.

LMM’s proposed use at the Property will offer an entirely new set of services to the public. The hours and days of operation will expand significantly. There will be more people coming to the building by vehicle, by bicycle, and on foot. The Landmarks Commission approved LMM installing a security gate in the parking lot that is directly outside our living-room window. LMM seeks a variance to install a vestibule in the back of the building that may contribute to people gathering outside until closing time at 8:00 p.m. Based on LMM’s own projections and public statements, the proposed operation will bring hundreds of people countywide to the Property each year who are experiencing distressed social circumstances. Under these conditions, it is reasonably foreseeable that there will be increased noise and criminal activity on our street. This will cause our quality of life and property values to decline.

**Issue 1**

LMM argues that the Zoning Administrator incorrectly determined that its proposal is a change in use from its current office use. Did the Zoning Administrator correctly determine that LMM’s proposal is a change in use when LMM intends to add shower facilities, cooking facilities, laundry facilities, distribution of clothing, food, personal-hygiene items, and other services that are open to the public?

LMM’s proposed use is a significant change from the current office use. Although there will be some office components for the proposed use, the core services that LMM intends to add are not currently being offered at the site. Most, if not all, of these services have never been offered at the site. The chart below shows the changes.

<table>
<thead>
<tr>
<th>4100 Franklin: Comparison of Current Use to Proposed Use</th>
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<tr>
<td><strong>Service</strong></td>
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<tr>
<td>Office for LMM’s Staff</td>
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<tr>
<td>Kitchen Open To Public</td>
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To accommodate the additional activities, LMM proposes a substantial interior and exterior renovation at the Property. Although LMM states in its Application for Appeal that there will be "minor interior renovation of the existing building," LMM’s Executive Director has stated that the renovation budget is approximately $1.3 to $1.5 million on a building that has a current value of $500,000 to $750,000. Further, LMM architectural drawings show that they are altering the building to add two shower areas, a kitchen, locker areas, men’s, women’s, and gender-neutral restrooms, a safe room, a resource center, a family room, three consultation rooms, a clothing room, a children’s visitation room, a quiet room, a baby-supply room, and a mother’s room. There are six unassigned rooms on the second floor. This is a complete overhaul of the building to accommodate the change in use. It is not a "minor" interior renovation.

As shown above, the proposed services that LMM intends to offer at the Property are tremendously different in type and scope from the current operations. For this reason, Building & Housing property determined that the proposed use is an enlargement, expansion, substitution, or change in use from its existing use.

**Issue 2**

LMM’s proposal fails to meet the requirements for granting a special permit.

C.C.O. § 359.01(a) states in part:

[No substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such substitution or other change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use. (emphasis added)]
My family and the neighbors on Franklin Blvd. from W. 38th Street to W. 44th Street oppose LMM’s proposed use because of the impact it will have on our families. This is a residential block with a range of ages from babies to senior citizens. There are at least 14 minor children on our block. Some neighbors have been on the block for over 40 years while others are newer to the street. LMM’s proposed use of the Property is harmful to us because of the expanded hours and days of operation, increased traffic, increased noise, increased safety concerns, decreased property values, and concerns about future use.

As I said above, the hours and days of operation will expand under LMM’s proposed use. The current operation is largely Monday to Friday, 9:00 a.m. to 5:00 p.m. There are typically one or two cars in the back of the building during operations. It is a quiet operation that does not cause problems for the neighbors. By expanding to evening and weekend hours—to 8:00 p.m. each day—the site will have significantly more activity than it currently has. The table below compares the increase in hours and days of operation as well as the increase in number of people at the Property.

| 4100 Franklin: Hours of Operation; Days of Operation; Number of Staff and Consumers; Number of Vehicles: Comparison of Current Use to Proposed Use |
|---|---|---|---|---|
| Category | Current | Proposed | Increase | Percent Change |
| Daily Number Hours of Work | Up to 8 | 10 | 2 | 25% |
| Number Days of Work per Week | 5 | 7 | 2 | 40% |
| Total Staff Hours per Week | Up to 40 | 70 | 30 | 75% |
| Number Staff in Building | 1 to 2 | 5 to 12 | 4 to 10 | 400% - 500% |
| Number of Vehicles During Operation | 1 to 2 | 5 to 12 | 4 to 10 | 400% - 500% |
| Number of Public Vehicles During Operation | Unknown | Unknown | Unknown | Unknown |
| Number of Guests Obtaining Service Each Day | Unknown (appears to be none) | 12 to 15 | Unknown | Unknown |

We do not see guests come to the Property daily for the current use, and it is rare to see cars other than those belonging to staff in the parking lot. For those who come, it appears that these are not drop-in guests. Increasing the number of guests from a handful to 500-700 per year will be a substantial change in our residential block.

The neighbors on our block are also concerned about safety. The building’s current use does not require security officers to be present. LMM acknowledges that the proposed use will present safety concerns. Their materials promoting the program state that they will have safety officers at the building during hours of operation. These officers will check for weapons when people enter the building. They will also be trained in de-escalation techniques. LMM said that they will add security cameras and alarm systems on site. Although these are good steps, I do not believe that they will adequately address issues that may arise with people coming to the Property after hours or safety concerns for surrounding properties. By changing the use from one where there are not inherent safety concerns to a use where safety issues are reasonably foreseeable, the proposed operation will have a negative impact on our block.

Lastly, allowing a change in use for at the Property raises concerns for future use if the proposed use stops operations, changes operators, or attempts to expand. As I said above, the current office use is a prior, legal, non-conforming use that could not be established at the site today without a variance. The Building Department determined that the Zoning Code prohibits the proposed use at the Property, and it can only operate legally if the ZBA grants a variance that survives court challenges. With that said, a variance runs with the land. Once the variance is granted, it is legal perpetually. Although LMM may operate the proposed use responsibly, another operator may not.

LMM may also request additional operational expansions in the future. One foreseeable expansion would be a 24/7 operation. Under the current proposal, the services will not be available after 8:00 p.m. Nighttime is often when the services will be needed the most. That is why it is a best practice for this type of operation to be open 24/7. It is easy to imagine a request coming in the next few years to expand around-the-clock operations. If that happens, then the negative impact on our block will be worse.

**Issue 3**

LMM’s planned exterior vestibule fails to meet the requirements for an area variance because LMM cannot demonstrate a practical difficulty at the Property.

LMM proposes to build a vestibule area in the rear of the existing building. This is a rectangular property approximately 160 feet wide by 100 feet deep. LMM cannot point to any peculiar conditions about the size, shape, or other characteristics that will justify an area variance.

**Issue 4**

LMM’s changed use fails to meet the requirements for a use variance because LMM cannot demonstrate an unnecessary hardship at the Property.

C.C.O. § 329.03(b) limits the ZBA’s authority to grant a use variance to specific cases where:

1. The practical difficulty or unnecessary hardship inheres in and is peculiar to the premises sought to be built upon or used because of physical size, shape or other characteristics of the premises or adjoining premises which differentiate it...
from other premises in the same district and create a difficulty or hardship consequently. A strict application of the provisions of this Zoning Code not generally shared by other land or buildings in the same district;

(2) Refusal of the variance appealed for will deprive the owner of substantial property rights; and

(3) Granting of the variance appealed for will not be contrary to the purpose and intent of the provisions of this Zoning Code.

LMM—the party seeking the variance—bears the burden to prove the three conditions set forth in C.C.O. § 329.03(b), and the failure to establish all three conditions requires the BZA to deny the requested variance.

The BZA must deny the variance application because LMM cannot demonstrate unnecessary hardship where the Property is suitable for uses permitted in a two-family residential district.

An "unnecessary hardship" occurs when it is not economically feasible to put the property to a permitted use under its present zoning classification due to characteristics unique to the property. An unnecessary hardship does not exist unless the property is unsuitable for any of the uses permitted by the zoning resolution. In other words, an unnecessary hardship does not exist if the property can be used for any use that is permitted by the zoning classification.

LMM can use the Property for multiple uses permitted in a Two-Family Residential District. First, LMM can continue to use the Property as an office building without the need to change addresses or consolidate offices offered. The Property is a legal, prior, non-conforming that LMM can continue.

Second, LMM could demolish the existing structure and construct one or two-family residential structures on the site. The Property is at least 160 feet wide and 100 feet deep. LMM could divide the parcel into four parcels and construct new residential structures on each parcel. This would not require any variances. LMM has purchased and renovated 20 residential units in the St. Clair-Superior neighborhood under the Breaking New Ground Affordable Housing Initiative, so it has the experience to undertake this type of program at the Property.

Lastly, LMM could sell the Property to a developer who would build residential structures. The Property is a large site in Ohio City that would be attractive to a developer to build one and two-family structures.

LMM cannot demonstrate unnecessary hardship by demonstrating that the Property will be more profitable with the proposed use. As discussed above, LMM will receive about $1.5 million in public and private funds to renovate the building at the Property. On January 31, 2023, on Idea Stream's "Sound of Ideas", LMM's Executive Director stated that the operational budget for the proposed use is about $1.2 million per year. Although LMM has not disclosed whether the current use generates revenue for the activities at the Property, the renovation and operations budgets seem to be a significant increase over current budgets. Despite the likely increase in revenue, the fact that that a property can be put to a more profitable use does not establish an unnecessary hardship when less profitable alternatives are available within the zoning classification. Stating that the land would be more valuable with the variance—or less valuable without—does not amount to a sufficient hardship. Rather, evidence must be presented to show that the property is unsuitable for any of the permitted uses as zoned. Since LMM has multiple uses for the Property that are permitted in the current zoning classification, LMM cannot show that there is an unnecessary hardship that justifies the variance requested. The BZA must, therefore, deny the variance.

The BZA must deny the variance application because granting the variance will be contrary to the purpose and intent of the Zoning Code.

The zoning in Ohio City and parts of Detroit Shoreway can be summarized as follows: W. 25th Street, Lorain Avenue, W. 65th Street, and Detroit Avenue—the major thoroughfares—are zoned local retail. There are RTA bus stops on Detroit, Lorain, and W. 25th Street. There are RTA rapid stations at W. 25th and Lorain and farther west on Lorain at W. 28th Street. Almost all the area surrounded by those four streets is zoned two-family residential.

Franklin Blvd. is a mostly residential street from W. 25th Street to W. 85th Street. The easternmost segment from W. 25th Street to Fulton Road is non-residential for Lutheran Hospital. There is a small area that is zoned non-residential at W. 23rd Street. The corner of Franklin Blvd. and W. 65th Street is retail. There are no bus stops on Franklin Blvd. The newly installed mini roundabouts on Franklin Blvd likely preclude bus lines being on the street in the future. The City of Cleveland reinforced Franklin Blvd. 's residential nature in 2012 by lowering the speed limit from 35 m.p.h. to 25 m.p.h.

Franklin Blvd was zoned two-family residential sometime in the mid-1900s. Before the zoning change, many of the homes on Franklin were converted into uses other than single-family or two-family residential structures. Since the time the zoning changed to two-family residential, the trend has been for non-residential uses to change to residential uses. Here are some examples:

1. 3200 Franklin Blvd.: The YMCA owned this property until sometime around 2005 to 2007. The building was redeveloped into multiple condominiums.
2. 3203 Franklin Blvd.: The former assisted-living facility closed in the past few years and is being redeveloped into apartments.
3. 2843 Franklin Blvd. and 2005 Franklin Blvd.: These mansions had been used as the archives for Cuyahoga County until about 2017. The structures have been converted into apartments.
4. 3801 Franklin Blvd. and 3811 Franklin Blvd.: The homes were converted into condominiums.
5. 4724 Franklin Blvd.: The storefront at this property ceased operating several years ago.

Since Franklin Blvd. is a mostly residential street where non-residential uses have been changing to residential uses since the zoning district changed to two-family residential, granting LMM's request for a use variance would be contrary to the purpose and intent of the Zoning Code. For this reason, the BZA must deny the variance request.

Sincerely,

/\ Ronald J.H. O'Leary

Ronald J.H. O'Leary
Property Owner Adjacent to 400 Franklin Blvd.
February 1, 2023

BOARD OF ZONING APPEALS
601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114-1071

Re: Calendar No. 23-014: Lutheran Metropolitan Ministry appealing the decision of the Zoning Administrator in Building and Housing.

To Whom it May Concern,

We are the Owners of the Stone Gables Inn at 3806 Franklin Blvd, which is located 3 houses east of the proposed youth drop-in center owned by Lutheran Metropolitan Ministry (LMM) at 4100 Franklin Blvd. Stone Gables is both our residence and our livelihood. If granted, the center would add more social services to a street that is already impacted by several community and social service operations on the street, (i.e., Franklin Plaza, Herman House, Herman House II). While we support these services, their impact is noticeable in terms of noise, traffic, litter and panhandling. We support efforts to create a drop-in center in Cuyahoga County, but we oppose the proposed location of the service, as we feel it will negatively impact our business.

We are in the hospitality business. Many of our guests choose to stay with us because Franklin Blvd is on the National Register of Historic Places. They arrive with visions of rocking chairs on our front porch and strolling down a street of historic houses. While we hope that our guests would embrace the diversity of the neighborhood, we often get negative feedback directly associated with the nearby community services. Our guests have suffered:

- Car break-ins
- Aggressive panhandling
- Assault and robbery
- Exposure to public urination in our parking lot and on nearby streets

We know that all of these things occur in any urban environment, but our personal experience is that these things are much more frequent here. Prior to buying Stone Gables we lived at 3144 Woodbine Ave. You can see one house from the other, but our experience living at Woodbine was significantly different. Woodbine experiences only a fraction of the noise, litter, traffic and panhandling that we see on Franklin Blvd. A large part of our business is repeat customers. In order to return, our guests need to feel safe and comfortable. Perception is everything and we feel that a youth drop-in center will negatively impact our guests’ perception regarding their safety and comfort.

Our business already operates with several disadvantages:

- 17.5% lodging tax - among the highest in the country
- Huge influx of AirBnbs now numbering over 300 in the immediate area that are operating despite regulations prohibiting them
- Impact of community services already operating near us on Franklin Blvd
  - Noise
  - Litter
  - Traffic
  - Panhandling

Our margins are thin and most of our expenses are fixed. A small change in revenue can have a huge change on our bottom line. In fact, a 10% reduction in revenue would cut our profits in half.

We are also very concerned about scope creep at the proposed site. LMM originally got a variance in a residential area for an office exposure, they now want to significantly expand their operations both in hours and scope of services. If this variance is granted, we feel strongly that LMM will be under significant pressure to increase operating hours as 24hr service is best practice across the country for youth drop-in centers. Also of concern is that the variance would go with the property and if sold a new operator could use the existing variance to argue that other services or expanded hours are not significantly different than those existing.

In summary, we feel that the proposal put forth by Lutheran Metropolitan Ministry would place a service that would typically be treated as inappropriate for a general retail/commercial zoning district directly in the middle of a residential block in the middle of a 1-2 family home zoning district. We believe facts about other comparable services operated throughout Ohio demonstrate the services offered by the proposed drop-in center are incompatible with a 1-2 family neighborhood.

We are hopeful that the Board of Zoning Appeals will rule on this appeal solely based on the legal merits of the appeal. In the event other factors are considered we request that appropriate weight be given to the immediate neighbors’ perspective and experience as we are ultimately those most impacted by the decision of the Board.

Sincerely,

Jeff & Connie Homes, Owners
Stone Gables Inn
3806 Franklin Blvd
Cleveland, OH 44113
To Whom it May Concern,

We, the immediate neighbors of the proposed drop-in center at 4100 Franklin Blvd. to be operated by Lutheran Metropolitan Ministry are writing to voice our unanimous opposition to the granting of a zoning variance to permit the operation of the service at 4100 Franklin Blvd. While we are strongly supportive of efforts to end youth homelessness and thus conceptually supportive of the creation of a drop-in center in Cuyahoga County, we oppose the proposed location of the service on three grounds:

1. The proposal put forth by Lutheran Metropolitan Ministry would place a service that would typically be treated as appropriate for a general retail/commercial zoning districts directly in the middle of a residential block in the middle of 1-2 family home zoning district. We believe facts about other comparable services operated throughout Ohio demonstrate the services offered by the proposed drop-in center are incompatible with a 1-2 family neighborhood and would cause undue negative impact to neighbors. These negative impacts include increased non-residential traffic, increased noise including during hours and days that are atypical for residential neighborhoods and increased safety concerns.

2. After exhaustive and objective analysis, including benchmarking of Lutheran Metropolitan Ministry’s proposal to like services offered in other major population centers in Ohio, we believe the facts suggest that operating the service at the proposed location will severely limit the reach and effective delivery of the proposed service to the housing insecure population the proposal intends to reach.

3. Lutheran Metropolitan Ministry and partners have shown rampant disregard for its proposed neighbors throughout the process of attempting to garner support for its proposal from the community. This includes:
   - A lack of willingness to proactively engage with neighbors in good faith conversation.
   - Objectively answer neighbor questions and transparently provide information requested by neighbors.
   - Repeatedly using misinformation, purposefully misrepresenting its actions and data in order to frame its proposal in a positive light in order to build support from partners, government officials and the Ohio City community.
   - Treating neighbors who have asked questions and voiced concerns as opposition and proactively pursuing a public relations campaign in the news media, online, amongst neighbors and government officials to frame neighbors in a negative light.

As a result, and despite repeated proactive good faith efforts by neighbors to attempt to work collaboratively with Lutheran Metropolitan Ministry and partners for over a year to find a mutually agreeable solution for the proposed service within Ohio City, we feel that is necessary to oppose the variance request.

We are hopeful that Board of Zoning Appeals will rule on this appeal solely based on the legal merits of the appeal. In the event other factors are considered we request that appropriate weight be given to the immediate neighbors’ perspective and experience as we are ultimately the families that stand to be most impacted by the decision of the Board.

Signed,

Connie and Jeff Hines, 3806 Franklin Blvd.
Dolores Garcia and Brian Rockas, 3812 Franklin Blvd.
Robert and Celine Shenk, 3901 Franklin Blvd.
Mark Pokrandt, 3902 Franklin Blvd.
Maria Armstrong Murphy, Preston and Emerson Murphy, 4103 Franklin Blvd.
Adam Trumbo, 4105 Franklin Blvd.
Ronald and Jennifer O’Leary, 4110 Franklin Blvd.
Jim Kavalee and Margaret Murphy, 4201 Franklin Blvd.
Jon Breedenbeek, 4206 Franklin Blvd.
Laura Tripp, 4207 Franklin Blvd.
Jeffrey Zelmer and Brandon Stiller, 4211 Franklin Blvd.
Jack Kline and Kimberly Jauch, 4304 Franklin Blvd.
Chiara Rose, Pascal Lejeune, Ashley McKee, Jens Klein, 4308 Franklin Blvd.

To Whom it May Concern,

We, the families of Ohio City, are writing to voice our opposition to the granting of a zoning variance to permit the operation of a drop-in center for housing insecure persons ages 16 to 24 at 4100 Franklin Blvd. While we are strongly supportive of efforts to end homelessness and thus conceptually supportive of the creation of a drop-in center in Cuyahoga County, we oppose the proposed location of the service because we believe that the proposed service is incompatible with a residential 1-2 family zoning district.

The proposed location of the service is directly in the middle of a residential neighborhood that is home to hundreds of families raising young children. The negative externalities experienced with other comparable services in Cleveland, Cuyahoga County and Ohio demonstrate that a disproportionate amount of the impact of operating such a facility in a residential environment will be felt by families and children. These include increased traffic, noise and exposure to illicit activity that will make the neighborhood both less family friendly and safe.

We are hopeful that Board of Zoning Appeals will rule on this appeal solely based on the legal merits of the appeal. In the event other factors are considered we request that appropriate weight be given to the families of Ohio City as we are ultimately the parties that stand to be most impacted by the decision of the Board.

Signed,

Kate and Brandon Taseff, Clinton Ave.
Patricia Taseff, W. 45th St.
Erin and Gary Martin, Clinton Ave.
Jeff, Shelly, Brayden and Ethan Makar, Clinton Ave.
Svetlana and Chad Kertesz, Vine Court
Thomas Berlin, W. 32nd St.
Michael Binshtok, W. 32nd St.
Public Hearing

Calendar No. 22-219: FEB Inc. appealing Of the Director of Office of Equal Opportunity Ward 12

FEB Inc., appeals under the authority of Section 76-6 of the Charter of the City of Cleveland, Sections 329.02(d) and 188.05(d) of the Cleveland Codified Ordinances from the decision of the Director of the Office of Equal Opportunity on November 3, 2022 to uphold penalty assessments to FEB Inc. for the Trailside II and Trailside III projects (Filed November 17, 2022).
Public Hearing

Calendar No. 22-219: FEB Inc. appealing Of the Director of Office of Equal Opportunity

Ward 12

SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.
Madam Chair, Members of the Board, Appellant is appealing an administrative decision of the Director of the Office of Equal Opportunity. The standard of review to be applied is whether the administrative decision was illegal, arbitrary, capricious, unreasonable or unsupported by the preponderance of substantial, reliable, and probative evidence. If the Appellant fails to meet this burden, the administrative decision must be affirmed.
Public Hearing

Calendar No. 23-007 1905 E. 89th Street Ward 6

Cleveland Clinic Foundation, proposes to construct a temporary parking lot (5 years) in an E2 Residence-Office District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 347.10(a) which states that a temporary permit shall not exceed thirty (30) days in duration. No temporary permit shall be issued within sixty (60) days of the expiration of a previous temporary permit for the same temporary use, on the same premises.

2. Section 349.07(a) which states that accessory off street parking spaces, driveways and vehicle maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, and surfaced with concrete, asphalt, or other acceptable paving material maintained in good condition.

3. Section 358.04(a) which states that a fence in the actual front yard shall be ornamental, shall be no more than 4 feet high and at least 50% open. Fences in actual rear yards and in actual interior side yards shall not exceed 6 feet in height and may be solid or open. An 8 foot tall fence is proposed.
SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.
HISTORY OF THE PROPERTY
LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting area variances from the temporary permit, grading/paving, and fencing requirements of the zoning code.

To obtain the area variances, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.
CLEVELAND CLINIC
GRAVEL LOT FOR CONSTRUCTION CONTRACTOR PARKING
02/06/2023
1. Section 347.10(a) which states that a temporary permit shall not exceed thirty (30) days in duration. No temporary permit shall be issued within sixty (60) days of the expiration of a previous temporary permit for the same temporary use, on the same premises.

Request:

Lot is intended to be a temporary 3-5 year Gravel Lot for Construction parking. Lot will be used during the construction of the Neurological Institute. The gravel lot will grant 332 parking spaces to construction workers in their own contained area, allowing Cleveland Clinic Patients and Caregivers ample parking throughout Main Campus.

2. Section 349.07(a) which states that accessory off street parking spaces, driveways and vehicle maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, and surfaced with concrete, asphalt, or other acceptable paving material maintained in good condition.

Request:

A Gravel Lot is proposed. Lot will be used as temporary construction parking. Proposed Area will be properly graded for drainage so that all water is drained within the lot. Gravel lot will allow for drainage to soak back into the earth creating less run off. Concrete or Asphalt will be damaged over time due to contractor parking, which will affect proper grading. Gravel Lot can be maintained to control proper grading.

3. Section 358.04(a) which states that a fence in the actual front yard shall be ornamental, shall be no more than 4 feet high and at least 50% open. Fences in actual rear yards and in actual interior side yards shall not exceed 6 feet in height and may be solid or open. An 8 foot tall fence is proposed.

Request:

An 8-foot-tall fence is being proposed. Fencing is for security of Construction workers and their equipment.
Terracewood LLC, proposes to add a dwelling unit to existing non-conforming three dwelling unit structure in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that a 4 unit apartment dwelling is not permitted in Two Family Residential Zoning district.
2. Section 337.03 (c) which states that the Board of Zoning Appeals, after public notice and public hearing, and upon prescribing proper safeguards to preserve the character of the neighborhood, may grant special permits for the remodeling of existing dwelling houses or the erection of row houses to provide for more than two (2) dwelling units but not more than six dwelling units in each building,

provided that:
(1) The square feet of lot area to be allotted to each dwelling unit is in accordance with the area regulations included in Chapter 355; the square feet of lot area is not in accordance with Chapter 355 which states that 9,600 square feet of lot area is required and 2,200 square feet are proposed;
(2) The dwelling units to be created will be not smaller than two (2) rooms and bathroom;
(3) There will be no exterior evidence that a remodeled dwelling house is occupied by more than two (2) families, except such as may be permitted by the Board;
(4) The building when altered or erected and when occupied will conform to all the applicable provisions of the Building and Housing Codes;
(5) Garage space or hard surfaced and drained parking space will be provided upon the premises for the cars of the families to be accommodated on the premises at the rate of not less than one (1) car per family-“Tandem” parking spaces are proposed, resulting in two of four spaces lacking street access.
Public Hearing

Calendar No. 23-008: 3611 Chatham Ave. Ward 3

SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.
HISTORY OF THE PROPERTY
LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance and an area variance from the requirements of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

*Note that the area variance may only be granted if the Board prescribes proper safeguards to preserve the character of the neighborhood and provided the five (5) items in Section 337.03(c) are met.*
Zoning Appeal Request

Re: 3611 Chatham Ave Cleveland

Project Address: 3611 Chatham Ave Cleveland OH 44113
Owner: Sean Bronson, Terracwood LLC

Dear Board Members,

The following letter details our variance request for the above noted project. We hope you find it succinct and informative, and we look forward to reviewing the items at a future hearing.

Description

The project proposes a substantial renovation of an existing 4 unit building, at 3611 Chatham Ave, a prominent 2 story structure, and corner lot of a residential neighborhood. Although the legal use of the lot is 3 family residential, the building has been operating as 4 units for the last 14 years, since 2007 to 2021, when the current owner purchased it.

The renovation will preserve the exterior of the building with minor adjustments such as one enclosed entry, two covered entries, one shed dormer, and several window resizing or removal. 4 parking spaces are also proposed on the unique corner lot, to replace the one parking space. A widening of the existing curb cut and driveway is proposed to allow for tandem parking of each 2 parking spaces at one time.

Units will remain in their original footprint while the interiors will be renovated to allow for clear circulation flow and usability. All new electric, HVAC, all new plumbing and finishes throughout.

The project will employ the services of a Green Verifier and will seek certification for the Cleveland Tax Credit Abatement Program.

Variance Requested

Zoning Code Text 337.03 Four dwelling unit structure not permitted in Two Family Residential zoning district.

Response: The current Legal use is of 3 family, but the property has been used as 4 units for the last 14 years. More documentation below and attached herein.

337.03(c) The Board of Zoning Appeals, after public notice and public hearing, and upon prescribing proper safeguards to preserve the character of the neighborhood, may grant special permits for the remodeling of existing dwelling houses or the erection of row houses to provide for more than two (2) dwelling units but not more than six dwelling units in each building, provided that:

1. The square feet of lot area to be allotted to each dwelling unit is in accordance with the area regulations included in Chapter 355. The square feet of lot area is not in accordance with Chapter 355 (2,400 sf of lot area is required per dwelling unit, 5,600 sf of lot area is required, 2,350 sf of lot area is proposed;

Response: The irregular corner lot has remained unchanged since the building’s construction in 1870. The same applies for the building footprint which does not take any setbacks along 3 sides of the property. 3 and 4 units have been in occupancy since then, both non compliant with current zoning practices.

2. The dwelling units to be created will be not smaller than two (2) rooms and a bathroom;

Response: Proposed units have a minimum of 2 rooms each.

3. There will be no exterior evidence that a remodeled dwelling house is occupied by more than two (2) families, except such as may be permitted by the Board;

Response: Understood.

4. The building when altered or erected and when occupied will conform to all the applicable provisions of the Building and Housing Codes;

Response: Understood.

5. Garage space or hard surfaced and drained parking space will be provided upon the premises for the cars of the families to be accommodated on the premises at the rate of not less than one (1) car per family. “Tandem” parking spaces are proposed, resulting in two of four spaces lacking street access.

Response: The irregular lot and its limited size don’t allow for appropriate parking on site. The proposed 2x2 tandem parking is the best way to provide an appropriate number of off-street parking (4) while minimizing curb cuts (without creating an additional curb cut and driveway on the opposite side of the property on 37th street).

Qualitative Factors

1. Whether the property will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

Corina Dumitrescu Architect San Francisco CA | Cleveland OH

1

Corina Dumitrescu Architect San Francisco CA | Cleveland OH

2
Response: The owners of 3611 Chatham purchased the property and financed it as 4 dwellings. The intent is to renovate and rent these units to the benefit of the Cleveland community. Significant financial investment and market research have been applied to the sale of this property. A lesser unit count will have a significant negative impact on the projected ROI, and the owners will be forced to reconsider their investment.

2. If the variance is substantial in large extent of size, area, distance, etc.: 
   Response: The Variances do not considerably alter the footprint or exterior of the property. Minimum changes such as window and door replacements, the addition of a small entryway and shed dormer. The lot area remains unchanged. 4 parking spaces are proposed on the property, where previously there was only 1.

3. Whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance:
   Response: No detrimental alterations are proposed. The following improvements are:
   a. Improve curb appeal and overall look of prominent street corner property.
   b. Proportioned and pleasant street presence with covered and stepped entryways.
   c. Remove cars from the street, by providing on site parking spaces to the maximum extent possible.
   d. Control and maintain landscaping and other site elements.
   e. And last but not least, proposing a healthier property, for future tenants and the local community.

4. If the variance would adversely affect the delivery of governmental services safety forces, water, sewer, garbage collection, etc.
   Response: No changes to the existing right of way or utility and service delivery are proposed.

5. Was the property purchased with knowledge of the zoning reclassification?
   Response: The property was used as a 4 unit building since at least 2007, advertised as such, and in 2021 purchased as such by the current owner. The interior layouts are for 4 units with 4 entry doors.  4 individual gas meters and 4 mail boxes are shown. Images of existing conditions and utility bills are provided as documentation.

Attached, please find the following materials for project review. Many thanks for your time and consideration.

1. Property Images
2. Dominion Energy bills denoting 4 separate dwelling charges for separate accounts named as such: Unit UF, Unit DF, Unit 3 and Unit 4
3. Last authorized use letter - noting Three Dwelling Units since 1963
4. Non conformance letter - noting variances needed
5. 4 sets of renovation plans - noting proposed work

Sincerely,
Corina Dumitrescu, AIA
Principal Architect
corine@corinele.com
415-416-5956
### General Charges
- **Gas Usage Charges:** $36.97
- **Tax Savings Credit:** 2.01 CR
- **Gross Receipts Tax (4.604%)**
- **MCF Used in 25 Days:** 3.3

### Current Charges
- **Total Current Charges:** $57.45
- **Total Account Balance:** $57.45

### PLEASE PAY
- **Account Balance:** $57.45 by Jan 25, 2022, to avoid Late Payment Charge of 1.5% per month.

All of us at Dominion Energy Ohio thank you for your business. You could choose another form of energy, but you put your trust in us to deliver economical, clean burning natural gas to your home or business. We’ve committed to doing everything we can to honor that trust.

If you have a question, please call the number listed on the top of this bill. Our customer information phone hours are 7 a.m. to 7 p.m., Monday through Friday. If you have an emergency, you can call us anytime, day or night.

ENERGYSHARE: Help people without heat by donating to EnergyShare. To donate, add exactly $1, $2, $6, $12, $18 or $26 to your payment or mail a separate check payable to EnergyShare, Salvation Army, P.O. Box 5647, Cleveland, OH 44101.

### PLEASE PAY BY
- **Jan 21, 2022, Account No.: 6 1800 7739 0000
- **Amount Enclosed:** $57.45
- **Due Date:** 2/1

### Next Meter Reading
- **Date Prepared:** January 4, 2022
- **Account Number:** 6 1800 7739 0000
- **Date Reported:** 2/02 - 2/07/2022
- **Balance Due:** $41.09
- **Rate Type:** Billing Period and Meter Reading
- **Reading:** 1,397,605
- **Reading Difference:** 99.3
- **MCF Used in 30 Days:** 3.3
- **Average Daily Temperature:** 29°F
- **Average Monthly Usage:** 0.8 MCF
- **Total Annual Usage:** 3.0 MCF
- **MCF Used in 25 Days:** 0.7

### Bill Payment and Payment Methods
- **Date:** January 4, 2022
- **MCF Number:** 1,397,605
- **Amount Enclosed:** $57.45
- **Due Date:** 2/1

**It's Our Pleasure to Serve You Please Use Our Return Envelope**

We provide a return envelope for customers who like to pay their gas bills by mail. If you prefer a different method, please do not use our envelope for other mail. You can pay this bill with an electronic check, ATM/debit card with a Pulse, Star, NYCE, or Accel logo, or a Visa, MasterCard, or Discover credit card at www.DominionEnergy.com or at 1-866-281-4649. Payment options are subject to change.

ENERGYSHARE: Help people without heat by donating to EnergyShare. To donate, add exactly $1, $2, $6, $12, $18 or $26 to your payment or mail a separate check payable to EnergyShare, Salvation Army, P.O. Box 5647, Cleveland, OH 44101.
Wednesday, October 26, 2022

Record ID: CD022 07749

CORIEN A. DOUMT...BU
105 STONEPOINTE DRIVE
BEREA, OH 44017

RE: 3611 CHATHAM

In response to your inquiry of 10/14/2022, regarding the above referenced property, please be advised that the last authorized use for this property, based on the Department of Building and Housing records dated 02/17/1953, is for THREE DWELLING UNITS.

Please be aware that this use may have been discontinued or abandoned, which may affect whether it continues to be the legal authorized use.

Very truly yours,

/s/ Carolyn R. Mills

Carolyn R. Mills
Legal Secretary
Department of Building and Housing

CITY OF CLEVELAND
DEPARTMENT OF BUILDING AND HOUSING
NOTICE OF NON-COMFORMANCE

Examined By: Richard M. Riccardi
December 21, 2022

Owner: Tarcewood LLC
Address: 3611 Chatham

Location: 3611 Chatham Ave.

Use: Two Family Residential
Area: B
Height: 1

Application to add dwelling unit to existing non-conforming thee dwelling unit structure is denied due to the following:

Zoning Code

<table>
<thead>
<tr>
<th>Zoning Code</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>337.03(e)</td>
<td>Four dwelling unit structure not permitted in Two Family Residential zoning district.</td>
</tr>
</tbody>
</table>

The Board of Zoning Appeals, after public notice and public hearing, and upon prescribing proper safeguards to preserve the character of the neighborhood, may grant special permits for the remodeling of existing dwelling houses or the erection of row houses to provide for more than two (2) dwelling units but not more than six dwelling units in each building, provided that:

1. The square feet of lot area to be allotted to each dwelling unit is in accordance with the area regulations included in Chapter 335. The square feet of lot area is not in accordance with Chapter 335. 2,400 sf of lot area is required per dwelling unit. 9,600 sf of lot area is required. 2,200 sf of lot area is proposed.

2. The dwelling units to be created will not be smaller than two (2) rooms and a bathroom;

3. There will be no exterior evidence that a remodeled dwelling house is occupied by more than two (2) families, except such as may be permitted by the Board;

4. The building when altered or erected and when occupied will conform to all the applicable provisions of the Building and Housing Codes;

5. Garage space or hard surfaced and drained parking space will be provided upon the premises for the car of the families to be accommodated on the premises at the rate of not less than one (1) car per family;

"Tandem" parking spaces are proposed, resulting in two of four spaces lacking street access.

An appeal of this Notice of Non-Conformance may be made to the Cleveland Board of Zoning Appeals, Room 516 Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114 pursuant to Section 330.04(D) of the Cleveland Zoning Code.

/s/ Richard M. Riccardi
Zoning Administrator
PROPOSED SECOND FLOOR PLAN
AS NOTED

PROPOSED FIRST FLOOR PLAN
AS NOTED

SHEET NOTES
1. ALL WALLS AND OPENINGS EXISTING UNLESS OTHERWISE NOTED ON THESE PLANS.
2. ALL DIMENSIONS FOR EXISTING WALLS AND OPENINGS SHOULD BE VERIFIED IN FIELD.
3. ALL GENERAL NOTES AND INFORMATION.
4. ALL WORK PERFORMED OTHER THAN FOUNDATION CONSTRUCTION, PERFORMED BY A LICENSED STRUCTURAL ENGINEER REQUIRED PRIOR TO STARTING DEMOLITION AND REMOVAL WORK.
5. NEW AND REQUIRED EXTERIOR FINISHES TO MATCH EXISTING, AS NEEDED.
6. NEW AND REQUIRED INTERIOR FINISHES TO MATCH EXISTING, AS NEEDED.
7. NEW INSULATION, DRYWALL, AND INTERIOR FINISHES THROUGHOUT.
8. NEW WINDOWS TO REPLACE ALL EXISTING UNITS.
9. NEW DOORS TO REPLACE ALL EXISTING DOORS.

PROJECT
3611 CHATHAM
DESCRIPTION: RENOVATION
ADDRESS: 3611 CHATHAM AVE
CLEVELAND OH 44113

OWNER:
TERRAPLEO LLC
3611 CHATHAM AVE
CLEVELAND OH 44113

CONTACT: WILLIAM RASHEE
500 DEVELOPMENT
500 BOE III BLDG

SCALE: 1/4" = 1'-0"

PROPOSED PLANS
A2.1
PROPOSED ELEVATION [E]

PROPOSED ELEVATION [N]

PROPOSED ELEVATION [S]
Public Hearing

Calendar No. 22-228: 4015 Gifford Ave. Ward 13

Sara Sova, proposes to establish use as a Residential Facility in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states "Residential facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care service to any of the following: (a) one (1) or two (2) unrelated persons with mental illness; (b) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.

2. Section 343.01(b)(1) which states all uses permitted and as regulated in a Multi-Family District are permitted in a Local Retail Business District. Pursuant to 337.08(g), a Residential Facility use is permitted only when the residential facility is located not less than one thousand (1000) feet from another residential facility.

Applicant has previously applied for a Residential Facility use at 4100 Gifford Ave., which application has been approved for zoning and will be issued upon successful building code plan review.(Filed December 7, 2022)
SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.
Public Hearing

Calendar No. 22-228: 4015 Gifford Ave. Ward 13

HISTORY OF THE PROPERTY
LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting an area variance from the minimum distance requirements of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.
Calendar No. 22-228: 4015 Gifford Ave. Ward 13
SITE PLAN

PER CITY OF CLEVELAND

Project: Adult Care Facility Floor Plan Revision

Location: 4100 Gifford Ave.
Cleveland, Oh 44109

Scope: Revise floor plans for compliance and new occupancy permit. Plans should be drawn to scale of architectural quality.

Client: Sally-Ann Adult Care
c/o Sarah A. Sova
6096 Big Creek
Parma Hts., Oh 44130

Notes:
1. Plans should be drawn to scale of architectural quality per 2019 Ohio Residential Building Code and City of Cleveland Ordinances. RCO 106.13(1-9)

Draftsman: Jarrel Finney
of ENTrepreneur Hustle LLC
Realestate & Property Solutions
Principal: DHC Architects & Planners
216-732-0756
enthustle@gmail.com
Floor Plan Layout

*All bedroom windows meet 5.0 sqft for first floor and 5.7 sqft for second floor per R310.1 thru R310.14

*Smoke Detector and Carbon Monoxide alarm requirements present per R314.1 & R315.1.

PER CITY OF CLEVELAND

Project: Adult Care Facility Floor Plan Revision

Location: 4100 Gifford Ave.
Cleveland, Oh 44109

Scope: Revise floor plans for compliance and new occupancy permit. Plans should be drawn to scale of architectural quality.

Client: Sally-Ann Adult Care
c/o Sarah A. Sova
6096 Big Creek
Parma Hts., Oh 44130

Notes:
1. Plans should be drawn to scale of architectural quality per 2019 Ohio Residential Building Code and City of Cleveland Ordinances. RCO 106.13(1-9)

Draftsmen: Jarrel Finney
of ENTrepreneur Hustle LLC
Realestate & Property Solutions
Principal: DHC Architects & Planners
216-732-0756
enthustle@gmail.com
Elevation View

PER CITY OF CLEVELAND

Project: Adult Care Facility
Floor Plan Revision

Location: 4100 Gifford Ave.
Cleveland, Oh 44109

Scope: Revise floor plans for
compliance and new
occupancy permit. Plans
should be drawn to scale of
architectural quality.

Client: Sally-Ann Adult Care
c/o Sarah A. Sova
6096 Big Creek
Parma Hts., Oh 44130

Notes:
1. Plans should be drawn to scale of
architectural quality per 2019 Ohio
Residential Building Code and City
of Cleveland Ordinances. RCO
106.13(1-9)

Draftsman: Jarrel Finney
of ENTrepreneur Hustle LLC
Realestate & Property Solutions
Principal: DHC Architects & Planners
216-732-0756
enthustle@gmail.com
Cleveland Board of Zoning Appeals

Old Business
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<th>Calendar No.</th>
<th>Address</th>
<th>Attendees</th>
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<td>22-236</td>
<td>1780 E. 89 St.</td>
<td>(KB, AF, TB, NH, PR)</td>
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<td>22-237</td>
<td>0 West 20th St.</td>
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<td>23-001</td>
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<td>23-002</td>
<td>1975 Ford Dr.</td>
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<td>2283 Chestnut Hills</td>
<td>(KB, TB, NH, PR)</td>
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<td>23-013</td>
<td>Appeal of Laura Cyrocki/1975 Ford</td>
<td>(KB, TB, NH, PR)</td>
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<td>22-224</td>
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<td>22-184</td>
<td>1209 Clark Ave.</td>
<td>(AF, TB, NH, PR)~</td>
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<td>22-201</td>
<td>4420 East 156 St.</td>
<td>(KB, TB, AF, MB)* REMINDER SENT</td>
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<td>22-035</td>
<td>5807 Detroit Ave.</td>
<td>(KB, TB, AF, MB)*** req. rules sent</td>
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<td>1010 E. 146 St.</td>
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<td>1453 W. 116 St.</td>
<td>(KB, TB, AF, MB)* REMINDER SENT</td>
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<td>8502 Hough Ave.</td>
<td>(KB, TB, AF, MB)* REMINDER SENT</td>
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<td>21-202</td>
<td>5001 Memphis</td>
<td>(KB, MB, AF)* REMINDER SENT</td>
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<tr>
<td>21-177</td>
<td>18403 Euclid Ave.</td>
<td>(KB, MB, AF)* REMINDER SENT</td>
</tr>
<tr>
<td>21-091</td>
<td>4157 Lorain Ave.</td>
<td>(D, KB, AF, MB)* REMINDER SENT</td>
</tr>
</tbody>
</table>

**AFFIRMATION:** none

**UPCOMING POSTPONEMENT:** NONE

**MISC**— Calendar Number 22-183: 3244 Saint Clair was granted variances with the condition that parking be removed in the setbacks and that the appellant should submit a plan showing it. Please see plan attached. Do you see any need to bring it back to be reviewed again? The only difference is that the fence is pushed closer to the street.

~ Items received
* Pending the receipt of requested information by the Board.
*** Request for Rehearing/Reconsideration.
Cleveland Board of Zoning Appeals

Adjournment