



Cleveland Board of Zoning Appeals

Monday February 6, 2023

**** PLEASE MUTE YOUR MICROPHONE ****

Kelley Britt, Board Chair

Elizabeth Kukla, Secretary

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.

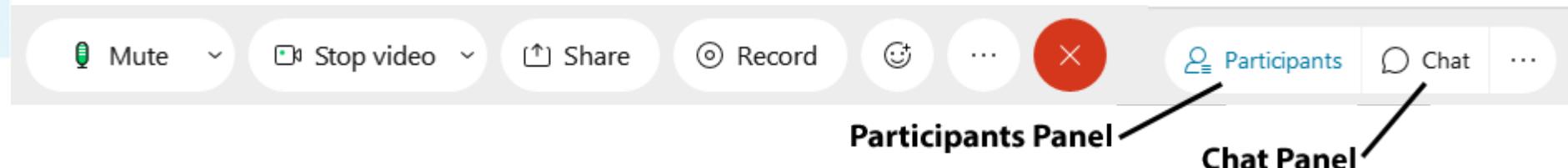
ALL BOARDS AND COMMISSIONS UNDER THE PURVIEW OF THE CITY PLANNING DEPARTMENT CONDUCTS ITS MEETINGS ACCORDING TO ROBERT'S RULES OF ORDER. ACTIONS DURING THE MEETING WILL BE TAKEN BY VOICE VOTE. ABSTENTIONS FROM ANY VOTE DUE TO A CONFLICT OF INTEREST SHOULD BE STATED FOR THE RECORD PRIOR TO THE TAKING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

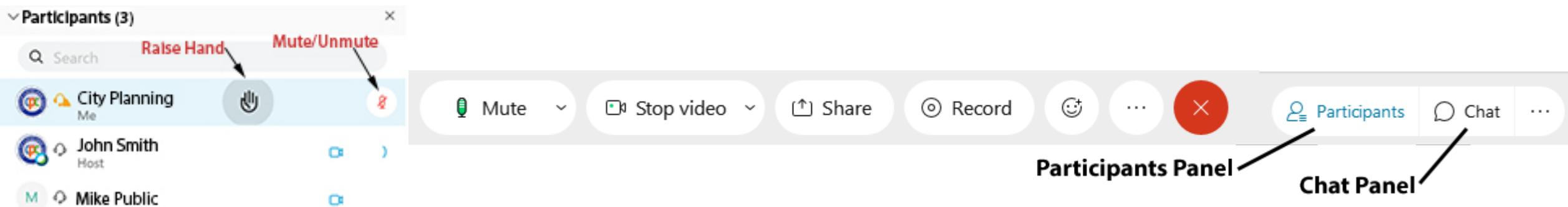
Preamble

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.



Cleveland Board of Zoning Appeals

Call to Order & Roll Call



Cleveland Board of Zoning Appeals

Postponements/Withdrawals





NONE TODAY

Cleveland Board of Zoning Appeals

Public Hearing



Public Hearing

Calendar No.23-014:

Lutheran Metropolitan Ministry appealing the decision of the Zoning Administrator in Building and Housing.



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.**

**Lutheran Metropolitan Ministry
appealing the decision of the Zoning
Administrator in Building and Housing.**



LEGAL STANDARD

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 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 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 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 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. 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. It is anticipated that there will be 12 to 15 young adult guests on the premises at any given time on a daily basis, along with anywhere from 5 to 12 staff members and 2-3 service partners.

Respectfully,



Mark B. Olson
Principal, AIA, LEED AP

Cc

Maria Foschia, LMM
Sue Cyncynatus, LMM

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 respite 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 resiliency 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 provision, 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 (21TMP-027539). 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 inquired 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 in 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 Conwell 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 OCI? Who is your contact at OCI? Will you provide copies of any documents that you provided to OCI?*

A joint meeting was held with leadership from Ohio City, Inc. and the Franklin-Clinton Block Club in November of 2021. Tom McNair from Ohio City, Inc. joined the conversation with leaders of the Franklin-Clinton Block Club including Alex Frondorf, Priscila 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 Sheakley 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

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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 youths/ 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 38th street. This bus stop is .2 miles and a 5-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.

- 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 W. 25th that accesses the 22, 25, 45, 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:

Allegro 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 13-25 years old

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

- a. 87% had last prior zip code listed as one in Cuyahoga County
 - i. 28% of those who listed Cuyahoga County came from Ohio City or surrounding zip codes (44102, 44113, 44111, 44144, 44109, 44115, 44114, 44127, 44107)
 - ii. 8% of those who listed Cuyahoga County came from Ohio City zip codes (44102, 44113)

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. - 8 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 site?

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 these 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 NEOCH, 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 or impact in crime on 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 councilpersons 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 loitering on Franklin sidewalks as a result of the center?*

Guests will not be permitted to loiter 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 two 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. AP4M 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, Annie 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.

Youth Drop-In Center FAQs



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 trauma-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 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 reunification support, emergency rental assistance, Rapid Re-Housing, and supportive housing.

How 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 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. 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 longer-term homelessness. The holistic, youth-centered approach of the drop-in center will allow service linkages to be tailored to the unique strengths and needs of each individual young person.

Who will come?

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 young people experiencing housing instability are parents, the center will also welcome guests' children.

Based on current services and experience of 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, 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 LGBTQ+.

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 resource 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 Sisters 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 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. Additionally, data from Cuyahoga County Office of Homeless Services shows that nearly one-third of young people who visit coordinated intake have their last prior zip code in Ohio City or an adjacent neighborhood.

What will staffing and security look like?

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. 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 safety features will be in place, including appropriate lighting and security monitoring systems. No loitering 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 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 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 Foschia, CEO, Lutheran Metropolitan Ministry
216-658-7209 mfoschia@lutheranmetro.org

Kate Lodge, director, A Place 4 Me
216-881-6878 klodge@ywcacofcleveland.org

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216-363-7774 adorazio@sistersofcharityhealth.org

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February 3, 2023

To: Cleveland Board of Zoning Appeals (“BZA”)
From: Benjamin J. Ockner, Esq., Berns, Ockner & Greenberger, LLC
Counsel for Lutheran Metropolitan Ministry
Re: Appeal of 5/13/22 Notice of Non-Conformance, 4100 Franklin Blvd.
Site/Zoning Application B22009273 (“Application”)
BZA Calendar Nos. 23-014 and 22-213
Date: February 3, 2023

This communique supplements the November 8, 2022 Notice of Appeal (“NOA”) submitted on behalf of Lutheran Metropolitan Ministry (“LMM”) in response to the City of Cleveland’s Zoning Administrator’s Notice of Non-Conformance (“NNC”) dated May 13, 2022 concerning the referenced Application.¹

LMM intends to operate a Youth Drop-In Center (“Center”) from a building that was constructed in 1965 at 4100 Franklin Blvd. (“Property”).²

LMM and its related entities have always used the building for charitable social and family services, and for offices.

On July 14, 2009, a certificate of occupancy (“COO”) was issued for the use of the building for charitable social and family services and for office use for 20 persons.³ The Center will provide charitable social and family services to young people ages 16-24 experiencing homelessness or housing instability, including basic needs, behavioral health services, benefits assistance, case management and counseling, education, job placement assistance, housing placement assistance and other support services consistent with the charitable social and family services which have always been provided at the Property. The Center will operate up to 10 hours per day, up to seven days a week, between 9 or 10 a.m and 7 or 8 p.m., although weekend hours may be shorter, consistent with prior usage and customary office hours. LMM anticipates that there will be 12 to 15 young adult guests on the premises at any given time, along with anywhere from 5 to 12 staff members and 2-3 service partners. Many guests will avail themselves of the services offered by the Center on just a few occasions, while some are expected to make greater use of the Center. The Center is intended for youths and young adults experiencing homelessness or housing instability. Others who seek to use the Center will be directed elsewhere.

¹ The NOA is incorporated herein by reference.

² See Attachment 1.

³ See Attachment 2.

Cleveland Board of Zoning Appeals

February 3, 2023

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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 men’s shelter, and transitional housing on the same block in addition to the charitable institutional social and family services and offices on the Property.⁴ 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 men’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. 25th, W. 29th, W. 32nd, W. 38th, and W. 49th, 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”) §337.03(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)(3)G. The Code provides no definition for “charitable institution.” 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....” *Foley v. Cleveland*, 7 Ohio L. Abs. 116 (Cuyahoga App. 1929)

And in *Church of God in N. Ohio v. Levin*, 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 benefit 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 by the instrumentality of the charity.

2009-Ohio-5939, ¶18, quoting *Planned Parenthood Assn. v. Tax Commr.*, 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 non-profit 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

⁴ Attached is an aerial photograph of the area with accompanying information from the Cuyahoga County GIS map, the City Building Department, and portions of websites.

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 conformed 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 plan 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 §327.02(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.D.2d 815, 652 N.Y.S.2d 388 (1997) (finding that a facility providing “food, clothing, shelter, counseling, medical care, educational training and spiritual guidance to disadvantaged individuals” is a “charitable institution”).⁵ 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), 337.03(b), and 359.01(a).⁶ 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)(3).

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 availability⁷ 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 permissibly 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

⁵ The Center will not be offering medical care.

⁶ The NNC also instructs that the approval of the Cleveland Landmarks Commission was required per Code §341.02. LMM met with Ohio City, Inc. and the Commission late last year and received and accepted suggestions from both, following which the Commission approved the appropriateness of LMM's proposed improvements.

⁷ 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.

institutions. Nor does it provide a legitimate basis for claiming the Center will violate the City's Code.

It is well-settled:

Zoning ordinances are to be construed in favor of the property owner because they are in derogation of the common law and deprive the property owner of uses to which the owner would otherwise be entitled. *Univ. Circle, Inc. v. Cleveland*, 56 Ohio St.2d 180, 184, 383 N.E.2d 139 (1978). Thus, we have long held that restrictions imposed on the use of private property via ordinance, resolution, or statute must be strictly construed, and the scope of the restrictions cannot be extended to include limitations not clearly prescribed. See *Saunders v. Clark Cty. Zoning Dept.*, 66 Ohio St.2d 259, 261, 421 N.E.2d 152 (1981); see also *State ex. rel. Moore Oil Co. v. Dauben*, 99 Ohio St. 406, 124 N.E. 232 (1919). In other words, we do not permit zoning “limitations by implication.” *Henley*, 90 Ohio St.3d at 152, 735 N.E.2d 433.

Cleveland Clinic Foundation v. Board of Zoning Appeals, 141 Ohio St. 3d 318, 2014-Ohio-4809, 23 N.E.3d 1161, ¶34.

It is also well-settled that an ambiguous zoning provision must be construed in favor of the property owner. *Cleveland Clinic*, 2014-Ohio-4809, ¶40, n. 3, citing *Univ. Circle, Inc. v. Cleveland*, 56 Ohio St.2d 180, 184, 383 N.E.2d 139 (1978).

The absence of a definition of “charitable institution” allows too broad a standard for determining what qualifies as such, so broad that it provides no legitimate guidance. LMM and its partners, and the young homeless persons to be served by the Center, should not be limited by such a standard.

Finally, the BZA is directed to the accompanying report of Professor Alan Weinstein who has opined as to the issues presented by the NNC. His report is attached to and incorporated by reference herein.

Based on the foregoing, reserving all of its rights, LMM respectfully urges the BZA to reverse the Zoning Administrator's decisions in the NNC. Otherwise, the BZA should grant either a special permit or a variance allowing LMM's proposed use of its Property.

Sincerely,


Benjamin J. Ockner
Counsel for Lutheran Metropolitan Ministry

cc: Lutheran Metropolitan Ministry
A Place 4 Me
Sisters of Charity Foundation of Cleveland

EXPERT REPORT OF ALAN WEINSTEIN

Planning and Zoning Evaluation of Proposed Youth Drop-In Center
Located at Lutheran Metropolitan Ministries – 4100 Franklin Blvd.

I. 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, 2019 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 1979 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 Touro University Jacob D. Fuchsberg Law Center, then located in Huntington, New York.

In the positions noted above, from 1979 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/or 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 unified 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.

B. Methodology

The data, documents, and information I relied on to form my opinion were either provided to me by the Berns, Ockner & 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 3, 2023. The specific documents I relied on to form these opinions are:

- City of Cleveland Zoning Ordinance.
- City of Cleveland Zoning Map.
- Final Certificate of Occupancy CO09023019 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 13, 2022.
- Notice of Appeal dated November 8, 2022 for Notice of Non-Conformance dated May 13, 2022.
- Letter to Cleveland BZA from Benjamin J. Ockner, Esq. dated November 8, 2022.
- “Youth Drop-In Center Neighborhood Questions & Answers” written February 2022 and updated January 2023.
- Various materials provided by Benjamin J. Ockner, 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)¹ 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 owns the building and will operate the center with A Place 4 Me and the Sisters of Charity Foundation with assistance from the Cuyahoga County Office of Homeless Services.

3. Whether or not the BZA, 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. 329 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"² [hereafter "Dictionary"], published by the American Planning Association, also does not define "charitable institution" but does define "charitable organization." In my professional opinion, those 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 Elsinore, CA; 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-washings 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.

² Michael Davidson & Fay Dolnick, eds., "A Planners Dictionary," American Planning Association Planning Advisory Service Report Number 521/522 (2004).

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.³ In 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 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 result in a minor increase to the physical dimensions of the structure,⁴ 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 hosting community events such as rummage sales. The building also provided office space both for LMM and

³ § 349.15, which regulates Bicycle Parking, provides numerical guidance for the meaning of "expansion" in subsections (b) & (d).

⁴ The physical dimension of the building will increase by 3.8% 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 LFS in 2014 and LFS 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 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.⁵ 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 LLM 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-Conformance 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 services⁶ 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,

⁵ The counselor also provided off-premises services such as home inspections and home visits.

⁶ 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.

expansion, substitution of, or change in the property's use as a charitable institution.⁷ 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 200 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 days/hours of operation -- will not be intensified beyond its normal pre-pandemic levels that which 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.⁸

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 § 359.01(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 charge is no more harmful or objectionable than the

⁷ Such 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.

⁸ To illustrate that point, consider a lawful non-conforming auto repair service business that attracted few 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 BZA to view the proposed use as a substitution or change, then in my professional opinion the BZA 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 *any* zoning decision on the category of “type of persons” is at best unethical and at worst unlawful, with only limited exceptions of no relevance here.⁹
- 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.”

⁹ An example of such limited exceptions is prohibiting persons currently using drugs or alcohol from residing in a halfway home for recovering addicts.

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 BZA 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 BZA 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 45th. 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 7,894 s.f.¹⁰ apartment building with four 1BR/1BA and four 2BR/2BA dwelling units.
- 3806 Franklin: the Stone Gables Inn, a 9,096 s.f. self-described “small boutique hotel” with five rooms and a private parking-lot behind the building.
- 4210 Franklin: St. Herman’s Focus Cleveland, a 4,353 s.f. three-story building operated as a Youth Hostel.
- 4308 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 5:45 to 7:00 pm.
- 4312 Franklin: St. Herman House, a 2,692 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 3600 Franklin Blvd. a 218 unit, 85,724 s.f. Convalescent Hospital with on-site parking for more than 50 cars.

¹⁰ 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.

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EMPLOYMENT HISTORY

Professor Emeritus, College of Law/Levin College of Public Affairs & Education, Cleveland State University, Cleveland, OH (2020 – present); **Professor/Associate Professor** (1989-2020).

Courses: 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. **Duties:** Direct interdisciplinary program of instruction, research and public service; plan conferences and symposia; and coordinate interdisciplinary efforts between the Colleges and other university departments. **Achievements:** Awarded \$1.35 million in externally-funded grants/contracts. Created and directed JD/MPA & JD/MUPD dual degree programs, and MLS degree program. Created and directed two Legal Clinics with four professional/clerical staff and annual budget of \$325,000.

Associate Professor/Assistant Professor, Touro College Law Center, Huntington, NY (1984-89)

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"Justice Scalia on Courts, Legislatures and Rights" 34th Annual Conference of the Association of Collegiate Schools of Planning, Columbus, OH (October 31, 1992).

"*Land Use and The Constitution*: A Report on a Search for Consensus," 31st Annual Conference of the Association of Collegiate Schools of Planning, Portland, OR (October 5, 1989.)

"Land Use and the First Amendment," 27th Annual Conference of the Association of Collegiate Schools of Planning, Atlanta, GA (November 2, 1985).

"Legislative Developments in Siting Solid & Hazardous Waste Facilities, University of Wisconsin Conference on Planning in the 1980s, Madison, WI (March 21, 1980).

PROFESSIONAL PAPERS & PANELS/WEB-BASED COURSES

"Regulating Political Signs and Speech," Stafford Webinars Live CLE (April 14, 2020).

"Local Regulation of Marijuana Businesses" (2019) available at <courses.planetizen.com>

"Federal and State Religious Land Use Statutes" (2019) available at <courses.planetizen.com>

"Complying With Federal Law in Regulating Telecommunications" (2019) available at <courses.planetizen.com>

"Local Regulation of Outdoor Advertising," National Academies' Transportation Research Board 58th Annual Workshop on Transportation Law, Cleveland, OH (July 23, 2019).

"Regulating Marijuana Businesses," International Municipal Lawyers Association National Webinar (April 23, 2019).

"First Amendment Issues When Regulating in the Public Right-of-Way," American Planning Association 2019 National Planning Conference, San Francisco, CA (April 14, 2019).

"Legal and Planning Issues in the Regulation of Marijuana Businesses," American Planning Association 2019 National Planning Conference, San Francisco, CA (April 13, 2019).

"Local Government Regulation of Marijuana Businesses" - "Clearing the Weeds" CLE Program, Cleveland-Marshall College of Law, Cleveland, OH (February 27, 2019).

"Annual Planning Law Review," American Planning Association-Planning & Law Division National Webinar (January 31, 2019).

"Sex, Sex and More Sex: Adult Entertainment Issues and Answers," International Municipal Lawyers Association National Webinar (December 12, 2018).

"*Euclid v. Ambler*: A 90 Year Retrospective," CMLAA All-Day CLE Program, Cleveland-Marshall College of Law, Cleveland, OH (November 2, 2018).

"Regulating Political Signs and Speech: Responding to First Amendment and Land Use Challenges," Stafford Live CLE (June 21, 2018).

"*Murr v. Wisconsin*: The Supreme Court's Latest 'Take' on Takings," American Planning Association Planning & Law Division National Webinar (August 14, 2017).

"Planners and the Public Realm" American Planning Association 2017 National Planning Conference, New York, NY (May 9, 2017).

"Legal Issues in the Regulation of Electronic and Digital Signage," American Planning Association 2017 National Planning Conference, New York, NY (May 6, 2017).

"*Reed v. Town of Gilbert*: Where Are We After Two Years,?" American Planning Association 2017 National Planning Conference, New York, NY (May 6, 2017).

"Recent Developments in Federal Regulation of Local Government Telecommunications Decision-Making," Alfred Bettman Law Symposium, American Planning Association 2016 National Planning Conference, Phoenix, AZ (April 3, 2016).

"The Effect of *Reed v. Town of Gilbert* on First Amendment Rulings in the Lower Courts," American Planning Association 2016 National Planning Conference, Phoenix, AZ (April 3, 2016).

"Regulating Adult Entertainment Businesses," International Municipal Lawyers Association National Webinar (March 14, 2016).

"Recent Developments in First Amendment Law Relevant to Local Government," Northeast Ohio Municipal Law Director's Annual President's Day CLE Program, Cleveland, OH (February 25, 2016).

"Sign Regulation After *Reed v. Gilbert*," Cleveland Planning & Zoning Workshop, Westlake, OH (November 13, 2015).

"Local Government Sign Regulation After *Reed v. Gilbert*," Arizona Chapter of the American Planning Association 2015 State Conference, Tucson, AZ (November 5, 2015).

"Content Neutral Sign Regulation After *Reed v. Gilbert*," American Planning Association 2015 National Planning Conference, Seattle, WA (April 20, 2015).

"Legal Update: Exactions & Impact Fees, Sign Case Before the U.S. Supreme Court, and Using a Community Bill-of-Rights to Ban Hydraulic Fracturing," Cleveland APA Planning & Zoning Workshop, Westlake, OH (October 24, 2014).

"Regulating Political Signs," Northeast Ohio Law Directors Association, Cleveland, OH (September 11, 2014).

"Annual Planning Law Review," American Planning Association National Webinar/Teleconference (June 25, 2014).

"Legal and Practical Issues in Regulating Signs & Billboards," Akron Planning & Zoning Conference, Akron, OH (May 16, 2014) and Northeast Ohio Law Directors Association, Cleveland, OH (May 8, 2014).

"The Content-Neutrality Issue in Sign Regulation," American Planning Association 2014 National Planning Conference, Atlanta, GA (April 30, 2014).

"Three Approaches to the Regulation of On-Premise Signs," National webinar cosponsored by 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 26, 2014).

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

"New Developments in Exactions 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," American Planning Association National Webinar/Teleconference (June 28, 2012).

"Modern Constitutional Issues in Sign Regulation," American Planning Association 2012 National Planning Conference, Los Angeles, CA (April 16, 2012).

"Regulating Digital Signs" APA-Ohio Planning & Zoning Workshop, Westlake, OH (November 18, 2011).

"Religious Land Use and Institutionalized Persons Act Claims: Strategies for Local Governments to Avoid or Defend RLUIPA Litigation," Strafford Seminars National Webinar/Teleconference (April 5, 2011).

"Development, Redevelopment & the Law," APA-Ohio Planning & Zoning Workshop, Cleveland, OH (October 29, 2010).

"Religious Use of Land," International Municipal Lawyers' Association National Teleconference (April 6, 2010).

"Regulating Digital Signs & Billboards," American Planning Association National Webinar (March 5, 2010).

"Regulating Digital Signs & Billboards" and "Smart Strategies for Dealing with 'LULUs,'" APA-Ohio Planning & Zoning Workshop, Cleveland, OH (November 13, 2009).

"Religious Land Uses and Liability for Violating RLUIPA," National League of Cities – Risk Information Sharing Consortium Spring Trustees National Conference, Louisville, KY (May 8, 2009).

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

"Signs, Sex, and God: Regulating Land Uses that are Protected by the First Amendment," OPC/APA Planning & Zoning Workshop, Cleveland, OH (November 14, 2008).

"Adapting *Street Graphics and the Law* for Real World Sign Regulations," Ohio-Kentucky-Indiana APA Chapters' Regional Conference, Louisville, KY (October 16, 2008).

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

"Responding to the Foreclosure Crisis in Cuyahoga County," National Association of County Community and Economic Development Officials 33rd Annual National Conference, Atlanta, GA (September 8, 2008).

"Annual Planning Law Review," American Planning Association National Teleconference. (June 25, 2008).

"Update on RLUIPA," Cleveland Metropolitan Bar Association CLE Presentation, Cleveland, OH (May 22, 2008).

"Legally Defensible Sign Regulations," OPC Planning & Zoning Commission Workshop, Akron, OH (May 9, 2008).

"Lessons From the Heartland: Strategies and Tools to Address the Rising Tide of Foreclosures," American Planning Association 2008 National Planning Conference, Las Vegas, NV. (April 28, 2008).

"Avoiding a Zoning Battle between 'Ministry' and Municipality ... or Fighting One If You Must ... Strategies for Local Governments Facing RLUIPA Claims: Religious Land Use & Institutionalized Persons Act Disputes On The Rise," International Municipal Lawyers' Association National Teleconference (March 24, 2008).

"New Rules for Foreclosures and Eminent Domain," OPC/APA Zoning Workshop, Cleveland, OH (November 9, 2007).

"Eminent Domain for Economic Development after *Kelo*," American Planning Association 2007 National Planning Conference, Philadelphia, PA. (April 16, 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.B. 23: New Rules for Township Regulation of Adult Entertainment Businesses," Ohio Township Association Winter Conference, Columbus, OH (February 2, 2007).

"Eminent Domain in Ohio After *Kelo*, *Norwood* and the Legislative Taskforce Report," OPC/APA Zoning Workshop, Cleveland, OH (October 27, 2006).

"Issues in Regulating Adult Entertainment Businesses," National Law Center for Children & Families' "NLC Protects Seminar Series," Alexandria, VA (June 21, 2006) and Salt Lake City, UT (Sept. 27, 2006).

"Current Legal Issues in Sign Regulation," Cuyahoga County Law Directors Association, Cleveland, OH (June 8, 2006).

"Local Regulation of Adult Business: Secondary Effects Evidence Under Attack," International Municipal Lawyers' Association National Teleconference (March 28, 2006).

"Smart Growth," Lorman Education Services - Ohio Land Use Seminar, Akron, OH (January 26, 2006).

"Federal Mandates & Local Zoning," OPC State Planning Conference, Cleveland, OH (September 30, 2005).

"Legal and Public Policy Issues in Sign Regulation," U.S. Small Business Administration National Signage Research Symposium, Las Vegas, NV (March 30, 2005).

"Land Use and the Constitution: Critiquing the Court's 2005 Property Regulation Cases," Cuyahoga County Law Directors Association 51st Anniversary Municipal Law Workshop, Cleveland, OH (February 11, 2005).

"Recent Developments in Eminent Domain and Takings Law," Akron Bar Association Real Property Law Forum, Hudson, OH (December 3, 2004).

"Conference Featured Presentation: First Amendment Zoning Issues" CLE International Land Use Law Conference, Cleveland, OH (November 5, 2004).

"Hot Topics: Takings, Eminent Domain, and RLUIPA" OPC/APA Zoning Workshop, Cleveland, OH (October 6, 2004).

"Case Developments Involving RLUIPA and Sexually Oriented Businesses," Cuyahoga County Law Directors Association, Cleveland, OH (June 10, 2004).

"Federal Laws Affecting Local Land Use Regulation (Part II): RLUIPA & Telecommunications," Alfred Bettman Symposium, American Planning Association 2004 National Planning Conference, Washington, D.C. (April 25, 2004).

"Smart Growth," Cleveland Bar Association Seminar: New Directions for Environmental Law, Cleveland, OH (March 24, 2004).

"Legal Considerations in Regulation of On-Premise Business Signs," Transportation Research Board Annual Meeting, Workshop 132 – Regulating On-Premise Business Signs, Washington, D.C. (January 11, 2004).

"Land Use and the First Amendment: Regulating Adult Businesses, Signs and Religious Uses," CLE International Land Use Law Conference, Cleveland, OH (November 17, 2003).

"Hot Topics: Takings, Telecommunications and RLUIPA" and "Sign Regulation: Keys to Effective and Legally Defensible Regulations," OPC/APA 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: RLUIPA and Sexually Oriented Businesses" and "Sign Regulation: Keys to Effective and Legally Defensible Regulations," OPC/APA Zoning Workshop, Independence, OH (October 25, 2002).

Keynote Address: "Ohio Land Use Law: How We Got From *Euclid* to *Shemo* and Where Are We Heading Now," Ohio Department of Natural Resources, Floodplain Management in Ohio – Statewide Conference 2002, Columbus, OH (August 29, 2002).

Keynote Address: "Overview of Zoning Tools and Techniques," Maxine Goodman Levin College of Urban Affairs Forum Program: Northeast Ohio's Waterways Zoning and Land Use Workshop, Cleveland, OH (April 19, 2002).

"Finding Room for Religion . . . and Sex: Practical Issues in Regulating the Location of Adult Entertainment Businesses and Religious Institutions," Cuyahoga County Law Directors Association 48th Anniversary Municipal Law Workshop, Cleveland, OH (February 18, 2002).

"Hot Topics: RLUIPA and Impact Fees" and "Sign Regulation: How the Rules Are Changing," OPC/APA Zoning Workshop, Akron, OH (October 5, 2001).

"Context Sensitive Sign Regulation and Land-Use Planning," Illinois Sign Association Planners' Workshop, Zion, IL (September 21, 2001).

"Adult Entertainment Zoning Issues," OSBA/CLE Land Use and Zoning Seminar, Columbus, OH (March 29, 2001).

"Regulation of Commercial Signs," International Sign Association Conference, Las Vegas, NV (March 24, 2001).

"Adult Entertainment Zoning Issues," OSBA/CLE Land Use and Zoning Seminar, Cleveland, OH (March 14, 2001).

"Context Sensitive Sign Regulation," American Planning Association 2001 National Planning Conference, New Orleans, LA (March 13, 2001).

"Impact Fees" and "Sign Regulation: Are the Rules Changing?" OPC/APA Zoning Workshop, Independence, OH (October 20, 2000).

"The Race Neutral Option in Government Contracting Programs," National Institute for Government Purchasing Conference, Baltimore, MD (August 21, 2000).

"Sex and the Law," American Planning Association 2000 National Planning Conference, New York, NY (April 18, 2000).

"The Century's Worst Land Use Law Mistakes: *Lucas*, the Failure of the "Exclusionary Zoning Revolution," and "Euclidean" Zoning," Alfred Bettman Symposium, American Planning Association 2000 National Planning Conference, New York, NY (April 16, 2000).

"First Amendment Issues in Local Government: Where Are We? Where Are the Courts Taking Us,?" Cuyahoga County Law Directors Association 46th Anniversary Municipal Law Workshop, Cleveland, OH (February 21, 2000).

"Impact Fees," OPC/APA 1999 Statewide Conference, Cleveland, OH (October 8, 1999).

"Adult Uses" and "Legal Issues in Sign Regulation" OPC/APA Zoning Workshop, Cleveland, OH (October 8, 1999).

"Growth Management in Ohio: An Overview," Growth Management Options for Ohio: A Statewide Symposium, Cleveland, OH (October 6, 1999).

"A Legal and Policy Evaluation of the Potential for Using Development Impact Fees in Ohio," OSU Extension 1999 Statewide Land Use Conference on Better Ways to Develop Ohio, Columbus, OH (June 25, 1999).

"Constitutional Issues in Sign Regulation: Are The Rules Changing,?" Conference on the Role of Signs in Community Economic Development and Aesthetics, Columbus, OH (June 10, 1999).

"Impact Fees and Farmland Preservation," Local Governments/Agricultural Law Committees Seminar, Ohio State Bar Association Annual Convention, Cleveland, OH (May 13, 1999).

"Regulation of Commercial Signs," International Sign Association Conference, Las Vegas, NV (April 30, 1999).

"Impact Fees," OSBA/CLE Institute Land Use and Zoning Seminar, Cleveland, OH (April 7, 1999) and Columbus, OH (April 14, 1999).

"Recent Developments and Trends in Land Use Law," Cuyahoga County Law Directors Association 45th Annual Municipal Law Workshop, Cleveland, OH (February 15, 1999).

"Sign Regulations," "Township Zoning Issues," and "Emerging Topics," OPC/APA Zoning Workshop, Cleveland, OH (October 30, 1998).

"Impact Fees," Squire Sanders & Dempsey 1998 Seminar on Public Law & Policy, Cleveland, OH (October 5, 1998) and Columbus, OH (October 14, 1998).

"Constitutional Issues in Local Regulation of Commercial Signs," International Sign Association Sign Users' Conference, Orlando, FL (April 24, 1998)

"Sign Regulations," "Township Zoning Issues," and "Ask the Experts Panel," OPC/APA 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?," Keynote Address, Conference on the "Church" and the City, Cleveland, OH (April 18, 1997).

"Update on Regulating Adult Businesses," Cuyahoga County Law Directors Association 43rd Annual Municipal Law Workshop, Cleveland, OH (February 17, 1997).

"Planning & Zoning for an Aging Population," OPC/APA Zoning Workshop, Cleveland, OH (November 8, 1996).

"Recent Developments in Impact Fee Litigation," Cuyahoga County Law Directors Association, Cleveland, OH (June 6, 1996).

"Sign Regulation and Economic Development," American Planning Association 1996 National Planning Conference, Orlando, FL (April 16, 1996).

"Legal Issues in Sign Regulation," 1995 Forum on Urban Signage, Reston, VA (November 3, 1995).

"Drafting Defensible Sign Regulations," OPC/APA Zoning Workshop, Akron, OH (October 13, 1995)

"The Federal Fair Housing Amendments Act and Siting Group Homes," OPC/APA Annual Conference, Akron, OH (October 12, 1995).

"The 20th Anniversary of Mount Laurel," American Planning Association 1995 National Planning Conference, Toronto, Canada (April 12, 1995).

"Adult Uses, Signs and the First Amendment," American Planning Association 1995 National Planning Conference, Toronto, Canada (April 11, 1995).

"Signs: What Can They Say and How Should They Look,?" OPC/APA Sixth Annual Zoning Workshop, Independence, OH (October 28, 1994).

"The Religion Issue in Context – A Discussion of National Trends," National Capital Area Chapter, American Planning Association Conference on Land Use and Religious Institutions: Constitutional and Practical Issues, Silver Spring, MD (May 24, 1994).

"Sign Regulation: Perspectives of Industry and Regulators," Midwest Sign Association Conference on Signage, Cleveland, OH (April 29, 1994); Covington, KY (May 20, 1994) & Detroit, MI (October 26, 1994).

"Dealing with Changing and Conflicting Government Regulations on Brownfield Sites," Levin College Urban Center Conference on Urban Environmental Justice and Economic Development, Cleveland, OH (April 28, 1994).

"Sign Regulation," American Planning Association 1994 National Planning Conference, San Francisco, CA (April 18, 1994).

"Regulation of 'Supercenter' Retail Uses," Cuyahoga County Planning & Economic Development Directors Association, Cleveland, OH (October 19, 1993).

"Revolutions in Land-Use," Cuyahoga County Law Directors Association, Cleveland, OH (September 9, 1993).

"Ground Rules for Conducting Fair Meetings and Hearings," "Land Use & the First Amendment," "Impact Fees: Friend or Foe,?" and "The Dollars and Cents of Impact Fees: A Technical Workshop," OPC/APA Annual Conference, Cleveland, OH (June 3-4, 1993).

"Recent Developments in Regulation of Adult Businesses, Churches, Newsracks and Signs," American Planning Association 1993 National Planning Conference, Chicago, IL (May 3, 1993).

"Landmark Designation of Houses of Worship: Is It Constitutional,?" International Symposium on Design Review, Cincinnati, OH (October 9, 1992).

“Takings Law Past and Present: The Journey From *Nollan to Lucas*,” and “The Wetlands Policy Debate,” American Planning Association 1992 National Planning Conference, Washington, D.C. (May 12, 1992).

“Conducting Fair Meetings and Hearings,” OPC/APA Zoning Workshop, Westlake, OH (November 15, 1991).

“Land Use and the Constitution,” American Planning Association Upper Midwest Regional Conference, Milwaukee, WI (October 3, 1991).

“Who Pays for Growth?,” Conference on Growth and Redevelopment Issues & Strategies for the 90s, Cleveland, OH (June 12, 1991).

“Urban Design Standards and Review Processes,” American Planning Association 1991 National Planning Conference, New Orleans, LA (March 27, 1991).

“Conducting Fair Meetings and Hearings” and “Group Homes & Day Care: When Is a Home Not a House,?” OPC/APA Annual Planning Conference, Cleveland, OH (May 10 & 11, 1990).

“State and Local Government Regulation of Child Care,” American Planning Association 1990 National Planning Conference, Denver, CO (April 24, 1990).

“Planners’ Town Meeting on Constitutional Issues,” American Planning Association 1989 National Planning Conference, Atlanta, GA (May 1, 1989).

“The Amendments to the Federal Fair Housing Act: Impacts on Local Land Regulations and Affordable Housing”, American Planning Association 1989 National Planning Conference, Atlanta, GA (May 2, 1989).

“Section 1983 and Land Use,” Practicing Law Institute Conference on Section 1983 Civil Rights Litigation and Attorneys’ Fees, San Francisco, CA (September 26, 1988) and New York, NY (October 17, 1988).

“Constitutional Issues in Land Use Regulation,” American Planning Association 1988 National Planning Conference, San Antonio, TX (May 2, 1988).

“Land Use and the Constitution,” American Planning Association Upper Midwest Regional Conference, Milwaukee, WI (September 21, 1987).

“Recent First Amendment Cases in the Supreme Court Affecting State & Local Government,” Alfred Bettman Symposium, American Planning Association 1987 National Planning Conference, New York, NY (April 26, 1987).

“Regulating Video Arcades, Adult Businesses and Advertising Signs,” New England Land Use Conference, Framingham, MA (March 9, 1984).

“Negotiated Rulemaking to Resolve Environmental Disputes: A Legal and Practical Analysis,” 63rd Annual Meeting of the Transportation Research Board, Washington, DC (January 18, 1984).

“Administration of Aesthetic Regulations,” American Planning Association Zoning Institute, Chicago, IL (October 3, 1983).

“Pornography, Video Games & the Constitution,” American Planning Association Zoning Institute, San Francisco, CA (October 26, 1982).

“State Programs to Site Hazardous Waste Management Facilities,” American Planning Association National Conference, Boston, MA (April 28, 1981).

“Legal Tactics Used by Opponents of Energy Facilities,” testimony presented to The Commonwealth of Massachusetts Special Commission on Hazardous Waste, Boston, MA (April 10, 1980).

UNIVERSITY SERVICE

Cleveland State University

17th-18th Block Development Committee (1990-91); Campus Master Plan Steering Committee (2002); Co-Chair, Faculty/Staff Annual Appeal (2017); Faculty Senate (2016-19)(elected); Faculty Senate Budget and Finance Committee (2005-06) (2006-08)(elected); Graduate Faculty (1992-2019); Graduate Council (2005-10); Planning & Budget Advisory Committee (1996-97) (2005-06) (2006-08); University Personnel Committee (2016); University Research Council (2018-19).

College of Law

Academic Standards Committee (1992, 1995-96); Building Committee (1992-97); Cleveland Marshall Fund/Baker-Hostetler Joint Committee (2002-13, Chair, 2012-13); Chair, Faculty Grants Subcommittee (2002-06); Cleveland-Marshall Fund Committee (1993-2002); Cleveland-Marshall Summer Grants Committee (2006-12, Chair, 2007-12); Community Advocacy Clinic Hiring Search Committee Chair (1995 & 2003); Continuing Legal Education Committee (1990-95, Chair 1993-95); Curriculum Committee (1991-96; 2014-18); Dual Degree Students Association Faculty Advisor (2000-18); Faculty-Administration Budget Committee (2003-04); Faculty Affairs Committee (2003-05) (elected); Faculty Development Special Committee (1992-94); Faculty Senator (2016-19) (elected); Graduate & Non-JD Committee Chair (2017-18); Graduate Studies Committee Chair (1996-2006); Graduate Studies, International Programs & Joint Degree Programs Committee (2006 -2013, Chair 2006-12); Hall of Fame Selection Committee (2018); Jewish Law Students Association Faculty Advisor (1995-2014); Joint Degree Programs Committee (2000-06); Strategic Plan Committee (2013; 2017-18); Strategic Priorities Committee (2012-13) (elected); Vice-Chair, Dean Search Committee (2010-11).

Levin College of Public Affairs & Education

College Administrative Planning Committee (1993-2000); College Council (1989-2019); Department of Urban Studies Faculty (1989-2019); M.P.A. Program Committee (1991-2019); M.U.P.D. Program Committee (1990-2019); M.U.P.D.D. Program Faculty Search Committee (1992-93).

PROFESSIONAL AFFILIATIONS

American Bar Association

Forum Committee on Affordable Housing & Community Development Law (1994-2019); Affordable Housing & Community Development Law Clinic Directors’ Roundtable (1995-2019); Section on Administrative Law & Regulatory Practice (1985-); Section on Legal Education (1984-); Section on State & Local Government Law (1981-); Sub-Committee on Land Use & The First Amendment; Co-Chair (1982-93); Chair (1994-2000).

American Planning Association

Editorial Advisory Board, *Journal of the American Planning Association* (1990-94); Editorial Board, *Land Use Law & Zoning Digest* (1990-2005); Editorial Board, *Planning & Environmental Law* (2005-2017); Environmental Planning Division (1977-84), Co-editor, Division Newsletter (1982-84); Ohio Planning Conference (1989-), Board of Trustees (1994-2003), Chair, Teller Committee (2000-2003), Chair, Chapter Awards Committee (1999-2000), Member, OPC 1999 Annual Conference Executive Committee and Planning Committee (1999), Member, Legislative Committee (1996-2003), Member, Cleveland Section Zoning Workshop Executive Committee (1996-2009); Planning & Law Division (1981-), Secretary-Treasurer (1986-88), Chair-elect (1988-90), Chair (1990-92), Chair, R. Marlin Smith Student Writing Competition (1990-2018), Editor, Division Newsletter (1992-2000), Executive Board (1986-2018); Steering Committee of the Context-Sensitive Signage Design Project (1997-2001).

International Cannabis Law Association

Member (2022 -)

International Municipal Lawyers Association

Associate Member (2003-18)

BAR ADMISSIONS

Massachusetts (1978); Wisconsin (1981 - discontinued); U.S. District Court E.D. Wisconsin (1982)

COMMUNITY & PUBLIC SERVICE

Kol HaLev Reconstructionist Synagogue

Member at Large, Board of Trustees (2006-07, 2011-13); Vice-President (2007-11); Finance Committee (2017-present), Chair (2017-19).

Cleveland Civil Rights Committee, Ohio/Kentucky/Allegheny Region of the Anti-Defamation League (2003-)

Member of committee that advises ADL on legal/policy matters and writing amicus curiae briefs.

Cleveland Bar Association Regionalism Taskforce (2003-2004).

Consultant to Bar Association project proposing regional governance options for greater Cleveland.

Cleveland Panel, 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.

Political & Legal Working Group, Sustainable Communities Symposium 2000 (1999-2000)

Participant 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.

Cleveland Roundtable Minority Business Opportunity Task Force (1999-2000)

Advisor to group formed to bring a business community focus to the issues raised by recent court decisions challenging Ohio's MBE contracting program.

Hudson Schools Committee (1998)

Volunteer leader of research team providing data analysis supporting passage of school levy.

Hudson Library & Historical Society (1997-98)

Member of Board of Trustees for public library serving community of 22,000.

Hudson 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)

Testified on the use of alternative dispute resolution when government is a party.

Suffolk County Law Department, Hauppauge, NY (1988)

Rendered opinion to Suffolk County Attorney on constitutionality of legislation abolishing existing County Ethics Board and establishing County Ethics Commission.

Conference on the Future of George's Bank, University of Rhode Island Coastal Resources Center, Narragansett, R.I. (1982)

Prepared report on using dispute resolution techniques to resolve natural resources conflicts.

Wisconsin Legislature Ad Hoc Committee on Hazardous Waste Management, Madison, WI (1981)

Participated in development of waste facility siting legislation.

Massachusetts Special Legislative Commission on Hazardous Waste, Boston, MA (1980)

Testified on evaluating the legal bases for opposition to hazardous waste management facilities.

Council on Environmental Quality, Washington, D.C. (1979)

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

Selected Professional Experience

Anchorage, Alaska (City of)

- Comprehensive revision of city's sign code. Partnership with D. B. Hartt, Inc., Cleveland, OH and DOWL Engineers, Anchorage, Alaska. (2002-2003).
- Consultant on proposed amendments to city's sign code. (2006).

Auburn Township, Ohio

- Consultant to Zoning Commission re: land use issues facing rural township. (1997-1998).
- Conducted planning study of commercial areas and drafted amendments to zoning resolution implementing study recommendations. Partnership with D. B. Hartt, Inc., Cleveland, OH. (1998 - 2000).

Avon, Ohio (City of)

- Prepared supporting studies for and drafted the city's Recreation Impact Fee Ordinance. (1996)
- Drafted supporting studies for Sanitary Sewage Master Plan and drafted Sanitary Sewage Impact Fee Ordinance. Partnership with Zwick Engineers, Olmsted Twp., OH. (1997-1998).
- Advised 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).
- Revised city's comprehensive plan and drafted new zoning ordinance and subdivision regulations. Partnership with D. B. Hartt, Inc., Cleveland, OH. (1995-1998).

Bazetta Township, Ohio

- Expert witness in township's opposition to proposed annexation. Retained by Law Office of Charles L. Richards, Warren, OH. (2001-03).

Boardman Township, Ohio

- In counsel 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)

- Expert witness in adult entertainment state court litigation. Retained by City Law Director. (1999).

Bridgeport, Connecticut (City of)

- Consultant to city attorney for federal court adult business litigation and revision of adult business zoning/licensing ordinances. (2004).

Buckingham, Doolittle & Burroughs, LLP, Cleveland, OH

- Expert witness in zoning dispute in Bath Township, Ohio. (2002).
- Expert witness in zoning dispute in Burton Township, Ohio. (2003 and 2007).
- Expert witness in zoning dispute in Avon, Ohio. (2005-06).
- Expert witness in zoning dispute in Brimfield Twp., Ohio (2007)
- Expert witness in zoning dispute in Bedford, Ohio. (2007).

Canfield Board of Education, Canfield, Ohio

- Advised Board on use of impact fees to finance capital expenses for public education. (1995).

Chardon Village, Ohio

- Consultant on impact fees for expansion of sanitary sewage facilities. Partnership with Professor Arthur Nelson, Georgia Institute of Technology, Atlanta, GA. (1995-1998).

Chester Township, Ohio

- Advise Township Trustees and Zoning Commission on proposed zoning amendment. (2022).

Centerville, Ohio (City of)

- Drafted Unified Development Code. Partnership with American Communities Partnership, Inc., Columbus, OH. (2005-06).

Cleveland, Ohio (City of)

- Consultant to Mayor's special counsel on revising city's MBE/FBE contracting and purchasing programs. Partnership with Dr. Charles Washington. (1998-2000).
- Advisor to City Chief Ethics Officer on statutory interpretation of city charter amendment. (2022)

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)

- Comprehensive revision of city's zoning ordinance. Partnership with D. B. Hartt, Inc., Cleveland, OH. (1998-1999).

Dublin, Ohio (City of)

- Drafted Unified Development Code. Partnership with Ratio Architects, Inc., Indianapolis, IN. (2000-2002).

Eaton, Ohio (City of)

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

Eller Media - Houston, Texas

- Expert witness in state court litigation. Retained by Susman, Godfrey, LLP. Houston, TX. (1999).

Elyria, 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

- Researched and drafted report, funded by the Netherlands Ministry of Public Health and Environment, on environmental impact analysis. Partnership with Professor Lawrence Susskind, Massachusetts Institute of Technology, Cambridge, Massachusetts. (1980-1981).

Euclid, Ohio (City of)

- Prepared supporting land use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (2000).

Fontana, California (City of)

- Defense expert witness in state court adult entertainment litigation. Retained by Best Best & Krieger, LLP. Sacramento, CA. (2008).

Garfield Heights, Ohio (City of)

- Prepared supporting land use planning studies for and drafted Sexually Oriented Business zoning ordinance. (2000).
- Consulting Expert in federal court litigation: *Wagner v. City of Garfield Heights*. Retained by Brennan, Manna & Diamond, Akron, OH. (2013-2015).

Geauga County, Ohio

- Review proposed amendment to sign regulations. (2021).

Greensboro, North Carolina (City of)

- Consultant (2003-04) and defense expert witness (2006-07) in federal court adult entertainment litigation.

High Forest Township, Minnesota

- Expert witness in adult entertainment federal court litigation. Retained by Murnane, Conlin, White & Brandt, PA, St. Paul, MN. (2003).

Howland Township, Ohio

- Expert witness in successful state court litigation defending validity of township's commercial zoning. Retained by Squire, Sanders & Dempsey, Cleveland, OH. (1998).
- Expert witness in township's opposition to proposed annexation. Retained by Law Office of Charles L. Richards, Warren, OH. (2001-02).
- Planning consultant for possible re-zoning of residential area to commercial PUD. (2004).

Hudson, 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. (2000-2001).

Lamar Outdoor Advertising – Lubbock, Texas

- Expert witness for variance requests before City Planning Commission. (2003).

Lamar Outdoor Advertising – Tulsa, Oklahoma

- Expert witness report on regulation of digital signs for presentation to City Council. (2008).

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, (1999).

Mid-Ohio Regional Planning Commission, City of Columbus, Franklin County, and Metropolitan Park District of the City of Columbus & Franklin County

- Consultant to Task Force on Model Watercourse & Scenic Byway Protections and contributing author on workbook titled "Model Watercourse & Scenic Byway Protections," published February 19, 1999. In association with American Communities Partnership, Columbus, OH. (1998-1999).

Milwaukee Metropolitan Sewerage District, Milwaukee, Wisconsin

- Consultant on citizen participation programs. (1979).

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

- Consultant on methods to safeguard sole source aquifer. Partnership with Prof. Harold Abramson, Touro College of Law, Huntington, New York. (1987-1990).

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

- Researched and authored report on local regulation of outdoor advertising in 268 jurisdictions. (2002).
- Revised 2002 report on local regulation of outdoor advertising to reflect new Census data and regulatory changes. (2004).
- Researched and authored report on local regulation of electronic message and changeable copy for outdoor advertising in 271 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 222 jurisdictions. (2014).

Parkman Township, Ohio

- Prepared Expert's Report on Regulating Outdoor Advertising at request of Geauga County Prosecutor's Office. (2003).

Parma, Ohio (City of)

- Consultant to city attorney for federal court adult entertainment litigation. (2001)
- Prepare supporting land-use planning studies for and draft Sexually Oriented Business ordinance. (2003-04).
- Consultant to city attorney for revision of sign code. (2021-22).

Peninsula, Ohio (Village of)

- Consultant on Sexually Oriented Business zoning ordinance. Retained by McKenna Associates, Hudson, OH (2005).

Poland Township, Ohio

- Successfully represented township in appeal of state trial court ruling re: surface mining. Co-counsel with Walter & Haverfield, Cleveland, OH. (1996).
- Successfully represented township in state trial court review of County Commissioner's approval of annexation. Co-counsel with Walter & Haverfield, 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. (2016-17).

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).

Richfield 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)

- Defense expert witness in federal court adult entertainment litigation. Retained by Bentley, Bentley, & Bentley, Marietta, GA. (2008-2010) and Law Office of Scott D. Berghold, Chattanooga, TN (2014-2015).

Seven Hills, Ohio (City of)

- Expert witness for adult entertainment state 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)

- Revised portions of zoning code. Partnership with McBride-Dale/Clarion, Inc., Cincinnati, OH. (2002-2003).
- Revised notice provisions in zoning code. (2004).

Sharon Township, Ohio

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

Signage Foundation, Inc. – Alexandria, VA.

- Researched/wrote model sign code for on-premise business signs. Partnership with D.B. Hartt, Inc. (2007-08).
- Researched/wrote revised edition of model sign code for on-premise business signs. Partnership with D.B. Hartt, Inc. (2015-16).

Signage Foundation for Communication Excellence – Shorewood, Oregon

- Consultant to Calfee Halter & Griswold, LLP (Cleveland, OH) in federal court challenge to sign regulations. (1999-2000).
- Evaluated sign ordinances in Nashua, NH., Decatur, IL. And Lake Oswego, OR. Re: possible litigation. (2001-02).
- Consultant to Shinnars & Cook (Saginaw, MI) in federal court challenge to sign regulations. (2002).

Solon, Ohio (City of)

- Expert witness in state court litigation re: development fees. Retained by Rademacher, Matty, McClelland & Greve, Cleveland, OH. (2001-2002).
- Expert witness in state court litigation re: zoning dispute. Retained by Rademacher, Matty, McClelland & Greve, Cleveland, OH. (2006).

South Euclid, (City of)

- Training for Boards and Commissions. Partnership with D.B. Hartt, Inc., Cleveland, OH. (2005-2006).
- 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. (2000-2001).

Tallmadge, Ohio (City of)

- Prepared report on proposed sexually oriented business ordinance for city Law Director. (1999).

Tartikov Rabbinical College, Pomona N.Y.

- Plaintiff expert witness in RLUIPA litigation: *Congregation Tartikov Rabbinical College, Inc. v. Village of Pomona, N.Y.* Retained by Savad Churgin, Nanuet, N.Y. (2013-2017).

Tucker & Ellis, Cleveland, OH

- Expert witness for law firm in zoning dispute. (2022).

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

- Litigation consultant in RLUIPA/FHA litigation: *United States v. Village of Airmont, New York* (2010-2011; 2015-17).

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

- Plaintiff expert witness in RLUIPA litigation: *United States v. City of Hollywood, Florida* (2006).
- Plaintiff expert witness in FHAA litigation: *United States v. City of Satsuma, Alabama* (2009).
- Plaintiff expert witness in RLUIPA litigation: *United States v. City of Des Plaines, Illinois* (2015-17).
- Plaintiff expert witness in FHAA litigation: *United States v. Village of Tinley Park, Illinois* (2018).
- Plaintiff expert witness in RLUIPA investigation of Toms River, N.J. zoning policies (2018-22).
- Plaintiff expert witness in RLUIPA litigation: *United States v. City of Troy, Michigan* (2019-21).
- Plaintiff expert witness in RLUIPA/FHA litigation: *United States v. Jackson Twp., N.J.* (2020-22).

Upper Arlington, Ohio (City of)

- Drafted Unified Development Code. Partnership with American Communities Partnership, Inc., Columbus, OH. (1999-2001).
- Conducted training for new Council, Board and Commission members re: Unified Development Code. Partnership with American Communities Partnership, Inc., Columbus, OH. (2006).

Ventura County, California, Office of County Counsel

- Consultant to County Counsel on zoning regulation of outdoor events involving expressive activities. (2018).

Village of Valley View, Ohio

- Expert witness for adult entertainment federal court litigation. Retained by Walter & Haverfield, Cleveland, OH. (1998).

Village of Woodmere, Ohio

- Prepare supporting land-use planning studies for and draft Sexually Oriented Business zoning and licensing ordinances. (2006-).

Warren, Michigan (City of)

- Defense expert witness in federal court adult entertainment litigation. Retained by Kirk & Huth, P.C., Port Clinton Twp., MI (2008).

Waterbury, Connecticut (City of)

- Defense expert witness in federal court adult entertainment litigation. (2005-06).

West Chester Township, Ohio

- Prepared supporting land use planning studies for and drafted Sexually Oriented Business zoning and Adult Cabaret Registration resolutions. (2003).

Westlake, Ohio (City of)

- Expert witness for city in state court litigation challenging validity of impact fees. Retained by Petro, Rademacher, Matty & McClelland, Cleveland, OH. (1995).
- Consultant to city re: zoning regulation of “big box” retail stores. (1996).
- Prepared supporting land use planning studies for and drafted Sexually Oriented Business zoning and licensing ordinances. (1998).
- Consultant to city re: zoning regulation of outdoor advertising. (2001).

Western Reserve Resource Conservation and Development Council, Painesville, OH

- Consultant to The Countryside Program in drafting Model Subdivision Regulations for Conservation Development for the Program’s “Conservation Development Resource Manual,” published in 1998. (1997-2000).

Westerville, Ohio (City of)

- Consultant to city attorney re: sign regulation and first amendment issues. (2017).

Worthington, Ohio (City of)

- Expert witness in adult entertainment federal court litigation. Retained by Baker & Hostetler, Columbus, OH. (1999).

Building & Housing Response

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(g)(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/2023/01/31/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 charge 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 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 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 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 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 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. 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. It is anticipated that there will be 12 to 15 young adult guests on the premises at any given time on a daily basis, along with anywhere from 5 to 12 staff members and 2-3 service partners.

Respectfully,



Mark B. Olson
Principal, AIA, LEED AP

Cc Maria Foschia, LMM
Sue Cyncynatus, 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.



Public Hearing

Calendar No. 22-213:

4100 Franklin Blvd.

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





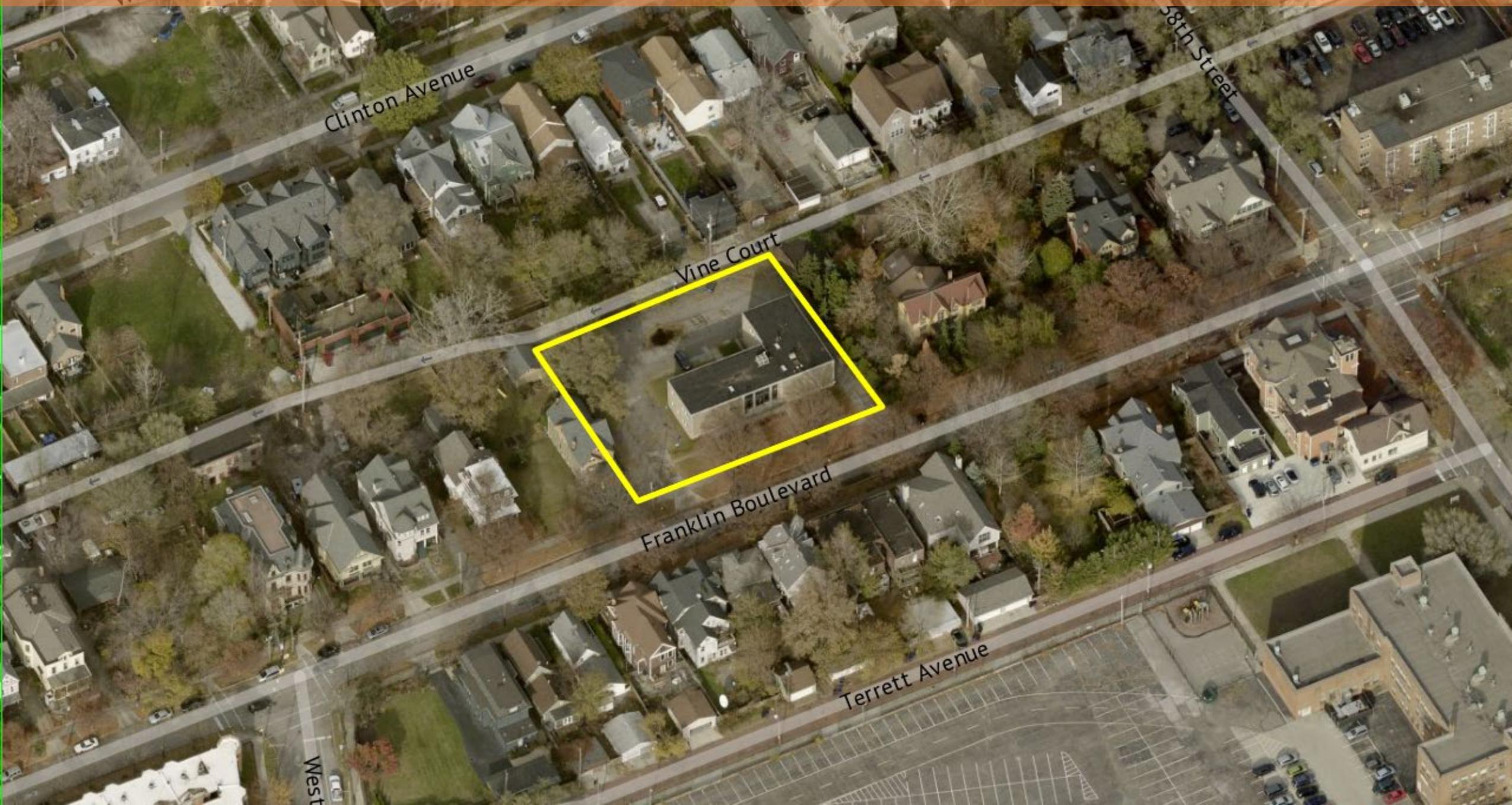
LEGAL STANDARD

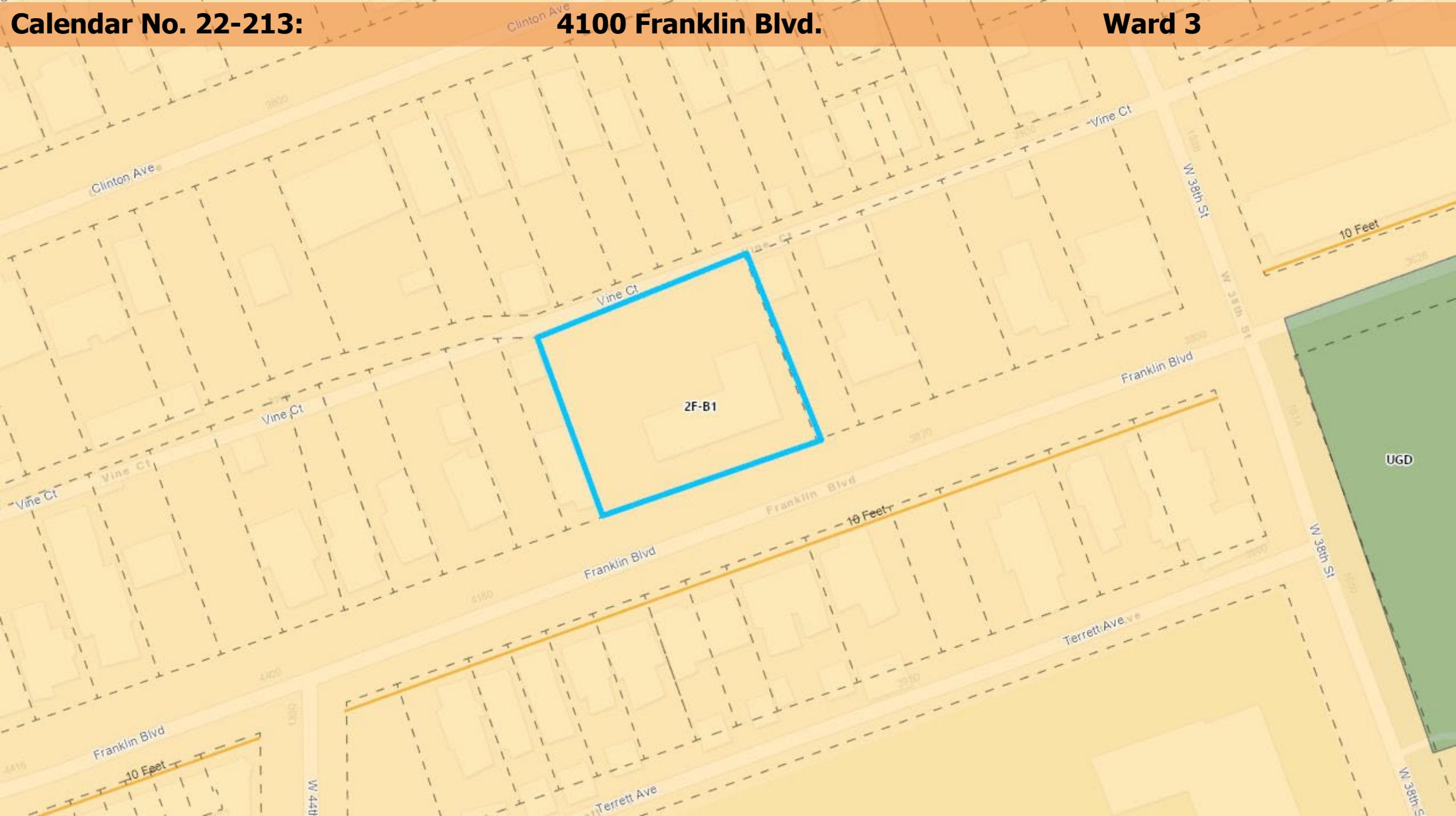
Madam Chair, Members of the Board, Appellant is requesting a use variance from the requirements of the zoning code.

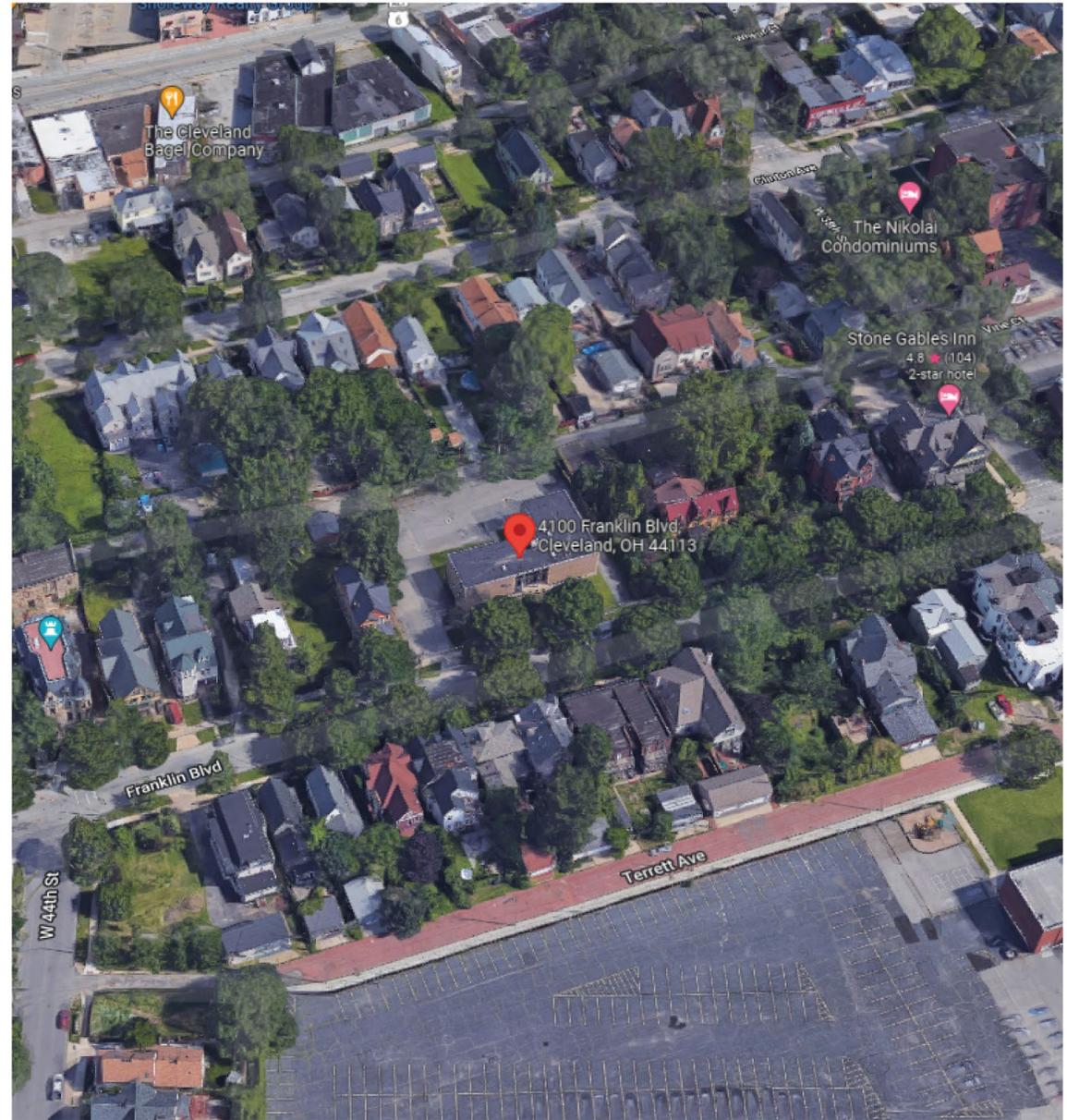
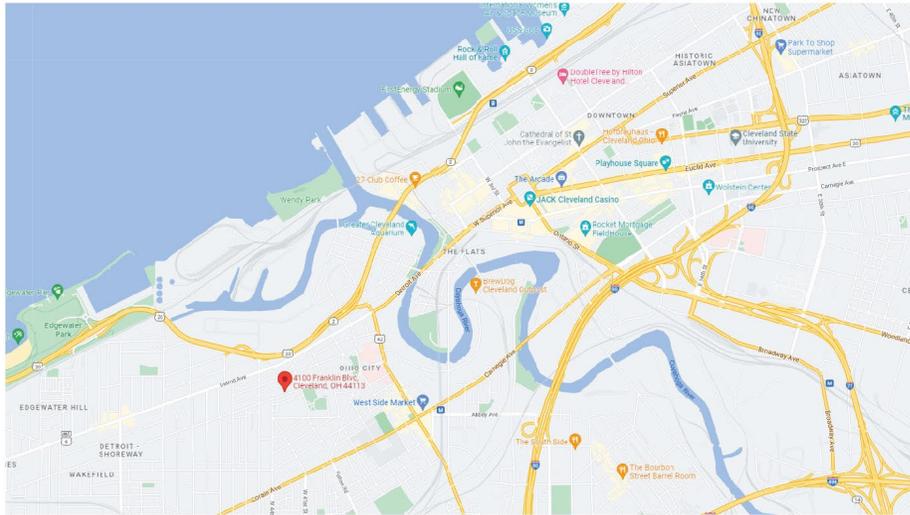
To obtain the use variance, Appellant must prove that denying the request:

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.











BUILDING CODE and ZONING INFORMATION:

- Building Owner

Existing: Lutheran Metropolitan Ministry
 Proposed: Lutheran Metropolitan Ministry

- Occupancy Classification:

Existing: B-Business (Social Services)
 Family Services
 Proposed: B-Business (Social Services)
 Youth Drop-in Center

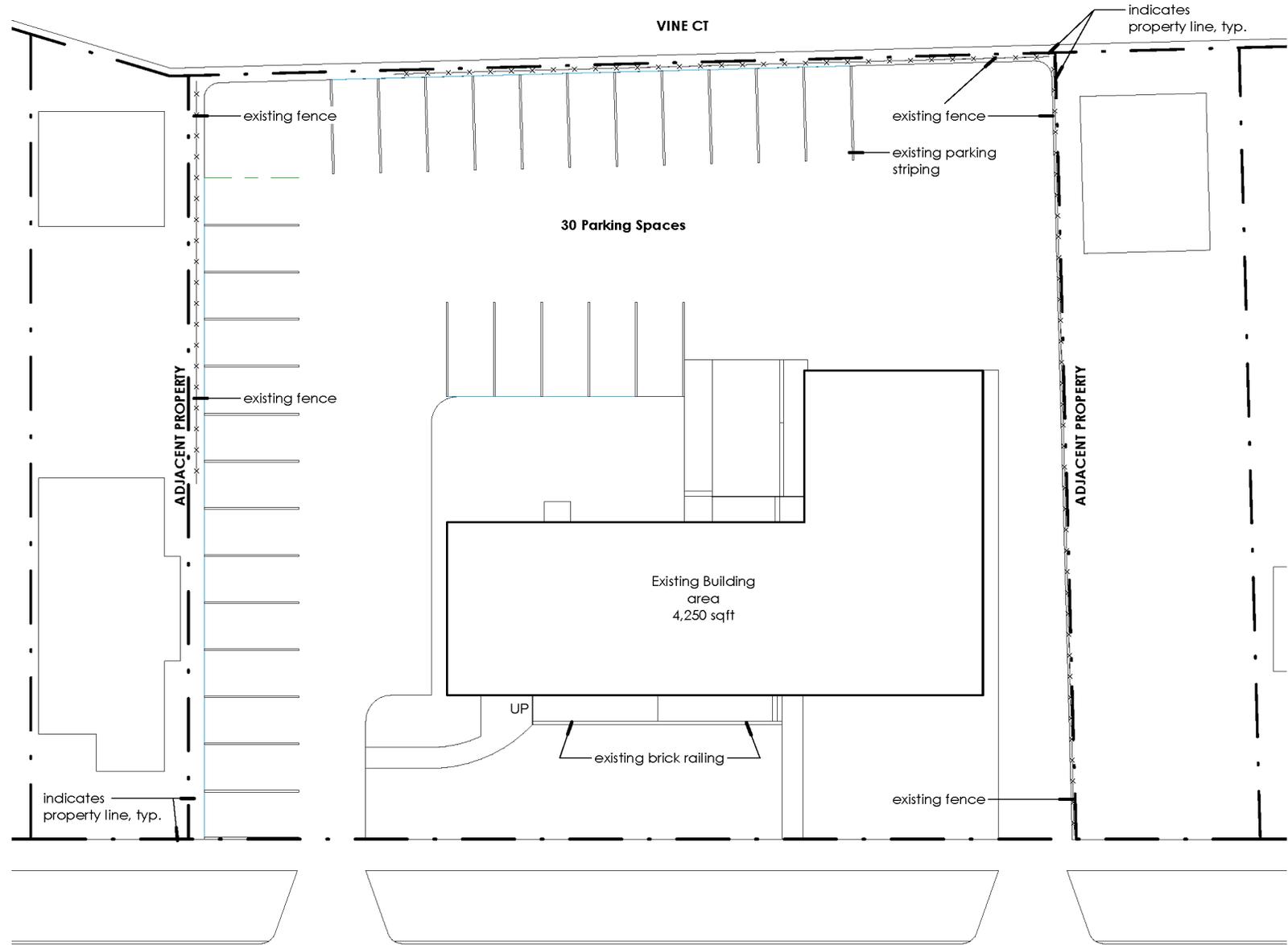
- Type of Construction:

Existing: 2B
 Proposed: 2B

- Zoning Use District:

Existing: Two Family B-1
 Proposed: Two Family B-1

*Certificate of Occupancy Granted:
 07-14-2009 for B Occupancy (CO09023019)



BUILDING CODE and ZONING INFORMATION:

- Building Owner

Existing: Lutheran Metropolitan Ministry
 Proposed: Lutheran Metropolitan Ministry

- Occupancy Classification:

Existing: B-Business (Social Services)
 Family Services
 Proposed: B-Business (Social Services)
 Youth Drop-in Center

- Type of Construction:

Existing: 2B
 Proposed: 2B

- Zoning Use District:

Existing: Two Family B-1
 Proposed: Two Family B-1

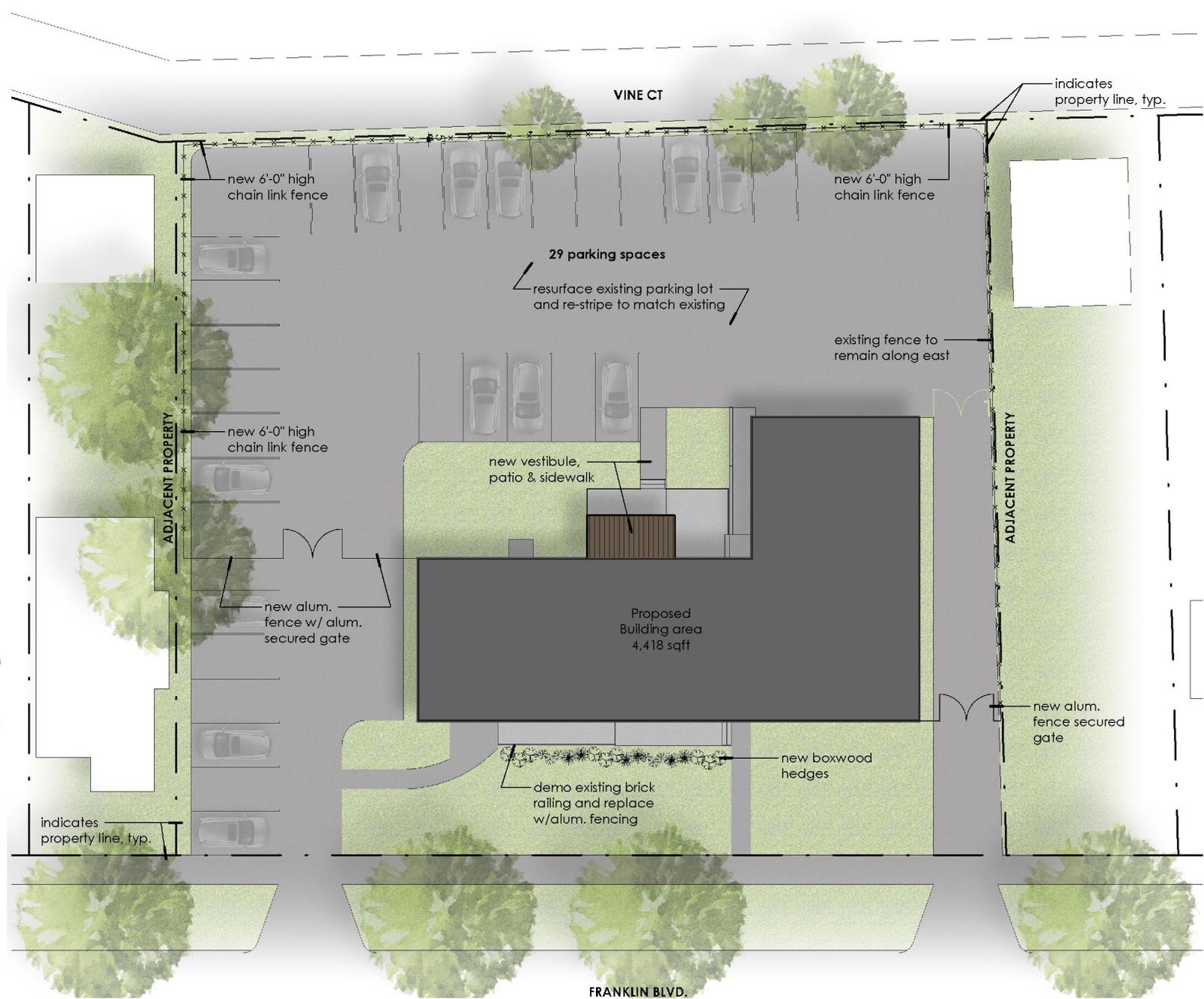
*Certificate of Occupancy Granted:
 07-14-2009 for B Occupancy (CO09023019)

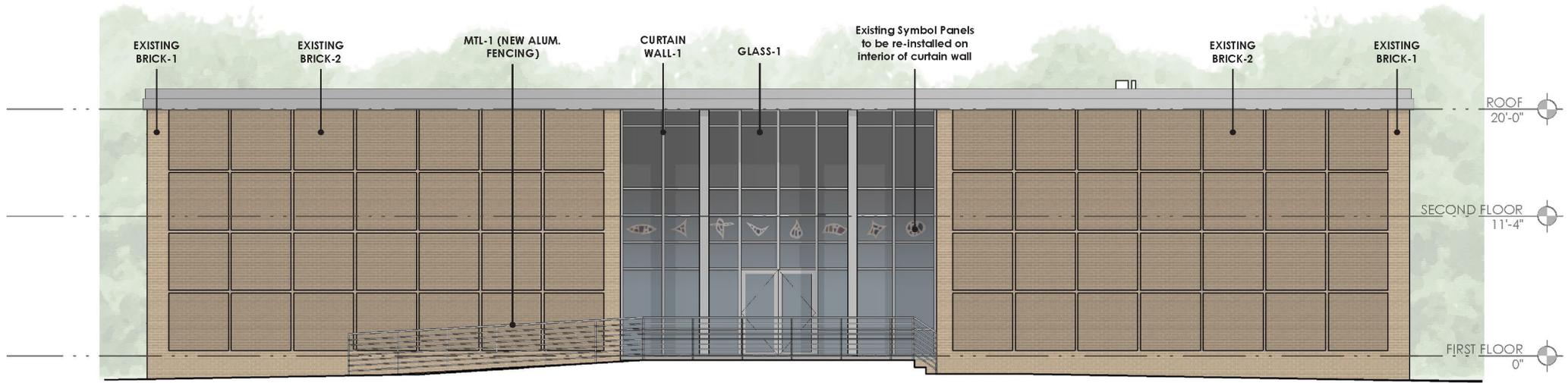
GENERAL PROJECT INFORMATION:

Lighting: Existing building lighting in photos as shown on page 2 to remain.

Fencing: Provide 6' high chain link fence to replace existing, damaged fence. New chain link fence will be installed in same location as the existing chain link fence.

Parking & Paving: Repaving and restriping of existing parking lot by Owner.



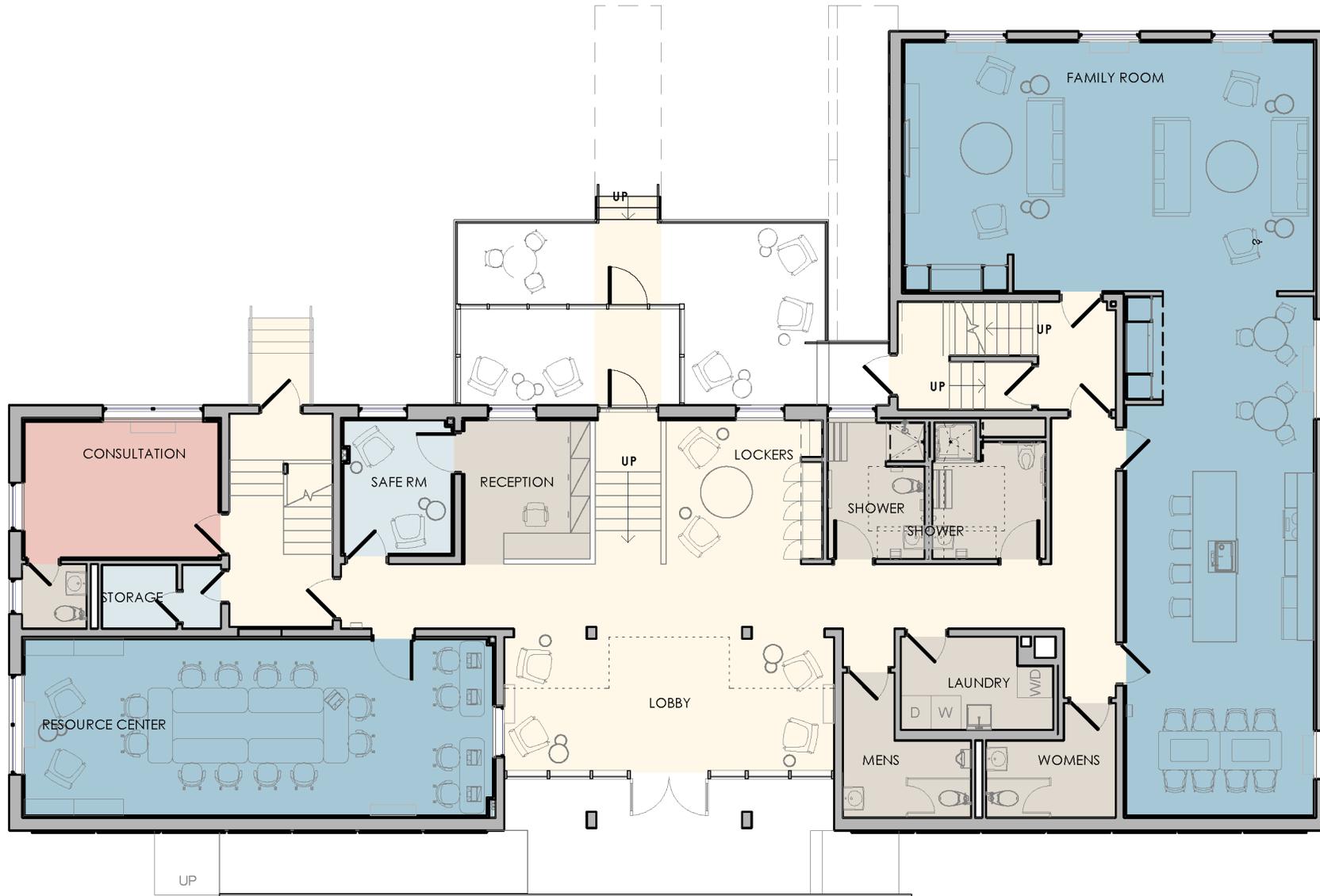


SOUTH ELEVATION

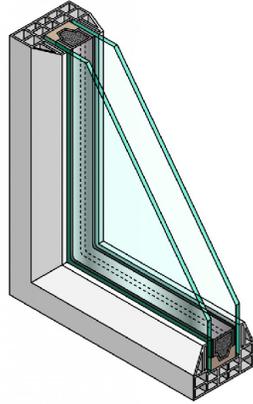


NORTH ELEVATION

WEST ELEVATION



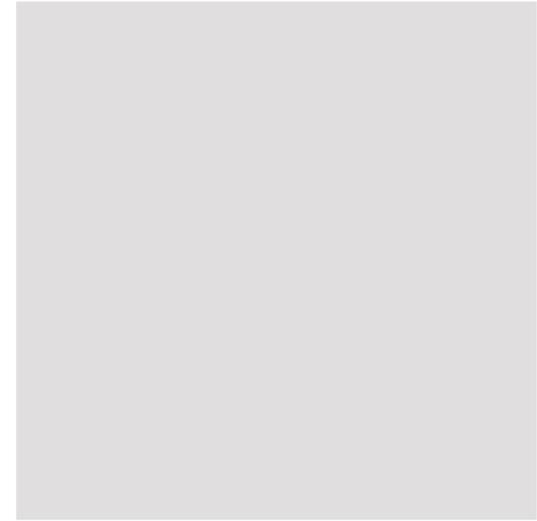




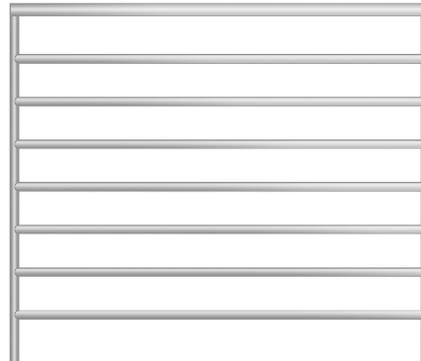
GLASS-1
Clear Low-E
Glazing



MTL-2
Dark Bronze standing
seam roof



**CURTAIN WALL-1/
STOREFRONT-1**
Clear Anodized
Alum. Curtain wall or
Storefront system



MTL-1
New Alum. fencing

LUTHERAN CHILDREN'S AID SOCIETY

SITE & BUILDING COMMITTEE

MR. HARVEY F. BERGHAUS CHAIRMAN
THE REV. KENNETH R. HOFFMANN PRESIDENT OF THE SOCIETY
THE REV. DANIEL R. LUDWIG VICE PRESIDENT
MR. GUSTAVE A. PETERSON CHAIRMAN, BOARD OF TRUSTEES
MR. EDMUND E. JOHNSON
MR. GEORGE H. MEYFARTH
MR. ANDREW PANGRACE
MR. ROBERT J. MERESKO EXECUTIVE SECRETARY

BISKUP, ROWE & ASSOCIATES ARCHITECTS & ENGINEERS
GEO. A. RUTHERFORD INC. GENERAL CONTRACTORS

1965

FINAL

Certificate of Occupancy

CITY OF CLEVELAND

CO09023019

This Certificate issued pursuant to the requirements of Section 3105.10 of the Codified Ordinances of the City of Cleveland certifying that at the time of issuance this structure was in compliance with the various ordinances of the Building and Zoning codes of the City of Cleveland and O.B.C., regulating building construction and use.

Building Description LUTHERAN FAMILY SERVICES (2 STY. 12,562 SF)

Occupancy Classification B-BUSINESS

Type Construction 2B Zoning Use District TWO FAMILY B-1

Allowable Load Per Sq. Ft. Per Floor 50 LBS/SF (EXIST)

Occupant Load Per Floor 20 PERSONS

Special Conditions MAINTAIN EXIT LIGHTS, EMERGENCY LIGHTS, SMOKE DETECTORS

Owner of Building LUTHERAN FAMILY SERVICES Address 4100 FRANKLIN BLVD., CLEVELAND, OH 44113

Building Address 4100 FRANKLIN BLVD. CLEVELAND, OH 44113

Building Permit No. B09020241

Permit Date: 06/10/2009

Fee: \$60.00

Issue Date: 07/14/2009

Date: 07/14/2009

David Cooper, RA, CBO


Chief Building Official

POST IN CONSPICUOUS PLACE

Cleveland

Logged in as Ben Gröner | Collections (1) | Cart (0) | Account Management | Logout

Home | **Building & Housing** | Assessments and Licenses | Public Health | Public Service | more

Search Building Records | Permits and Registrations

Record CO09023019: **COO - New Commercial** | Add to cart | Add to collection

Record Status: Closed

Record Info | Payments

Work Location

4100 FRANKLIN BLVD
CLEVELAND OH 44113

Record Details

Project Description:
USE PERMIT - EXIST 12562 SQ FT TWO STRY BLDG USE FOR LUTHERAN FAMILY SERVICES & PRIVATE OFFICES FOR 20 PEOPLE - NO STRAIGHT CHANGES

Owner:
LUTHERAN FAMILY SERVICES
4100 FRANKLIN BLVD
CLEVELAND OH 44113

More Details

Related Contacts

Inspector Information FRANCIS CIRIENIC - DIST 3 13A 13B Contact Phone: 6543538	Contractor Information OWNER IS CONTRACTOR
--	--

Additional Information

Number of Buildings: 1

Application Information

RECORDS

Permit Number:	809020241
Permit Date:	06/10/2009
C.O. Issued:	Yes
Issue Date:	07/14/2009
Date Halted:	07/30/2009
C.O. Type:	FINAL
Abbreviated Project Description:	LUTHERAN FAMILY SERVICES (2 STY, 12,562 SF)

BUILDING CODE

Construction Type:	2B
Use Group 2:	B-BUSINESS
Allowable Load Per Sq Ft, Flat Floor:	50 LBS/SF (EXIST)
Occupant Load Per Floor:	20 PERSONS
Inspector's Name:	CIRIENIC
Special Conditions:	MAINTAIN EXIT LIGHTS, EMERGENCY LIGHTS, SMOKE DETECTORS
Sprinkler:	None

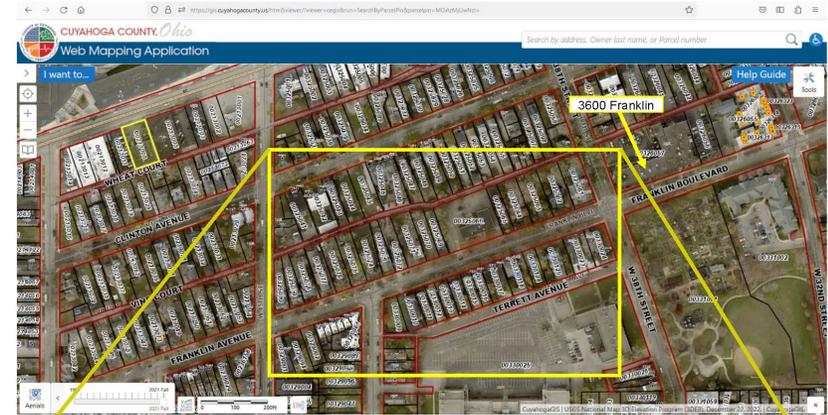
ZONING CODE

Current Zoning:	TWO FAMILY B-1
Permit #:	809020241
Grandfather Use or Variance:	IN R4527 7/6/09 OCG FINAL TO COOPER 7/6/09 OCG FINAL TO COOPER 7/14/09 OCG to be mailed 7/30/09 oag

Parcel Information

Parcel Number: 00329066

FRANKLIN BOULEVARD AND SURROUNDINGS





Cuyahoga County, Ohio - Property Summary Report
Parcel: 003-30-024



Owner 3801 FRANKLIN, LLC
Address 3801 FRANKLIN BLVD
 CLEVELAND, OH 44113
Land Use (4D10) C - WALK-UP APTS 7-19 U
Legal Description S1 TAYLOR FARM 0080 ALL
Neighborhood Code 78381

SKETCH

Building 1
 If this is a residential property the sketch is unavailable.
 Commercial building sketches are not available at this time.
 Please contact us at EMcGoldrick@cuyahogacounty.us
 or call (216) 443-4863 for a copy of the building card.

Building 2
 If this is a residential property the sketch is unavailable.
 Commercial building sketches are not available at this time.
 Please contact us at EMcGoldrick@cuyahogacounty.us
 or call (216) 443-4863 for a copy of the building card.

MAP VIEW



BUILDING INFORMATION

Building ID	Construction Class	CLASS D	Basement Type	FULL
Total Story Height	2	7894	Condition	VERY GOOD
Date Built	1900	2021	Exterior Walls	ALUM/NTL
Framing	WOOD/TIMBER	GABLE	Roof Covering	SLATE
Office Area			Mechanics Area	MECHANICS FINISH
Wall Height	12		Heat Type	FORCED AIR
Office Finish			Air Conditioning	NONE
Building ID	2		Retail Area	
Total Story Height	2	2736	Basement Type	FULL
Date Built	1900		Condition	FAIR
Framing	WOOD/TIMBER		Exterior Walls	ALUM/NTL
Office Area			Roof Covering	SLATE
Wall Height	12		Mechanics Area	MECHANICS FINISH
Office Finish			Heat Type	FORCED AIR
			Air Conditioning	NONE
			Retail Area	

LAND

Code	Frontage	Depth	Acres	Sq Ft
FRM	66	0.10	0.10	7520

VALUATION

2022 Value	Exempt	Abated	Assessed
Land Value	\$46,300	\$0	\$46,300
Building Value	\$622,300	\$0	\$217,910
Total Value	\$668,600	\$0	\$234,020
Land Use	4010		APARTMENTS 7-19 (WALK UP)

PERMITS

Tax Year	Reason	Tax Change	Exempt Charge	Percent Exempt	Stratagem	Notes
2024	30 - New Construction	\$	\$	0%	Yes	BUILDING-B-REHAB NOT COMPLETE 1-1-2022 RENOSPECT 2023
2024	120 - ReAppraise	\$6,700	\$	0%	Yes	BUILDING ARENAS COMPLETE PHYSICALLY & ECONOMICALLY EIGHT UNITS, FOUR 1-BEDROOM AND FOUR TWO-BEDROOMS. TENANT PAYS RENT & WATER/SEWER AND ELECTRIC. RENOSPECT BUILDING B FOR REHAB. SEAL AND RENOSPECT 2022 (TABLED 1/15/2024) (LAND 46700)
2024	30 - New Construction	\$197,100	\$	50%	Yes	BUILDING ARENAS COMPLETE PHYSICALLY & ECONOMICALLY EIGHT UNITS, FOUR 1-BEDROOM AND FOUR TWO-BEDROOMS. TENANT PAYS RENT & WATER/SEWER AND ELECTRIC. RENOSPECT BUILDING B FOR REHAB. SEAL AND RENOSPECT 2022 (TABLED 1/15/2024) (LAND 46700)
2020	30 - New Construction	\$	\$	0%	Yes	REHAB RENOVATION NOT COMPLETE 1-1-2020 RENOSPECT 2021
2019	30 - New Construction	\$	\$	0%	Yes	SUBJECT UNDER REHAB NOT COMPLETE PROPOSED 11 UNIT BUILDING AND GARAGE HOUSE 1-1-2019 RENOSPECT 2020

IMPROVEMENTS

Type	Description	Size	Height	Depth
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SALES

Date	Buyer	Seller	Price
1/8/2016	3801 FRANKLIN, LLC	Franklin Estates Inc	\$465,000
4/20/1992	Franklin Estates Inc	Joseph E. Thermen	\$127,500
3/20/1980	Joseph E. Thermen	Thermen Alberta B	\$0
1/1/1975	Thermen Alberta B		\$0

Taxes

	2022 Taxes	Charges	Payments	Balance Due
Tax Balance Summary		\$66,434.44	\$10,000.00	\$46,434.44



Inspector: ROBERT SANTORA
Phone No. 664-4474
Email: rsantora@city.cleveland.oh.us

Building Permit
NEW
Permit No: B18010938

DATE PRINTED: 1/31/2023
POST THIS PERMIT
IN PLAIN VIEW.

CONTACT YOUR INSPECTOR AT LEAST 12 HOURS PRIOR TO REQUESTED INSPECTIONS, PLEASE CALL BETWEEN THE HOURS OF 7:00 A.M. AND 10:00 A.M. APPROVED DRAWINGS MUST BE KEPT ON JOB SITE.

Location: 3801 FRANKLIN AVE, CLEVELAND, OH 44113
 Issue Date: 10/31/2018
 Plan Process Fee: \$340.00
 Permit Fee: \$3,243.60
 Site Development Fee: \$0.00
 Additional Permit Fee: \$0.00
 Storm Water Process Fee: \$0.00
 Estimated Cost: \$200,000.00
 Additional Const. Cost: \$0.00
 Floor Covered:
 Surcharge: \$93.60
 AKA:
 Additional Fee Surcharge: \$0.00
 Use: R-2 Residential - Permanent Housing - Shared
 C.O. Fee: \$60.00
 Egress
 Constr. Class: VB
 Late Fee:
 Zoning District: B 1
 Zoning Fee: \$150.00
 District: 2
 Ward: 3
 Census Tract: 103600
 PPN: 00330024

PURSUANT TO FILING THE REQUIRED APPLICATION BY

Contractor: KLOUDA, CATINA M, ABC RENOVATIONS INC. Phone No. 857-272-0131
 Address: 815 SUPERIOR AVE, SUITE 625, undefined, CLEVELAND, OH 44114

ON BEHALF OF

Owner: ADAM HAVOUN Phone No. 857-272-0131
 Address: 815 SUPERIOR AVE #625, CLEVELAND, OH 44114

PERMISSION IS HEREBY GRANTED TO:
 HISTORIC CARRIAGE HOUSE RENOVATION ON FRANKLIN AVENUE - **RENOVATION OF CARRIAGE HOUSE FROM 14 EXISTING UNITS TO 11 PROPOSED UNITS** THE RENOVATION WILL INCLUDE NEW ELECTRICAL, NEW PLUMBING, NEW HVAC AND A NEW ROOF. REBUILD THE HISTORIC TOWER ON THE EAST SIDE OF THE BUILDING. UPDATE EXISTING FINISHES INSIDE THE BUILDING AND ON THE OUTSIDE OF THE BUILDING.

NOTE: PERMITS THAT ARE REQUIRED FOR THIS PROJECT - BUILDING PERMIT, HVAC PERMIT, PLUMBING PERMIT AND ELECTRICAL PERMIT.

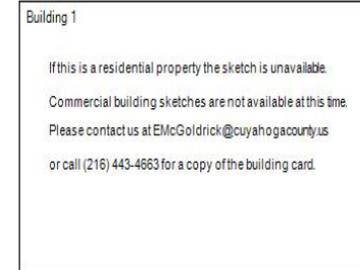
A CERTIFICATE OF OCCUPANCY IS REQUIRED. THIS PREMISES SHALL NOT BE OCCUPIED UNTIL A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED.

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

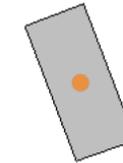
DIRECTOR, DEPARTMENT OF BUILDING AND HOUSING

Owner 3806 FRANKLIN BOULEVARD LLC
Address 3806 FRANKLIN BLVD
 CLEVELAND, OH. 44113
Land Use (4010) C - WALK-UP APTS 7-19 U
Legal Description S1 0104 00325085
Neighborhood Code 78381

SKETCH



MAP VIEW



CEGIS, CCFO

BUILDING INFORMATION

Building ID	1	Construction Class	CLASS D	Basement Type	PART
Total Story Height	3	Usable Area	9,096	Condition	GOOD
Date Built	1880	Date Remodeled	2001	Exterior Walls	STONE
Framing	WOOD / TIMBER	Roof Type	FLAT	Roof Covering	COMPOSITION
Office Area		Mezzanine Area		Mezzanine Finish	
Wall Height	9	Heat Type	FORCED-AIR	Air Conditioning	CENTRAL
Office Finish		Retail Area		Retail Finish	

LAND

Code	Frontage	Depth	Acreage	Sq Ft
FRM	45	65	0.24	10,454

VALUATION

2022 Values	Taxable Market Value	Exempt Market Value	Abated Market Value	Assessed Taxable Value
Land Value	\$81,200	\$0	\$0	\$21,420
Building Value	\$803,800	\$0	\$0	\$281,330
Total Value	\$885,000	\$0	\$0	\$302,750
Land Use	4010			APARTMENT S 7-19 (WALK-UP)

PERMITS

Tax Year	Reason	Tax Change	Exempt Change	Percent Complete	Reinspect	Notes
000	FENCE					36 LINEAR FEET
200	PAVING					3,000 SQUARE FEET

IMPROVEMENTS

Type	Description	Size	Height/Depth
000	FENCE	36 LINEAR FEET	6
200	PAVING	3,000 SQUARE FEET	

SALES

Date	Buyer	Seller	Price
7/31/2017	3806 FRANKLIN BOULEVARD LLC	H B D., LIMITED	\$875,000
7/14/2008	H B D., LIMITED	Stones Gables L.P.	\$0
9/16/2000	Stones Gables L.P.	H B D Limited	\$0
1/7/1999	H B D Limited		\$0

Taxes

2022 Taxes	Charges	Payments	Balance Due
Tax Balance Summary	\$30,195.00	\$15,097.50	\$15,097.50

Stone Gables Inn

Historic elegance / Modern comforts



Contact

3806 Franklin Boulevard
Cleveland, OH 44113

1-216-961-4654

stonegablesinn@gmail.com

Website Powered by [WordPress.com](#).



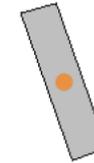
Owner ST HERMAN'S FOCUS CLEVELAND LLC
Address 4210 FRANKLIN BLVD
CLEVELAND, OH, 44113
Land Use 0 E -
Legal Description S1 FRANKLIN 0015 EP
Neighborhood Code 78377

SKETCH

Building 1

If this is a residential property the sketch is unavailable.
Commercial building sketches are not available at this time.
Please contact us at EMcGoldrick@cuyahogacounty.us
or call (216) 443-4663 for a copy of the building card.

MAP VIEW



CEGIS, CCFO

BUILDING INFORMATION

Building ID	1	Construction Class	CLASS D	Basement Type	FULL
Total Story Height	2	Usable Area	4,353	Condition	AVERAGE
Date Built	1980	Date Remodeled		Exterior Walls	ALUMINUM SLATE
Framing	WOOD / TIMBER	Roof Type	GABLE	Roof Covering	
Office Area		Mezzanine Area		Mezzanine Finish	
Wall Height	9	Heat Type	HOT-WATER/STIM	Air Conditioning	NONE
Office Finish		Retail Area		Retail Finish	

LAND

Code	Frontage	Depth	Acreage	Sq Ft
PRM	40		0.15	6,640

VALUATION

2022 Values	Taxable Market Value	Exempt Market Value	Abated Market Value	Assessed Taxable Value
Land Value	\$0	\$19,900	\$0	\$0
Building Value	\$0	\$113,600	\$0	\$0
Total Value	\$0	\$133,500	\$0	\$0
Land Use		6800		EXEMPT CHARITABLE USES

PERMITS

Tax Year	Reason	Tax Change	Exempt Change	Percent Complete	Reinspect	Notes
2014	30 - New Construction	\$22,800	\$	100%	No	2014 NEW CONSTRUCTION - PERMIT#8104448 - PURCHASED BY ST. HERMAN HOUSE FOR HALFWAY HOUSING, REHAB WITH SIDING WINDOWS, ROOF, (+22,800) (LIC)
2013	30 - New Construction	\$	\$	0%	Yes	BLDG VACANT NO REHAB REN 2014 FOR ANY CHANGE, LIC**
2012	30 - New Construction	\$	\$	0%	Yes	PERMIT # 811021703 - BUILDING VACANT AND FOR SALE - NO REHAB CONSTRUCTION AT ALL - REINSPECT IN 2013 - NO VALUE CHANGE - (DTM)
2011	30 - New Construction	\$	\$	100%	No	PERMIT RETURNED FROM FIELD - SEE PRIOR NOTE

IMPROVEMENTS

Type	Description	Size	Height	Depth
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SALES

Date	Buyer	Seller	Price
2/7/2014	ST HERMAN'S FOCUS CLEVELAND LLC	FRESLER, FRED	\$120,000
1/8/2010	FRESLER, FRED	LOYAL CHRISTIAN BENEFIT ASSOCIATION	\$26,000
5/13/2006	LOYAL CHRISTIAN BENEFIT ASSOCIATION	RATH FOUNDERS	\$140,000
8/28/2003	FOUNDERS RATH	Dortar, Duane	\$190,000
8/5/1998	Dortar, Duane	Dortar, Duane	\$0
8/17/1998	Dortar, Duane	Damico Sr, Michael J.	\$37,000
2/3/1997	Damico Sr, Michael J.	Damico, Michael J.	\$0
2/3/1997	Damico, Michael J.	Ventura, Victor H	\$0
9/7/1994	Ventura, Victor H	Brewer Harold P & Mildred E	\$35,000
6/3/1997	Brewer Harold P & Mildred E	Myhal Olga	\$70,000
1/5/1982	Myhal Olga	Myhal Pawlo & Olga	\$0
1/1/1975	Myhal Pawlo & Olga		\$0

Information included on this report is believed to be accurate, but is not guaranteed. Cuyahoga County is not liable for any errors or omissions.

Inspector: ROBERT SANTORA
 Phone No. 664-4474
 Email:

Building Permit
 CHANGE OF USE
Permit No: B10034525

DATE PRINTED: 1/31/2023

POST THIS PERMIT
 IN PLAIN VIEW.

 CONTACT YOUR INSPECTOR AT LEAST 12 HOURS PRIOR TO REQUESTED INSPECTIONS. PLEASE CALL
 BETWEEN THE HOURS OF 7:00 A.M. AND 10:00 A.M. APPROVED DRAWINGS MUST BE KEPT ON JOB SITE.

Location: 4210 FRANKLIN BLVD, CLEVELAND, OH 44113

Issue Date: 09/13/2010	Plan Process Fee:
Permit Fee: \$190.00	Site Development Fee: \$0.00
Additional Permit Fee: \$0.00	Storm Water Process Fee: \$0.00
Estimated Cost: \$0.00	Additional Const. Cost: \$0.00
Floor Covered:	Surcharge: \$0.00
AKA:	Additional Fee Surcharge: \$0.00
Use: U Utility - Miscellaneous	C.O. Fee: \$60.00
Constr. Class: UNKNOWN	Late Fee:
Zoning District: B 1	Zoning Fee:
District: 2	Ward: 3
Census Tract:	PPN: 00325072

 PURSUANT TO FILING THE REQUIRED APPLICATION BY

Contractor: OWNER IS CONTRACTOR, Phone No.
 Address:

ON BEHALF OF

Owner: FRED PRESLER Phone No. 216.876.0795
 Address: 602 PARK AVE., AMHERST, OH 44001

 PERMISSION IS HEREBY GRANTED TO:
ESTABLISH USE OF 3 STRY WOODFRAME BOARDING HOUSE AS A YOUTH HOSTEL W/11 ROOMING
OCCUPANCIES PER APPROVED PLANS/FIELD INSPECTION - SMOKE DETECTORS REQ

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

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

DIRECTOR, DEPARTMENT OF BUILDING AND HOUSING

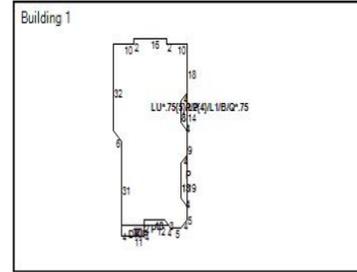
Taxes

	2022 Taxes	Charges	Payments	Balance Due
Tax Balance Summary		\$ 00	\$ 00	\$ 00

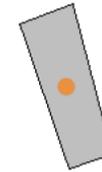


Owner OH DEARI PRODUCTIONS LLC
Address 4308 FRANKLIN BLVD
 CLEVELAND, OH. 44113
Land Use (4480) C - WALKUP OFFICE >2 ST
Legal Description 51 PERKINS 51 FRANKLIN ALL BUT NEP TRI 15 SWP TRI 0094
Neighborhood Code 02119

SKETCH



MAP VIEW



CEGIS, CCFO

BUILDING INFORMATION

Building Record Number	1	Occupancy	1-FAMILY	Story Height	2
Style	COLONIAL	Year Built	1894	Exterior Walls	STONE
Condition	AVERAGE	Construction Quality	A-7 EXCELLENT	Roof Type	MANSARD
Roof Material	ASPH-SHINGLE	Heat Type	HT-WATER-STM	Air Conditioning	NONE
Attic Type	FULL-FINISHD	Basement Type	BASEMENT	Basement Square Feet	2,213
Basement Finished	N/A	Rooms	10	Bedrooms	4
Bathrooms (Full/Half)	4/1	Garage Type	DETACHED	Garage Capacity	4
Year Garage Built	1864	Garage Size		Living Area Basement	1,659
Living Area 1	2,213	Living Area 2	2,213	Living Area Upper	1,659
Living Area Total	7,744	Floor Location		Party Wall	

LAND

Code	Frontage	Depth	Acreage	Sq Ft
PRM	63	168	0.21	9,072

VALUATION

2022 Values	Taxable Market Value	Exempt Market Value	Abated Market Value	Assessed Taxable Value
Land Value	\$76,400	\$0	\$0	\$76,400
Building Value	\$251,600	\$0	\$0	\$251,600
Total Value	\$328,000	\$0	\$0	\$328,000
Land Use	4480			OFFICE BUILDINGS - 3 OR MORE STORIES (WALK-UP)

PERMITS

Tax Year	Reason	Tax Change	Exempt Change	Percent Complete	Reinspect	Notes
2020	20 - New Construction	\$	\$	100%	No	NO CHANGE, VOID PERMIT. COMPLETE VALUE 1-1-2020
2019	20 - New Construction	\$	\$	0%	Yes	RENOVATION/CLC CHANGE NOT COMPLETE 1-1-2019 REINSPECT: 2020
2018	20 - New Construction	\$	\$	0%	Yes	RENOVATION OF FRANKLIN CASTLE INTO OFFICE SPACE NOT COMPLETE 1-1-2018 REINSPECT: 2019
2018	70 - Change of class	\$	\$	100%	No	CLASS CHANGE 2018 (R5100 TO C-4800)
2017	20 - New Construction	\$	\$	0%	Yes	REHAB-RAZING NOT COMPLETE 1-1-2012, 2013, 2014, 2015, 2016, 2017 REINSPECT: 2018
2010	20 - New Construction	\$	\$	0%	Yes	REHAB-RAZING NOT COMPLETE 1-1-2012, 2013, 2014, 2015, 2016 REINSPECT: 2017
2015	20 - New Construction	\$	\$	0%	Yes	REHAB-RAZING NOT COMPLETE 1-1-2012, 2013, 2014, 2015 REINSPECT: 2016
2014	10 - Razing (\$31,700)	\$	\$	0%	Yes	DWLG BOARDED UP REHAB-RAZING NOT STARTED 1-1-2012-2013-2014 REINSPECT 2016 (CONDITION DOWNGRADED-31700)
2013	20 - New Construction	\$	\$	0%	Yes	DWLG BOARDED UP REHAB-RAZING NOT STARTED 1-1-2012/2013 REINSPECT: 2014

IMPROVEMENTS

Type	Description	Size	Height	Depth
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This Certificate issued pursuant to the requirements of Section 3105.10 of the Codified Ordinances of the City of Cleveland certifying that at the time of issuance this structure was in compliance with the various ordinances of the Building and Zoning codes of the City of Cleveland and O.B.C., regulating building construction and use.

Certificate of Occupancy
CITY OF CLEVELAND

CO11032887

Building Description BOARDING HOUSE WITH MANAGER'S OFFICE (ASSTY.4596SEI)

Occupancy Classification R-2-RESIDENTIAL

Type Construction SB Zoning Use District B1-TWO FAMILY

Allowable Load Per Sq. Ft. Per Floor EXISTING

Occupant Load Per Floor 1.FL=1 R.O., 2.FL=2 BUS., 2ND & 3.FL= 6R.O. EACH

Special Conditions BZA # 10-242, NO USE/OCCUPANCY IN BASEMENT PERMITTED

Owner of Building ERED PRESLER Address 602 PARKWAY, AMHERST OH 44001

Building Address 4210 FRANKLIN BLVD, CLEVELAND, OH 44113

Building Permit No. B11021703 **Permit Date:** 08/01/2011

Fee: \$90.00 **Issue Date:** 09/29/2011

Date: 10/28/2011

POST IN CONSPICUOUS PLACE

David Cooper, RA, CBO
Chief Building Official



ACTIVITY

MOON GATE THE FRANKLIN CASTLE THE BELLMAN THE BALLROOM STAY THE NIGHT NEEDFUL THINGS

2012	30 - New Construction	\$	\$	0%	Yes	DWLG BOARDED UP RE-HEBRAZING NOT STARTED 1-1-11 - REIN 2012 * REHAB/RAZING NOT COMPLETE 1-1-2012 -REINSPECT 2015
2011	30 - New Construction	\$	\$	0%	Yes	DWLG BOARDED UP RE-HEBRAZING NOT STARTED 1-1-11 - REIN 2012

SALES

Date	Buyer	Seller	Price
8/28/2011	OH DEARI PRODUCTIONS LLC	Heimburger, Michelle	\$260,000
4/14/1999	Heimburger, Michelle	Devinko Michael	\$350,000
11/22/1985	Devinko Michael	Perez Richard J & Virginia P	\$93,000
4/1/1985	Perez Richard J & Virginia P	Perez Richard J	\$0
9/9/1983	Perez Richard J	Cardinal Fed S&L Assoc	\$73,500
4/22/1983	Cardinal Fed S&L Assoc	Mirceta George J	\$0
12/29/1978	Mirceta George J	Ruchelman Maryon W	\$85,000
5/28/1976	Ruchelman Maryon W	Muscatallo Samuel	\$38,000
5/28/1976	Muscatallo Samuel	Romano James C & Dolores S	\$34,300
1/1/1975	Romano James C & Dolores S		\$0

Taxes

2022 Taxes	Charges	Payments	Balance Due
Tax Balance Summary	\$16,378.32	\$4,000.00	\$11,378.32



Home > Events > The Castle Tours

"There have been rumors of paranormal activity at Franklin Castle since at least the 1950s.

"A little girl's cries, followed by the jarring sounds of an organ and heavy footfalls. Misplaced items, reports of a faceless spirit being seen on the third floor, and other odd occurrences are among the most eerie things that have happened here, but the most vivid and peculiar dreams that come to visit frequently at night are the most unsettling."

The lore surrounding Franklin Castle has become so extensive over the years that many people believe it to be one of the most haunted house in the entire country.

There has never been a better time to arm oneself with knowledge and learn the truth for yourself. The Mysterium Tour is here; willkommen.

[Please note that you need to sign ► [THIS WAIVER](#) before the tour]
THE CASTLE TOURS



LOCATION

Franklin Castle
4308 Franklin Blvd, Cleveland, OH 44113, USA

WEBSITE <https://thefranklincastle.com>

DATE

Tue, Jan 31st 2023

TIME

5:45 pm - 7:00 pm

COST

\$35.00

GET TICKETS

HOURLY SCHEDULE

Welcome to Franklin Castle Tour

5:45pm - 8pm

Introduction

Signing the waiver, and a brief overview of the tour.

The Tour

6pm - 7pm
The Tour
 Basement | 1st-3rd Floor | Ballroom

BOX OFFICE

- DATE & TICKET**
- ATTENDEE INFO**
- CHECKOUT**

Date:

Castle Tour Ticket \$35

The Franklin Castle Tours.

Available Tickets: 5

NEXT **Total: 0**



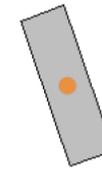
Owner ST. HERMAN'S FOCUS CLEVELAND, LLC
Address 4312 FRANKLIN BLVD
 CLEVELAND, OH. 44113
Land Use O E -
Legal Description S1 PERKINS 0095 ALL
Neighborhood Code 78377

SKETCH

Building 0

Sketchs not available for this parcel.
 Please contact us at EMcGoldrick@cuyahogacounty.us
 or call (216) 443-4663 for a copy of the building card.

MAP VIEW



CEGIS, CCFO

BUILDING INFORMATION

Code	Frontage	Depth	Acreage	Sq Ft
PRM	50		0.19	8,250

VALUATION

2022 Values	Taxable Market Value	Exempt Market Value	Abated Market Value	Assessed Taxable Value
Land Value	\$0	\$17,600	\$0	\$0
Building Value	\$0	\$0	\$0	\$0
Total Value	\$0	\$17,600	\$0	\$0
Land Use	6800			EXEMPT CHARITABLE USES

PERMITS

Tax Year	Reason	Tax Change	Exempt Change	Percent Complete	Reinspect	Notes
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IMPROVEMENTS

Type	Description	Size	Height	Depth
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SALES

Date	Buyer	Seller	Price
1/4/2013	ST. HERMAN'S FOCUS CLEVELAND, LLC	ST. HERMAN'S ORTHODOX HOUSE OF HOSPITALITY, INC.	\$0
2/6/2012	ST. HERMAN'S ORTHODOX HOUSE OF HOSPITALITY, INC.	The Little Brothers Of	\$0
11/6/1991	The Little Brothers Of	The Near West Neighborhood	\$0
6/17/1991	The Near West Neighborhood	Keamey Mark A	\$8,000
11/3/1984	Keamey Mark A	Olga Myhal	\$47,000
1/5/1982	Olga Myhal	Myhal Pawlo	\$0
12/23/1975	Myhal Pawlo	Sparano James G & M T	\$35,000
1/1/1975	Sparano James G & M T		\$0

Taxes

2022 Taxes	Charges	Payments	Balance Due
Tax Balance Summary	\$ 00	\$ 00	\$ 00



Cuyahoga County, Ohio - Property Summary Report
Parcel: 003-25-077



Owner ST. HERMAN'S FOCUS CLEVELAND, LLC
Address 4410 FRANKLIN BLVD
 CLEVELAND, OH 44113
Land Use DE -
Legal Description S1 PERKINS 0097 ALL
Neighborhood Code 78377

SKETCH

Building 1
 If this is a residential property the sketch is unavailable.
 Commercial building sketches are not available at this time.
 Please contact us at EMcGoldrick@cuyahogacounty.us
 or call (216) 443-4683 for a copy of the building card.

Building 2
 If this is a residential property the sketch is unavailable.
 Commercial building sketches are not available at this time.
 Please contact us at EMcGoldrick@cuyahogacounty.us
 or call (216) 443-4683 for a copy of the building card.

MAP VIEW

Map Image

BUILDING INFORMATION

Building ID	1	Construction Class	CLASS 0	Basement Type	FULL
Total Story/Height	2	Usable Area	4884	Condition	FAIR
Date Built	1870	Date Remodeled		Exterior Walls	WOOD SIDING
Framing	WOOD/TIMBER	Roof Type	GABLE	Roof Covering	SLATE
Office Area		Mezzanine Area		Mezzanine Finish	
Wall Height	9	Heat Type	FORCED-AIR	Air Conditioning	NONE
Office Finish		Retail Area		Retail Finish	
Building ID	2	Construction Class <th>CLASS 0</th> <th>Basement Type</th> <th>SLAB</th>	CLASS 0	Basement Type	SLAB
Total Story/Height	2	Usable Area	2,692	Condition	AVERAGE
Date Built	1991	Date Remodeled		Exterior Walls	WOOD SIDING
Framing	WOOD/TIMBER	Roof Type	GABLE	Roof Covering	COMPOSIT ION
Office Area		Mezzanine Area	480	Mezzanine Finish	FINISH-OPEN
Wall Height	8	Heat Type	FORCED-AIR	Air Conditioning	
Office Finish		Retail Area		Retail Finish	

LAND

Code	Frontage	Depth	Acres	Sq Ft
PRM	50		0.19	8,200

VALUATION

2022 Value	Taxable Market Value	Exempt Market Value	Abated Market Value	Assessed Taxable Value
Land Value	\$0	\$24,500	\$0	\$0
Building Value	\$0	\$251,000	\$0	\$0
Total Value	\$0	\$275,400	\$0	\$0
Land Use		6800		EXEMPT CHARITABLE USES

PERMITS

Tax Year	Reopen	Tax Change	Exempt Change	Percent Complete	Reinspect	Notes
2016	120 - ReAppraise	\$	\$	100%	No	EXEMPT PROP TRANSFER COMPLETE NO VALUE 1-1-2016
2007	30 - New Construction	\$2,300	\$	100%	No	FRANK PICONIC PAVILLION'S COMP 1-1-2007

IMPROVEMENTS

Type	Description	Size	Height/Depth
150	FENCE	84 LINEAR FEET	4

SALES

Date	Buyer	Seller	Price
1/4/2013	ST. HERMAN'S FOCUS CLEVELAND, LLC	ST. HERMAN'S ORTHODOX HOUSE OF HOSPITALITY, INC.	\$0
2/5/2012	ST. HERMAN'S ORTHODOX HOUSE OF HOSPITALITY, INC.	Little Brothers Of	\$0
11/17/1977	Little Brothers Of	Patric D Robert	\$15,000
6/5/1976	Patric D Robert	Ward Henry L	\$17,000
1/17/1975	Ward Henry L		\$0

Taxes

2022 Taxes	Charges	Payments	Balance Due
Tax Balance Summary	\$0.00	\$0.00	\$0.00



Subscribe

Donate



ST. HERMAN HOUSE

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.

OUR PROGRAMS

Emergency Shelter

Emergency shelter for 28 men in our main house.

If you are in need of shelter, please call us at 216-961-3806, stop by between 9-5, or email us at sainthermans@focusna.org

Hot Meal Program

Three meals a day, 365 days a year, to anyone in need. We are the only facility in the city of Cleveland that provides three meals a day to the public. In 2021 we served more than 33,000 meals. We are a member agency of the Greater Cleveland Food Bank.

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

Lunch is served daily from 11:30-12, and dinner is served daily from 5:30-6 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 distributes grocery bags during the last five weekdays of each month to families with dependents. Sandwiches and toiletry kits are handed out daily as needed.

Clothing: Monday & Friday from 1-2 pm

Hygiene Items: Daily between 12-12:30 & 6-6:30 pm. Also 1-2 pm on Mondays and Fridays.

Sandwiches: Every day from 12-12:30 and 6-6:30 pm. (Depends on availability.)

Coats, hats, gloves & scarves (when weather is cold): same as Hygiene Items schedule above.

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

Groceries: Last 5 weekdays of the month for households with children or dependents, 2-3 pm.

Cooler cleanout: Free produce & other food items on Thursdays from 8:30-10 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 – 1 pm. No appointment

needed. People needing help with obtaining an ID can drop in during these hours or schedule an appointment by calling 216-961-3806.

Jobs and Life Skills Program

At present, this program has several components. Residents in the main house work in temporary positions – typically custodial and landscaping – for which they are paid. There are also unpaid positions within the house that are filled by residents. These include drivers, cooks, beekeepers, cleaners, and administrative positions. The paid and unpaid positions give structure to the day, build a sense of responsibility, and give residents experience that can help in finding permanent employment. At any given time, approximately half the residents of the shelter are engaged in part or full-time paid employment.

Transitional Housing

Transitional housing three doors down from the main house for 12 men. Men are eligible to live in the transitional house if they have a source of income, six months of sobriety, and are working with a case manager. Residents pay a program fee (approximately \$300 per month), equivalent to subsidized rent. In 2019, we housed 72 men in the shelter and transitional house.

If you are seeking transitional housing, please call us at 216-961-3806.

[Download Current Services Schedule](#)





Cuyahoga County, Ohio - Property Summary Report
Parcel: 003-26-067



Owner FRANKLIN BLVD
Address 3600 FRANKLIN BLVD
 CLEVELAND, OH 44113
Land Use (H12) C - NURSING HOME
Legal Description S1 SE, 6WP 107 TO 120 ALL, DOTT. ALL, 00320603 100023001
Neighborhood Code 70300

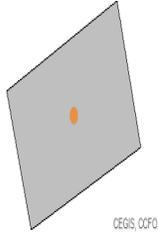
SKETCH

Building 1
 If this is a residential property, the sketch is unavailable.
 Commercial building sketches are not available at this time.
 Please contact us at 800.520.0104 (Cuyahoga County) or call (216) 443-4853 for a copy of the building card.

Building 2
 If this is a residential property, the sketch is unavailable.
 Commercial building sketches are not available at this time.
 Please contact us at 800.520.0104 (Cuyahoga County) or call (216) 443-4853 for a copy of the building card.

Building 3
 If this is a residential property, the sketch is unavailable.
 Commercial building sketches are not available at this time.
 Please contact us at 800.520.0104 (Cuyahoga County) or call (216) 443-4853 for a copy of the building card.

MAP VIEW



BUILDING INFORMATION

Building ID	Construction Class	CUASC	Element Type	FULL
1	Construction Class	CUASC	Element Type	FULL
Total Story Height	4	Useable Area	8774	Condition
Date Built	1980	Date Renovated	1980	Element Width
Finishing	FREESTAND	Roof Type	FLAT	Roof Condition
Other Area	Macintosh Area	Macintosh Area	Macintosh Finish	COMPLETION
Wall Height	10	Heat Type	HOTWATER	Air Conditioning
Other Finish	Other Area	Other Area	Other Finish	CENTRAL
2	Construction Class	CUASC	Element Type	BLAB
Total Story Height	1	Useable Area	1380	Condition
Date Built	1980	Date Renovated	1980	Element Width
Finishing	FREESTAND	Roof Type	FLAT	Roof Condition
Other Area	Macintosh Area	Macintosh Area	Macintosh Finish	COMPLETION
Wall Height	10	Heat Type	HOTWATER	Air Conditioning
Other Finish	Other Area	Other Area	Other Finish	CENTRAL
3	Construction Class	CUASC	Element Type	FULL
Total Story Height	4	Useable Area	8233	Condition
Date Built	1984	Date Renovated		Element Width
Finishing	FREESTAND	Roof Type	FLAT	Roof Condition
Other Area	Macintosh Area	Macintosh Area	Macintosh Finish	COMPLETION
Wall Height	10	Heat Type	HOTWATER	Air Conditioning
Other Finish	Other Area	Other Area	Other Finish	CENTRAL

LAND

Code	Frontage	Depth	Average	SqFt
PM	171	102	43.94	

EVALUATION

2022 Value	Trends	Exempt	Island	Assessed
Market Value	Market Value	Market Value	Market Value	Trends Value
Land Value	\$16,400	\$0	\$0	\$16,400
Building Value	\$521,000	\$0	\$0	\$1,042,200
Total Value	\$537,400	\$0	\$0	\$1,058,600
Land Use	420			NURSING HOME

PERMITS

Per Reason	Per Change	Exempt	Percent	Completed	Disputed	Name	Type	Description	Sta	Height/Depth
2019	30 - New Construction	\$	100%	16		ADDITION 025 - COMPLETE NO VALUE 1-2019	310	P-1486		21.25X 20.00X 60 FEET
2019	30 - New Construction	\$	100%	16		INTERIOR WATER COND. COMPLETE BY VALUE PHASE 1-1-2019	173	UTILITY BLDG 160-719		400 SQUARE FEET
2020	30 - New Construction	\$	100%	16		INT. ACFT - ACCESS IMPV 11-2020				

IMPROVEMENTS

SALES

Date	Buyer	Seller	Price
11/1987	Franklin Blvd		\$0

TAXES

Text Box

SUPPORT

Aubrey Wood
1828 W 44th St Rear Apt
Cleveland, OH 44113
woodaubrey92@gmail.com
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: 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 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

Amy Moniot
2203 W. 36th St.
Cleveland, Oh 44113
aemoniot@gmail.com
440.474.2209
January 26, 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.

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 E. Moniot

DATE, 1.27.2023

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 **Myself**, for the proposed Youth Drop-In Center at 4100 Franklin Blvd. I 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.

I spent almost month at 2100 lakeside – and I just saw this email – look, the bottom line is I'd probably be dead without that place being there downtown... and im just getting my life back together but I will support when I can on a monetary level.

Also someone should look up this site <https://www.boxabl-homes.com/> Elon Musk lives in one maybe we could do a fund raiser to put a few of these up for people as well, idk – I wrote a congressman about Boxable, who complained about Veteran Housing Delcines – of course no reply

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,

Raymond Charles Klimczuk – (Ray D) (CBMC – NEO)
Citizen

4405960727 – f3carpet@gmail.com God Bless Guys Thanks!

RE: Proposed Youth Drop-In Center at 4100 Franklin Blvd.

Support for BZA Calendar Item BZA 22-213, 4100 Franklin Blvd.

Good morning 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

January 29, 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 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 someones 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

Julie R. Idoine
2173 W32nd Street
Cleveland, OH 44113
Julie.idoine@gmail.com

January 28, 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 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

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 LMMs 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

Carolyn Troha
2065 W 42nd Street
Cleveland, OH 44113
cetroha@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. 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

From: "Beverly Anne LoGrasso, OSU" <blograsso@ursulinesisters.org>
Date: January 31, 2023 at 3:10:34 PM EST
To: "Beverly Anne LoGrasso, OSU" <blograsso@ursulinesisters.org>
Subject: Letter of Support BZA 22-213, Youth Drop In Center, 4100 Franklin Blvd.

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

In the light of the escalating rates of teen suicide and drug addiction in Ohio, I am writing in support of the Proposed Youth Drop In Center at 4100 Franklin Blvd. According to aging.ohio.gov, Ohio has a youth suicide rate of 11.27 per 100,000. Although this is a lower rate than many other states, one youth suicide is one too many. As a former high school educator, administrator, and employee of Women's Re-Entry Network, an agency of Lutheran Metro Ministry (LMM), I am very familiar with the excellent social services provided by LMM. Therefore, I am writing in support of a Youth Drop in Center (YDIC) to be housed at 4100 Franklin Blvd. The homeless youth around the Franklin Blvd. location will have easy access to the help they need to attain security, stability and safety.

The YDIC will meet a pressing need for young people, ages 16-24, who are suffering homelessness and its attendant challenges. The YDIC will offer critically needed social services to empower our young people to develop their potential as Cleveland citizens. Beverly Anne LoGrasso, OSU



Franklin Circle Christian Church

(DISCIPLES OF CHRIST)

1688 FULTON ROAD - CLEVELAND, OHIO 44113-3096
216-781-8232 • Fax 216-781-0013
www.FranklinCircleChurch.org

*Widening the Circle
for All God's Children!*

Chairperson 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, OH 44114

February 1, 2023

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

I hope this letter finds the new year starting off well for you. I am writing to you in my role as pastor at Franklin Circle Church and also as a member of the Franklin-Clinton block to express support for the proposed Youth Drop-In Center at 4100 Franklin Boulevard. Having heard the presentations from Lutheran Metropolitan Ministry, the varied perspectives of block club members, and following up with a personal meeting with LMM, I believe that the addition of the Youth Drop-In Center will provide much needed resources in benefit to our community.

Franklin Circle Church's message is: "You Belong" and we see the addition of a Youth Drop-In Center as an opportunity for our church and the Ohio City Community to extend the message of "You Belong" to the many who have been told otherwise by family, friends, community and society-at-large because of their age, race, economic circumstances, or differences in opportunity or ability.

As a church, we seek to be part of a community who furthers a message of care and belonging to others and believe that this proposed Youth Center will extend both care and belonging to those in our city who are most in-need of our welcome and tangible support. The Youth Drop-In Center will also allow opportunity for the participants in our church and the residents of a very diverse Ohio City Community to become further involved in making a lasting difference in the lives of others.

I sincerely ask that you take into consideration our support for the Youth Drop-In Center as you process your decision for LMM's zoning appeal, as we are excited to welcome the Youth Drop-In Center to our neighborhood.

With sincere gratitude I thank you for this opportunity to share with you.

Gratefully,
Rev. Richard Hinkelman, Pastor
Franklin Circle Christian Church

February 1, 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 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

Committees:

Ranking: Economic Workforce & Development
Insurance
Agriculture
Health Provider Services
Ways and means

www.house.state.oh.us
77 S. High Street, Columbus, Ohio 43215-6111

Contact Information:

Office: 614-466-7954
Email: Rep20@ohiohouse.gov

Margaret & James Misak
3018 Clinton Ave
Cleveland, OH 44113

February 2, 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

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 a 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.

Mislabeling 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

Franklin-Clinton Block Club

- 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

February 1, 2023

Cleveland Board of Zoning Appeals
601 Lakeside, Cleveland, Ohio 44114
Cleveland City Hall

**Re: BZA Calendar No. 22-213
4100 Franklin Blvd.**

Dear Members of the Board of Zoning Appeals:

The Franklin-Clinton Block Club writes to inform you that at our January 26th meeting we discussed the above BZA variance requested by Lutheran Metropolitan Ministries related to the proposed use of the building at 4100 Franklin Boulevard.

A vote taken of the Block Club members in attendance supported the proposed use with a vote of 30 members in support, 21 members opposed, and one ballot ineligible. Of the four meeting attendees that live adjacent to the property in question, all four were opposed. In addition, several Block Club members were unable to attend the meeting, but submitted their comments electronically. Those comments are attached.

Sincerely,

Alex Frondorf, Chair
David Szamborski, Vice-Chair
Karen Desotell, Secretary

cc: Councilman Kerry McCormack
Tom McNair, OCI

Attachments: Two Member emails

Jacob Kronenberg <jahkronenberg@gmail.com>

Jan 22, 2023, 9:13
PM (12 hours ago)

to FranklinClintonBC

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

Thomas Buford

Tue, Jan 24, 1:02
PM (7 days ago)

to me

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 out,” 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 that we endured while LMM occupied The Cleveland Hostel.

Timothy Del Papa

2512 Chatham Avenue

Ian Heisey and Christine Lee
1736 Randall Road
Cleveland, OH 44113

February 2, 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 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

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.



1961: Apprentice painters from Max Hayes High School paint the Lutheran Children's Aid Society ([source](#))

- 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
emmakeeshin@gmail.com

January 29, 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.

I lived at 4009 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 4009 Franklin Blvd, I have lived at Franklin & W. 45th, Franklin & W 71st, and now on Lorain and W. 45th. I also have a garden plot at the Kentucky Garden, kiddy 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 4009 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



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 YDIC has. Not only within the various charity organizations and churches which I work with daily to serve individuals

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,

Stephanie Thomas
(216)801-5218



2757 Fairmount Boulevard
Cleveland Heights, Ohio 44118
www.fpccle.org
info@fpccle.org

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

Following Christ. Growing in Faith. Serving Together. Caring for All.

I live on West 32nd + Franklin, a few about
100 ~~yards~~ yards from the proposed Drop in Site

I moved to the near west side

fifty years ago. Two of the main
reasons I moved to this neighborhood was
it's diversity and history of welcoming
the stranger, specifically the vulnerable
those in need, the refugee and immigrants

An historical example of this is St John's
Episcopal Church which served as a station
on the Hay Underground Railroad. There
are currently many other examples of forms
of hospitality -

While the neighborhood has changed
drastically my hope and prayer is that
we continue to embrace that idea

of welcoming the struggle in our midst
In my opinion, the proposed Drop in
Center is an opportunity for that to
happen.

While our neighborhood is polarized
due to significant gentrification, such a
Drop in Center could provide an oppor-
tunity for persons with diverse backgrounds
to build relationships with one another.

So many of our young people are
exiting from the foster care system
and are left with little or no support.
The Drop in Center would provide folks
with an opportunity to receive resources

around employment, education, ^{housing} and
life skills, instead of living on
the streets. It would also be a resource
to help prevent human trafficking.

If we cannot provide a suitable
place for our youth to come and
grow, then we are diminishing that
idea of welcome and hospitality which
brought me to this neighborhood 50
years ago.

While the board focuses on the legal
aspects of this, I feel there is another level
that we need to consider that is ulti-
mately to me more important. And

That is a so spiritual or
speaking of those who profess to be Christian,
the most important question we need
to ask ourselves concerning this issue
is the following "What would Jesus do?"
If we can truly discern that in our
minds and hearts, we will be on the
right path, the path of love and over fear

Jim Delphino
1703 W. 32
Cleveland

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

January 26, 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

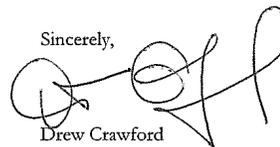
Dear Chairwoman Britt and Board Members Hamilton-Brown, Faith, Holzer, and Rocha,

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



Drew Crawford

Max Herzog | Maxherzog553@gmail.com | 1969 W 44th St, Cleveland, OH 44113

01/30/2023

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

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 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 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.

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
aemoniot@gmail.com
440.474.2209
January 26, 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.

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 E. Moniot

Thomas Schreiber
2203 W. 36th St.
Cleveland, Oh 44113
tomjschreiber@gmail.com

January 26, 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.

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

Pastor Matt Whisenhunt
Harbor and Bridge Community Center
4321 Bridge Ave. Cleveland
mattw@harborandbridge.com

February 1, 2023

Chairwoman Kelley Britt, Terry Hamilton-Brown, Alana Faith, Nina Holzer, Priscila 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.

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

I'm writing in support of the proposed Youth Drop-In Center at 4100 Franklin Blvd. I understand that this idea has been discussed at length between the neighbors in the community. While the hopes and feelings of everyone involved are valid and real, what counts the most is how we respond as a community to the very essential need of a youth drop-in center. Lutheran Metropolitan Ministry and the council formed to search for a place to plant this center have gone to great lengths to make sure the current proposed site does the most good.

It is a privilege to work and live in this city. Everyone wants to see all the citizens of our community live well and thrive. This Youth Drop-In Center has proven itself to be a valuable resource to the city and other cities around the country which have similar programs. It's not uncommon for resources such as this to face pushback from community members. While I trust everyone intends no harm when offering pushback to the YDIC, the bottom line is that we can't afford to make decisions which continue to negatively impact the most vulnerable neighbors in our communities.

As a community center and church just a few blocks away, Harbor and Bridge would like to offer any support toward the completion of this approval for the Drop-In Center. Our organization is willing to give time and energy for both the youth and the neighbors who are trying to find the best way to make 4100 Franklin a safe space for these vulnerable citizens.

I kindly ask that this Board approve the zoning measure necessary to get the Youth Drop-In Shelter started at 4100 Franklin Blvd. so that the youth of the city can have a space where they feel safe and cared for.

Thank you for your consideration.

Pastor Matt Whisenhunt

January 30, 2023

Mary E. Triece
4223 Bridge Ave.
Cleveland, OH. 44113
Mtriece@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. Triece, Ph.D.

Jefferson Leach
2065 W 42nd St
Cleveland, Ohio 44113
Jeff810@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 Leach

Jonathan Welle
2161 West 32nd Street
Down Rear
Cleveland, OH 44113

February 1, 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 in support of the proposed youth drop-in center on Franklin Boulevard.

I live on West 32nd, two hundred feet or so from the West Side Catholic Center. I am proud to know that my neighborhood is one in which critical services that keep our community safe are provided to unhoused people. Each time I walk by the men and women waiting and resting outside of WSCC, I feel a sense of community I would not find in a community that excluded unhoused people. I am glad my neighborhood is a vibrant place where people of different housing statuses share space. That adds to my community, and I would not want that to change (though I do want to end the root causes of housing instability!).

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

Laurel Miltner & Brock Casper
4216 Bridge Ave
Cleveland, OH 44113
laurelmackenzie@gmail.com
February 3, 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 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 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, Laurel Miltner & Brock Casper



The Power of a Permanent Address.™

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: 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 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

2999 Payne Avenue, Suite 134
Cleveland, Ohio 44114
P: 216-574-7100
www.chnhousingpartners.org



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Health
75 Erieview Plaza
Cleveland, Ohio 44114-1839
www.clevelandhealth.org

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: 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 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

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

Gary J Boska and Martha A Boska
2067 W. 44 Street
Cleveland, Ohio 44113
gboska@sbcglobal.net
maboska@sbcglobal.net

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

Melissa Schmitt
1826 W 26th Street
Cleveland, OH 44113
Melissa.Schmitt1@gmail.com
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

OPPOSITION

Proposed Drop-in Center at 4100 Franklin Blvd.

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

February 6, 2023

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

Constituent:

Consideration:

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?

1

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

1

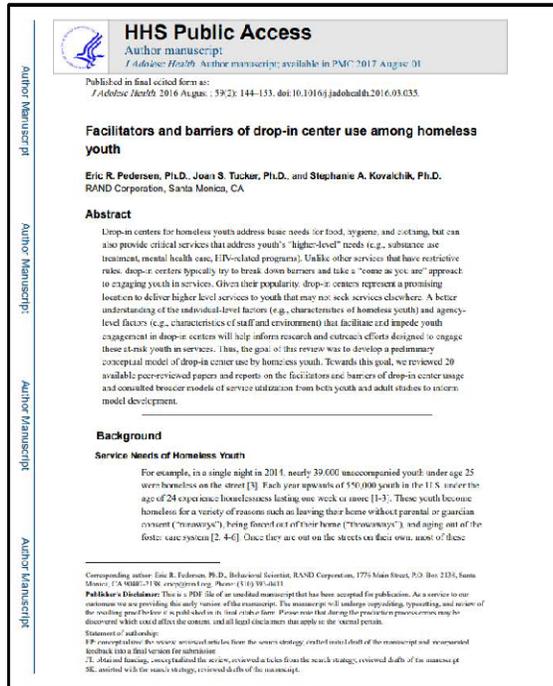
Does the proposed location optimally meet the needs of housing insecure people in Cuyahoga County?

Facilitators of User Engagement at Drop-in Centers

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

“Facilitators and Barriers of Drop-in Center Use Among Homeless Youth” – Journal of Adolescent Health

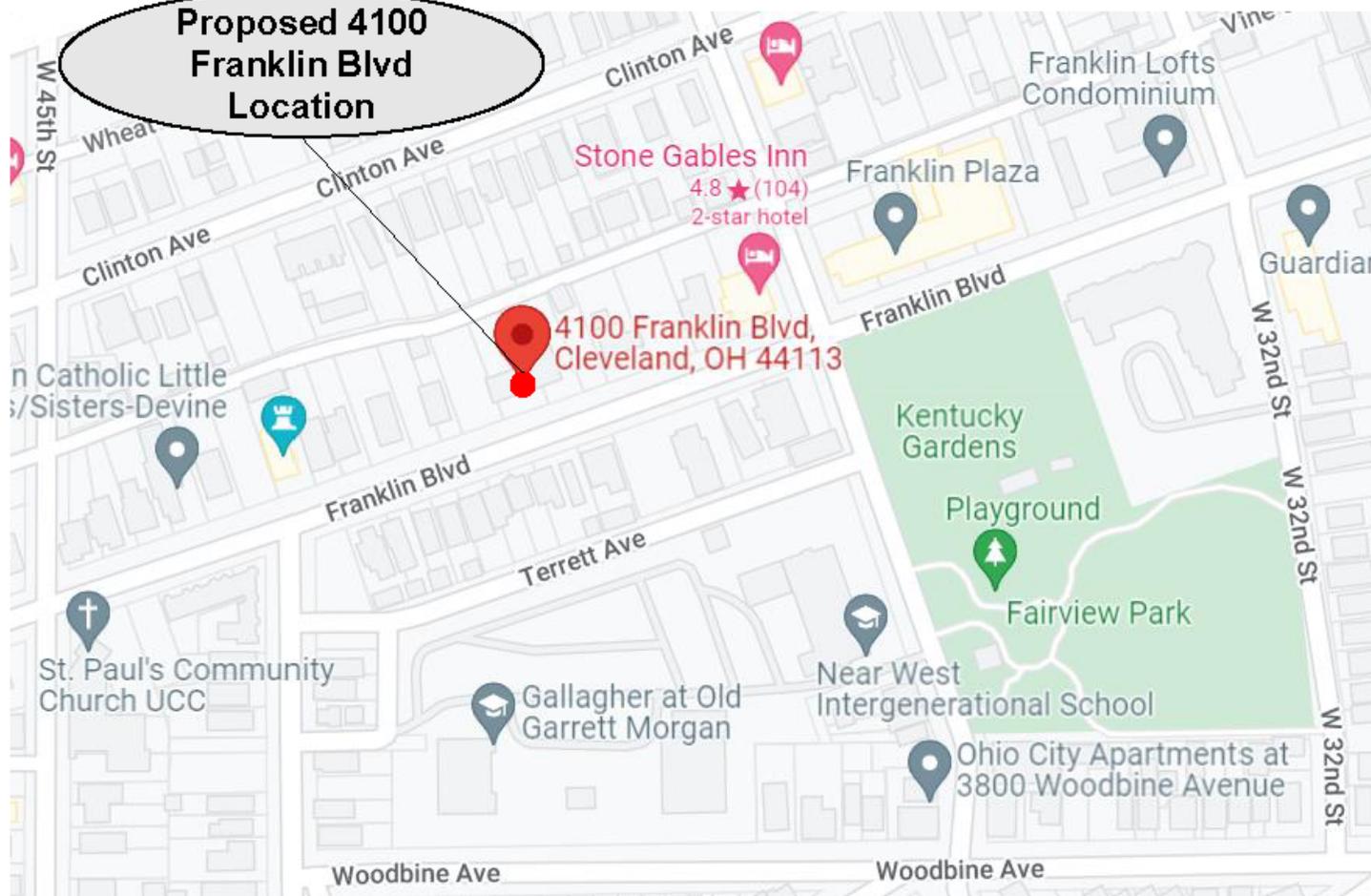
(Aug 2016)



59 citations in other publications

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

1

Other Ohio based drop-in centers are not in residential neighborhoods

Ohio Based Drop-in Centers Cited by Lutheran Metropolitan Ministry as Comparable

Drop-in Center & Location	Zoning Classification	Surrounding Properties
 Star House Star House – Columbus, Ohio	Manufacturing District	Businesses
 Kaleidoscope – Columbus, Ohio	Downtown District	Businesses + limited multifamily
 Daybreak – Dayton, Ohio	Urban Business District	Businesses
 Lighthouse Sheakley – Cincinnati, Ohio	Manufacturing General	Manufacturing + small cluster of homes at rear

1

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

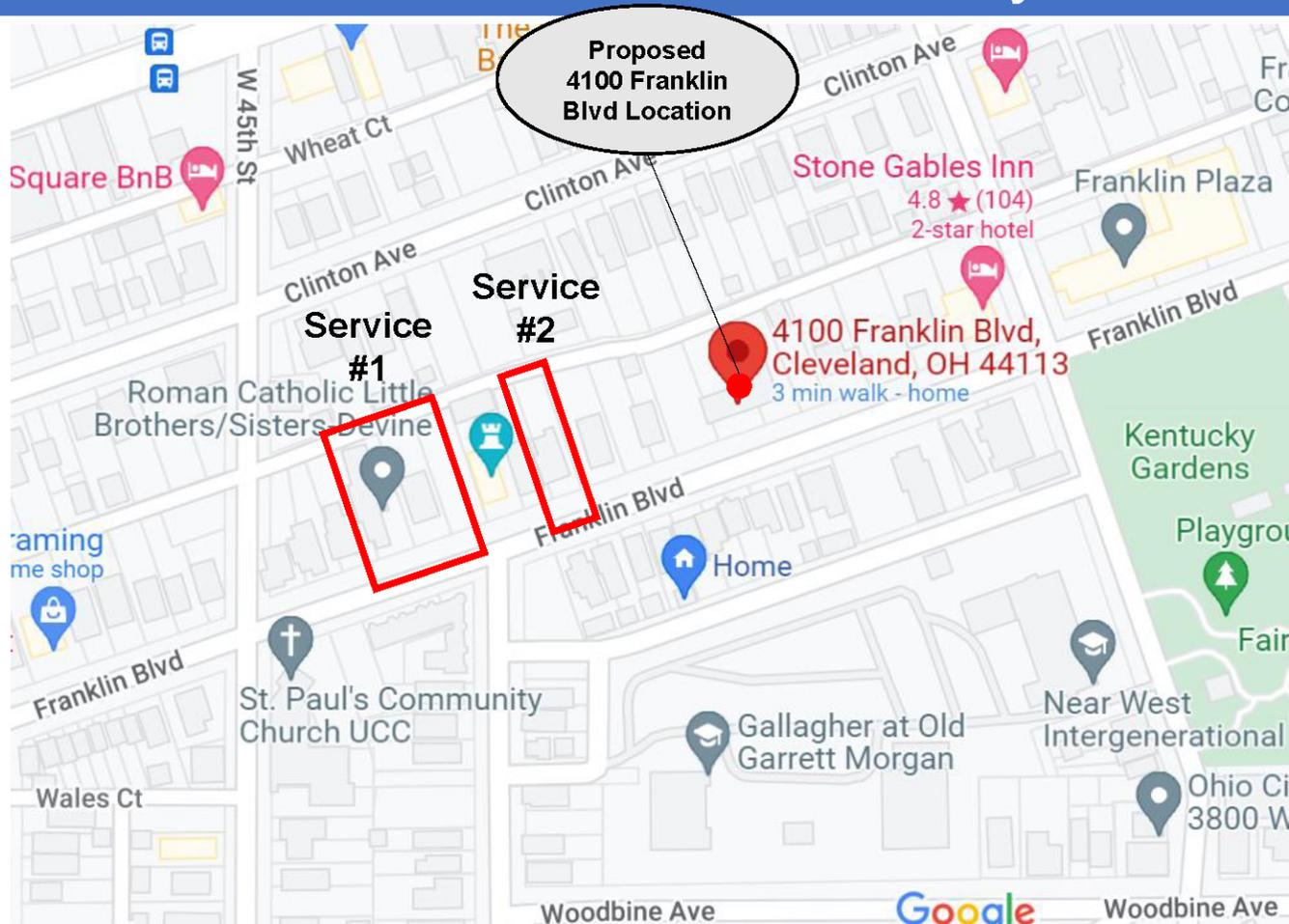
Acknowledged and tacit agreement provided that not operating 24/7 will degrade service quality

Kate Lodge;
YMCA, A Place 4 Me – April 26, 2022

1

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

1

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*



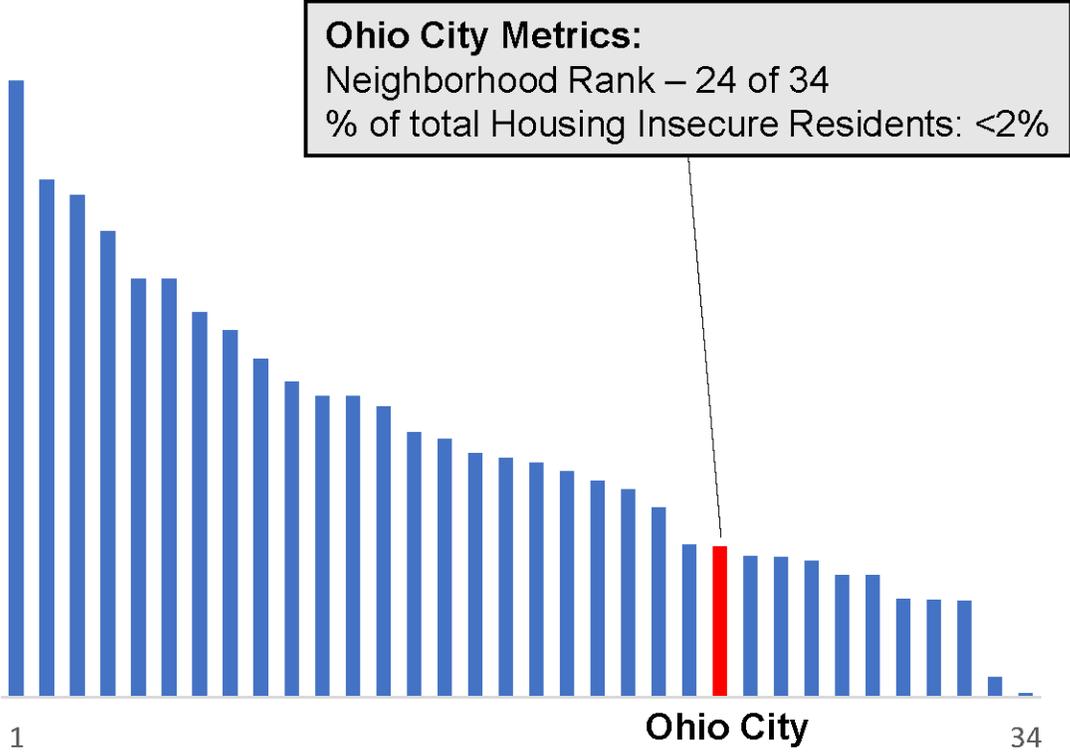
Adult Homeless Services

**Potential Safety
Risk to Service
Participants**

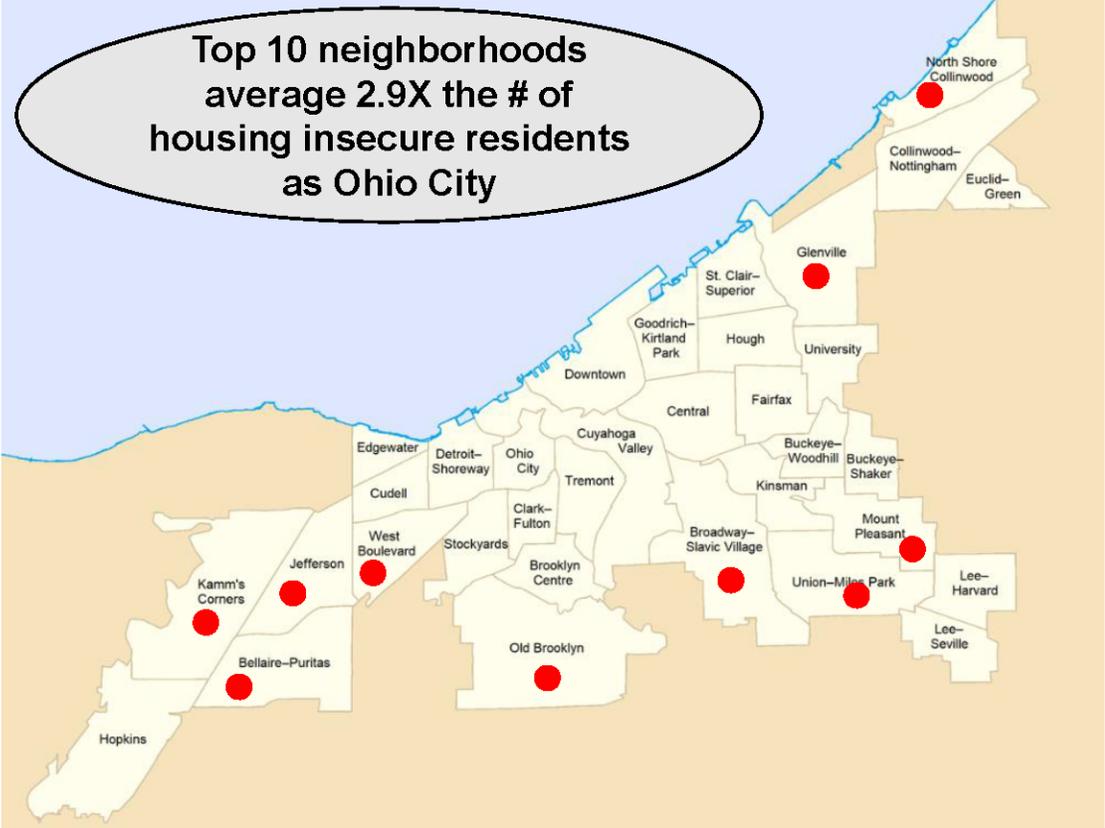
1

<2% of potential service users live in Ohio City; outlying neighborhoods have the largest populations

Cleveland Neighborhoods Ranked by # of Residents w/ a Housing Burden



Top 10 Neighborhoods Locations by # of Housing Insecure Residents

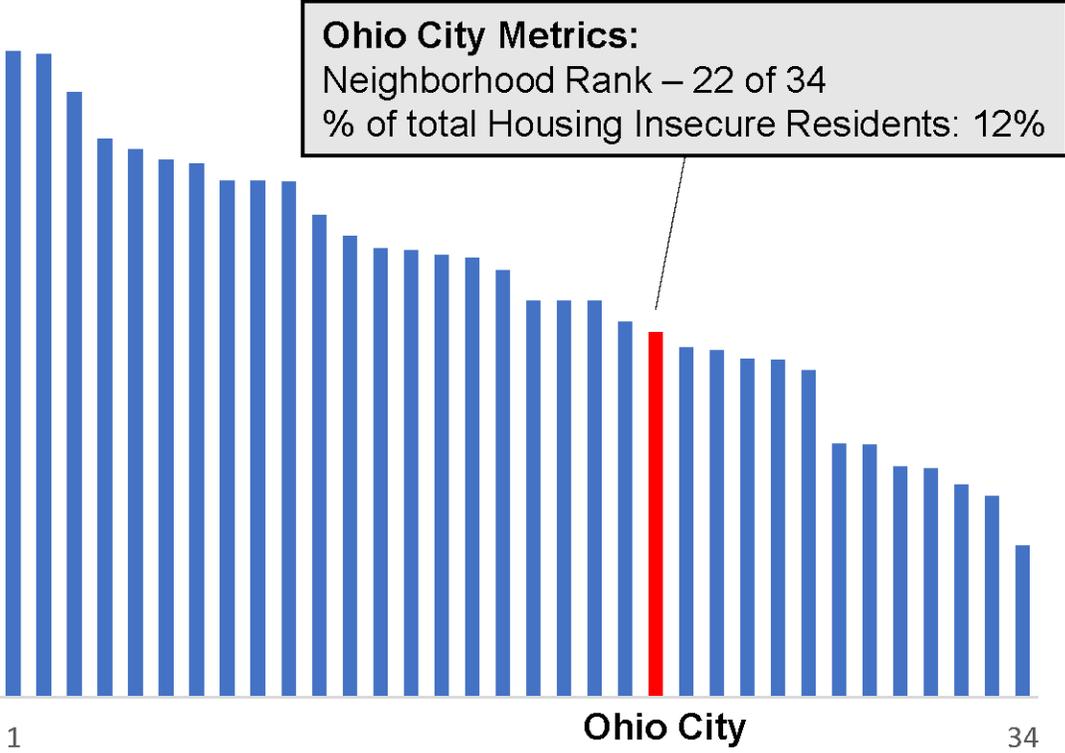


Source: The Center for Community Solutions; data released September 2021

1

12% of potential users live in areas contiguous to Ohio City and are generally widely dispersed

Cleveland Neighborhoods Ranked by # of Nearby Residents¹ w/ a Housing Burden



Top 10 Neighborhoods Locations by # of Nearby Housing Insecure Residents



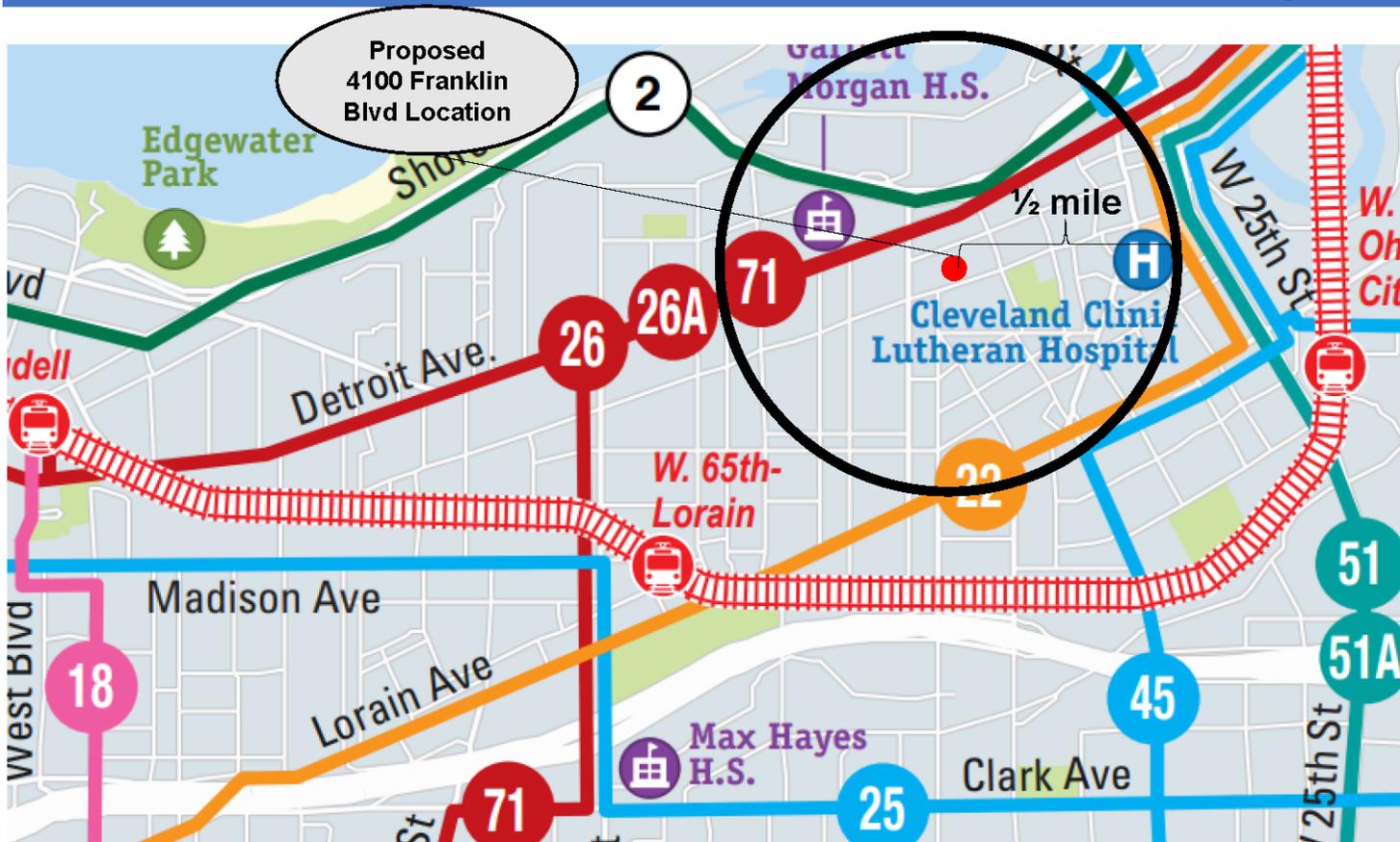
Source: The Center for Community Solutions; data released September 2021

¹ Nearby residents are housing insecure residents that live in the stated neighborhood + any neighborhood that is immediately contiguous to the neighborhood.

1

The proposed location on Franklin Blvd is within a 10 minutes walk of only 9% of RTA mass transit lines

4100 Franklin Blvd. Vicinity to Transit Lines

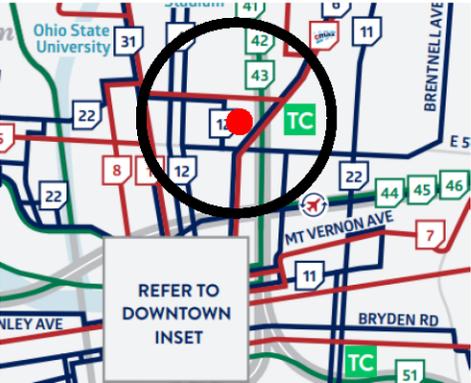


- 1.4 miles from edge of downtown transit service area
- 4 of 43 transit lines within 1/2 mile of proposed location
- 9% of lines within 1/2 mile
- 13 blocks and 4,000 ft. from I-90
- 0.25 mile from nearest transit stop

1

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 1/2 mile
- 31% of transit lines within 1/2 mi.
- 2 blocks & 500 ft. from I-71
- 0.14 miles from nearest bus stop

Kaleidescope – Columbus



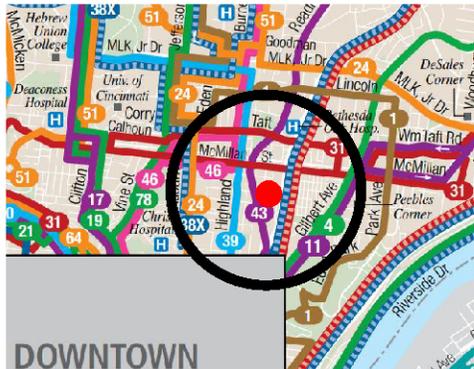
- In downtown transportation hub
- 19 of 36 Transit Lines within 1/2 mile
- 53% of transit lines within 1/2 mi.
- 1/2 block & 150 ft. from I-71
- Bus stop in front of location

Daybreak – Dayton



- 1 block from downtown transportation hub
- 14 of 16 Transit Lines within 1/2 mile
- 88% of transit lines within 1/2 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 1/2 mile
- 25% of transit lines within 1/2 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 1/2 mile radius

1

The proposed location at 4100 Franklin Blvd. is substantially less accessible than other Ohio centers

Comparison of Ohio Based Drop-in Centers Accessibility by Transit

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

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.

1

Does the proposed location meet the needs of the target market?

Success Measure	Meet Criteria?	Rationale
Home to Target Population?	X	<2% of housing insecure Cleveland residents live in Ohio City
Easily Accessible to Target Population?	X	Not near transportation hubs or large % of mass transit lines
Available When Needed?	X	Cannot operate 24/7 due to residential neighborhood location
Safe Environment?	X	Located next to adult male homeless shelter and transitional housing services
Welcoming Environment?	X	Unanimously opposed by neighbors due to incompatibility w/ residential neighborhood
Low Barriers to Entry for Use of Service?	✓	Service built to accept users as they come regardless of circumstance



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

2 Impact to the Residential Neighborhood

What will be the impact to
the neighborhood



Neighbor Question of Proposed Operator

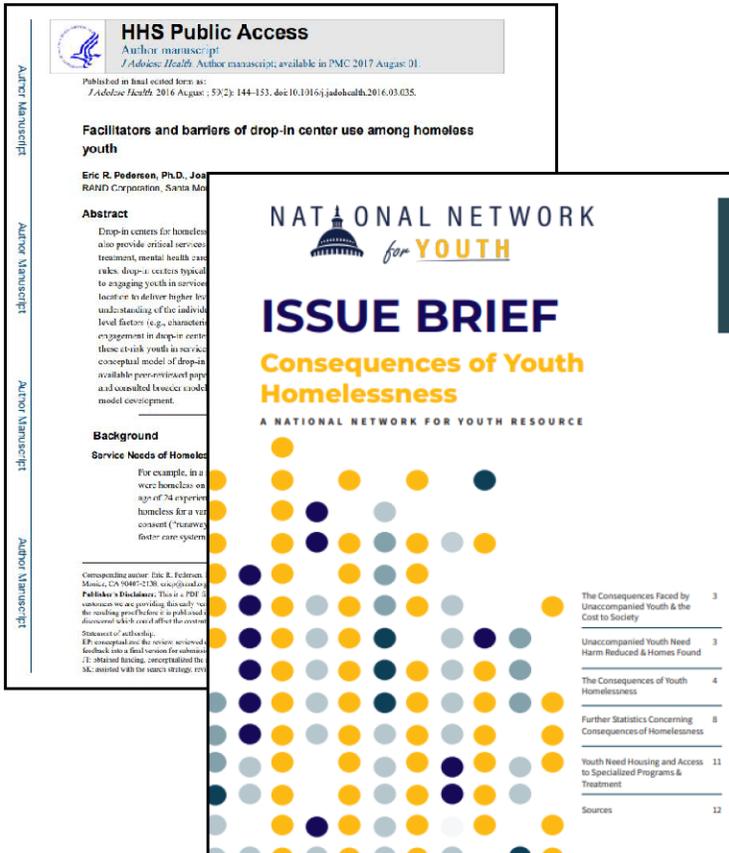
***“We have done no
work to assess the
impact of the service
on the
neighborhood”***

*Kate Lodge;
YWCA, A Place 4 Me – April 26, 2022*

2

Drop-in center users display characteristics that are incompatible with residential neighborhoods

Drop-in Center User Profile



75%

Substance Users/Abusers¹

> 33%

Have engaged in prostitution in some form²

> 50%

Rate of mental illness¹

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

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.

2

Experiences at Ohio drop-in centers illustrate the incompatibility with residential neighborhoods



What Users Are Saying

- “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 buildings 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



What Neighbors Are Saying

- “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

2

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*



Incompatible

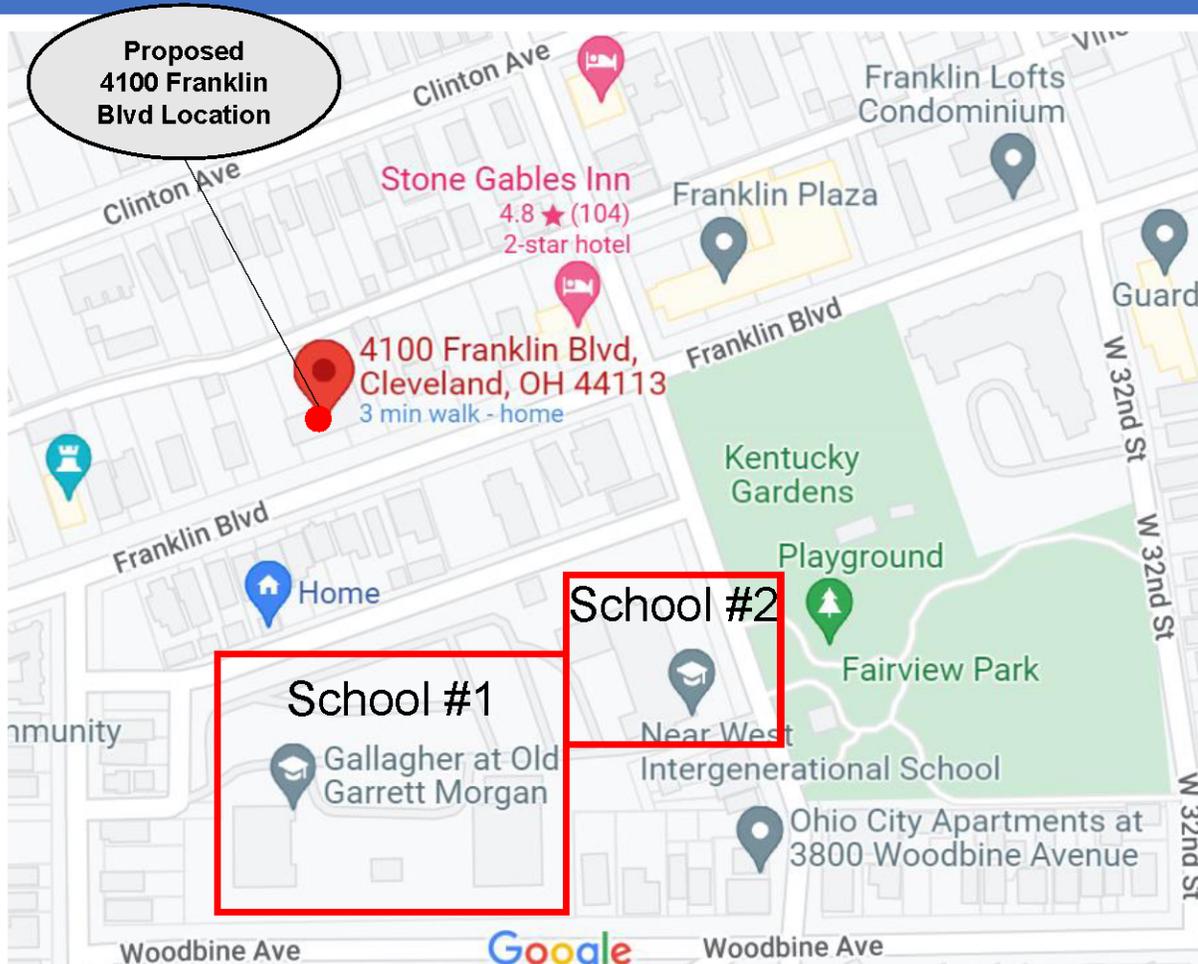
Schools

**Risk Factor for
Children**

2

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

4100 Franklin Vicinity to Local 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

2

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

2

A temporary homeless service operated in Ohio City by LMM¹ resulted in significant impact to neighbors

Neighbor Experience w/ LMM Run Service at 2090 W. 25th St.

Police called and dispatched almost daily

- 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

Went from peaceful neighborhood to “terrifying”

Children directly impacted

LMM “annoyed” by & “disinterested” in neighbor complaints

Police took direct action to address

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.



3

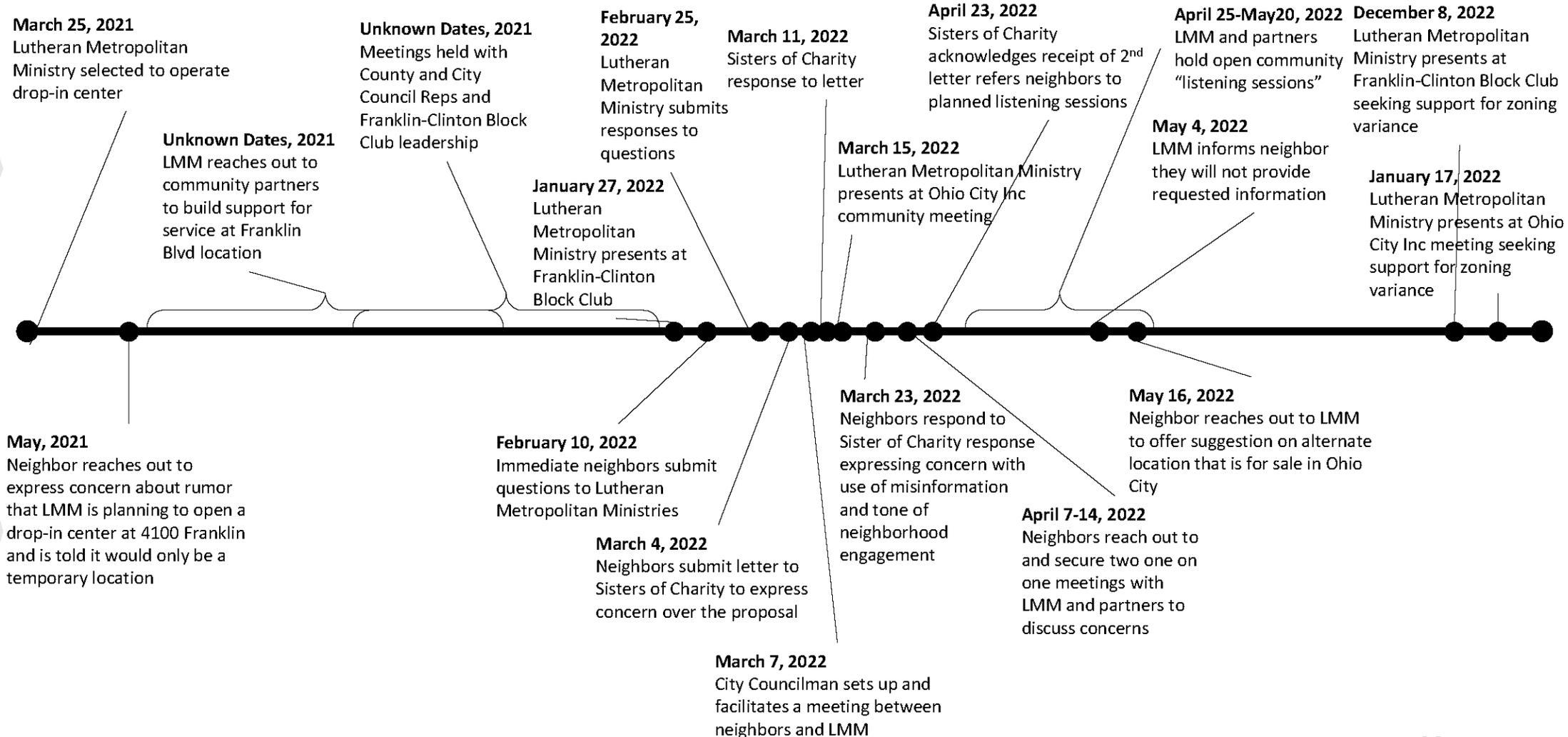
Document the tactics used by Lutheran Metropolitan Ministries and partner organizations in their attempt to establish the drop-in center at 4100 Franklin Blvd.

3

Timeline of Community Engagement by LMM and Partners

LMM Driven Engagement

Franklin Blvd. Neighbor Driven Engagement



3

LMM has bypassed neighbors and focused on building broad community support

9

of months between contract award and engagement with neighbors

0

times LMM proactively reached out to neighbors to address questions/concerns

0

meetings held w/ local school administration to solicit input on proposal

LMM Driven Engagement

6+

partners engaged for support before discussion w/ neighbors

15+

open community forums held or attended to build community support

4+

meetings with public officials to get government support for service

3

They have built community support by consistently using misinformation

False/Misleading Statement	When	Facts
30% of target homeless population lives in zip codes contiguous to Ohio City; the homeless population are your neighbors	Ohio City Inc Meeting (3/15/22)	<ul style="list-style-type: none"> <2% of housing insecure Cleveland residents live in Ohio City 12% of housing insecure Cleveland residents live in neighborhoods contiguous to Ohio City Based on LMM proprietary data 9% live in zip codes 44113 & 44102
Other Ohio based drop-in centers are in residential neighborhoods	Neighbor Question Response (2/25/22)	<ul style="list-style-type: none"> No Ohio based drop-in centers are in zoned residential neighborhoods No Ohio based drop-in centers are surrounded by residential homes
Site selection began in the summer of 2021	Neighbor Question Response (2/25/22)	<ul style="list-style-type: none"> 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
Allegro Realty executed a rigorous study to support site selection	Various in writing and Community Meetings	<ul style="list-style-type: none"> Allegro Realty made no recommendations Allegro Realty employees facilitated partners creating a real estate vision and criteria for location selection
Acquisition of an alternative building for the service would cost \$4MM+	Block Club Meeting (12/8/22)	<ul style="list-style-type: none"> Alternate on-market sites were presented to LMM with much lower price tags by both Allegro Realty and neighbors
There is no change in use of the building	Various Block Club and Public Forums	<ul style="list-style-type: none"> Current office usage Building currently houses 2 offices rented by 3rd parties Building currently houses 1 lightly used office for LMM partner
Location meets all objective criteria for drop-in center service delivery	Various Block Club and Public Forums	<ul style="list-style-type: none"> Meets 1 of 5 research established criteria to support drop-in center utilization; low barrier to entry
Hours of operation for service were changed from 24/7 to 10am to 8pm to address neighbor's concerns	Various Community Engagement Forums	<ul style="list-style-type: none"> Hours were changed to avoid opposition from Ward 3 Councilman Hours were changed in an attempt to avoid change of use zoning variance
Partners have worked tirelessly to engage with community and address neighbor concerns	Ohio City Inc Meeting (1/17/23)	<ul style="list-style-type: none"> Partners have repeatedly not followed through on commitments to meet with neighbors There has been zero good faith effort to address questions/concerns

3

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?

Robert Shenk <rmatthew.shenk@gmail....> Apr 27, 2022, 10:35 PM ☆ ↩ ⋮
to klodge, LSmith ▾

Ms. Lodge and Ms. Smith,
Thank you for hosting the meeting on the youth drop-in center last night. Per our conversation, below is the list of documents/information/data that we discussed being provided by the operating partners.

- Allegro Realty study in-full (both design thinking session outcomes and property report)
- Community Survey results from survey Eboni completed with 35 people - both raw data and summary presentation of results
- Full operating budget, funding sources and amounts secured to-date
- Full renovation budget, funding sources and amounts secured to-date
- Accounting for how County funds have been spent to-date
- RFP question and response for County ARPA grant
- Full zip code information for target housing insecure youth population
- Building renovation plans/drawings

Thank you for your attention to this and I look forward to discussing again soon.

-Matthew

LMM Response:

Cyncynatus, Sue scyncynatus@lutheranmetro.org via lut... May 4, 2022, 4:29 PM ☆ ↩ ⋮
to me, Kate, Lisa ▾

Dear Mr. Shenk,

On behalf of the partners working on the development of the youth drop-in center, thank you for joining us for last week's Listening Session. While we remain open to ongoing, respectful dialogue, **our partners have determined that we cannot share the additional information you've requested. Much of what you have requested is proprietary information. As we move forward it is our hope that you will be able to accept the center at this location and see the value it will provide to the youth of our community.**

To date, we've done everything within reason to answer your questions (and the questions of others), and there's a plethora of information in the YDIC background and FAQs sections in the following link:

<https://www.lutheranmetro.org/youth-services/>

Thank you,
Sue

Sue Cyncynatus;
*Acting CEO of Lutheran Metropolitan Ministry –
May 4, 2022*

3 Why would LMM not provide the information?

“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*

3

Rather than address concerns and partner with their neighbors LMM started a PR campaign in local media

News 5 Cleveland article: Youth Drop-In Center planned for Ohio City's Franklin Blvd

Project faces some neighbor opposition



Advocates are in the final stages of creating a youth drop-in center where at-risk young people can take a break and find resources.

By Catherine Wynn

Posted at 8:47 AM, Jan 21, 2023 and last updated 8:47 AM, Jan 21, 2023

In an average year, about 550 young people will seek emergency shelter in Cuyahoga County because they don't have a place to stay. An untold amount of others will go unsheltered; couch surfing, living in their cars, or on the streets.

Cleveland-area advocates are in the final stages of creating a place where these at-risk young people can take a break and find resources. A youth




News 5 Cleveland
January 21, 2023

Ideastream Public Media article: Proposed youth drop-in center in Ohio City generates heated debate

By Conor Morris

Published January 23, 2023 at 11:03 AM EST
Updated January 23, 2023 at 6:09 PM EST

LISTEN - 0:55



This building, owned by Lutheran Metropolitan Ministry, is the proposed site of the youth drop-in center on Franklin Avenue in Ohio City.

A conflict has been brewing over the last year over the location of a drop-in shelter for youth experiencing homelessness in Cleveland's Ohio City neighborhood, pitting some neighbors against each other.

Lutheran Metropolitan Ministry, which would operate the center, is hoping the drop-in center – proposed for 4100 Franklin Boulevard – will provide a welcoming space for people ages 16-24 to rest, shower, eat and receive support services. The nonprofit says

PBS Ideastream
January 23, 2023

Axios Cleveland article: Ohio City neighbors spar over center for homeless youth

By Sam Allard



The LMM building in question at 4100 Franklin Blvd. Photo: Sam Allard/Axios

A proposal for a homeless youth drop-in center in Ohio City has reactivated [neighborhood tensions](#) that often accompany development discussions on the near west side.

Driving the news: Opposing perspectives clashed [at a community meeting last week](#) when the nonprofit Lutheran Metropolitan Ministry (LMM) presented an overview of the project.

- The facility would be housed in the LMM building on Franklin Boulevard and operate 10 hours per day, providing youth access to basic needs (laundry, showers, phone chargers, etc.).

Axios Cleveland
January 23, 2023

3

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

3

LMM has gone so far as to attack neighbors viewed as opposition personally/professionally



Ohio City Families

**Names and specifics withheld
because neighbors fear
retribution and professional
impact**



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

4

Why would LMM want to operate the service at a location which...?

Its users cannot easily reach

It cannot deliver its service according to accepted best practice

It is surrounded by neighbors they are openly disdainful of

In a community it is aggressively attempting to divide

4

LMM is a multi-million dollar corporate “non-profit” entity

Lutheran Metropolitan Ministry Financial Summary Year End 2021

Lutheran Metropolitan Ministry				
Consolidated Statement of Activities				
Year Ended December 31, 2021				
(With Comparative Totals for 2020)				
	Without Donor Restrictions	With Donor Restrictions	2021 Totals	2020 Totals
Revenues:				
Government grants	\$ 12,403,581	\$ -	\$ 12,403,581	\$ 12,990,786
Grants and contributions	2,732,008	1,495,800	4,227,808	2,674,184
Program fees	667,944	-	667,944	760,542
Special events	8,678	-	8,678	7,741
Net realized and unrealized gain from investments	243,954	189,372	433,326	368,360
Interest and investment income, net	18,267	-	18,267	63,162
Net assets released from restrictions	848,012	(848,012)	-	-
Total revenues	16,922,444	837,160	17,759,604	16,864,775
Expenses:				
Program services	14,891,465	-	14,891,465	13,682,037
Management and general	941,111	-	941,111	977,355
Fundraising	645,084	-	645,084	546,443
Total expenses	16,477,660	-	16,477,660	15,205,835
Change in net assets before non-operating activity	444,784	837,160	1,281,944	1,658,940
Non-operating activity:				
Gain on forgiveness of Payroll Protection Loan Program	1,136,100	-	1,136,100	-
Change in beneficial interests in trusts	-	21,486	21,486	22,317
Total non-operating activity	1,136,100	21,486	1,157,586	22,317
Change in net assets	1,580,884	858,646	2,439,530	1,681,257
Net assets – beginning	7,831,874	5,459,860	13,291,734	11,610,477
Net assets – ending	\$ 9,412,758	\$ 6,318,506	\$ 15,731,264	\$ 13,291,734

See notes to consolidated financial statements.

\$17.8M

Revenue

\$2.4M

Total Profit

\$15.7M

Net Assets

\$8.7M

Cash and Liquid Investment Holdings

4

**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*

4

LMM stands to make millions of dollars from operating the service in their existing building

Capital Budget¹



\$1.5MM

In public and private funding to LMM to make capital improvements to currently non-earning real estate asset worth \$500-\$800K

¹ "Proposed Youth Drop-in Center in Ohio City Generates Heated Debate" – PBS Ideastream

² LMM provided year 1 operating budget

Annual Operating Funds²



\$1.1MM

In annual income to LMM to support operations of service for stated 550 person target user base

4

The only beneficiary of delivering the service from this location is LMM

Constituent:

Benefit from Selected Location:

Primary

Target users of the proposed service



Meets 1 of 5 research established best practices for effective service delivery

Secondary

Neighbors of the service



Unknown impact but perceived negative

Additional

Operator of the service



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

What Could Happen After the Community Loses Control?

- 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

Hugely Increased Impact to Families of Franklin Blvd.

From: Helen Smith <hksmith42@hotmail.com>
Sent: Friday, February 3, 2023 1:35:20 AM (UTC+00:00) Monrovia, Reykjavik
To: Board of Zoning Appeals <BoardofZoningAppeals@clevelandohio.gov>
Subject: Calendar No. 23-014 Lutheran Metropolitan Ministry

THE O'LEARY LAW FIRM, LLC
4110 FRANKLIN BLVD.
CLEVELAND, OHIO 44113
roleary@olearylawcle.com
216.849.4346

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 rezoning 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

By E-mail Only

February 3, 2023

Cleveland Board of Zoning Appeals
601 Lakeside Avenue, Room 514
Cleveland, Ohio 44114
Attn: Elizabeth Kukla, Secretary
ekukla@clevelandohio.gov

**Re: Calendar Nos. 22-213 and 23-014
4100 Franklin Blvd.**

Dear Cleveland Board of Zoning Appeals:

I am submitting this letter as my written testimony on this matter. Please enter it as part of the record.

My family has lived at 4110 Franklin Blvd. since April 2004. This is next to the property at 4100 Franklin Blvd. that is the subject of Calendar Nos. 22-213 and 23-014. For the reasons below, we ask that the BZA finds the following:

1. The Department of Building & Housing properly determined that the proposed use at 4100 Franklin Blvd. is an enlargement, expansion, substitution, or change in use from its existing use.
2. The proposed use fails to meet the requirements for a special permit.
3. The proposed use fails to meet the requirements for an area variance for the additional structure on the rear of the existing structure.
4. The proposed use fails to meet the requirements for a use variance due to the change in the type of services offered, the expanded services hours, the expanded days of operation, and the negative impact that it will have on the families who live on the street where the property is located.

Background

Lutheran Metropolitan Ministry ("LMM") owns the building at 4100 Franklin Blvd. (the "Property.") The Property is in a Two-Family Residential Zoning District. This zoning classification has been in place since at least the mid-1990s. The use at the Property is a

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 around the time that I get home around 4:45 p.m. or 5:00 p.m. These 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.

4100 Franklin: Comparison of Current Use to Proposed Use		
Service	Current	Proposed
Office for LMM's Staff	Yes	Yes
Kitchen Open To Public	No	Yes

Laundry Open To Public	No	Yes
Showers Open To Public	No	Yes
Living Room Open To Public	No	Yes
Dining Room Open To Public	No	Yes
Library Open To Public	No	Yes
Food Distribution	No	Yes
Clothing Distribution	No	Yes
Personal Hygiene Item Distribution	No	Yes
Computer Lab Open To Public	No	Yes
Charging Stations for Phones/Computers Open To Public	No	Yes
Safe Area for Guests' Children To Play	No	Yes
Counseling Services	Unknown	Yes

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's 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 properly 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:

[N]o 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 charge 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 for Staff	Up to 8	10	2	25%
Number Days of Week for Staff	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% - 600%
Number of Staff Vehicles During Operation	1 to 2	5 to 12	4 to 10	400% - 600%
Number of Public Vehicles During Operation	Minimal	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 BZA 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 to round-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 BZA'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

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 where 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 of 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. 58th 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. 52nd 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 2022 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-1990s. 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. 3105 Franklin Blvd.: The former assisted-living facility closed in the past few years and is being redeveloped into apartments.
3. 2843 Franklin Blvd. and 2905 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 rooming houses have been converted into apartments.
5. 4719 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,

/s/ Ronald J.H. O'Leary

Ronald J.H. O'Leary
Property Owner Adjacent to 4100 Franklin

from other premises in the same district and create a difficulty or hardship caused by 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 additional services it proposes to offer. 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 private and public 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

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 24/hr 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 appropriate for a general retail/commercial zoning district 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.

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 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 Homes, 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 Kavalec and Margaret Murphy, 4201 Franklin Blvd.

Jon Bredenbeck, 4206 Franklin Blvd.

Laura Tripp, 4207 Franklin Blvd.

Jeffrey Zelmer and Brandon Sitler, 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.**



LEGAL STANDARD

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.



Public Hearing

Calendar No. 23-007

1905 E. 89th Street

Ward 6



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

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



HISTORY OF THE PROPERTY





LEGAL STANDARD

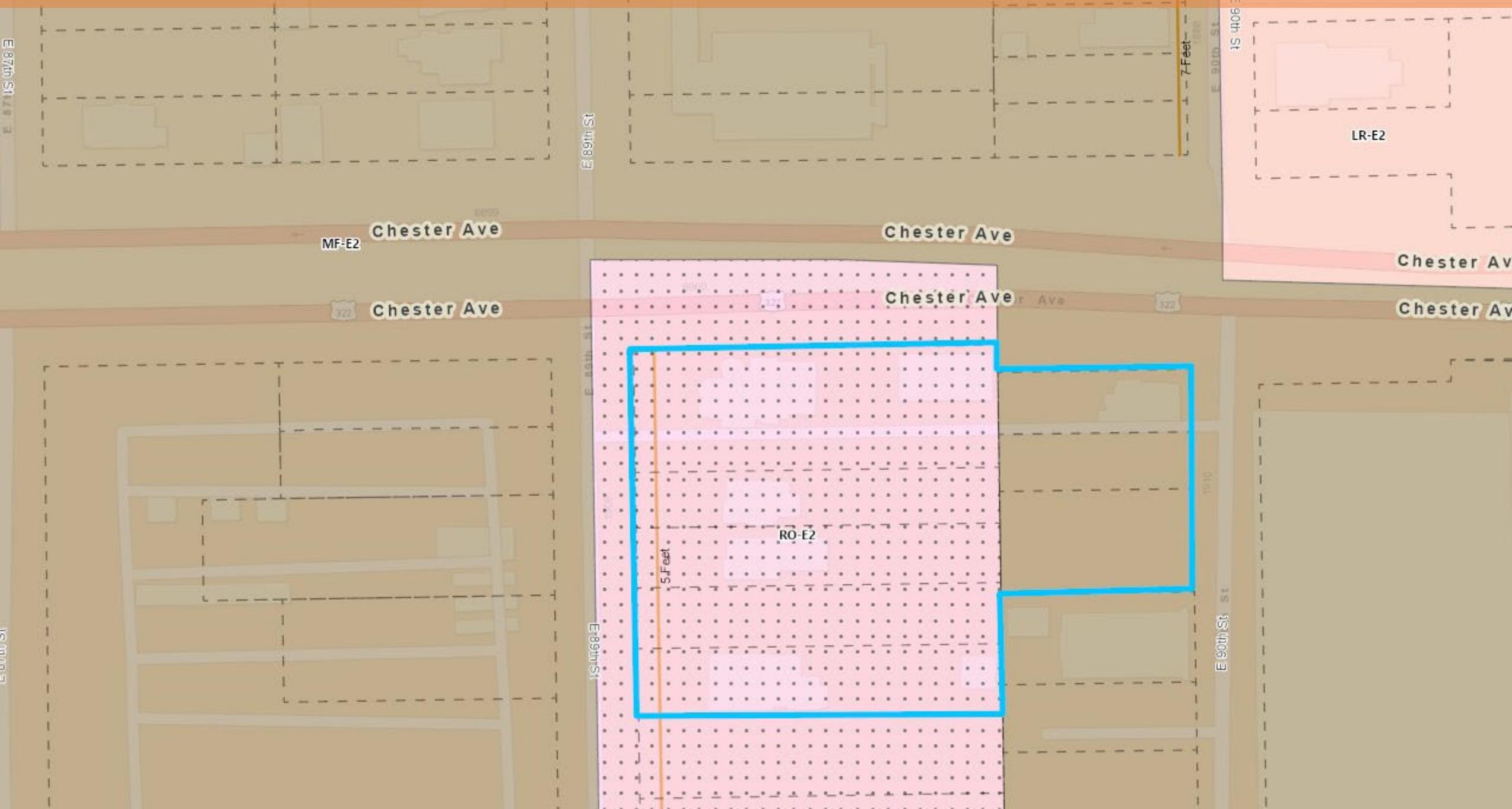
Madam Chair, Members of the Board, Appellant is requesting area variances from the temporary permit, grading/paving, and fencing requirements of the zoning code.

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

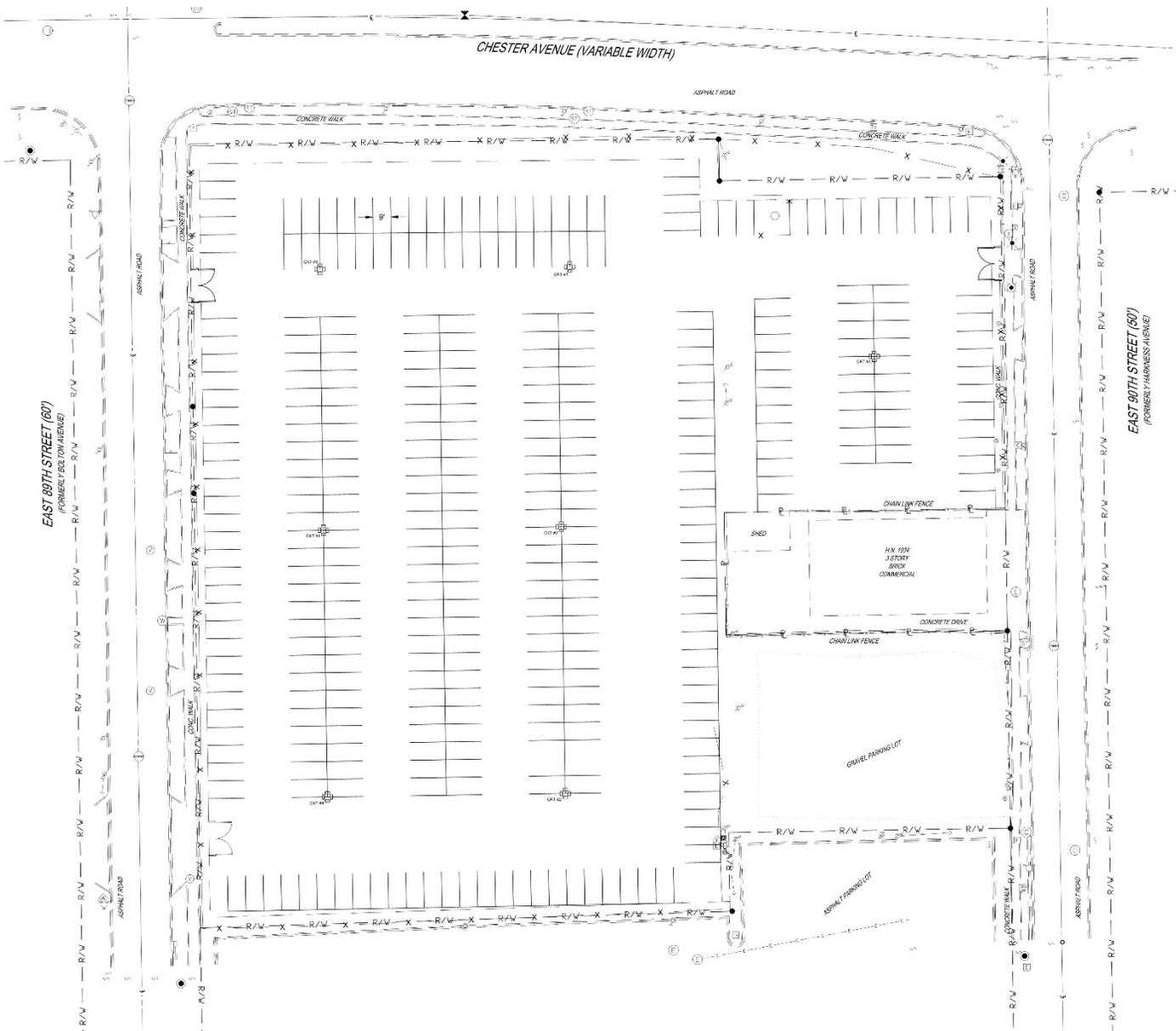
GRAVEL LOT FOR CONSTRUCTION CONTRACTOR PARKING

02/06/2023

Existing Site Conditions



Proposed Site Plan



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.

Public Hearing



Calendar No. 23-008:

3611 Chatham Ave.

Ward 3

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

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.

Calendar No. 23-008:

3611 Chatham Ave.

Ward 3





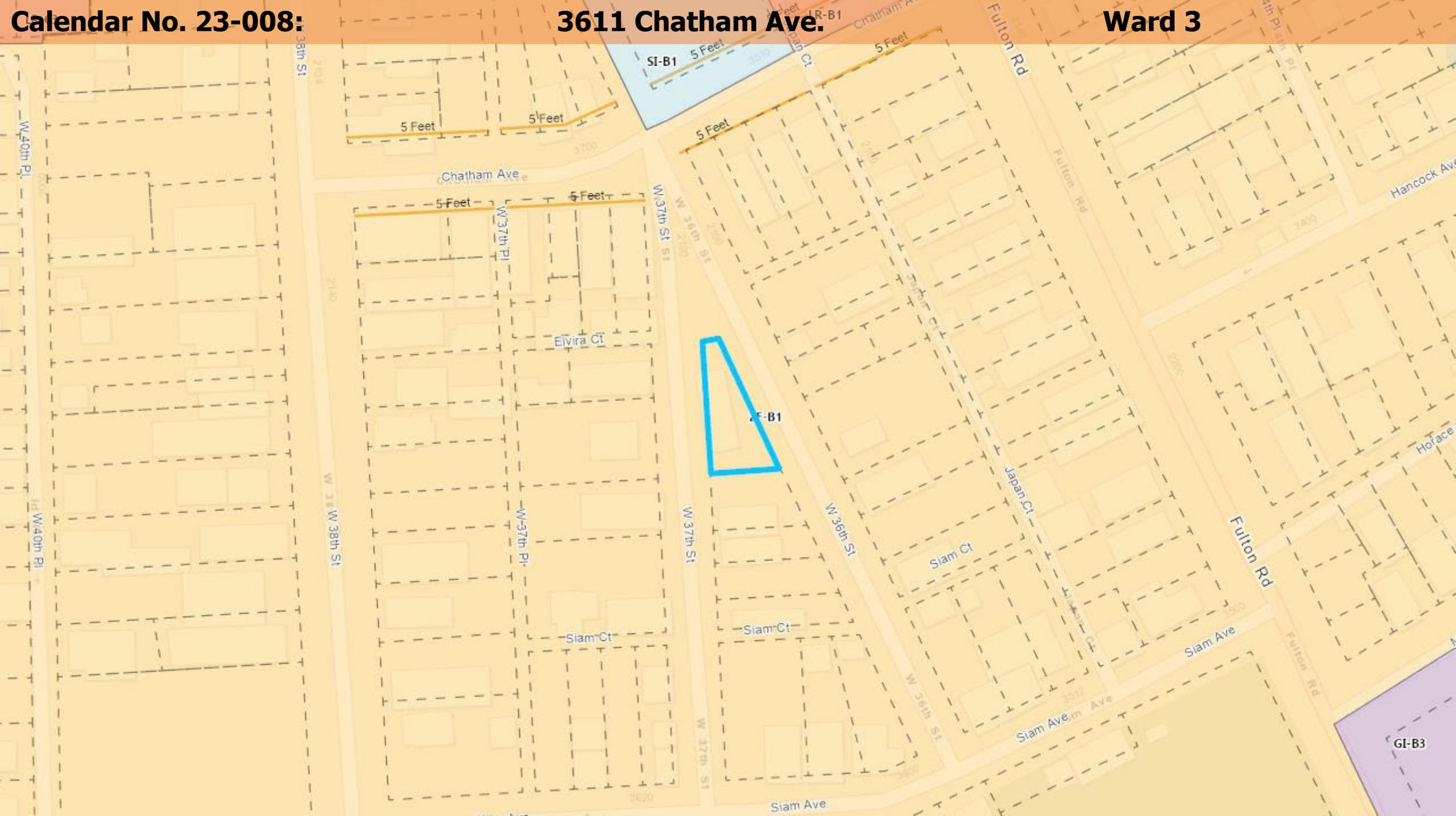
Japan Court

West 36th Street

West 37th Street

West 37th Place

Elvira Court





Corina Dumitrescu Architect
 San Francisco CA | Cleveland OH
 corina@cda-site.com | cdasite.com

January 6, 2023

City of Cleveland
 Department of Building and Housing
 Board of Zoning Appeals
 601 Lakeside Ave. Room 516
 Cleveland, Ohio 44114
 P: 216.664.2282

Zoning Appeal Request

Re: 3611 Chatham Ave Cleveland
Project Address: 3611 Chatham Ave Cleveland OH 44113
Owner: Sean Bronson, Terracewood 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.

Variances 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 lot area is required per dwelling unit, 9,600 sf lot area is required, 2,200 sf 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.

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-a 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 are 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 restriction;

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
corina@cdasite.com
415.416.5978

ATTACHMENT #1 - PHOTOS



VIEW FROM STREET CORNER - SHOWING PROMINENT STREET LOCATION.



VIEW FROM 36TH STREET - SHOWING TWO ENTRIES TO LOWER AND UPPER UNIT



VIEW FROM 37TH STREET - SHOWING TWO ENTRIES TO LOWER AND UPPER UNIT, AND 4 MAILBOXES.

2213 TERRACEWOOD LLC

3611 CHATHAM AVE UNIT DF
CLEVELAND OH 44113-3937
Account Number Date Prepared
6 1800 1743 0020 January 4, 2022

Next Meter Reading
02/02 - 02/07/2022



For questions about Dominion Energy Ohio charges call 1-800-362-7557

Current Charges

**General Sales Service Rate
(See Important Message page)
Standard Service Offer (SSO)**

Basic Service Charge	\$36.97
Gas Usage Charges	
3.3 MCF @ \$6.2303	20.56
Tax Savings Credit	2.61 CR
Gross Receipts Tax (4.6044%)	2.53

This bill includes \$18.47 for SSO gas cost at \$5.597 per thousand cubic feet (MCF).
Total Current Charges \$57.45
Total Account Balance \$57.45

You may be able to better control the gas portion of your bill by shopping for an alternative gas supply contract.

Rate Schedule: General Sales Service - Residential

Billing Period and Meter Readings

Date	Read Type	Reading	Difference
Meter Number	14876805		
Jan 4, 2022	Actual	989.2	
Dec 10, 2021	Actual	985.9	3.3
MCF Used in 25 Days			3.3

PLEASE PAY Account Balance of \$57.45 by Jan 21, 2022 to Avoid Late Payment Charge of 1.5% per month.

It's Our Pleasure to Serve You

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're 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. (It is an emergency when you smell gas or when all of your gas appliances are out.)

ENERGYSHARE: Help people without heat by donating to EnergyShare. To donate, add exactly \$1, \$2, \$6, \$12, \$18 or \$36 to your payment or mail a separate check payable to EnergyShare, Salvation Army, P.O. Box 5847, Cleveland, OH 44101.

Please detach and return this coupon with a check made payable to Dominion Energy Ohio.

PLEASE PAY BY Jan 21, 2022 **Account No.** 6 1800 1743 0020

\$57.45

Amount Enclosed

21 ebill

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2213 TERRACEWOOD LLC
3611 CHATHAM AVE UNIT DF
CLEVELAND OH 44113-3990



DOMINION ENERGY OHIO
PO BOX 26785
RICHMOND VA 23261-6785

01618001743002000000000574500000057454

2213 TERRACEWOOD LLC

3611 CHATHAM AVE UNIT UF
CLEVELAND OH 44113-3937
Account Number Date Prepared
6 1800 1743 0481 March 4, 2022

Next Meter Reading
04/01 - 04/06/2022



For questions about Dominion Energy Ohio charges call 1-800-362-7557

Credits and Charges Since Your Last Bill

Balance from Last Bill	\$41.09
Balance	\$41.09

Current Charges

Dominion Energy Ohio Distribution Charges	
Basic Service Charge	\$36.97
Usage-Based Charges	
.7 MCF @ \$.7571	0.53
Tax Savings Credit	2.61 CR
Gross Receipts Tax (4.6044%)	1.61

Total Dominion Energy Ohio Charges \$36.50
For questions about Dominion Energy Ohio charges, call us at 1-800-362-7557.

**Ohio Natural Gas Charges
Standard Choice Offer (SCO)**

Gas Cost .7 McF @ \$6.415	\$4.49
Sales Tax	0.36
Total OHIO NATURAL GAS Charges	\$4.85

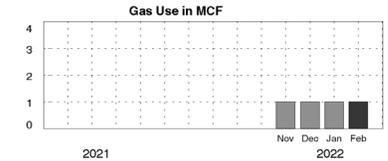
For questions about gas supply costs, contact OHIO NATURAL GAS at 1-888-466-4427 or Po Box 14657 Cleveland, Ohio 44114 or www.onlyong.com.

Total Current Charges \$41.35
Total Account Balance \$82.44

Rate Schedule: Energy Choice Transportation Service - Residential

Monthly Usage Comparison

Average Daily Temperature	2021	2022
For This Billing Period	25°F	31°F



Avg Monthly Use: 0.8 MCF.
Total Annual Use: 3.0 MCF.

Billing Period and Meter Readings

Date	Read Type	Reading	Difference
Meter Number	14876809		
Mar 4, 2022	Actual	792.9	
Feb 7, 2022	Actual	792.2	0.7
MCF Used in 25 Days			0.7

PLEASE PAY Account Balance of \$82.44 by Mar 23, 2022 to Avoid Late Payment Charge of 1.5% per month.

Please Use Our Return Envelope

We provide a return envelope for customers who like to pay their gas bills by mail. If you pay your bill by 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 Accell logo, or a Visa, MasterCard, or Discover credit card at www.DominionEnergy.com or at 1-833-261-1469. Paymentus provides this service. A service fee applies. Thank you for your cooperation.

ENERGYSHARE: Help people without heat by donating to EnergyShare. To donate, add exactly \$1, \$2, \$6, \$12, \$18 or \$36 to your payment or mail a separate check payable to EnergyShare, Salvation Army, P.O. Box 5847, Cleveland, OH 44101.

Please detach and return this coupon with a check made payable to Dominion Energy Ohio.

PLEASE PAY BY Mar 23, 2022 **Account No.** 6 1800 1743 0481

\$82.44

Amount Enclosed

21 175 ebill

000000000

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2213 TERRACEWOOD LLC
7482 CENTER ST
MENTOR OH 44060-5844

Convenient, Secure & Paperless eBill Makes It Easy!

eBill is a quick, safe, reliable, easy and paperless way to receive your bill. Receive email notifications when your statement is ready and when your bill is due. Enroll online or by using the Dominion Energy app. Visit DominionEnergy.com/oh-ebill to learn more.



DOMINION ENERGY OHIO
PO BOX 26785
RICHMOND VA 23261-6785

01618001743048100000000413500000082441

2213 TERRACEWOOD LLC

3611 CHATHAM AVE UNIT 3
CLEVELAND OH 44113-3937

Account Number Date Prepared
6 1800 1744 0485 March 4, 2022

Next Meter Reading
04/01 - 04/06/2022



Table with 2 columns: Description and Amount. Includes sections for Credits and Charges, Current Charges, and Direct Energy Services L L C Charges.

Monthly Usage Comparison section including a bar chart for Gas Use in MCF and a table for Billing Period and Meter Readings.

PLEASE PAY Account Balance of \$78.84 by Mar 23, 2022 to Avoid Late Payment Charge of 1.5% per month.

Please Use Our Return Envelope
We provide a return envelope for customers who like to pay their gas bills by mail.

ENERGYSHARE: Help people without heat by donating to EnergyShare. To donate, add exactly \$1, \$2, \$6, \$12, \$18 or \$36 to your payment or mail a separate check payable to EnergyShare, Salvation Army, P.O. Box 5847, Cleveland, OH 44101.

Please detach and return this coupon with a check made payable to Dominion Energy Ohio.

Amount Enclosed coupon for \$78.84

Convenient, Secure & Paperless eBill Makes It Easy! section

QR code and address information for 2213 TERRACEWOOD LLC

016180017440485000000000398000000078841

TERRACEWOOD LLC

3611 CHATHAM AVE UNIT 4 UNIT 4
CLEVELAND OH 44113-3937

Account Number Date Prepared
0 1800 1808 7330 March 4, 2022

Next Meter Reading
04/01 - 04/06/2022



Table with 2 columns: Description and Amount. Includes sections for Credits and Charges, Current Charges, and General Sales Service Rate.

Billing Period and Meter Readings section including a table with Date, Read Type, Reading, and Difference.

PLEASE PAY Account Balance of \$216.74 by Mar 23, 2022 to Avoid Late Payment Charge of 1.5% per month.

Please Use Our Return Envelope
We provide a return envelope for customers who like to pay their gas bills by mail.

ENERGYSHARE: Help people without heat by donating to EnergyShare. To donate, add exactly \$1, \$2, \$6, \$12, \$18 or \$36 to your payment or mail a separate check payable to EnergyShare, Salvation Army, P.O. Box 5847, Cleveland, OH 44101.

Please detach and return this coupon with a check made payable to Dominion Energy Ohio.

Amount Enclosed coupon for \$216.74

Convenient, Secure & Paperless eBill Makes It Easy! section

QR code and address information for TERRACEWOOD LLC

0101800180873300000000017674000000216746

102 465813082778 000000 00131316 I=0000

102 465813082778 000000 000712 I=0000



City of Cleveland
Justin M. Bibb, Mayor

Department of Building & Housing
601 Lakeside Avenue, Room 510
Cleveland, Ohio 44114-1070
216/664-3664
www.cleveland-oh.gov

Wednesday, October 26, 2022

Record ID: COD22-07749

CORINA S. DUMITRESCU
149 STONEPOINTE DRIVE
BEREA, OH 44017

RE: 3611 CHATHAM

In response to your inquiry of 10/24/2022, 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 6/21/1963 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
ZONING REVIEW
NOTICE OF NON-CONFORMANCE**

Examined By Richard M. Riccardi
December 21, 2022

Owner: Terracewood 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 three dwelling unit structure is denied due to the following:

Zoning Code
337.03

Text

Four dwelling unit structure not permitted in Two Family Residential zoning district.

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:

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- (2) The dwelling units to be created will be not 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 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.*

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 329.04(d) of the Cleveland Zoning Code.

/s./

Richard M. Riccardi
Zoning Administrator

3611 CHATHAM

REMODEL OF FOUR DWELLING BUILDING



San Francisco CA | Cleveland OH
corina@dcsite.com
415.416.5978

ARCHITECT:



CORINA DUMITRESCU
213850
EXP. DATE: DECEMBER 31 2023

PROJECT:

3611 CHATHAM

DESCRIPTION:
MAJOR REMODEL

ADDRESS:
3611 CHATHAM AVE
CLEVELAND OH 44113

OWNER:

TERRACEWOOD LLC
3611 CHATHAM AVE
CLEVELAND OH 44113

CONTACT: HILLMAN HANLEY
KODI DEVELOPMENT
330 800 7786

DESCRIPTION DATE

SITE PERMIT - NOT FOR CONSTRUCTION 10/17/2023

SCALE: AS NOTED

SHEET:

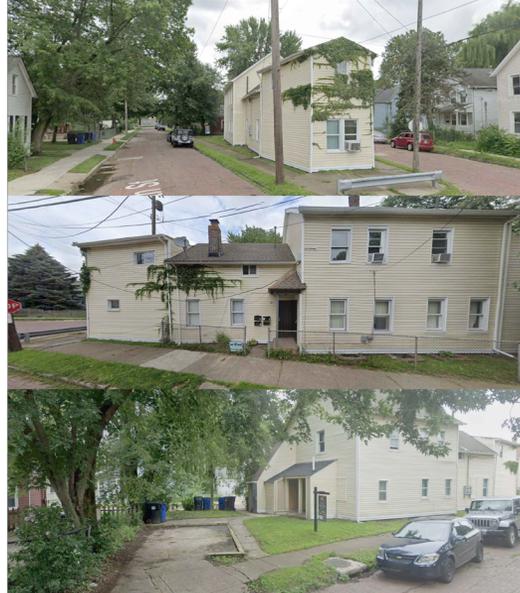
COVER SHEET

G1.1

ABBREVIATIONS & SYMBOLS

ALUM (OR AL.)	ALUMINUM	VIF (OR V.I.F.)	VERIFY IN FIELD
ALT	ALTERNATE	WDW	WINDOW
AFF (OR A.F.F.)	ABOVE FINISH FLOOR	W/	WITH
BD	BOARD	W/O	WITHOUT
BP	BUILDING PAPER	X	TIMES OR BY (AS IN "2X4")
BUR (OR B.U.R.)	BUILT UP ROOFING	Z	ANGLE
CLR	CLEAR OR CLEARANCE	CL	CENTER LINE
COL	COLUMN	Ø	DIAMETER
CONC	CONCRETE	°	DEGREES
CMU	CONCRETE MASONRY UNIT	±	PLUS/MINUS
CONT	CONTINUOUS	RL	PROPERTY LINE
DIA (OR DIAM.)	DIAMETER	RA	RADIUS
DIM	DIMENSION	OA	OVERALL
DS (OR D.S.)	DOWNSPOUT		
(E) OR EXIST	EXISTING		
EL (OR ELEV)	ELEVATION		
	ELECTRIC		
	ELECTRICAL		
	ELEVATOR		
	EQUAL		
EQ	EACH WAY		
EW	FINISH FLOOR		
FF (OR F.FL.)	FACE OF STUD		
FOS (OR F.O.S.)	GAUGE		
GA	GYP		
GYP	GYP BD		
GYP BD	HOLLOW METAL		
HM (OR H.M.)	HORIZONTAL		
HORIZ	HEATING VENTILATING AND		
HVAC	AIR CONDITIONING		
	INTERIOR		
INT	JOIST		
JST	JOINT		
JT	MAXIMUM		
MAX	MINIMUM		
MIN	MISCELLANEOUS		
MISC	NEW		
(N)	NOT IN CONTRACT		
NIC (OR N.I.C.)	NOT TO SCALE		
NTS (OR N.T.S.)	OVER		
O/	PRESSURE TREATED		
PT (OR P.T.)	PROPERTY LINE		
PL	REQUIRED		
REQ'D (OR REQ)	ROUGH OPENING		
RO	REVISION		
REV	ROUGH SAWN		
RS	REDWOOD		
RW	RAIN WATER LEADER		
RWL	SEE ARCHITECTURAL		
SAD (OR S.A.D.)	DRAWINGS		
	SELF-ADHERED MEMBRANE		
SAM (OR S.A.M.)	SLIDING GLASS DOOR		
SGD (OR S.G.D.)	SIMILAR		
SIM	SPECIFICATION(S)		
SPEC(S)	SQUARE		
SQ	SQUARE FEET		
SF	SEE STRUCTURAL DRAWINGS		
SSD (OR S.S.D.)	TO BE DETERMINED		
TBD	TONGUE & GROOVE		
T & G	THICKNESS		
TOC	TOP OF CONCRETE		
THK	TYPICAL		
TOS	TOP OF SLAB		
TYP	TYPICAL		
UL	UNDERWRITERS LABORATORY		
UON (OR U.O.N.)	UNLESS OTHERWISE NOTED		
VAR	VARIABLE		

VICINITY MAP



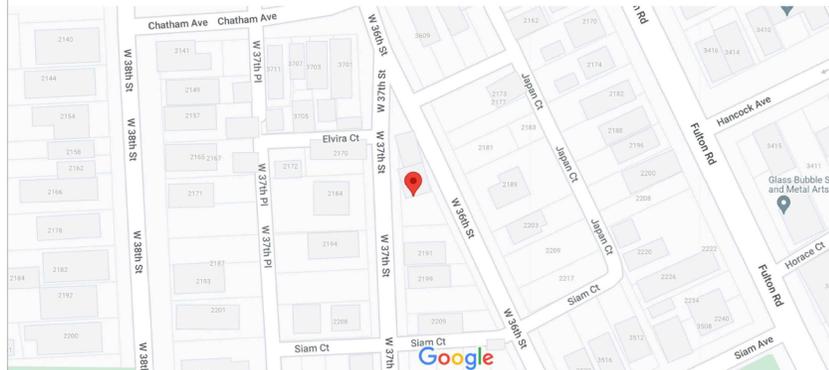
VIEW FROM NORTH

VIEW FROM WEST

VIEW FROM SOUTH EAST

SUBJECT PROPERTY

VICINITY MAP



PROJECT DESCRIPTION

REMODEL AND OF 4 DWELLING UNIT STRUCTURE

- NEW AND REPAIRED FINISHES
- NEW WINDOWS
- NEW INTERIOR FINISHES
- NEW WALLS AS NOTED
- NEW OFF STREET PARKING
- NEW LANDSCAPING

- THE FOLLOWING CODES APPLY:
- 2019 RESIDENTIAL CODE OH OHIO
- OHIO PLUMBING CODE 2017
- OHIO MECHANICAL CODE 2017
- NATIONAL ELECTRICAL CODE 2017 OF OHIO

SHEET INDEX

ARCHITECTURAL DRAWINGS:

G1.1	COVER/PROJECT DATA
G1.2	GENERAL NOTES
D1.1	EXISTING SITE PLAN
D2.1	EXISTING PLANS
D2.2	EXISTING PLANS
D3.1	EXISTING ELEVATIONS
D3.2	EXISTING ELEVATIONS
A1.1	SITE PLAN
A2.1	PROPOSED PLANS
A2.2	PROPOSED PLANS
A3.1	PROPOSED ELEVATIONS
A3.2	PROPOSED ELEVATIONS
A3.3	PROPOSED ELEVATIONS SECTIONS

TABULATION FORM

PROJECT ADDRESS	3611 CHATHAM AVE, CLEVELAND, OH. 44113
APPLICANT NAME	TERRACEWOOD LLC
LAND USE	RESIDENTIAL
LOT #	007-07-124

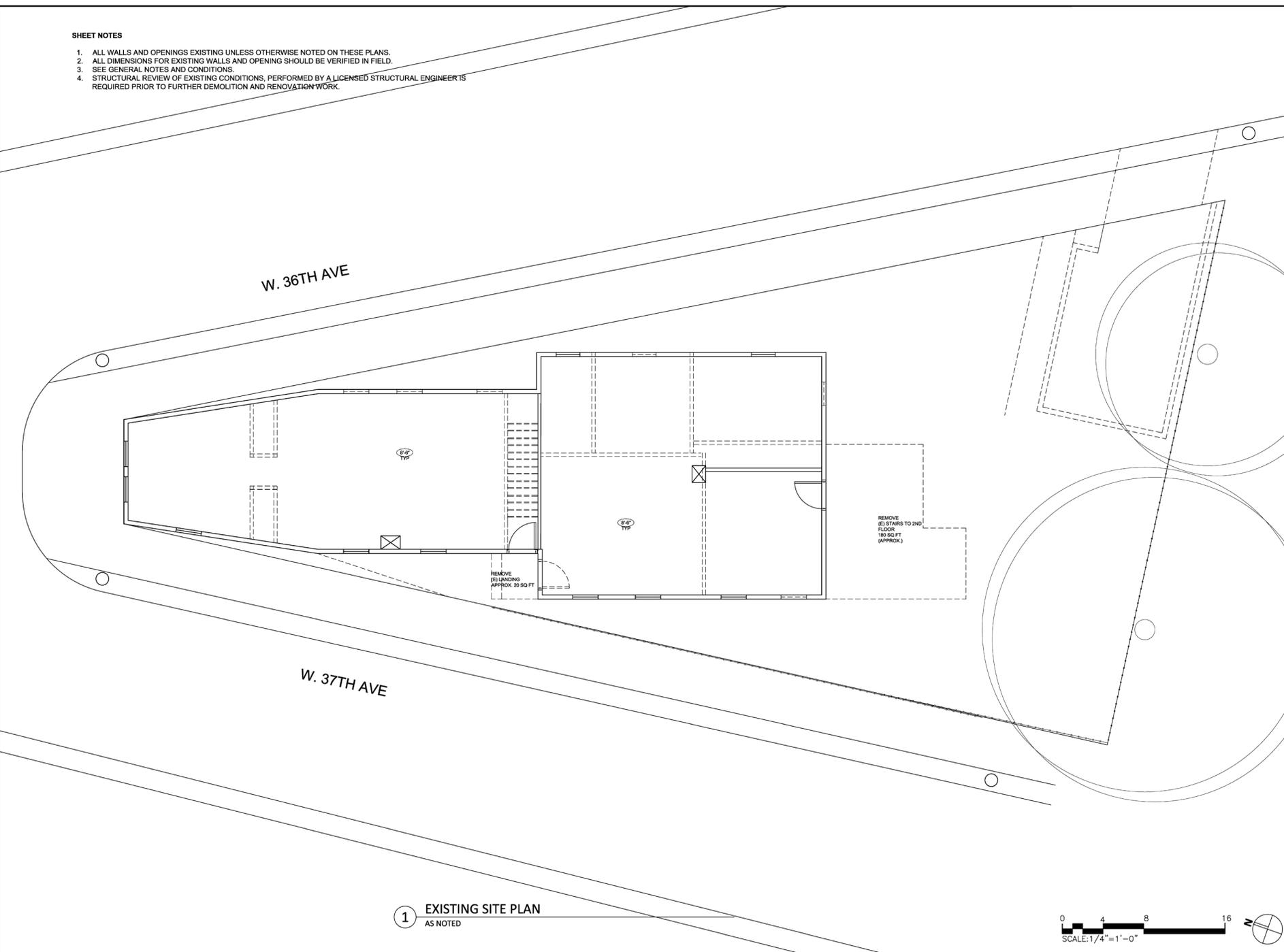
LOT	EXISTING	PROPOSED
LOT AREA	2,200 SQ FT (0.051 AC)	NO CHANGE
TOPOGRAPHY	LEVEL	NO CHANGE
SHAPE	IRREGULAR	NO CHANGE

STRUCTURE	EXISTING	PROPOSED
OCCUPANCY	R-3	R-3 (MULTIPLE DWELLING)
CONSTRUCTION	VB	VA
FIRE SUPPRESSION	NA	NA
DWELLING UNITS	4	NO CHANGE
GARAGE	NONE	NO CHANGE
PARKING	1 UNCOVERED	4 UNCOVERED
BASEMENT	UNFINISHED	NO CHANGE
STORIES	2	NO CHANGE
BEDROOMS	5 TOTAL	7 TOTAL
BATH	4 TOTAL	NO CHANGE
1ST FL. AREA	1,316 SF	1,331 SF
2ND FL. AREA	1,316 SF	1,316 SF
TOTAL AREA	2,632 SF	2,647 SF
BUILDING FOOTPRINT	1,493 SF	1,418 SF
(INCLUDES COVERED ENTRIES)		

AREA BY UNITS	#1 - 524 SF (2 BED / 1 BATH)
	#2 - 648 SF (2 BED / 1 BATH)
	#3 - 566 (1 BED / 1 BATH)
	#4 - 749 (2 BED / 1 BATH)

SHEET NOTES

- 1. ALL WALLS AND OPENINGS EXISTING UNLESS OTHERWISE NOTED ON THESE PLANS.
- 2. ALL DIMENSIONS FOR EXISTING WALLS AND OPENING SHOULD BE VERIFIED IN FIELD.
- 3. SEE GENERAL NOTES AND CONDITIONS.
- 4. STRUCTURAL REVIEW OF EXISTING CONDITIONS, PERFORMED BY A LICENSED STRUCTURAL ENGINEER IS REQUIRED PRIOR TO FURTHER DEMOLITION AND RENOVATION WORK.



San Francisco CA | Cleveland OH
corina@dbsite.com
415.416.5978

ARCHITECT:



CORINA DUMITRESCU
2118250
EXP. DATE: DECEMBER 31 2023

PROJECT:

3611 CHATHAM

DESCRIPTION:
MAJOR REMODEL

ADDRESS:
3611 CHATHAM AVE
CLEVELAND OH 44113

OWNER:

TERRACEWOOD LLC
3611 CHATHAM AVE
CLEVELAND OH 44113

CONTACT: HILLMAN HANLEY
KODI DEVELOPMENT
330 800 7786

DESCRIPTION	DATE
SITE PERMIT - NOT FOR CONSTRUCTION	10/17/2022

SCALE: AS NOTED

SHEET:

**EXISTING SITE
PLAN AND
DEMO**

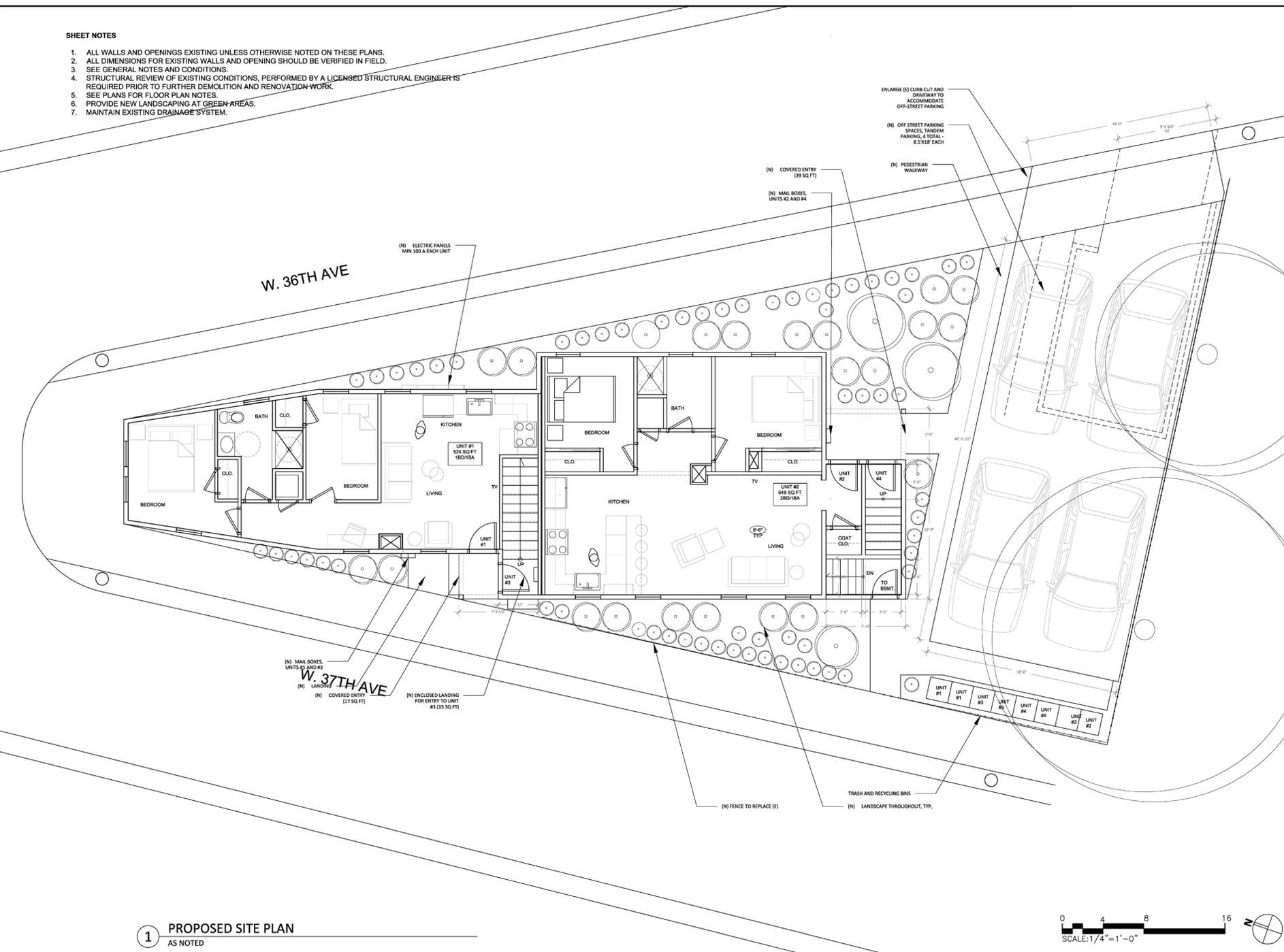
D1.1

1 EXISTING SITE PLAN
AS NOTED



SHEET NOTES

1. ALL WALLS AND OPENINGS EXISTING UNLESS OTHERWISE NOTED ON THESE PLANS.
2. ALL DIMENSIONS FOR EXISTING WALLS AND OPENING SHOULD BE VERIFIED IN FIELD.
3. SEE GENERAL NOTES AND CONDITIONS.
4. STRUCTURAL REVIEW OF EXISTING CONDITIONS, PERFORMED BY A LICENSED STRUCTURAL ENGINEER IS REQUIRED PRIOR TO FURTHER DEMOLITION AND RENOVATION WORK.
5. SEE PLANS FOR FLOOR PLAN NOTES.
6. PROVIDE NEW LANDSCAPING AT GREEN AREAS.
7. MAINTAIN EXISTING DRAINAGE SYSTEM.



San Francisco CA | Cleveland OH
 corina@dcsite.com
 415.416.5978

ARCHITECT:



CORINA DUMITRESCU
 2118250
 EXP. DATE: DECEMBER 31 2023

PROJECT:

3611 CHATHAM

DESCRIPTION:
 MAJOR REMODEL

ADDRESS:
 3611 CHATHAM AVE
 CLEVELAND OH 44113

OWNER:
 TERRACEWOOD LLC
 3611 CHATHAM AVE
 CLEVELAND OH 44113

CONTACT: HILLMAN HANLEY
 KODI DEVELOPMENT
 330 800 7786

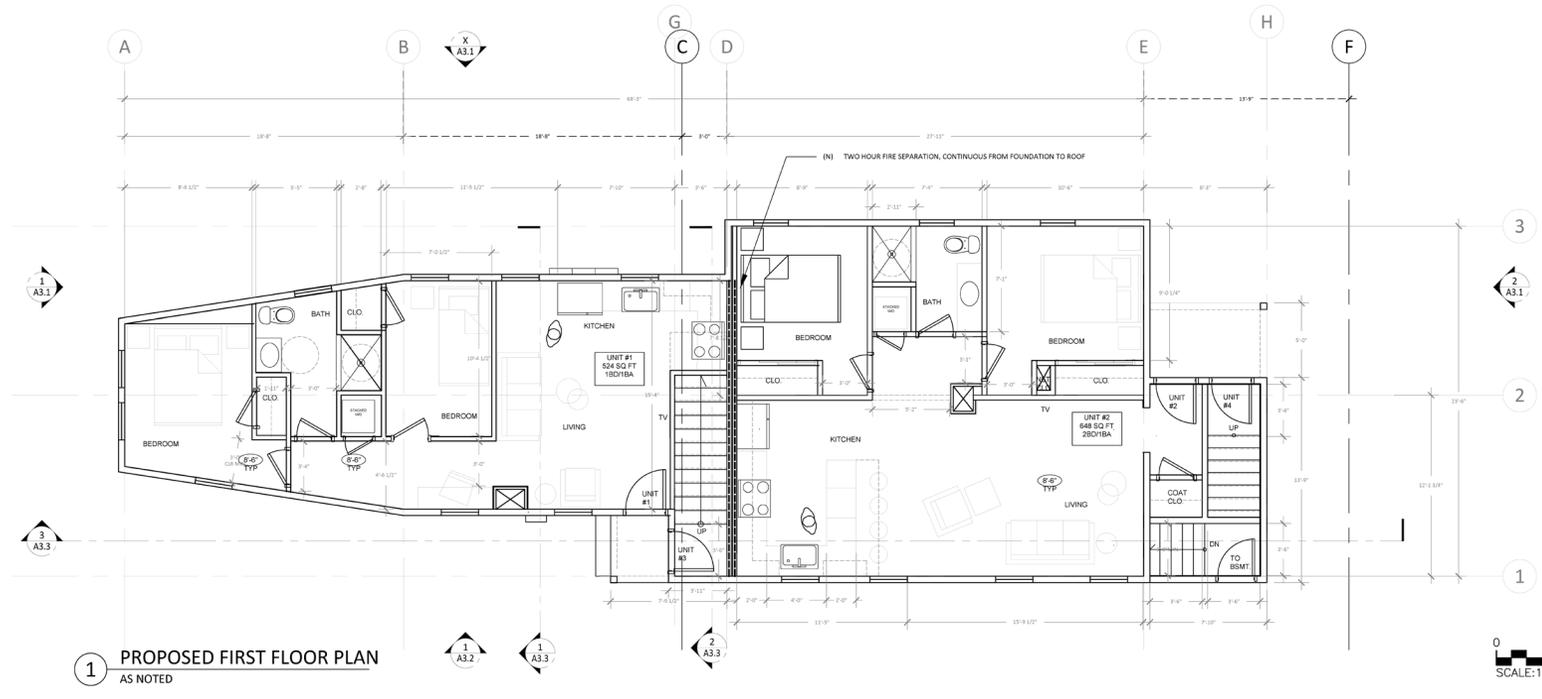
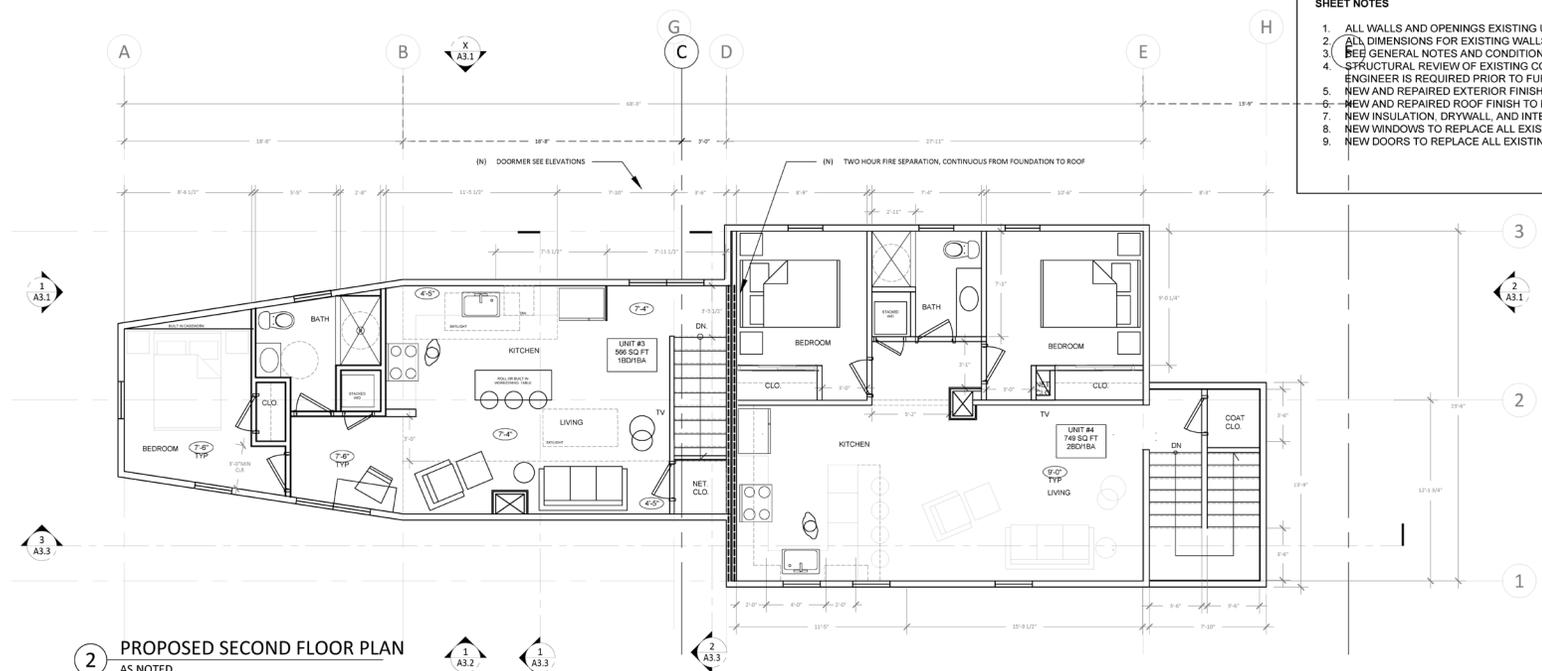
DESCRIPTION	DATE
SITE PERMIT - NOT FOR CONSTRUCTION	10/17/2022

SCALE: AS NOTED
 SHEET:

PROPOSED SITE PLAN

A1.1





- SHEET NOTES**
1. ALL WALLS AND OPENINGS EXISTING UNLESS OTHERWISE NOTED ON THESE PLANS.
 2. ALL DIMENSIONS FOR EXISTING WALLS AND OPENING SHOULD BE VERIFIED IN FIELD.
 3. SEE GENERAL NOTES AND CONDITIONS.
 4. STRUCTURAL REVIEW OF EXISTING CONDITIONS, PERFORMED BY A LICENSED STRUCTURAL ENGINEER IS REQUIRED PRIOR TO FURTHER DEMOLITION AND RENOVATION WORK.
 5. NEW AND REPAIRED EXTERIOR FINISHES TO MATCH EXISTING, AS NEEDED.
 6. NEW AND REPAIRED ROOF FINISH TO MATCH EXISTING, AS NEEDED.
 7. NEW INSULATION, DRYWALL, AND INTERIOR FINISHES THROUGHOUT.
 8. NEW WINDOWS TO REPLACE ALL EXISTING WINDOWS.
 9. NEW DOORS TO REPLACE ALL EXISTING DOORS.



San Francisco CA | Cleveland OH
corina@dcsite.com
415.416.5978



CORINA DUMITRESCU
213850
EXP. DATE: DECEMBER 31 2023

PROJECT:
3611 CHATHAM

DESCRIPTION:
MAJOR REMODEL

ADDRESS:
3611 CHATHAM AVE
CLEVELAND OH 44113

OWNER:
TERRACEWOOD LLC
3611 CHATHAM AVE
CLEVELAND OH 44113

CONTACT: HILLMAN HANLEY
KODI DEVELOPMENT
330 800 7786

DESCRIPTION	DATE
PRELIMINARY SITE PLAN FOR CONSTRUCTION	10/17/2022

SCALE: AS NOTED
SHEET:

PROPOSED PLANS

A2.1



SHEET NOTES

1. ALL WALLS AND OPENINGS EXISTING UNLESS OTHERWISE NOTED ON THESE PLANS.
2. ALL DIMENSIONS FOR EXISTING WALLS AND OPENING SHOULD BE VERIFIED IN FIELD.
3. SEE GENERAL NOTES AND CONDITIONS.
4. STRUCTURAL REVIEW OF EXISTING CONDITIONS, PERFORMED BY A LICENSED STRUCTURAL ENGINEER IS REQUIRED PRIOR TO FURTHER DEMOLITION AND RENOVATION WORK.
5. NEW AND REPAIRED EXTERIOR FINISHES TO MATCH EXISTING, AS NEEDED.
6. NEW AND REPAIRED ROOF FINISH TO MATCH EXISTING, AS NEEDED.
7. NEW INSULATION, DRYWALL, AND INTERIOR FINISHES THROUGHOUT.
8. NEW WINDOWS TO REPLACE ALL EXISTING WINDOWS.
9. NEW DOORS TO REPLACE ALL EXISTING DOORS.



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 415.416.5978

ARCHITECT:



CORINA DUMITRESCU
 2138250
 EXP. DATE: DECEMBER 31 2023

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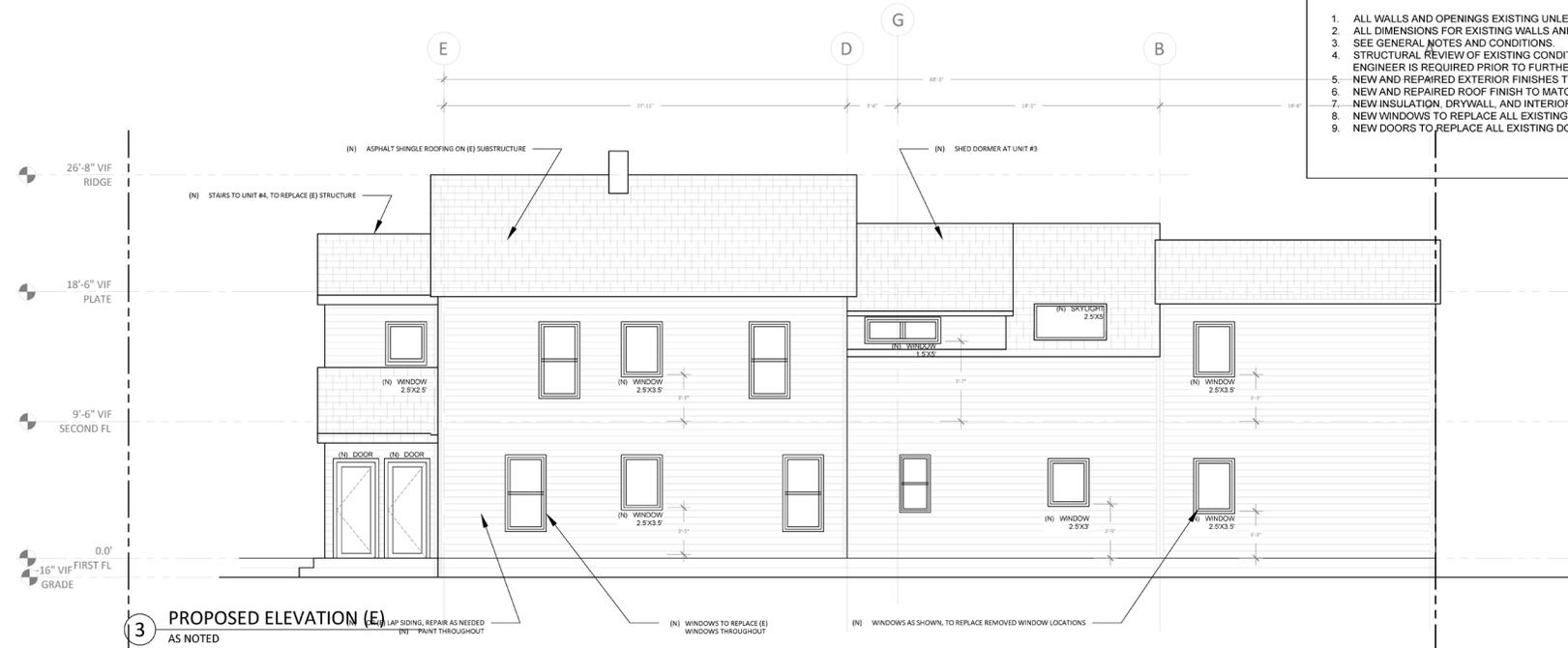
DESCRIPTION	DATE
PREPARED, NOT FOR CONSTRUCTION	10/17/2022

SCALE: AS NOTED

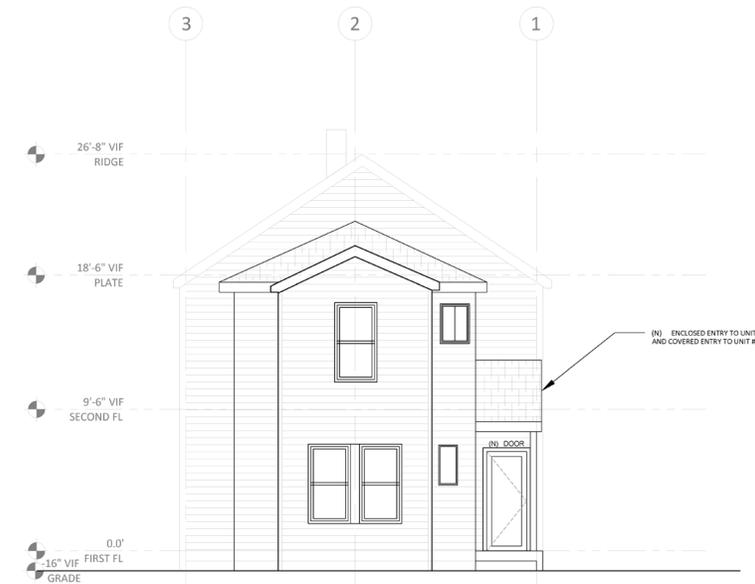
SHEET:

PROPOSED ELEVATIONS

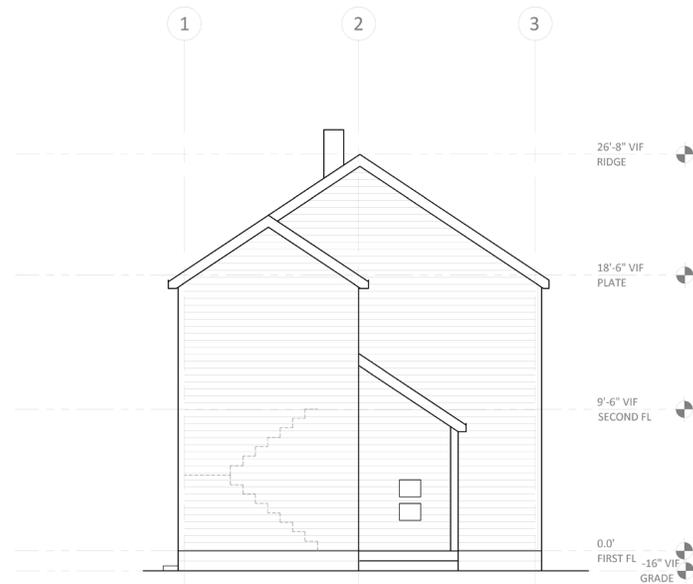
A3.1



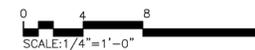
3 PROPOSED ELEVATION (E)
 AS NOTED



1 PROPOSED ELEVATION (N)
 AS NOTED



2 PROPOSED ELEVATION (S)
 AS NOTED



SHEET NOTES

1. ALL WALLS AND OPENINGS EXISTING UNLESS OTHERWISE NOTED ON THESE PLANS.
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 CLEVELAND OH 44113

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 CLEVELAND OH 44113

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 KODI DEVELOPMENT
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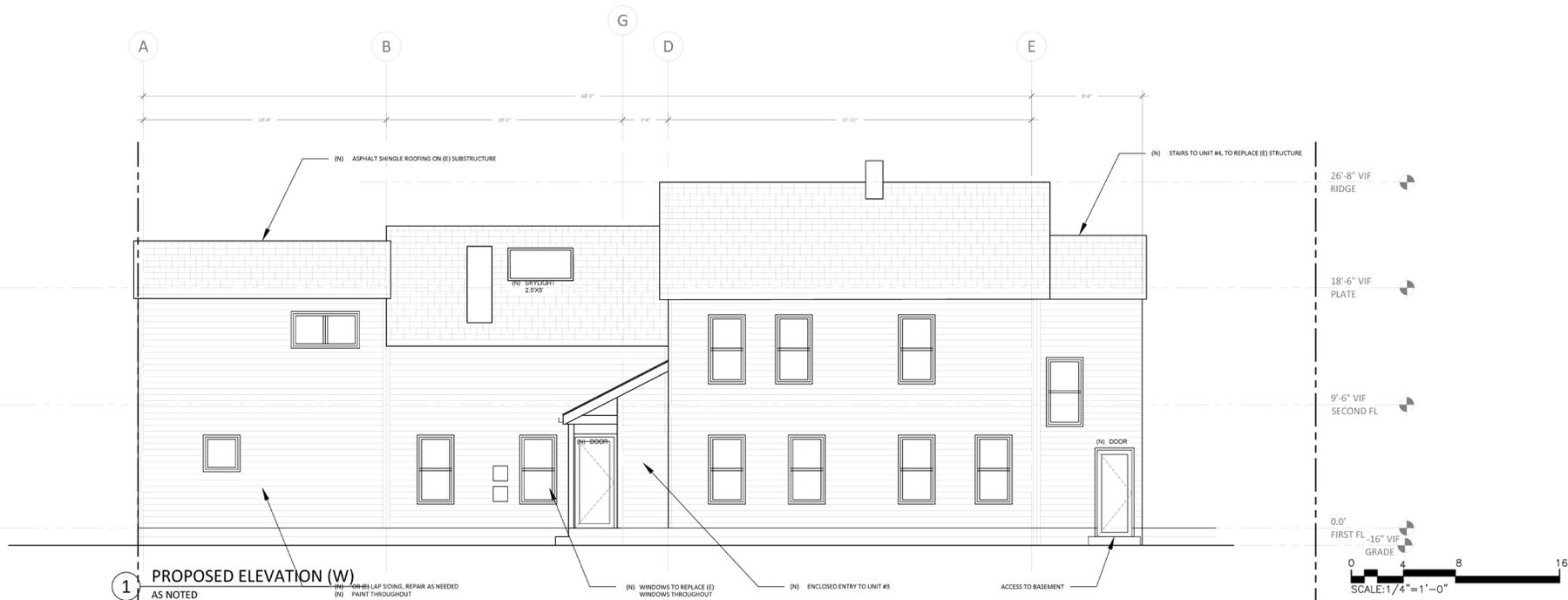
DESCRIPTION	DATE
STEREOPAIR, NOT FOR CONSTRUCTION	10/17/2022

SCALE: AS NOTED

SHEET:

PROPOSED ELEVATIONS

A3.2



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)



Public Hearing

Calendar No. 22-228:

4015 Gifford Ave.

Ward 13



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 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:

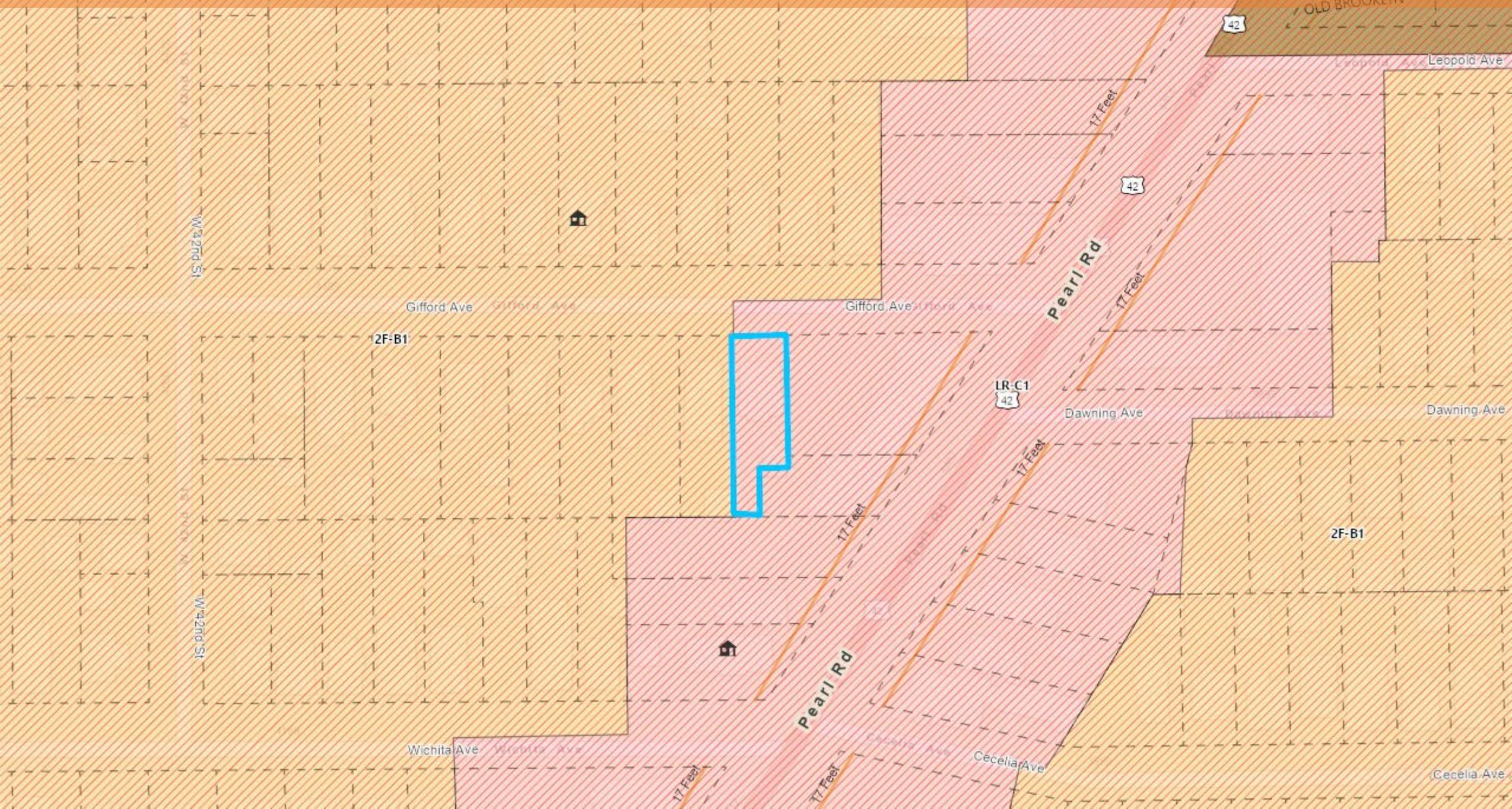
4015 Gifford Ave.

Ward 13

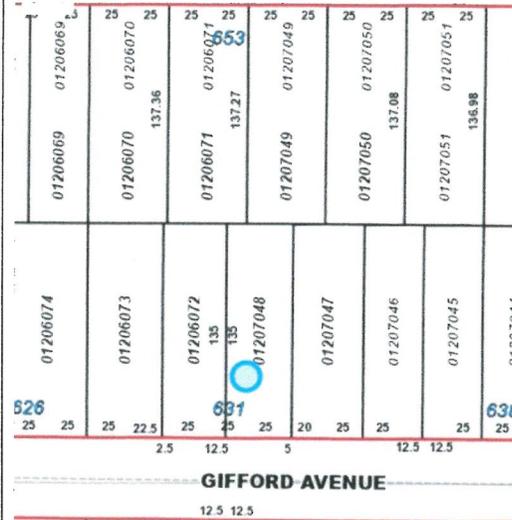
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Gifford Avenue

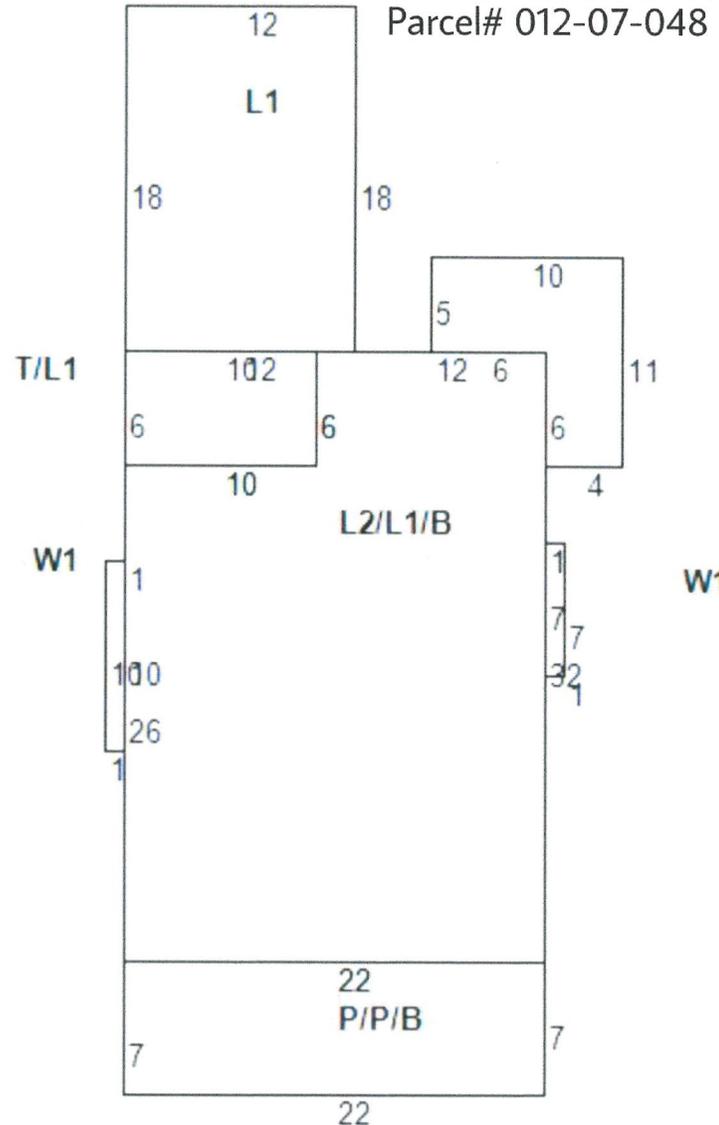




SITE PLAN



Parcel# 012-07-048



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 106.1.3(1-9)

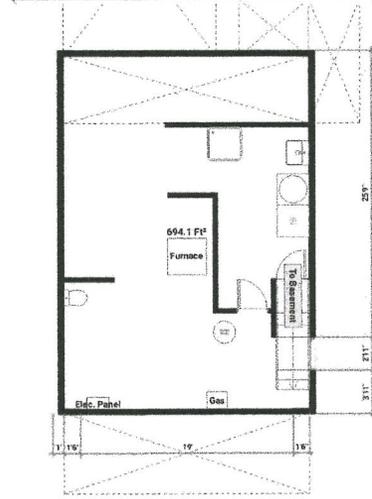
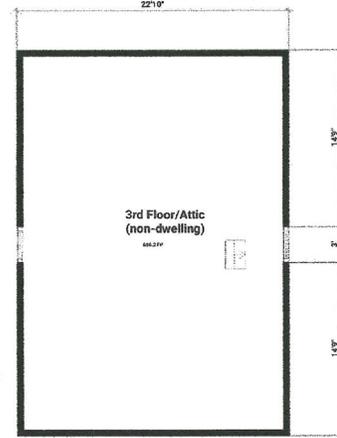
Draftsman: Jarrel Finney
of ENTrepreneur Hustle LLC
Realestate & Property Solutions
Principal: DHC Architects & Planners
216-732-0756
enthustle@gmail.com

Floor Plan Layout



*All bedroom windows meet 5.0 sqft for first floor and 5.7 sqft. for second floor per R310.1 thru R310.1.4

*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

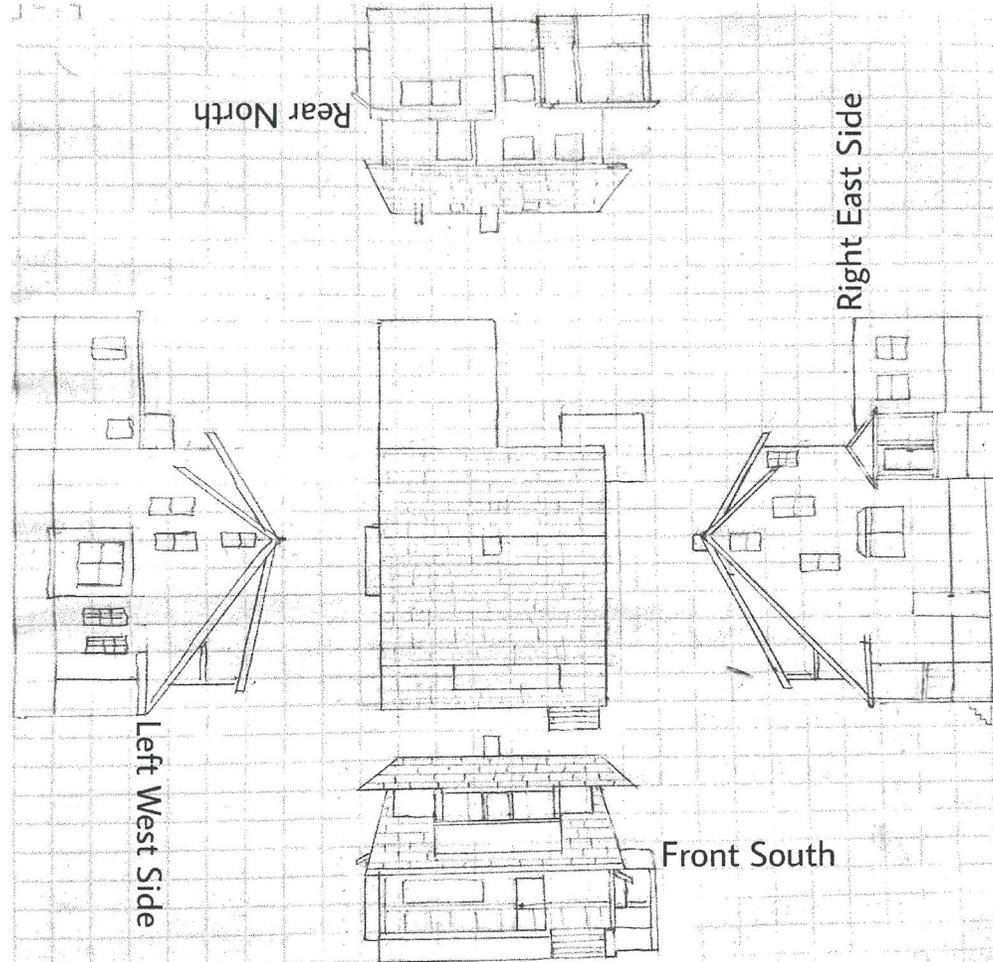
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Draftsman: Jarrel Finney
of ENTrepreneur Hustle LLC
Realestate & Property Solutions
Principal: DHC Architects & Planners
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Elevation View



SALLY~ANN ADULT CARE
4100 GIFFORD AVE

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
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architectual 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
106.1.3(1-9)

Draftsman: Jarrel Finney
of ENTrepreneur Hustle LLC
Realestate & Property Solutions
Principal: DHC Architects & Planners
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Cleveland Board of Zoning Appeals

Old Business



Public Hearing



1. Cal. No. 22-236:	1780 E. 89 St.	(KB,AF,TB, NH,PR)
2. Cal. No. 22-237:	0 West 20 th St.	(KB,AF,TB,NH,PR)
3. Cal. No. 23-001:	12403 Mayfield Rd.	(KB,AF,TB,NH,PR)
4. Cal. No.23-002:	1975 Ford Dr.	(KB,AF,TB,NH,PR)
5. Cal. No.23-003:	1251 Ansel Rd.	(KB ,AF,TB,NH,PR)
6. Cal. No. 22-229:	2283 Chestnut Hills	(KB,TB,NH,PR)
7. Cal. No. 23-013:	Appeal of Laura Cyrocki/1975 Ford	(KB,TB,NH,PR)
8. Cal. No. 22-182:	1116 Auburn Ave.	(TB,AF,NH,PR)*
9. Cal. No. 22-224:	522 East 105 St.	(KB,TB, AF, NH,PR)*
10. Cal. No. 22-208:	2458 Tremont Ave.	(KB,TB,AF,NH, PR)
11. Cal. No. 22-186:	17426 Harvard Rd.	(KB,TB,AF,NH,PR)*
12. Cal. No. 22-191:	1331 West 70 St.	(KB,AF,NH, PR)~
13. Cal. No. 22-184:	1209 Clark Ave.,	(AF,TB,NH,PR)~
14. Cal. No. 22-018:	4420 East 156 St.	(KB,TB,AF,MB)* REMINDER SENT
15. Cal. No. 22-035:	5807 Detroit Ave.	(KB,TB,AF, MB)*** req. rules sent
16. Cal. No. 22-022:	1010 E. 146 St.	(KB, TB, AF, MB) REMINDER SENT
17. Cal. No. 22-41:	1453 W. 116 St.	(KB, TB, AF, MB)* REMINDER SENT
18. Cal. No. 21-203:	8502 Hough Ave.	(KB, TB, AF, MB)* REMINDER SENT
19. Cal. No. 21-202:	5001 Memphis	(KB, MB,. AF)* REMINDER SENT
20. Cal. No. 21-177:	18403 Euclid Ave.	(KB, MB, AF)* REMINDER SENT
21. Cal. No. 21-091:	4157 Lorain Ave.	(D,KB,AF,MB)* REMINDER SENT

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

