



Cleveland Board of Zoning Appeals

Monday November 6, 2023 at 9:30 AM

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

Alanna Faith, Board Chair

Elizabeth Kukla, Secretary

Cleveland Board of Zoning Appeals

November 6, 2023

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.

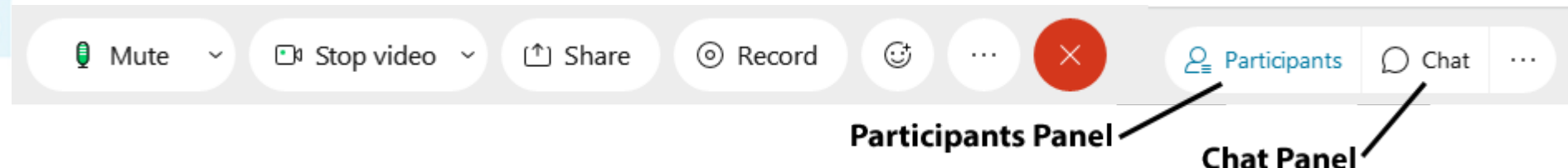
IN ORDER TO ENSURE THAT EVERYONE PARTICIPATING IN THE MEETING HAVE THE OPPORTUNITY TO BE HEARD, WE ASK THAT YOU USE THE RAISE HAND FEATURE BEFORE ASKING A QUESTION OR MAKING A COMMENT. THE RAISE HAND FEATURE CAN BE FOUND IN THE PARTICIPANTS PANEL ON THE DESKTOP AND MOBILE VERSION AND ACTIVATED BY CLICKING 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

November 6, 2023

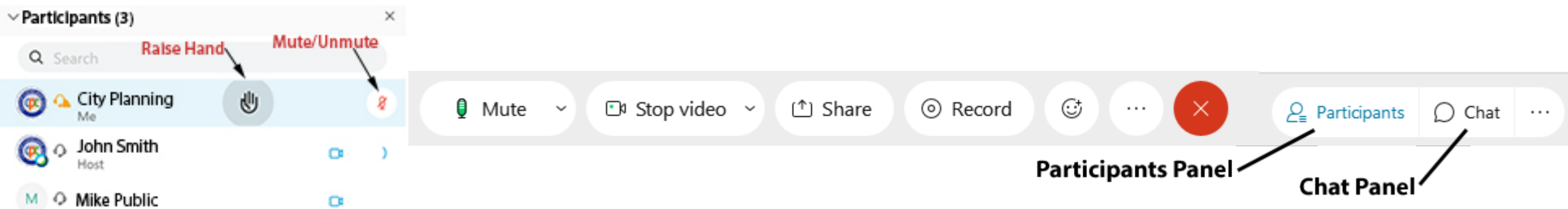
Preamble

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. 22-178:

2018 West 103 St

Ward 15

Kimberly Glass, proposes to establish use as Day Care for up to 12 children in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.02(g)(3)(C) which states Day Care use in Residential District permitted only if located not less than thirty (30) feet from any adjoining premises in a Residence District not used for a similar purpose, and if approved 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 building and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood.



Public Hearing

Calendar No. 22-178:

2018 West 103rd.

Ward 15



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





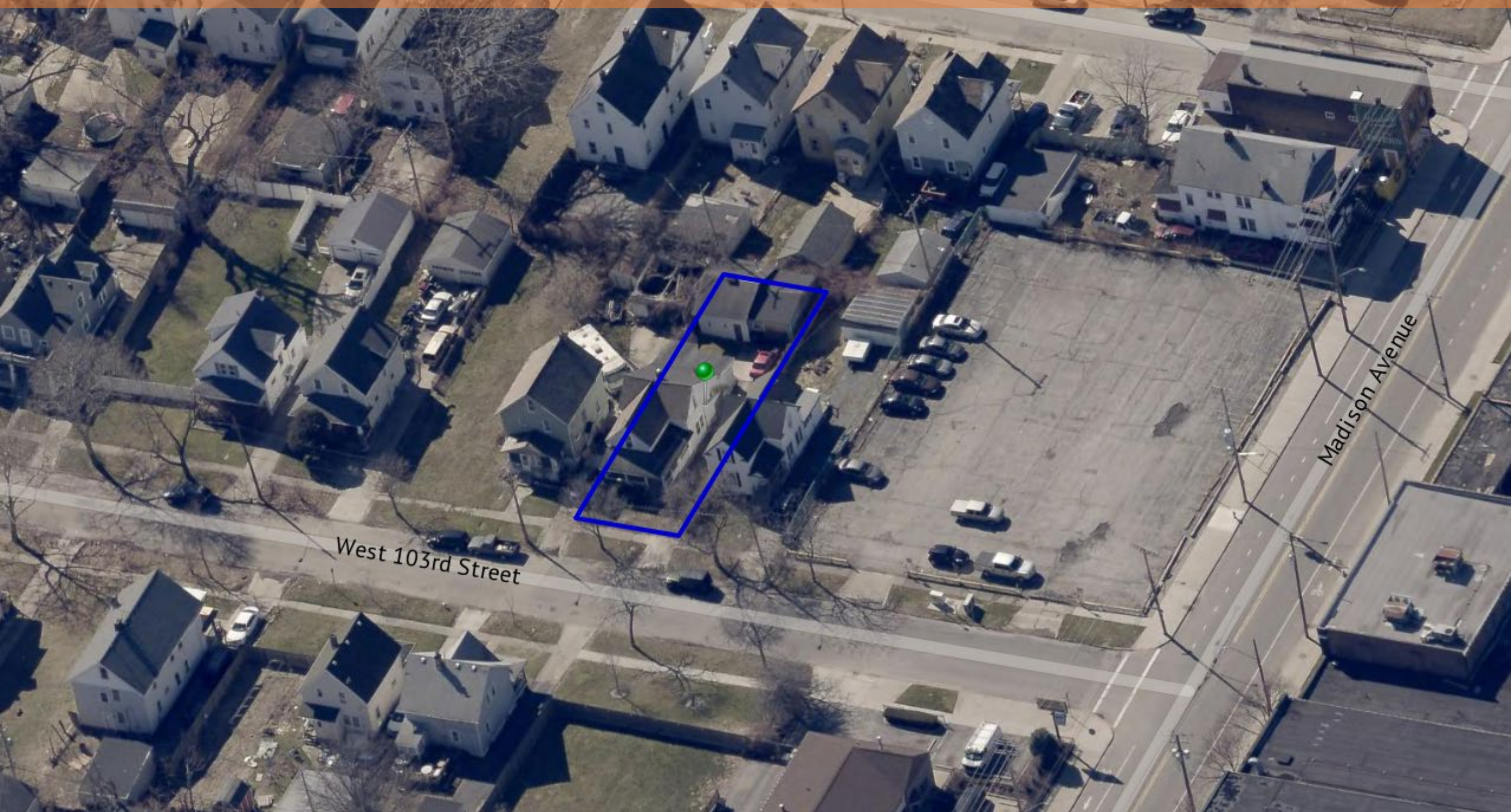
LEGAL STANDARD

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.





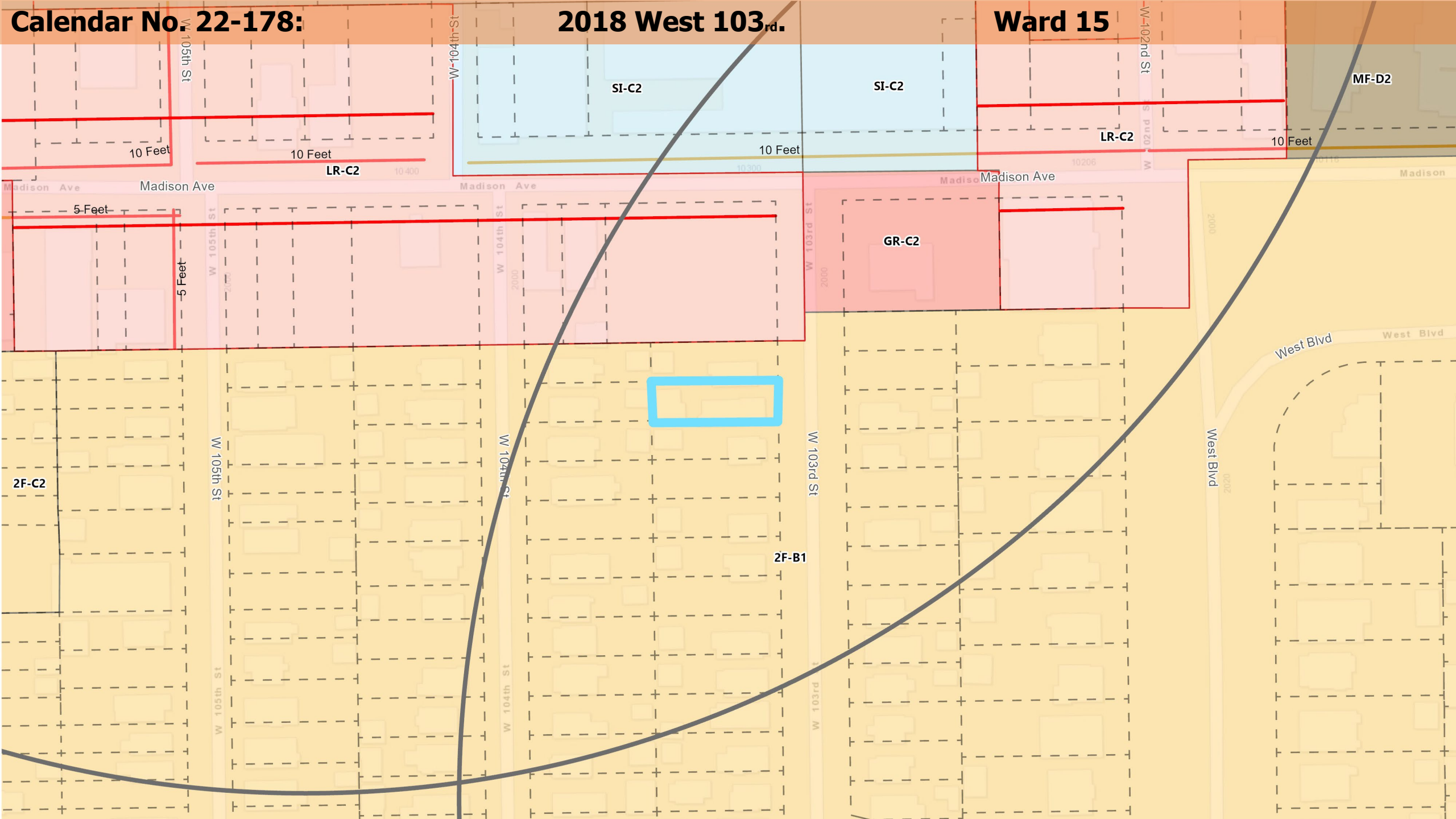
West 103rd Street

Madison Avenue

Calendar No. 22-178:

2018 West 103rd.

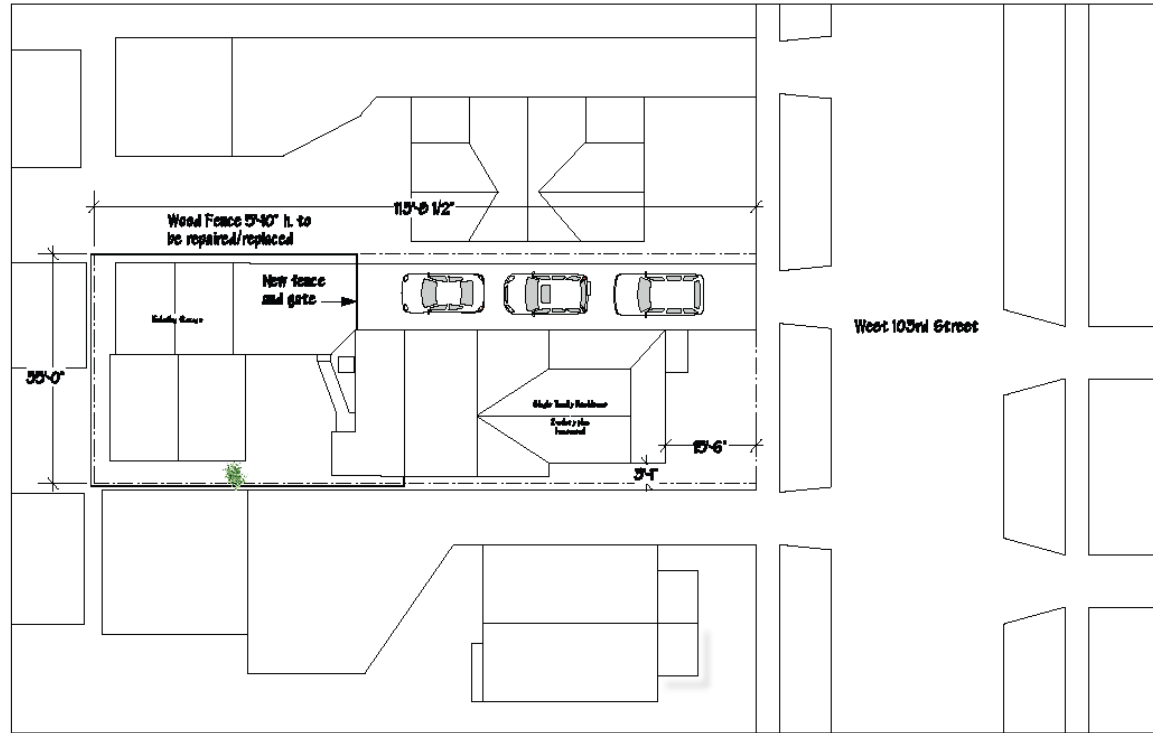
Ward 15



Project Description:

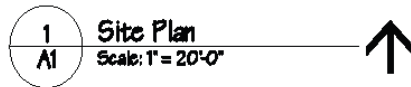
Application for TYPE A Child Daycare Certification for 12 children, 6-weeks to 13 years old, cared for in the provider's home. The provider's own children under 6 years of age must be included in the total count.

1. This is a new home day-care facility.
2. All window and door screens are tight-fitting and free of breaks
3. All windows used for ventilation are screened. (confirm?)
4. Total usable wall-to-wall daycare floor space: 450 square feet; 41 square feet/child based on 12 children (exceeds minimum requirement: 35 s.f.)
5. Outdoor Play Area: The back yard is fenced in. Total area: 725 square feet; 61.25 square feet/child based on 12 children (exceeds minimum requirement: 60 s.f.)
6. Act/tables are on the first floor and ?
7. All unused electrical outlets are covered with child proof covers
8. Cots are stored in ?
9. Existing landscaping to remain
10. Air conditioning:
 Heat: Forced Hot Air - Gas Furnace?
 Gross Interior square feet
 First Floor: 1065 SF
 Basement: 920 SF
 Natural light:
 First Floor: 270.5 SF
 Basement: 0 SF
 Natural ventilation: square feet
 First Floor: 1002 SF
 Basement: 2 SF



Drawing List

- A1 - Cover Sheet w/Site Plan
- A2 - First Floor Plan
- A3 - Basement Floor Plan
- A4 - Second Floor Plan



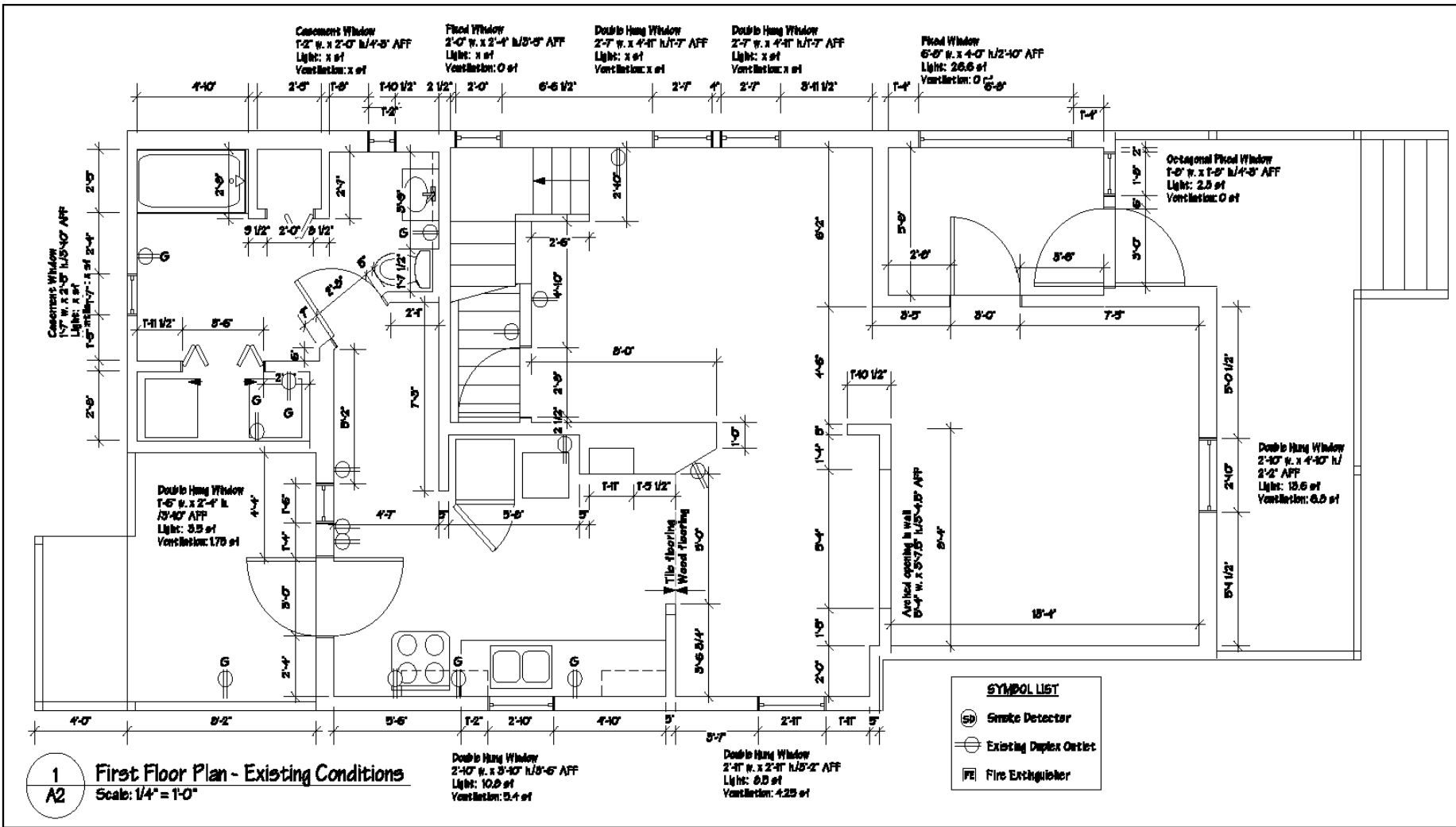
Sally L. Levine, AIA, LEED
 AP, BDHC
 Levine
 Architecture
 & Design
 Ltd.
 6 Interlaken Blvd., #100 44122
 p: 216-763-4481
 c: 216-762-1092
 e: sll@levine-ai.com

TYPE A - Home Child Day Care

2018 W. 103rd Street, Cleveland, OH 44102

A1

12 August 2025



Sally L. Levine, AIA, LEED
AP, BDHC
Levine
Architecture
& Design,
Ltd.
6 Inverleigh, #10 44222
p: 216-763-4061
c: 216-722-1092
e: sally@levine-a.com

TYPE A - Home Child Day Care
2018 W. 103rd Street, Cleveland, OH 44102

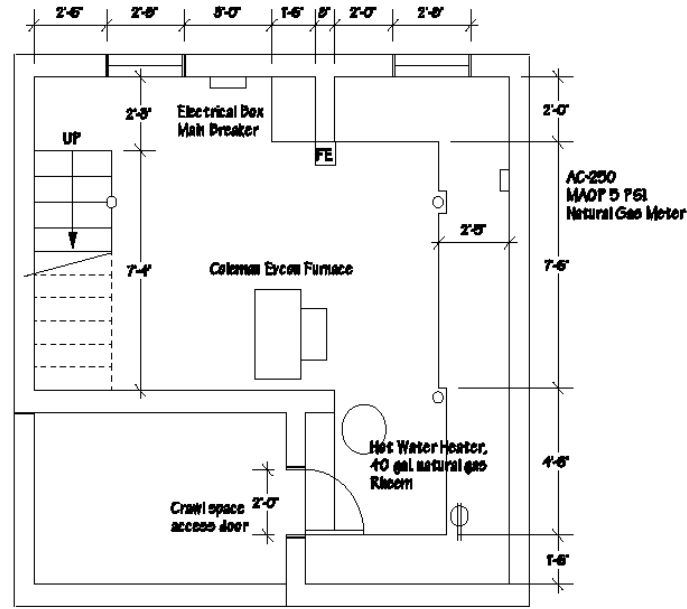
A2

12 August 2025

Glass Block Window
 2'-0" W. x 1'-4" H/3'-6" AFF
 Light: x of
 Ventilation: 0 of

Glass Block Window
 2'-0" W. x 1'-4" H/3'-6" AFF
 Light: x of
 Ventilation: 0 of

SYMBOL LIST	
	Smoke Detector
	Existing Duplex Outlet
	Fire Extinguisher



1
A3 Basement Floor Plan
 Scale: 1/4" = 1'-0"

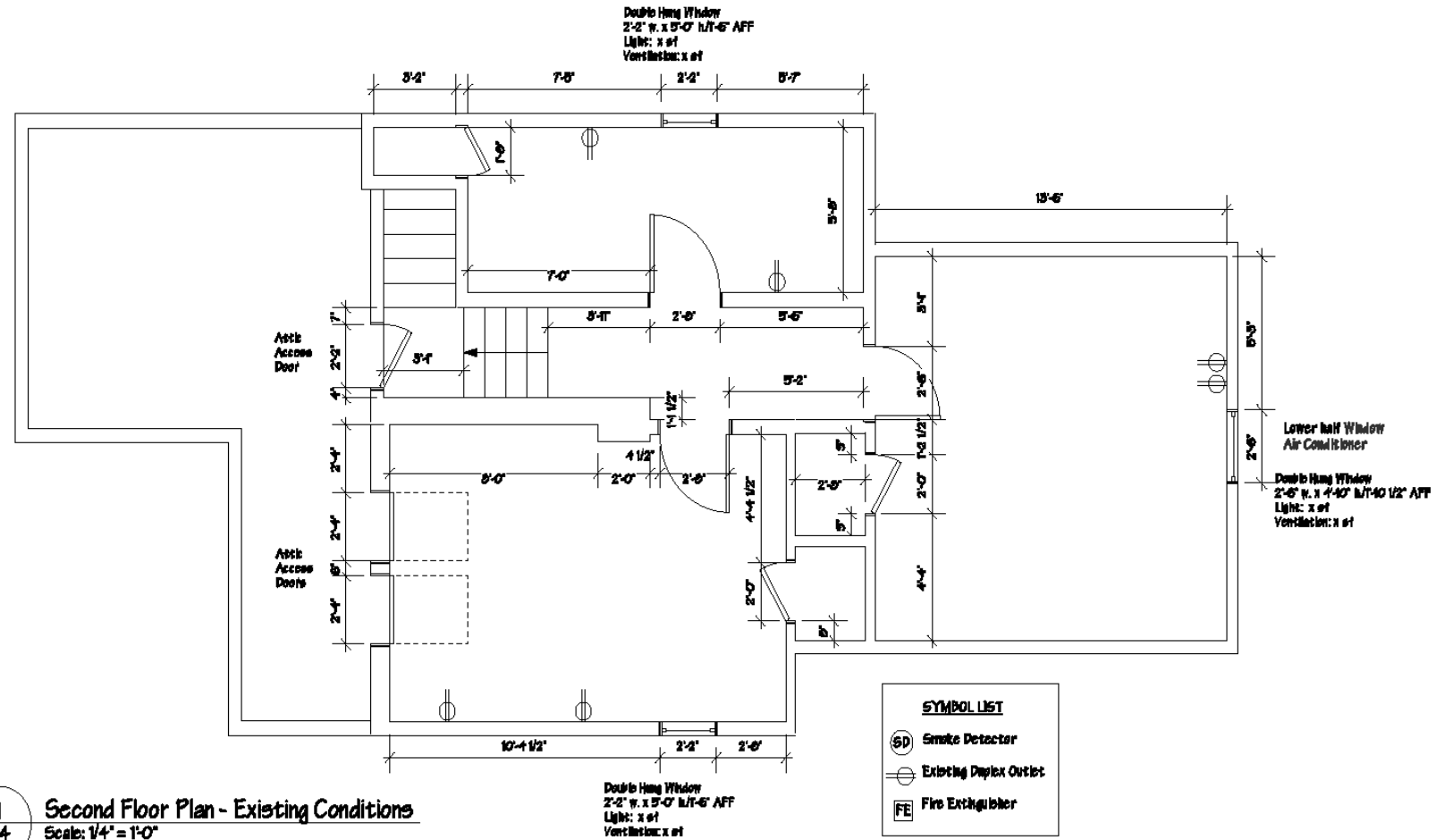
Sally L. Levine, AIA, LEED
 AP, BD+C
 Levine
 Architecture
 & Design
 Ltd.
 6 Interlaken, #10 44222
 P: 216-763-4081
 C: 216-762-1092
 C: sll@levine-ai.com

TYPE A - Home Child Day Care

2018 W. 103rd Street, Cleveland, OH 44102

A3

12 August 2025



1 Second Floor Plan - Existing Conditions
A4 Scale: 1/4" = 1'-0"

Sally L. Levine, AIA, LEED
AP, BDHC
Levine
Architecture
& Design
Ltd.
6 Inverleigh, #10 4422
p: 216-763-4061
c: 216-722-1092
s: sally@levine-a.com

TYPE A - Home Child Day Care

2018 W. 103rd Street, Cleveland, OH 44102

A4

12 August 2025

Public Hearing

Calendar No. 22-179:

15225 Industrial Pkwy.

Ward 16



Old Dominion Freight Line Inc., owner, proposes to install a ten (10) foot tall electrified fence in an A3 General Industry District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 358.05(a)(1) which states in General Industry Districts, fences in actual front yards and in actual side street yards shall not exceed six (6) feet in height; proposed fence is ten (10) feet high in front yard area.



Public Hearing

Calendar No. 22-179:

15225 Industrial Pkwy.

Ward 16



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE
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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 an area variance from the fencing 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.





Industrial Parkway

West 150th Street

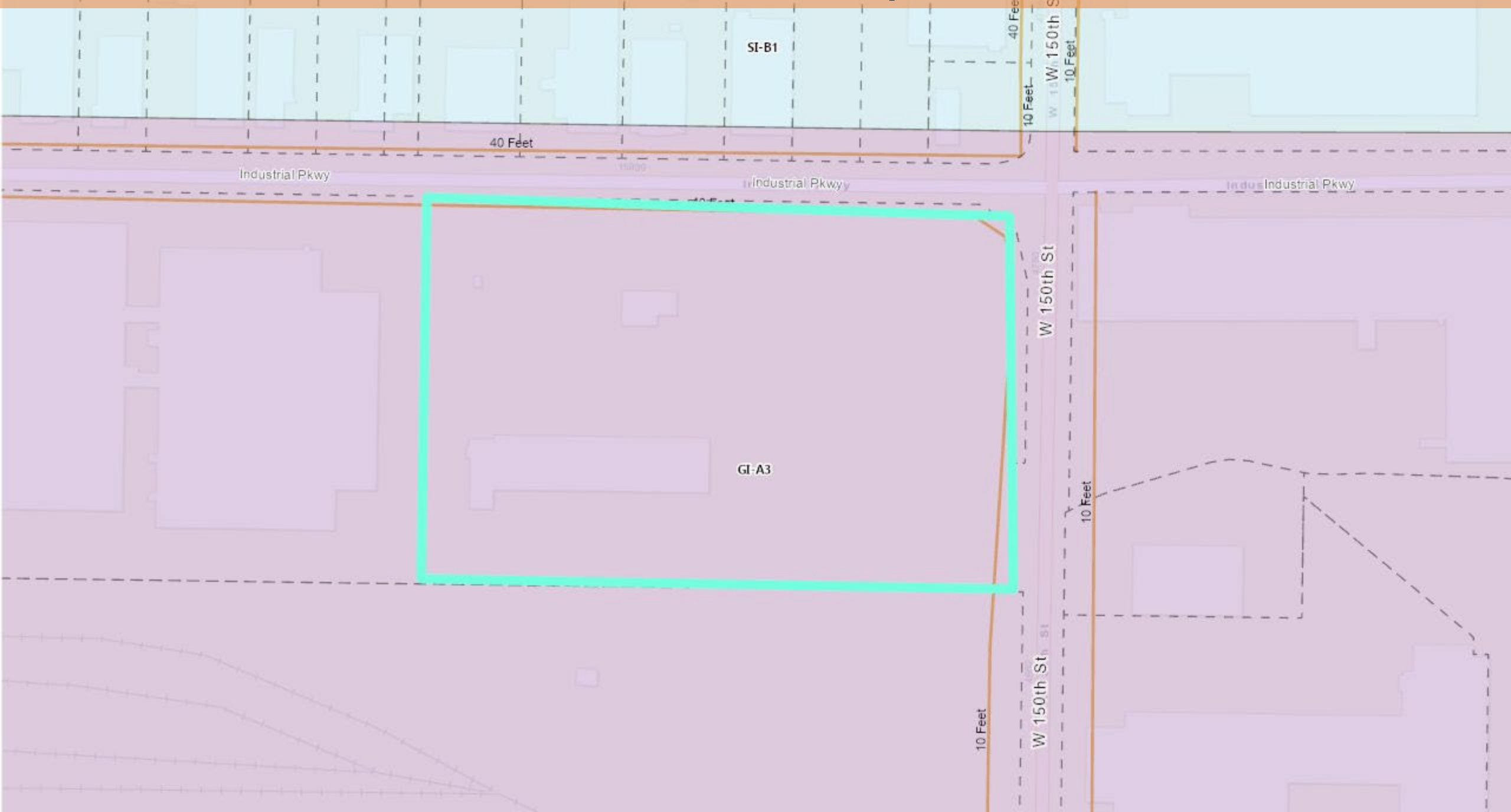
Louis Avenue

Marlene Avenue

West 152nd Street

Industrial Parkway

Industrial Avenue



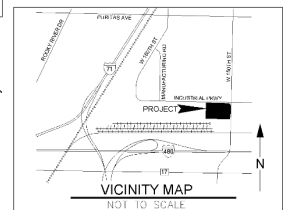
PROPERTY OWNER
OLD DOMINION FREIGHT LINE INC
500 OLD DOMINION WAY
THOMASVILLE, NC 27360

PROJECT DATA
APN: 028-22-001
ZONING: G1
ACRES: 7.20

SITE PLAN REQUEST TO AUTHORIZE A SECURITY FENCE FOR: OLD DOMINION FREIGHT LINE 15225 INDUSTRIAL PKWY CLEVELAND, OH 44135

LEGEND

- PROPERTY LINE / ROW
- EXISTING FENCE
- PROPOSED SECURITY FENCE
- ROAD/CLUB EDGE
- EXISTING BUILDING
- PROPOSED FENCE LENGTH

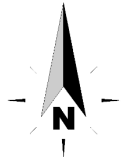
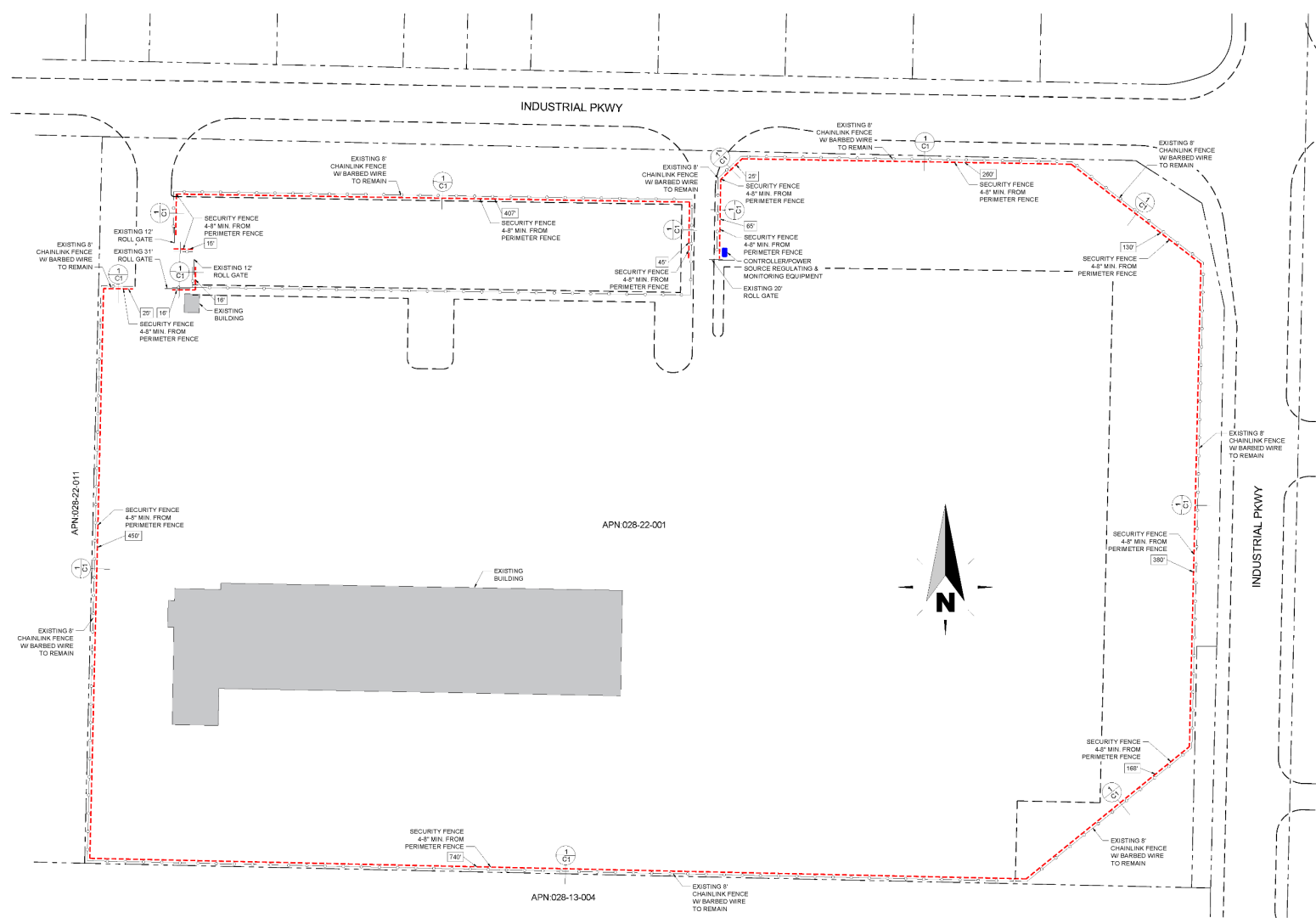
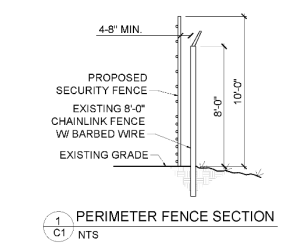


NOTES

POLE LOCATIONS:
STEEL POLES: TO BE LOCATED APPROXIMATELY ON EACH SIDE OF GATE(S) & EVERY 90° (OR GREATER) TURN IN FENCE LINE. NO GREATER THAN 750' APART.
FIBERGLASS INTERMEDIATE POLES: TO BE LOCATED APPROXIMATELY EVERY 30'

DISCLAIMER:
POLE LOCATIONS MAY SLIGHTLY DEVIATE FROM STIPULATIONS ABOVE DUE TO ON-SITE CONDITIONS

STORM DRAIN:
NO STORM DRAIN IS BEING PROPOSED AS PART OF THIS PROJECT



*PROPOSED LOCATION OF ELECTRONICS ONLY, SUBJECT TO CHANGE BASED ON SITE CONDITIONS



DATE / DESCRIPTION

AMAROK
ULTIMATE PERIMETER SECURITY

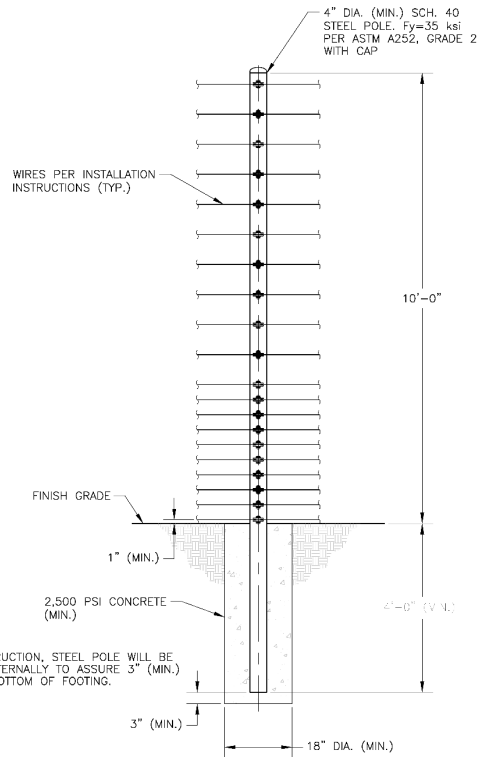
PROJECT:
OLD DOMINION FREIGHT LINE
15225 INDUSTRIAL PKWY
CLEVELAND, OH 44135

SHEET TITLE: SITE PLAN

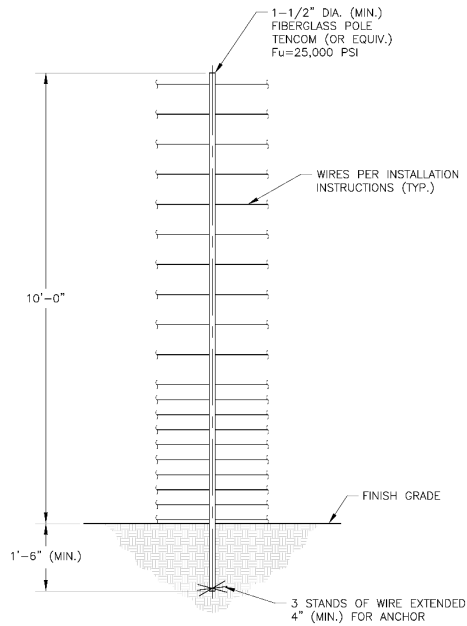
APPLICANT: AMAROK
500 ASSEMBLY ST 5TH FL
COLUMBIA, SC 29201
803-404-6189

DATE: 8/14/2023
DRAWN BY: RLR
SCALE: SEE PLAN

SHEET
C1
of 3



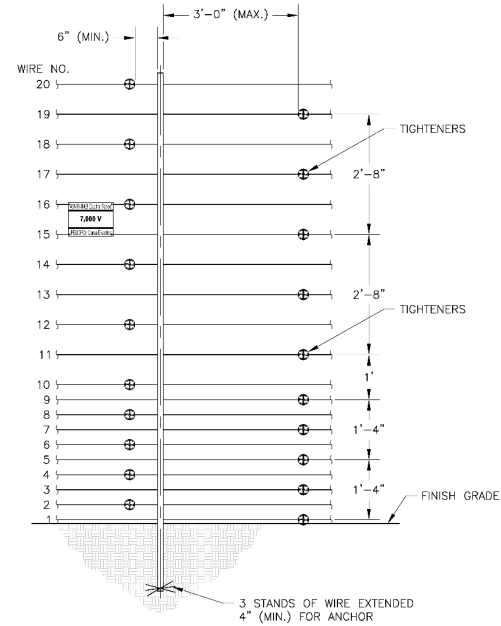
STEEL POLE DETAIL
SCALE: NONE (STRUCTURAL)



FIBERGLASS POLE DETAIL
SCALE: NONE (NON-STRUCTURAL, NON-LOAD BEARING WIRE SEPARATOR)

RAPID TIGHTENERS
RAPID TIGHTENERS ARE INSTALLED IN EVERY SECTION - BETWEEN 6" INCHES AND 3 FEET FROM A FIBERGLASS POLE - TOWARD THE CENTER OF THE RUN.
THE TIGHTENERS ARE ALTERNATED ON OPPOSITE SIDES OF THE POLE TO PREVENT GROUNDS FROM HITTING WIRES WITH CURRENT.
WIRE SHOULD BE WRAPPED TWO OR THREE TIMES AROUND EACH TIGHTENER.

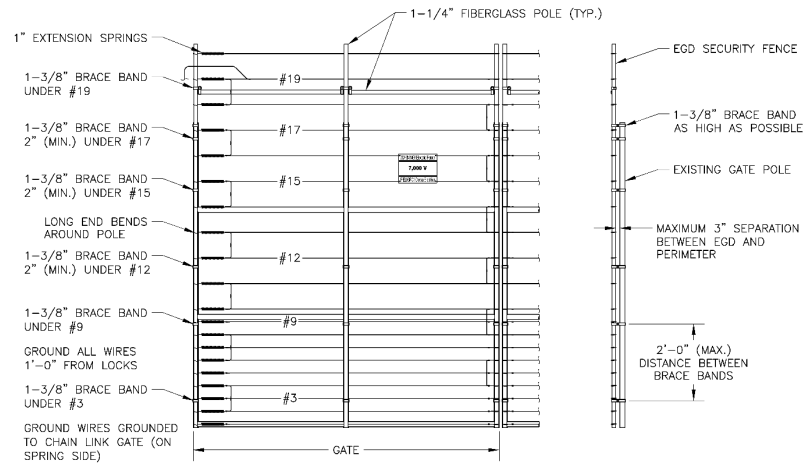
WARNING SIGNS
WARNING SIGNS MUST BE INSTALLED EVERY 30 FEET, WHICH IS THE MAXIMUM DISTANCE BETWEEN SIGNS.
ALL WARNING SIGNS SHOULD BE MOUNTED EITHER BETWEEN WIRES 15 & 16 OR AT BEST VISIBLE HEIGHT.
IF INSTALLED BEHIND A SOLID FENCE, WARNING SIGNS SHOULD ALSO BE PLACED ON OR ABOVE THE PERIMETER FENCE.



WIRE CONNECTIONS
SCALE: NONE (FIBERGLASS POLE)

GATE DETAIL NOTES:

- BRACE BANDS ARE INSTALLED AS HIGH AS POSSIBLE UNDER #3 AND #9, 2" (MIN.) UNDER #12, #15, AND #17, UNDER #19 AND AS HIGH ON THE GATE AS POSSIBLE. MAXIMUM DISTANCE OF 2' BETWEEN BRACE BANDS.
- SPRINGS ARE LOCATED ON HINGE SIDE OF SWING GATE AND REAR OF SLIDE GATE.
- ALL CONTACTS MUST INCLUDE SPRINGS.
- ALL CONTACTS MUST HAVE BOLT THROUGH FIBERGLASS (NO SET SCREWS).
- ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREW.
- EVERY GATE PANEL MUST HAVE A SIGN.
- ALL GATE CONTACTS MUST BE SECURE IN A MANNER THAT ENSURES CONTACT WILL EASILY BE MADE.
- GATE MOUNTS WILL NOT IMPACT THE FUNCTIONALITY OF THE GATE.



DOUBLE PANEL GATE
GATE DETAIL
SCALE: NONE

SIDE VIEW



WARNING SIGNS SHALL BE PLACED AT EACH ENTRANCE OF THE PROPERTY AND MAX 30 FEET ON CENTER THEREAFTER

EXAMPLE WARNING SIGN @ 9"x12"



DATE / DESCRIPTION



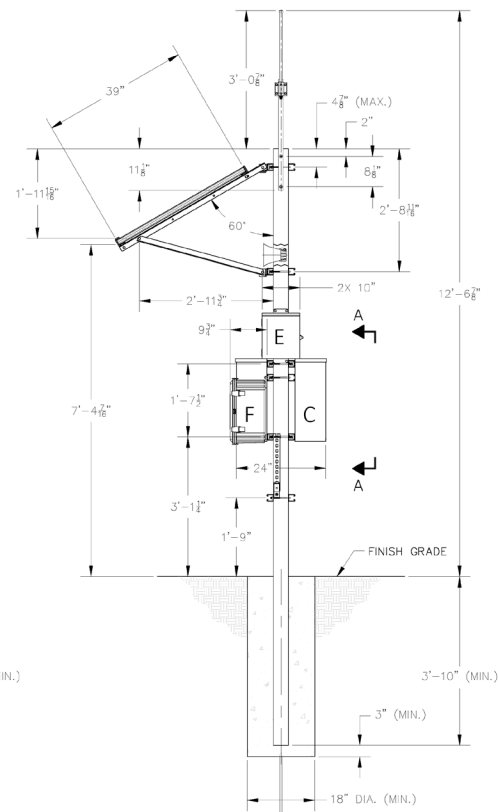
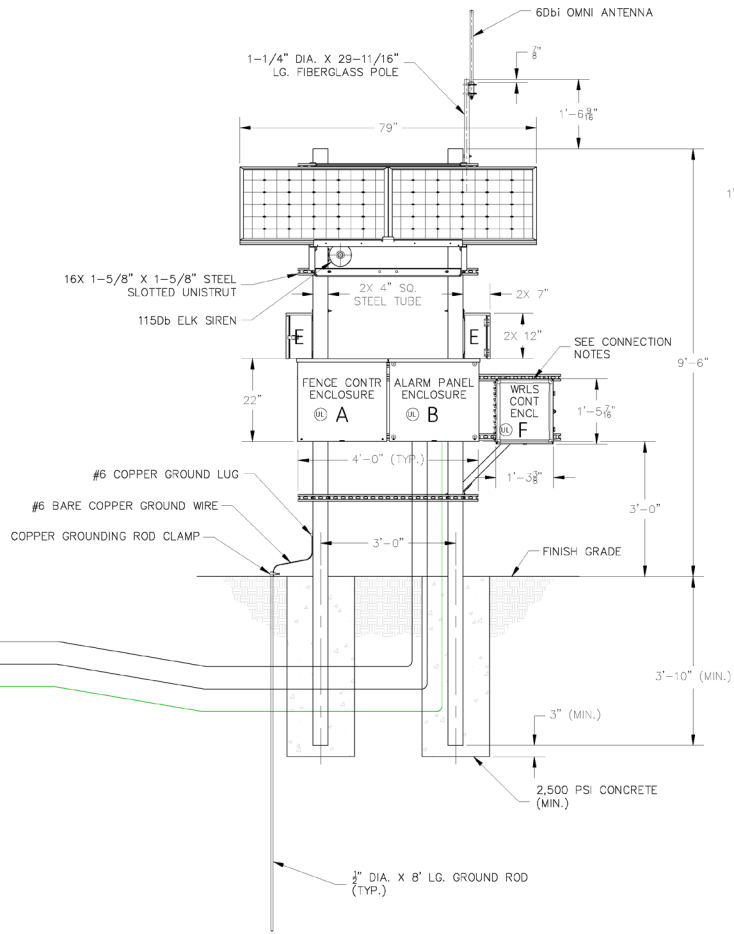
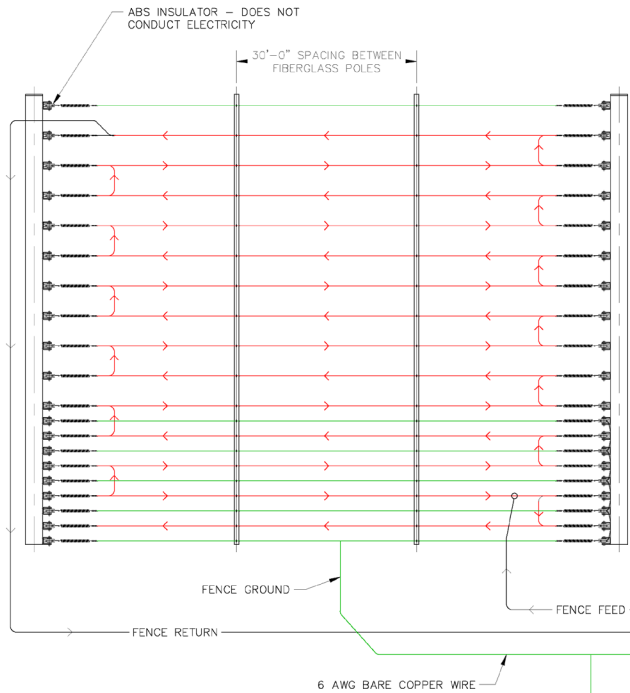
PROJECT: **OLD DOMINION FREIGHT LINE**
15225 INDUSTRIAL PKWY
CLEVELAND, OH 44135
SHEET TITLE: TYPICAL DETAILS

APPLICANT: AMAROK
500 ASSEMBLY ST 5TH FL
COLUMBIA SC 29201
803-554-9195

DATE: 9/14/2023
DRAWN BY: RLR
SCALE: SEE PLAN

SHEET

WIRE RUN DETAILS & OUTSIDE MOUNTED ELECTRONICS/CONTROLLER WITH STEEL POLE DETAIL



CONNECTION NOTES:

A: FENCE CONTROLLER ENCLOSURE – HOUSES THE FENCE ENERGIZER OR EQUIVALENT. THIS BOX CONNECTS TO "B" / ALARM PANEL ENCLOSURE USING THE APS WHIP / 10 CONDUCTOR CABLE. ENCLOSURE WEIGHT 22 LBS. (MAX.).

B: ALARM PANEL ENCLOSURE – HOUSES THE ALARM CONTROL PANEL. THIS BOX INTERCONNECTS TO "A" / FENCE CONTROLLER ENCLOSURE USING THE APS WHIP / 10 CONDUCTOR CABLE AND "C" / SOLAR CHARGE CONTROLLER USING TWO CONDUCTOR CABLE. ENCLOSURE WEIGHT 21 LBS. (MAX.).

C: SOLAR CHARGE CONTROLLER ENCLOSURE – HOUSES POWER ELEMENTS FOR SOLAR CHARGE CONTROLLER AND DISCONNECTS FOR SOLAR, BATTERY, AND LOAD CONNECTIONS. POWER UP PROCEDURE: TURN ON BATTERY BREAKER FIRST, THEN TURN ON SOLAR BREAKER. THE ELECTRONICS POWER IS CONTROLLED BY THE LOAD BREAKER. ENCLOSURE WEIGHT 25 LBS. (MAX.).

D: BATTERY ENCLOSURE – HOUSES THE BATTERIES (12V/DC MAX) AND INTER-CONNECTS TO "C" / SOLAR CHARGE CONTROLLER ENCLOSURE USING TWO CONDUCTOR 14G AND 10G THWN WIRES. ENCLOSURE WEIGHT 50 LBS. (MAX.).

E: KEYPAD ENCLOSURE – HOUSES THE KEYPAD. THIS BOX INTERCONNECTS TO "A" USING 10 CONDUCTOR / 18 AWG WIRE. ENCLOSURE WEIGHT 12 LBS. (MAX.).

F: WIRELESS CONTROLLER ENCLOSURE – HOUSES THE WIRELESS RADIO CONTROLLER AND RELAYS. CONNECTS TO "C" / SOLAR CHARGE CONTROLLER ENCLOSURE USING TWO CONDUCTOR 14G THWN WIRES. ENCLOSURE WEIGHT 21 LBS. (MAX.).

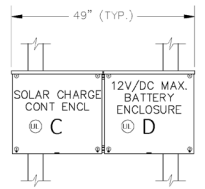
GENERAL NOTE:

EQUIPMENT ARRANGEMENT AND ELEVATION SHOWN ARE FOR REFERENCE ONLY. ACTUAL EQUIPMENT ARRANGEMENT, SHAPE, SIZE, LOCATION, AND QUANTITY ARE CUSTOMER SITE SPECIFIC AND CAN VARY FROM DRAWING DEPICTION.

NOTES:

MOUNT 4 SILVER BOXES TO A PAIR OF HSS TUBE 4"x4"x10GA. (0.134" WALL THICKNESS) ASTM A500 GRADE B OR C. 55KSI YIELD (MIN.) STEEL POLES. BOTTOM OF THE LOWEST BOX MUST BE A MINIMUM OF 3 FEET ABOVE GROUND LEVEL. THE SUPPORT POLES MUST BE EMBEDDED AT A MINIMUM OF 3'-10" BELOW GROUND LEVEL.

FRONT ELEVATION



VIEW A-A
(KEYPAD ENCLOSURES REMOVED FOR CLARITY)

RIGHT SIDE ELEVATION

ASSEMBLY WEIGHT CHART

DESCRIPTION	WEIGHT (LBS.)
SOLAR PANELS	61.6
SOLAR PANEL MTG. KIT	27.0
UNISTRUT	106.8
OMNI ANTENNA ASSEMBLY	3.59
SIREN	1.5

ELECTRONICS ARMATURE

LOCATION	DESCRIPTIVE NAME
MAIN GATE	HEAD-END ELECTRONICS



DATE / DESCRIPTION



PROJECT:
OLD DOMINION FREIGHT LINE
15225 INDUSTRIAL PKWY
CLEVELAND, OH 44135

SHEET TITLE: TYPICAL DETAILS

APPLICANT: AMAROK
500 ASHLEY ST. 11TH FL.
COLUMBIA, SC 29201
803-404-6199

DATE: 8/14/2023
DRAWN BY: RLR
SCALE: SEE PLAN

SHEET

C3

of 3

Public Hearing



Calendar No. 22-180:

1923 Willey Avenue

Ward 3

Wiley Hill LLC., proposes to erect a three story, 21 unit apartment building and 22 car parking lot in a K4 Semi-Industry District and an Urban Form Overlay District. The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 348.04(d)(1)(A) which states front setback on principal street is limited to maximum 8 feet and a front setback of 13 to 23 feet is proposed.
2. Section 348.04(d)(2)(A) which states a buildout equal to 80% of the principal street frontage (Wiley Ave.) is required and approximately 57% frontage buildout is proposed.
3. Section 341.02 which approval of the City Planning Commission/Department is required.



Public Hearing

Calendar No. 22-180:

1923 Willey Avenue

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 area variances from the maximum setback and required buildout requirements of the zoning code.

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

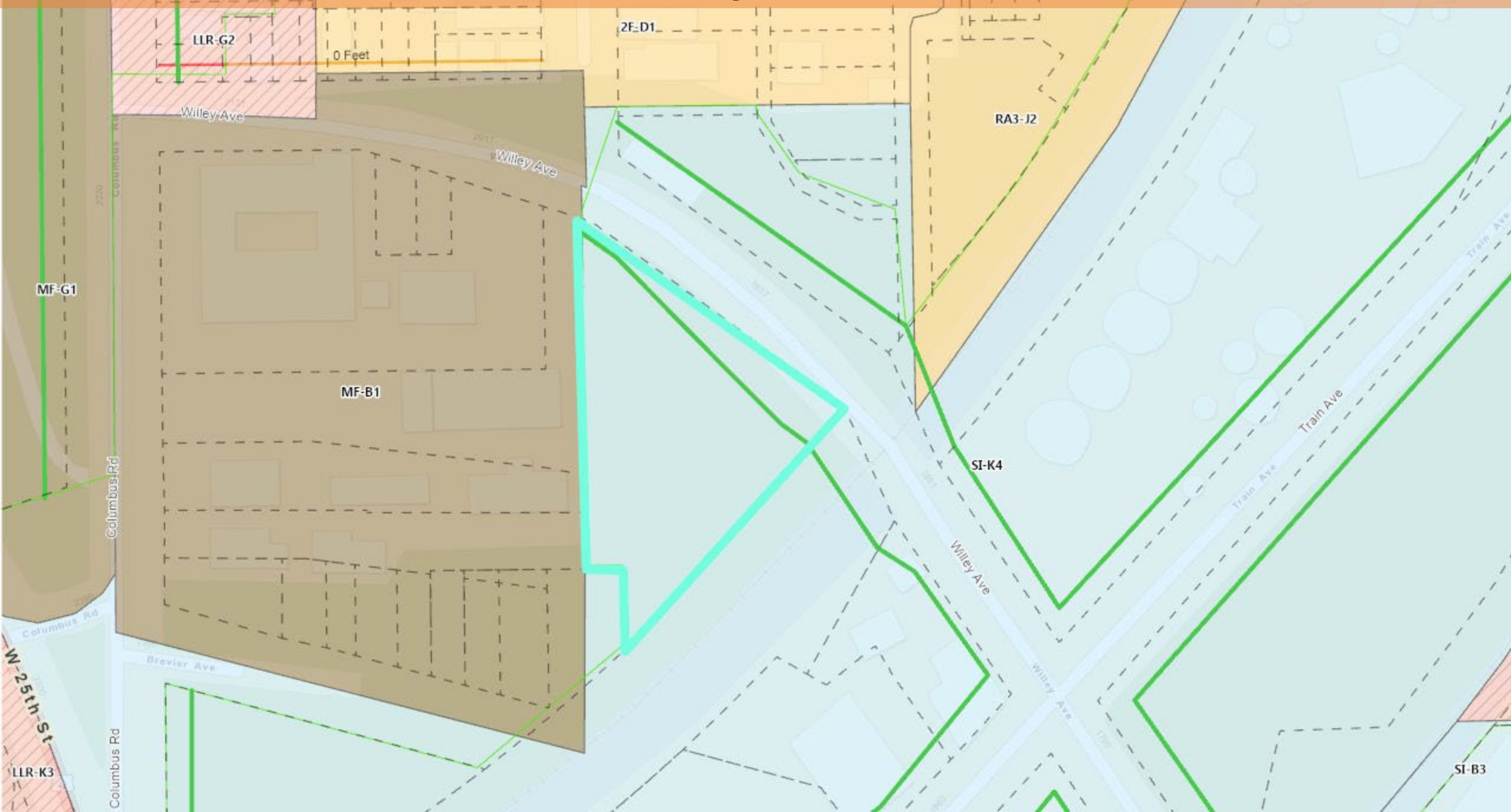
1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.





Willey Avenue

Train Avenue



General Notes:

- ALL WALLS ARE DIMENSIONED TO FACE OF STUD UNLESS NOTED OTHERWISE. WINDOW AND DOOR OPENINGS ARE DIMENSIONED TO EDGE OF ROUGH OPENING UNLESS NOTED OTHERWISE. DIMENSION STRINGS "D" OR "CLEAR" INDICATES THAT THE DIM IS TAKEN TO THE FACE OF FINISH AT THAT LOCATION.
- PROJECT SHALL MEET ALL ENTERPRISE GREEN COMMUNITY REQUIREMENTS FOR TAX ABATEMENT. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING COMPLIANCE WITH MANDATORY CRITERIA AND THE MINIMUM NUMBER OF OPTIONAL POINTS APPLICABLE TO THE CONSTRUCTION PROJECT TYPE. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR INSTALLING AND COMPLETING THE CERTIFICATION PROCESS BY ENSURING INSULATION, WINDOW/DOORS, MEP SYSTEMS, FINISHES, FIXTURES, APPLIANCES, ETC. SPECIFICATIONS & INSTALLATION MEET CRITERIA.
- PROVIDE 1/2" (MINIMUM) GYPSUM WALLBOARD ON WALLS, UNLESS NOTED OTHERWISE (SEE WALL TYPES FOR SPECIFICATION). PROVIDE MOISTURE RESISTANT GYPSUM BOARD ON ALL BATHROOM AND POWDER ROOM WALLS EXCEPT WHERE KERD OR OTHER WATERPROOF MATERIAL IS USED (AT SHOWER & TUB SURROUNDINGS).
- VERIFY ROUGH-IN DIMENSIONS FOR FURNACE & WATER HEATER INSTALLATION WITH MECHANICAL EQUIPMENT SUPPLIERS SPECIFICATIONS BEFORE LOCATING UTILITY ROOM WALLS & DOORS.
- ALL PLUMBING FIXTURES SHALL BE WATERSENSE LABELED U.N.O. ALL APPLIANCES SHALL BE ENERGY STAR RATED U.N.O.
- VERIFY ROUGH-IN DIMENSIONS FOR ALL APPLIANCES & PLUMBING FIXTURES PRIOR TO FRAMING PARTITIONS, ORDERING CABINETS OR FABRICATING MILLWORK.
- PROVIDE BLOCKING AT EXTERIOR WALLS FOR ALL SHEATHING OR GYPSUM WALLBOARD JOINTS THAT ARE NOT LOCATED AT A STUD.
- PROVIDE "C" RATED LIGHT FIXTURES IN INSULATED CEILING SPACES. PROVIDE SEALED JOINTS FOR ALL LIGHT FIXTURES IN FIRE RATED ASSEMBLIES OR IN INSULATED, NON-VENTED ROOF SPACES.
- PROVIDE WALL, HINGE, OR FLOOR STOPS ON ALL DOORS. PROVIDE LEVER HARDWARE FOR ALL USER PASSAGE DOORS TYP.
- SMOKE ALARMS SHALL BE ON EVERY LEVEL, IN EVERY BEDROOM AND OUTSIDE THE VICINITY OF EVERY BEDROOM. CARBON MONOXIDE ALARMS SHALL BE ON EVERY LEVEL (EACH SIDE OF FIRE WALL & IN EACH UNIT) AND NEAR FURNACE. ALARMS SHALL BE HARDWIRED AND INTERCONNECTED.
- DOWNSPUTS SHALL CONNECT TO STORM SEWER SYSTEM.
- ALL BATHROOMS SHALL HAVE EXHAUST FANS. SEE RCP LEGEND FOR SPECIFICATION. NO FLEX DUCT ALLOWED. PROVIDE RIGID METAL DUCTWORK FOR BATH FANS, STOVE HOODS & LAUNDRY EXHAUST.
- ALL STAIRWAYS SHALL BE PROVIDED WITH A MEANS TO ILLUMINATE STAIRS WITH AN ARTIFICIAL LIGHT SOURCE LOCATED WITHIN THE IMMEDIATE VICINITY OF THE STAIRWAY LANDING.
- GUARDS SHALL BE PROVIDED AT ALL OPEN SIDED WALKING SURFACES LOCATED MORE THAN 30" ABOVE GRADE. GUARDS SHALL BE A MINIMUM 42" HIGH MEASURED VERTICALLY AND OPENINGS SHALL NOT ALLOW THE PASSAGE OF A 4" DIAMETER SPHERE. ALL GUARDS SHALL BE POSITIVELY ANCHORED TO THE PRIMARY STRUCTURE TO RESIST BOTH VERTICAL AND HORIZONTAL FORCES, OR SHALL BE DESIGNED TO BE SELF SUPPORTING. GUARDS AND HANDRAILS SHALL BE REQUIRED TO RESIST A LINEAR LOAD OF 50 PLF & A CONCENTRATED LOAD OF 200 LBS/FT.
- HANDRAILS SHALL BE PROVIDED @ BOTH SIDES OF STAIR. HANDRAILS AT STAIRS SHALL BE 34" ABOVE THE SLOPED PLANE ADJOINING TREAD AND NOSING. ALL HANDRAILS SHALL BE RETURNED TO A WALL/GUARD OR WALKING SURFACE. HANDRAILS NOT ABOVE STAIRS SHALL BE 36" ABOVE FINISHED FLOOR. HANDRAILS (EXCEPT IN DWELLING UNITS) SHALL EXTEND 12" MIN. HORIZONTALLY BEYOND THE TOP RISER AND SHALL CONTINUE TO SLOPE FOR THE DEPTH OF ONE TREAD BEYOND THE BOTTOM RISER (NOT REQUIRED IN EXIST BLDGS WHERE FULL EXTENSIONS WOULD BE HAZARDOUS).
- NEW STAIR RISERS SHALL NOT BE MORE THAN 7". NEW TREAD DEPTH SHALL NOT BE LESS THAN 11". NOSINGS SHALL HAVE A CURVATURE OR BEVEL NOT LESS THAN 1/8" AND NOT GREATER THAN 1/4" HIGH FROM THE FURTHEST PROJECTION OF THE TREAD. RISERS SHALL BE SOLID AND VERT. OR SLOPED UNDER THE TREAD AND FROM THE UNDERSIDE OF THE NOSING NOT MORE THAN 3/16" FROM THE VERTICAL. NOSINGS SHALL UNIFORM & NOT PROJECT MORE THAN 1/4" BEYOND TREAD BELOW.
- AIR SEALING OF WALL PLATES, DOORS, WINDOWS, PENETRATIONS, ETC. TO MEET ENTERPRISE GREEN COMMUNITY ENERGY STAR NEW HOME'S PROGRAM CRITERIA.
- PROVIDE GFCI ELECTRICAL OUTLETS AT KITCHEN COUNTERS, IN BATHROOMS, AND AT ANY OTHER LOCATION REQUIRED BY CODE.
- THE NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/100 OF THE AREA VENTILATED OR THE NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/150 OF THE AREA VENTILATED PROVIDED THAT 50% OF THE NET FREE VENTILATING AREA IS IN THE UPPER 1/3 OF THE SPACE (EXHAUST VENTS) AND 50% OF THE NET FREE VENTILATING AREA IS PROVIDED IN THE LOWER 1/3 OF THE ROOF (IN THE VENTS).
- MECHANICAL CONTRACTOR TO MAINTAIN CLEARANCE UNDER MECHANICAL EQUIPMENT TO ACCOMMODATE INSTALLATION OF SUPPORTS TO COMPLETE FLOOR ASSEMBLY. PLUMBING CONTRACTOR TO MAINTAIN CLEARANCE UNDER PLUMBING FIXTURES TO ACCOMMODATE INSTALLATION OF CONCRETE TO COMPLETE FLOOR ASSEMBLY.
- EXTEND WALL GYP. BOARD TO CEILING PRIOR TO FLAGGING BULKHEADS. COORDINATE BULKHEAD SIZES WITH MEP INSTALLATIONS.
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- SEE STEEL LINTEL SCHEDULE ON 60.00 FOR UNITS, SIZES & MASONRY OPENINGS.
- "ADVANCED FRAMING" AS DICTATED BY ENERGY STAR GUIDELINES SHALL BE USED TO MEET THERMAL BRIDGING REQUIREMENTS.

Stamp

Project
Cooper Flats
 Willey Avenue
 Cleveland, Ohio 44113

Revisions

Original Date 10/7/20

- Submission
- Progress
- Design Review
- Lot Split
- Planning
- Zoning
- Schematic Design
- Design Development
- Demolition Permit
- Building Permit
- Construction

Current Date 7/17/23

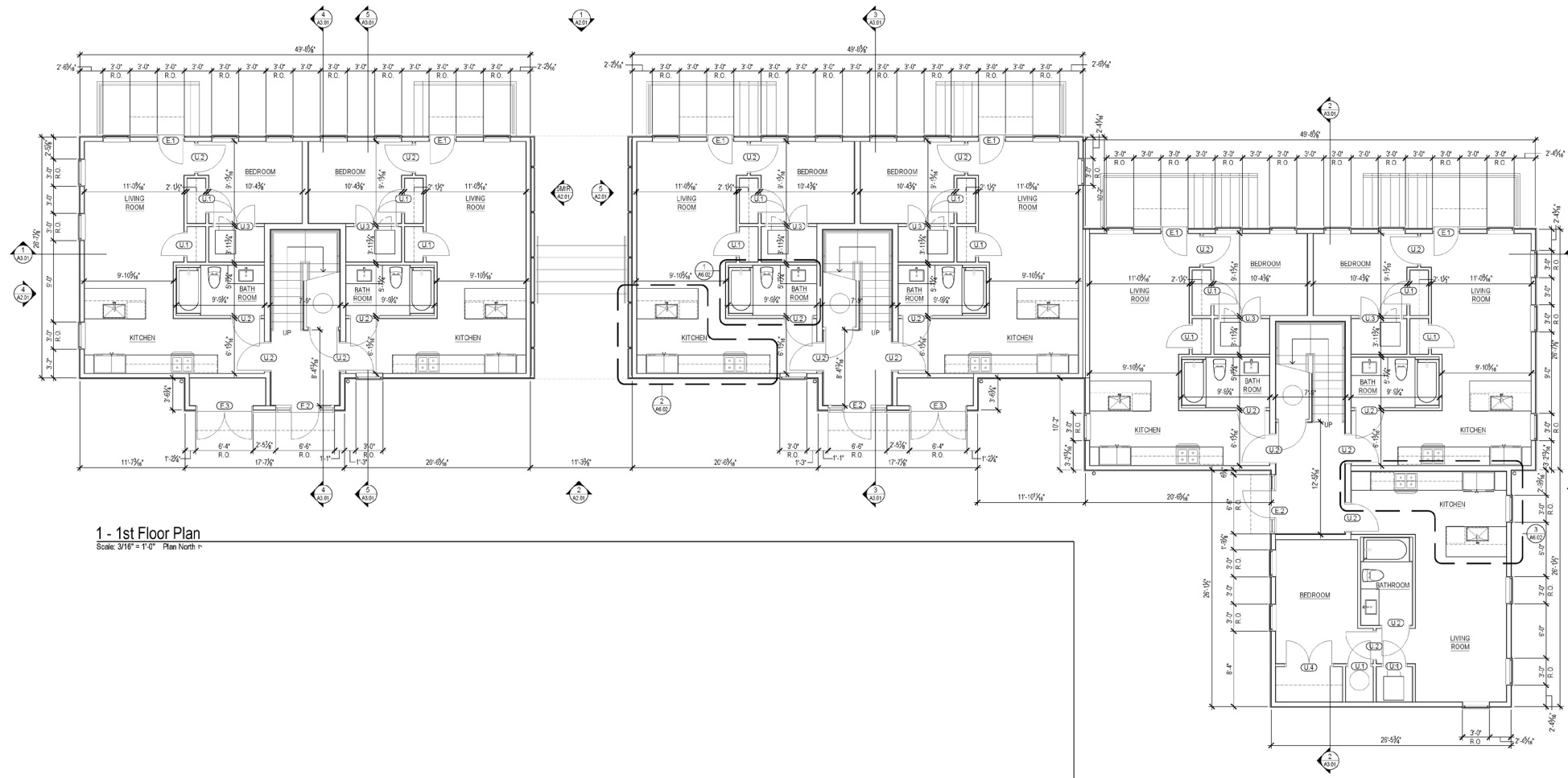
Drawn By FW
 Checked By VMH
 Job Number 19069

Sheet

1st Floor Plan

Discipline & Number

A1.01



1 - 1st Floor Plan
 Scale: 3/16" = 1'-0" Plan North

General Notes:

- ALL WALLS ARE DIMENSIONED TO FACE OF STUD UNLESS NOTED OTHERWISE. WINDOW AND DOOR OPENINGS ARE DIMENSIONED TO EDGE OF ROUGH OPENING UNLESS NOTED OTHERWISE. DIMENSION STRINGS "R.O." OR "CLEAR" INDICATES THAT THE DIM IS TAKEN TO THE FACE OF FINISH AT THAT LOCATION.
- PROJECT SHALL MEET ALL ENTERPRISE GREEN COMMUNITY REQUIREMENTS FOR TAX ABATEMENT. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING COMPLIANCE WITH MANDATORY CRITERIA AND THE MINIMUM NUMBER OF OPTIONAL POINTS APPLICABLE TO THE CONSTRUCTION PROJECT TYPE. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR INSTALLING AND COMPLETING THE CERTIFICATION PROCESS & FOR ENSURING INSULATION, WINDOW/DOORS, MEP SYSTEMS, FINISHES, FIXTURES, APPLIANCES, ETC. SPECIFICATIONS & INSTALLATION MEET CRITERIA.
- PROVIDE 1/2" (MINIMUM) GYPSUM WALLBOARD ON WALLS, UNLESS NOTED OTHERWISE (SEE WALL TYPES FOR SPECIFICATION). PROVIDE MOISTURE RESISTANT GYPSUM BOARD ON ALL BATHROOM AND POWDER ROOM WALLS EXCEPT WHERE KERD OR OTHER WATERPROOF MATERIAL IS USED (AT SHOWER & TUB SURROUNDINGS).
- VERIFY REQUIRED ADEQUATE CLEARANCES FOR FURNACE & WATER HEATER INSTALLATION WITH MECHANICAL EQUIPMENT SUPPLIERS SPECIFICATIONS BEFORE LOCATING UTILITY ROOM WALLS & DOORS.
- ALL PLUMBING FIXTURES SHALL BE WATERWISE & LABELED U.N.O. ALL APPLIANCES SHALL BE ENERGY STAR RATED U.N.O.
- VERIFY ROUGH-IN DIMENSIONS FOR ALL APPLIANCES & PLUMBING FIXTURES PRIOR TO FRAMING PARTITIONS, ORDERING CABINERY OR FABRICATING MILLWORK.
- PROVIDE BLOCKING AT EXTERIOR WALLS FOR ALL SHEATHING OR GYPSUM WALLBOARD JOINTS THAT ARE NOT LOCATED AT A STUD.
- PROVIDE "C" RATED LIGHT FIXTURES IN INSULATED CEILING SPACES. PROVIDE SEALED BOXES FOR ALL LIGHT FIXTURES IN FIRE RATED ASSEMBLIES OR IN INSULATED, NON-VENTED ROOF SPACES.
- PROVIDE WALL, HINGE, OR FLOOR STOPS ON ALL DOORS. PROVIDE LEVER HARDWARE FOR ALL USER PASSAGE DOORS TYP.
- SMOKE ALARMS SHALL BE ON EVERY LEVEL, IN EVERY BEDROOM AND OUTSIDE THE VICINITY OF EVERY BEDROOM. CARBON MONOXIDE ALARMS SHALL BE ON EVERY LEVEL (EACH SIDE OF FIRE WALL & IN EACH UNIT) AND NEAR FURNACE, ALARMS SHALL BE HARDWIRED AND INTERCONNECTED.
- DOWNSPUTS SHALL CONNECT TO STORM SEWER SYSTEM.
- ALL BATHROOMS SHALL HAVE EXHAUST FANS. SEE RCP LEGEND FOR SPECIFICATION. NO FLEX DUCT ALLOWED. PROVIDE FIBER METAL DUCTWORK FOR BATH FANS, STOVE HOODS, & LAUNDRY EXHAUST.
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- PROVIDE GFCI ELECTRICAL OUTLETS AT KITCHEN COUNTERTOPS, IN BATHROOMS, AND AT ANY OTHER LOCATION REQUIRED BY CODE.
- THE NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/300 OF THE AREA VENTILATED OR THE NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/150 OF THE AREA VENTILATED PROVIDED THAT 50% OF THE NET FREE VENTILATING AREA IS IN THE UPPER 1/3 OF THE SPACE (EXHAUST VENTS) AND 50% OF THE NET FREE VENTILATING AREA IS PROVIDED IN THE LOWER 1/3 OF THE ROOM (INTAKE VENTS).
- MECHANICAL CONTRACTOR TO MAINTAIN CLEARANCE UNDER MECHANICAL EQUIPMENT TO ACCOMMODATE INSTALLATION OF SPRING TO COMPLETE FLOOR ASSEMBLY. PLUMBING CONTRACTOR TO MAINTAIN CLEARANCE UNDER PLUMBING FIXTURES TO ACCOMMODATE INSTALLATION OF CONCRETE TO COMPLETE FLOOR ASSEMBLY.
- EXTEND WALL GYP. BOARD TO CEILING PRIOR TO FLAGGING BULKHEADS. COORDINATE BULKHEAD SIZES WITH MEP INSTALLATIONS.
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Stamp

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 Cleveland, Ohio 44113

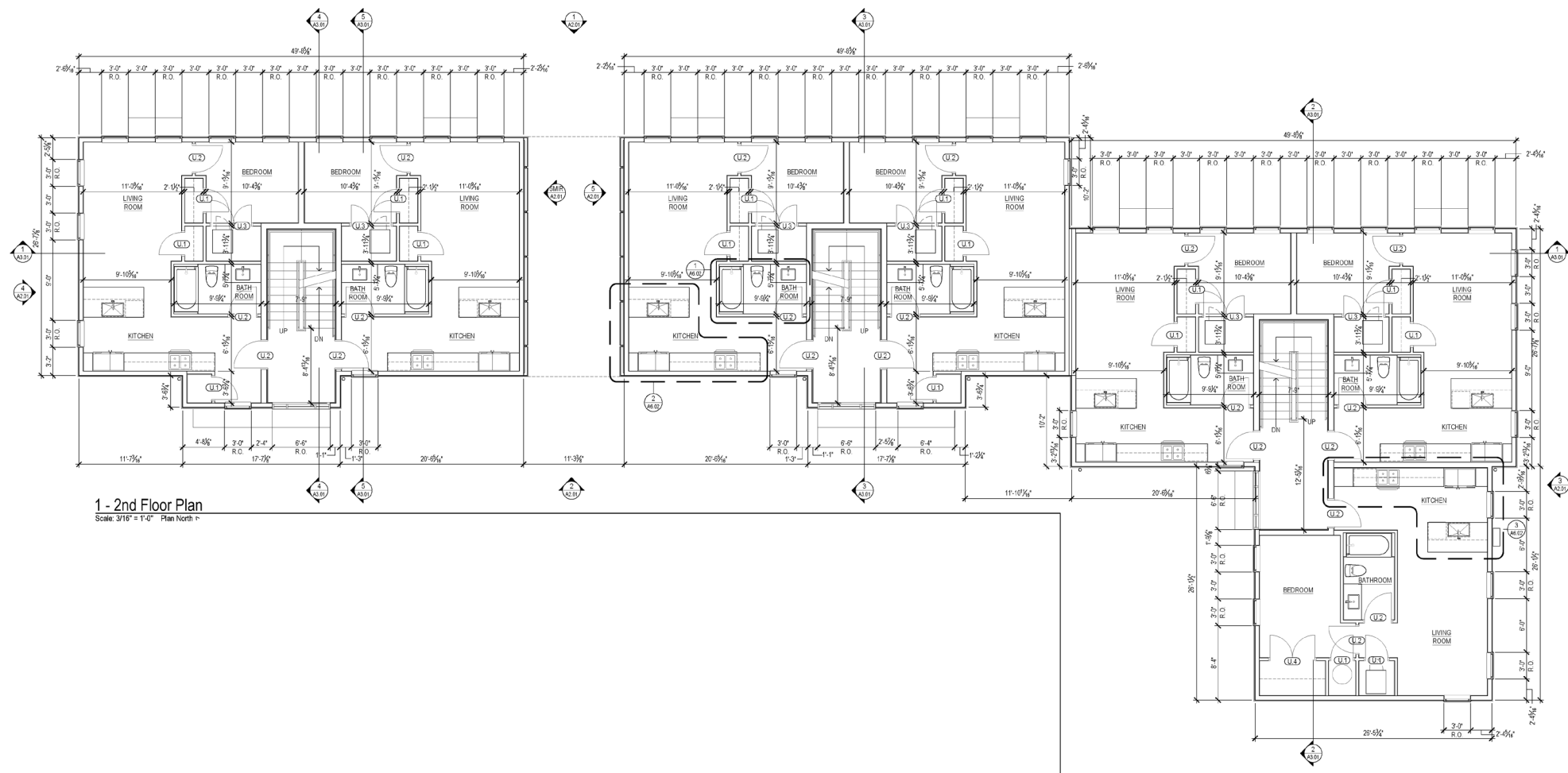
Revisions

Original Date	10/7/20
Submission	Progress
	Design Review
	Lot Split
	Planning
	Zoning
	Schematic Design
	Design Development
	Demolition Permit
	Building Permit
	Construction
Current Date	7/17/23
Drawn By	FW
Checked By	VMH
Job Number	19069
Sheet	

2nd Floor Plan

Discipline & Number

A1.02



Stamp

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 Willey Avenue
 Cleveland, Ohio 44113

Revisions

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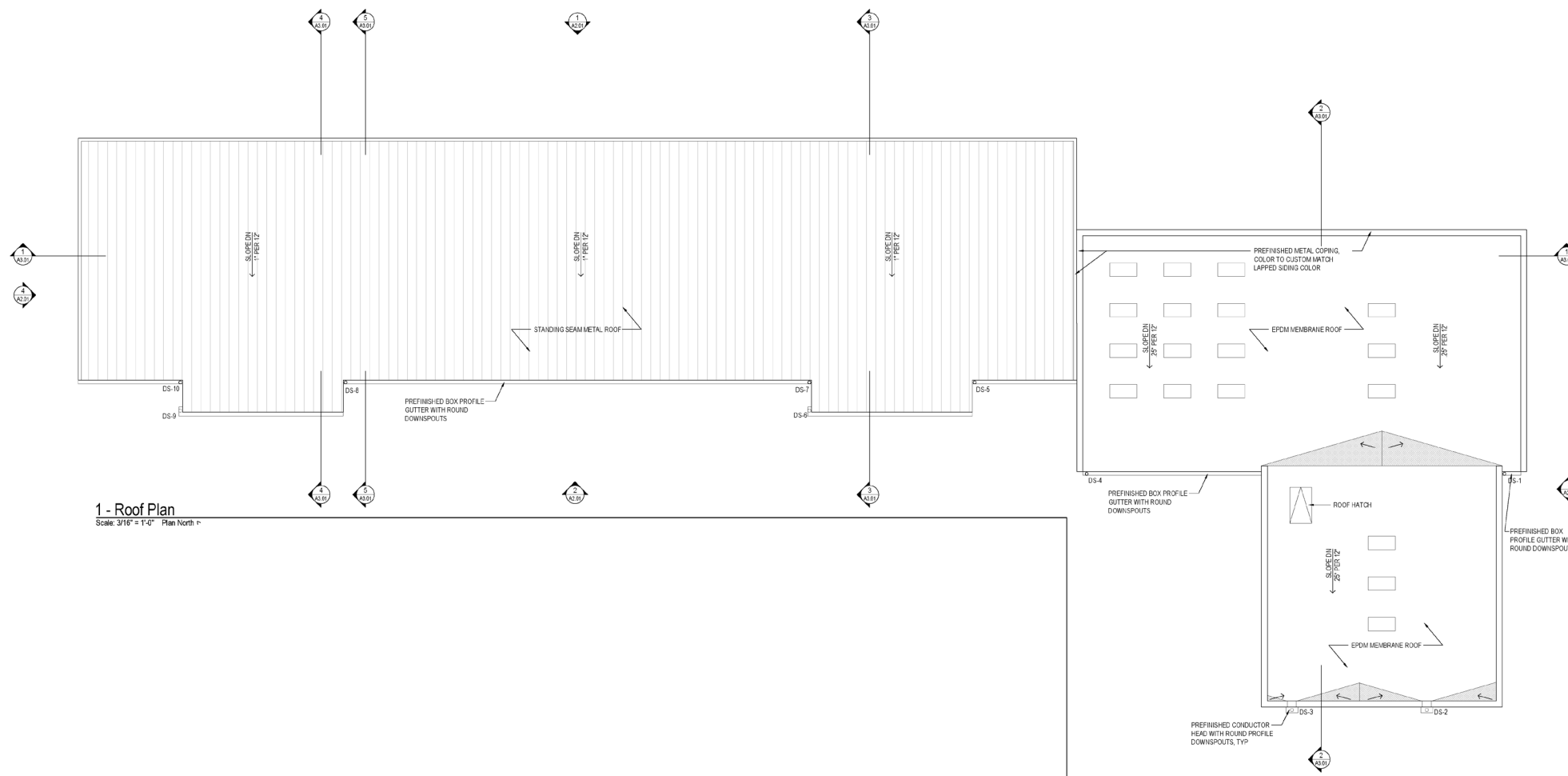
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 Checked By VMH
 Job Number 19069

Sheet

Roof Plan

Discipline & Number

A1.04



EXTERIOR MATERIALS LEGEND

GENERAL NOTE:
 1. ALL MATERIAL SPECIFICATIONS, INSTALLATION, AND FINISHES SHALL COMPLY WITH ENTERPRISE GREEN COMMUNITY REQUIREMENTS. G.C. IS RESPONSIBLE TO ENSURING ALL MATERIALS MEET REQUIREMENTS AS NEEDED INCLUDING BUT NOT LIMITED TO V.O.C LIMITS, RECYCLED CONTENT REQ., DURABILITY REQ., ROOFING LIGHT REFLECTANCE REQ., ETC.
 2. ALL EXTERIOR GRILLS/EXHAUST MUST BE METAL AND PAINTED TO MATCH ADJACENT MATERIAL EXACTLY
 3. ARCHITECT TO APPROVE ALL MATERIAL SAMPLES

MARK	MATERIAL	COLOR/ FINISH	MAUF./ FABRICATOR	FASTENER TYPE/ PATTERN	REMARKS
C.1	CAST IN PLACE CONCRETE, SMOOTH FINISH	TBD	TBD	N/A	PORCH, HORIZONTAL SURFACE: LINEAR BRUSHED FINISH
H.1	SMOOTH 8" EXPOSURE HARDIE PLANK LAPPED SIDING	TBD	JAMES HARDIE		
H.2	SMOOTH FIBER CEMENT PANEL	TBD	JAMES HARDIE		
M.1	PRE-FINISHED METAL COPING/FLASHING/DRIP EDGE	COLOR: BLACK	TBD	INSTALL PER ARCHITECTURAL AND STRUCTURAL DETAILS	PROVIDE APPROPRIATELY HEAVY GAUGE TO AVOID "OIL CANNING" AT COPING, DRIP EDGES, ETC.
M.2	PRE-FINISHED DOWNSPOUT, GLUTTER, CONDUCTOR HEAD	COLOR: BLACK	TBD	INSTALL PER MANUF. INSTRUCTIONS	
M.3	CUSTOM FABRICATED POWDER COATED METAL CANOPY	COLOR: BLACK	TBD	INSTALL PER ARCHITECTURAL AND STRUCTURAL DETAILS	
M.4	POWDER COATED METAL RAIL	COLOR: BLACK	TBD	INSTALL PER ARCHITECTURAL AND STRUCTURAL DETAILS	
M.5	STANDING SEAM METAL ROOF	COLOR: BLACK	TBD	INSTALL PER MANUF. INSTRUCTIONS	
M.6	METAL TRIM	COLOR: BLACK	TBD	INSTALL PER ARCHITECTURAL DETAILS	
M.7	METAL TRIM	COLOR: BLACK	TBD		PROVIDE APPROPRIATELY HEAVY GAUGE TO AVOID DEVIATION ALONG FACE
M.8	METAL PANEL	COLOR: BLACK	TBD	INSTALL PER MANUF. INSTRUCTIONS	

General Notes - Door & Window

- WINDOWS SHALL BE ANDERSON 100 SERIES (#100) OR PELLA IMPERIA (#BERGLASS) TYP. EXTERIOR DOORS SHALL BE PELLA LIFESTYLE OR PELLA ARCHITECT CONTEMPORARY SERIES TYP. EXTERIOR & INTERIOR FRAMES SHALL BE MANUFACTURED TO STANDARDS BLACK FINISH
- G.C. SHALL VERIFY ALL EXISTING & NEW ROUGH OPENING SIZES BEFORE ORDERING WINDOWS/DOORS
- ALL DOORS SHALL HAVE LEVER HANDLES. ALL LOCKSETS SHALL ALLOW FOR PROPER EGRESS PER CODE. ALL DOORS ARE PREHUNG U.N.O.
- DIMENSIONS PROVIDED REFER TO NOMINAL ROUGH OPENING SIZES U.N.O. REFER TO WINDOW MANUFACTURER'S INFORMATION FOR STANDARD FRAME SIZES & R.O. REQUIREMENTS
- PROVIDE SAFETY TEMPERED GLASS IN WINDOWS/DOORS AS REQUIRED BY CODE.
- ALL WINDOWS & DOORS SHALL MEET ENTERPRISE GREEN COMMUNITY ENERGY EFFICIENCY REQUIREMENTS
 - 6.1.1 WINDOWS SHALL HAVE A 0.30 MAXIMUM U-FACTOR
 - 6.1.2 OPERABLE EXTERIOR DOORS SHALL HAVE MAXIMUM 0.21 U-FACTOR
 - 6.1.3 EXT. DOORS W/ 1/2 LITE OR LESS SHALL HAVE MAX. 0.27 U-FACTOR
 - 6.1.4 EXT. DOORS W/ MORE THAN 1/2 LITE SHALL HAVE MAX. 0.30 U-FACTOR
- ALL DOOR/WINDOW ELEVATION DRAWINGS ARE AS VIEWED FROM THE EXTERIOR
- "EGRESS" NOTED ON WINDOW ELEVATION DRAWINGS DENOTES EGRESS WINDOW AS REQUIRED PER CODE
 - MINIMUM NET CLEAR OPENING OF 5.50 FT. ON 1ST FLOOR
 - MINIMUM NET CLEAR OPENING OF 5.750 FT. ON 2ND FLOOR
 - MINIMUM NET CLEAR OPENING HEIGHT SHALL BE 24 INCHES
 - MINIMUM NET CLEAR OPENING WIDTH SHALL BE 20 INCHES
- PROVIDE WALL, HINCE, OR FLOORSTOPS ON ALL DOORS.
- PROVIDE BLINDS TYP. ALL WINDOWS - OWNER TO DETERMINE STYLE, MATERIAL, & FINISH.
- CHANGES IN WALKING SURFACE LEVEL AND THRESHOLDS AT DOORWAYS (IF PROVIDED) SHALL BE 1/2" MAX. IN HEIGHT. CHANGES IN LEVEL OF 1/4" MAX. IN HEIGHT SHALL BE PERMITTED TO BE VERTICAL, GRADING IN LEVEL, GREATER THAN 1/4" IN HEIGHT AND NOT MORE THAN 1/2" MAX. IN HEIGHT SHALL BE BEVELED WITH A SLOPE NOT STEEPER THAN 1:2
- ALL DOORS AND DOOR HARDWARE, IN TYPE "X" UNITS ARE REQUIRED TO BE ACCESSIBLE AND TO MEET THE CLEARANCE REQUIREMENTS OF ANSICC A117.1.
- ALL OPENINGS SHOULD INCLUDE CASING AND TRIM ON BOTH SIDES OF THE DOORS.
- PROVIDE 1" DEEP HOLE VIEWERS AT INTERIOR UNIT ENTRY COORS. ALL PEEP HOLE VIEWERS PROVIDED SHALL BE PRISMATIC AND PROVIDE A MIN. 180 DEGREE RANGE OF VIEW
- UNDERCUT ALL INTERIOR UNIT DOORS 1" ABOVE FINISH FLOOR.



812 Huron Road East, Suite 301
 Cleveland, Ohio 44115
 216.600.9029
 hortonharper.com

Stamp

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 Cleveland, Ohio 44113

Revisions

Original Date 10/7/20

- Submission
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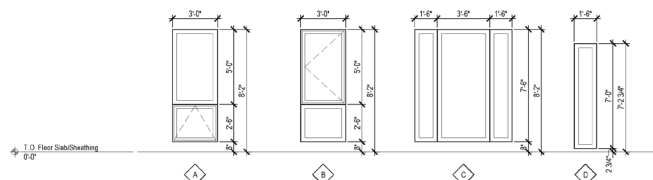
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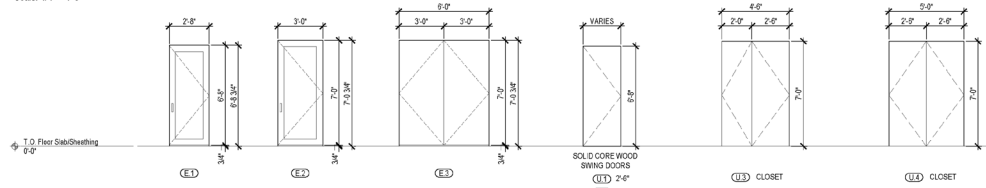
Door and Window Types,
 Material Legend

Discipline & Number

A2.00



Window Types
 Scale: 1/4" = 1'-0"



Door Types
 Scale: 1/4" = 1'-0"

Note: REFERENCE PLANS FOR SWING DIRECTION

SOLID CORE WOOD SWING DOORS
 (E1) 2'-0"
 (E2) 3'-0"
 60MIN @ UNIT ENTRY

(E5) CLOSET

(E6) CLOSET

Public Hearing



Calendar No. 23-144:

6101 St. Clair Ave

Ward 10

Edward Turk, Jr., proposes to establish use as Motor Vehicle Service Garage 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 325.487 which states "Motor vehicle service garage" means a building or part thereof in which the motor vehicle servicing and repairs performed are limited to "minor repair" of motor vehicles as defined in Section 325.483.
2. Section 325.483 which states " motor vehicle minor repair" means repairs and servicing that produce relatively low levels of noise, vibration and fumes and, more specifically, include the following types of repairs to motor vehicles of a gross vehicle weight of no more than six thousand (6000) pounds: (a) " Montor vehicle maintenance" as defined in 325.482; (b) Air conditioning, starting and charging service; (c) Brake repair and replacement;(d) Engine oil changes, fluids replacement; (e) Exhaust system repair and replacement; (f) Automotive electrical work other than audio sound system installation; (g) Shock absorber, spring, and strut replacement; (h) Upholstery work;(i) Tire balancing, tire installation; wheel alignment; (j) Windshield and glass installation; (k) Tune-ups, diagnostics; spark plug replacement, emission control service; and (l) Other repairs of a similar nature with respect to impacts on nearby properties.
3. Section 343.01 which states Motor Vehicles Service Garage is not permitted in a Local Retail Business District, first permitted in a General Retail Business District.

Note: Variance for Motor Vehicle Service Garage use was granted in **BZA Calendar No. 17-349**, but subsequent required permit was not obtained.



Public Hearing

Calendar No. 23-144:

6101 St. Clair Ave

Ward 10



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 motor vehicle service garage requirements of the zoning code.

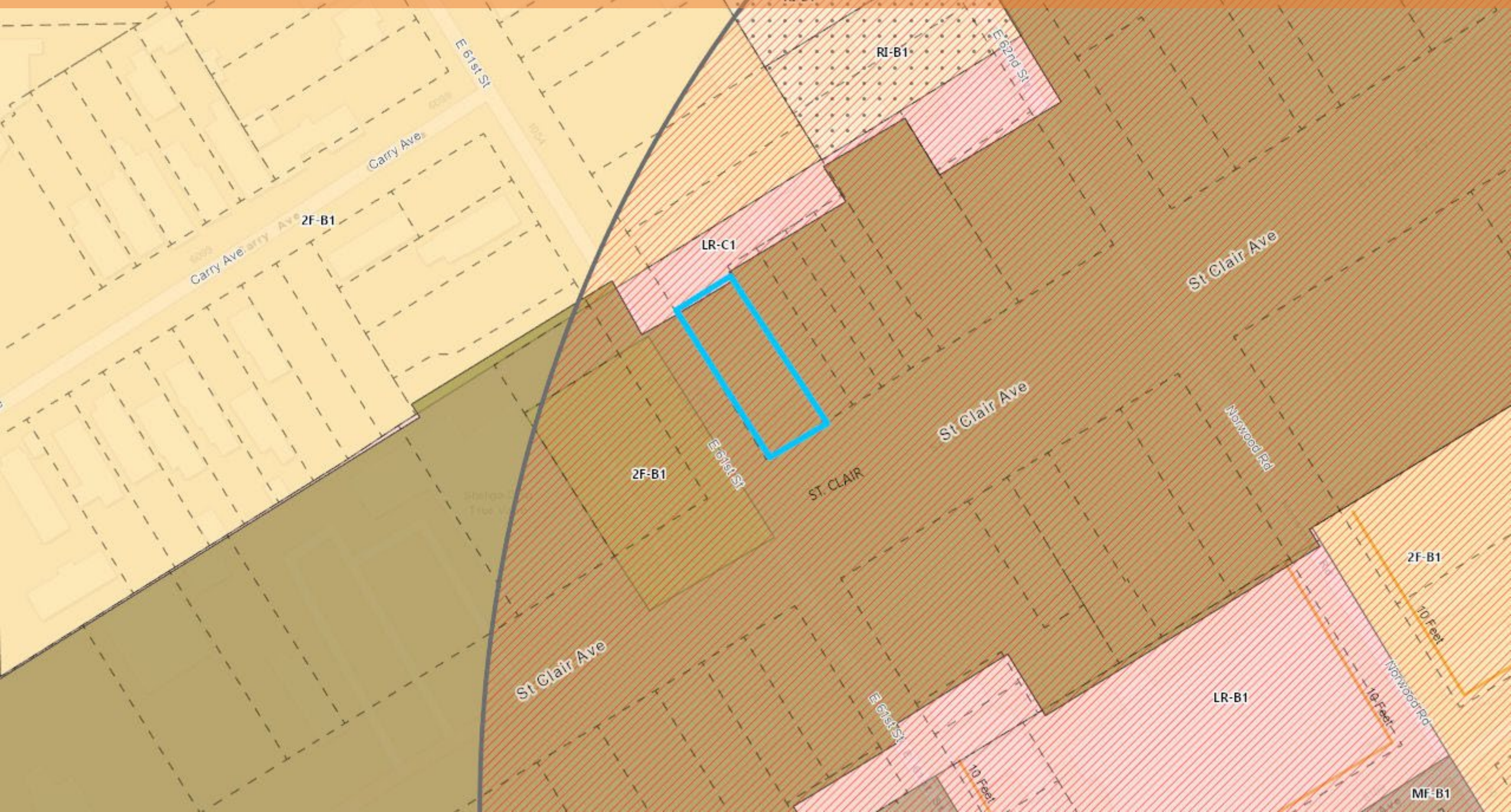
To obtain the use variance, Appellant must prove that denying the request:

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.

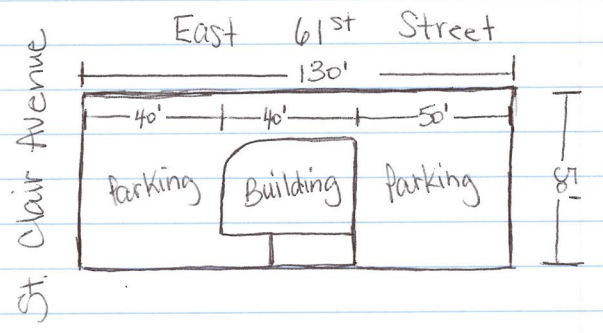
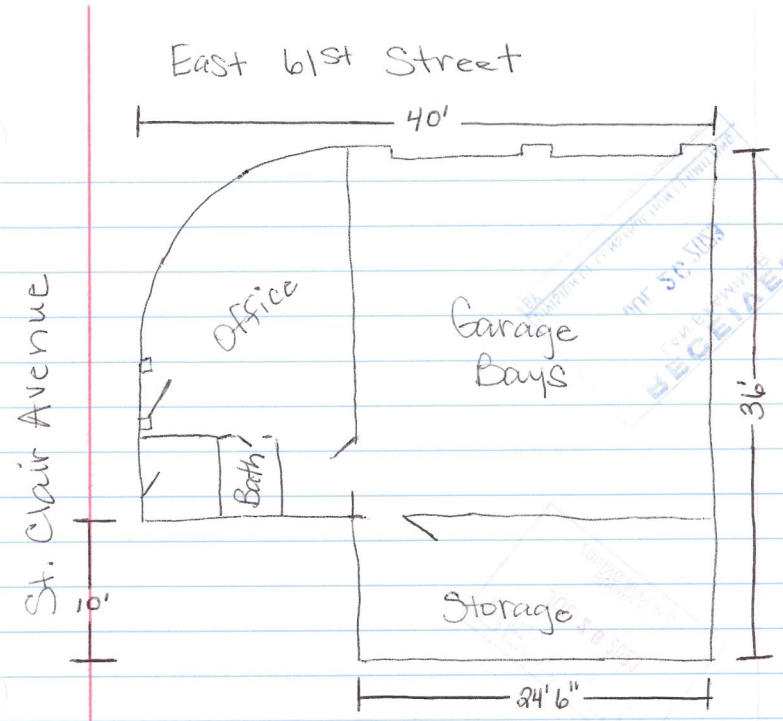
Note: This variance was previously granted in 2017, but the permit was never obtained.







BZA 23-144



Hello. I am writing in opposition of the variance requests for a motor vehicle service garage at 6101 St. Clair Ave. in Cleveland per the notice received regarding Calendar No. 23-144. I own 6030 & 6034 Carry Ave. as well as 1133 Norwood Rd. The requested use is no longer appropriate for the General Retail Business District and particular location. Neighborhoods evolve and so do the highest and best use of commercial properties throughout the City. Additionally, the property is seemingly functioning as a used car lot which I'm guessing is also not a permitted use.

Thank you for the opportunity to submit a comment.

Sincerely,
Michael Rastatter
216.258.4273

Cleveland Board of Zoning Appeals

Old Business



Public Hearing



1.	Cal. No. 23-170:	2035 West 18 St.	(AF,TB,NH,PR)
2.	Cal. No. 23-176:	13922 Tyler Ave.	(AF, TB, NH, PR)
3.	Cal. No. 23-173:	1772 W. 50 th St.	(AF,TB,NH,PR,AW)*
4.	Cal. No. 23-154:	2148 West 11 St.	(AF,PR,NH)*
5.	Cal. No. 23-155:	2150 West 11 St.	(AF,PR,NH)*
6.	Cal. No. 23-128:	3119 West 50 th St.	(AF,NH,PR,AW)*
7.	Cal. No. 23-082:	15432 St. Clair Ave.	(AF,NH, PR, AW)*
8.	Cal. No. 22-232:	12503 Kinsman Ave.	(KB, TB, AF, NH)*
9.	Cal. No. 22-018:	4420 East 156 St.	(KB,TB,AF,MB)* REMINDER SENT
10.	Cal. No. 21-203:	8502 Hough Ave.	(KB,TB,AF,MB)* PENDING LAND BANK
11.	Cal. No. 21-175:	780 London Rd.	(KB, TB, AF, MB) *pending land bank*

AFFIRMATION (s): **BZA23-061: 3272 Fulton Road**– Cleveland Investment Corp. was granted variances to change use to three family residential on May 1. They need more time to complete the full architectural drawings due to unforeseen circumstances.

BZA22-144:1720-1736 Columbus - Go Life Columbus was granted variances to establish use as 45 apartments with retail on the first floor on October 24, 2022. The full architectural drawings are taking longer than expected.

REHEARING REQUEST: NONE.

POSTPONING UPCOMING CASE:

MISC:

- ~ Items received
- * Pending the receipt of requested information by the Board.
- *** Request for Rehearing/Reconsideration.

Cleveland Board of Zoning Appeals

Adjournment

