



Cleveland Board of Zoning Appeals

Monday August 15, 2022

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

Kelley Britt, Board Chair

Elizabeth Kukla, Secretary

Cleveland Board of Zoning Appeals

August 15, 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.

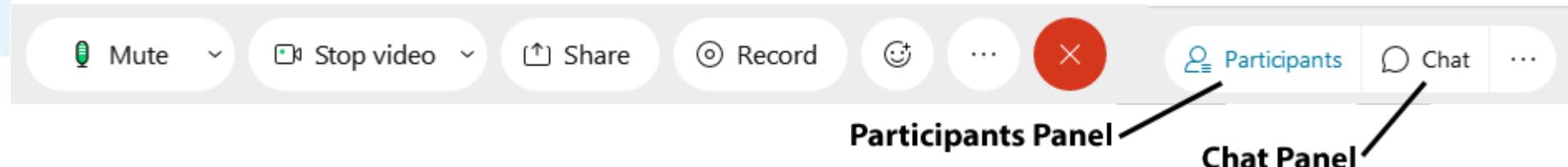
ALL BOARDS AND COMMISSIONS UNDER THE PURVIEW OF THE CITY PLANNING DEPARTMENT CONDUCTS ITS MEETINGS ACCORDING TO ROBERT'S RULES OF ORDER. ACTIONS DURING THE MEETING WILL BE TAKEN BY VOICE VOTE. ABSTENTIONS FROM ANY VOTE DUE TO A CONFLICT OF INTEREST SHOULD BE STATED FOR THE RECORD PRIOR TO THE TAKING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

August 15, 2022

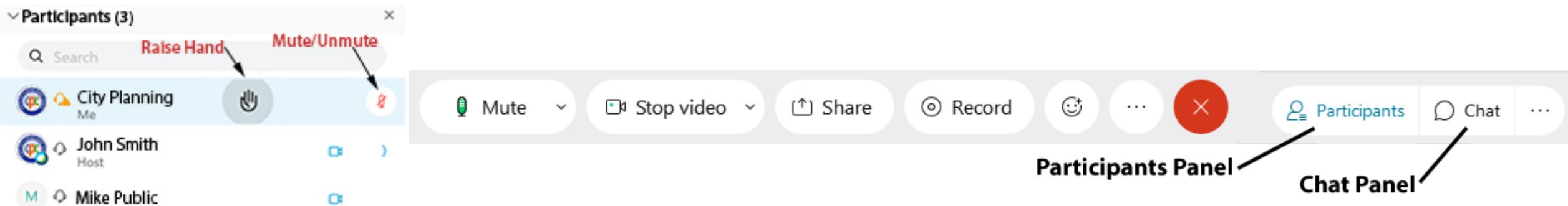
Preamble

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





Postponements

Calendar No.: 22-134:

6015 Linwood Ave.

Ward 7

Public Works Invoice Numbers

**WO-7010-1316055, WO-7010-1316057,
WO-7010-1316059, WO-7010-1316060, WO-7010-1286773**

THE CITY REPRESENTATIVE WILL NOT BE ABLE TO BE PRESENT ON MONDAY SO SHE HAS REQUESTED A POSTPONEMENT.

Norman Brown, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer dated May 25, 2022 to uphold the City of Cleveland's Department of Public Works to issue invoice WO-7010-1316057, WO-7010-1316059, WO-7010-1316060, WO-7010-1286773 regarding abating nuisances (grass cutting) at the subject property

Calendar No. 22-112

3522 Clark Ave.

Ward 14

THIS CASE WILL BE POSTPONED AT THE REQUEST OF STAFF TO ALLOW TIME FOR COMMISSION REVIEW.

Charter Food Inc, proposes to establish a new Taco Bell structure with drive-through in a G2 Limited Retail Business and an Urban Form Overlay District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

Section 343.22 which states in the Limited Retail Business District Drive-Through Restaurant is permitted only as regulated in section 348.04 in the Urban Form Overlay.

Section 348.04(c)(3) which states any business served by a drive-thru shall have all points of customer intersection located outside of the urban street space; proposed restaurant building is within urban street space.

Section 348.04(d)(2)(A) which states 80 % Principal street frontage build out is required; proposed is less than 80%.

Section 348.04(d)(4)(B) which states no access is permitted on a principal frontage; two drives are proposed.

Section 348.04(d)(4)(D) which states that the maximum permitted aisle width is 22 feet.

Section 348.04(d)(5)(D) which states a 6 foot wide transition strip of 100% opacity is required at the rear where lot abuts Multi-Family District.

Section 347.16(g)(6) which states that sales from a drive-through lanes are prohibited from 9:30pm to 6:00am.

Cleveland Board of Zoning Appeals

Public Hearing



Public Hearing

Calendar No. 22-131

1514 Mayview Ave.

Ward 12



Karen O'Malley, proposes to erect 6 feet high wooden shadowbox fence with gates in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.03(a) which states fence running parallel to a driveway within 15 feet from property line shall not exceed (2-1/2') in height and shall be at least 75% percent open.
2. Section 358.04(a) which states fence in side street yards shall not exceed 4 feet in height and shall be at least 50 people open; Proposing 6 feet.



Public Hearing

Calendar No. 22-131

1514 Mayview Ave.

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.**



HISTORY OF THE PROPERTY



Public Hearing

Calendar No. 22-131

1514 Mayview Ave.

Ward 12



LEGAL STANDARD



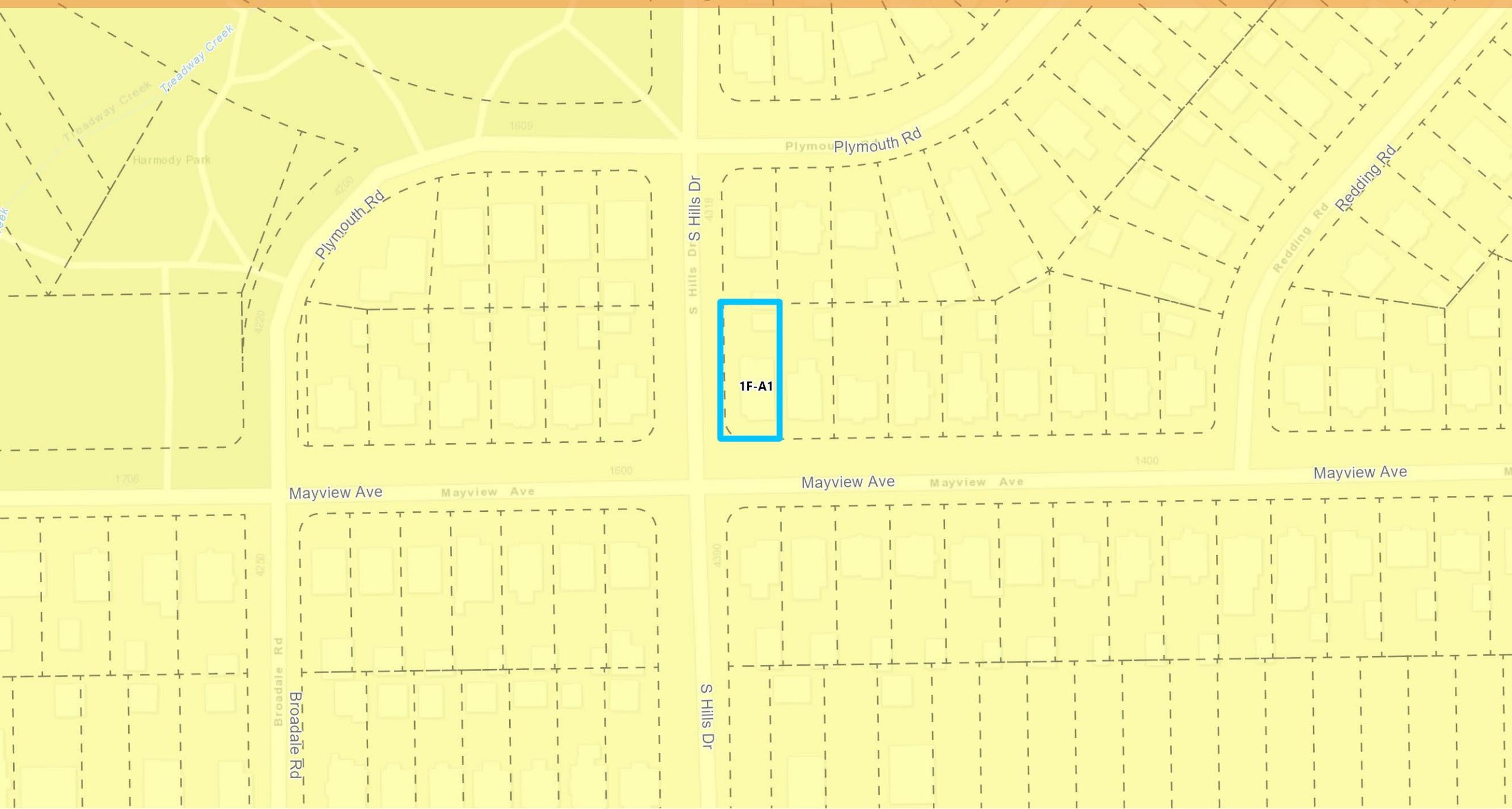


Plymouth Road

South Hills Drive

Mayview Avenue

South



1F-A1

Mayview Ave

Mayview Ave

Mayview Ave

Mayview Ave

Mayview Ave

Broaddale Rd

S Hills Dr

S Hills Dr

Plymouth Rd

Redding Rd

Harmody Park

Treadway Creek

Treadway Creek

Plymouth Rd

1706

1609

1600

1400

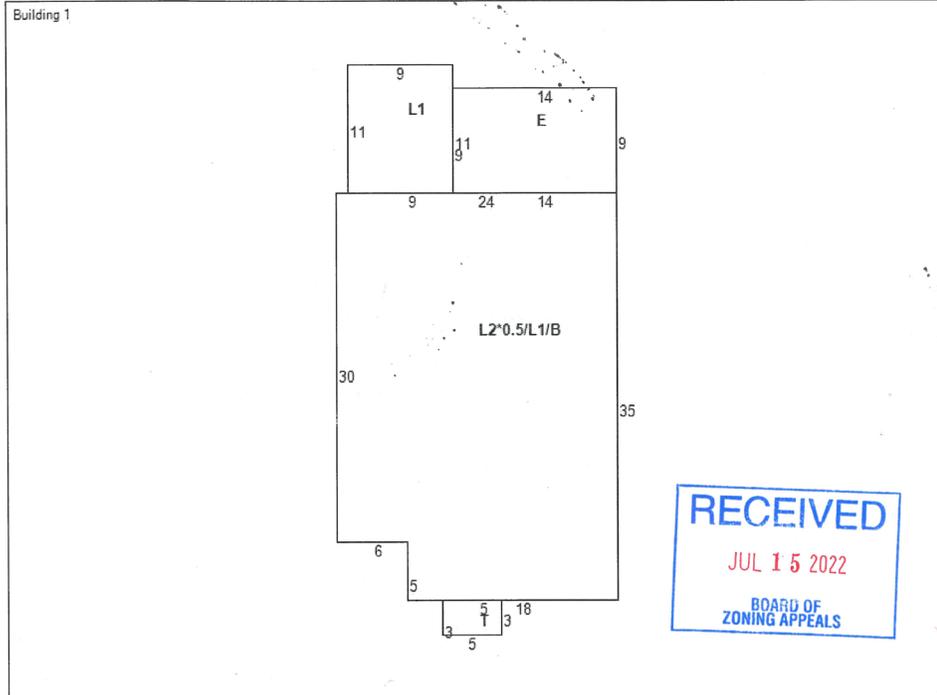
4030

4390

4016

009-21-037
 O'MALLEY, KAREN
 1514 MAYVIEW AVE
 CLEVELAND, OH. 44109

Building Sketch

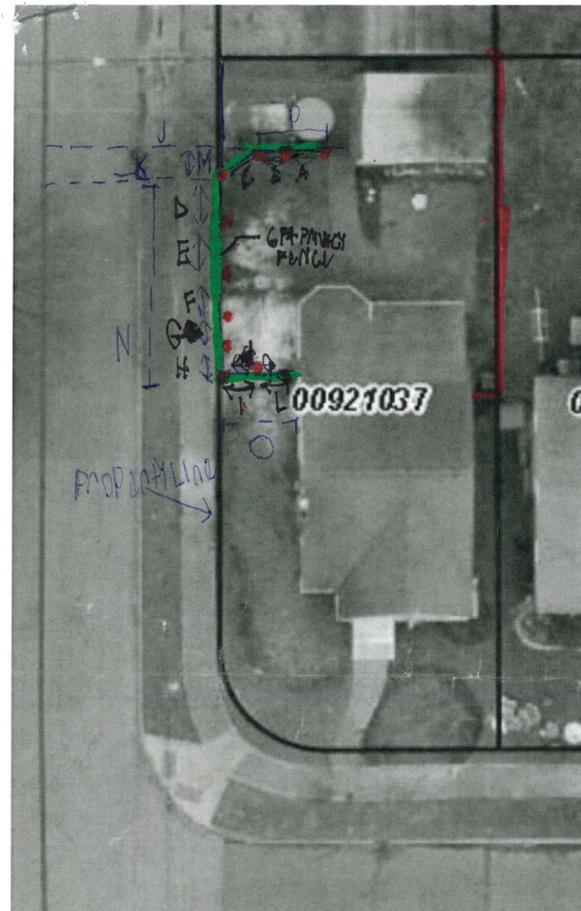


Top View Map

Updated :05/31/2022 03:35:48 AM

Disclaimer: Cuyahoga County provides this geographic data and related analytical results as a free public service on an "as is" basis. Cuyahoga County makes no guarantee(s) or warranty(ies) as to the accuracy, completeness, or timeliness of the information contained herein, and said information is not intended to, nor does it, constitute an official public record of Cuyahoga County. While much of the data contained herein is compiled from public records, the official records of the public office or agency from which they were compiled remains the official record of any such public office or agency. **By accessing, viewing or using any part of the site, you expressly acknowledge you have read, agree to and consent to be bound by all of the terms and conditions listed on this site. Routine maintenance is performed on Fridays and disruptions may occur. We apologize for any inconvenience.**

WATER DEPARTMENT OFFICIALS: AS OF JANUARY 1, 2021 PLEASE UTILIZE THE TRANSFER TAB ON THE MYPLACE SITE TO DETERMINE OWNERSHIP FOR CREATING OR CLOSING ACCOUNTS. PARCEL DATA ON PROPERTY TRANSFERS ARE UPDATED DAILY. THEREFORE, YOU CAN NOW RELY ON THIS SITE FOR ACCURATE REAL PROPERTY OWNERSHIP. YOU ARE ALSO WELCOME TO ACCEPT COPIES OF RECORDED DEEDS FROM OUR OFFICE.

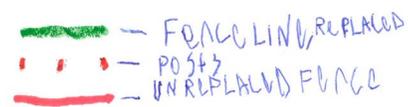


Post to Post DISTANCE

- A: 44'
- B: 63'
- C: 74'
- D: 48'
- E: 66'
- F: 73'
- G: 50'
- H: 74'
- I: 61'
- L: 58.5'

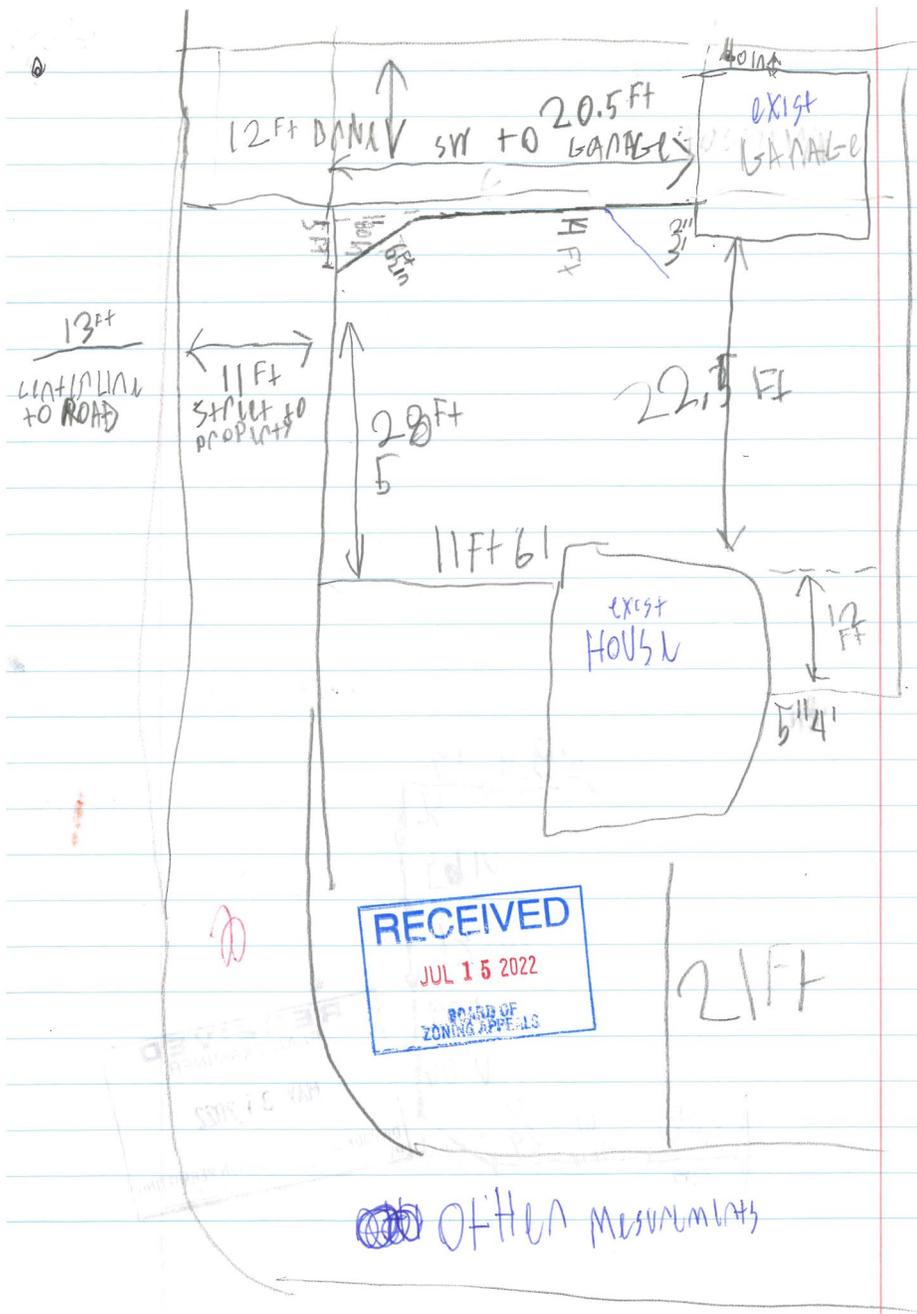
OTHER

J: DISTANCE FROM CENTERLINE TO 1ST POST PARALLEL
 K: DISTANCE FROM WALKWAY TO 1ST POST PARALLEL
 M: DISTANCE BETWEEN LINES JK: 5'
 N: 28" 6"
 O: 11" 6"
 P: 16" 2.5"



RECEIVED
 JUL 15 2022
 BOARD OF ZONING APPEALS

Site PLAN



Public Hearing

Calendar No.: 22-134:

6015 Linwood Ave.

Ward 7

Public Works Invoice Numbers

WO-7010-1316055, WO-7010-1316057, WO-7010-1316059, WO-7010-1316060, WO-7010-1286773

Norman Brown, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer dated May 25, 2022 to uphold the City of Cleveland's Department of Public Works to issue invoice WO-7010-1316057, WO-7010-1316059, WO-7010-1316060, WO-7010-1286773 regarding abating nuisances (grass cutting) at the subject property



Public Hearing

Calendar No.: 22-134:

6015 Linwood Ave.

Ward 7

Public Works Invoice Numbers

WO-7010-1316055, WO-7010-1316057, WO-7010-1316059, WO-7010-1316060, WO-7010-1286773



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.**

Public Hearing

Calendar No.: 22-134:

6015 Linwood Ave.

Ward 7

Public Works Invoice Numbers

WO-7010-1316055, WO-7010-1316057, WO-7010-1316059, WO-7010-1316060, WO-7010-1286773

LEGAL STANDARD



OFFICIAL NOTICE
City of Cleveland
Board of Zoning Appeals
601 Lakeside Avenue
Cleveland, OH 44114
Telephone (216) 664-2580
Fax (216) 664-2631

July 27, 2022

Norman Brown
P.O. Box 1474
Stow, OH 44224

You are hereby notified that the matter stated below is scheduled to be heard before the Board of Zoning Appeals on Board of Zoning Appeals on **August 15, 2022 at 9:30 AM**. The hearing will be held on the **WebEx platform** and will be livestreamed on YouTube.

9:30 AM

Calendar No.: 22-134: 6015 Linwood Ave. Ward 7
Public Works Invoice Numbers
WO-7010-1316055, WO-7010-
1316057, WO-7010-1316059,
WO-7010-1316060, WO-7010-
1286773
Stephanie D. Howse

Norman Brown, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer dated May 25, 2022 to uphold the City of Cleveland's Department of Public Works to issue invoice **WO-7010-1316057, WO-7010-1316059, WO-7010-1316060, WO-7010-1286773** regarding abating nuisances (grass cutting) at the subject property.

YOU WILL RECEIVE AN INVITATION VIA E-MAIL WITH INSTRUCTIONS ON HOW TO JOIN THE WEBEX VIRTUAL MEETING.

CC: Todd Alexander, Manager, 4150 E. 49 St. Building 6., Cleveland OH 44105
Temeisha Crismon, Administrative Manager, 3000 Woodhill Ave., Cleveland, OH 44104
Arielle Kolk, Department of Finance Cleveland City Hall RM. #122
Natasha Bruister, 500 Lakeside Ave., Cleveland OH 44114
Dedrick C. Stephens, Commissioner of Assessments and Licenses
Councilmember Stephanie Howse
File

BZA 22-134
On the Lot ending in 58, the only thing that was cut was the growth on the fence 40' (6.07) \$2.80
On the Lot ending in 8A, the only thing that was cut was the growth on the fence 30' (6.07) \$2.10
On the Lot ending in 83, 40'x30' - 10'x30' driveway and very large tree branch, (\$112.00 - 7.70) \$104.30
On the Lot ending in 82, 40'x30' (#6.07) \$112.00
On the Lot ending in 81, 40'x40' (#6.07) \$116.00
Total 347.20
This is the amount of work that was done
Norman Brown




City of Cleveland
Justin M. Bibb, Mayor

BR22-134

Department of Public Works
Division of Park Maintenance and Properties
500 Lakeside Avenue, 4th Floor
Cleveland, Ohio 44114-1099
216/664-3550 • Fax: 216/664-4087
www.cleveland-oh.gov

NOTICE OF HEARING

PARCEL NO.: 104-19-081

APPELLANT/OWNER: Norman Brown

PROPERTY ADDRESS: 6015 Linwood Ave
Cleveland, Ohio 44103

SUBJECT OF APPEAL: CHAPTER 209 of the CODIFIED
ORDINANCE VIOLATION

HEARING DATE: May 25, 2022

TIME: 9:45 A.M.

LOCATION OF HEARING: PUBLIC AUDITORIUM
500 LAKESIDE AVENUE
4TH FLOOR



APPELLANT/OWNER AND/OR APPELLANT'S/OWNER'S REPRESENTATIVE **MUST BE PRESENT.**

FAILURE OF ANY PARTY TO APPEAR FOR A SCHEDULED HEARING WITHOUT EITHER NOTICE OR A REQUEST FOR A CONTINUANCE WILL CAUSE A DECISION TO BE RENDERED WITH RESPECT TO THE MERITS OF THE MATTER APPEALED.

PLEASE BE ADVISED THAT NO CONTINUANCES WILL BE GRANTED IF NOT REQUESTED **FIVE (5) BUSINESS DAYS** PRIOR TO THE SCHEDULED HEARING DATE.

NATASHA BRUISTER
PROJECT COORDINATOR
****MASK MUST BE WORN AT ALL TIMES FAILURE TO DO SO HEARING WILL BE CANCELED**



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Works
Division of Park Maintenance and Properties
500 Lakeside Avenue, 4th Floor
Cleveland, Ohio 44114-1099
216/664-3550 • Fax: 216/664-4087
www.cleveland-oh.gov

Owner's Name: BROWN, JAMES E.

Protester's Name:

Property Address: 0 LINWOOD AVE, CLEVELAND, OH, 44103

Mailing Address: PO BOX 605106, CLEVELAND, OH, 44105

Parcel PIN No: 10419082

Service Date: 10/12/2021

Service Point ID: 254439

PROTEST DENIED

Protest Date: 4/11/2022

WO#: 1316057

Property Violation

Chapter 209 of the Codified Ordinances of Cleveland Authorizes the Department of Parks, Recreation, and Properties to:

- Abate nuisances on any property. Nuisances are defined as noxious weeds, grass over eight inches, garbage, junk, tires, and all other waste materials.
- Bill the owner of the abated property at a rate of seven cents per square foot.

Annually a Legal Notice is published in the Plain Dealer advising owners, operators, and persons in possession or control of vacant parcels of the requirements of Chapter 209.

On 4/12/2022, our office received a written appeal of Invoice WO-7010-1316057. In response to your appeal, an investigation was conducted and it was determined that the property was vacant, a crew was dispatched on the date(s) of service, abated nuisances found at the related parcel(s), and you were the owner of said parcel at the time(s) of service. As such, your appeal is denied. In accordance with chapter 209, you may request a hearing to challenge this decision within 10 days of the receipt of this letter by completing and returning to my office the attached Protest Hearing Request Form.

Sincerely,
Natasha Bruister
Natasha Bruister, Project Coordinator
Division of Park Maintenance Properties

cc: Dedrick C. Stephens, Commissioner
Anthony Scott, Commissioner
Todd Alexander, Manager
Temeisha Crismon, Administrative Manager





City of Cleveland
Justin M. Bibb, Mayor

Department of Public Works
Division of Park Maintenance and Properties
500 Lakeside Avenue, 4th Floor
Cleveland, Ohio 44114-1099
216/664-3550 • Fax: 216/664-4087
www.cleveland-oh.gov

Owner's Name: BROWN JR JAMES E

Protester's Name:

Property Address: 0 LINWOOD AVE,CLEVELAND,OH,44103

Mailing Address: 2229 NORMAN DR, STOW, OH, 44224

Parcel PIN No: 10418058

Service Date: 10/12/2021

Service Point ID: 230104

PROTEST DENIED

Protest Date: 4/1/2022

WO#: 1316060

Property Violation

Chapter 209 of the Codified Ordinances of Cleveland Authorizes the Department of Parks, Recreation, and Properties to:

- Abate nuisances on any property. Nuisances are defined as noxious weeds, grass over eight inches, garbage, junk, tires, and all other waste materials.
- Bill the owner of the abated property at a rate of seven cents per square foot.

Annually a Legal Notice is published in the Plain Dealer advising owners, operators, and persons in possession or control of vacant parcels of the requirements of Chapter 209.

On4/6/2022, our office received a written appeal of Invoice WO-7010-1316060. In response to your appeal, an investigation was conducted and it was determined that the property was vacant, a crew was dispatched on the date(s) of service, abated nuisances found at the related parcel(s), and you were the owner of said parcel at the time(s) of service. As such, your appeal is denied. In accordance with chapter 209, you may request a hearing to challenge this decision within 10 days of the receipt of this letter by completing and returning to my office the attached Protest Hearing Request Form.

Sincerely,

Natasha Bruister

Natasha Bruister, Project Coordinator
Division of Park Maintenance Properties

cc: Dedrick C. Stephens, Commissioner
Anthony Scott, Commissioner
Todd Alexander, Manager
Temeisha Crismon, Administrative Manager



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Works
Division of Park Maintenance and Properties
500 Lakeside Avenue, 4th Floor
Cleveland, Ohio 44114-1099
216/664-3550 • Fax: 216/664-4087
www.cleveland-oh.gov

Owner's Name: BROWN JR JAMES E

Protester's Name:

Property Address: 6003 LINWOOD AVE,CLEVELAND,OH,44103

Mailing Address: P O BOX 605105, Cleveland, OH, 44105

Parcel PIN No: 10419084

Service Date: 8/4/2021

Service Point ID: 149962

HEARING DENIED

Protest Date: 2/23/2022

WO#: 1286773

Property Violation

Chapter 209 of the Codified Ordinances of Cleveland Authorizes the Department of Parks, Recreation, and Properties to:

- Abate nuisances on any property. Nuisances are defined as noxious weeds, grass over eight inches, garbage, junk, tires, and all other waste materials.
- Bill the owner of the abated property at a rate of seven cents per square foot.

Annually a Legal Notice is published in the Plain Dealer advising owners, operators, and persons in possession or control of vacant parcels of the requirements of Chapter 209.

On5/25/2022, we conducted a hearing at your request to appeal the denied protest of Invoice WO-7010-1286773. In response to your appeal, it was determined that the property was vacant, a crew was dispatched on the date(s) of service, abated nuisances found at the related parcel(s), and you were the owner of said parcel at the time(s) of service. As such, your appeal remains denied. In accordance with chapter 209, you may further appeal the decision to the board of zoning appeals within 30 days of the decision by calling 216-664-2580.

Sincerely,

Natasha Bruister

Natasha Bruister, Project Coordinator
Division of Park Maintenance Properties

cc: Dedrick C. Stephens, Commissioner
Anthony Scott, Commissioner
Todd Alexander, Manager
Temeisha Crismon, Administrative Manager



Protest Hearing Request Form

In accordance with Chapter 209 of the Codified Ordinances of the City of Cleveland, you may request a hearing to dispute the Department of Parks, Recreation, and Properties denial of your appeal to reverse or modify a billing for vacant property services. In order to process your request for a hearing, please provide us with the following information:

First and last name and daytime contact number with area code:

Mailing address:

Indicate the property address and parcel number(s) in dispute:

Indicate the date(s) of service and invoice number(s) in dispute:

Briefly give the reason for your protest:



Please mail your protest to:

Protest Hearing Request
Division of Park Maintenance and Properties
500 Lakeside Ave.
Cleveland, Ohio 44114

Our offices will contact you as soon as possible regarding the date, time, and location of your hearing. Please allow ten to fifteen business days from the date of your letter in order to receive a response from our office.

Public Hearing



Calendar No. 22-135 & 137:

6016 St. Clair Avenue. (Front & Rear) Ward 7

Anna Louise Real Estate LLC. proposes to establish use as dog training school that includes boarding of dogs 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 343.01(b)(2)(G) which states use for dog training school that includes boarding of dogs is not a permitted use in Local Retail Business District, first permitted in a General Retail Business District per Section 343.11 (b)(2)(Q)



Public Hearing

Calendar No. 22-135 & 137:

6016 St. Clair Avenue. (Front &Rear)

Ward 7



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

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Public Hearing

Calendar No. 22-135 & 137:

6016 St. Clair Avenue. (Front & Rear)

Ward 7



HISTORY OF THE PROPERTY



Public Hearing

Calendar No. 22-135 & 137:

6016 St. Clair Avenue. (Front &Rear)

Ward 7



LEGAL STANDARD

Calendar No. 22-135 & 137:

6016 St. Clair Avenue. (Front & Rear)

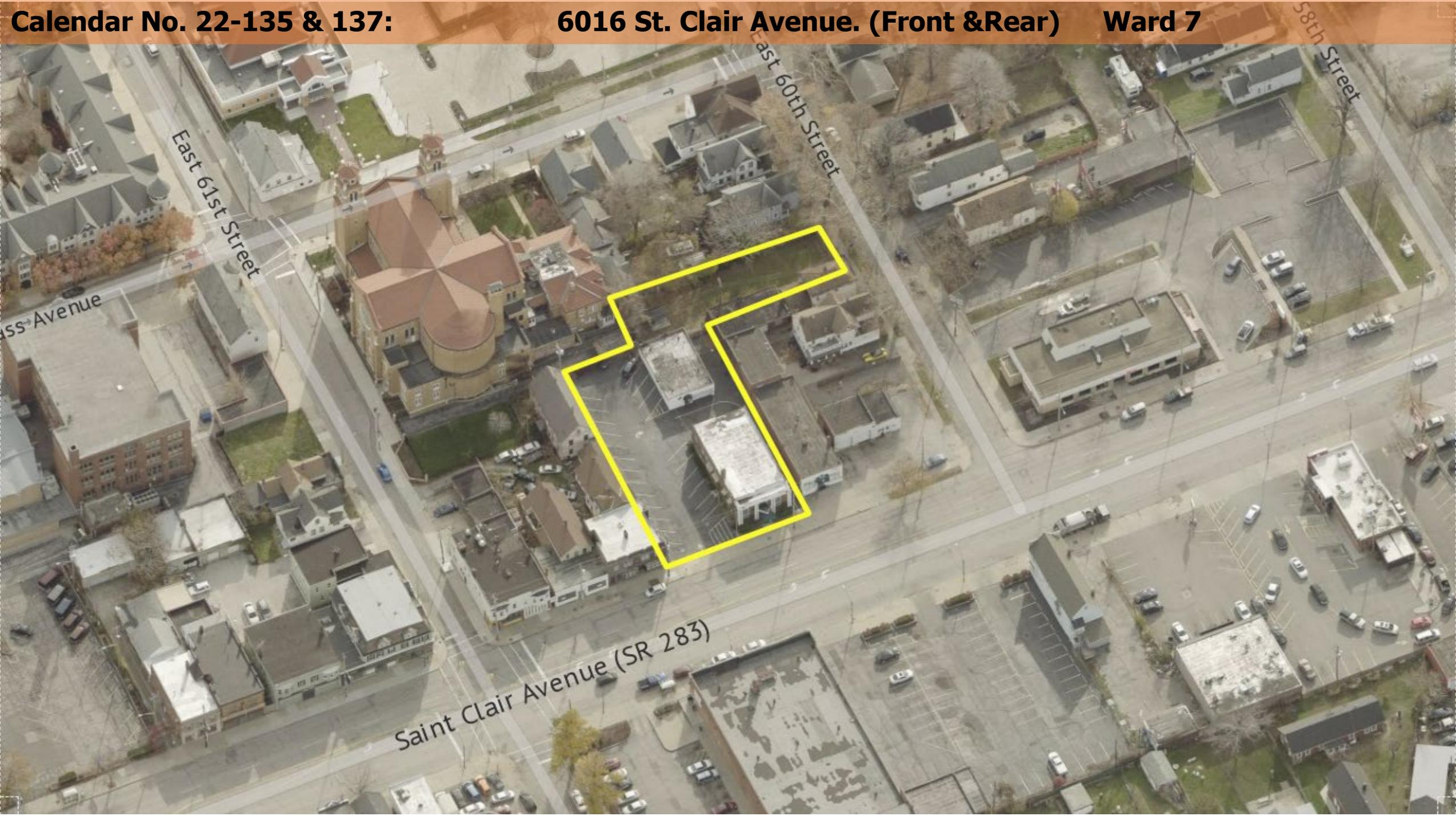
Ward 7



Calendar No. 22-135 & 137:

6016 St. Clair Avenue. (Front & Rear)

Ward 7



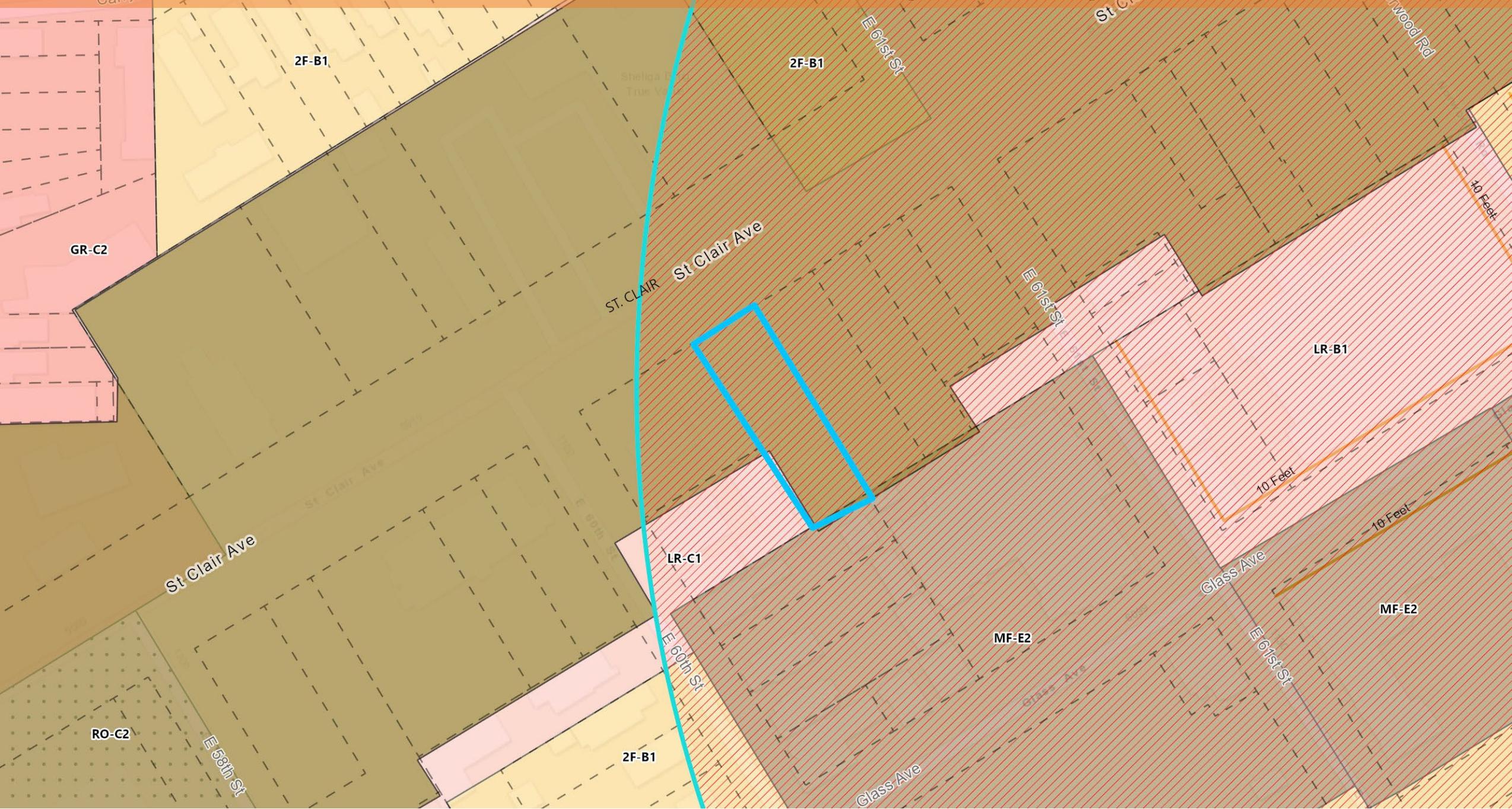
East 61st Street

East 60th Street

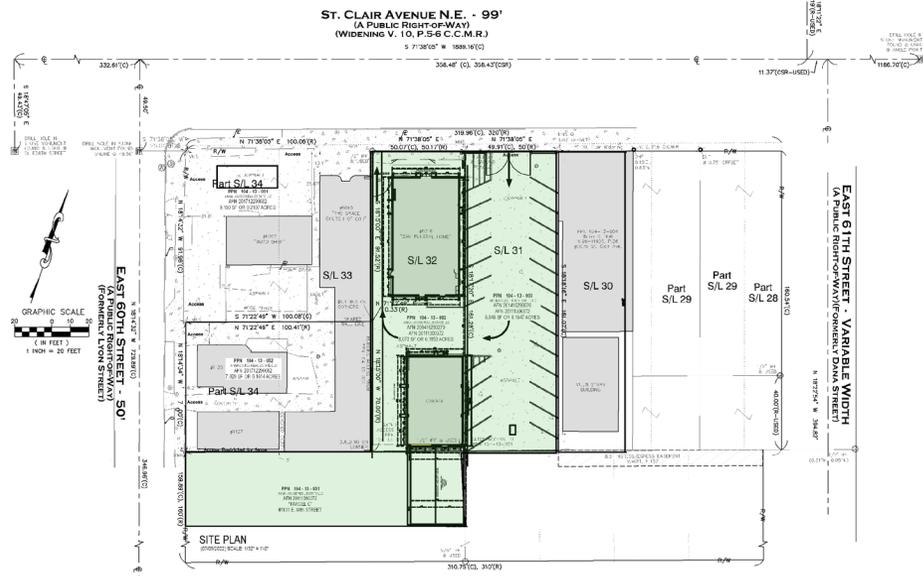
East 58th Street

Mass Avenue

Saint Clair Avenue (SR 283)

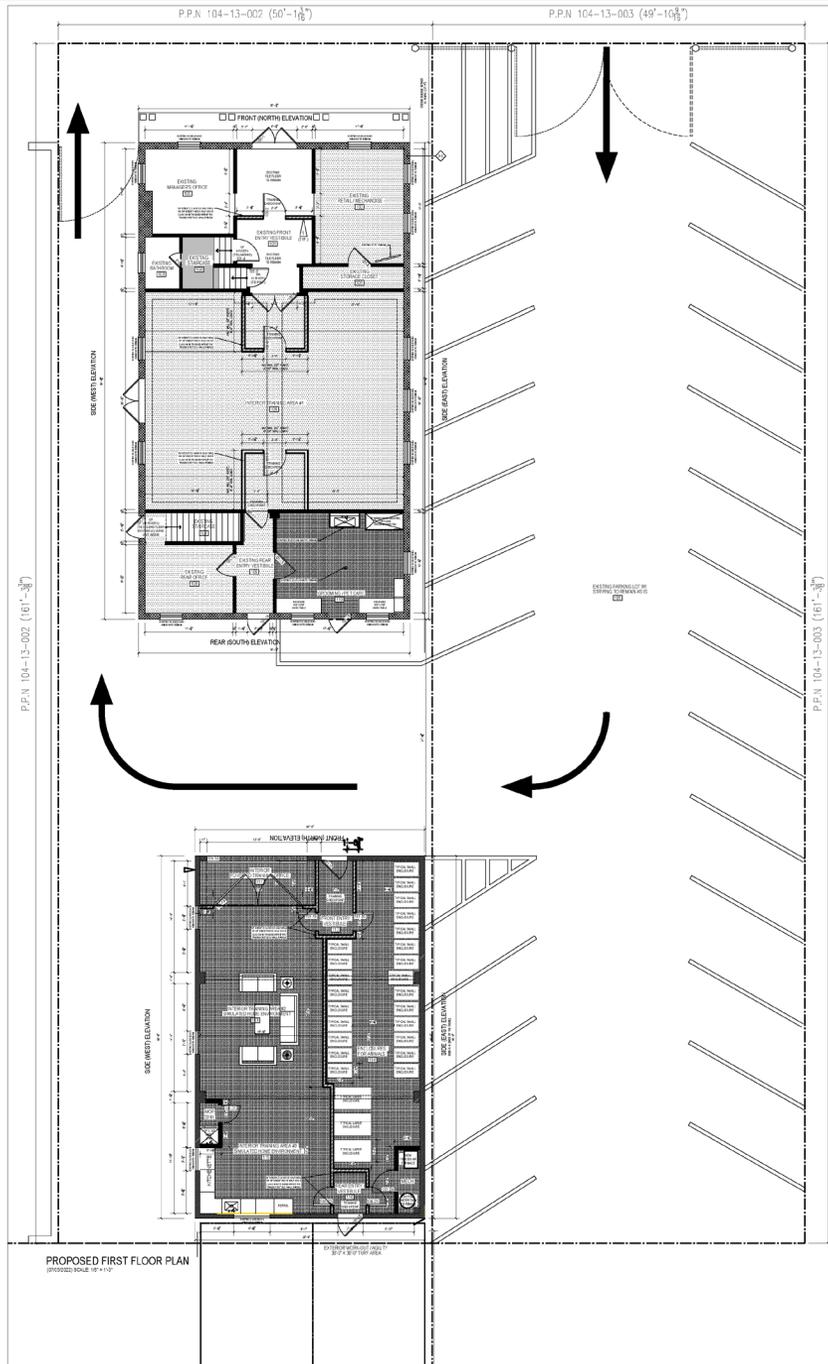
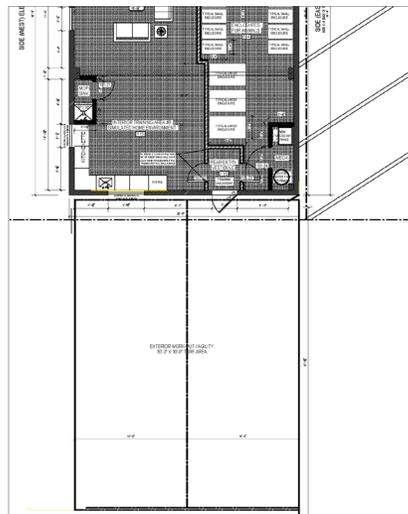


ALTA / NSPS LAND TITLE SURVEY



SYMBOL LEGEND

- INDICATES ROOM NAME AND NUMBER (REFER TO ID.02 FOR ROOM FINISHES)
- INDICATES WALL CONSTRUCTION TYPE & HEIGHT (REFER TO ID.02 FOR ROOM FINISHES)
- TYPICAL SECTION / DETAIL FLAG REFERS TO SECTION OR ELEVATION NUMBER REFERS TO DRAWING SHEET NUMBER
- EXISTING 8" EXTERIOR BRICK WALL W/ PLASTER INTERIOR TO REMAIN 10" TOTAL THICKNESS
- EXISTING 8" EXTERIOR BRICK WALL EXPOSED BRICK INTERIOR TO REMAIN 8" TOTAL THICKNESS
- EXISTING WOOD 2 X 4 INTERIOR WOOD STUD WALL W/ PLASTER 5 1/4" TOTAL THICKNESS
- PROPOSED WOOD 2 X 4 INTERIOR HALF WALL CLAD W/ TRUSSCORE 1/2" PVC WALL PANELS (54" TOTAL HEIGHT)
- PROPOSED WOOD 2 X 4 INTERIOR FULL HEIGHT WALL CLAD W/ TRUSSCORE 1/2" PVC WALL PANELS (FLOOR TO CEILING)
- INDICATES WINDOW TYPE (ALL WINDOWS EXISTING, TO REMAIN) (REFER TO ID.02 FOR WINDOW SCHEDULE)
- INDICATES EXISTING DOOR TYPE - (REFER TO ID.02 FOR DOOR SCHEDULE)
- INDICATES NEW PROPOSED DOOR TYPE - (REFER TO REFER TO ID.02 FOR DOOR SCHEDULE)
- EXISTING PARKING LOT STRIPING
- REMOVE EXISTING CARPETING AND RE-FINISH EXISTING HARDWOOD FLOORS WITH (STREET SHOE FINISH)
- PREP / CLEAN EXISTING CONCRETE FLOOR AND SEAL WITH AN EPOXY SEALER



2301 Thurman Avenue
Cleveland, OH 44113
t: 440.759.6769
ARCform@gmail.com

ARC-form LLC
CONTRACTORS
Design & Installation

STRUCTURAL ENGINEER:
i.a. Lewin & Associates, Inc.
4110 Mayfield Road,
South Euclid, OH 44121
t: 216.291.3131

SITE & FIRST FLOOR PLANS
PROPOSED INTERIOR ALTERATION

BOSS K9
6016 SAINT CLAIR AVENUE
CLEVELAND, OH 44103

REVISION:
06/21/2022
07/05/2022

DRAWING NUMBER

ID.01

Public Hearing



Calendar No. 22-73:

1725 Holmden Ave.

Ward 14

Fisher and Payne LLC, owner, proposes to change use of existing two-family dwelling to three-family located 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(a) which states a three-family dwelling is not permitted in Two-Family District but first allowed in a Multi-Family District.
2. Section 355.04(b) which states in a "B" Area District a minimum lot area of 2,400 square feet per dwelling unit is required or in this case 7,200 square feet are required and 4,550 square feet are proposed. Maximum Gross Floor area shall not be greater than 50 percent of the lot area which in this case is 2,275 square feet and the appellant is proposing 2,332.
3. Section 349.04 which states three parking spaces required are required and no parking spaces are provided.



Public Hearing

Calendar No. 22-73:

1725 Holmden Ave.

Ward 14



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.
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HISTORY OF THE PROPERTY





LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance and area variances from the minimum lot area, maximum gross floor area, and parking regulations 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 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.

Calendar No. 22-73:

1725 Holmden Ave.

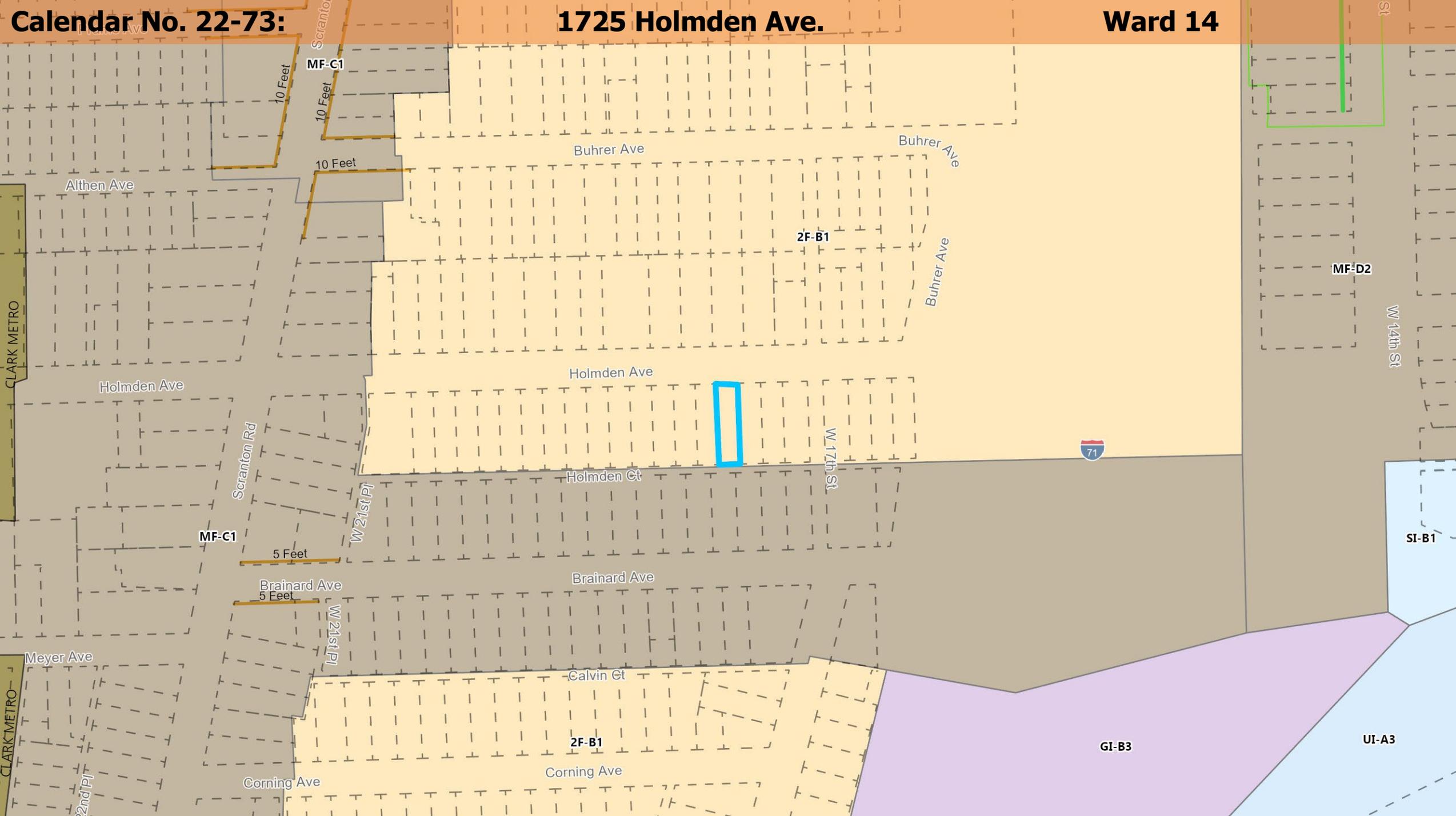
Ward 14

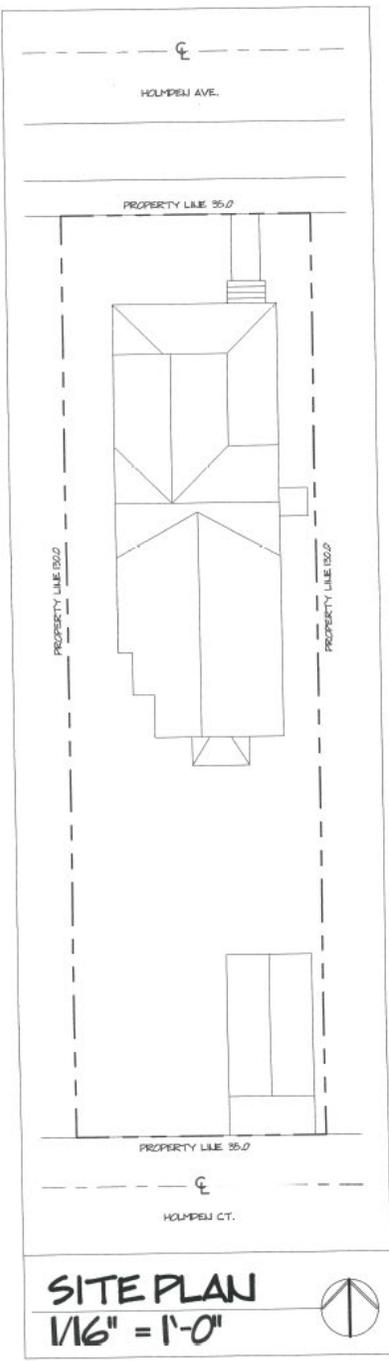






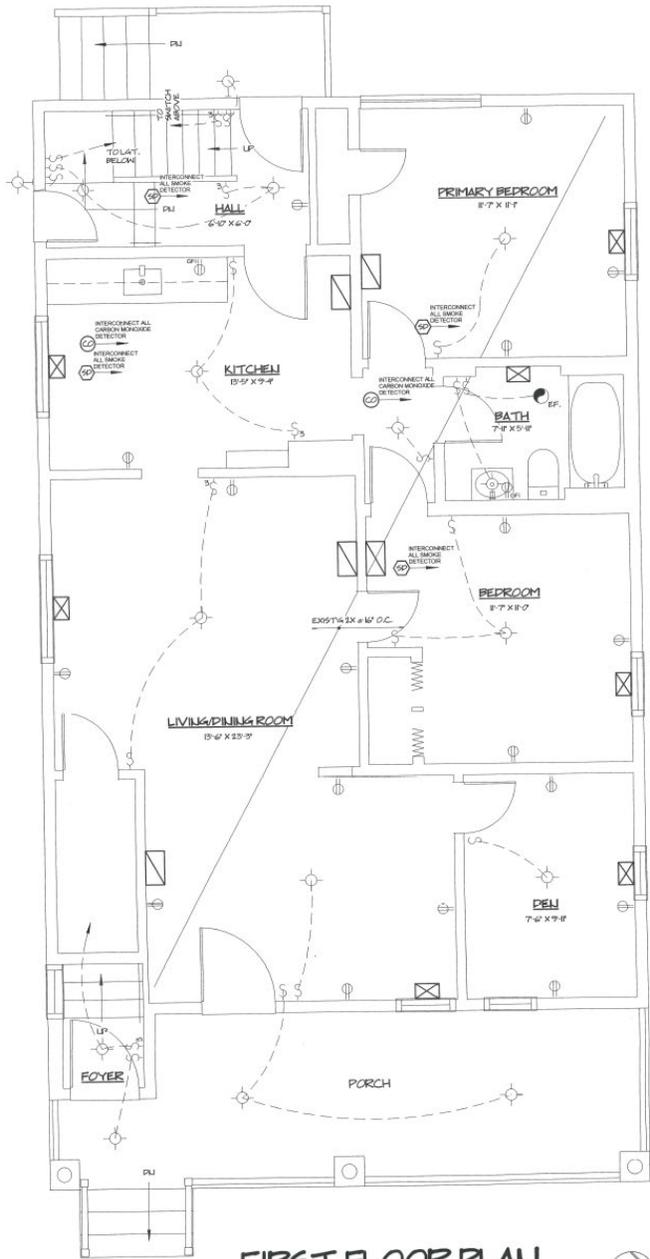






SITE PLAN
1/16" = 1'-0"





KEY:

- : SUPPLY AIR
- : RETURN AIR

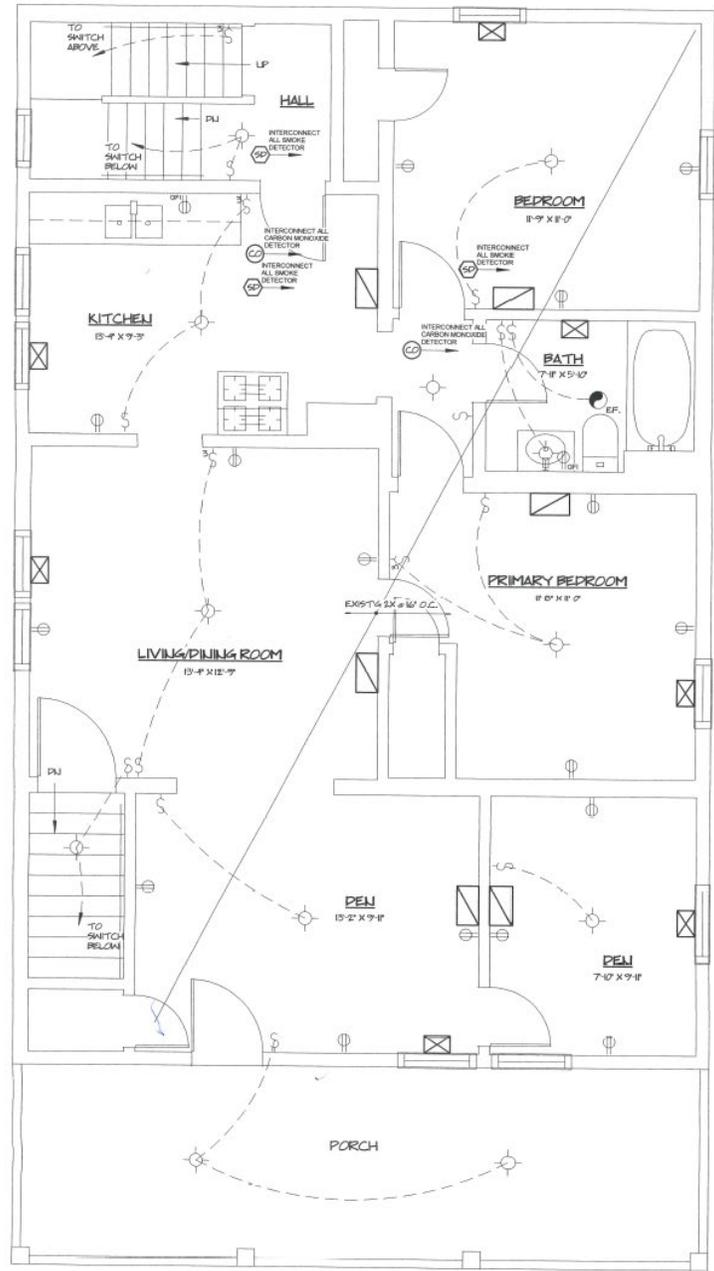
LIGHT FIXTURE SCHEDULE:

- : DUPLEX RECEPTACLE
- : SWITCH
- : SMOKE DETECTOR
- : CARBON MONOXIDE DETECTOR
- : EXHAUST FAN

NOTES:

- PLANS REPRESENT EXIST'G CONDITIONS

FIRST FLOOR PLAN
 1/4" = 1'-0"



SECOND FLOOR PLAN
 1/4" = 1'-0"

August 4 TWDC Economic Development Meeting BOZA - No.22-73 1725 Holmden Ave.

krobrand@stratos.net <krobrand@stratos.net>

Tue 8/2/2022 2:32 PM

To: jaime.decllet@cpl.org <jaime.decllet@cpl.org>; coryriordan@tremontwest.org <coryriordan@tremontwest.org>
Cc: ariley@altercareonline.net <ariley@altercareonline.net>; scottrosenstein@tremontwest.org <scottrosenstein@tremontwest.org>

TWDC Economic Development meeting August 4, 2022

RE: BOZA No. 22-73 1725 Holmden (rescheduled for BOZA August 15)

Letter of non-support for variance request

The Metro North block club met on July 26, 2022. T. Fischer of Fischer and Payne LLC, owners of 1725 Holmden, agreed to the request of the TWDC Econ Dev (July 14) to present (re-present) the need for variances for this property to the Metro North block club. S. Rosenstein(TWDC) sent email(s) asking for any add'l info to provide to the members. No add'l info was received and no representative was available to provide any info. The letter of non-conformance was available as it had initially been available for the block club June 28 meeting.

There was discussion on the meetings of July 14 TWDC Econ Dev and July 18 BOZA. The block club members and residents of Holmden decided to vote a second time on this request. It was unanimous to NOT SUPPORT the granting of these variances.

For section 337.03(a), it was felt that changing the zoning to multi-family would allow the possibility of more than 3 units being at that address (i.e. the attic being used and the garage already being used for a 'haircutting business' re: T. Fischer at Boza 7/18).

For section 355.04(b), it was felt that there is already too little green space and more units would increase the over-crowdedness.

For section 349.04, it was felt that there are too many parking issues on Holmden and current residents are having difficulty finding a parking space. The odd address side of Holmden was configured to have accessible parking from an alleyway Homden Ct and that 1725 Holmden has an existing garage and area next to the garage to park car(s). This does impact the green space re:section 355.04(b).

Again, the Metro North block club voting members and residents of Holmden affected, voted unanimously to NOT SUPPPORT the granting of these variances. Thank you for understanding the concerns.

Sincerely,

Susan Krosel, Metro North Block Club chair

From: Jasmin Santana <jsantana@clevelandcitycouncil.org>

Sent: Wednesday, August 10, 2022 2:54 PM

To: Kukla, Elizabeth <Ekukla@clevelandohio.gov>; Riordan Cory <coryriordan@tremontwest.org>

Cc: Miranda, Maranyeliz <mmiranda@clevelandcitycouncil.org>; Maria Agosto <magostoward14@gmail.com>

Subject: Fw: August 15, 2022 BOZA - No.22-73 1725 Holmden Ave.

Hello Elizabeth,

Please read below!

Can you add to the record that as the Council representative I do not support the granting of the variances based on my residents concerns expressed below?

Let me know if you need any additional information from me!

Jasmin Santana

Cleveland City Councilwoman, Ward 14

Maranyeliz Miranda, Executive Assistant

City Hall (216) 664-4238 Fax (216) 664-3837

www.clevelandcitycouncil.org/ward-14

"I alone cannot change the world, but I can cast a stone across the waters to create many ripples" Mother Teresa

Public Hearing

Calendar No. 22-111:

2525 Thurman Ave.

Ward 3



Orly Cohen LLC, owner, proposes to create one concrete parking space and new drive apron to existing single family residence 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 337.23 (a) which states all parking spaces shall be located on rear half of lot at 60'.
2. Section 349.05(a) which states no parking space shall be located within 10 feet of any wall of residential building that contains ground floor windows. (Filed June 3, 2022)



Public Hearing

Calendar No. 22-111:

2525 Thurman 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 area variances from the parking regulations of the zoning code.

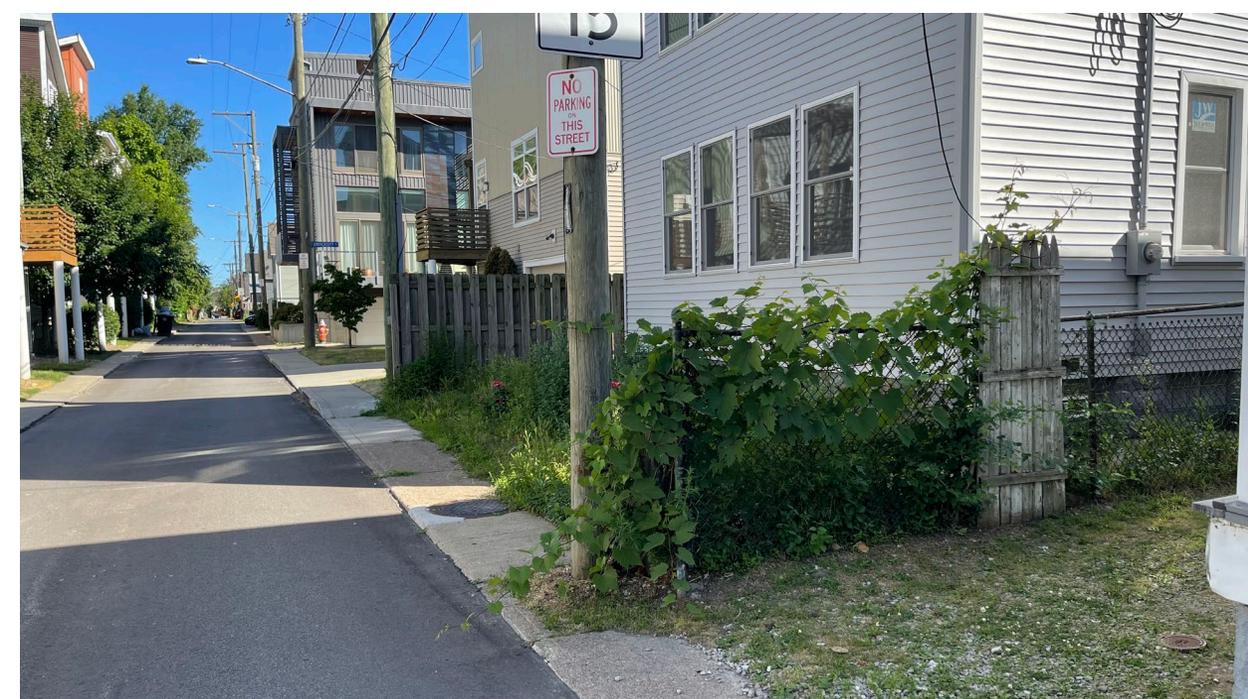
To obtain the area variances, Appellant must prove that denying the request:

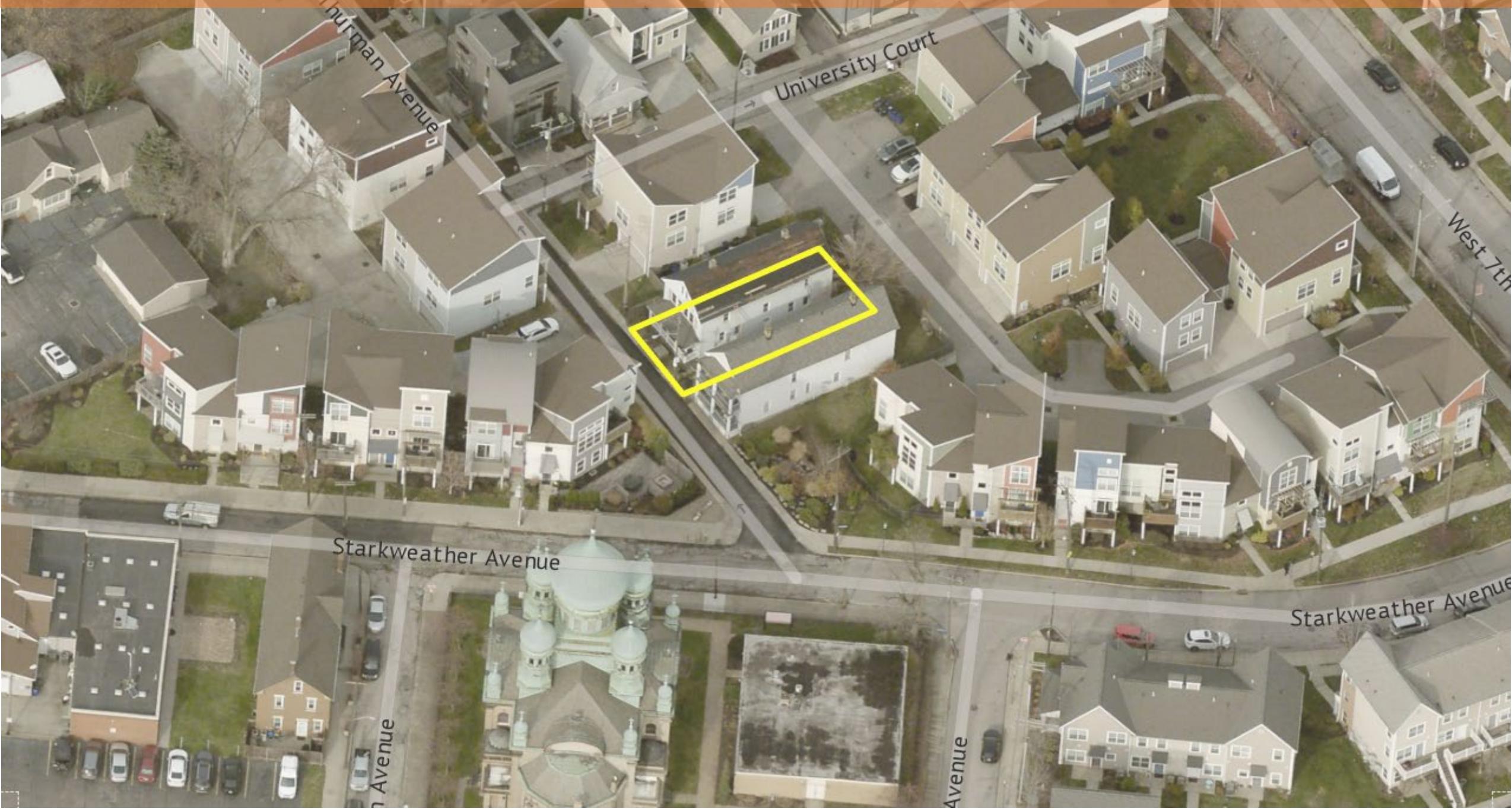
1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variances will not be contrary to the purpose and intent of the zoning code.

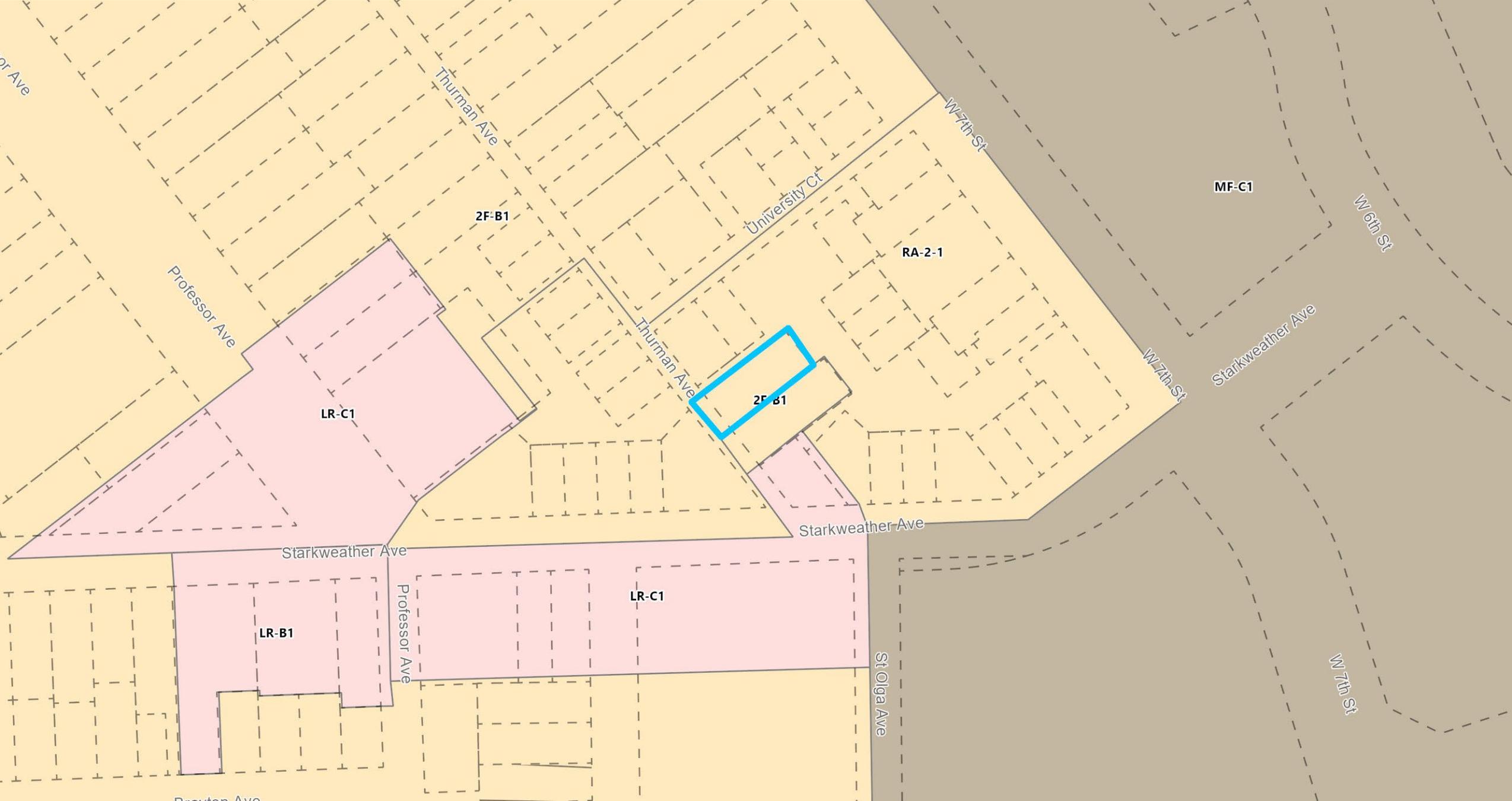
Calendar No. 22-111:

2525 Thurman Ave.

Ward 3







From: Andrew November <andrewsnovember@gmail.com>
Sent: Tuesday, July 12, 2022 1:51 PM
To: Kukla, Elizabeth <Ekukla@clevelandohio.gov>
Subject: 2525 Thurman Appeal Meeting - July 18, 2022

I want to comment in **support** of this variance. I live at 744 Starkweather Ave, Cleveland, OH 44113, in a Starkweather Place townhome. The Starkweather Place driveway is directly adjacent to 2525 Thurman. Our driveway serves as the ingress/egress for twelve townhomes. As the driveway serves twelve homes, it is frequently busy with cars and pedestrian traffic.

We have dealt with people parking in our driveway to access 2525 Thurman for years. It has caused unsafe conditions on our property because of the narrowness and blind corner. It has also caused inconvenience and nearly led to a physical altercation over parking several years ago. A parking area for 2525 Thurman will help prevent future issues and positively impact twelve homes

--
Andrew November

Public Hearing



Calendar No. 22-112

3522 Clark Ave.

Ward 14

Charter Food Inc, proposes to establish a new Taco Bell structure with drive-through in a G2 Limited Retail Business and an Urban Form Overlay District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 343.22 which states in the Limited Retail Business District Drive-Through Restaurant is permitted only as regulated in section 348.04 in the Urban Form Overlay.
2. Section 348.04(c)(3) which states any business served by a drive-thru shall have all points of customer intersection located outside of the urban street space; proposed restaurant building is within urban street space.
3. Section 348.04(d)(2)(A) which states 80 % Principal street frontage build out is required; proposed is less than 80%.
4. Section 348.04(d)(4)(B) which states no access is permitted on a principal frontage; two drives are proposed.
5. Section 348.04(d)(4)(D) which states that the maximum permitted aisle width is 22 feet.
6. Section 348.04(d)(5)(D) which states a 6-foot-wide transition strip of 100% opacity is required at the rear where lot abuts Multi-Family District.



Public Hearing

Calendar No. 22-112

3522 Clark Ave.

Ward 14



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

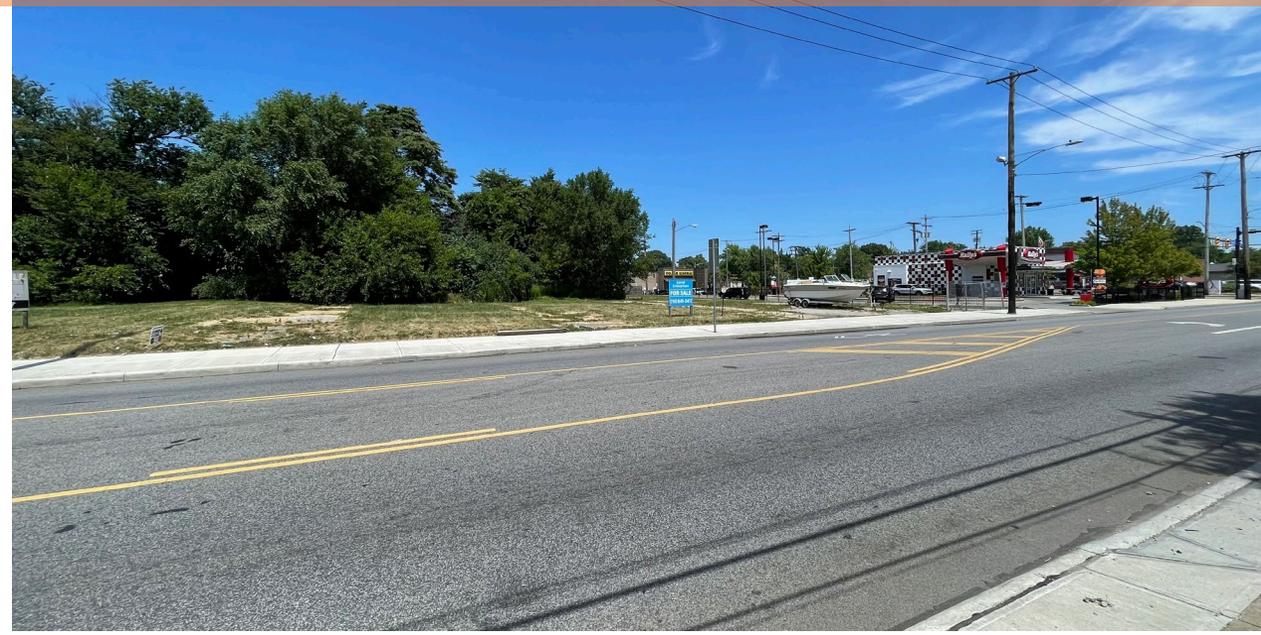
Madam Chair, Members of the Board, Appellant is requesting a use variance and area variances from the regulations of the zoning code.

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 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.

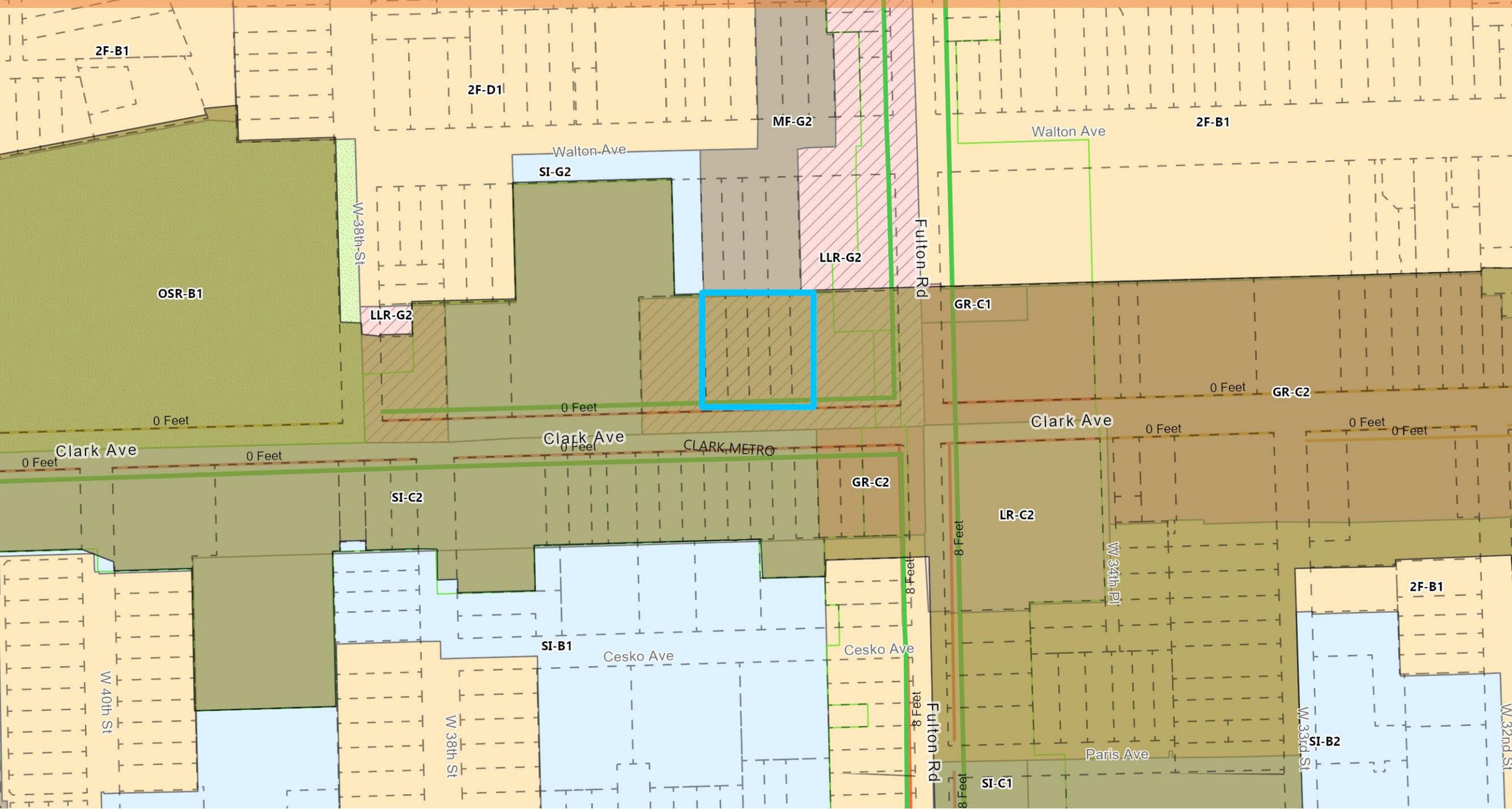


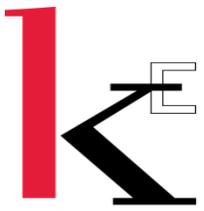


3522 Clark Ave.

Clark Avenue

Fulton Road

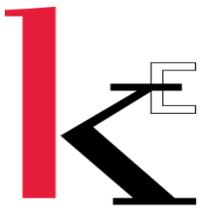




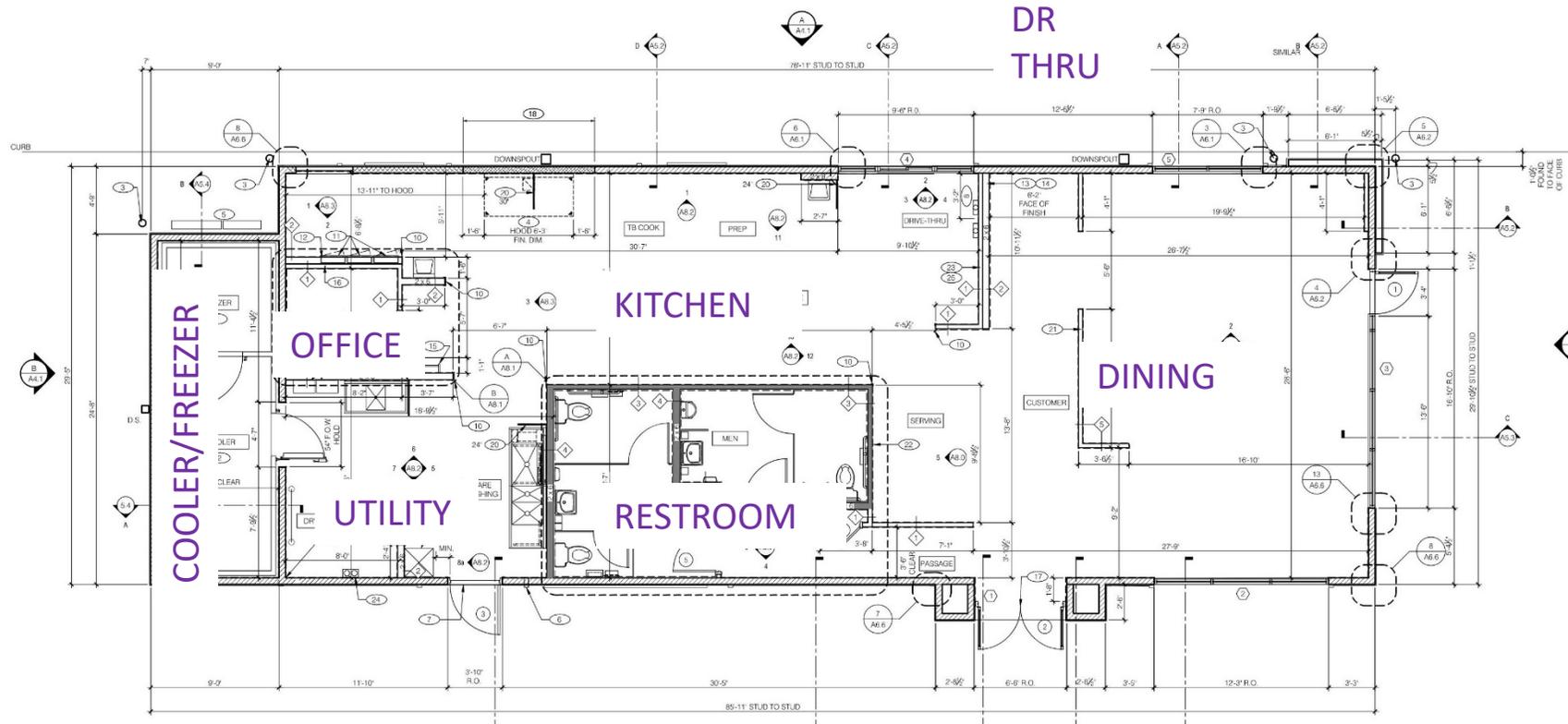
karpinski
ENGINEERING

PROPOSED LOCATION : 3522 CLARK AVENUE

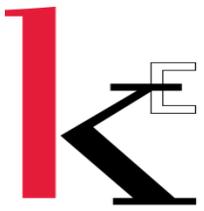




BUILDING FLOOR PLAN



- 2,530 SQ FT
- MAX HEIGHT = 22'-1"
- NUMBER SEATS = 52



karpinski
ENGINEERING

BUILDING RENDERING







LOT CONSOLIDATION PLAT

FOR: E & J INVESTMENT PROPERTIES, LLC

SITUATED IN THE CITY OF CLEVELAND, COUNTY OF CUYAHOGA AND STATE OF OHIO AND KNOWN AS BEING PART OF 3038 CITY BLDG. 405 AND ALL OF 3038 CITY BLDG. 405 IN HIRAM STONES' ADDITION TO OHIO CITY AND CLEVELAND OF PART OF ORIGINAL BROOKLYN TOWNSHIP LOT NOS. 53 AND 68, AS SHOWN BY THE RECORDED PLAT IN VOLUME 1 OF MAPS, PAGES 41 & 42 OF CUYAHOGA COUNTY RECORDS.



FEBRUARY 17, 2022

Acceptance

(P.P. Nos. 007-20-025 through 029)

I, the undersigned owner of the land shown herein, do hereby consent to and accept this lot consolidation plat of the same.

E & J Investment Properties, LLC

Title: _____
Print Name: _____

State of Ohio: _____
County of Cuyahoga: _____

I, the undersigned, a duly qualified and able, personally appeared the above named owner of E & J Investment Properties, LLC, do hereby consent to and accept this lot consolidation plat of the same and do hereby certify that the same is a true and correct copy of the original plat as shown to me by the undersigned and that the same is a true and correct copy of the original plat as shown to me by the undersigned and that the same is a true and correct copy of the original plat as shown to me by the undersigned.

In witness whereof, I have hereunto set my hand and official seal of _____ day of _____, 2022.

Notary Public:

My commission expires: _____

Approvals

Planning Director

The plat of consolidation is accepted and approved by the Planning Director of the City of Cleveland, Ohio the _____ day of _____, 2022.

Joyce Pao Huang, Planning Director

Planning Commissioner

The plat of consolidation is accepted and approved by the Planning Commissioner of the City of Cleveland, Ohio the _____ day of _____, 2022.

Richard Swickard, Planning Commissioner

Certification

I do hereby certify that I have reviewed the plat and prepared this plat in accordance with the provisions of Chapter 4705-01 of the Ohio Administrative Code. Dimensions shown herein are expressed in their true decimal parts thereof. Measurements were taken at all indicated locations. Boundary markers are to be assumed correct and are for the sole purpose of describing the natural angular relation between lines, all of which I certify to be correct to the best of my knowledge and belief.

Richard J. Rice, Registered Surveyor #7089

Date: _____



Basis of Bearings

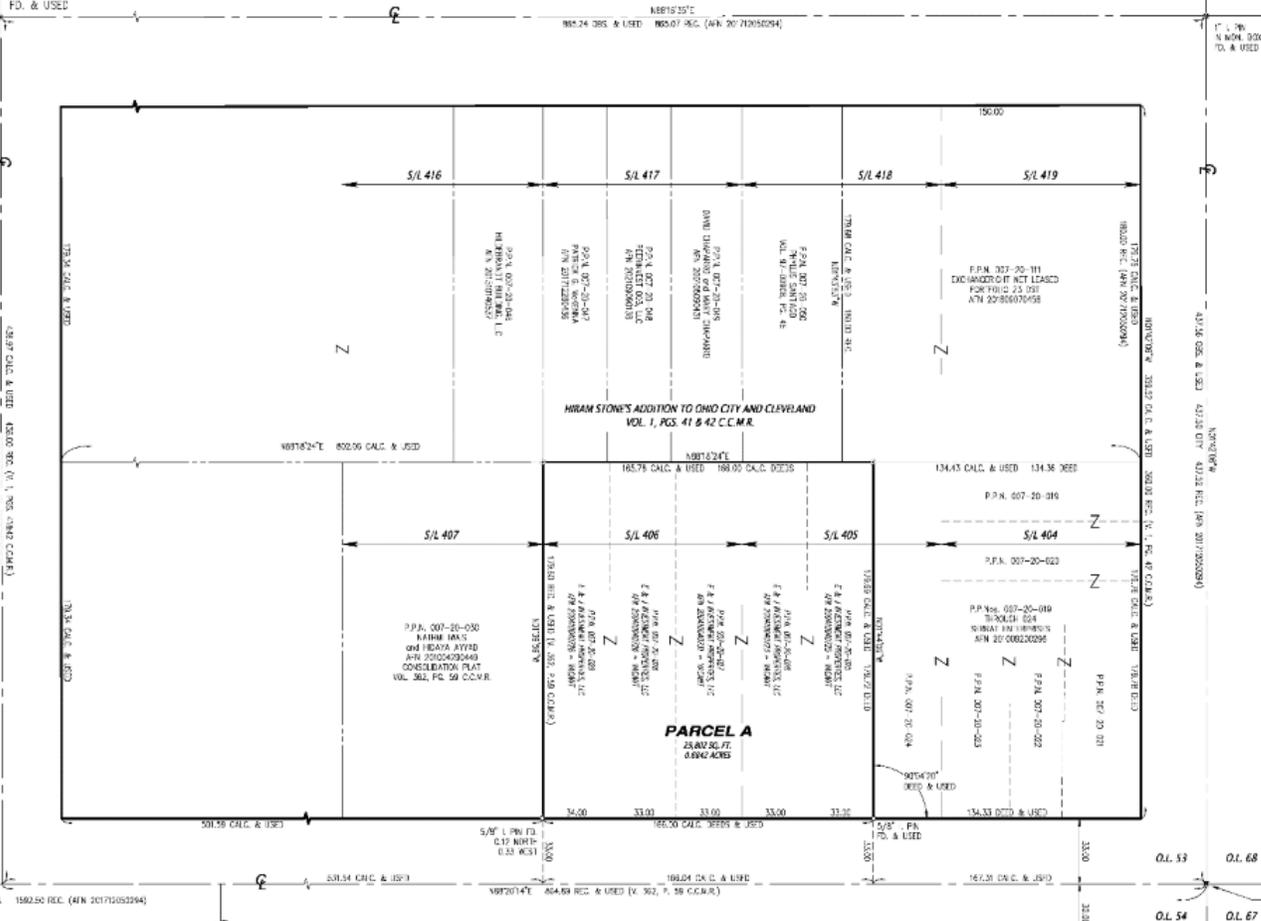
The bearing for the centerline of Clark Avenue S.W. (North 88° 20' 14" East) as shown by a Lot Consolidation Plat recorded in Volume 362 of Maps, Page 58 of Cuyahoga County Records, is the reference meridian for this survey.

LEGEND:

- IRON PIN FOUND & USED
- IRON PIPE FOUND & USED
- ⊕ 5/8" CAPPED WOOD IRON IRON PIN SET (5/8" LONG)
- IRON PIN MONUMENT FOUND & USED
- CBU CALCULATED & USED
- DBU DEED & USED
- MBU RECORD & USED

WALTON AVENUE S.W. 90'

STONE w/ D.H. IN MON. BOX FD. & USED



WEST 41st STREET 60'

STONE w/ D.H. IN MON. BOX FD. & USED

CLARK AVENUE S.W. 63'

WEST 38th STREET 60'

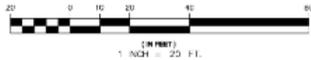
FULTON ROAD S.W. 66'



RIMKOLE & ASSOCIATES, INC.
1571 High Street - Cleveland, OH 44115
Phone: (216) 763-7337 - Fax: (216) 763-7338
www.rimkole.com
PA No. 2582 LC



NORTH
GRAPHIC SCALE



UNDERGROUND UTILITIES NOTE:

The new and existing, both horizontal and vertical, of underground utilities shown herein have been obtained by a search of available records. Verification by field observation has been conducted where practical. However, holes and tests done, does not guarantee the completeness nor accuracy thereof.

SURVEYOR'S CERTIFICATION:

I, Richard J. Kelle, do hereby certify that this survey was made on the ground under my supervision on Jan. 16, 2022 and that it is true and correct to the best of my knowledge and belief.

Richard J. Kelle 1/20/22
Richard J. Kelle, Reg. Surveyor #1885



SYMBOL LEGEND

⊕	WELL
⊙	WELL HEAD
⊗	WELL HEAD MARKER
⊖	WELL
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NOTES:

- EXISTING ELEVATION
- ELEVATION
- BENCH MARK TOP OF MOUNTAIN
- BENCH MARK TOP OF CURB
- ELEVATION

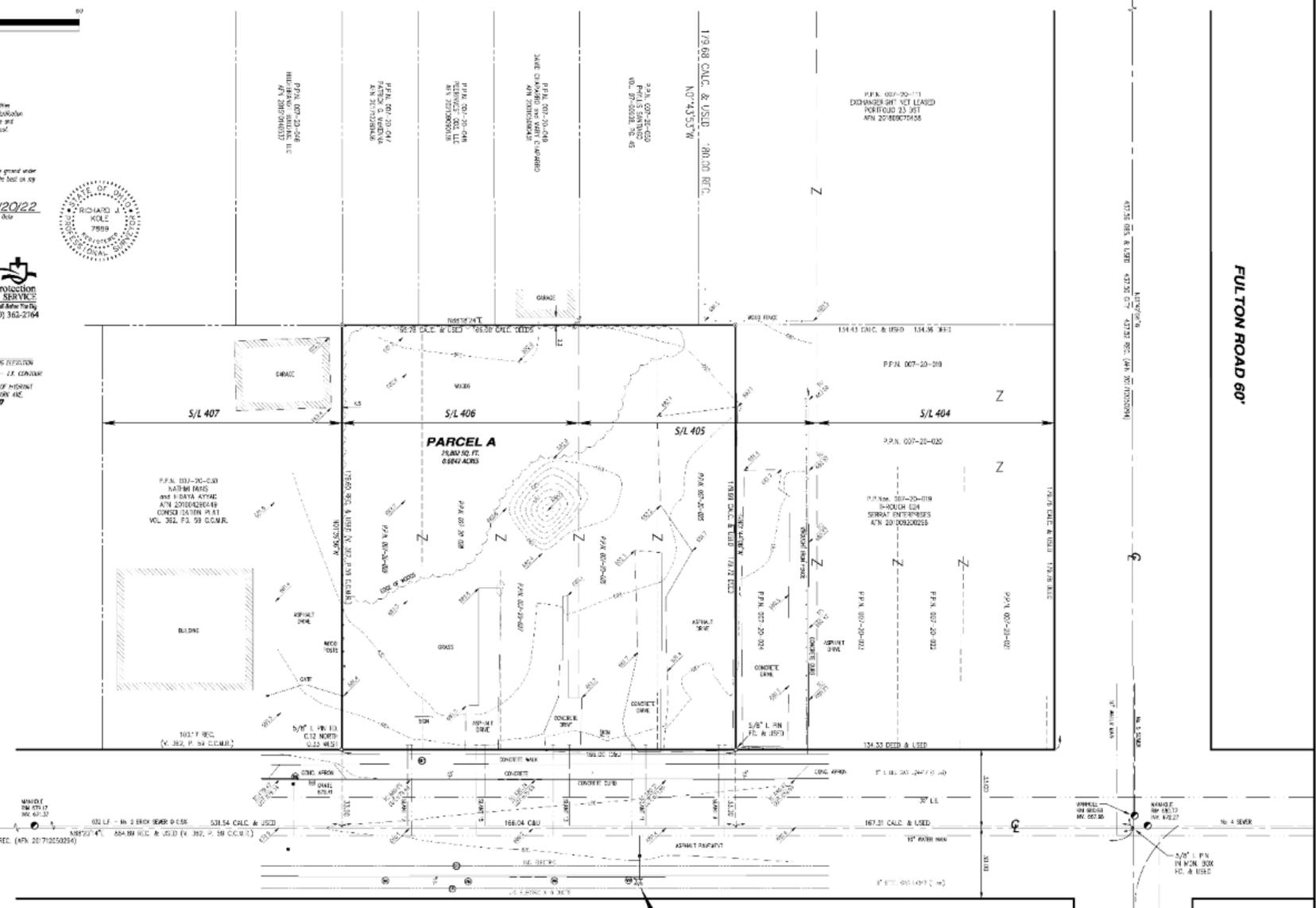
WEST 41st STREET 60'

WEST 38th STREET 60'

WALTON AVENUE S.W. 90'

FULTON ROAD 60'

CLARK AVENUE S.W. 63'

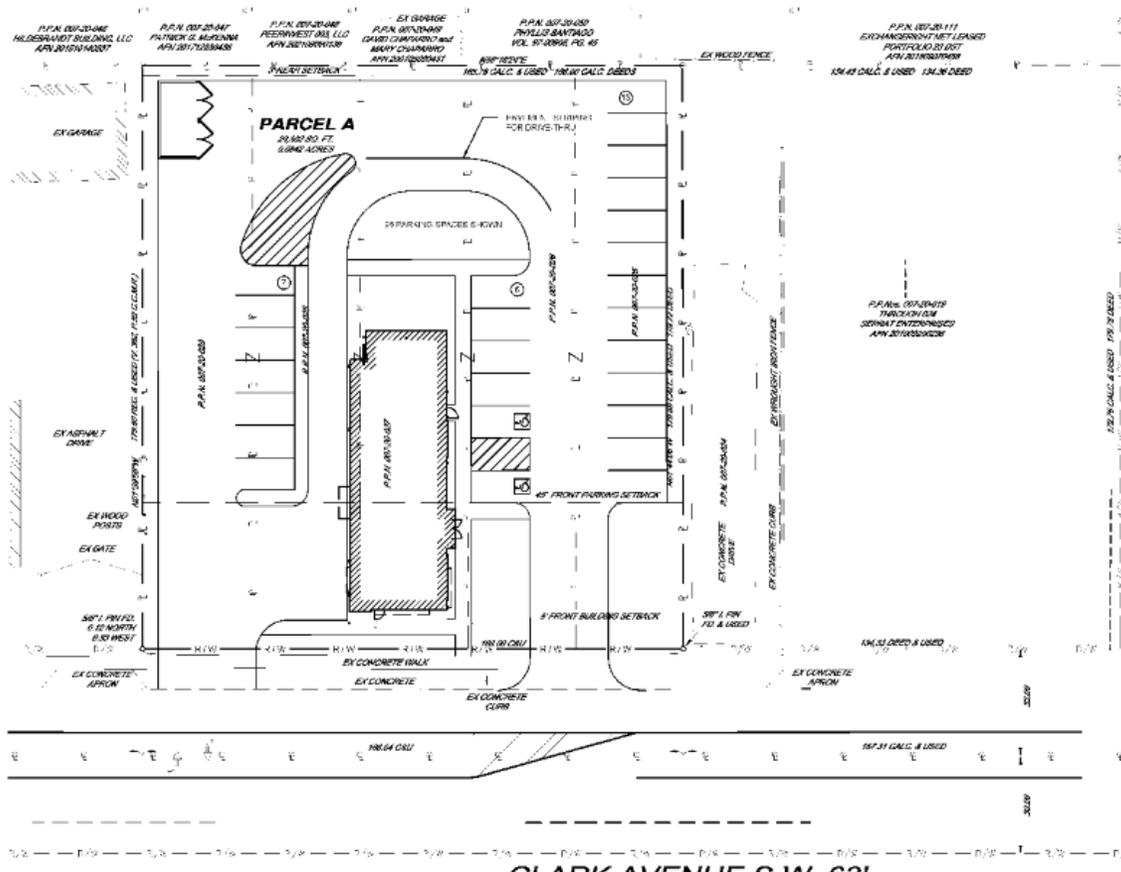


REVISIONS:



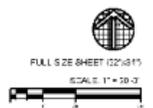
TOPOGRAPHIC SURVEY
for **E&J INVESTMENT PROPERTIES, LLC**
CLARK AVENUE S.W.
CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO

DATE:
JAN. 20, 2022
SCALE:
1" = 20'
DRAWN BY:
R.D.S.
FILE NO.
21327 TOPO
SHEET 1 OF 1



CLARK AVENUE S.W. 63'

FULTON ROAD 60'



- LEGEND**
- ① NUMBER OF PARKING SPACES

GENERAL NOTES
 ZONING DISTRICT: LR-32 LIMITED RETAIL BUSINESS (WITH URBAN FRONTAGE LINE)

- 1. FLOOD ZONE
- 2. PARKING CALCULATIONS

- 3. ALL CONSTRUCTION SHALL CONFORM TO CITY STANDARDS AND SPECIFICATIONS, CODE STANDARDS AND SPECIFICATIONS FOR CONSTRUCTION, WHICH EVER IS MORE STRINGENT.
- 4. PRELIMINARY CONSTRUCTION SHALL BE LIMITED TO ALL UTILITIES, EXCEPT FOR THE NECESSARY LOCAL PERMITS, FEES AND BOND.
- 5. ALL PROPOSED SIGNAGE SHALL CONFORM WITH THE CITY ZONING REGULATIONS, UNLESS A VARIANCE IS OTHERWISE REQUESTED AND GRANTED.
- 6. ALL SIGNAGE AND PAINT MARKINGS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND ROAD STANDARDS AND SPECIFICATIONS (MUTSD) FOR RATED THROUGH MARKINGS, UNLESS OTHERWISE NOTED.
- 7. ALL PARKING STALLS SHALL BE DEMARCATED WITH 4" WIDE SOLID STRIPES, STRIPING APPLICATIONS AND MATERIAL SHALL COMPLY WITH DETRA 8 AND SPECIFICATIONS.
- 8. ALL STOP SIGNS SHALL BE 12" IN WIDTH IN A COLOR OF WHITE. ALL TRAFFIC FLOW ARROWS SHALL BE PAINTED IN A COLOR OF YELLOW.
- 9. ALL BUILDING DIMENSIONS SHALL BE VERIFIED WITH THE ARCHITECTURAL AND STRUCTURAL PLANS PROVIDED BY THE OWNER. ANY DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND OWNER PRIOR TO THE START OF CONSTRUCTION. BUILDING DIMENSIONS AND AREAS TO BE OUTSIDE OF THE MASONRY, UNLESS OTHERWISE NOTED.
- 10. HOURS OF OPERATION SHALL BE BETWEEN THE HOURS OF 7:00 AM TO 11:00 PM.

- 11. THE STOREFRONT POLLUTION PREVENTION PLAN (SWPPP) SHALL COMPLY WITH THE OHIO CONSTRUCTION GENERAL PERMITS PROGRAM (OSWPPP) VOLUNTARY COMPLIANCE PROGRAM. THE SWPPP SHALL BE SUBMITTED TO THE CLEVELAND MUNICIPAL WATER CONTROL DISTRICT (CMWD) FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION. THE SWPPP SHALL BE SUBMITTED TO THE CITY OF CLEVELAND FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION. THE SWPPP SHALL BE SUBMITTED TO THE CITY OF CLEVELAND FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION. THE SWPPP SHALL BE SUBMITTED TO THE CITY OF CLEVELAND FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION.

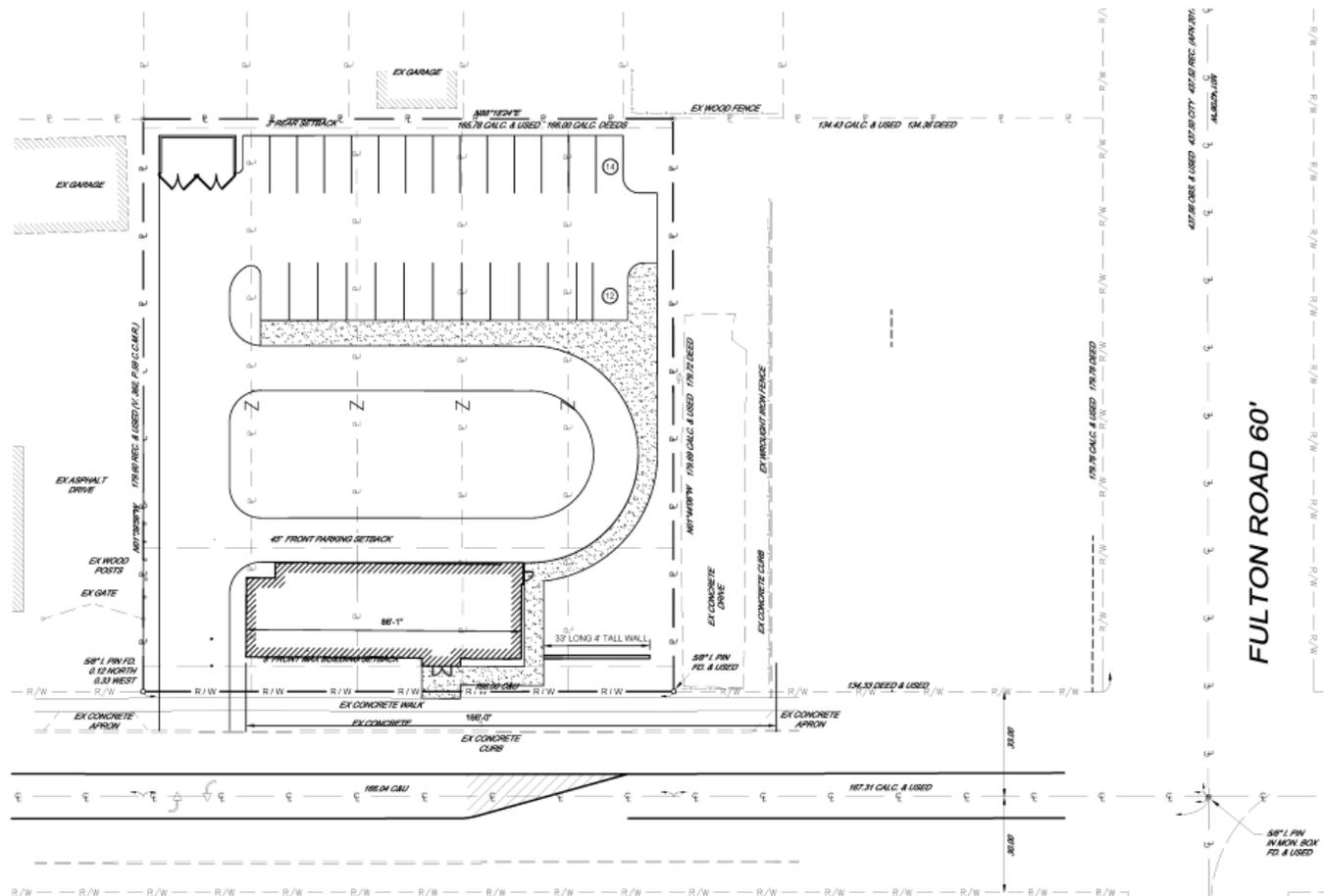
PROGRESS PRINT
NOT FOR
CONSTRUCTION

DATE PLOTTED	02/01/2022
BUILDING TYPE	EXPLORER LITE 10
PLANNED BY	TBD
SITE NUMBER	TBD
SIGNAL NUMBER	TBD

TACO BELL
 8522 CLARK AVE
 CLEVELAND, OH 44102



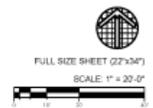
SITE PLAN
C2.0
 FORMAT PLOT DATE



CLARK AVENUE S.W. 63'

FULTON ROAD 60'

ALTERNATE
52% BLDG / 20% WALL



LEGEND

- ① NUMBER OF PARKING SPACES

GENERAL NOTES

ZONING DISTRICT: LLR-G2 LIMITED RETAIL BUSINESS (WITH URBAN FRONTAGE LINE)

- CODE BUILDING SETBACKS (MIN)
 - FRONT YARD BUILDING SETBACK = 8'-0"
 - FRONT YARD PARKING SETBACK = 45'-0"
 - REAR SETBACK = 3'-0"
 - SIDE SETBACK = 0'-0"

- FLOOD ZONE: FEMA FLOOD ZONE = X AREA OF MINIMAL FLOOD HAZARD
- PARKING CALCULATIONS:
 - 1 SPACE FOR EACH 2 SEATS BASED ON MAXIMUM SEATING CAPACITY (52 SEATS) = 26 SPACES
 - REQUIRED PARKING SPACE S.F. = 180 SF
 - PROVIDED SPACE = (10'x18') = 180 SF
 - REQUIRED NUMBER OF PARKING STALLS = 26
 - PROVIDED STANDARD STALLS = 35
 - PROVIDED VAN ADA ACCESSIBLE PARKING STALLS = 2
 - TOTAL PARKING STALLS PROVIDED = 26
- ALL CONSTRUCTION SHALL CONFORM TO CITY STANDARDS AND REGULATIONS, ODOT STANDARD SPECIFICATIONS FOR CONSTRUCTION, WHICHEVER IS MORE STRINGENT.
- PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE WITH THE ENGINEER, ARCHITECT AND/OR OWNER, IN ORDER TO OBTAIN AND/OR PAY ALL THE NECESSARY LOCAL PERMITS, FEES AND BONDS.
- ALL PROPOSED SIGNAGE SHALL CONFORM WITH THE CITY ZONING REGULATIONS, UNLESS A VARIANCE IS OTHERWISE REQUESTED AND GRANTED.
- ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.) AND ODOT STANDARDS AND SPECIFICATIONS (NON-REFLECTORIZED PAVEMENT MARKINGS), UNLESS OTHERWISE NOTED.
- ALL PARKING STALLS SHALL BE SEPARATED USING 4" WIDE SOLID STRIPES. STRIPING APPLICATIONS AND MATERIAL SHALL COMPLY WITH DETAILS AND SPECIFICATIONS.
- ALL STOP BARS SHALL BE 12" IN WIDTH IN A COLOR OF WHITE, ALL TRAFFIC FLOW ARROWS SHALL BE PAINTED IN A COLOR OF YELLOW.
- ALL BUILDING DIMENSIONS SHALL BE VERIFIED WITH THE ARCHITECTURAL AND STRUCTURAL PLANS PROVIDED BY THE OWNER. ANY DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND OWNER PRIOR TO THE START OF CONSTRUCTION. BUILDING DIMENSIONS AND AREAS TO BE TO OUTSIDE OF THE MASONRY, UNLESS OTHERWISE NOTED.
- HOURS OF OPERATION SHALL BE BETWEEN THE HOURS OF 7:00 AM TO 1:00 AM.
- THE STORMWATER POLLUTION PREVENTION PLAN (SWPP3) SHALL COMPLY WITH THE OHIO CONSTRUCTION GENERAL PERMIT (CGP) PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE CGP DEFINES COMMENCEMENT OF CONSTRUCTION AS THE INITIAL DISTURBANCE OF SOIL ASSOCIATED WITH CLEARING, GRUBBING, GRADING, PLACEMENT OF FILL, OR EXCAVATING ACTIVITIES OR OTHER CONSTRUCTION ACTIVITIES. SUBMITTAL OF THE COMPLETED CGP CHECKLIST IS REQUIRED FOR A FULL STORMWATER REVIEW OF THE PROPOSAL. THEREFORE, IT SHALL BE SUBMITTED IN ORDER FOR THE CITY TO ISSUE A LIST OF REQUIRED STORMWATER CORRECTIONS. SUBMITTAL OF THE CGP NOTICE OF INTENT (NOI) SHALL NOT PRECEDE CITY APPROVAL OF THE SWPP3.

Kathleen Day, architect
8555 Perry Road
Dayton, OH 45424
937.331.2543
kday@kdayarch.com

PROGRESS PRINT
NOT FOR
CONSTRUCTION

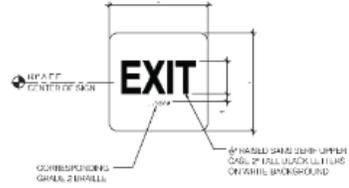
CONTRACT DATE: 02.01.2022
BUILDING TYPE: EXPLORER LITE 50
PLAN VERSION:
SITE NUMBER: 180
STORE NUMBER: 180

TACO BELL
3522 CLARK AVE
CLEVELAND, OHIO 44109



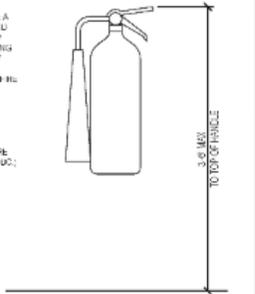
**SITE PLAN-
OPTION 7**
C2.0
PERMIT PLOT DATE

1. SIGNAGE SHALL BE INSTALLED ON LATCH SIDE OF DOOR OR IF NO LATCH, ON THE NEAREST WALL, PREFERABLY TO THE RIGHT.
2. SIGNAGE MUST BE LOCATED SO THAT A PERSON CAN APPROACH WITHIN 9" AND OBSERVE IT.
3. SIGNAGE SHALL HAVE A CONTRASTING FINISH IN A CONTRASTING BACKGROUND.
4. SIGNAGE SHALL INDICATE WIDTH TO LIGHT RATIO BETWEEN 0.5 AND 1.1.
5. CHARACTERISTIC WIDTH TO HEIGHT RATIO BETWEEN 1.5 AND 1.18.
6. SIGNAGE SHALL CONTAIN BRaille 2 SMALL IN BOTH W/O.C. AND 2 SYMBOLIC CELLS (A AND ♣).

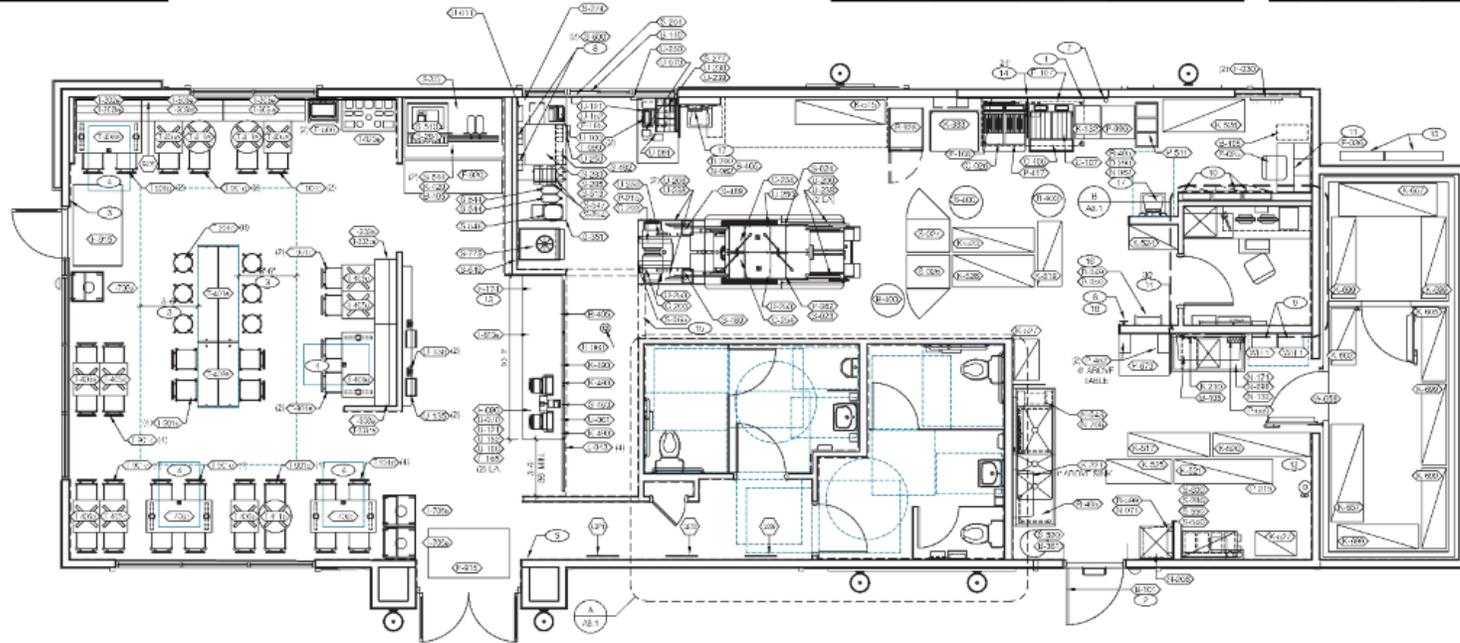


TACTILE EXIT SIGNAGE F

- NOTE:**
1. FIRE EXTINGUISHERS MUST HAVE A MINIMUM OF 20 LBS. RATING AND CLEAR PASSAGE WITHIN A 30" TRAVEL DISTANCE OF ALL COOKING SURFACES PER NFPA 10 SEC. 6.7 (2016).
 2. FINAL LOCATION & QUANTITY OF FIRE EXTINGUISHERS SHALL BE AS DETERMINED BY THE INSURER.
 3. FIRE EXTINGUISHER SHALL BE MOUNTED ON THE WALL AND PROTECTIVE COVER SHALL BE PROVIDED.
 4. FIRE EXTINGUISHER SHALL BE MOUNTED ON THE WALL AND PROTECTIVE COVER SHALL BE PROVIDED.



FIRE EXTINGUISHER MOUNTING G



EQUIPMENT/SEATING PLAN 1/4" = 1' 0" A

TAG	QTY	ITEM DESCRIPTION
1-201e	10	BARREL SANS COOL - 29 PURPLE WOOD SEAT
1-302a	2	BENCH SEAT - 48"
1-302a	1	WALL MOUNTED BACK REST FOR 1-302a - 48"
1-307a	1	BENCH BACK REST FOR 1-302a - 48"
1-303a	3	BENCH SEAT - 60"
1-303a	1	WALL MOUNTED BACK REST FOR 1-303a - 60"
1-303a	2	BENCH BACK REST FOR 1-303a - 60"
1-401e	1	HUB TABLE - HIGH TOP
1-402a	1	HUB TABLE - 48" - ADA
1-403a	9	LAMINATE TABLE - 24 X 20 X 30 - 2 TOP
1-408a	4	LAMINATE TABLE ADA - 24 X 48 X 30 - 4 TOP
1-411a	3	SS TABLE - 24 DIA X 30 - 2 TOP
1-513c	1	POS COUNTER 121 - 3 POS

SEATING PACKAGE - BY SEATING VENDOR U.O.N. (TOTAL SEATS = 54) E

TAG	QTY	ITEM DESCRIPTION
1-600a	1	CONDIMENT COUNTER - RECTANGLE
1-709a	3	WASTE ENCLOSURE - SINGLE
1-801a	1	KIOSK HALF TOWER
1-901a	34	CHAIR - LAMINATE SEAT

QTY	NAME	FAMILY	FRAME OR MTL. STA.	SIZE	LOCATION
1	REFRIG. CABINET	R	161	132X60	STP A&D
1	CAVED PATTERNS	P	70	35X40	STP A&D
1	CAVED PATTERNS	P	70	35X40	STP A&D
1	CAVED PATTERNS	P	70	35X40	STP A&D

ARTWORK SCHEDULE D

- LEGEND:**
1. NUMBER TO SEE SHEETS FOR SCOPE OF WORK, REPAIRS/REPLACEMENTS.
 2. 9" - SHOWS LAYOUT AS A HIGH WALL ON DINING COULDN WITH STUOLS.
 3. (C) - SHOWS IDENTIFY A HANGING ACCESSORY TABLE.

GENERAL NOTES C1

STORAGE TYPE	LINEAR FT.
DRY STORAGE	07
COLD STORAGE	29
PRODUCES STORAGE	16

SHELVING QUANTITIES REQUIRED C2

- KEYNOTES B**
1. FOOD FIB SUPPRESSION SYSTEM (A&B) - BEEP OR PULSAR.
 2. SEE SHEET A11 FOR SECURITY DOOR PACKAGE.
 3. BARRIERS 42" MIN. CLEARANCE UNDER PASSENGERS TO EXIT DOORS.
 4. 30" x 48" CLEAR FLOOR SPACE FOR HANDICAP ACCESS.
 5. TACTILE EXIT SIGN MOUNTED 48" TO CENTER LINE - SEE DETAIL 101A.
 6. PULL STATION AT 8' R.A.P.P.
 7. GAS LINE DOWN TO EQUIPMENT.
 8. COORDINATE LOCATION OF 1/2" X 1/2" PVC STRIP TO USE THROUGH WALL TO EQUIPMENT.
 9. 1/4" HOLLOW STUD WITH HOLLOW BALL PLUMBING.
 10. SWITCHES/PLUGS/ELECTRIC PANELS.
 11. EMPLOYEE WORK STATION - SEE DETAIL 108 & 117.
 12. 8" AIR BRK.
 13. BRINKS SAFE - 106.5 X 106.5.
 14. SPARK GUARD BALL VALVE/SHUT OFF.
 15. AIR FIGHTER BOX FOR A COMP POWER SOURCE.
 16. ROOF HATCH - SEE DETAIL 107A & 107B.
 17. 200V/100A/300V HUB/UP/PLUMBING - SEE DETAIL 107.
 18. FINISH FLOOR TYPE TO BE DETERMINED BY THE OWNER. FINISH FLOOR TYPE TO BE DETERMINED BY THE OWNER. FINISH FLOOR TYPE TO BE DETERMINED BY THE OWNER. FINISH FLOOR TYPE TO BE DETERMINED BY THE OWNER.

KEYNOTES B

DATE: 05/28/2024
 PROJECT: 24-00000000
 SHEET: 24-00000000-001
 TACO BELL



CONTRACT DATE: 12/04/21
 BUILDING TYPE: ENDEAVOR 3.0
 PLAN VERSION:
 SITE NUMBER: 760
 STAFF NUMBER: 760

TACO BELL
 2822 Clark Avenue
 Cleveland, Ohio 44114



ENDEAVOR 2.0
 LEVEL 3.0

EQUIPMENT AND SEATING PLAN A2.0

PLAN 001 05/28/24



TACO
BELL





TACO BELL





TACO BELL

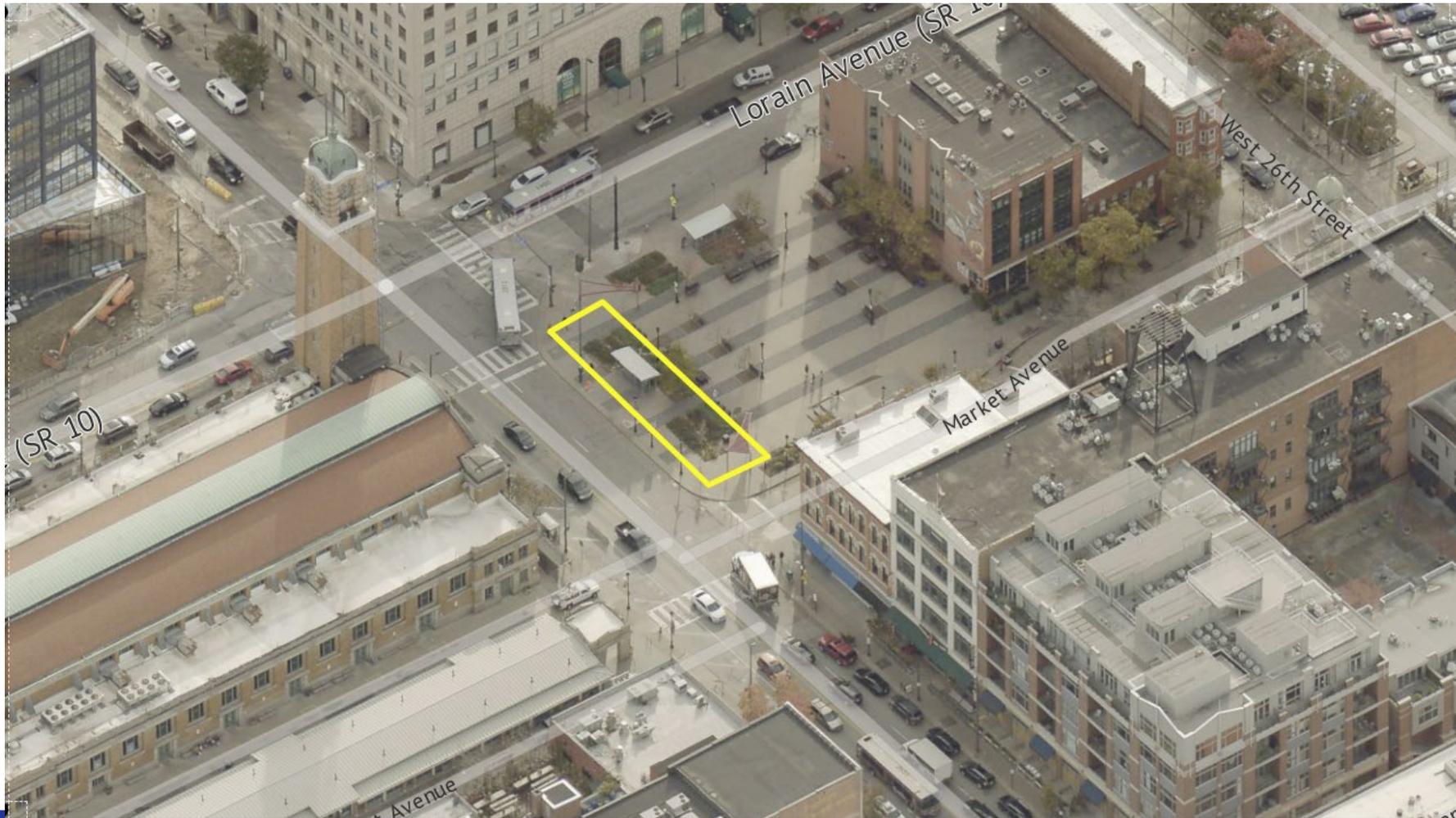
TACO BELL

Public Hearing

Calendar No.22-126: Denial of John's Hot Dog's Vendor's License RLUMF22-00005



John Sisamis (AKA John's Hotdogs) owner, 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 to dispute the decision of the Commissioner of Assessments and Licenses to deny vendor's license RLUMF22-0005 (based upon input from Councilman McCormack). (Filed July 8, 2022)



Public Hearing

**Calendar No.22-126: Denial of John's Hot Dog's Vendor's License
RLUMF22-00005**



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 the denial by the Commissioner of Assessments and Licenses of Appellant's request for vendor's license RLUMF22-0005.

Section 329.02(d) of the Code of Ordinances provides, in pertinent part, that, "Within its powers the Board may reverse or affirm wholly or in part or modify, the order, requirement, decision or determination appealed from, and shall make such order, requirement, decision or determination as in its opinion ought to be made under the circumstances, and to that end shall have all the powers of the officer from whose decision the appeal is taken."

Thus, the Board may undertake a *de novo* review of the Commissioner's decision and make whatever determination it sees fit to make under the circumstances.



LEGAL STANDARD



City of Cleveland Memorandum
Frank G. Jackson, Mayor

Date: March 29, 2022
To: Kerry McCormack, Councilmember
Cleveland City Council, Ward 3
From: Dedrick C. Stephens, Commissioner
Division of Assessments and Licenses
Re: Mobile Food Shop Location in Ward 3 /JOHN'S HOT DOGS/ 4242 LORAIN AVENUE

The following application is being forwarded for your review. Please review the application and either approve or deny this application in the space provided and return via email to DALLicenses@city.cleveland.oh.us.

In accordance with Codified Ordinance Section 241.36 (c), the Commissioner shall issue a permit authorizing the location(s) within fifteen (15) days of the application receipt unless a Councilmember objects or has a comment.

The Mobile Food Shop Operation listed above is hereby:

- Approved
- Denied
- Pending, See Comment Below

If Denied, State Reasons

If Pending, Indicate Additional Information required

Signature _____ Date _____

RLUMF22-00005

SMUHAMMAD



City of Cleveland Memorandum
Frank G. Jackson, Mayor

Date: March 29, 2022
To: Kerry McCormack, Councilmember
Cleveland City Council, Ward 3
From: Dedrick C. Stephens, Commissioner
Division of Assessments and Licenses
Re: Mobile Food Shop Location in Ward 3 / JOHN'S HOT DOGS/ W. 25TH/LORAIN AVENUE NW

The following application is being forwarded for your review. Please review the application and either approve or deny this application in the space provided and return via email to DALLicenses@city.cleveland.oh.us.

In accordance with Codified Ordinance Section 241.36 (c), the Commissioner shall issue a permit authorizing the location(s) within fifteen (15) days of the application receipt unless a Councilmember objects or has a comment.

The Mobile Food Shop Operation listed above is hereby:

- Approved
- Denied
- Pending, See Comment Below

If Denied, State Reasons

If Pending, Indicate Additional Information required

Signature _____ Date _____

RLUMF22-00005

SMUHAMMAD



City of Cleveland Memorandum
Frank G. Jackson, Mayor

Date: March 29, 2022

To: Kerry McCormack, Councilmember
Cleveland City Council, Ward 3

From: Dedrick C. Stephens, Commissioner
Division of Assessments and Licenses

Re: Mobile Food Shop Location in Ward 3 /JOHN'S HOT DOGS/ 1911 W. 30TH
& LORAIN AVENUE

The following application is being forwarded for your review. Please review the application and either approve or deny this application in the space provided and return via email to DALLicenses@city.cleveland.oh.us.

In accordance with Codified Ordinance Section 241.36 (c), the Commissioner shall issue a permit authorizing the location(s) within fifteen (15) days of the application receipt unless a Councilmember objects or has a comment.

The Mobile Food Shop Operation listed above is hereby:

- Approved
- Denied
- Pending, See Comment Below

If Denied, State Reasons

If Pending, Indicate Additional Information required

Signature _____ Date _____

RLUMF22-00005

SMUHAMMAD



City of Cleveland Memorandum
Frank G. Jackson, Mayor

Date: March 29, 2022

To: Jasmin Santana, Councilmember
Cleveland City Council, Ward 14

From: Dedrick C. Stephens, Commissioner
Division of Assessments and Licenses

Re: Mobile Food Shop Location in Ward 14 / JOHN'S HOT DOGS/ 3565 RIDGE
ROAD

The following application is being forwarded for your review. Please review the application and either approve or deny this application in the space provided and return via email to DALLicenses@city.cleveland.oh.us.

In accordance with Codified Ordinance Section 241.36 (c), the Commissioner shall issue a permit authorizing the location(s) within fifteen (15) days of the application receipt unless a Councilmember objects or has a comment.

The Mobile Food Shop Operation listed above is hereby:

- Approved
- Denied
- Pending, See Comment Below

If Denied, State Reasons

If Pending, Indicate Additional Information required

Signature _____ Date _____

RLUMF22-00005

SMUHAMMAD



WMMFad-00005

**Mobile Food Shop Location(s)
Application**

City of Cleveland
Division of Assessments and Licenses
601 Lakeside Avenue, Room 122
Cleveland, Ohio 44114

Phone: (216) 664-2264

Hours of Operation:
8:00 a.m. to 4:30 p.m. Weekdays

MAR 25 2022
DALLicenses@clevelandohio.gov

Date: 3-23-22	Fee: \$100.00 Per Application (Non-Refundable) **ONE DEVICE PER APPLICATION**	
SECTION A - APPLICANT INFORMATION		
Name: John Sisamis		
Address: 3120 Superior Ave		
City: Cleveland	State: Oh Zip: 44114	
Telephone #: 2-322-3421	Email: jsisamis@aol.com	
Date of Birth: 9-12-73	Social Security Number: 295-66-8086	
Eye Color: Brown	Hair Color: Blk	
Weight: 200	Height: 6'0	
SECTION B - CORPORATION/BUSINESS INFORMATION		
Name: John's Hot Dogs		
Address: 3120 Superior Ave		
City: Cleveland	State: Oh Zip: 44114	
Telephone #: 2-322-3421	Email: jsisamis@aol.com	
Federal ID Number:		
SECTION C - DEVICE INFORMATION		
CART <input checked="" type="checkbox"/>	TRUCK <input type="checkbox"/>	TRAILER <input type="checkbox"/>
Vehicle Identification Number (VIN): S5J 3601		
2022-2023 Food Service/Retail Food Establishment License #: Attached		
Detailed description of vending device including dimensions: 5x4x4 Stainless steel mobile cart		
Detailed description of food products to be sold, offered, or displayed: Hot Dogs Polish Brgs Hot Saus Italian Saus Chili Dogs Chips snacks pop water		
Describe your proposed trash storage and waste disposal methods, electrical, and water connections and any fuels or electric generators to be used on the premises: garbage can propane tank		
SECTION D - DECLARATION		
Applicant hereby acknowledges that he/she has read and understands Codified Ordinances, §241.36 (Mobile Food Shops - Location Permits; Fee), §241.37 (Mobile Food Shops - Location Restrictions), §241.38 (Mobile Food Shops - Regulations), and §241.99 (Penalty) and understands the obligations of a Mobile Food Shop Owner.		
SIGNATURE OF APPLICANT	DATE	
<i>[Signature]</i>	3-23-22	



**Mobile Food Shop Location(s)
Application**

City of Cleveland
Division of Assessments and Licenses
601 Lakeside Avenue, Room 122
Cleveland, Ohio 44114

Phone: (216) 664-2264

Hours of Operation:
8:00 a.m. to 4:30 p.m. Weekdays

DALLicenses@clevelandohio.gov

FOOD TRUCKS AND TRAILERS ONLY			
Check All Wards of Desired Vending			
<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 2	<input checked="" type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 5	<input type="checkbox"/> Ward 6	<input type="checkbox"/> Ward 7	<input type="checkbox"/> Ward 8
<input type="checkbox"/> Ward 9	<input type="checkbox"/> Ward 10	<input type="checkbox"/> Ward 11	<input type="checkbox"/> Ward 12
<input type="checkbox"/> Ward 13	<input checked="" type="checkbox"/> Ward 14	<input type="checkbox"/> Ward 15	<input type="checkbox"/> Ward 16
<input type="checkbox"/> Ward 17			
FOOD CARTS ONLY			
A SIDEWALK SKETCH MUST BE COMPLETED FOR EACH DESIRED LOCATION. INCLUDE THE FOLLOWING:			
<ul style="list-style-type: none"> BOTH THE WARD NUMBER AND THE DESIRED VENDING LOCATION; EACH CROSS STREET MUST BE LABELED; MARK THE DESIRED VENDING LOCATION WITH AN "X"; AND INCLUDE EASILY IDENTIFIABLE POINTS, SO THAT THE EXACT LOCATION CAN BE RECOGNIZED WITHOUT FURTHER EXPLANATION. 			
Ward # 3	Desired Location: NWC of W. 25th Street and Lorain Avenue	Ward # 14	Desired Location: 3565 Ridge Rd.
Example:			
Ward # 3	Desired Location: 4742 Lorain Ave	Ward # 3	Desired Location: 1911 W. 30th Lorain
Include Additional Sketches If Necessary			
ALL DEVICES			
List all desired private property locations. Please note that notarized permission from the property owner must be attached.			
Ward # 14	Address: 3565 Ridge Rd	Ward #	Address:
Ward #	Address:	Ward #	Address:
Ward #	Address:	Ward #	Address:

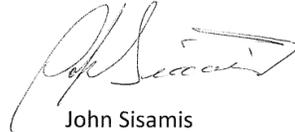
To whom it may concern
City of Cleveland
License & Assessments
Councilman / Councilwoman

I, Burt Saltzman owner of the Dave's Supermarket on 3565 Ridge Road give permission to John Sisamis to put his hotdog stand named John's Hotdogs Monday through Sunday on my property's parking lot.

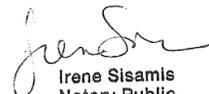
Thank you



Burt Saltzman



John Sisamis



Irene Sisamis
Notary Public
State of Ohio
My Commission Expires
September 14, 2024

RECEIPT

CITY OF CLEVELAND
CITYWIDE PERMIT SYSTEM
601 LAKESIDE AVENUE
CLEVELAND, OH 44114

Application: MFL21-00172
Application Type: PublicHealth/Mobile Food/License/NA
Address: 3120 SUPERIOR, CLEVELAND, OH 44114

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Cash Drawer ID	Received	Comments
1136695	1197	\$364.00	02/18/2022	SMUHAMMAD			

Work Description: MOBILE FOOD SERVICE LICENSE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/23/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Thomburg Insurance Services 11351 Pearl Road #201 Strongsville, OH 44136	CONTACT NAME: Patrick Greco		
	PHONE (440) 826-3880 FAX (440) 826-3700 E-MAIL: pgreco@thomburgins.com ADDRESS: pgreco@thomburgins.com		
INSURED Sisamis Hot Dogs 3120 Superior LLC 16513 Morning Star Strongsville, OH 44136	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Owners Insurance Company		32700
	INSURER B: Auto-Owners Insurance Company		18988
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSP	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		05491535	11/06/2021	11/06/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPIOP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY			5149153500	11/06/2021	11/06/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			5149153501	11/06/2021	11/06/2022	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/EMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
City of Cleveland is listed as Additional Insured

CERTIFICATE HOLDER City of Cleveland City Hall, 601 Lakeside Room 122 Cleveland, OH 44114	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

From: Kerry McCormack <kmccormack@clevelandcitycouncil.org>

Sent: Monday, July 11, 2022 5:08 PM

To: Kukla, Elizabeth <Ekukla@clevelandohio.gov>

Cc: Stephens, Dedrick <DStephens@clevelandohio.gov>

Subject: Re: John's Hotdogs - appeal from Vendor's License Denial

Ms. Kukla,

Thank you for the notice. This one is pretty simple. Per section 241.37 section 5 of the code, this request was within 100 feet of a food service business. That's why it was rejected. **It's illegal.** Please submit this comment to the board.

241.37 section 5: 5) Within one hundred (100) feet of a **food** service business operating from a fixed and permanent location existing at the time of license issuance or renewal, during the operating hours of such business;

Kerry McCormack Council Member, Ward 3

Majority Leader

Cleveland City Council

(216) 664-2691

Cleveland Board of Zoning Appeals

Old Business



Public Hearing



1. Cal. No. 22-130:	2937 West 14 St.	(KB, MB, TB, NH)
2. Cal. No. 22-133:	4521 West 150 th St.	(KB, MB, TB, NH)
3. Cal. No. 22-124:	7032 Hough Ave.	(KB, MB, TB, NH) *
4. Cal. No. 22-054:	2304 Broadview Rd.	(KB, TB, AF, MB, NH) *
5. Cal. No. 22-050:	1770 W. 57 St.	(KB, TB, AF, MB)*
6. Cal. No. 22-035:	5807 Detroit Ave.	(KB,TB,AF, MB)*** req. rules.
7. Cal. No. 22-022:	1010 E. 146 St.	(KB, TB, AF, MB)*
8. Cal. No. 22-014:	1250 Riverbed St.	(KB, TB, AF, MB)*
9. Cal. No. 22-008:	1269 W. 76 Street	(KB,TB, AF, MB)
10. Cal. No. 21-203:	8502 Hough Ave.	(KB, TB, AF, MB)*
11. Cal. No. 21-206:	4533 Warner Rd	(KB, TB, AF, MB)*
12. Cal. No. 21-177:	18403 Euclid Ave.	(KB, TB, MB, AF)*
13. Cal. No. 21-141:	7202 Hague Ave.	(KB, TB, AF, MB)*
14. Cal. No. 21-091:	4157 Lorain Ave.	(D,KB,AF,MB)*
15. Cal. No. 21-006:	9501 Pierpoint Ave.	(J,D,KB,AF,MB)* ^{5/3/21}
16. Cal. No. 20-098:	1854 W. 48 th Street	(J,D,KB,AF,MB)* ^{8/24/2020} (lot cons)

AFFIRMATION: None.

THE FOLLOWING CASES WERE DISMISSED LAST WEEK DUE TO UNEXPLAINED ABSENCES AND ARE NOW REQUESTING REINSTATEMENT:

Cal. No. 22-132: 7407 Union Ave

TMS Enterprises LTD, proposes to establish a used car lot in C2 Local Business District. **TERRY TAYLOR CALLED AND SAID THAT HE WAS IN THE HOSPITAL AT THE TIME OF THE HEARING.**

Cal. No. 22-103: 3623 East 103rd St.

Team Hustle Management, proposes to establish use as a residential facility for five occupants in a One-Family Residential District. **THE APPELLANT STATED THAT HE NEEDED TO BE AWAY ON BUSINESS UNEXPECTEDLY.**

Cal. No. 22-089: 1127 Parkwood Ave.

Jarain Jenkins, owner, wants to establish use as residential facility for five occupants in a B1 Two-Family Residential District. **THE APPELLANT STATED THAT SHE DID NOT RECEIVE THE LINK.**

MISC-

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

Cleveland Board of Zoning Appeals

Adjournment

