



SHAKER HEIGHTS

Board of Zoning Appeals & City Planning Commission Agenda Via Video and Audio Conference due to COVID-19 Public Health Emergency Tuesday, July 7, 2020, 7PM

For the safety of staff and residents, in-person attendance is not permitted. Join the Zoom meeting from a PC, Mac, iPad, iPhone or Android device. Join online to listen and watch at <https://zoom.us/j/99656786876?pwd=OU53V016QnNpeVFYR1k0aHQxc0pMQT09>, Password: 33553400, Description: Board of Zoning Appeals and City Planning Commission Meeting; or join by phone to listen at 833-548-0282 (toll free); Webinar ID: 996 5678 6876, Password: 33553400.

Residents may submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Daniel Feinstein at daniel.feinstein@shakeronline.com; or by calling (216) 491-1435. Any comments or questions will be read into the record at the meeting. The audio of the meeting will be available the following day on the City's website.

1. Roll Call.
2. Approval of Minutes from the June 2, 2020 meeting

Documents:

[DRAFT BZACPC MINUTES 2020 0602.PDF](#)

BOARD OF ZONING APPEALS

#2070. HAJEK/LEIGHTON RESIDENCE - 19235 SCOTTSDALE BOULEVARD:

Public Hearing on the request of Karie Hajek and Gabriel Leighton, 19235 Scottsdale Boulevard, to the Board of Zoning Appeals for a variance to the fence location and height regulations on a corner lot. The applicant proposes to install a 3.5 foot tall open picket wood fence on this corner lot at Scottsdale Boulevard and Tolland Road. The fence is proposed to be located 9 feet behind the Tolland Road sidewalk. Code requires that fences located in corner side yards not extend in front of the setback line of the principal building on the adjacent lot. The adjacent house on Tolland Road is set back 42 feet. The fence is proposed to enclose the rear yard and the Tolland Road side yard, including an existing patio and driveway, for the safety of the applicant's children and dogs. Code allows a 3 foot tall fence in a corner side yard. The fence is proposed to be located behind a proposed boxwood hedge planted at 24 inches tall.

Documents:

CITY PLANNING COMMISSION

#2068. ELDER RESIDENCE 3557 HILDANA ROAD:

Public Hearing on the request of the City of Shaker Heights, representing James and Vicki Elder, 3557 Hildana Road, to the City Planning Commission, for subdivision of land in order to join a city-owned vacant lot with the property on which the Elder,s home is located. The Elders are purchasing the vacant lot next door. The house parcel (735-25-007) is proposed to be combined with the vacant adjacent lot (735-25-008). The Elders propose to integrate the vacant lot into their yard with a fence and a garden patio. This combined lot meets code requirements in the TF Two Family Residential zoning district. Subdivision of land requires City Planning Commission approval.

Documents:

[2 3555-57 HILDANA.PDF](#)

#2069. CIRIACO RESIDENCE - 3683 STRANDHILL ROAD:

Public Hearing on the request of the City of Shaker Heights, representing Ryan and Samantha Ciriaco, 3683 Strandhill Road, to the City Planning Commission for subdivision of land in order to join a city-owned vacant lot with the property on which the Ciriaco's home is located. The Ciriacos are purchasing the vacant lot next door. The house parcel (736-15-099) is proposed to be combined with the vacant adjacent lot (736-15-098). The Ciriacos propose to integrate the vacant lot into their yard with a fence and a children's play set. This combined lot meets code requirements in the SF-3 Single Family Residential zoning district. Subdivision of land requires City Planning Commission approval.

Documents:

[3683 STRANDHILL.PDF](#)

#2071. DANCE BY SHA'RAN - 3445 WARRENSVILLE CENTER ROAD:

Public Hearing on the request of Sha'Ran Marshall, Dance by Sha'Ran, located at Christ Episcopal Church, 3445 Warrensville Center Road, to the City Planning Commission for a Conditional Use Permit for a specialized instructional school. The applicant proposes to utilize a lower level space in the church, formerly occupied by Verb Ballet, for a dance classroom space. Half of the basement level "parish hall" area of the church and adjacent space will be used for offices and dressing rooms, which is the same spaces previously used by Verb. The applicant proposes dance classes for various age groups both in-person and combination Zoom classes with a maximum of 10 students, but will transition to up to 20 students after COVID-19. Hours are proposed to be Monday - Thursday 9 a.m. to 8 p.m., Friday from 6 p.m. to 10 p.m., and Saturday from 8 a.m. to 1 p.m. A 40-space parking variance was approved for the Verb Ballet use. All employees and visitors are proposed to use the church's north parking lot. Council confirmation is required.

Documents:

[3445 WARRENSVILLE.PDF](#)

To request an accommodation for a person with disability, call the City's ADA Coordinator at 216-491-1440, or Ohio Relay Service at 711 for TTY users.



SHAKER HEIGHTS

**Board of Zoning Appeals & City Planning Commission Minutes
Tuesday, June 2, 2020
7 P.M.
Conference Call**

Members Present: David E. Weiss, Mayor
Sean P. Malone, Council
Joseph J. Boyle III, Member
Kevin Dreyfuss-Wells, Member
Joanna Ganning, Member

Others Present: Joyce G. Braverman, Director of Planning
William M. Gruber, Director of Law
Daniel Feinstein, Senior Planner

The meeting was called to order by Mayor David Weiss at 7:00 p.m.

* * * *

Approval of the May 5, 2020 Meeting Minutes

It was moved by Dr. Ganning and seconded by Mr. Dreyfuss-Wells to approve the minutes with corrections.

Roll Call: Ayes: Weiss, Malone, Boyle, Dreyfuss-Wells, Ganning
Nays: None

Motion Carried

* * * *

BOARD OF ZONING APPEALS

#2062. Pelletier Residence – 19600 Shaker Boulevard:

A Public Hearing was held on the request of Marc and Melissa Pelletier, 19600 Shaker Boulevard, to the Board of Zoning Appeals for a variance to the size requirements for hot tubs. The applicant proposes to install a hot tub/swim spa, which is 7 feet, 9 inches wide by 14 feet, 4 inches in length. The code limits hot tubs to 8 feet in diameter. The hot tub will be 4 feet, 3 inches high with a locking cover. Code allows a hot tub a maximum height of 4 feet tall. It is proposed to be located in the rear yard, approximately 45 feet from the rear property line on this corner lot at Shaker Boulevard and Montgomery Road. The hot tub/swim spa is proposed to be screened by new 6-foot tall arborvitae shrubs and by existing vegetation.

CITY OF SHAKER HEIGHTS

#2065. Carfagna Residence – 2762 Inverness Road:

A Public Hearing was held on the request of Peter and Joanna Carfagna, 2762 Inverness Road, to the Board of Zoning Appeals for a variance to the fence location and height regulations on a corner lot. The applicant proposes to install a 4-foot tall black aluminum ornamental fence on this corner lot at Belvoir Boulevard and Inverness Road. The fence is proposed to be located 4 feet behind the Belvoir Boulevard sidewalk. Code requires that fences located in corner side yards not extend in front of the setback line of the principal building on the adjacent lot. The adjacent house on Belvoir Boulevard is set back 50 feet. The fence is proposed to enclose the Belvoir Boulevard side yard and an existing patio for the safety of the applicant's children. Code allows a fence height in a corner side yard of 3 feet tall. The fence is proposed to be located behind a proposed viburnum hedge of 30 inches tall.

Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the corner lot fence regulations for location and height. The applicant proposes a 4-foot tall ornamental aluminum fence at this corner lot at Belvoir Boulevard and Inverness Road. The fence is proposed to enclose the Belvoir Boulevard yard and be 4 feet off the Belvoir Boulevard sidewalk. Code requires a 50-foot setback on this corner lot, to match the front wall of the neighbor's house. Code only allows front yard fences to be 3 feet tall. The applicant proposes viburnum bushes to screen the fence. Staff supports the request with the condition that if the neighbor does not approve bushes on their property, then the fence must be moved to allow bushes to be planted on the applicant's property.

Mr. Carfagna said they are at the corner of Inverness Road and Belvoir Boulevard. They have three small children and pedestrians with dogs often cut through their yard. They treat it like a public space. They propose a 4 foot tall black aluminum ornamental fence which will not block any views. There is precedent on similar corner lots and fences that do not alter the essential character of the neighborhood. There are similar fences on other properties in their neighborhood.

Dr. Ganning said there is a challenge of social distance on the sidewalk when plants are overgrown. Should the fence be moved back to allow more room for the bushes to grow without impacting the sidewalk?

Mrs. Carfagna said they are asking the company to install the compact variety of the bush so it will not grow too wide. The evergreen trees and the mounding underneath make it difficult to move the fence further back.

Mr. Carfagna said the bushes will be professionally maintained and kept off the sidewalk.

Mr. Dreyfuss-Wells asked about an angle instead of a sharp corner of the fence where it returns to the house.

Mrs. Carfagna said she thinks fence corner is less visible as proposed since it dies into an existing evergreen tree.

Mayor Weiss opened the Public Hearing.

Mr. Feinstein read the following comments into record:

district. The City Planning Commission reviews subdivision of land. Council approved the sale of the land to the Boudreaux's at their April 13, 2020 meeting. Staff supports the request.

JoVanna Boudreaux reiterated they have small children and not a large yard. They would love to have an area for the children to play. The fence they propose will contain the children.

Mayor Weiss said it is good to see families making use of the opportunity to expand their property.

Dr. Ganning said she is happy to see a good use of the space.

Mr. Malone thanked the applicant for taking on the property.

Mayor Weiss opened the Public Hearing. No comments were received in regard to this request.

Mayor Weiss said he is pleased to see this happen. The improvements require additional approvals.

Mrs. Boudreaux said yes, they are aware of the requirements and will submit to staff.

It was moved by Mr. Dreyfuss-Wells and seconded by Dr. Ganning to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the condition that a final plat is submitted to the City and filed with the County.

Roll Call: Ayes: Weiss, Malone, Boyle, Dreyfuss-Wells, Ganning
 Nays: None

Motion Carried

#2064. BR Knez Construction – 3565 Ludgate Road:

A Public Hearing was held on the request of Michael David, BR Knez Construction, Inc., 3565 Ludgate Road, to the Board of Zoning Appeals and City Planning Commission for site plan review and a variance to the lot size for a new single-family house. The applicant proposes to construct a new three bedroom house on this vacant lot, with a two car detached garage located at the rear of the lot. The house will have an open floor plan with a front porch and basement. The property is 40 feet by 130 feet and 5,200 square feet. Code requires a minimum lot size of 5,600 square feet in the SF-3 Single Family Residential zoning district. All location and setback requirements are code conforming. Site plan review is required for all new houses.

Mr. Feinstein showed slides of the site. He stated this is a request for site plan review and a variance to build a new house. The applicant proposes this new house on one of two adjacent vacant city-owned lots. The three bedroom house with a detached 2-car garage meets all zoning location requirements. The lot is smaller than required in the SF-3 zoning district. The lot is 5,200 square feet when code requires 5,600 square feet. The house is the same design on the same size lot as has been built at 3609 Ludgate Road. The Architectural Board of Review approved the new house with a different color scheme than the house down the street using the Infill Design Guidelines policy statement for distressed neighborhoods. The exterior materials are the same as the recently built house. Staff supports the request for site plan review and the lot size variance.

WORK SESSION

1. Van Aken District Public Realm Project – Request to award a design contract for a public realm plan and illustrative site plan for the GCRTA station and adjacent public land.

Ms. Braverman said the Board is acting as an advisor to the city on recommendations to award a contract for ongoing Van Aken District planning to WSP to help plan for transit-oriented work in the area. RTA is completing improvements to track, platform and comfort station. RTA is also installing a power substation. The city has future grant funds for this project. The city wants to do a plan and coordinate this investment now and for the future.

* * * *

There being no further business, the meeting was adjourned at 8:30 p.m. The next meeting will be July 7, 2020.

David E. Weiss, Chair
Board of Zoning Appeals
City Planning Commission

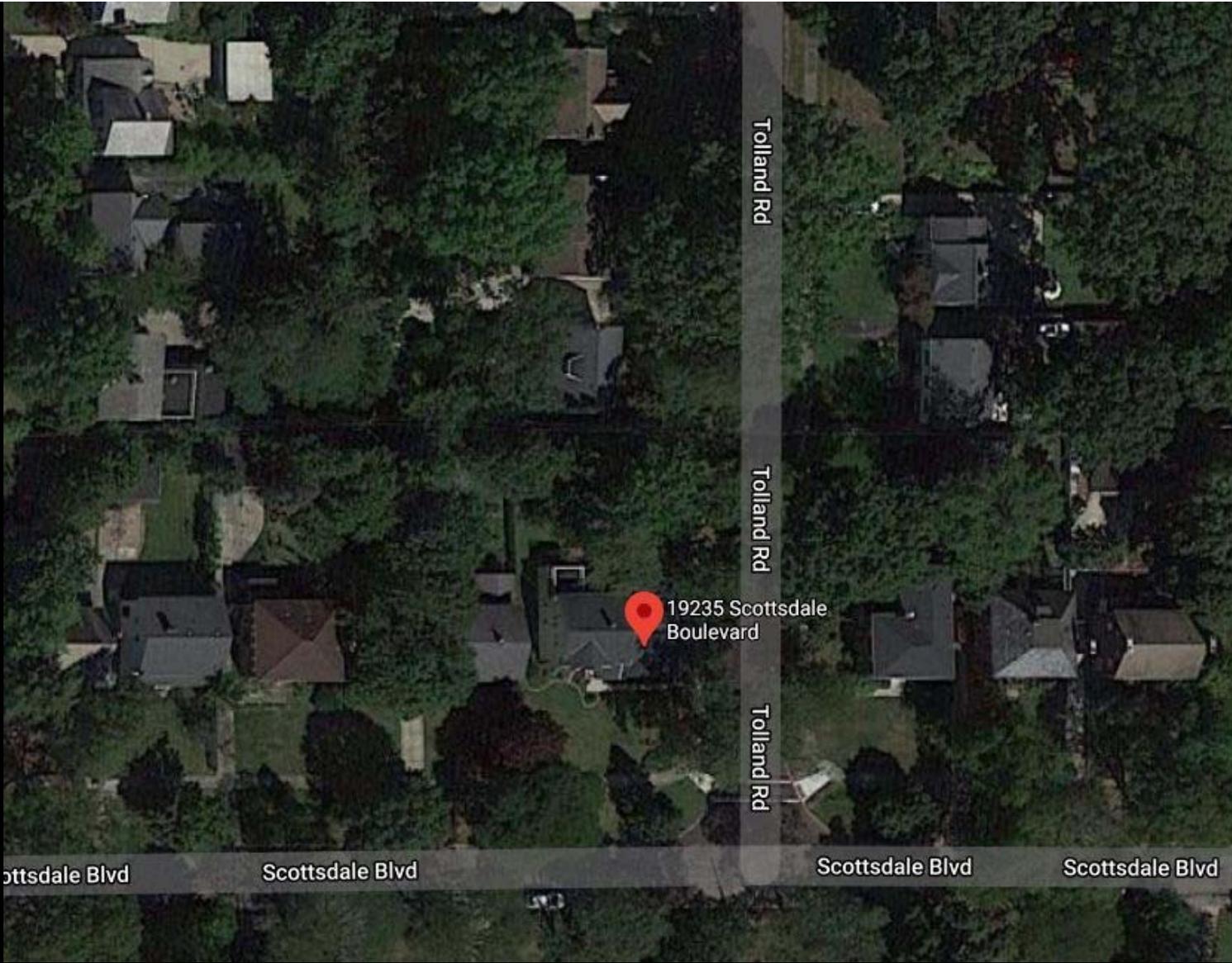
Daniel Feinstein, Secretary
Board of Zoning Appeals
City Planning Commission

Board of Zoning Appeals City Planning Commission

July 7, 2020

19235 Scottsdale Boulevard

For a variance to the fence location and height regulations
on a corner lot.













Applicant's Name: Karie Hajek and Gabriel Leighton Application No: 2070

Property Address: 19235 Scottsdale Blvd. Parcel No: _____

City: Shaker Heights State: Ohio Zip: 44122

Applicant's Address 19235 Scottsdale Blvd. Phone No: 216-832-5002

City: Shaker Heights State: Ohio Zip: 44122

Property Owner (if other than applicant) _____

Property Owner's Address (if different) _____

City: _____ State: _____ Zip: _____

Zoning District: _____ Present Use: _____

Proposed Use: Installation of backyard fence - secure space for kids to play. Keep dogs in yard.

E-Mail Address: Kariehajek@gmail.com

CHECK INFORMATION ACCOMPANYING THIS APPLICATION

- Site Plan (to scale)
- Detail Drawings
- Landscape Plan
- Narrative Description
- Proof of Control (Option Lease Ownership)
- Product Information, etc.
- Other Descriptions or Materials as Appropriate
- Photographs

CHECK SPECIFIC ACTION REQUIRED

BZA

- 1. VARIANCE (requires public hearing)
 - Sign regulations
 - Height Regulations
 - Area and Yard Regulations
 - Fence Regulations
 - Off-street Parking

2. OTHER APPROVALS

- Appeal
- Other: _____

CPC

- Conditional Use Permit (requires public hearing)
- Planned Unit Development
- Site Plan Review
- Resubdivision of Land
- Amendment to Zoning Map or Ordinance
- Improvements to Public Land
- Other: _____

Summarize special conditions, practical difficulty or hardships imposed on the owner of the premises if strict letter of the ordinance were to be enforced:

See attached letter for more details.

To the best of my knowledge, the foregoing statements in this application are true and correct.

Karie Hajek
SIGNATURE:

6/18/2020
DATE:



NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Karie Hajek and Gabriel Leighton, 19235 Scottsdale Boulevard, to the Board of Zoning Appeals for a variance to the fence location and height regulations on a corner lot. The applicant proposes to install a 3.5-foot tall open picket wood fence on this corner lot at Scottsdale Boulevard and Tolland Road. The fence is proposed to be located 9 feet behind the Tolland Road sidewalk. Code requires that fences located in corner side yards not extend in front of the setback line of the principal building on the adjacent lot. The adjacent house on Tolland Road is set back 42 feet. The fence is proposed to enclose the rear yard and the Tolland Road side yard including an existing patio and driveway for the safety of the applicant's children and dogs. Code allows a 3 feet high fence in a corner side yard. The fence is proposed to be located behind a proposed boxwood hedge planted at 24 inches tall.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, July 7, 2020 at 7:00 p.m.** via Zoom Webinar Please see the note below in regard to being heard with respect to this application.

Plans are available for public review online at <https://www.shakeronline.com/AgendaCenter>. In addition, a complete meeting packet is posted at the latest the Friday before the meeting date.

Dan Feinstein
Secretary
Board of Zoning Appeals

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ADDRESS:

19235 Scottsdale Boulevard
Hajek/Leighton Residence
Case#: 2070

HEARING DATE:

July 7, 2020

SUMMARY:

Variance to the fence location and height regulations on a corner lot in order to install a 3.5-foot tall spaced picket wood fence 9 feet behind the sidewalk at the corner of Tolland Road and Scottsdale Boulevard where code permits a 3 foot tall fence and with a 42 foot setback is required.

STAFF POSITION:

- Staff suggests approval with the following condition:
 - The fence is set back 3 feet from the northern property line to allow the boxwood bushes to be planted on the applicant's property.
- Based on the following:
 - The traditional formal front yard faces Scottsdale Boulevard.
 - There is precedent for similar fence locations, height and style on corner lots in the neighborhood.
 - The fence encloses the patio and driveway areas including the attached garage door.
 - Standards of practical difficulty are met because the location of the house on this corner only allows a code conforming fence in a very small portion of the rear yard and to protect their children and dogs from the street.
 - The essential character of the neighborhood will not be affected since the fence would not cut off the view of the property down Scottsdale Boulevard, due to the landscaping being planted to soften the fence, and other similar corner lot fences.

ACTION:

- Variance to the corner lot fence regulations for location and height.

FACTS:

1. The applicant proposes to install a 3.5-foot tall spaced picket wood fence at the corner of Tolland Road and Scottsdale Boulevard. Code allows a 3-foot tall fence in the front yard.
2. The natural wood fence is proposed to enclose the Tolland Road side yard to contain the applicant's young children, dogs, existing patio and attached garage.
3. The fence is proposed 9 feet behind the Tolland Road sidewalk. Code requires a 42-foot setback from Tolland Road, equal to the neighbor's house setback.
4. The fence is proposed to be located behind and screened from Tolland Road by a proposed boxwood hedge planted at 24 inches tall.

**Continued
ADDRESS:**

19235 Scottsdale Boulevard
Hajek/Leighton Residence
Case#: 2070

HEARING DATE:

July 7, 2020

CODE SECTIONS:

1. 1262.05 E 2 – Corner lot fences shall not extend in front of the setback line of the adjacent houses. (42 feet in this instance).
2. 1262.05 D – Front and corner side yard fences are limited to a height of 3 feet.
3. 1202.05 C 12 – A fence visible from the street shall be visually softened with landscaping proportioned to the amount of solid fencing (30 inch tall landscaping in this case).

OTHER ISSUES:

1. The fence should be moved 3 feet off the northern property line in order to allow room to plant the bushes on the neighbor's side of the fence but remain on the applicant's property.
2. The proposed landscaping consists of boxwood bushes planted at 2 feet tall (mature height is 4-5 feet).
3. The new fence is proposed to connect to the existing rear yard fence, which is solid wood.
4. The attached garage is used as a main entry/exit for the family.

PRECEDENT:

Precedent on Lomond/Sussex Corners:

1. Axel Residence – Scottsdale and Rawnsdale Roads – 4 foot tall picket fence.
2. Aklog Residence – 4 foot picket fence on Lomond corner, 6 feet from Strathavon Road.
3. Carrier Residence – 4 foot tall ornamental aluminum fence at the corner of Lomond and Winchell Roads.
4. Beck Residence – Lomond and Rawnsdale – 4 foot tall aluminum fence 2 feet from the sidewalk.
5. Burke Residence – Lomond and Traynham – 4 foot tall picket fence.
6. Haynor Residence – Lomond and Tolland – 5 foot tall fence.

Other Precedent:

7. Meyer Residence – 3255 Dorchester Road – a 4 foot tall bronze aluminum ornamental fence 9 feet from the sidewalk.
8. Klein Residence - 3256 Glencairn Road – a 4 foot bronze aluminum ornamental fence 9 feet from the sidewalk.
9. Baab Residence – 17024 Fernway Road – 3.5 foot tall wood picket fence at the corner of Elsmere, 4 feet from the sidewalk behind an existing hedge.
10. Anthonisen Residence – 3255 Glencairn Road – a 4 foot tall picket fence 11 feet from the sidewalk.
11. Chauvette Residence – 3256 Kenmore Road – a 4 foot picket fence 9 feet from the sidewalk.

**Continued
ADDRESS:**

19235 Scottsdale Boulevard
Hajek/Leighton Residence
Case#: 2070

HEARING DATE:

July 7, 2020

PRECEDENT (continued):

12. Johnson Residence – 3255 Grenway Road – 3.5 foot picket fence 11 feet behind the sidewalk.
13. Sandman Residence – 3261 Aberdeen Road – 4 foot picket fence on Fernway Road 9 feet behind the sidewalk.
14. Perrin Residence – 4 foot tall natural wood picket fence at Southington and Huntington Roads.
15. Przechedzen Residence – Chadbourne/Onaway – 4 foot tall solid wood fence approved in 2016.
16. Shelley Residence – 4 foot tall picket fence at the corner of Aldersyde and Lee Roads.

Dear Board,

The purpose of this letter is to request a variance based on the following plan presenting the installation of a fence on our Shaker Heights property. We are a family of five with three young children ages 5, 3 and 20 months. We live on a corner lot located on Scottsdale Boulevard with the back of our house facing Tolland Road. We are interested in installing a fence on our property, first and foremost, to create a safe space for our children to play when outside in our backyard. Scottsdale tends to be one of the higher traffic street and there currently is no barrier between our backyard and Tolland Road. Furthermore, our oldest son faces some special needs (Down Syndrome) that can limit his understanding of instructions and therefore requires us to be that much more attentive to and aware of his whereabouts.

Unfortunately, due to the layout of our home and driveway, we are faced with the challenge of installing a fence that complies with the city ordinance and also allows us to create a space that logistically works for our needs. With an attached garage, we use this as the primary access to our home when entering and exiting. A fence built to the zoning code would not be able to include our garage within the fence and would essentially run through the middle of our driveway.

We are proposing consideration for a 42" picketed style cedar wood fence. I realize that 36" is the preferred height with a fence like we are suggesting. However, we would like to install a fence that will continue to accommodate our children (particularly our oldest) as they continue to grow. We plan to plant at least the initial 2' height hedge that can grow to at least a 5' height. These plantings will include Sunnyside Boxwood bushes.

Finally, we are proposing a variance that will allow us to extend the fence 9' from the attached garage. Doing so will allow us to more easily be able to clear snow off our driveway during the winter months. With the large pine next to the driveway we would want to build on the front side of this tree (hence, the 9' extension from the garage). This will still leave at least 8.5' of space from the fence to the sidewalk.

When my husband and I moved to Shaker Heights two years ago the aesthetic appeal was a huge draw for us. We particularly love the trees, the uniqueness of the neighborhoods and the fact that so many residents enjoy getting out of their homes to enjoy these aspects of the community. It is our intention to continue to contribute and maintain our part as residents to Shaker Heights and in doing so it is also important that we are able to provide a safe space for our family to play and spend time outside, in our backyard. We truly urge you to consider our request.

Thank you for your time.

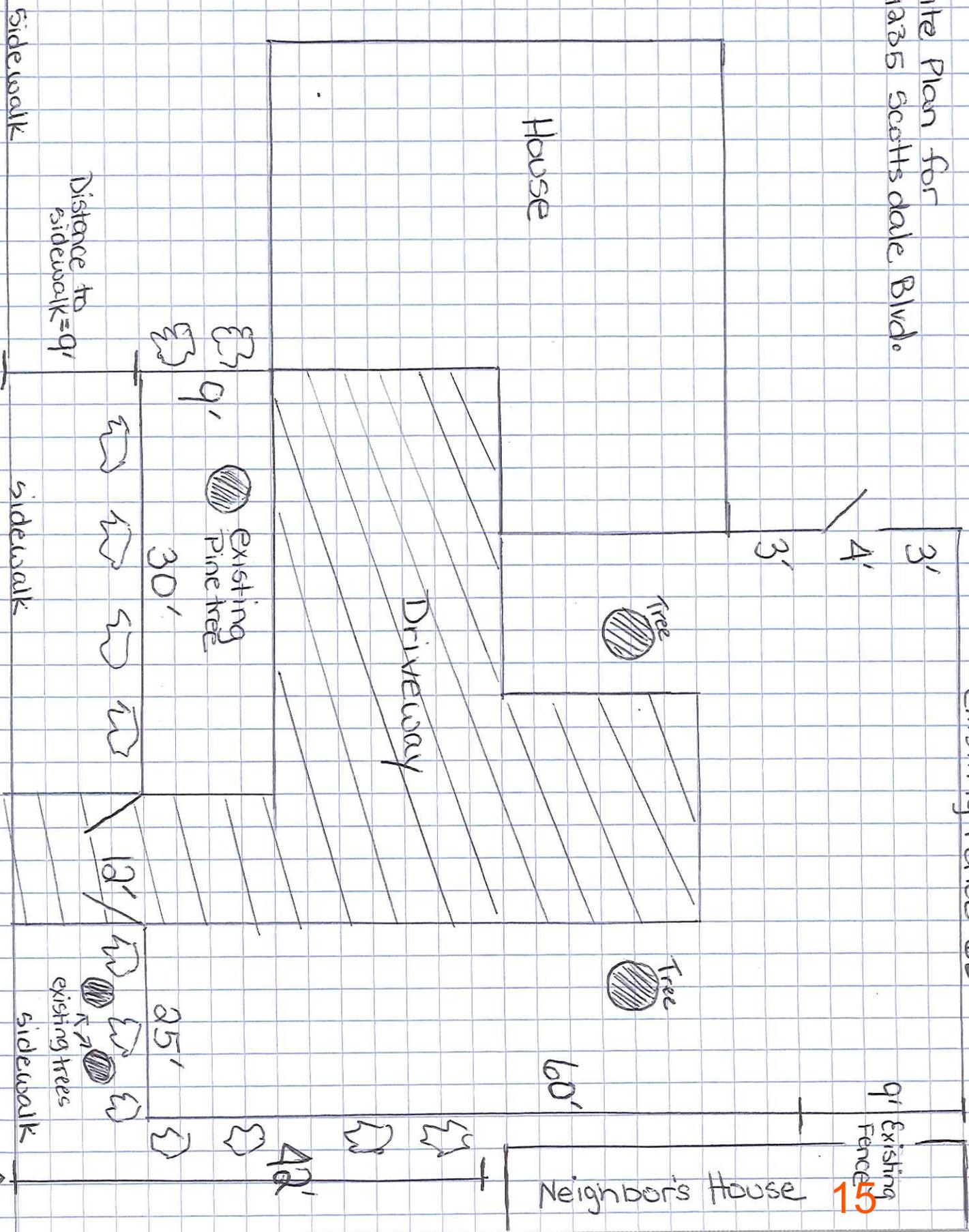
Sincerely,

Karie Hajek and Gabriel Leighton
19235 Scottsdale Blvd.

Scottsdale Blvd.

Site Plan for
1935 Scottsdale Blvd.

Existing Fence 60'



Tolland Road

EXISTING TREES IN NEIGHBORS BACKYARD

EXISTING TREES

EXISTING BACK FENCE

60'

SONNYSIDE BONWOOD
DEER RESISTANT
3'-5' height spread 2'-4'

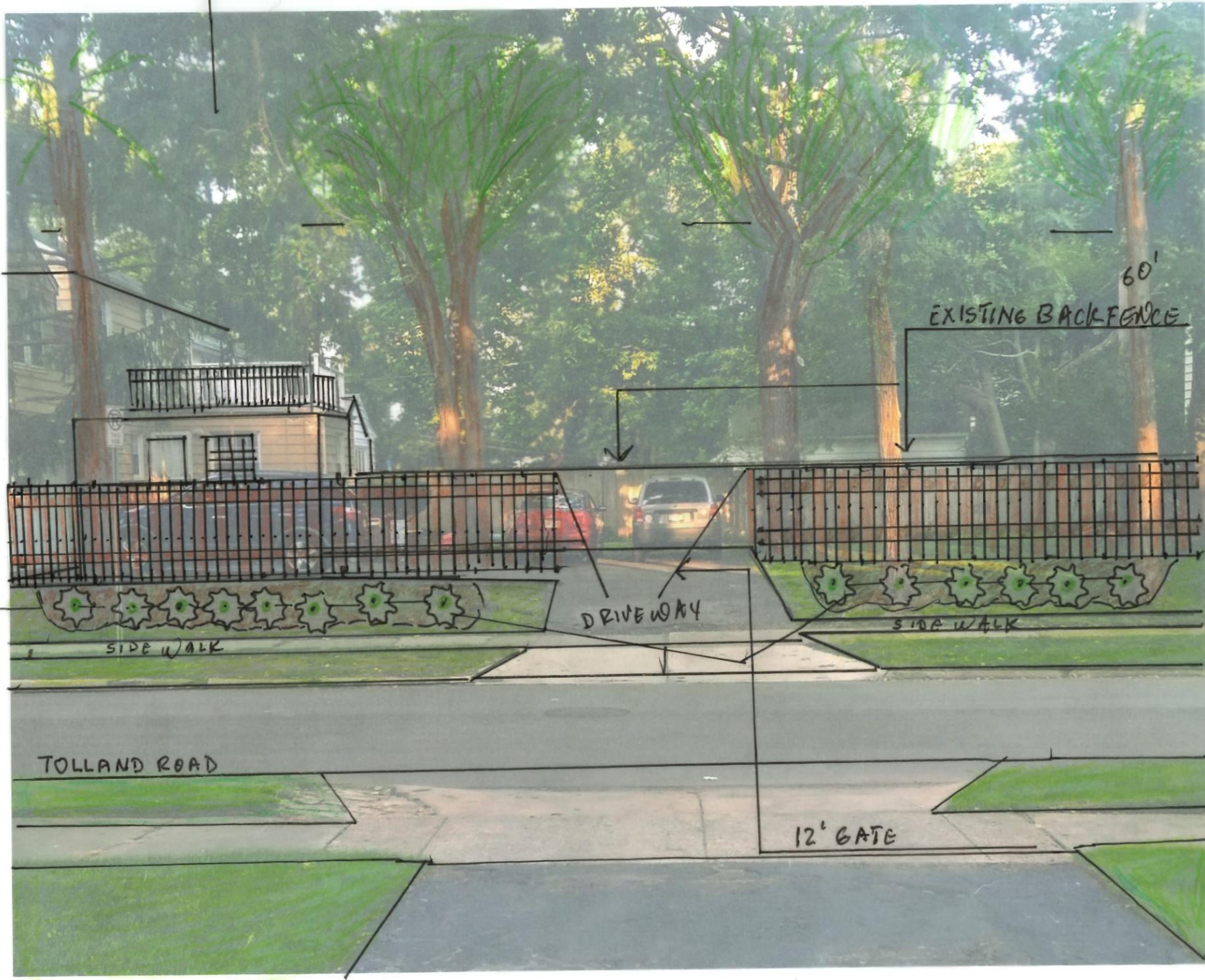
DRIVEWAY

SIDE WALK

SIDE WALK

TOLLAND ROAD

12' GATE



73621109

7362404

73621023

73621022

73621021

TOLLAND RD

73624042

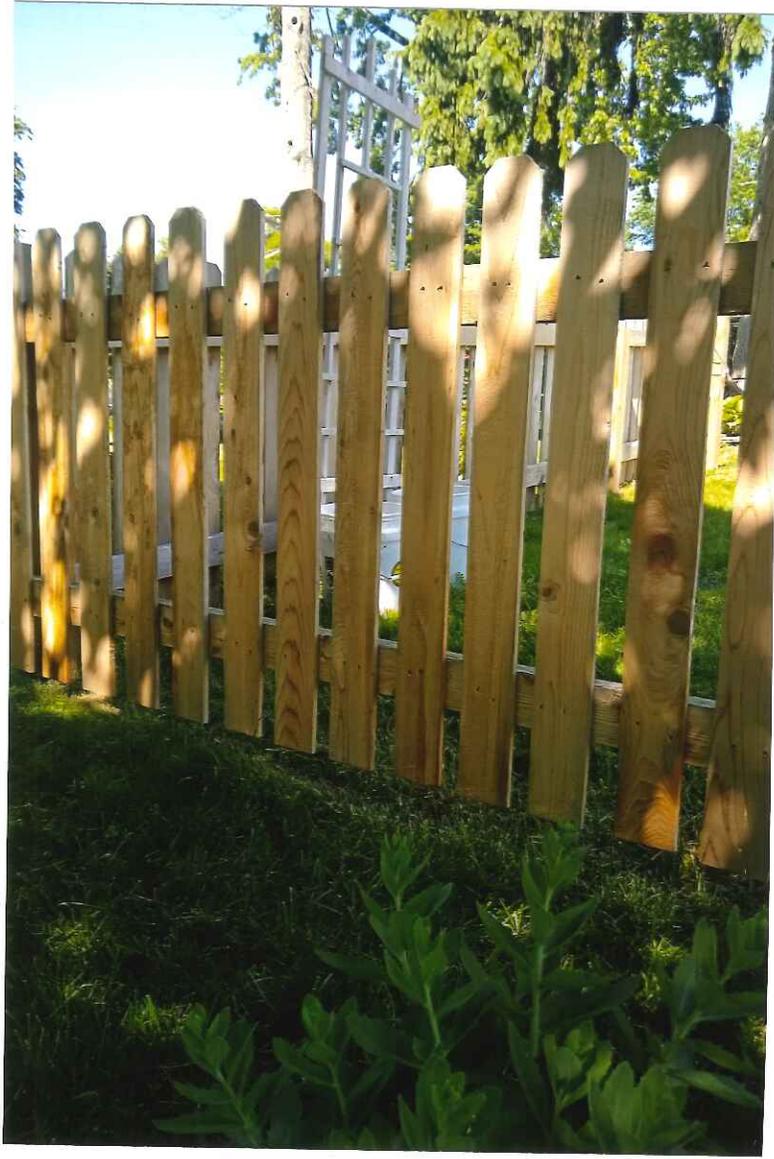
Parcel Number: 73621021

Property Data

- 736-21-021
- LEIGHTON, GABRIEL & HAJEK, KARIE
- 19235 SCOTTSDALE BLVD
- SHAKER HEIGHTS, OH. 44122

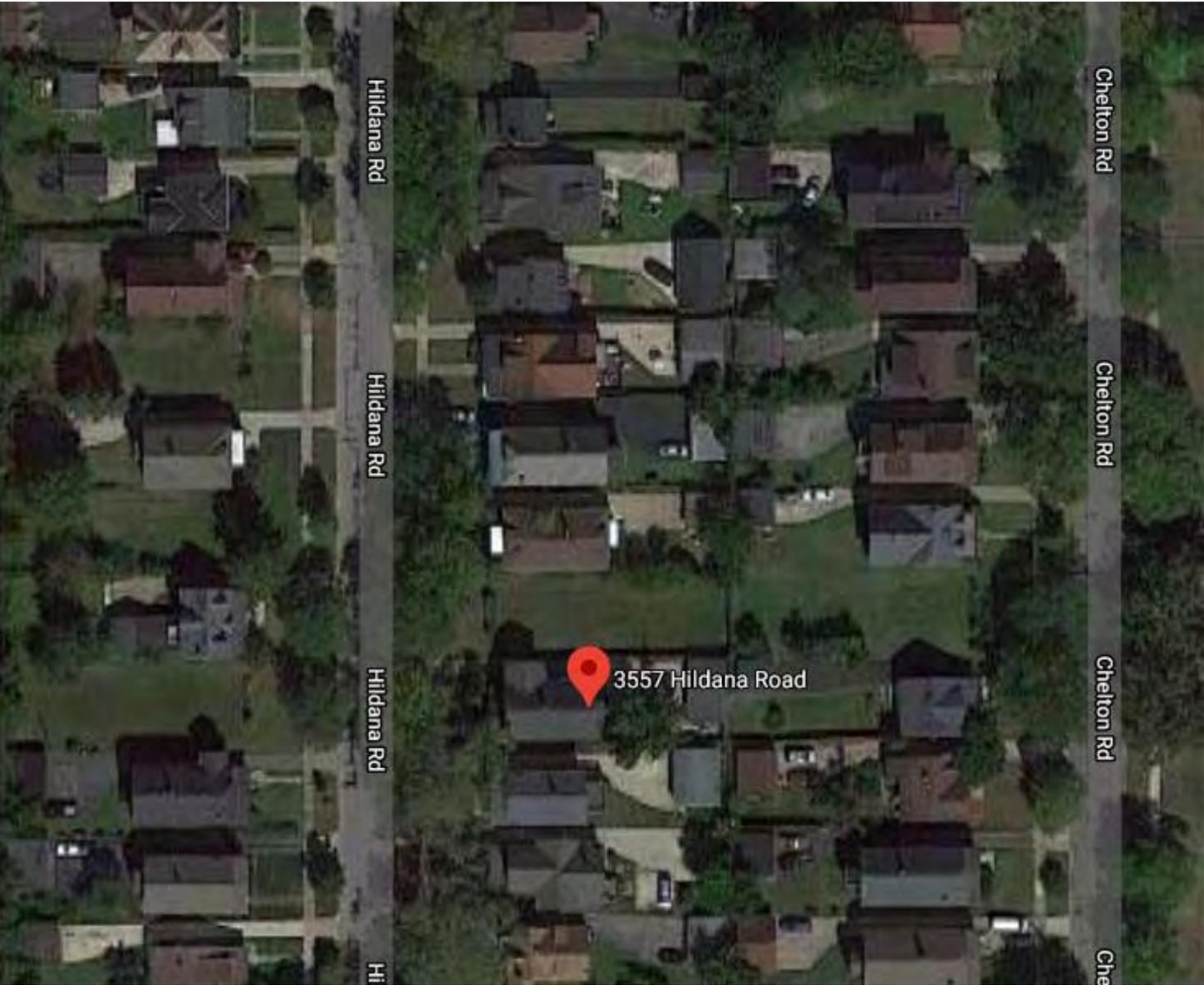
[Zoom to](#)

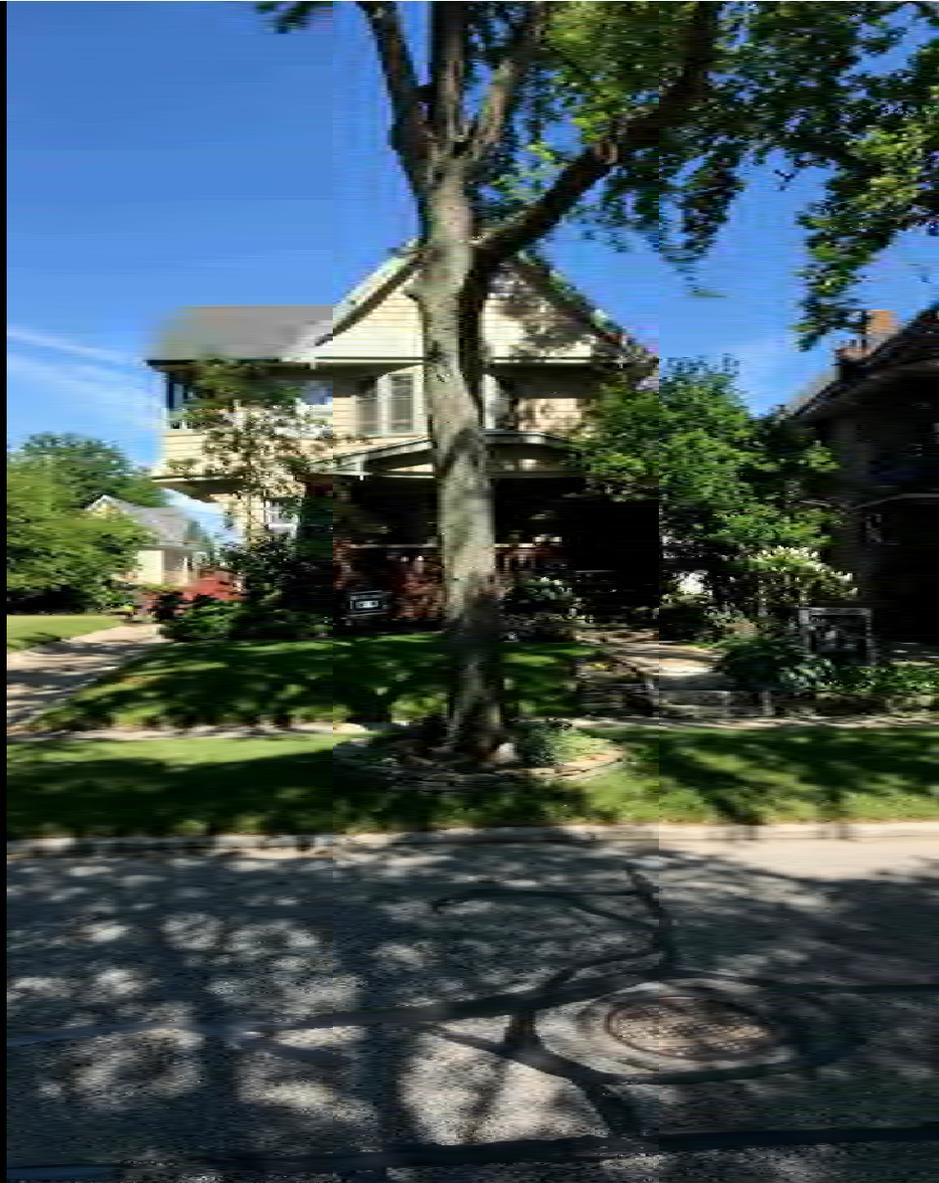




3557 Hildana Road

For subdivision of land in order to join a city-owned vacant lot with the property on which the Elder's home is located.







CITY OF SHAKER HEIGHTS

3400 LEE ROAD

SHAKER HEIGHTS, OH 44120

Applicant's Name: City of Shaker Heights Application No: 2068

Property Address: 3555 Hildana Road Parcel No: 735-25-008

City: Shaker Heights State: OH Zip: 44120

Applicant's Address 3400 Lee Road Phone No:

City: Shaker Heights State: OH Zip: 44120

Property Owner (if other than applicant) James and Vicki Elder

Property Owner's Address (if different) 3557 Hildana Road

City: Shaker Heights State: OH Zip: 44120

Zoning District: TF - Two Family Residential Present Use: Vacant Lot

Proposed Use:

E-Mail Address:

CHECK INFORMATION ACCOMPANYING THIS APPLICATION

- Site Plan (to scale) Proof of Control (Option Lease Ownership)
Detail Drawings Product Information, etc.
Landscape Plan Other Descriptions or Materials as Appropriate
Narrative Description Photographs

CHECK SPECIFIC ACTION REQUIRED

- BZA: 1. VARIANCE (requires public hearing) Sign regulations, Fence Regulations, Height Regulations, Off-street Parking, Area and Yard Regulations
2. OTHER APPROVALS: Appeal, Other
CPC: Conditional Use Permit (requires public hearing), Planned Unit Development, Site Plan Review, Resubdivision of Land, Amendment to Zoning Map or Ordinance, Improvements to Public Land, Other

Summarize special conditions, practical difficulty or hardships imposed on the owner of the premises if strict letter of the ordinance were to be enforced:

combine vacant lot (735-25-008) with the Elder's lot at 3557 Hildana Road

To the best of my knowledge, the foregoing statements in this application are true and correct.

SIGNATURE: [Handwritten Signature]

DATE: 06/16/2020



NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by the City of Shaker Heights, representing James and Vicki Elder, 3557 Hildana Road, to the City Planning Commission, for subdivision of land in order to join a city-owned vacant lot with the property on which the Elder's home is located. The Elders are purchasing the vacant lot next door. The house parcel (735-25-007) is proposed to be combined with the vacant adjacent lot (735-25-008). The Elders propose to integrate the vacant lot into their yard with a fence and a garden patio. This combined lot meets code requirements in the TF Two Family Residential zoning district. Subdivision of land requires City Planning Commission approval.

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Secretary
City Planning Commission

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ADDRESS:

3557 Hildana Road
Elder Residence
Case#: 2068

HEARING DATE:

July 7, 2020

SUMMARY:

Request for subdivision of land in order to join a vacant lot on Hildana Road with the adjacent property, where the Elder house is located.

STAFF POSITION:

- Staff suggests approval of the combined lot with the condition that a final plat is submitted to the City and filed with the County.
- Based on:
 - There is precedent for lot consolidation on several other residential lots in the neighborhood.
 - The vacant lot will be purchased from the City and integrated into the existing residential lot.
 - The city's side lot program was created to facilitate the use of vacant city-owned lots to adjacent neighbors.
 - Council has approved the sale of the lot to the applicants.
 - The combined lot complies with lot and block standards for subdivision in the TF Two Family Residential zoning district.
 - The combined lot complies with lot size and width requirements for the TF Two Family Residential zoning district.

ACTION:

- Standards for subdivision of land in the TF Two Family Residential zoning district.

FACTS:

1. The applicant requests to join the vacant, city-owned parcel 735-25-008 to the lot with the Elder residence on it.
2. The new combined lot creates a double wide residential lot that is 90 feet wide and 14,400 square feet.
3. The city is conveying the property to the applicant in order to facilitate use of the property and integrate it into the neighborhood.
4. The owner's house and the vacant lot are in the TF Two Family Residential zoning district and meet code requirements.
5. City Planning Commission review is required for subdivision of land.

CODE SECTIONS:

1. 1213.08 – Standards for subdivision of land.
2. 1223.05, 1223.06 – TF Two Family lot must be 50 feet wide and 7,500 square feet in size.

**Continued
ADDRESS:**

3557 Hildana Road
Elder Residence
Case#: 2068

HEARING DATE:

July 7, 2020

OTHER ISSUES:

1. City Council reviewed and approved the application to purchase the city-owned lot at their May 26, 2020 meeting.
2. The extra lot is proposed to be fenced as a side yard.
3. The city-owned vacant lot, parcel 735-25-008 would be joined with the house parcel, 735-25-007, on which the house exists.
4. If the consolidation is approved, the applicant will need to file a signed plat with the County to combine the two properties.
5. There are numerous examples of double lot size residential lots in the city, in this neighborhood.

PRECEDENT:

1. Boudreaux Residence – Combine a vacant side lot with the owner’s lot containing their house on Stoer Road.
2. Neujahr Residence – Combine a vacant side lot with the owner’s lot containing their house on Stoer Road.
3. Mullin/Smith Residence – Combine a vacant side lot with the owner’s lot containing their house.
4. Henry Residence – Combine a vacant side lot with the owner’s lot containing their house.
5. Silberger Residence – Combine a portion of a vacant side lot with the owner’s lot containing their house.
6. Vokes Residence – Combine a vacant side lot with the owner’s lot containing their house.
7. Nordstrom Residence – Combine a vacant side lot with the owner’s lot containing their house.
8. Kennedy Residence – Combine a vacant lot with the owner’s lot containing their house.
9. Kogelschatz Residence – Combine a vacant lot with the owner’s lot containing their house.
10. Brooks-Horn Residence – Combine a vacant lot with the owner’s lot containing their house.
11. Foster Residence – Combine a vacant lot with the owner’s lot containing their house.
12. Reed Residence – Combine a vacant ½ lot with the owner’s lot containing their house.
13. Kerr/Bell Residence – Split and combine a vacant lot to each neighbor’s property.
14. Delany Residence – Combine a vacant ½ lot with the owner’s lot containing their house.

HILDANA RD

73525009

73525009

73525064

73525008

73525008

73525065

73525007

73525007

Parcel Number: 73525007

Property Data

- 735-25-007
- ELDER, VICKI J.
- 3557 HILDANA RD
- SHAKER HEIGHTS, OH. 44120

[Zoom to](#)

73525006

73525006

73525067

73525005

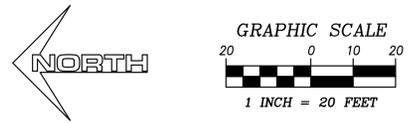
73525005

73525068

9

3/4" REBAR IN MON. BOX FD.

CHELTON ROAD (70')
(FORMERLY E 163 STREET)



ACCEPTANCE

I, Vicki J. Elder, owner of the land shown hereon, do hereby accept this Lot Consolidation as shown hereon.

Signature _____ Printed Name _____

NOTARY PUBLIC

COUNTY OF LAKE
STATE OF OHIO
Before me, a Notary Public in and for said County and State, personally appeared the above named Vicki J. Elder, who acknowledged the signing of the foregoing instrument, and that it was of _____ free act and deed personally. In witness whereof, I have hereunto set my hand and official seal at _____, Ohio, this _____ day of _____, 2020.

Notary Public _____ My Commission Expires _____

APPROVALS

This plat is hereby approved by the Secretary, City Planning Commission, City of Shaker Heights, Ohio this _____ day of _____, 2020.

Secretary, City Planning Commission,
City of Shaker Heights, Ohio

CHAGRIN BOULEVARD (Variable Width)
(U.S. ROUTE 422)
N 88°58'19" E 389.10' REC.
389.45' CALC.

PLAT OF CONSOLIDATION OF
167102-16712 CHAGRIN BOULEVARD
VOLUME 384 PAGE 27 C.C.M.R.

3/4" REBAR IN MON. BOX FD. & USED
0.09' S. PER VOL.
384, PG 27 C.C.M.R.

193.96' REC. & USED

89.32' REC. & USED

360.00' REC.

359.89' CALC.

90.00' REC. & USED
N 00°54'14" W

990.00' REC.

989.89' CALC.

5/8" REBAR FD. ON LINE
90.00' REC.
89.81' CALC.

540.00' REC. & USED

5/8" REBAR FD. 0.11' W.
90.00' REC.
90.05' CALC.

90.00' REC. & CALC.

5/8" REBAR (BENT) FD. 0.11' W.
90.00' REC. & CALC.

90.00' REC. & CALC.

5/8" REBAR FD. & USED

90.00' REC. & CALC.

35.00'

HILDANA ROAD (70')
(FORMERLY E 161 STREET)

CHELTON ROAD (70')
(FORMERLY E 163 STREET)

RAPID TRANSIT LAND COMPANY'S
SHAKER OVERLOOK SUBDIVISION NO. 3
VOLUME 66, PAGE 3 C.C.M.R.

SUBLOT 149

SUBLOT 150
PPN 735-25-064
LORRAINE N. MUTEWERA
AFN 201308300787 C.C.D.R.

SUBLOT 151
PPN 735-25-065
SHAKER HEIGHTS LAND
REUTILIZATION PROGRAM
AFN 201906260403 C.C.D.R.

SUBLOT 152
PPN 735-25-066
SCSJ MANAGEMENT LLC
AFN 201810240461 C.C.D.R.

SUBLOT 153
PPN 735-25-067
SANDRA G. CRAIGHEAD &
KAREN LEE CRAIGHEAD
DEED VOL. 90-4462, PG 54 C.C.D.R.

SUBLOT 154

SUBLOT 133

N 88°57'46" E 159.55' REC. & USED

SUBLOT 132

SUBLOT 131

SUBLOT 126

SUBLOT 125
PPN 735-25-009
ANNA JEAN MURRELL-HILL
AFN 201904050299 C.C.D.R.

SUBLOT 124
PPN 735-25-008
VICKI J. ELDER
C.C.D.R.

N 89°00'49" E 159.55' REC. & USED

SUBLOT 123
PPN 735-25-007
VICKI J. ELDER
AFN 200104090040 C.C.D.R.

SUBLOT 122
PPN 735-25-006
CHANGE HORIZON HOUSING LLC
AFN 201902200160 C.C.D.R.

SUBLOT 121

SUBLOT 117

SUBLOT 116

SUBLOT 115

SUBLOT 114

SUBLOT 113

SUBLOT 112

SUBLOT 111

SUBLOT 110

SUBLOT 117

SUBLOT 116

SUBLOT 115

SUBLOT 114

SUBLOT 113

SUBLOT 112

SUBLOT 111

SUBLOT 110

CONSOLIDATION PLAT
for
VICKI J. ELDER

Known as being Sublot 123 and 124 in the Rapid Transit Land Company's Shaker Overlook Subdivision No. 3 of part of Original Warrensville Township Lot No. 52, as shown by recorded plat in Volume 66 of Maps, Page 3, now situated in the

CITY OF SHAKER HEIGHTS
COUNTY OF CUYAHOGA - STATE OF OHIO

McSteen
LAND SURVEYORS

1415 East 286th Street Wickliffe, OH 44092
Phone: 440.585.9800 www.mcsteen.com

This survey is a boundary survey prepared in accordance with Chapter 4733-37, Ohio Administrative Code. The basis of bearings for this survey are from GNSS observations to the Ohio State Plane Coordinates System, North Zone, NAD83 (2011) datum derived through the O.D.O.T. V.R.S. Network. Distances are given in feet and decimal parts thereof. All iron pins shown as set are 30" long 5/8" rebar with an identification cap stamped "McSTEEN CA 96-026".

ROBERT A. DORNER REG. PROF. SURV. No. 6943
Job No.: 20-066
Field Date: May 5, 2020
Survey Date: May 20, 2020
Drawn By: TEE

LEGEND

- REBAR FOUND AS NOTED
- ☒ REBAR IN MONUMENT BOX FOUND AS NOTED
- IRON PIPE FOUND AS NOTED
- ⊙ 5/8" DIAMETER X 30" LONG REBAR WITH "McSTEEN CA 96-026" ID CAP SET
- ⊕ CENTERLINE
- R/W RIGHT-OF-WAY
- CALC. CALCULATED DISTANCE OR ANGLE
- REC. RECORD DISTANCE OR ANGLE
- FD. FOUND
- MON. MONUMENT
- C.C.M.R. CUYAHOGA COUNTY MAP RECORDS
- C.C.D.R. CUYAHOGA COUNTY DEED RECORDS
- CHAIN LINK FENCE
- WOOD FENCE

Situated in the City of Shaker Heights, County of Cuyahoga, and State of Ohio, known as being Sublots 123 and 124 in the Rapid Transit Land Company's Shaker Overlook Subdivision No. 3 of part of Original Warrensville Township Lot No. 52, as shown by recorded plat in Volume 66 of Maps, Page 3, and being lands conveyed to Vicki J. Elder by deeds recorded in AFN 200104090040 and AFN _____ by Cuyahoga County Deed Records, being further known as Lot "A" in Consolidation Plat for Vicki J. Elder, as recorded in AFN _____ Cuyahoga County Map Record, and containing 0.3296 acre of land, more or less.

May 27, 2020

Vicki & James Elder
3557 Hildana Road
Shaker Heights, Ohio 44120

Dear Vicki and James,

Congratulations! Your application to acquire the City owned vacant lot located at 3555 Hildana Road (PPN 735-25-008) has been conditionally approved by City Council at their meeting on May 26, 2020. There are a number of legal steps that have still to be taken before you can actually own the property. To help guide you through the process, which includes several City departments and other government agencies, below is a summary of the next steps you will need to take:

1. Sign Purchase Agreement with the City:

- a. The Law Department will send you a “Purchase Agreement,” which sets forth the terms and conditions under which the City agrees to sell you the vacant lot. It will include a copy of your application to acquire the vacant lot, the sales price agreed upon and the improvements you have committed to making to the property.
- b. If you concur with the terms of the Agreement, you will sign two copies of the original document and return them both to Alicia White in the City’s Law Department. The City will then sign the documents and return a fully signed original to you.

2. Obtain a Plat:

- a. You will need to hire a surveyor to complete a boundary survey, new legal description and consolidated plat (i.e. a map printed on Mylar) for the vacant lot you are acquiring and your existing property. This typically takes some time so you should start this as soon as possible.
- b. You should ask the surveyor if a “consolidation by record” is possible as this is less expensive (approx. \$800). This is an option when there are existing sub-lots in a subdivision, which includes almost all of Shaker Heights. A full survey will cost you approx. \$1,000 to \$2,000.
- c. Have the surveyor obtain the County Engineer’s approval of your plat (no fee) in order to obtain a stamped copy of your plat.
- d. The City does not recommend which surveyor you should hire, but surveyors who have been used by previous applicants and are therefore familiar with the requirements include:
 - LMS Surveying Ltd.: <http://www.lmssurveying.com>; (330) 329-6812.
 - Edward Dudley, Riverstone Land Surveying: www.riverstonesurveying.com ; (216) 491-2000.

– David Bruckner: (216) 941-0720

– Dempsey Surveying: www.dempseysurvey.com ; (216) 226-1130.

3. Obtain approval for the lot consolidation from the City Planning Commission (CPC):
 - a. Coordinate with Dan Feinstein of the Planning Department to file a City Planning Commission Application for Plat approval. The schedule of meetings, the procedures, and the application are all available at <http://www.shakeronline.com/DocumentCenter/View/662/BZACPC-Application-PDF?bidId=>. The \$75 fee for a lot consolidation will be waived since the city owns the property still at this point and Mr. Feinstein will present the application to the Planning Commission on your behalf. You do, however, need to attend the CPC meeting to answer any questions regarding the application. ***You should start this process immediately by contacting Mr. Feinstein.***
 - b. Applications must be filed approx. two weeks before the CPC meeting date. Incomplete applications will not be accepted. A description of your planned improvements should be included.
 - c. For more information on the CPC process, please contact Dan Feinstein at 216-491-1435 or daniel.feinstein@shakeronline.com.
4. Signing the Plat:
 - a. Once you have obtained your plat from the surveyor, and the CPC has approved the consolidation, submit your plat to the Planning Department for signature, indicating that the plat has met City approval. They will then send it to the Law Department which will contact you to come in and sign the plat.
 - b. Alicia White in the Law Department will be your contact at 216-491-3213 or alicia.white@shakeronline.com for signature of the plat.
5. Recording the Deed & the Plat:
 - a. The Law Department will arrange for the quit claim deed transferring the property to you to be signed by the Mayor and will arrange for the deed and the signed plat to be recorded.
 - b. The cost of recording the plat varies based on the size of the plat (typically approx. \$40) and the cost of recording the deed varies depending on the number of pages (typically approx. \$36).
 - c. The Law Department will inform you of the total cost and you will be required to provide a check for the cost of recording the deed and the plat and the purchase price for the lot, before the Law Department will arrange for the recording. Checks should be made payable to the City of Shaker Heights.
 - d. After the deed and the plat are recorded, the City will notify you and we can either send the originals to you or you can pick them up from City Hall.
6. Final Steps:
 - a. You can now commence with any improvements on the property.
 - b. You are now responsible for property taxes on your new consolidated parcel.
 - c. You must submit an annual report to me documenting the investment you have made in the property (pictures and receipts) in compliance with the Purchase Agreement you signed with the City.

If you have questions at any time throughout the process, please contact me at 216-491-1374.
Thank you once again for your interest in investing in your property and your neighborhood.

Sincerely,



Kamla Lewis
Director

c.c. William Gruber, Director of Law
Daniel Feinstein, Planning Department



SHAKER HEIGHTS

The City of Shaker Heights
Application for acquiring City-owned residential lots
April 14, 2020

Acquiring a City owned lot for Redevelopment as a Single-family Home

- The City is offering lots for redevelopment as owner-occupied single family homes.
- The buyer or the developer may apply to acquire the lot.
- The City can take back the property if the home is not built and used as an owner-occupied single-family home.
- The City's Design Guidelines for new home construction must be adhered to and will be a requirement in the Development and Use agreement with the City, if approved.

Additional Resources:

- Shaker Heights Zoning Code:
[https://www.shakeronline.com/DocumentCenter/View/659/Zoning-Code-PDF?bidId=.](https://www.shakeronline.com/DocumentCenter/View/659/Zoning-Code-PDF?bidId=)
- Design guidelines for single family infill housing on City-owned Lots:
[https://www.shakeronline.com/DocumentCenter/View/549/ABR---Single-Family-Infill-Design-Guidelines-PDF?bidId=.](https://www.shakeronline.com/DocumentCenter/View/549/ABR---Single-Family-Infill-Design-Guidelines-PDF?bidId=)

Acquiring a City owned lot for use as a side yard or Community use

- The City is offering lots to adjacent property owners to use as side yards for \$1.00.
- Side yard applicants must owner-occupy the adjacent property.
- Applicants will be required to consolidate the vacant lot with their existing lot and bear all the costs associated with the consolidation and transfer of the vacant lot. These can range from \$1,500-\$3,000. There may be increased property taxes for the new larger consolidated lot. See estimates at
<https://www.shakeronline.com/DocumentCenter/View/716/Vacant-Lot-List-PDF>.
- The City will also entertain offers from residents, community groups, institutions, etc. for community uses such as a community garden, etc.

General Information

To acquire a City owned residential lot "AS IS", complete this application and return it to the Shaker Heights Department of Neighborhood Revitalization, 3450 Lee Road, or by email to kamla.lewis@shakeronline.com .

Key Considerations:

- To be eligible, applicants must be in good standing with the City's Building and Housing, and Planning Departments, have no Criminal Nuisance Activity violations, be current with all property taxes in Shaker Heights and no properties they own can be in foreclosure.
- The receipt of a completed application does not guarantee a property transfer. The City will carefully review applications and accept/deny based on their merit.

Personalized Assistance

If you have any questions about the program, application, or review process, please call Kamla Lewis at 216-491-1374 or kamla.lewis@shakeronline.com .



SHAKER HEIGHTS

The City of Shaker Heights
Application for acquiring City-owned residential lots
April 14, 2020

SECTION 1

Vacant Lot Information

1. Permanent Parcel Number: 735-25-008
2. Property address: 3555 HILDANA RD.
3. Intended use: Build Single-family home Side yard Community use

Applicant Information

1. Name of Applicant/s: VICKI & JAMES ELDER
2. Mailing Address*: 3557/3559 HILDANA ROAD SHAKER HTS. OH 44120

Street Address	City	State	Zip Code
----------------	------	-------	----------

**Post Office Boxes are not acceptable as an address.*

3. Phone Numbers: 216.314.4484
4. E-mail address: VELDER2913@YAHOO.COM

5. Are you a builder/developer proposing to build a pre-sold home? Yes No
If so, list the contact information for the buyer:

Name: _____
 Current Address: _____
 Phone Number: _____ Email address: _____

6. List all properties currently owned in The City of Shaker Heights. You may attach additional sheets if necessary.

3557/3559 HILDANA RD.

7. Do any of the properties you own in Shaker Heights have existing Building, Housing, or Zoning Code Violations? Any Criminal Nuisance Activity violations? Yes No
8. Are property taxes current on all properties you own in Shaker Heights? Yes No
9. Are any properties you own in foreclosure? Yes No



SHAKER HEIGHTS

The City of Shaker Heights
Application for acquiring City-owned residential lots
April 14, 2020

SECTION 2 (complete A, B, or C as appropriate)

A. Side yard Proposal

Are you an owner occupant of a property adjacent to the City owned lot? Yes No

Describe any improvements you plan to make on the City owned lot, including the estimated cost of the improvements (use additional sheets as needed and attach drawings as appropriate):

THE LOT WILL BE FENCED AND AN INTERIOR GARDEN PATIO

WILL BE INSTALLED OVER TIME. FENCING COST ~\$5K

B. Community Use Proposal

Describe your proposed use of the City owned lot (use additional sheets if necessary):

What neighborhood is the project in? _____

Does the relevant neighborhood association support the project? Yes No

Please attach a letter of support from the neighborhood association, if applicable.

How many residents will be involved with the project? _____

How many residents do you estimate will benefit from the project? _____

Describe how residents/community will benefit from the project and how the project will be funded (use additional sheets if necessary).



SHAKER HEIGHTS

The City of Shaker Heights
Application for acquiring City-owned residential lots
April 14, 2020

C. Single-family Redevelopment Proposal

1. Is the design of the home one of the City's pre-approved plans? Yes No

2. If not, list the architect who is designing the home:

Architect Name: _____

Name of Firm: _____

Address of Firm: _____

Contact phone: _____ Contact email: _____

3. Please list the builder/developer/general contractor who will be in charge of constructing the home.

Contact Name: _____

Name of Firm: _____

Address of Firm: _____

Contact Phone: _____ Contact email: _____

4. Estimated time to complete home after property transfer: _____

5. Please attach a front elevation drawing and/or sketch of the home you propose to build on the lot. Applications without a drawing/sketch will not be considered.

6. Estimated Construction Costs: _____

A construction schedule and cost breakdown for construction. (This must be printed on the contractor's letterhead and signed by the contractor) and attached to this application. These estimates will be reviewed by the City for reasonableness and accuracy.

7. How do you plan to finance this development proposal (Include all that apply)?

Loan	\$ _____	
Personal Assets	\$ _____	
Other (please specify)	\$ _____	source: _____
Total	\$ _____	

Proof of financing must be attached to this application i.e. copies of loan commitments, bank statements, etc. Applications without proof of financing will not be accepted.



SHAKER HEIGHTS

The City of Shaker Heights
Application for acquiring City-owned residential lots
April 14, 2020

How to submit an application

Mail: Department of Neighborhood Revitalization
3450 Lee Road, Shaker Heights, OH 44120
Fax: 216-491-1456, Attn: Kamla Lewis
E-mail: kamla.lewis@shakeronline.com

The City's application review process

Review & Approval Process for Side Yards & Community Uses:

1. Review by city staff to determine that the application is complete and meets City requirements.
2. Staff presents qualified side lot proposals directly to City Council. Community use applications will be reviewed by the Neighborhood Revitalization & Development (NRD) Committee.
3. Successful side yard applicants must enter into a Purchase Agreement with the City so they can proceed with the survey and consolidation process.
4. Side yard applicants will work with Planning Department staff to obtain the required Planning Commission approvals for the consolidation and with the Law Department for the recording of the deed and transfer of the property once all approvals are in place.
5. Community Use applicants will work with Neighborhood Revitalization staff on any additional needed approvals, depending on the project specifics, and must enter into a Purchase or License Agreement with the City.

Review & Approval Process for Single Family Home Construction:

6. Review by city staff to determine:
 - a. That application is complete and meets City requirements
 - b. Builder/developer qualifications
7. Staff presents qualified single family home construction proposals to the Neighborhood Revitalization and Development Committee (NRD) for their review and recommendation to City Council.
8. Successful applicants must enter into a Purchase and Development Agreement with the City so they can proceed with financing and developing architectural plans.
9. Applicants will work with Planning Department staff to develop a design that meets design guideline requirements and will meet zoning requirements.
10. Architectural plans and front elevation drawings will be reviewed by Architectural Board of Review (ABR) and City Planning Commission (CPC) for their approvals.
11. After proposals approved by ABR, and CPC, the property will then be transferred to the applicant.



SHAKER HEIGHTS

The City of Shaker Heights
Application for acquiring City-owned residential lots
April 14, 2020

Checklist for Applicant

The application must be complete with all necessary attachments to be processed.

The following is a checklist for you to help ensure that you have attached the necessary required documents to the application prior to submission. If you should have any questions, please contact The Department of Neighborhood Revitalization at 216-491-1374.

	Yes
Application Form	
1. All questions are answered where applicable.	
2. Non-Collusion affidavit is completed, signed, and notarized.	
3. Application is signed.	
Attachments for Single Family Home Applications	
1. Front elevation drawing of proposed home	
2. Verification of financing (bank statements, letter of commitment from bank, etc.)	
3. Development schedule and Cost breakdown on Contractor letterhead and signed by Contractor.	



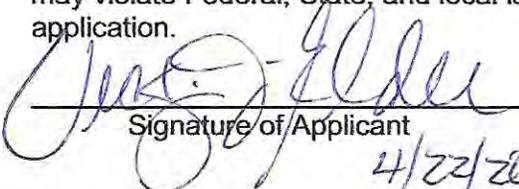
SHAKER HEIGHTS

The City of Shaker Heights
Application for acquiring City-owned residential lots
April 14, 2020

I/We Acknowledge that we have been advised and understand that:

1. All applications for City-owned properties may be reviewed by City Staff, City Council, City Planning Commission, and the Architectural Board of Review. The City may reject the application altogether or ask for revisions.
2. This application is a statement of interest only. By receiving it, the City does not commit to transfer property. I/We understand that if the application is accepted I/we will be required to enter into an agreement with the City to complete the transaction.
3. All City-owned property is sold "as is" and no further work will be done to the property by The City of Shaker Heights.
4. The City of Shaker Heights does not guarantee the existence of utilities to the property and it will be my/our responsibility to pay for any needed utility hook-ups.
5. The City of Shaker Heights does not certify that there is no underground debris or materials from prior construction i.e. foundations, basements, etc. The City is not responsible for the removal of anything found underground during construction.
6. I/We will be responsible for all taxes, water charges, waste charges, governmental and private liens and encumbrances, if applicable, and any other taxes that become due from taking title to the property. I/we are responsible for inquiring at the appropriate offices to determine the amounts of taxes and charges that will be due.
7. I/we will close on a property sale within 90 days of the City's approval. The City will not transfer the property if this deadline is missed (subject to Force Majeure).
8. For single family home proposals, construction will be completed within 12 months of transfer. If this deadline is missed, the City will issue a penalty equal to the average selling price of comparable lots plus lost interest (subject to Force Majeure). An extension of up to 6 months may be obtained by written notice to the City.
9. I/we agree to all City requirements of submitting documentation and/or any additional information that the City of Shaker Heights may need for the completion of the application process.
10. I/we agree that if this application is approved, the property will be maintained and developed in compliance with the completed application.

All information and supporting documentation supplied to The City of Shaker Heights is accurate to the best of my knowledge and belief. I understand that providing false information may violate Federal, State, and local laws and be punishable and as such will invalidate this application.



Signature of Applicant
4/22/20



Signature of Applicant
4/22/2020

Non-Collusion and Disclosure Affidavit

Personally appeared, James Elder, who being duly sworn, deposes that:

1. I am over the age of eighteen and I understand the obligation of an oath.
2. I am a Resident that submitted an application to The City of Shaker Heights for a contract and am acting in my individual capacity.
3. I am fully apprised of the contents of the said application and all pertinent facts and circumstances relative to the same.
4. Such application is genuine and is not collusive or a sham.
5. Neither said individual (including any immediate family) nor any of his/her partners, representatives, affiliates, or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly, with any other individual to submit a collusive or sham application in connection with the contract for the application has been submitted.
6. The prices/quotes/estimates in the application are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the individual or any of his/her immediate family members, partners, representatives, affiliates, or parties in interest.
7. No City Council Member, elected or appointed official, or Shaker Heights employee is directly or indirectly interested in or will benefit financially by the application, is in a position to participate in a decision making process or gain inside information about the application.
8. I will disclose on an attached sheet any immediate family members who are Shaker Heights employees, Council Members, or elected or appointed officials.

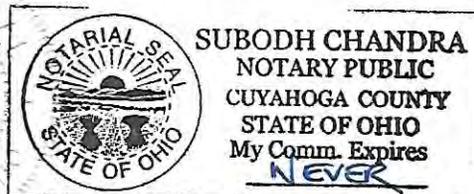
James Elder
Applicant Printed Name

4/22/2020
Date

[Signature]
Applicant Signature

Personally appeared before me and swore to the truth of the truth of this affidavit, application, and all attachments on APRIL 22, 2020.

[Signature]
Notary Public



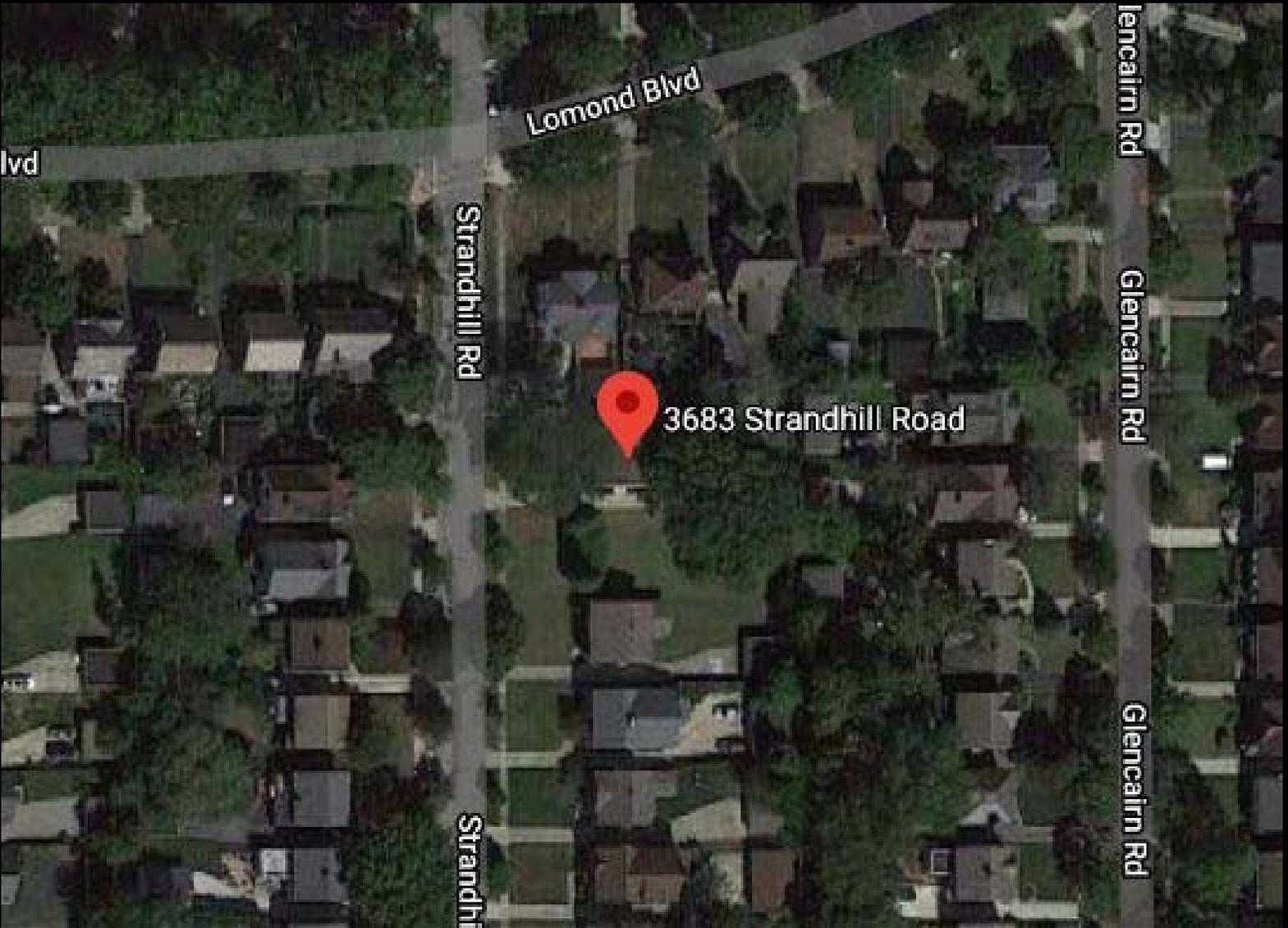


8650
8657

MORELAND COMMUNITY
FOOD PICKUP
DATE: 7.2.21
10:20 AM
WEAR A MASK
BY S. OCTATION

3683 Strandhill Road

For subdivision of land in order to join a city-owned vacant lot with the property on which the Ciriaco's home is located.







Applicant's Name: City of Shaker Heights Application No: 2067

Property Address: 3687 Strandhill Road Parcel No: 736-15-098

City: _____ State: _____ Zip: _____

Applicant's Address 3400 Lee Road Phone No: _____

City: Shaker Heights State: OH Zip: 44120

Property Owner (if other than applicant) Ryan and Samantha Ciriaco

Property Owner's Address (if different) 3683 Strandhill Road

City: Shaker Heights State: OH Zip: 44122

Zoning District: SF-3 Single Family Residential Present Use: Vacant Lot

Proposed Use: Side yard

E-Mail Address: _____

CHECK INFORMATION ACCOMPANYING THIS APPLICATION

- Site Plan (to scale)
- Detail Drawings
- Landscape Plan
- Narrative Description
- Proof of Control (Option Lease Ownership)
- Product Information, etc.
- Other Descriptions or Materials as Appropriate
- Photographs

CHECK SPECIFIC ACTION REQUIRED

BZA

- 1. VARIANCE (requires public hearing)
 - Sign regulations
 - Height Regulations
 - Area and Yard Regulations
 - Fence Regulations
 - Off-street Parking

2. OTHER APPROVALS

- Appeal
- Other: _____

CPC

- Conditional Use Permit (requires public hearing)
- Planned Unit Development
- Site Plan Review
- Resubdivision of Land
- Amendment to Zoning Map or Ordinance
- Improvements to Public Land
- Other: _____

Summarize special conditions, practical difficulty or hardships imposed on the owner of the premises if strict letter of the ordinance were to be enforced:

Subdivision of land to add this lot to the property of Ryan and Samantha Ciriaco at
3683 Strandhill

To the best of my knowledge, the foregoing statements in this application are true and correct.

SIGNATURE: *[Handwritten Signature]*

DATE: 06/05/2020



NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by the City of Shaker Heights, representing Ryan and Samantha Ciriaco, 3683 Strandhill Road, to the City Planning Commission, for subdivision of land in order to join a city-owned vacant lot with the property on which the Ciriaco home is located. The Ciriacos are purchasing the vacant lot next door. The house parcel (736-15-099) is proposed to be combined with the vacant adjacent lot (736-15-098). The Ciriacos propose to integrate the vacant lot into their yard with a fence and a children's play set. This combined lot meets code requirements in the SF-3 Single Family Residential zoning district. Subdivision of land requires City Planning Commission approval.

The City Planning Commission will hold a Public Hearing on said application on **Tuesday, July 7, 2020 at 7:00 p.m.** via Zoom Webinar Please see the note below in regard to being heard with respect to this application.

Plans are available for public review online at <https://www.shakeronline.com/AgendaCenter>. In addition, a complete meeting packet is posted at the latest the Friday before the meeting date.

Dan Feinstein
Secretary
Board of Zoning Appeals
City Planning Commission

To request an accommodation for a person with disability, call the City's ADA Coordinator at 216/491-1440, or Ohio Relay Service at 711 for TTY users.

Please Note: For the safety of staff and residents, in-person attendance is not permitted.

Join the Zoom meeting from a PC, Mac, iPad, iPhone or Android device. Join online to listen and watch at

<https://zoom.us/j/99656786876?pwd=OU53V016QnNpeVFYR1k0aHQxc0pMQT09>, Password: 33553400, Description: Board of Zoning Appeals and City Planning Commission Meeting; or join by phone to listen at 833-548-0282 (toll free); Webinar ID: 996 5678 6876, Password: 33553400.

Residents may submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Daniel Feinstein at daniel.feinstein@shakeronline.com; or by calling (216) 491-1435. Any comments or questions will be read into the record at the meeting. The audio of the meeting will be available the following day on the City's [website](#).

ADDRESS:

3683 Strandhill Road
Ciriaco Residence
Case#: 2069

HEARING DATE:

July 7, 2020

SUMMARY:

Request for subdivision of land in order to join a vacant lot on Strandhill Road with the adjacent property, where the Ciriaco house is located.

STAFF POSITION:

- Staff suggests approval of the combined lot with the condition that a final plat is submitted to the City and filed with the County.
- Based on:
 - There is precedent for lot consolidation on many other residential lots.
 - The vacant lot will be purchased from the City and integrated into the existing residential lot.
 - The city’s side lot program was created to facilitate the use of vacant city-owned lots to adjacent neighbors.
 - Council has approved the sale of the lot to the applicants.
 - The combined lot complies with lot and block standards for subdivision in the SF-3 Single Family Residential zoning district.
 - The combined lot complies with lot size and width requirements for the SF-3 Single Family Residential zoning district.

ACTION:

- Standards for subdivision of land in the SF-3 Single Family Residential zoning district.

FACTS:

1. The applicant requests to join the vacant, city-owned parcel 736-15-098 to the lot with the Ciriaco residence on it.
2. The new combined lot creates a double wide residential lot that is 90 feet wide and 13,500 square feet.
3. The city is conveying the property to the applicant in order to facilitate use of the property and integrate it into the neighborhood.
4. The owner’s house and the vacant lot are in the SF-3 Single Family Residential zoning district and meet code requirements.
5. City Planning Commission review is required for subdivision of land.

CODE SECTIONS:

1. 1213.08 – Standards for subdivision of land.
2. 1222.05, 1222.06 – SF-3 single family lot must be 40 feet wide and 5,600 square feet in size.

Continued:

ADDRESS:

HEARING DATE:

3683 Strandhill Road
Ciriaco Residence
Case#: 2069

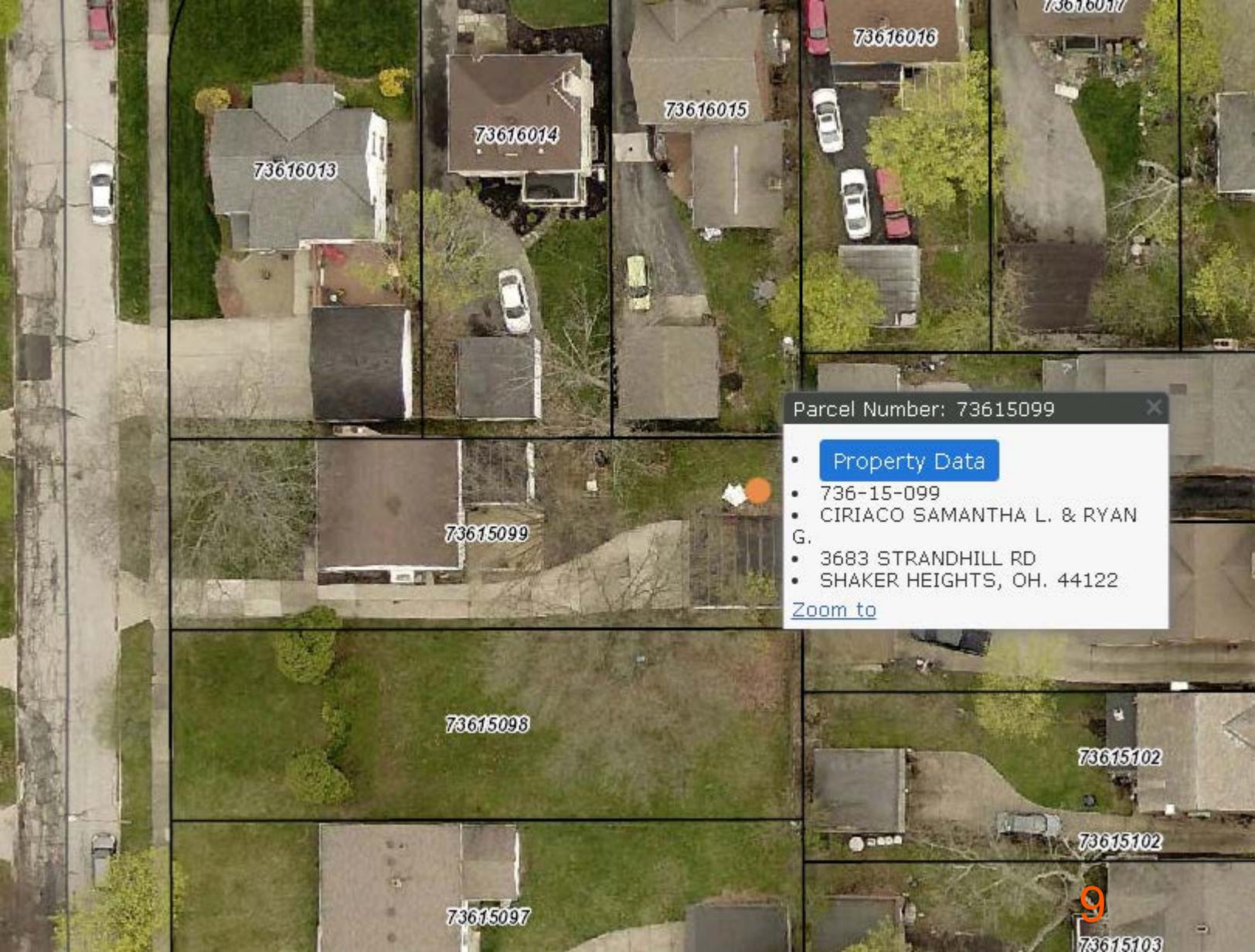
July 7, 2020

OTHER ISSUES:

1. City Council reviewed and approved the application to purchase the city-owned lot at their June 22, 2020 meeting.
2. The extra lot is proposed to be fenced as a side yard for their children.
3. The city-owned vacant lot, parcel 736-15-098 would be joined with the house parcel, 736-15-099, on which the house exists.
4. If the consolidation is approved, the applicant will need to file a signed plat with the County to combine the two properties.
5. There are numerous examples of double lot side residential lots in the city, in the neighborhood.

PRECEDENT:

1. Boudreaux Residence – Combine a vacant side lot with the owner’s lot containing their house on Stoer Road.
2. Neujahr Residence – Combine a vacant side lot with the owner’s lot containing their house on Stoer Road.
3. Mullin/Smith Residence – Combine a vacant side lot with the owner’s lot containing their house.
4. Henry Residence – Combine a vacant side lot with the owner’s lot containing their house.
5. Silberger Residence – Combine a portion of a vacant side lot with the owner’s lot containing their house.
6. Vokes Residence – Combine a vacant side lot with the owner’s lot containing their house.
7. Nordstrom Residence – Combine a vacant side lot with the owner’s lot containing their house.
8. Kennedy Residence – Combine a vacant lot with the owner’s lot containing their house.
9. Kogelschatz Residence – Combine a vacant lot with the owner’s lot containing their house.
10. Brooks-Horn Residence – Combine a vacant lot with the owner’s lot containing their house.
11. Foster Residence – Combine a vacant lot with the owner’s lot containing their house.
12. Reed Residence – Combine a vacant ½ lot with the owner’s lot containing their house.
13. Kerr/Bell Residence – Split and combine a vacant lot to each neighbor’s property.
14. Delany Residence – Combine a vacant ½ lot with the owner’s lot containing their house.



73616013

73616014

73616015

73616016

73616017

73615099

73615098

73615097

73615102

73615102

73615103

Parcel Number: 73615099

Property Data

- 736-15-099
- CIRIACO SAMANTHA L. & RYAN G.
- 3683 STRANDHILL RD
- SHAKER HEIGHTS, OH. 44122

[Zoom to](#)

Memorandum

To: Members of Council
From: Kamla Lewis, Director, Director of Neighborhood Revitalization
cc: Mayor David E. Weiss
Jeri Chaikin, CAO
Date: June 3, 2020
Re: **Application to Acquire City Owned Vacant Lot at 3687 Strandhill Road (PPN 736-15-098) for Side Lot**

Summary

The City has received an application from Ryan and Samantha Ciriaco, 3683 Strandhill Road, who are interested in acquiring the city owned vacant lot adjacent to their home, 3687 Strandhill Road (PPN 736-15-098) in order to expand their lot. Under the new side lot program process, qualified applications come directly to Council for action after staff review. The set price for acquisition of lots as side yards is \$1.00.

Background & Discussion

Application Summary

- **Applicant:** Ryan & Samantha Ciriaco, 3683 Strandhill Road
- **Proposal summary:** to purchase this vacant lot to use as an enlarged side yard, and eventually add approx. \$6,500 of fencing and play equipment.

Staff Review of Application

- The applicants' property is not in foreclosure, they are current in their property taxes, and there have been no criminal nuisance activity complaints. They have no outstanding Housing or Zoning Code violations. They purchased their home in Shaker Heights in March 2016, and are owner occupants of this single family property.
- The applicants' proposal is consistent with the City and neighborhood goal of expanding the size of lots in the neighborhood to enable households to have larger yards without selling their home and moving elsewhere.
- The City has no redevelopment plans for this vacant lot.
- Staff considers that the use of the lot as described would be an improvement over it being maintained by the City as a vacant lot. It currently costs the City approx. \$615 per year to maintain a vacant lot.

Background Information

- In February 2020, the City modified its Side Lot Program to make City owned vacant lots more readily available to the adjacent neighbors.

- If the application is approved by Council, the City will enter into an agreement with the applicant that will include all of the conditions and the buyer's responsibilities. The buyer will have to seek Planning Commission (CPC) approval for the consolidation of the lots. If there are variance requirements, they may also have to seek Zoning Board approval. Only once all these conditions are met would the property be transferred.
- The property was acquired by the City in September 2008. The previous house on the lot was demolished by the City in January 2009.
- Through its vacant lot program, the City so far has sold twenty-three (23) vacant lots.
- One additional vacant lot on Rolliston is being leased to a community group for use as a Community Garden.

Recommendation

Staff recommends approval of the Ciriaco family application to acquire the City owned vacant lot at 3687 Strandhill Road (PPN 736-15-098) for \$1.00 and utilize it as an expanded side yard, and that this be passed on first reading and as an emergency in order to enable the applicant to immediately commence moving forward with their plans.



Ciriaco home at 3683 Strandhill and adjacent city owned vacant lot at 3687 Strandhill

Thank you for your interest in acquiring a City-owned residential lot. Before completing this online application, please be sure to:

• Review the guidelines on the City's [Vacant Lot Program page](#), if you haven't already.

• Download, complete (including notarize), and scan to a PDF file the [Non-Collusion and Disclosure Affidavit](#), which you will be required to upload as part of this online application. You might consider using an [online notary service](#).

Incomplete applications will not be accepted. The receipt of a completed application does not guarantee a property transfer. The City will carefully review applications and accept/deny based on their merit.

You may consider creating an account using the link in the yellow box at the top of your screen, if you have not already done so. This will allow you to save your progress and complete this form at a later date.

If you have any questions about the program, application, or review process, please contact Kamla Lewis at 216-491-1374 or kamla.lewis@shakeronline.com. Thank you.

Applicant Name*

Ryan Ciriaco

Street Address (PO Box is not acceptable)*

3683 Strandhill Rd

City*

Shaker Heights

State*

OH

Zip*

44122

Phone*

330-715-8071

Use format ###-###-####

Email*

slciriaco@gmail.com

Are you a builder/developer proposing to build a pre-sold home?*

Yes No

If yes, please provide the buyer's contact information.

Name

Address

Phone

Use format ###-###-####

Email

Do you own property in Shaker Heights?*

Yes No

If yes, list all properties currently owned in Shaker Heights.

3683 Strandhill Road

Do any of the properties you own in Shaker Heights have existing Building, Housing, or Zoning Code Violations? Any Criminal Nuisance Activity violations?*

Yes

No

N/A

Are property taxes current on all properties you own in Shaker Heights?*

Yes

No

N/A

Are any properties you own in foreclosure?*

Yes

No

N/A

VACANT LOT INFORMATION

Permanent Parcel Number*

736-15-098

Use format ###-##-###

Property Address*

3687 Strandhill Road

Intended use:*

Side lot

Community use

Build single-family home

After making your selection, please fill out the required fields below to complete your application.

Are you an owner occupant of a property adjacent to the City-owned lot?

Yes

No

Describe any improvements you plan to make on the City-owned lot (include estimated cost).

Eventually fence the property and add a gate on our driveway. \$5,000. Perhaps a kids swing set as well, \$1500.

Describe your proposed community use of the City-owned lot.

What neighborhood is the project in?

-- Select One --

Does the relevant neighborhood association support the project?

Yes No

If applicable, upload a letter of support from the neighborhood association.

No file selected

How many residents will be involved with the project?

How many residents will benefit from the project?

Describe how residents/community will benefit from the project and how the project will be funded.

Is the design of the home one of the City's pre-approved plans?

Yes No

If you answered No, what is the name of the architect who is designing the home?

Architect's firm

Architect's mailing address

Architect's phone

Use format ###-###-####

Architect's email

What is the name of the company constructing the home?

Provide name of the builder, developer or general contractor.

Company contact

Company address

Company phone

Use format ###-###-####

Company email

Estimated time to complete home after property transfer.

Estimated construction cost.

How do you plan to finance the project?

Check all that apply.

Loan

Personal assets

Other (please specify)

If you selected Other, please specify.

Loan

Personal assets

Other

Total

Enter \$ amount

Enter \$ amount

Enter \$ amount

Enter \$ amount

Upload front elevation drawing/sketch of the home you propose to build.

Choose File

No file selected

Applications without a drawing/sketch will not be considered.

Upload construction schedule and cost breakdown.

Choose File

No file selected

Must be on builder's letterhead.

Upload proof of financing.

Choose File

No file selected

For example, copies of loan commitments, bank statements, etc. Applications without proof of financing will not be accepted.

Non-Collusion and Disclosure Affidavit*

Application for Acquiring City-owned Residential Lots.pdf

Please upload a PDF scan of the completed and notarized [Non-Collusion and Disclosure Affidavit](#).

I/We Acknowledge that we have been advised and understand that:

1. All applications for City-owned properties may be reviewed by City Staff, City Council, City Planning Commission, and the Architectural Board of Review. The City may reject the application altogether or ask for revisions.
2. This application is a statement of interest only. By receiving it, the City does not commit to transfer property. I/We understand that if the application is accepted I/we will be required to enter into an agreement with the City to complete the transaction.
3. All City-owned property is sold "as is" and no further work will be done to the property by The City of Shaker Heights.
4. The City of Shaker Heights does not guarantee the existence of utilities to the property and it will be my/our responsibility to pay for any needed utility hook-ups.
5. The City of Shaker Heights does not certify that there is no underground debris or materials from prior construction i.e. foundations, basements, etc. The City is not responsible for the removal of anything found underground during construction.
6. I/We will be responsible for all taxes, water charges, waste charges, governmental and private liens and encumbrances, if applicable, and any other taxes that become due from taking title to the property. I/we are responsible for inquiring at the appropriate offices to determine the amounts of taxes and charges that will be due.

7. I/we will close on a property sale within 90 days of the City's approval. The City will not transfer the property if this deadline is missed (subject to Force Majeure).

8. For single family home proposals, construction will be completed within 12 months of transfer. If this deadline is missed, the City will issue a penalty equal to the average selling price of comparable lots plus lost interest (subject to Force Majeure). An extension of up to 6 months may be obtained by written notice to the City.

9. I/we agree to all City requirements of submitting documentation and/or any additional information that the City of Shaker Heights may need for the completion of the application process.

10. I/we agree that if this application is approved, the property will be maintained and developed in compliance with the completed application.

All information and supporting documentation supplied to The City of Shaker Heights is accurate to the best of my knowledge and belief. I understand that providing false information may violate Federal, State, and local laws and be punishable and as such will invalidate this application.

Applicant Electronic Signature Agreement*

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.



I agree.

Electronic Signature*

Ryan G. Ciriaco

Co-Applicant Electronic Signature Agreement

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.



I agree.

Electronic Signature

Samantha L. Ciriaco

Non-Collusion and Disclosure Affidavit

Personally appeared, Ryan Cipriano who being duly sworn, deposes that:

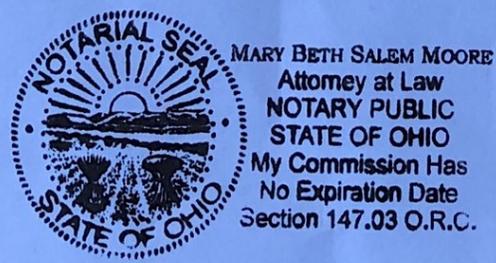
1. I am over the age of eighteen and I understand the obligation of an oath.
2. I am Ryan Cipriano that submitted an application to the City of Shaker Heights for a contract and am acting in my individual capacity.
3. I am fully apprised of the contents of the said application and all pertinent facts and circumstances relative to the same.
4. Such application is genuine and is not collusive or a sham.
5. Neither said individual (including any immediate family) nor any of his/her partners, representatives, affiliates, or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly, with any other individual to submit a collusive or sham application in connection with the contract for the application has been submitted.
6. The prices/quotes/estimates in the application are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the individual or any of his/her immediate family members, partners, representatives, affiliates, or parties in interest.
7. No City Council Member, elected or appointed official, or Shaker Heights employee is directly or indirectly interested in or will benefit financially by the application, is in a position to participate in a decision making process or gain inside information about the application.
8. I will disclose on an attached sheet any immediate family members who are Shaker Heights employees, Council Members, or elected or appointed officials.

[Signature]
Applicant Name

6/3/2020
Date

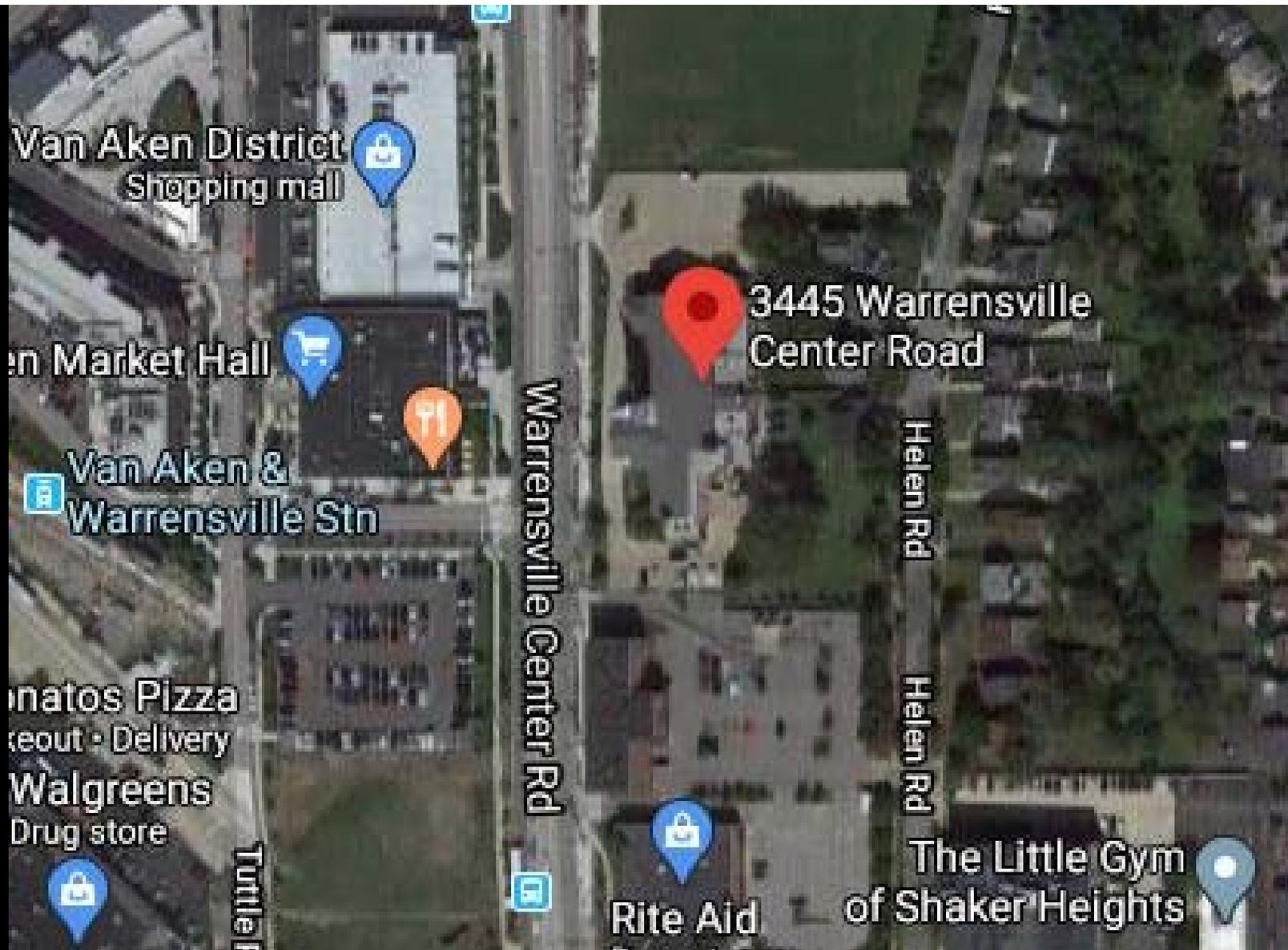
Personally appeared before me and swore to the truth of the truth of this affidavit, application, and all attachments on June 3, 2020.

[Signature]
Notary Public



3445 Warrensville Center Road

For a Conditional Use Permit for a specialized instructional school.











Applicant's Name: Dancer by Sha'Ron L.L.C. Application No: 2071
 Property Address: 3445 Warrensville Cntr. Rd. Parcel No: _____
 City: Shaker Heights State: OH Zip: 44122
 Applicant's Address: 2815 Euclid Heights Blvd #3 Phone No: 216 702-4447
 City: Cleveland Heights State: OH Zip: 44118
 Property Owner (if other than applicant) Christ Episcopal Church
 Property Owner's Address (if different) _____
 City: _____ State: _____ Zip: _____
 Zoning District: _____ Present Use: _____
 Proposed Use: Phase 1 - See Attached + Outdoor Classes
in order to offer safer environment with COVID-19
Phase 2 Bigger class size, fundraising, and events.
 E-Mail Address: dancebysharon@gmail.com

CHECK INFORMATION ACCOMPANYING THIS APPLICATION

- Site Plan (to scale)
- Detail Drawings
- Landscape Plan
- Narrative Description
- Proof of Control (Option Lease Ownership)
- Product Information, etc.
- Other Descriptions or Materials as Appropriate
- Photographs

CHECK SPECIFIC ACTION REQUIRED

BZA

1. VARIANCE (requires public hearing)
- | | |
|----------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Sign regulations | <input type="checkbox"/> Fence Regulations |
| <input type="checkbox"/> Height Regulations | <input type="checkbox"/> Off-street Parking |
| <input type="checkbox"/> Area and Yard Regulations | |

2. OTHER APPROVALS

- Appeal
- Other: _____

CPC

- Conditional Use Permit (requires public hearing)
- Planned Unit Development
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- Other: _____

Summarize special conditions, practical difficulty or hardships imposed on the owner of the premises if strict letter of the ordinance were to be enforced:

To the best of my knowledge, the foregoing statements in this application are true and correct.

SIGNATURE: _____

DATE: _____



NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Sha'Ran Marshall, Dance by Sha'Ran, located at Christ Episcopal Church, 3445 Warrensville Center Road, to the City Planning Commission for a Conditional Use Permit for a specialized instructional school. The applicant proposes to utilize a lower level space in the church, formerly occupied by Verb Ballet, for a dance classroom space. Half of the basement level "parish hall" area of the church and adjacent space will be used for offices and dressing rooms, which is the same spaces previously used by Verb. The applicant propose dance classes for various age groups both in-person and combination Zoom classes with a maximum of 10 students, but will transition to up to 20 students after COVID -19. Hours are proposed to be Monday – Thursday 9 a.m. to 8 p.m., Friday from 6 p.m. to 10 p.m. and Saturday from 8 a.m. to 1 p.m. A 40-space parking variance was approved for the Verb Ballet use. All employees and visitors are proposed to use the church's north parking lot. Council confirmation is required.

The City Planning Commission will hold a Public Hearing on said application on **Tuesday, July 7, 2020 at 7:00 p.m.** via Zoom Webinar Please see the note below in regard to being heard with respect to this application.

Plans are available for public review online at <https://www.shakeronline.com/AgendaCenter>. In addition, a complete meeting packet is posted at the latest the Friday before the meeting date.

Dan Feinstein
Secretary
City Planning Commission

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ADDRESS:

3445 Warrensville Center Road
Dance by Sha'Ran
Case#: 2071

HEARING DATE:

July 7, 2020

SUMMARY:

Conditional Use Permit to locate a dance school in Christ Episcopal Church.

STAFF POSITION:

- Staff suggests approval of the Conditional Use Permit based on:
 - The use of the building is similar to the former Verb Ballet dance company and rehearsal space.
 - The entry space and parking being proposed is the same as Verb Ballet used on the site.
 - Verb Ballet was issued a Conditional Use Permit for this same space in 2011.
 - A parking variance was approved for this tenant space and use as part of the Verb Ballet review.
 - For the most part, the dance school has different hours than the worship times of the church.
 - The proposed use of the space is for a specialized instructional school, and all standards for specialized instructional schools are being met.
 - No nuisance or adverse impact will be created because the large institutional building and site already exist.
 - The use will not interfere with surrounding development or cause traffic congestion because of the hours of operation and limited number of cars using the parking lot.

ACTION:

- Conditional Use Permit for a specialized instructional school.

FACTS:

1. The applicant proposes to utilize a lower level space in Christ Episcopal Church for a dance school space.
2. The dance floor will be the basement level "parish hall" area of the church.
3. Verb Ballet received a Conditional Use Permit for a similar use and a parking variance for the same space.
4. The applicant proposes dance classes for various age groups both in-person and combination Zoom classes with a maximum of 10 students, but will transition to 20 students after COVID-19.

**Continued
ADDRESS:**

3445 Warrensville Center Road
Dance by Sha'Ran
Case#: 2071

HEARING DATE:

July 7, 2020

CODE SECTIONS:

1. 1234.03 – A Conditional Use Permit is required for a specialized instructional school in the CM Commercial Mixed Use district.
2. 1263.022 – Specialized instructional school standards include limiting outdoor activity, lot size, and setbacks for outdoor facilities.
3. 1251.02 – One parking space per 50 square feet of classroom space is required for a specialized instructional school. A variance was granted for 40 spaces in 2011.

OTHER ISSUES:

1. All clients of Dance by Sha'Ran are proposed to use the church's north parking lot and a rear entrance off that parking lot.
2. Normal hours of operation are Monday – Thursday 9:00 a.m. to 8:00 p.m., Friday 6:00 p.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 1:00 p.m.
3. Verb Ballet used the same space for dance rehearsal and classes, and before them, The Interfaith Hospitality Network formerly occupied office space and a day center for homeless families. Both used the north parking lot and rear entrance.
4. A parking variance was granted for a total of 40 parking spaces for the same use when Verb Ballet was reviewed. The church has 51 parking spaces in the north parking lot and 73 shared spaces in the Medical Building parking lot next door.
5. During COVID-19, some classes may be held outside in the parking lot. Parking is available in the Medical building, VAD parking garage or on Farnsleigh at these times.
6. The dance school meets all the conditional use standards for a specialized instructional school.
7. Sha'Ran Marshall will have several guest instructors for different types of classes for various age groups. This is outlined further in the submitted materials.
8. The Verb Ballet use raised no complaints or issues while in this same space.
9. Council confirmation of the Conditional Use Permit is required.

PRECEDENT:

1. Verb Ballet – Ballet Company in the same space in this church granted a Conditional Use Permit and a parking variance in 2011.
2. Interfaith Hospitality Network – This non-profit group formerly rented space in the church for offices and a daytime center for homeless families that they service.
3. Study J. Academy of Dance – 20820 Chagrin Boulevard – Conditional Use Permit for a dance academy and a parking variance in the CM Commercial Mixed Use district.

Continued
ADDRESS:

3445 Warrensville Center Road
Dance by Sha'Ran
Case#: 2071

HEARING DATE:

July 7, 2020

PRECEDENT (continued):

4. Duffy Liturgical Dance Ensemble – A youth dance troupe with off-site performances in office space on Chagrin Boulevard.
5. Master Marr's Tae Kwon-do – 16720 Chagrin Boulevard – For a martial art school.
6. Tai Kwon Do America – Conditional Use Permit and parking variance for martial arts school on south side of Chagrin Boulevard.



Sha'Ran A. Marshall

DANCER-TEACHER-CHOREOGRAPHER-FITNESS INSTRUCTOR-DIRECTOR-PRODUCER

Sha'Ran Marshall, is originally from Toledo, Ohio, where she studied dance from the early age of 8 years old to the present; her studies began with Daryl Jervis Dance Studio; The Toledo Ballet; The Toledo Repertoire, and abroad in Jazz, Hip Hop, Ballet, Tap, Musical Theater, and much more. In between many competitions, workshops, classes; Sha'Ran still finds time to take class and educate herself with the likes of Dee Hillier, and local Teachers, to stay updated on the "new!"

After moving to Cleveland in 1997, Sha'Ran has managed to keep her dreams alive with dancing, teaching dance, instructing fitness classes, and choreography work. A former member of the Cleveland Cavalier Dance Team, for five years, she has had the opportunity of dancing with talented young ladies from around the United States. Sha'Ran has also had the honor of teaching many talented students all over Northeast, Ohio, in many dance studios, colleges, and workshops classes.

Sha'Ran is the CEO and Artistic Director of Dance~by Sha'Ran, "Where Passion Meets Dance;" an Agency and Company that provides Dance Classes, Education, Mentorship, Consultation, Minority Scholarships and much more!

Some of Sha'Ran's dance work includes: Many Recitals and Competitions; Val in A Chorus Line; Anita in West Side Story, The Toledo Repertoire. Backup Dancer for Sister Sledge and Wade Robson, Cleveland, Ohio. Choreography for various High Schools; Colleges; Schools; Studios and Companies, Northeast, Ohio. Music Video, "Antidote," Jenya, Cleveland Artist. Direction and Production of all Dance~by Sha'Ran Videos, Cleveland, Ohio.

Fitness work includes: Aqua; Step; Stretch and Firm; Cardio Dance; Circuit Training; Barre; and much more!

Sha'Ran Marshall, resides in Cleveland, Ohio with her three beautiful boys, T.J, Nicky, and Chrystian.



PHASE 1 FOR ONLINE AND IN STUDIO CLASSES

- Online Classes Ages 3-Up
 - *Zoom and Band*
- In Studio Classes Ages 9-Up (1st 10 registered for each class. No walk-ins)
 - *Mask are suggested*
 - **If you choose not to or have health issues you must use the last row of studio space**
 - ***No congregating and 10 minute entry prior to class***

**OUR CLASSES WILL RULE
IF WE FOLLOW CLASS RULES.**

Info@dancebysharan.com

216-702-0599



FROM THE DBS STAFF

CHECK THESE 5 STEPS BEFORE CLASS

Are You Registered?

**10 "IN-STUDIO" PARTICIPANTS PER CLASS
UNLIMITED "ONLINE" PARTICIPANTS PER CLASS**

New or Not Please register for our 2020-2021 season. Online Classes are \$8.00/per class In Studio Classes are \$12.00/per class.

ENTER and EXIT

ENTRY 10 MINUTES PRIOR TO CLASS

YOU MAY ENTER 10 minutes prior to your class time. YOU MUST EXIT immediately following your class.

PARTICIPATION

MASKS ARE RECOMMENDED BUT NOT REQUIRED

Mask are recommended but not required. What do we mean by this?
It is the instructors discretion.

CLOSED

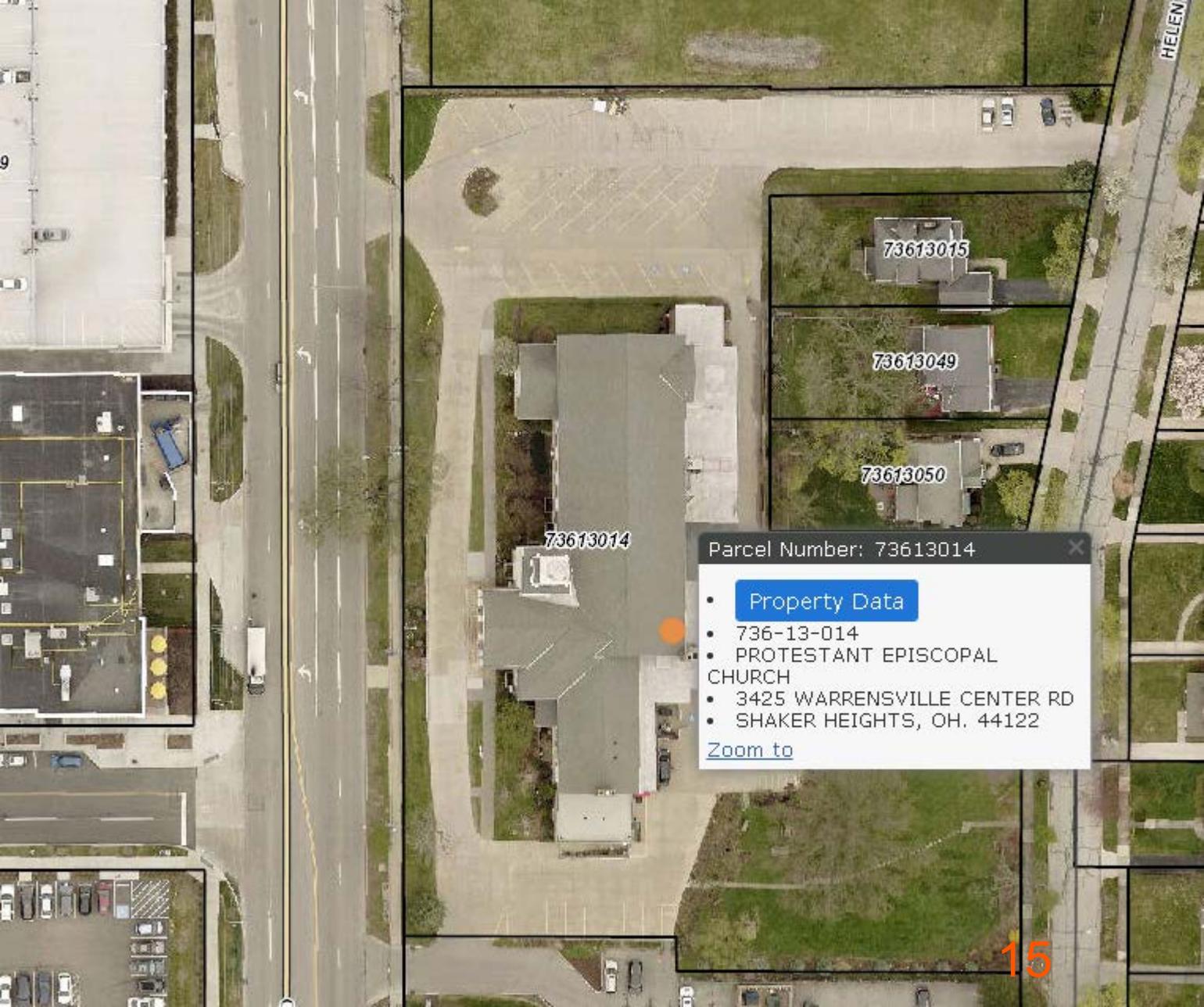
**NO WAITING ROOM, NO DRESSING ROOMS, NO
CONGREGATING INSIDE**

Until further notice ALL DRESSING ROOMS, WAITING AREA, AND
STUDIO CONGREGATING IS CLOSED.

THANK YOU

INFO@DANCEBYSHARAN.COM OR 216-702-0599

WE ARE HERE TO SERVE YOU. WE APPRECIATE YOUR BUSINESS.
CONTACT US AFTER CLASS WITH ANY QUESTIONS, COMMENTS,
AND CONCERNS.



HELEN

73613015

73613049

73613050

73613014

Parcel Number: 73613014

Property Data

- 736-13-014
- PROTESTANT EPISCOPAL CHURCH
- 3425 WARRENSVILLE CENTER RD
- SHAKER HEIGHTS, OH. 44122

[Zoom to](#)



Warrensville Center Rd

Warrensville Center Rd

Warrensville Center Rd

Business Plan:

Attached you will find the following:

1. Studio Use, Location, Leasing, and Agreements
2. Ideal Pay and Received Pay Opportunities
3. Dance and Fitness Pricing
4. Dance~by Sha'Ran Studio to Street Wear Pricing *Kids line to be added*
5. Equipment Needed
6. Classes and Color Coded *Sub Lease Classes are not listed in "My" Plan*
7. Phase(s) Due to COVID-19 all original plans and ideas have been altered
8. Non Profit Urban Dance Cleveland

Comparison and Non-Comparison

Dance~by Sha’Ran and Verb Ballet, are both respectively noted in the Cleveland community, offering education, classes, mentoring, scholarships, and performance opportunities for all ages, background, and communities.

Dance~by Sha’Ran will be using the same outline, set up, parking, entry, and space as **Verb Ballet** once did, for 9 years. Side Note: When talking about the space, many still mention the “Verb Space.” Please See: Contract and Design.

Dance~by Sha’Ran differs from **Verb Ballet** in that we offer a bigger variety of class type in Dance and Fitness: Ballet, Jazz, Hip Hop, Contemporary, Modern, African, Ballroom, Yoga, Meditation, Zumba, WERQ, YO!Stretch, Ballroom Boogie, Ballroom Bootie, HIIT, Cardio Dance, Senior Fitness, Salacious Stilettos, Creative Movement, Parent and Child, to name a few. We also work privately and in groups with Highschool, Colleges, and Independent schools in dance and fitness. In the past several years we have worked with dancers, singers, artist, and churches on Choreography, Production, Direction, and Videography work, wining many a recognition and award

See the attached links below:

<https://youtu.be/AWGqZgDel9c>

https://youtu.be/13t0S0_grHM

<https://youtu.be/Hr-Fkpw954Y>

Introduction:

Dance~by Sha'Ran, was established 2010; turned **Dance~by Sha'Ran LLC**, in January 2020. Owner and Artistic Director, Sha'Ran Marshall is a 22 year East side of Cleveland resident. (Please See Bio Attached)

To Whom It May Concern, you will find supporting information as follows:

- **Mission Statement**
- **Comparison and Non Comparison to previous studio "Verb Ballet"**
- **Summary of Dance~by Sha'Ran Business Plan**
- **Phases of Operation due to COVID-19**
- **Closing Remarks**

Mission Statement:

“Where Passion Meets Dance.” **Dance~by Sha’Ran’s** mission is to provide education, classes, scholarships, mentoring, and performance opportunity, for all ages, backgrounds, and communities, here in Cleveland, Ohio, but not limited to. We believe there is a dancer in all of us; sometimes we just need the reminder that “dance is the language to our soul.” Will you join us?

Please visit the following links:

<https://youtu.be/OTGKmVck14s>

<https://youtu.be/TyxgRiq-xeM>

Phase 1:

Due to COVID-19, Dance~by Sha'Ran, has put into place the following, in order to abide by regulations and keep the health and well being of our clients/family:

1. Schedule Monday – Thursday 9:00am-8:00pm; Friday 6:00pm-10:00pm; Saturday 8:00am-1:00pm.
2. Online Classes Only 9 and Under. The instructor will Zoom from studio.
3. Online and/or In Studio 10 and Up. The instructor will Zoom and Teach in person.
4. In Studio there is no more then 10 participants at 6 feet distance.
5. Mask are suggested, but not mandatory. At the teacher's discretion.
6. There is 15 minutes in between each class, allowing participants to enter and exit with little to no cross traffic.
7. Our waiting room and office is closed and by appointment only.
8. Bathrooms and Equipment cleaned after each class and deep cleaned weekly.
9. Outside Classes and Events as often as we can. This allows for even more space and circulation. The use of fans indoors are not permitted.

Currently we estimate if classes were filled with 10 participants, you would have 10 cars in the parking lot. Our newsletter ask that you follow the arrows in entering and exiting the parking lot.

Outside Classes and Events we ask that participants park on Farnsleigh, The Medical Building, and The Van Aken Market Hall.

In the coming weeks we will revisit, and possibly alter very little Phase 1 into a Phase 2, dependent on COVID-19 Guidelines.

You are looking at a 50% decrease in participants, parking, classes, financials, etc., due to COVID-19.

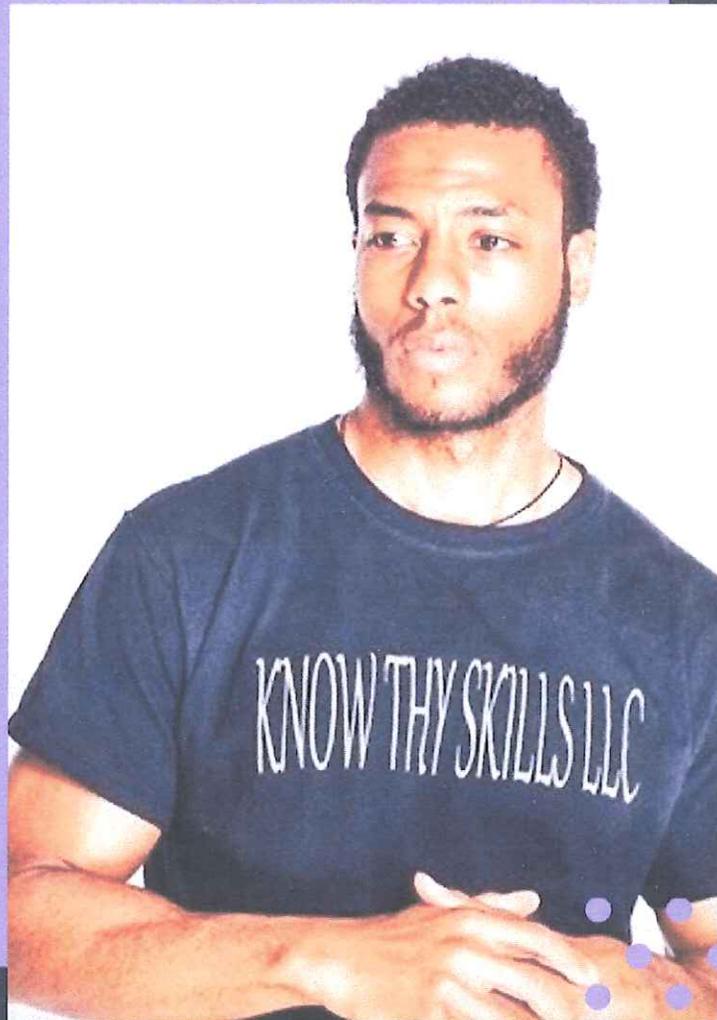
DANCE BY
Sha & Ran



**PLEASE WELCOME
LAURA LOCKER**

**Saturday's
9:00AM
"WERQ"
Online Only**

DANCE BY
Sha & Ran



**PLEASE WELCOME
COACH BROWN
KNOWTHYSKILLS**

TUESDAY'S

5:00PM

HIT

IN STUDIO OR OUTSIDE

KNOWTHYSKILLS@GMAIL.COM

DANCE BY
Sha & Ran



**PLEASE WELCOME
ERICA KRAVCHENKO
RHYTHM&GROOVESCLE**

**TUESDAY'S 7:30PM
BALLROOM BOOGIE**

**FRIDAY'S 6:00PM
STRETCH IT OUT**

**THURSDAY'S 11:00AM
BALLROOM BOOTIE**

**FRIDAY'S 7:00PM
LINE DANCING**

**SATURDAY'S 10:00AM
BALLROOM BOOGIE**

**SATURDAY'S 11:00AM
ZUMBA**

RHYTHMANDGROOVESCLE@GMAIL.COM

DANCE BY
Sha'ran



ARTISTIC DIRECTOR SHA'ARAN MARSHALL

**Monday through
Saturday**

**Jazz, Hip Hop, Salacious
Stilettos, 216 Cardio, YO!
Stretch, Private Lessons**

Info@dancebysharan.com

Sha'Ran Marshall

BOARD PRESIDENT



Sha'Ran Marshall is originally from Toledo, Ohio where most of her dance, fitness, and musical theater training began.

Sha'Ran moved to Cleveland in 1997, where she spent 5 years dancing and choreographing for the Cleveland Cavaliers, which provided many outside opportunities; back up dancing for many artist; professional performing opportunities; teaching at other dance schools, colleges, and professional venues.

In 2010, Sha'Ran formed Dance~by Sha'Ran; later adding scholarships for minority dancers.

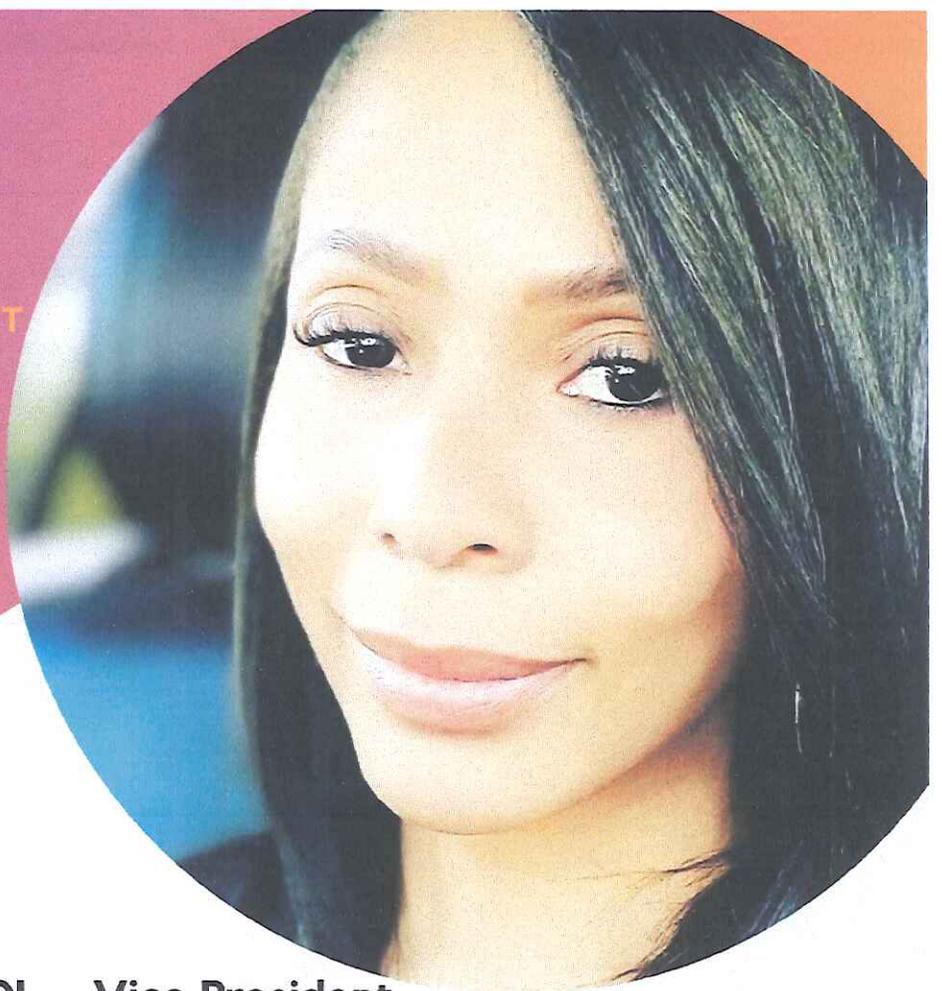
Sha'Ran saw the need for minority dancers and fitness enthusiast in the studio, that she created Non Profit, Urban Dance Cleveland. UDC will provide minority scholarships, mentoring, classes, education, and performing opportunities.

As President, my prayer is that Cleveland sees the vision and love that I have created and shares in.



Shana Marshall

BOARD VICE PRESIDENT



Shana A. Marshall, MOL – Vice President

Shana is the Programming and Research Manager for FOX36 – WUPW TV in Toledo, Ohio.

She has over seven (7) years in sales, promotional, and marketing related work as well as a vast knowledge of traditional and online marketing with a strong research background. Shana graduated from Lourdes College with a dual bachelor's degree in Business Administration and Accounting and Finance. She went on to pursue her master's degree in Organizational Leadership. Shana studied dance alongside Sha'Ran, CEO and Artistic Director of Dance by Sha'Ran for several years as a child and brings with her the same love and excitement for dance.

URBAN
DANCE
CLEVELAND

Dr. Jennifer Thatcher

BOARD TREASURER



Dr. Jennifer Thatcher is a Cleveland native. She attended Case Western Reserve University in Cleveland, Ohio, where she studied Computer Engineering.

She worked as a systems and software engineer for several years, but eventually followed a calling into the health care field. She pursued a Doctorate of Optometry at the University of California Berkeley School of Optometry (UCBSO), became a mama of 2 amazing boys, returned to the Cleveland area, and started her own eye care practice, Beachwood Family Eye Care.

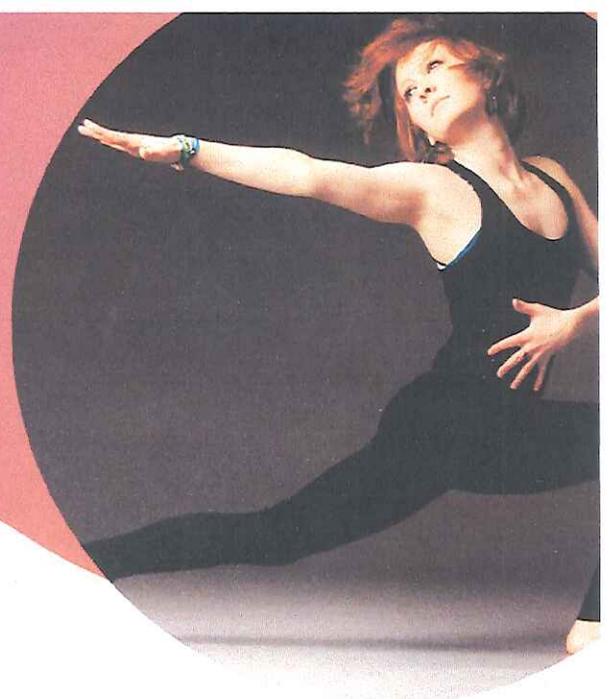
She is also a dance and fitness enthusiast and occasionally teaches WERQ, a popular cardio dance fitness format. She has been a long-time Dance by Sha'Ran student and has danced in various public performances throughout the Cleveland area.

Dr. Thatcher is thrilled to be on the board of Urban Dance Cleveland! She will use her practice management skills to provide financial guidance for the scholarships and programs that will be offered by Urban Dance Cleveland for minority dancers and fitness enthusiasts.



Karen Rhoad

BOARD SECRETARY



Karen (Opper) Rhoad is a 2018 Case Western Reserve University graduate with her Master of Fine Arts degree in Contemporary Dance. During the spring of 2018, she received the esteemed Eva L. Pancoast memorial fellowship which assisted in summer travels to Italy, where she danced with Carlos Melis; who studied under Pina Bausch. May 2018, Rhoad and fellow CWRU graduate, Richard Oaxaca were selected among NYC's up and coming emerging artists to perform in the NEXT@Graham showcase, at the Martha Graham Dance Studio. Oaxaca and Rhoad also performed in the emerging artist concert at the 2018 Cleveland Dance Festival. Through funding from Friends of Dance at CWRU, she attended The Complexions Dance Workshop, ADF in CLE, and Pascal Rioult Summer Dance Workshop. During her time at CWRU, Rhoad performed in Karen Potter's *In Ancient Waters and Pleiades*, Gary Galbraith's *Strange Gardens and Imagined Odyssey*, a collaboration with CWRU's Interactive Commons, Jim Hansen's *Fade to Snow and Grey*, Larry Keigwin's *Triptych*, and Nai-Ni Chen's *Bamboo Prayer*. In 2018, she choreographed and performed in her thesis concert, *Infinite Directions*. Rhoad also danced works by previous thesis candidates, Andrea Alvarez, Dani Dowler, Richard Oaxaca, Tingting Zhao, and Ziyang Cui; and choreographed and performed for four MaDaCol Concerts.

In 2013, Opper graduated from Central Michigan University with a BFA in theatre and interpretation with a minor in dance. She was a member of The University Theatre Dance Company and presented her choreography in the faculty concerts. At CMU, she stage managed, worked costume and make-up crew and directed one-act plays. Rhoad's final project, earned her the privilege of working with tap artist Ellie Sciarra, co-choreographing the classic musical *42nd Street*. Throughout junior high and high school, she was a part of several musicals as well as a competitive dancer from the young age of 8. While competing, Rhoad continually won several overall high scores, as well as several scholarships to travel to NYC, Chicago, North Carolina, and England. After attending CMU and before moving to Cleveland, Rhoad worked for 6 years at numerous Michigan dance studios, choreographing, and teaching for award winning competition teams.

Currently, Rhoad works at CWRU at the Interactive Commons (IC) as the Director of Special Projects. She met her team through the Fall of 2017 collaboration between the IC and CWRU Dance Department using Microsoft HoloLens. As Director of Special Projects she works closely with Faculty and Staff across the University to facilitate multidisciplinary collaborations that support the Interactive Commons innovations and projects.



Richard Oaxaca

BOARD
COMMITTEE
CHAIRMAN



Richard Oaxaca is originally from Texas where he grew up competing in gymnastics and cheerleading and was named "America's Number One Male Cheerleader" four times by the National Cheerleaders Association.

He graduated from Case Western Reserve University in Cleveland, Ohio with a Master of Fine Arts in Dance, and was the recipient of the Edna Raphael Award in Excellence in Performance. Upon graduating he studied at the Martha Graham School of Dance in New York City, where he was accepted into their teacher training program and most recently had the honor of performing for the Next@Graham Studio Series. In 2015, he performed as a member of the Los Angeles based dance company Diavolo: Architecture in Motion, Company B. Notably, he was invited to perform at the 2012 World Expo in Yeosu, Korea and was also invited to appear on Season 7 of America's Got Talent. He has danced for Princess, Carnival, and Royal Caribbean Cruise Lines. After attending The New England Center for Circus Arts and the San Francisco Circus Center, he joined Norwegian Cruise Lines as a principal acrobat and dancer, then toured internationally as an aerialist and fire eater with Aerial Angels Circus Company and Aerial Experience Productions.

In 2011, Oaxaca worked with MTV and CMT television networks in conjunction with the Ringling Brothers and Barnum and Bailey Circus to coach circus performers for the reality television show Made. In 2017, he performed as a mainstage dancer and performer in Disney's Aladdin, A Musical Spectacular, on board the The Disney Fantasy Cruise Ship portraying the part of The Magic Carpet. He currently serves as the Assistant Director of Dance Studies at Notre Dame College in South Euclid, OH. Before coming back to Cleveland he was, and still is, a company member for the Madison, Wisconsin based dance company, Kanopy Dance.





Anna Cerveny  recommends
"Dance~by Sha'Ran".



1 week ago · 

Sha'Ran is a shining light of a person who will inspire you to move no matter who you are! I am the director of [Cleveland Dance Project](#), and she has choreographed really fun pieces in our show many seasons. Every time, her adult dancers of all levels (including and especially the beginners!) have nothing but kind words to say about her and the process of learning from her. She brings joy to the studio and will make you feel like a superstar when you start dancing and give you the confidence to move! So excited to see how her new studio grows!

Shari Snyder Pollack  recommends  ...
"Dance~by Sha'Ran".

2 months ago ·

Yes...YEs...YES!! Yo!Stretch is my absolute favorite class. It's a fantastic complement to my strength training workouts. AND who knows maybe I'll do Salacious Stilettos one day too!!



1

2 Comments



Like



Comment



Share



Dee Boyd  recommends "Dance~by
Sha'Ran".  ...

1 year ago · 

Great classes and so much positive energy! All classes are enjoyable. 



Dawn Holst  recommends
"Dance~by Sha'Ran".

1 year ago · 



I cant rave enough about Sha'Ran, her staff and her gem of a studio. My daughter was intimidated by dance...now, Sha'Ran has unveiled a sassy, confident and talented dancer. Thrilled with the results.



Lindsey Mitchell

Apr 16 · 1:07 PM



I learned of Sha'Ran Marshall in October 2018 via Instagram. I came to her studio shortly after and met her in person – we had an instant connection! I've been taking private dance lessons with her every week since.

I've been a professional performer for over 30 years: working in TV, Film, Regional, Off Broadway and Broadway shows. I've worked with some very well known choreographers and shared the stage with Tony Award winners. That said, I had not been in class for over ten years! I was nervous about dancing again. Sha'Ran made coming back to class a JOY! We work on technique and learn difficult choreography every week from Broadway shows like Chicago, A Chorus Line, and more!

Sha'Ran has been a wonderful influence on my life, personally and professionally. She is an awesome dancer & choreographer, and a true gift to Cleveland!



Sebastian Holst

Apr 15 · 10:31 PM



Thrilled with the balance of professionalism and camaraderie my daughter has experienced at this beautiful dance studio.





Susan Karel

Oct 11 · 9:33 PM



Our family has turned to Sha'Ran on two different occasions, and the memories that she created are absolutely priceless.

My husband wanted a special dance for our daughter's wedding day.

After the success of the first venture, Sha'Ran was willing to come back and do it again for our other daughter...and she challenged Dad to push the envelope and do a little more the second time around.

The routines were different and unique to each daughter. The music mix grabbed the best of the songs selected and was personalized and memorable for the dancers and entertaining for the wedding guests.

The time they spent together preparing for the big day was fun....ok, Dad was a challenge, but everyone can laugh about it now.

If you are looking for a great father-daughter experience on your little girl's wedding day, go see Sha'Ran.

She will help you create a memorable experience for your family, and an entertaining event for your guests. You won't be disappointed.



BOARD OF ZONING APPEALS/CITY PLANNING COMMISSION
Minutes – February 2011

#1758. VERB BALLETS – 3445 WARRENSVILLE CENTER ROAD:

A Public Hearing was held on the request of Verb Ballets, proposed at Christ Episcopal Church, 3445 Warrensville Center Road, to the Board of Zoning Appeals and City Planning Commission for a Conditional Use Permit for a use similar to a specialized instructional school and a parking variance. Verb Ballets proposes to utilize a lower level space in the church for dance studio and rehearsal space for this professional dance company. A rehearsal dance floor will be installed on half of the basement level “parish hall” area of the church. Adjacent space will be used for offices and dressing rooms. The dance company will also hold workshops, several day long intensives and dance classes for various age groups on a temporary reoccurring basis. There are eleven (11) full time dancers. In addition, there are support staff which may add up to 22 people on site at any one time. Code requires a total of 40 parking spaces for a use of this type and size. The church has 51 spaces in the north parking lot and shares 73 spaces in the Medical Building parking lot next door. Code requires all of these parking spaces to satisfy the church’s parking requirements. Therefore, a 40 space parking variance is required for the new Verb Ballets use. All employees and visitors to Verb Ballets are proposed to use the church’s north parking lot. Council confirmation is required.

Mr. Feinstein showed slides of the site. He stated this is a request for a Conditional Use Permit and a parking variance in order to locate Verb Ballets at Christ Episcopal Church. This use is similar to a specialized instructional school. The ballet proposes to use lower level space in the church for a dance studio and rehearsal space. A dance floor will be installed and other rooms will be an office, dressing rooms and storage. This 11 member professional dance company will also hold workshops and classes for various age groups. Code requires 40 parking spaces for a specialized instructional school. The church has 39 parking spaces in their north lot and share 73 spaces in the medical building lot next door. All available spaces satisfy the church’s parking requirements therefore a 40 space parking variance is required. Council confirmation is required.

Margaret Carlson, Director of Verb Ballets, said there are other staff members and designers which make up to 5 part time employees and 1 full time employee of the ballet company. Together there can be 1 to 22 people at the space at one time. Normal business hours will be Monday through Friday until 7:00 or 8:00 p.m., but they will have special occasions where they could be there on the weekends. This would usually be Friday or Saturday evening. They will avoid any conflicts with church services or events. They will have office space on the first floor and they will be installing a rehearsal dance floor on the lower level of the church in order to provide space for rehearsals and classes. She introduced their architect, Denver Booker, who will be working on signage for the business.

Mr. Booker showed pictures of a 2 foot 6 inch wide by 6 foot tall banner that would be placed near the entrance at the northwest corner of the church building. This entrance is somewhat hidden from the parking lot. They would also like to put another banner at the northeast corner of the building, which would be more visible to Warrensville Center Road. This would provide visibility and identify the entry at the street level for visitors.

Mr. Feinstein said the proposed signage would need to come back to the Board of Zoning Appeals, as this is a second set of signs on this traditionally one tenant building. The church already has a monument sign, so the additional signs would need a variance.

Mr. Brady indicated he supports the request for a conditional use permit. He does not have any issues with the use as proposed. He has a question regarding some of the violations that were presented by the medical building parking lot from last year.

Katie Ong-Landini, church representative, said the medical building parking lot is owned and managed by the medical building property, which is in foreclosure. That makes the management of those issues difficult. The two issues are the dumpster enclosure and a fence on the property line. The church has made the other improvements that were discussed during the approval of the garden. They installed a hedgerow at the rear of the sidewalk and removed the remainder of the driveway that was on the property. They left the apron in place, but there is no way to pull up and turn around in the apron now, due to the shrubs. The parking for Verb Ballets will not impact the church on a daily basis. Most church members and employees use a 12 space parking lot on the south side of the building. There is minimal parking daily on the north side of the building. Special events do utilize the medical building parking lot next door, per a lease agreement, for special event parking. The north side parking lot and the space inside the building was used similarly when the Interfaith Hospitality Network had their offices at the building for many years. This should also not present a conflict.

Mr. Weiss asked if there were other organizations that use the church property.

Ms. Ong-Landini said the Unity Church of Greater Cleveland has one office space in the building. The Boy Scouts use the building once a week. There is an AA group that meets in the building, as well as others.

Mayor Leiken opened the Public Hearing. No one was present to speak.

Mr. Weiss asked for an explanation of the relationship between the church and the medical building property.

Ms. Ong-Landini said the church has the right to park in the medical building parking lot for special events through a lease. A foundation controlled by the church owns the medical building land. The building and maintenance of the property is part of separate ownership of the medical building. The land lease for the building is what allows them to use the parking lot for services and special events.

Mr. Boyle indicated there was sufficient parking spaces for the new use. The parking variance took into account all of the parking needs for special events for the church. Since the church has off-site parking for that purpose, there should not be overcrowding of parking on this site. The use for the ballet seems to work on this large institutional property.

Ms. Braverman indicated the proposed signs are not formally before the Board of Zoning Appeals as part of this application. They do not need to take action on the signs. The sign request will come to a future meeting of the Board of Zoning Appeals.

It was moved by Mr. Brady and seconded by Mr. Weiss to approve the request based on the facts and conclusions of law as set forth in the Action Sheet.

Roll Call: Ayes: Leiken, Brady, Boyle, Weiss
 Nays: None

Motion Carried