



## SHAKER HEIGHTS

### **Board of Zoning Appeals & City Planning Commission Agenda Via Video and Audio Conference Due to COVID-19 Public Health Emergency Tuesday, September 1, 2020, 7PM**

Zoom Webinar: 996 5678 6876

Password: 33553400

**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](mailto: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 August 4, 2020 meeting.

Documents:

[DRAFT BZACPC MINUTES 2020 0804.PDF](#)

#### **BOARD OF ZONING APPEALS**

##### **2075. SILVER RESIDENCE - 23606 DUFFIELD ROAD:**

Public Hearing on the request of Richard and Laurie Silver, 23606 Duffield Road, to the Board of Zoning Appeals for a variance to the driveway width requirements. The applicants propose to widen the front yard driveway from 9 feet wide to 15 feet wide extending to the sidewalk. The existing driveway narrows from 22 feet wide at the front-facing garage to 9 feet wide at the sidewalk. Code allows a maximum 12 foot width for a residential driveway.

Documents:

[2075 23606 DUFFIELD - DRIVEWAY VARIANCE.PDF](#)

##### **2076. BRINDZA RESIDENCE - 19715 SHELBURNE ROAD:**

Public Hearing on the request of Mike Metcalf, Generator One, representing Betsy Brindza, 19715 Shelburne Road, to the Board of Zoning Appeals for a variance to the location requirements for an emergency generator. The applicant proposes to locate an emergency generator in the 22-foot wide side yard. The code requires that motorized equipment can only be located in a 25-foot wide side yard, and screened by a solid fence or evergreen vegetation. The generator is proposed to be screened from view by existing shrubs along the property line and three (3) new evergreen bushes planted at two feet tall.

Documents:

[2076 19715 SHELBURNE - VARIANCE.PDF](#)

**2079. HARWOOD RESIDENCE - 19002 LOMOND BOULEVARD:**

Public Hearing on the request of Hillary Henry, East Side Landscaping, on behalf of William and Angela Harwood, 19002 Lomond Boulevard, to the Board of Zoning Appeals for a variance to the fence location and height requirements for a corner lot. The applicant proposes to install two 4-foot tall ornamental aluminum gates on this corner lot at Lomond Boulevard and Townley Road. The gates stretch across access points in the existing landscaping and hedges in the Townley Road side and rear yard. One gate is proposed to be located 6 feet and the other 20 feet 2 inches behind the Townley 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 Townley Road is set back 41 feet. Code allows a fence height in a front or corner side yard of 3-foot tall. Existing bushes including an arborvitae hedge screen the Townley Road yard.

Documents:

[2079 19002 LOMOND - VARIANCE.PDF](#)

**2077. 3570 WARRENSVILLE, LLC - 3570 WARRENSVILLE CENTER ROAD:**

Continuation of a Public Hearing on the request of Dmitry Belkin, 3570 Warrensville LLC, 3570 Warrensville Center Road, to the Board of Zoning Appeals for a variance to the location requirements for air conditioning condenser units. The request was continued from the September 2018 meeting for more information. The applicant proposes to locate eight air conditioning condenser units in the rear yard, behind this commercial building. Code requires that motorized equipment in a commercial zoning district be located either inside the building or on the roof. The units are proposed to be located directly behind the building and each unit is 3 feet 10.5 inches tall. The applicant proposes maiden grass plantings in concrete planters along either side of the units and to screen the units with a 6-foot tall white vinyl fence.

Documents:

[2077 3570 WARRENSVILLE - VARIANCE.PDF](#)

**CITY PLANNING COMMISSION**

**2078. GUS AND GUVNOR TRUST RESIDENCE - 18100 SOUTH PARK BOULEVARD:**

Public Hearing on the request of Lanie McKinnon, Nelson Byrd Woltz Landscape Architects, representing the Gus and Guvnor Trust, 18100 South Park Boulevard, to the City Planning Commission for subdivision of land in order to join the adjacent vacant lot with the property on which the home is located. The adjacent lot is owned jointly with the house lot. The house parcel (732-07-002) is proposed to be combined with the vacant lot (732-07-003). The combined lot is to be integrated into the active use of the yard. This combined lot meets code requirements in the SF-1 Single Family Residential zoning district. Subdivision of land requires City Planning Commission approval.

Documents:

**2080. CITY OF SHAKER HEIGHTS - 3642 DALEFORD ROAD:**

Public Hearing on the request of the City of Shaker Heights, representing Alisha Flores, 3642 Daleford 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 Flores home is located. Ms. Flores is purchasing the vacant lot next door. The house parcel (735-30-048) is proposed to be combined with the vacant adjacent lot (735-30-048). Ms. Flores proposes to integrate the vacant lot into her yard. This combined lot meets code requirements in the SF-3 Single Family Residential zoning district. Subdivision of land requires City Planning Commission approval.

Documents:

[2080 3642 DALEFORD - RESUBDIVISION.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.*



**Board of Zoning Appeals & City Planning Commission Minutes  
Tuesday, August 4, 2020  
7 P.M.  
Via Zoom Webinar**

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 Title/Name at Time.

\* \* \* \*

Approval of the July 7, 2020 Meeting Minutes

It was moved by Mr. Boyle and seconded by Dr. Ganning to approve the minutes.

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

Motion Carried

\* \* \* \*

**BOARD OF ZONING APPEALS**

**#2072. Jolly Residence – 23150 Shaker Boulevard:**

A Public Hearing was held on the request of Emmitt Jolly, 23150 Shaker 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 6-foot tall ornamental aluminum fence on this corner lot at Shaker Boulevard and Hardwick Road. The brown ornamental aluminum fence is proposed to be located 12 feet behind the Hardwick 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 Hardwick Road is set back 40 feet. The fence is proposed to enclose the rear yard and the Hardwick Road side yard for the safety of the applicant’s Great Dane dog. Code allows a 3-foot tall

**CITY OF SHAKER HEIGHTS**

3400 Lee Road Shaker Heights, Ohio 44120 P 216.491.1400 F 216.491.1465 Ohio Relay Service 711  
**shakeronline.com www.shaker.life**

fence in a corner side yard. The fence is proposed to be located behind existing evergreen and deciduous shrubs and trees, in addition to a row of irises proposed in front of the fence.

Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the location and height of a corner lot fence. The applicant proposes a 6-foot tall aluminum fence 12 feet from the Hardwick Road sidewalk at this corner lot with Shaker Boulevard. Code requires a corner lot fence not extend in front of the adjacent house, which is 40 feet in this case, and is limited to a maximum of 3 feet tall. The applicant's Great Dane dog is to remain in the rear yard of this pie-shaped lot. The applicant proposes to maintain the existing shrubs and trees, and add a row of irises. Staff supports the request with the condition the fence is limited to 5 foot tall.

Mr. Jolly, homeowner, said they will add irises to the outside of the fence. The fence is meant to keep their dog in the yard. He noted the view down the street is not altered, nor is the character of the neighborhood.

Mayor Weiss asked if the existing landscaping along Hardwick will remain in front of the new fence.

Mr. Jolly said yes, the fence will be located behind the existing landscaping.

Mr. Malone asked if the applicant objects to the 5 foot height recommended by staff instead of the 6 feet requested in the application. He asked if there is precedent for this type of installation.

Mr. Jolly said he does not object to the 5 foot height.

Mr. Feinstein explained the precedent as mostly 4 foot tall fences on corner lots. Some taller fences of 4.5 and 5 feet tall have been approved especially if they are ornamental aluminum fences.

Mayor Weiss opened the Public Hearing. No comments were received regarding this application.

Mr. Dreyfuss-Wells asked about the landscaping. There are open areas between the existing arborvitae. Irises will work for spring and summer, but he would like a more year-round solution.

Mr. Jolly said he is open to suggestions.

Mr. Dreyfuss-Wells said the height of the fence will be mitigated with additional landscaping. He suggested the applicant work with staff. A rhododendron or something like it would be acceptable.

Dr. Ganning said this is not following the precedent for height.

Mr. Jolly said it is recommended that a 6 foot fence be used for the breed of his dog. He accepts a 5 foot tall fence but is uncomfortable with a 4 foot tall fence, which would increase the chances of the dog escaping.

Mr. Dreyfuss-Wells said the ornamental aluminum style of fence helps as it is more transparent than wood picket.

Mr. Jolly said he wants the fence to be appropriate and good looking.



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**#2074. Voltz Residence – 3690 Daleford Road:**

A Public Hearing was held on the request of the City of Shaker Heights, representing Noel Voltz, 3690 Daleford 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 Voltz home is located. Ms. Voltz is purchasing the vacant lot next door. The house parcel (735-29-096) is proposed to be combined with the vacant adjacent lot (735-29-097). Ms. Voltz proposes to integrate the vacant lot into her yard with a fence for the family. This combined lot meets code requirements in the SF-3 Single Family Residential zoning district. Subdivision of land requires City Planning Commission approval.

Mr. Feinstein showed slides of the site. He stated this is a request for subdivision of land to join a vacant lot to the lot with the Voltz house. Ms. Voltz is purchasing the city-owned vacant lot (735-29-097) to her house lot (735-29-096). The combined lot meets the lot and block standards for the SF-3 Single Family Residential zoning district. Council approved the sale of the lot on May 26, 2020. Subdivision of land requires City Planning Commission review. Staff supports the request with the condition of submission of a final plat to the City and filed with the County.

Noel Voltz, owner, said they moved here recently. She is excited to add to their yard and need a fence for their toddler. They will use the space for play in the future.

Mayor Weiss opened the Public Hearing. No comments were received regarding this application.

Mr. Malone asked how they found out about the possibility of the adjacent yard purchase.

Ms. Voltz said their realtor let them know. They were looking at another house, but jumped at this one when they found out about the additional lot.

Dr. Ganning extended a welcome to Shaker Heights and to Daleford Road. She is excited to have her join the community.

It was moved by Dr. Ganning and seconded by Mr. Malone 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

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There being no further business, the meeting was adjourned at 8:00 p.m. The next meeting will be September 1, 2020.

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

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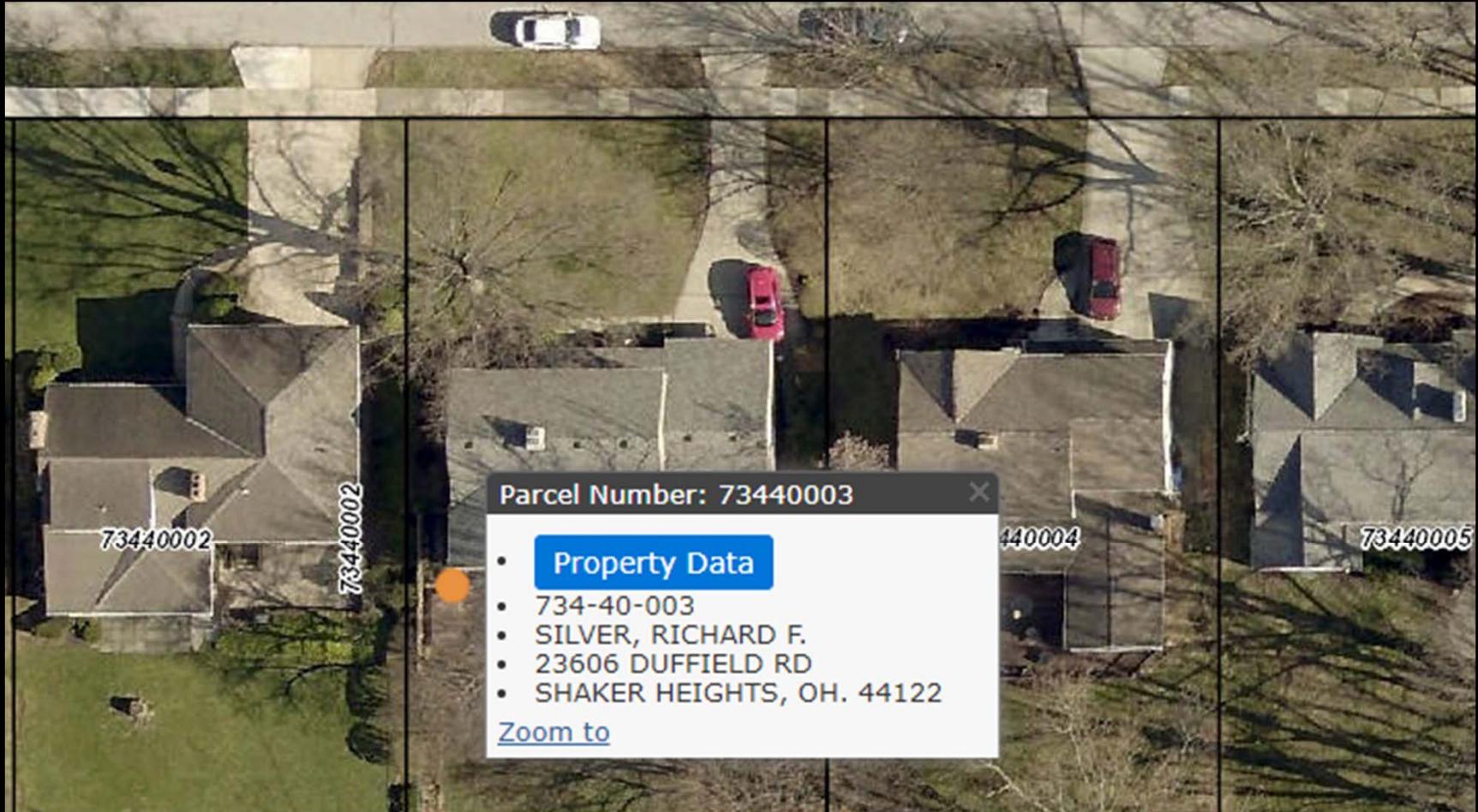
Daniel Feinstein, Secretary  
Board of Zoning Appeals  
City Planning Commission

# Board of Zoning Appeals City Planning Commission

September 1, 2020

# 23606 Duffield Road

For a variance to the driveway width requirements.



Parcel Number: 73440003

Property Data

- 734-40-003
- SILVER, RICHARD F.
- 23606 DUFFIELD RD
- SHAKER HEIGHTS, OH. 44122

[Zoom to](#)





Applicant's Name: Richard + Laurie Silver Application No: 2075  
 Property Address: 23606 Dofffield Rd. Parcel No: 734-40-003  
 City: Shaker Heights State: OH Zip: 44122  
 Applicant's Address: same Phone No: (216) 644-6868  
 City: same State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Property Owner (if other than applicant) \_\_\_\_\_  
 Property Owner's Address (if different) \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Zoning District: \_\_\_\_\_ Present Use: residential  
 Proposed Use: same - proposal is to widen driveway beyond zoning limit of 12'  
 E-Mail Address: rfs4@case.edu

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

- |  |  |
|--|--|
| <p><u>BZA</u></p> <p><input checked="" type="checkbox"/> 1. VARIANCE (requires public hearing)</p> <p style="margin-left: 20px;">Sign regulations      Fence Regulations</p> <p style="margin-left: 20px;">Height Regulations      Off-street Parking</p> <p style="margin-left: 20px;"><u>Area and Yard Regulations</u></p> <p>2. OTHER APPROVALS</p> <p><input type="checkbox"/> Appeal</p> <p><input type="checkbox"/> Other: _____</p> | <p><u>CPC</u></p> <p><input type="checkbox"/> Conditional Use Permit (requires public hearing)</p> <p><input type="checkbox"/> Planned Unit Development</p> <p><input type="checkbox"/> Site Plan Review</p> <p><input type="checkbox"/> Resubdivision of Land</p> <p><input type="checkbox"/> Amendment to Zoning Map or Ordinance</p> <p><input type="checkbox"/> Improvements to Public Land</p> <p><input type="checkbox"/> Other: _____</p> |
|--|--|

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

Please see attached documents -  
(1) letter (2) drawing of property  
(3) list of other driveways in  
immediate vicinity (4) supporting photos

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

SIGNATURE: Richard Silver DATE: 8/2/2020



## NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Richard and Laurie Silver, 23606 Duffield Road, to the Board of Zoning Appeals for a variance to the driveway width requirements. The applicants propose to widen the front yard driveway from 9 feet wide to 15 feet wide extending to the sidewalk. The existing driveway narrows from 22 feet wide at the front facing garage to 9 feet wide at the sidewalk. Code allows a maximum 12-foot width for a residential driveway.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, September 1, 2020 at 7:00 p.m.** via video and audio conference. 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.

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Dan Feinstein  
Secretary  
Board of Zoning Appeals

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**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

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**ADDRESS:**

**23606 Duffield Road**  
Silver Residence  
Case#: 2075

**HEARING DATE:**

September 1, 2020

**SUMMARY:**

**Variance to the driveway width regulations in order to widen the front yard driveway from 9 to 15 feet wide where code permits a 12' wide driveway.**

**STAFF POSITION:**

- Staff suggests approval based on the following:
  - The driveway creates a total of 20.5 percent pavement in the front yard when code allows 25 percent.
  - There are several other driveways on Duffield Road of at least 15 feet in width and wider which generally match the width of the garage.
  - Duffield Road houses typically have garages in the front yard with many of them facing the street.
  - The proposed wider driveway lines up with the garage door opening for ease of access.
  - The wider driveway accommodates the applicant's mobility challenged son.
  - The essential character of the neighborhood will not be adversely affected due to the other existing front yard driveways on Duffield Road.

**ACTION:**

- Variance to driveway width requirements which permits a 12-foot wide driveway.

**FACTS:**

1. The applicant proposes to widen the front yard driveway from 9 feet to 15 feet wide over a length of 34 feet.
2. Code allows a maximum driveway width of 12 feet.
3. The existing driveway narrows from 22 feet wide at the front-facing garage to 9 feet wide at the sidewalk.
4. The proposed driveway comprises 20.5 percent of the front yard. Code allows 25 percent of the front yard to be paved.

**CODE SECTIONS:**

1. 1251.11 B – residential driveways are limited to 12 feet in width.
2. 1220.10 C – the maximum pavement allowed in a front yard is 25 percent.

**OTHER ISSUES:**

3. The driveway area to be widened is 34 feet long by 6 feet wide, for a total of 204 square feet.
4. Numerous other driveways on Duffield Road are wider than 12 feet in the front yard. These seem to be original driveway configurations. The homeowner has submitted a list.
5. The landscaping in front of the house will be maintained.
6. The applicant proposes to widen the driveway to accommodate vehicle access for their mobility challenged son.
7. There is no record of any variances for driveway widths on Duffield Road.
8. The driveways on the street are considered grandfathered conditions.

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

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**Continued:**

**ADDRESS:**

**23606 Duffield Road**  
Silver Residence  
Case#: 2075

**HEARING DATE:**

September 1, 2020

**PRECEDENT:**

1. There are numerous other driveways on Duffield Road that are wider than 12 feet in the front yard. These seem to be original driveway configurations.
2. Lazarus Residence – Additional front yard pavement 20 ft wide to accommodate an enhanced basketball court.
3. Katz Residence – Additional front yard pavement width plus two parking spaces.
4. Emmons Residence – Circular driveway and front yard parking with extensive landscape plan.

Richard and Laurie Silver  
23606 Duffield Road  
Shaker Heights, OH 44122  
August 2, 2020

Zoning Board of Appeals  
City of Shaker Heights

To the members of the Board,

I am writing you to regarding a request for variance in the width of our driveway at 23606 Duffield Road.

Since we moved into this residence in 1997, our driveway has been 22 feet wide at the top, with a rapid taper to width of 9 feet for the rest of its length. Significant widening of the main portion of our driveway is required to accommodate our youngest son Eli. Briefly, Eli attends a special consortium program for Deaf and Hard of Hearing students that is based in the Beachwood School system. Eli also has issues with balance and muscle tone, and walks with the assistance of a reverse Kaye walker. As a rising high school freshman, Eli naturally seeks to assert his independence, but with the narrow width of the main portion of our driveway, it was impossible for him to stay on a paved surface with his walker and make his way safely to the entrance of the van provided for his school transportation. This is especially the case in winter, when shoveled snow makes it impossible for him to approach the lower end of our driveway from the unpaved portion of our front yard.

We undertook the widening of our driveway in July with Mr. Marty Vaughn of Aaron Construction. Mr. Vaughn told us it was his understanding was that Shaker Heights would allow the main portion of a driveway to be as wide as the garage door. With this in mind, he proposed expanding the lower part of our driveway to a width of 15 feet. We had no reason to question this plan because we had noted that many of our neighbors do have driveways that are considerably wider than ours. Because of the COVID-19 pandemic, Shaker Heights offices were not open for in-person approval of the project. As Mr. Vaughn had delays in getting responses to his messages, he began demolition of our old driveway in preparation for the proposed expansion. When Shaker Heights officials did reach Mr. Vaughn a few days later, we learned that our project could not be approved because of Shaker Heights ordinances that limited the width of a driveway to 12 feet unless application for variance was obtained. Mr. Vaughn was permitted to pour the upper portion of our driveway, which is now has 20 feet as its greatest width. So that the driveway could be used in the five weeks between this notice and the next available Board meeting, he subsequently poured 3/4ths of the planned lower portion to stay within the 12-foot limit until our request for variance could be presented at the next available Board meeting.

As mentioned above, besides our specific needs for a driveway that can accommodate Eli's needs, we noted that most of the driveways of the houses closest to us are greater than 12 feet wide. In preparation of this appeal, I measured the driveways of the 25 homes closest to ours (essentially half of our block of Duffield Road). As indicated in the attached spreadsheet, I found that 17 of these homes (68%) have driveways greater than 12 feet wide; indeed, 11 of them (44%) are at least 15 feet wide. Further, as I have calculated from the scale drawing of the project that I enclose, the design Mr. Vaughn has proposed will cover only 20.56% of the square footage of our 75-foot wide front yard.

The widening of our driveway was undertaken in good faith and in order to meet our son's special needs. Further, as shown by the sizes of our neighbors' driveways, the proposed expansion will not be a "variance" from the actual appearance of other homes on our block. We therefore hope that you will agree to allow us to complete this project as currently submitted.

Thank you in advance for your consideration.

Sincerely,

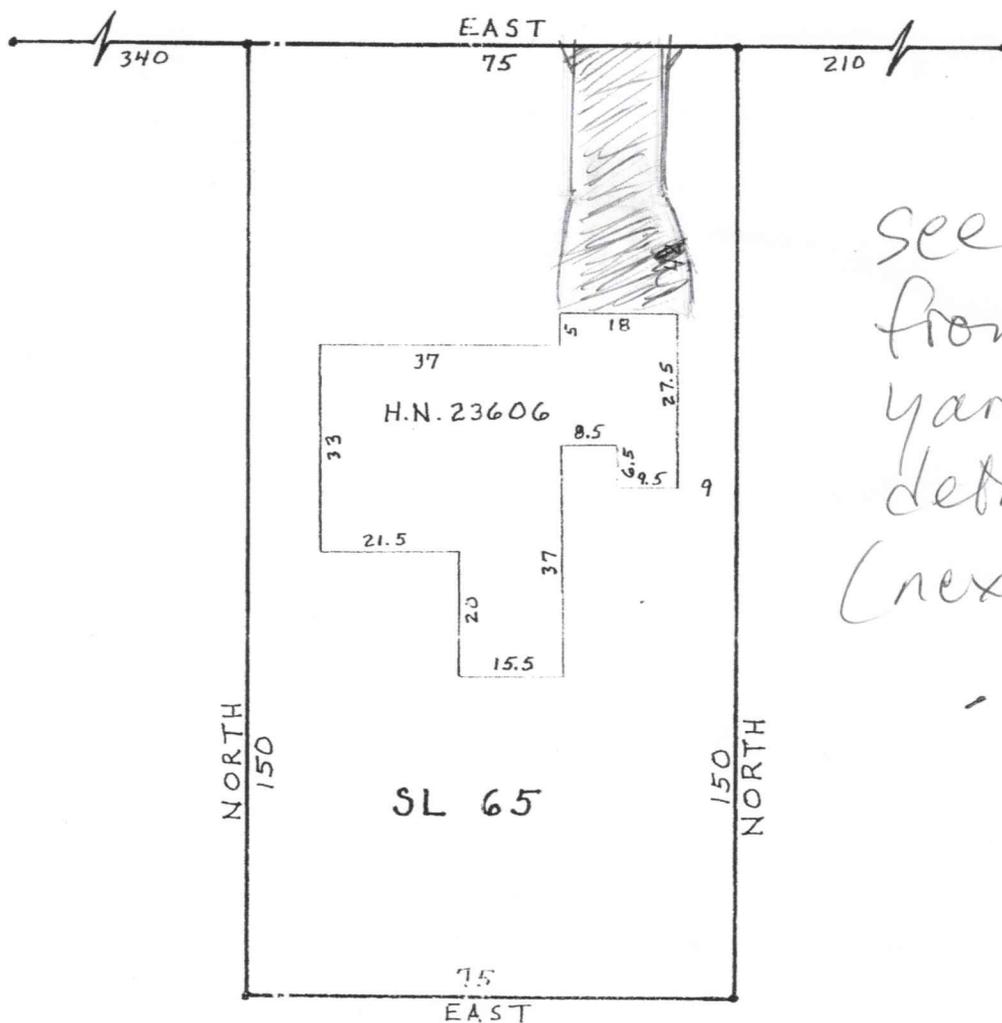


Richard Silver



23606

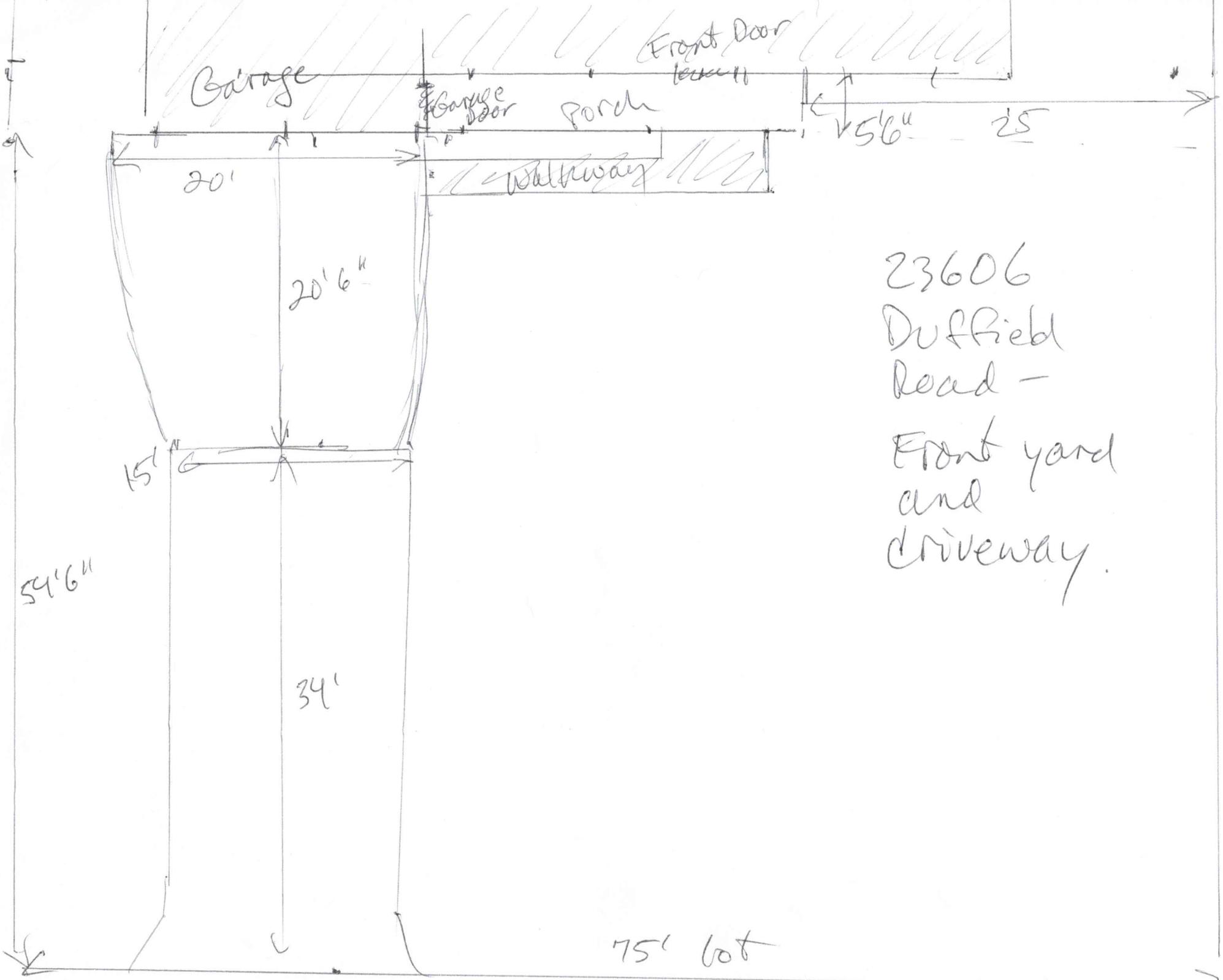
DUFFIELD RD. 50'



see  
front  
yard  
detail  
(next page)

Distances are shown in feet and decimals, bearings are to an assumed meridian, and are used to indicate angles only.





23606  
 Duffield  
 Road -  
 Front yard  
 and  
 driveway.

75' lot

A. DRIVEWAY SIZES ON DUFFIELD ROAD

Duffield South

Duffield North

Sorted by address

Sorted by driveway width

	23399 15'9"	23399	15.75	23588	7.75
	23424 17'	23424	17	23625	9
	23457 15'4"	23440	12	23707	10.25
23440 12'	23489 19' (mostly, narrowed to 16' at sidewalk)	23457	15.33	23474	11
23474 11'	23523 11'9"	23474	11	23683	11.5
23506 19'	23547 13'	23489	19	23523	11.75
23570 20'	23588 7'9"	23506	19	23702	11.75
23606 15' (proposed)	23625 9'	23523	11.75	23440	12
23638 14'3"	23649 15' (mostly, narrowed to 12'4" at sidewalk)	23547	13	23731	12.25
23670 13'3"	23683 11'6"	23570	20	23547	13
23702 11'9"	23707 10'3"	23588	7.75	23670	13.25
23738 15'	23731 12'3"	23606	15	23638	14.25
23770 15'5"	23775 14'10"	23625	9	23809	14.75
23838 17'5"	23809 14'9"	23638	14.25	23775	14.84
	23843 16"	23649	15	23606	15
		23670	13.25	23649	15
		23683	11.5	23738	15
		23702	11.75	23457	15.33
		23707	10.25	23770	15.42
		23731	12.25	23399	15.75
		23738	15	23843	16
		23770	15.42	23424	17
		23775	14.84	23838	17.42
		23809	14.75	23489	19
		23838	17.42	23506	19
		23843	16	23570	20

25 houses closest to 23606 Duffield

11 have driveways 15' wide or more

6. more (17 total) have driveways > 12 ' wide

**B. 23606 Duffield Road--front yard and driveway square footage calculations  
(see attached scale drawing as well)**

<b>YARD</b>	<b>width</b>	<b>length</b>	<b>subtotal</b>	
main yard to garage		75	54.5	4087.5
to right of porch		25	5.5	137.5
<hr/>				
total yard				4225

<b>DRIVEWAY</b>	<b>width</b>	<b>length</b>	<b>subtotal</b>	
upper		17.5	20.5	358.75
lower		15	34	510
<hr/>				
				868.75

**PERCENTAGE OF FRONT YARD covered by DRIVEWAY**

	<b>driveway</b>	<b>yard</b>	<b>%</b>
<hr/>			
	868.75	4225	20.56%

**BETSEY NIMS FRIEDMAN**

23625 Duffield Road  
Shaker Heights, OH 44122

August 31, 2020

Dan Feinstein, Secretary  
Board of Zoning Appeals  
CITY OF SHAKER HEIGHTS  
3400 Lee Road  
Shaker Heights, OH 44120

Application of Richard and Laurie Silver  
23606 Duffield Road  
Shaker Heights, OH 44122

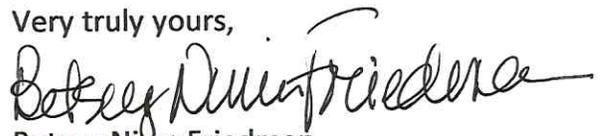
Dear Mr. Feinstein,

I am the homeowner directly across the street from the Silver home on Duffield Road. They are on the south side of the street. We are on the north. We may have the best view of the proposed driveway because we have a direct view of it from our first and second floors which face south.

The proposal to widen the front yard driveway from nine feet wide to fifteen feet wide extending to the sidewalk with the existing driveway narrowing from twenty-two feet wide at the front facing the garage to nine feet wide at the sidewalk appears to us as enhancing the aesthetics of the lovely Silver home and enhancing the attractiveness of the area where the surrounding homes exist.

We believe that approval of the variance will also contribute to the value of the Silver home and the surrounding area. My husband and I, therefore, enthusiastically support the application for the variance the Silvers seek from the Board of Zoning Appeals.

Very truly yours,



Betsey Nims Friedman

[betseyfriedman@gmail.com](mailto:betseyfriedman@gmail.com)

(216) 374-5923







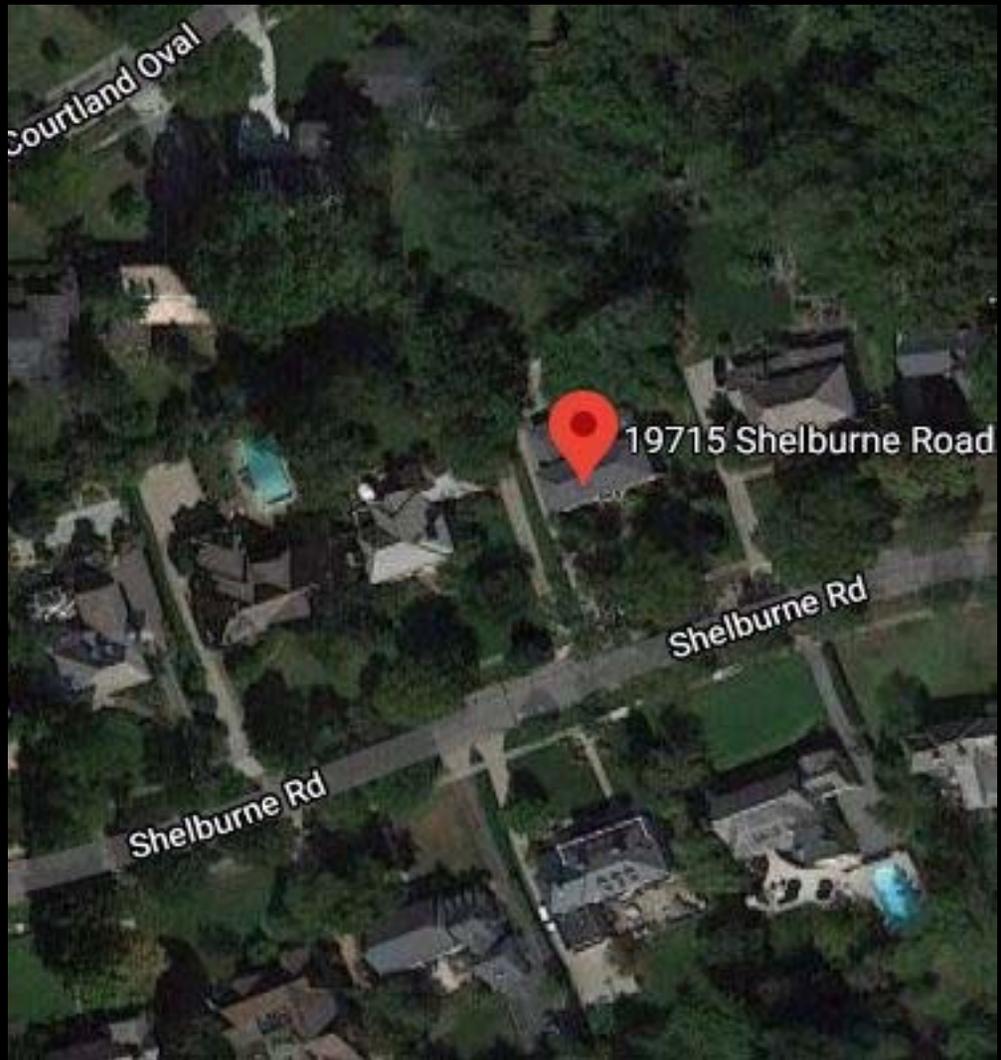






# 19715 Shelburne Road

For a variance to the location requirements for an emergency generator.













Applicant's Name: Mike Metcalf Application No: 2076

Property Address: 19715 Shelburn rd Parcel No: \_\_\_\_\_

City: Shaker Hts State: OH Zip: 44118

Applicant's Address: 7487 Tyler Blvd Phone No: 440.942.8449

City: Mentor State: OH Zip: 44060

Property Owner (if other than applicant): Bety Brindza

Property Owner's Address (if different): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Zoning District: \_\_\_\_\_ Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

E-Mail Address: Mike.M@generatorzteam.com  
bbrindza5@hotmail.com

CHECK INFORMATION ACCOMPANYING THIS APPLICATION

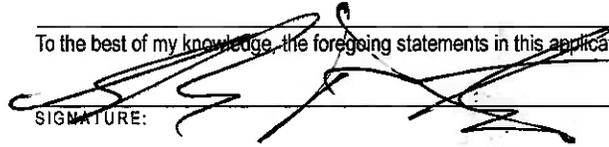
- Site Plan (to scale)
- Detail Drawings
- Landscape Plan
- Narrative Description
- Proof of Control (Option Lease Ownership)
- Product Information, etc.
- Other Descriptions or Materials as Appropriate
- Photographs

CHECK SPECIFIC ACTION REQUIRED

- |  |   |
|--|---|
| <p><u>BZA</u></p> <p>1. VARIANCE (requires public hearing)</p> <p>Sign regulations      Fence Regulations</p> <p>Height Regulations      Off-street Parking</p> <p>Area and Yard Regulations</p> <p>2. OTHER APPROVALS</p> <p><input type="checkbox"/> Appeal</p> <p><input type="checkbox"/> Other: _____</p> | <p><u>CPC</u></p> <p><input type="checkbox"/> Conditional Use Permit (requires public hearing)</p> <p><input type="checkbox"/> Planned Unit Development</p> <p><input checked="" type="checkbox"/> Site Plan Review</p> <p><input type="checkbox"/> Resubdivision of Land</p> <p><input type="checkbox"/> Amendment to Zoning Map or Ordinance</p> <p><input type="checkbox"/> Improvements to Public Land</p> <p><input type="checkbox"/> Other: _____</p> |
|--|---|

Summarize special conditions, practical difficulty or hardships imposed on the owner of the premises if strict letter of the ordinance were to be enforced:  
The Generator will be to close windows to remain with code  
placement would cause obtrusive position near patio  
See letter

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

SIGNATURE: 

DATE: 9/13/2020



## NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Richard and Laurie Silver, 23606 Duffield Road, to the Board of Zoning Appeals for a variance to the driveway width requirements. The applicants propose to widen the front yard driveway from 9 feet wide to 15 feet wide extending to the sidewalk. The existing driveway narrows from 22 feet wide at the front facing garage to 9 feet wide at the sidewalk. Code allows a maximum 12-foot width for a residential driveway.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, September 1, 2020 at 7:00 p.m.** via video and audio conference. 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

**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](mailto: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.

*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.*



## NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Mike Metcalf, Generator One, representing Betsy Brindza, 19715 Shelburne Road, to the Board of Zoning Appeals for a variance to the location requirements for an emergency generator. The applicant proposes to locate an emergency generator in the 22-foot wide side yard. The code requires that motorized equipment can only be located in a 25-foot wide side yard, and screened by a solid fence or evergreen vegetation. The generator is proposed to be screened from view by existing shrubs along the property line and three (3) new evergreen bushes planted at two feet tall.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, September 1, 2020 at 7:00 p.m.** via video and audio conference. Please see the note below in regard to being heard with respect to this application.

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## NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Hillary Henry, East Side Landscaping, on behalf of William and Angela Harwood, 19002 Lomond Boulevard, to the Board of Zoning Appeals for a variance to the fence location and height requirements for a corner lot. The applicant proposes to install two 4-foot tall ornamental aluminum gates on this corner lot at Lomond Boulevard and Townley Road. The gates stretch across access points in the existing landscaping and hedges in the Townley Road side and rear yard. One gate is proposed to be located 6 feet and the other 20 feet 2 inches behind the Townley 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 Townley Road is set back 41 feet. Code allows a fence height in a front or corner side yard of 3-feet tall. Existing bushes including an arborvitae hedge screens the Townley Road yard.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, September 1, 2020 at 7:00 p.m.** via video and audio conference. Please see the note below in regard to being heard with respect to this application.

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Dan Feinstein  
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## NOTICE OF PUBLIC HEARING

Notice is hereby given of continuation of an application is being made by Dmitry Belkin, 3570 Warrensville LLC, 3570 Warrensville Center Road, to the Board of Zoning Appeals for a variance to the location requirements for air conditioning condenser units. The request was continued from the September 2018 meeting for more information. The applicant proposes to locate eight air conditioning condenser units in the rear yard, behind this commercial building. The code requires that motorized equipment in a commercial zoning district be located either inside the building or on the roof. The units are proposed to be located directly behind the building and each unit is 3 feet 10.5 inches tall. The applicant proposes maiden grass plantings in concrete planters along either side of the units and to screen the units with a 6-foot tall white vinyl fence.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, September 1, 2020 at 7:00 p.m.** via video and audio conference. 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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## NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Lanie McKinnon, Nelson Byrd Woltz Landscape Architects, representing the Gus and Guvnor Trust, 18100 South Park Boulevard, to the City Planning Commission for subdivision of land in order to join the adjacent vacant lot with the property on which the home is located. The adjacent lot is owned jointly with the house lot. The house parcel (732-07-002) is proposed to be combined with the vacant lot (732-07-003). The combined lot is to be integrated into the active use of the yard. This combined lot meets code requirements in the SF-1 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, September 1, 2020 at 7:00 p.m.** via video and audio conference. 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.

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Dan Feinstein  
Secretary  
City Planning Commission

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**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

---

**ADDRESS:**

**19715 Shelburne Road**  
Brindza Residence  
Case#: 2076

**HEARING DATE:**

September 1, 2020

**SUMMARY:**

**Variance to the location requirements to locate an emergency generator in a 22 foot wide side yard where code requires a 25 foot wide side yard.**

**STAFF POSITION:**

- Staff suggests approval with a continuing obligation to comply with the noise ordinance.
- Based on:
  - Several windows and the rear patio prevent a code conforming location at the back of the house. Building Code does not allow a generator near a window.
  - The side yard is 22 feet wide while code requires a 25 foot wide side yard in which to locate motorized equipment.
  - The side yard is heavily landscaped with existing landscaping, new evergreen bushes and there is a chimney.
  - The standard of protecting against detrimental of injurious effects is met due to the location and screening.
  - The essential character of the neighborhood will not be affected since the location is hidden by the chimney and landscaping.

**ACTION:**

- Variance to the location for motorized equipment in the side yard.

**FACTS:**

1. The emergency generator is proposed to be located near the rear corner of the house in the 22-foot wide side yard.
2. Code requires a 25-foot wide side yard in order for a condenser unit to be located in the side yard of the house.
3. The applicant proposes to screen the generator with the existing landscaping, the chimney and new 2.5 foot tall evergreen bushes.
4. Several windows and the rear patio affect a code conforming location at the back of the house. Building Code does not allow a generator near a window.

**CODE SECTIONS:**

1. Generators follow the same requirements as air conditioner condensing units and other motorized equipment.
2. 1262.08 C – Condenser units and other motorized equipment may be located in the interior side yard within five feet of the structure and only in a side yard measuring a minimum of 25 feet in width. It must be screened by a solid fence or with evergreen vegetation.
3. 1262.08 D – Condenser units and other motorized equipment may be located in the rear yard within ten feet of the structure and the sides must be screened by a solid fence or evergreen landscaping.
4. 1262.08 B – Condenser units and other motorized equipment may be located in the front yard within five feet of the structure and screened with evergreen vegetation.

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

---

**Continue:**

**ADDRESS:**

**19715 Shelburne Road**  
Brindza Residence  
Case#: 2076

**HEARING DATE:**

September 1, 2020

**OTHER ISSUES:**

1. The emergency generator unit measures 2 feet 6 inches high by 13 inches by 7 inches.
2. The generator sound rating is 67 decibels at 23 feet.
3. The neighbors have submitted a letter of support of the request.

**PRECEDENT:**

1. Griswold Residence – 21210 Colby – Air conditioner unit and generator in the side yard 12 feet to the property line.
2. Dubchuck Residence – 19300 South Park – Generator in the rear yard, 12 feet off the side property line, adjacent to a detached garage.
3. Wolf Residence – 19200 South Park – Very large generator in rear yard 12 feet from the side property line. Approved with lots of sound attenuation on the unit.
4. Butze Residence – 3272 Ingleside – Generator adjacent to a detached garage in the rear yard 2 feet from the side property line and 4.5 feet from the rear property line.

**From:** [Daniel Feinstein](#)  
**To:** [Kelly Beck](#)  
**Subject:** FW: Acceptable generator placement  
**Date:** Tuesday, August 11, 2020 7:20:42 PM

---

FYI Prob for an adm mod?

Dan Feinstein, Senior Planner, Zoning Administrator  
Planning Department  
City of Shaker Heights  
3400 Lee Road  
Shaker Heights, OH 44120  
P: 216-491-1435  
F: 216-491-1431  
[shakeronline.com](http://shakeronline.com)

---

**From:** Katie Lougheed <[katie@lougheedcentral.com](mailto:katie@lougheedcentral.com)>  
**Sent:** Tuesday, August 11, 2020 7:19 PM  
**To:** Daniel Feinstein <[Daniel.Feinstein@shakeronline.com](mailto:Daniel.Feinstein@shakeronline.com)>  
**Cc:** Betsy Brindza <[bbrindza5@hotmail.com](mailto:bbrindza5@hotmail.com)>; Charlie Lougheed <[charlie.lougheed@axuall.com](mailto:charlie.lougheed@axuall.com)>  
**Subject:** Acceptable generator placement

Mr. Feinstein,

We, Charles and Kathryn Lougheed at 19801 Shelburne Road, give permission for Betsy and Bob Brindza at 19715 Shelburne Road, to install a home generator. We approve the set distance from our property and are aware that it is within 25 feet of our property. The generator is not visible from our house.

Thank you,

Katie Lougheed

---

Katie Lougheed  
[katie@lougheedcentral.com](mailto:katie@lougheedcentral.com)  
216-410-1474

# Building Sketch

BETSY BRINDZA  
19715 SHELBURNE RD  
SHAKER HTS 44118

Boxwoods  
Bushes



Top View Map

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

WATER DEPARTMENT OFFICIALS SHOULD **NOT** RELY ON THIS SITE TO DETERMINE OWNERSHIP FOR CREATING NEW ACCOUNTS OR CLOSING EXISTING ONES. THE DEED OF RECORD WITH THE COUNTY FISCAL OFFICER, TRANSFER AND RECORDING DEPARTMENT SHOULD BE USED FOR PROOF OF OWNERSHIP. To search for recorded documents, [click here](#).

18 inches Distance from generator to House  
55 Ft From neighbors House/Garage

Basic Tools Navigation **Measurement and Markup** Identify and Query Additional Data Tools

Distance Area Export Drawings Point Text Line Freehand Line Freehand Shape Ellipse Circle Polygon Rectangle Edit Clear Erase

Measure Draw Edit Drawings

19715 SHELBURNE RD, SHA ...  
Details  
address  
19715 SHELBURNE RD, SHAKER HEIGHTS,  
OH, 44118  
score  
100



[Untitled] (5) (2).pdf



## To Building and zoning of Shaker Heights

In today's climate the customer, like most Americans do today a strong concern for their power. During the estimate there are not many locations for the generator to sit because the house is surrounded by concrete and windows. The only position that would work and not affect the customer or the neighbors would be this location. However it is only 22 foot away to property dimensions and zoning requires it to be 25 foot to the neighboring dimensions, it is however 25ft to neighboring drive way we are asking for approval of the location in the attached provided we disguise the Generator with. (plants or fencing)

Thank you for your consideration,  
Mike Metcalf  
Generator One  
440-840-7194  
Mike.m@generator1team.com

## GUARDIAN® SERIES Residential Standby Generators Air-Cooled Gas Engine

# 20/22/24 kW

### INCLUDES:

- True Power™ Electrical Technology
- Two-line multilingual digital LCD Evolution™ controller (English/Spanish/French/Portuguese)
- 200 amp service rated transfer switch available
- Electronic governor
- Standard Wi-Fi® connectivity
- System status & maintenance interval LED indicators
- Sound attenuated enclosure
- Flexible fuel line connector
- Natural gas or LP gas operation
- 5 Year limited warranty
- Listed and labeled by the Southwest Research Institute allowing installation as close as 18 in (457 mm) to a structure.\*  
*\*Must be located away from doors, windows, and fresh air intakes and in accordance with local codes.*

[https://assets.swri.org/library/DirectoryOfListedProducts/ConstructionIndustry/973\\_DoC\\_204\\_13204-01-01\\_Rev9.pdf](https://assets.swri.org/library/DirectoryOfListedProducts/ConstructionIndustry/973_DoC_204_13204-01-01_Rev9.pdf)

### Standby Power Rating

G007038-1, G007039-1, G007038-3, G007039-3 (Aluminum - Bisque) - 20 kW 60 Hz  
G007042-2, G007043-2, G007042-3, G007043-3 (Aluminum - Bisque) - 22 kW 60 Hz  
G007209-0, G007210-0 (Aluminum - Bisque) - 24 kW 60 Hz



Note: CETL or CUL certification only applies to unbundled units and units packaged with limited circuit switches. Units packaged with the Smart Switch are ETL or UL certified in the USA only.

## FEATURES

- **INNOVATIVE ENGINE DESIGN & RIGOROUS TESTING** are at the heart of Generac's success in providing the most reliable generators possible. Generac's G-Force engine lineup offers added peace of mind and reliability for when it's needed the most. The G-Force series engines are purpose built and designed to handle the rigors of extended run times in high temperatures and extreme operating conditions.
- **TRUE POWER™ ELECTRICAL TECHNOLOGY:** Superior harmonics and sine wave form produce less than 5% Total Harmonic Distortion for utility quality power. This allows confident operation of sensitive electronic equipment and micro-chip based appliances, such as variable speed HVAC systems.
- **TEST CRITERIA:**
  - ✓ **PROTOTYPE TESTED**                      ✓ **NEMA MG1-22 EVALUATION**
  - ✓ **SYSTEM TORSIONAL TESTED**        ✓ **MOTOR STARTING ABILITY**
- **MOBILE LINK® CONNECTIVITY:** FREE with select Guardian Series Home standby generators, Mobile Link Wi-Fi allows users to monitor generator status from anywhere in the world using a smartphone, tablet, or PC. Easily access information such as the current operating status and maintenance alerts. Users can connect an account to an authorized service dealer for fast, friendly, and proactive service. With Mobile Link, users are taken care of before the next power outage.
- **SOLID-STATE, FREQUENCY COMPENSATED VOLTAGE REGULATION:** This state-of-the-art power maximizing regulation system is standard on all Generac models. It provides optimized FAST RESPONSE to changing load conditions and MAXIMUM MOTOR STARTING CAPABILITY by electronically torque-matching the surge loads to the engine. Digital voltage regulation at ±1%.
- **SINGLE SOURCE SERVICE RESPONSE** from Generac's extensive dealer network provides parts and service know-how for the entire unit, from the engine to the smallest electronic component.
- **GENERAC TRANSFER SWITCHES:** Long life and reliability are synonymous with GENERAC POWER SYSTEMS. One reason for this confidence is that the GENERAC product line is offered with its own transfer systems and controls for total system compatibility.
- **PWRVIEW™ TRANSFER SWITCH:** The Generac PWRview Automatic Transfer Switch integrates the PWRview energy monitor to provide real-time energy consumption data that can help lower a home's electricity bill. Using a convenient mobile app, homeowners can access energy usage and alert information while under utility power or generator power. The PWRview energy monitor is a simple to use and low cost tool which helps save money over the life of the generator. Included with model G007210-0.

THE GENERAC PROMISE



GENERAC®

**PWRVIEW**

## Features and Benefits

### 20/22/24 kW

#### Engine

- Generac G-Force design
- “Spiny-lok” cast iron cylinder walls
- Electronic ignition/spark advance
- Full pressure lubrication system
- Low oil pressure shutdown system
- High temperature shutdown

Maximizes engine “breathing” for increased fuel efficiency. Plateau honed cylinder walls and plasma moly rings help the engine run cooler, reducing oil consumption and resulting in longer engine life.

Rigid construction and added durability provide long engine life.

These features combine to assure smooth, quick starting every time.

Pressurized lubrication to all vital bearings means better performance, less maintenance, and longer engine life. Now featuring up to a 2 year/200 hour oil change interval.

Shutdown protection prevents catastrophic engine damage due to low oil.

Prevents damage due to overheating.

#### Generator

- Revolving field
- Skewed stator
- Displaced phase excitation
- Automatic voltage regulation
- UL 2200 listed

Allows for a smaller, light weight unit that operates 25% more efficiently than a revolving armature generator.

Produces a smooth output waveform for compatibility with electronic equipment.

Maximizes motor starting capability.

Regulating output voltage to  $\pm 1\%$  prevents damaging voltage spikes.

For your safety.

#### Transfer Switch (if applicable)

- Fully automatic
- NEMA 3R
- Integrated load management technology
- Remote mounting

Transfers vital electrical loads to the energized source of power.

Can be installed inside or outside for maximum flexibility.

Capability to manage additional loads for efficient power management.

Mounts near an existing distribution panel for simple, low-cost installation.

#### PWRview Transfer Switch (if applicable)

- PWRview energy monitor
- Ability to view real-time energy consumption data
- PWRview mobile app

Energy usage at-a-glance.

Better understand the home’s energy profile.

Access daily energy intelligence and insights.

#### Evolution™ Controls

- AUTO/MANUAL/OFF illuminated buttons
- Two-line multilingual LCD
- Sealed, raised buttons
- Utility voltage sensing
- Generator voltage sensing
- Utility interrupt delay
- Engine warm-up
- Engine cool-down
- Programmable exercise
- Smart battery charger
- Main line circuit breaker
- Electronic governor

Selects the operating mode and provides easy, at-a-glance status indication in any condition.

Provides homeowners easily visible logs of history, maintenance, and events up to 50 occurrences.

Smooth, weather-resistant user interface for programming and operations.

Constantly monitors utility voltage, setpoints 65% dropout, 80% pick-up, of standard voltage.

Constantly monitors generator voltage to verify the cleanest power delivered to the home.

Prevents nuisance start-ups of the engine, adjustable 2-1500 seconds from the factory default setting of 5 seconds by a qualified dealer.

Verifies engine is ready to assume the load, setpoint approximately 5 seconds.

Allows engine to cool prior to shutdown, setpoint approximately 1 minute.

Operates engine to prevent oil seal drying and damage between power outages by running the generator for 5 minutes every other week. Also offers a selectable setting for weekly or monthly operation providing flexibility and potentially lower fuel costs to the owner.

Delivers charge to the battery only when needed at varying rates depending on outdoor air temperature. Compatible with lead acid and AGM-style batteries.

Protects generator from overload.

Maintains constant 60 Hz frequency.

## 20/22/24 kW

## Features and Benefits

### Unit

- SAE weather protective enclosure  
Sound attenuated enclosures ensure quiet operation and protection against mother nature, withstanding winds up to 150 mph (241 km/h). Hinged key locking roof panel for security. Lift-out front for easy access to all routine maintenance items. Electrostatically applied textured epoxy paint for added durability.
- Enclosed critical grade muffler  
Quiet, critical grade muffler is mounted inside the unit to prevent injuries.
- Small, compact, attractive  
Makes for an easy, eye appealing installation, as close as 18 in (457 mm) away from a structure.

### Installation System

- 14 in (35.6 cm) flexible fuel line connector  
Listed ANSI Z21.75/CSA 6.27 outdoor appliance connector for the required connection to the gas supply piping.
- Integral sediment trap  
Meets IFGC and NFPA 54 installation requirements.

### Connectivity (Wi-Fi equipped models only)

- Ability to view generator status  
Monitor generator with a smartphone, tablet, or computer at any time via the Mobile Link application for complete peace of mind.
- Ability to view generator Exercise/Run and Total Hours  
Review the generator's complete protection profile for exercise hours and total hours.
- Ability to view generator maintenance information  
Provides maintenance information for the specific model generator when scheduled maintenance is due.
- Monthly report with previous month's activity  
Detailed monthly reports provide historical generator information.
- Ability to view generator battery information  
Built in battery diagnostics displaying current state of the battery.
- Weather information  
Provides detailed local ambient weather conditions for generator location.

## 20/22/24 kW

## Specifications

### Generator

Model	G007038-1 G007039-1 (20 kW)	G007042-2 G007043-2 (22 kW)	G007038-3 G007039-3 (20 kW)	G007042-3 G007043-3 (22 kW)	G007209-0 G007210-0 (24 kW)
Rated maximum continuous power capacity (LP)	20,000 Watts*	22,000 Watts*	20,000 Watts*	22,000 Watts*	24,000 Watts*
Rated maximum continuous power capacity (NG)	18,000 Watts*	19,500 Watts*	18,000 Watts*	19,500 Watts*	21,000 Watts*
Rated voltage	240				
Rated maximum continuous load current – 240 volts (LP/NG)	83.3 / 75.0	91.7 / 81.3	83.3 / 75.0	91.7 / 81.3	100 / 87.5
Total Harmonic Distortion	Less than 5%				
Main line circuit breaker	90 amp	100 amp	90 amp	100 amp	100 amp
Phase	1				
Number of rotor poles	2				
Rated AC frequency	60 Hz				
Power factor	1.0				
Battery requirement (not included)	12 Volts, Group 26R 540 CCA minimum or Group 35AGM 650 CCA minimum				
Unit weight (lb / kg)	448 / 203	466 / 211	436 / 198	445 / 202	455 / 206
Dimensions (L x W x H) in / cm	48 x 25 x 29 / 121.9 x 63.5 x 73.7				
Sound output in dB(A) at 23 ft (7 m) with generator operating at normal load**	67	67	67	67	67
Sound output in dB(A) at 23 ft (7 m) with generator in Quiet-Test™ low-speed exercise mode**	55	57	55	57	57
Exercise duration	5 min				

### Engine

Engine type	GENERAC G-Force 1000 Series				
Number of cylinders	2				
Displacement	999 cc				
Cylinder block	Aluminum w/ cast iron sleeve				
Valve arrangement	Overhead valve				
Ignition system	Solid-state w/ magneto				
Governor system	Electronic				
Compression ratio	9.5:1				
Starter	12 VDC				
Oil capacity including filter	Approx. 1.9 qt / 1.8 L				
Operating rpm	3,600				
Fuel consumption					
Natural gas	ft <sup>3</sup> /hr (m <sup>3</sup> /hr)				
	1/2 Load	204 (5.78)	228 (6.46)	164 (4.64)	203 (5.75)
	Full Load	301 (8.52)	327 (9.26)	287 (8.13)	306 (8.66)
Liquid propane	ft <sup>3</sup> /hr (gal/hr) [L/hr]				
	1/2 Load	87 (2.37) [8.99]	92 (2.53) [9.57]	86 (2.36) [8.95]	92 (2.53) [9.57]
	Full Load	130 (3.56) [13.48]	142 (3.90) [14.77]	136 (3.74) [14.15]	142 (3.90) [14.77]

Note: Fuel pipe must be sized for full load. Required fuel pressure to generator fuel inlet at all load ranges - 3.5–7 in water column (0.87–1.74 kPa) for NG, 10–12 in water column (2.49–2.99 kPa) for LP gas. For BTU content, multiply ft<sup>3</sup>/hr x 2500 (LP) or ft<sup>3</sup>/hr x 1000 (NG). For Megajoule content, multiply m<sup>3</sup>/hr x 93.15 (LP) or m<sup>3</sup>/hr x 37.26 (NG).

### Controls

Two-line plain text multilingual LCD	Simple user interface for ease of operation.
Mode buttons: AUTO	Automatic start on utility failure. Weekly, Bi-weekly, or Monthly selectable exerciser.
MANUAL	Start with starter control, unit stays on. If utility fails, transfer to load takes place.
OFF	Stops unit. Power is removed. Control and charger still operate.
Ready to Run/Maintenance messages	Standard
Engine run hours indication	Standard
Programmable start delay between 2–1500 seconds	Standard (programmable by dealer only)
Utility Voltage Loss/Return to Utility adjustable (brownout setting)	From 140–171 V / 190–216 V
Future Set Capable Exerciser/Exercise Set Error warning	Standard
Run/Alarm/Maintenance logs	50 events each
Engine start sequence	Cyclic cranking: 16 sec on, 7 rest (90 sec maximum duration).
Starter lock-out	Starter cannot re-engage until 5 sec after engine has stopped.
Smart Battery Charger	Standard
Charger Fault/Missing AC warning	Standard
Low Battery/Battery Problem Protection and Battery Condition indication	Standard
Automatic Voltage Regulation with Over and Under Voltage Protection	Standard
Under-Frequency/Overload/Stepper Overcurrent Protection	Standard
Safety Fused/Fuse Problem Protection	Standard
Automatic Low Oil Pressure/High Oil Temperature Shutdown	Standard
Overcrank/Overspeed (@ 72 Hz)/rpm Sense Loss Shutdown	Standard
High Engine Temperature Shutdown	Standard
Internal Fault/Incorrect Wiring protection	Standard
Common external fault capability	Standard
Field upgradable firmware	Standard

\*\*Sound levels are taken from the front of the generator. Sound levels taken from other sides of the generator may be higher depending on installation parameters. Rating definitions - Standby: Applicable for supplying emergency power for the duration of the utility power outage. No overload capability is available for this rating. (All ratings in accordance with BS5514, ISO3046 and DIN6271). \* Maximum kilovolt amps and current are subject to and limited by such factors as fuel BTU/megajoule content, ambient temperature, altitude, engine power and condition, etc. Maximum power decreases approximately 3.5% for each 1,000 ft (304.8 m) above sea level, and also will decrease approximately 1% for each 10 °F (6 °C) above 60 °F (16 °C).

**Switch Options**

**20/22/24 kW**

**Service Rated Automatic Transfer Switch Features**

- Intelligently manages up to four air conditioner loads with no additional hardware.
- Up to eight additional large (240 VAC) loads can be managed when used in conjunction with Smart Management Modules (SMMs).
- Electrically operated, mechanically-held contacts for fast, clean connections.
- Rated for all classes of load, 100% equipment rated, both inductive and resistive.
- 2-pole, 250 VAC contactors.
- Service equipment rated, dual coil design.
- Rated for both aluminum and copper conductors.
- Main contacts are silver plated or silver alloy to resist welding and sticking.
- NEMA/UL 3R aluminum outdoor enclosure allows for indoor or outdoor mounting flexibility.

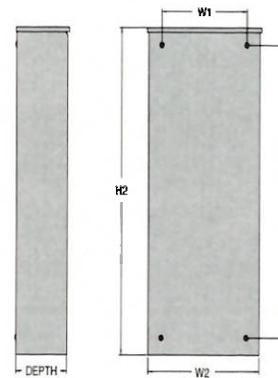
**Dimensions**

	200 Amps 120/240, 1Ø Open Transition Service Rated				
	Height		Width		Depth
	H1	H2	W1	W2	
in	26.8	30.1	10.5	13.5	6.9
cm	67.95	76.43	26.67	34.18	17.5

Wire Ranges		
Conductor Lug	Neutral Lug	Ground Lug
250 MCM - #6	350 MCM - #6	2/0 - #14

Model	G007039-1, G007039-3 (20 kW) G007043-2, G007043-3 (22 kW)
No. of poles	2
Current rating (amps)	200
Voltage rating (VAC)	120/240, 1Ø
Utility voltage monitor (fixed)*	
-Pick-up	80%
-Dropout	65%
Return to Utility*	Approx. 13 sec
Exercises bi-weekly for 5 minutes*	Standard
ETL or UL listed	Standard
Enclosure type	NEMA/UL 3R
Circuit breaker protected	22,000
Lug range	250 MCM - #6

\*Function of Evolution controller  
Exercise can be set to weekly, bi-weekly, or monthly



**PWRview Automatic Transfer Switch Features**

- Integrated PWRview monitor provides real-time energy usage data through PWRview app.
- Intelligently manages up to four air conditioner loads with no additional hardware.
- Up to eight additional large (240 VAC) loads can be managed when used in conjunction with Smart Management Modules (SMMs).
- Electrically operated, mechanically-held contacts for fast, clean connections.
- Rated for all classes of load, 100% equipment rated, both inductive and resistive.
- 2-pole, 250 VAC contactors.
- Service equipment rated, dual coil design.
- Rated for both aluminum and copper conductors.
- Main contacts are silver plated or silver alloy to resist welding and sticking.
- NEMA 3R aluminum outdoor enclosure allows for indoor or outdoor mounting flexibility.
- Heavy duty Generac Contactor is an ETL recognized device.

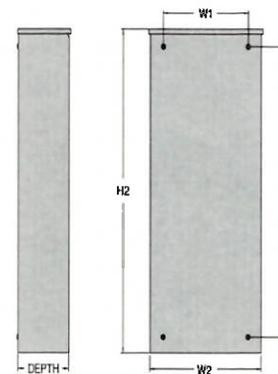
**Dimensions**

	200 Amps 120/240, 1Ø Open Transition Service Rated				
	Height		Width		Depth
	H1	H2	W1	W2	
in	26.8	30.1	10.5	13.5	6.9
cm	67.95	76.43	26.67	34.18	17.5

Wire Ranges		
Conductor Lug	Neutral Lug	Ground Lug
250 MCM - #6	350 MCM - #6	2/0 - #14

Model	G007210-0 (24 kW)
No. of poles	2
Current rating (amps)	200
Voltage rating (VAC)	120/240, 1Ø
Utility voltage monitor (fixed)*	
-Pick-up	80%
-Dropout	65%
Return to Utility*	Approx. 13 sec
Exercises bi-weekly for 5 minutes*	Standard
ETL or UL listed	Standard
Enclosure type	NEMA 3R
Circuit breaker protected	22,000
Lug range	250 MCM - #6

\*Function of Evolution controller  
Exercise can be set to weekly, bi-weekly, or monthly



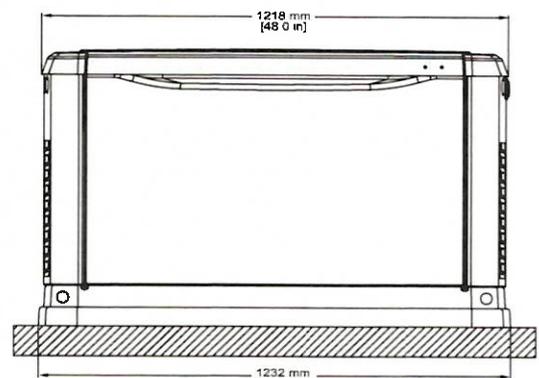
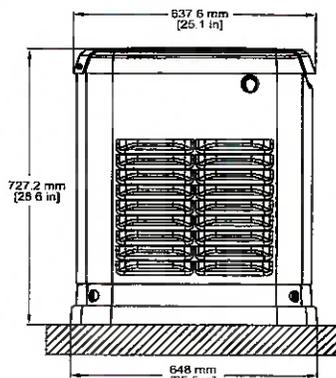
**20/22/24 kW**

**Available Accessories**

Model #	Product	Description
G005819-0	26R Wet Cell Battery	Every standby generator requires a battery to start the system. Generac offers the recommended 26R wet cell battery for use with all air-cooled standby product (excluding PowerPact®).
G007101-0	Battery Pad Warmer	Pad warmer rests under the battery. Recommended for use if temperature regularly falls below 0 °F (-18 °C). (Not necessary for use with AGM-style batteries).
G007102-0	Oil Warmer	Oil warmer slips directly over the oil filter. Recommended for use if temperature regularly falls below 0 °F (-18 °C).
G007103-1	Breather Warmer	Breather warmer is for use in extreme cold weather applications. For use with Evolution controllers only in climates where heavy icing occurs.
G005621-0	Auxiliary Transfer Switch Contact Kit	The auxiliary transfer switch contact kit allows the transfer switch to lock out a single large electrical load that may not be needed. Not compatible with 50 amp pre-wired switches.
G007027-0 - Bisque	Fascia Base Wrap Kit (Standard on 22 kW)	The fascia base wrap snaps together around the bottom of the new air-cooled generators. This offers a sleek, contoured appearance as well as offering protection from rodents and insects by covering the lifting holes located in the base.
G005703-0 - Bisque	Touch-Up Paint Kit	If the generator enclosure is scratched or damaged, it is important to touch up the paint to protect from future corrosion. The touch-up paint kit includes the necessary paint to correctly maintain or touch up a generator enclosure.
G006485-0	Scheduled Maintenance Kit	Generac's scheduled maintenance kit provides all the items necessary to perform complete routine maintenance on a Generac automatic standby generator (oil not included).
G007005-0	Wi-Fi LP Tank Fuel Level Monitor	The Wi-Fi enabled LP tank fuel level monitor provides constant monitoring of the connected LP fuel tank. Monitoring the LP tank's fuel level is an important step in verifying the generator is ready to run during an unexpected power failure. Status alerts are available through a free application to notify users when the LP tank is in need of a refill.
G007000-0 (50 amp) G007006-0 (100 amp)	Smart Management Module	Smart Management Modules (SMM) are used to optimize the performance of a standby generator. It manages large electrical loads upon startup and sheds them to aid in recovery when overloaded. In many cases, using SMM's can reduce the overall size and cost of the system.
G007169-0 - 4G LTE G007170-0 - Wi-Fi/ Ethernet	Mobile Link® Cellular Accessories	The Mobile Link family of Cellular Accessories allow users to monitor generator status from anywhere in the world, using a smart phone, tablet, or PC. Easily access information such as the current operating status and maintenance alerts. Users can connect an account with an authorized service dealer for fast, friendly, and proactive service. With Mobile Link, users are taken care of before the next power outage.
G007220-0 - Bisque	Base Plug Kit	Base plugs snap into the lifting holes on the base of air-cooled home standby generators. This offers a sleek, contoured appearance, as well as offers protection from rodents and insects by covering the lifting holes located in the base. Kit contains four plugs, sufficient for use on a single air-cooled home standby generator.

**Dimensions & UPCs**

Model	UPC
G007038-1	696471074185
G007038-3	696471074185
G007039-1	696471074192
G007039-3	696471074192
G007042-2	696471074208
G007042-3	696471074208
G007043-2	696471074215
G007043-3	696471074215
G007209-0	696471071511
G007210-0	696471078220



Dimensions shown are approximate. See installation manual for exact dimensions. DO NOT USE THESE DIMENSIONS FOR INSTALLATION PURPOSES.

# 19002 Lomond Boulevard

For a variance to the location requirements for an emergency generator.













EASTSIDE

Applicant's Name: HILLARY HENRY - LANDSCAPING Application No: 2079

Property Address: 19002 LOMOND BLVD. Parcel No: 736-22-093

City: SHAKER HTS State: OH Zip: 44122

Applicant's Address: PO BOX 21801 Phone No: 216-347-9787

City: SOUTH EUCLID State: OH Zip: 44122 (mobile)

Property Owner (if other than applicant): WILLIAM & ANGBELA HARWOOD

Property Owner's Address (if different): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Zoning District: \_\_\_\_\_ Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

E-Mail Address: hillary@eastside-landscaping.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

- |  |   |
|--|---|
| <p><u>BZA</u></p> <p>1. VARIANCE (requires public hearing)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Sign regulations</li> <li><input type="checkbox"/> Height Regulations</li> <li><input type="checkbox"/> Area and Yard Regulations</li> </ul> <p>2. OTHER APPROVALS</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Appeal</li> <li><input type="checkbox"/> Other: _____</li> </ul> | <p><u>CPC</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Conditional Use Permit (requires public hearing)</li> <li><input type="checkbox"/> Planned Unit Development</li> <li><input type="checkbox"/> Site Plan Review</li> <li><input type="checkbox"/> Resubdivision of Land</li> <li><input type="checkbox"/> Amendment to Zoning Map or Ordinance</li> <li><input type="checkbox"/> Improvements to Public Land</li> <li><input type="checkbox"/> Other: _____</li> </ul> |
|--|---|

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

Our client desires the installation of two 4'H x 4'W 'Elite' aluminum gates as garden features. Gates match their fence located on south edge of property.

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

SIGNATURE: Hillary Henry

DATE: 8-14-2020



## NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Hillary Henry, East Side Landscaping, on behalf of William and Angela Harwood, 19002 Lomond Boulevard, to the Board of Zoning Appeals for a variance to the fence location and height requirements for a corner lot. The applicant proposes to install two 4-foot tall ornamental aluminum gates on this corner lot at Lomond Boulevard and Townley Road. The gates stretch across access points in the existing landscaping and hedges in the Townley Road side and rear yard. One gate is proposed to be located 6 feet and the other 20 feet 2 inches behind the Townley 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 Townley Road is set back 41 feet. Code allows a fence height in a front or corner side yard of 3-feet tall. Existing bushes including an arborvitae hedge screens the Townley Road yard.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, September 1, 2020 at 7:00 p.m.** via video and audio conference. 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.

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Dan Feinstein  
Secretary  
Board of Zoning Appeals

*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.*

**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=OUU3V016QnNpeVFYR1k0aHQxc0pMQT09>, 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](mailto: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.

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

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**ADDRESS:**

**19002 Lomond Boulevard**  
Harwood Residence  
Case#: 2079

**HEARING DATE:**

September 1, 2020

**SUMMARY:**

**Variance to the corner lot fence location and height regulations to install two 4-foot tall, freestanding, decorative aluminum ornamental gates, 6 feet and 20 feet 2 inches from the Townley Road sidewalk. Code permits a 3-foot tall fence and requires a 41-foot setback in this instance.**

**STAFF POSITION:**

- Staff suggests approval based on the following:
  - The gate locations coincide with the flanking landscape beds as natural openings in the yard.
  - The existing landscaping will remain, which establishes the view of the yard on the street.
  - There is an existing 4-foot tall ornamental aluminum fence in the Townley Road yard that was approved by a 2013 variance.
  - The existing precedent has allowed similar gates when flanked by hedges.
  - Existing bushes, including an arborvitae hedge, screen the Townley Road yard.
  - Code compliant locations for the gates would not allow the gates in the Townley Road yard.
  - The essential character of the neighborhood is maintained since the gates are decorative in nature and do not negatively affect the view of the yard.

**ACTION:**

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

**FACTS:**

1. The applicant proposes two 4-foot tall aluminum ornamental gate sections in the Townley Road yard of this corner lot at Lomond Boulevard.
2. The gates stretch across access points in the existing landscaping. One gate is 6 feet and the other 20 feet 2 inches from the sidewalk.
3. Code requires a corner lot fence to be set back 41 feet from Townley Road, which equals the setback of the adjacent house.
4. Code allows front yard fences to be 3 feet tall.
5. Existing bushes including an arborvitae hedge screen the Townley Road yard.

**CODE SECTIONS:**

1. 1262.05 E 2 – Corner lot fences shall not extend in front of the setback line of the adjacent houses. (41 feet in this case)
2. 1202.05 C 12 – A fence visible from the street shall be visually softened with landscaping proportioned to the amount of solid fencing. (8 inches tall in this case)
3. 1262.05 D – Front yard fences are limited to 3 feet in height.

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

**Continued:**

**ADDRESS:**

**19002 Lomond Boulevard**  
Harwood Residence  
Case#: 2079

**HEARING DATE:**

September 1, 2020

**OTHER ISSUES:**

1. The Board of Zoning Appeals approved a zoning variance for a 4-foot tall corner lot aluminum ornamental fence.
2. The gate locations coincide with the flanking landscape beds as natural openings in the yard.
3. The gates do not enclose the yard and match the style of the existing fence.
4. The existing landscaping will remain, which establishes the view of the yard on the street.

**PRECEDENT:**

1. Cheng Residence – A 3-foot tall gate at the front walk bordered by a hedge.
2. Geddes Residence – A 3 foot tall gate and fence section across a front walkway between brick piers, set back 11 inches from the sidewalk.
3. Mussara Residence – 4 foot tall ornamental aluminum front yard fence and gate facing Shaker Boulevard, attached to brick piers.
4. Bozarth Residence – A 3 ½-foot tall picket gate across the driveway, 8 feet behind the Norwood Road sidewalk at Chagrin Boulevard.
5. Resnick Residence – An 8-foot tall gate across the driveway located at the front of the house.
6. Pollock Residence – An 8 foot 6 inch tall gate across the driveway located at the front of the house, attached to brick piers.
7. Carrier Residence – 4-foot tall aluminum ornamental fence at the corner of Lomond and Winchell, 3 feet behind the sidewalk.
8. Hejak/Leighton Residence – Scottsdale and Winchell 3.5 foot tall picket corner lot fence.
9. Aklog Residence – Lomond and Strathavon 4 foot tall corner lot picket fence.



Board of Zoning Appeals  
City of Shaker Heights  
3400 Lee Road  
Shaker Heights, OH 44120

August 14, 2020

Good Afternoon,

Enclosed is an application for a variance and accompanying documentation for our clients, William and Angela Harwood of 19002 Lomond Boulevard.

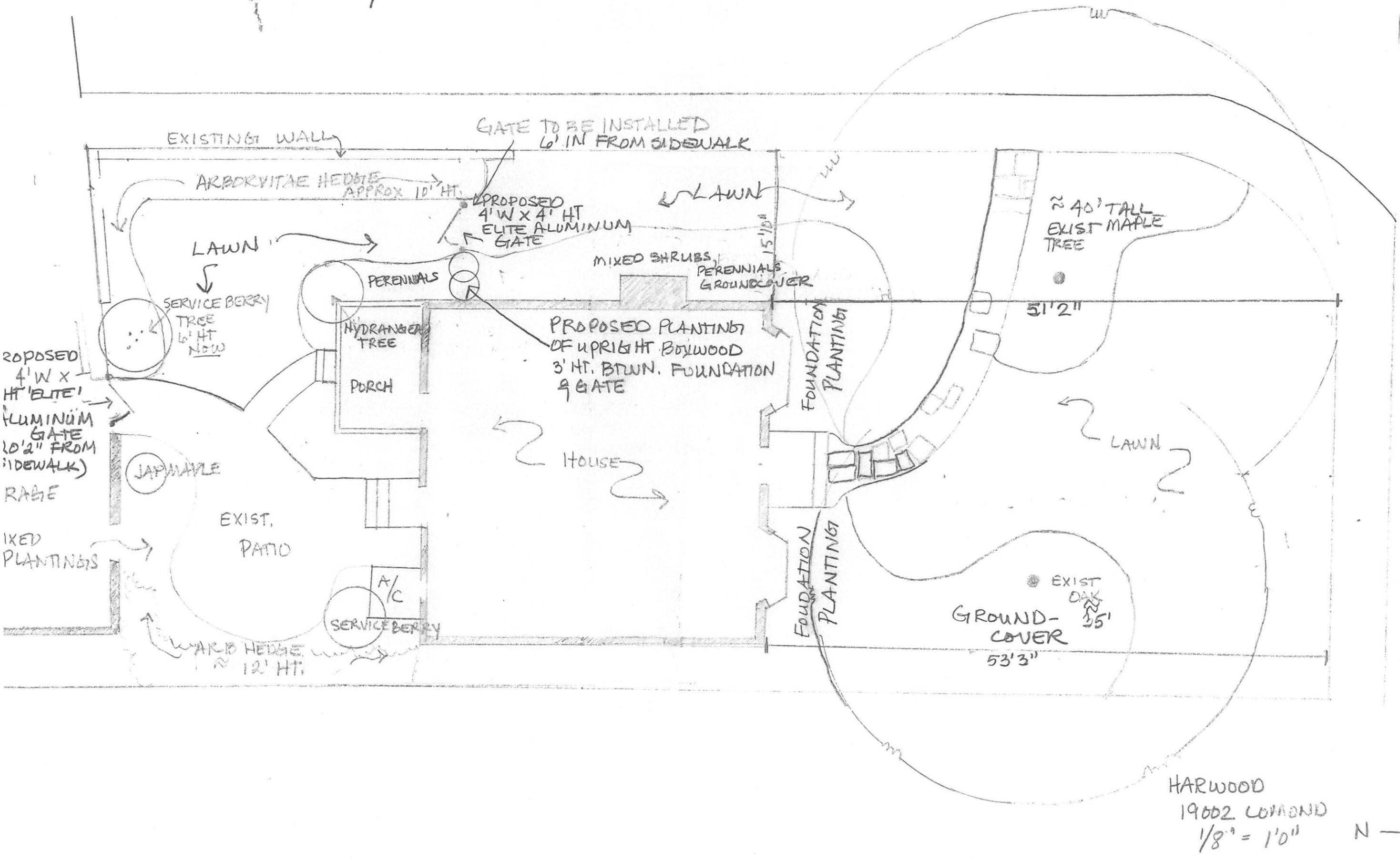
We are seeking approval for the installation of two 4' height, 4' width black 'Elite' aluminum gates that will act as garden features on the client's property. One gate would be located between the left front corner of the garage (as viewed from the driveway) and the landscaped buffer between backyard lawn and driveway. The second gate would be located on the west side of the house between an Arborvitae hedge and the foundation of the residence per drawings.

The gate style will match the existing 'Elite' aluminum fence that is on the south property line of the property.

Thank you for your consideration.

Sincerely,  
Hillary Henry  
Landscape Designer, Eastside Landscaping

OWNERS

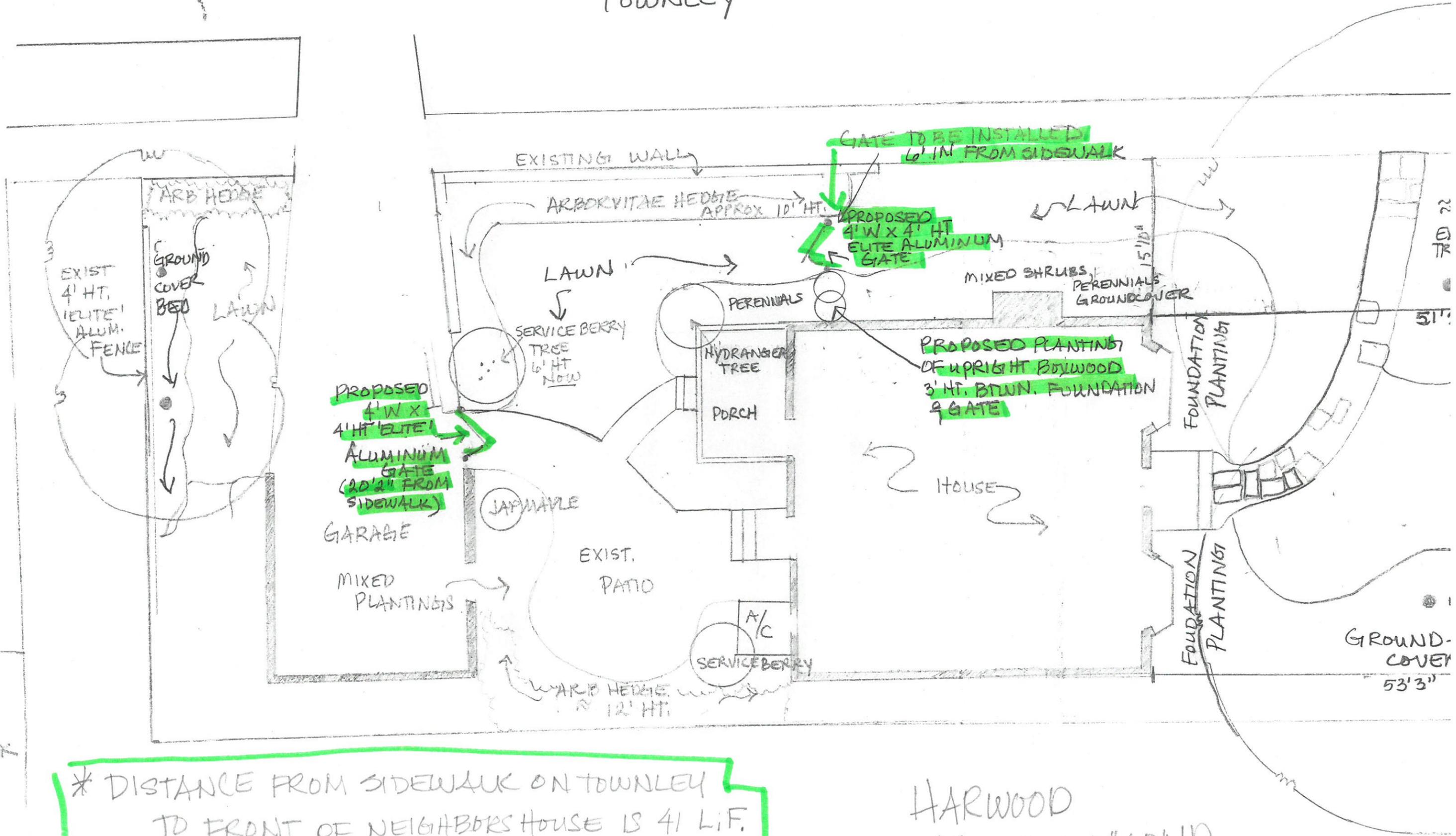


LOMOND

HARWOOD  
 19002 LOMOND  
 1/8" = 1'0"



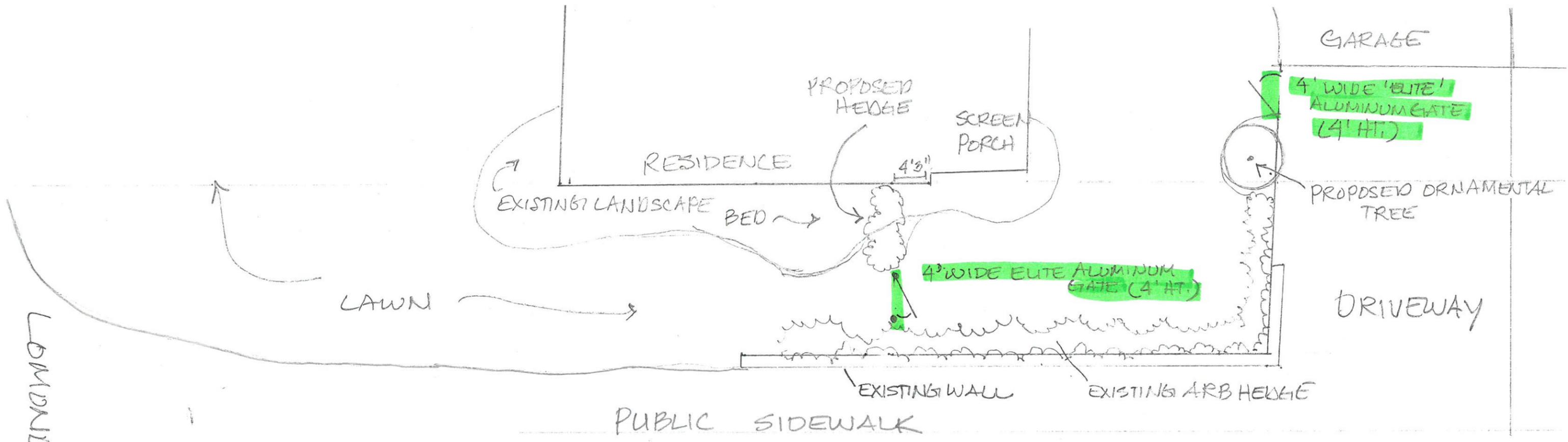
# TOWNLEY



\* DISTANCE FROM SIDEWALK ON TOWNLEY TO FRONT OF NEIGHBORS HOUSE IS 41 LF.

HARWOOD  
19002 LOMOND

1/8" = 1'0" N →



LOMOND BLVD.

TOWNLEY ROAD

$1/8" = 1'0"$

1900Z LOMOND BLVD.

← N

## November 2013 Minutes

### **#1848. HARWOOD RESIDENCE – 19002 LOMOND BOULEVARD:**

A Public Hearing was held on the request of Angela Harwood, 19002 Lomond Boulevard, to the Board of Zoning Appeals for a variance to the fence location regulations on a corner lot. The applicant proposes to install a 4 foot tall black aluminum ornamental fence on this corner lot at Lomond Boulevard and Townley Road. The fence is proposed to be located along the rear or southern property line extending to 4 feet off the Townley Road sidewalk. Code requires that fences located in corner side yards not extend in front of the setback line of the primary building on the adjacent lot. The adjacent house on Townley Road is set back 40 feet. Existing landscaping will remain along the rear property line.

Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the fence regulations for a corner lot fence at Lomond and Townley. The applicant proposes a 4 foot tall black ornamental aluminum fence along the rear or south property line, extending up to 4 feet from the Townley Road sidewalk. Code requires a 40 foot setback to the front of the neighbor's house and only allows such a fence to be 3 feet tall. The fence begins at the end of the neighbor's wood fence and extends toward Townley Road. The existing chain link fence will be removed. Some of the existing landscaping will remain.

Angela Harwood, owner, stated that the reason for their application is stated in their letter. She asked if Mr. Feinstein would read this letter.

Mr. Feinstein read the applicant's letter into the record.

Mayor Leiken opened the Public Hearing. No one was present to speak in regard to this application.

Ms. Harwood said she did not understand the proposed condition about keeping the landscaping.

Mr. Feinstein explained there is some existing landscaping along the side property line that softens the fence. It is meant to grow onto and through the existing fence to soften the look of it from the street. He understands that the trees will be trimmed, but is not sure how much more of the landscaping is being removed and how much will remain.

Ms. Harwood said there are hosta plants along that property line that will be kept, as well as some climbing plants that are currently seen on the existing fence. She is not sure about the rest of the landscaping as some of it may need to be removed for construction of the fence. They will appropriately landscape the area when the fence is installed.

It was moved by Mr. Boyle and seconded by Mr. Weiss to approve the request based on the facts and conclusions of law as set forth in the Action Sheet with the condition that some of the existing landscaping is maintained or replaced along the southern property line, to soften the view of the fence.

Roll Call:                   Ayes:    Leiken, Zimmerman, Boyle, Madison, Weiss  
                                  Nays:    None

Motion Carried





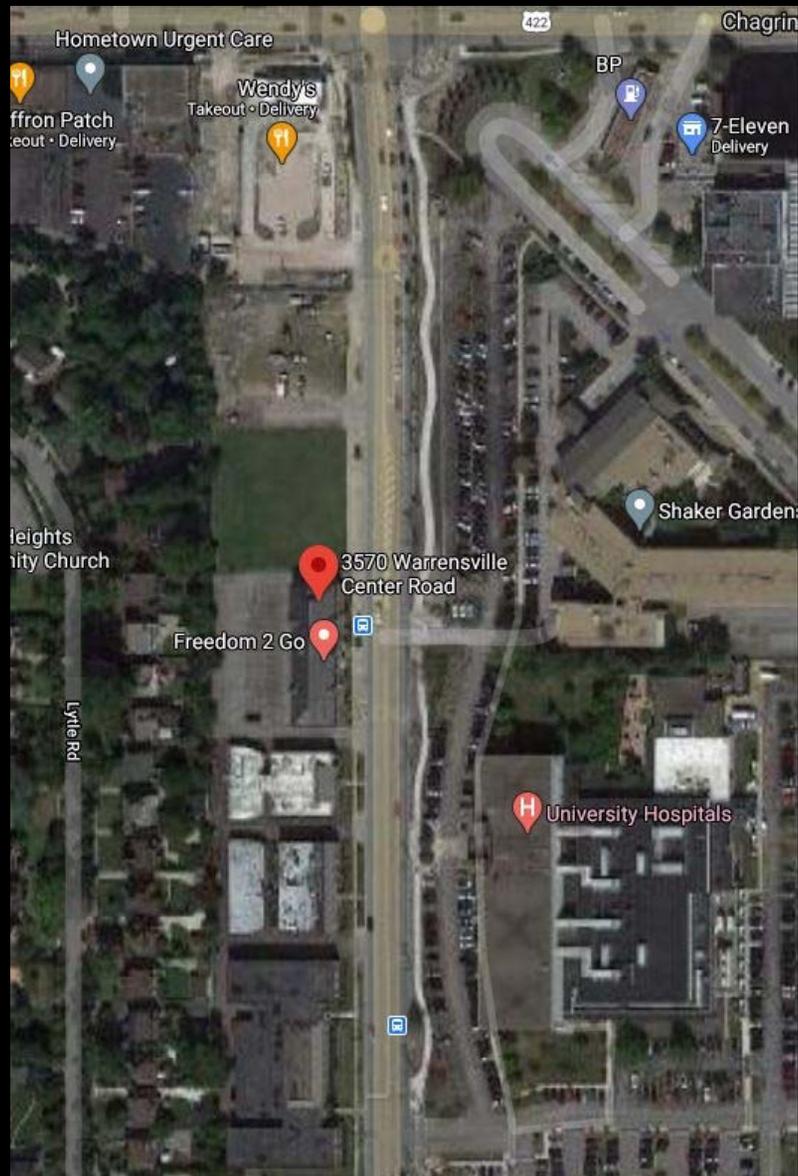






# 3570 Warrensville Center Road

Continuation of a variance to the location requirements for air conditioning condenser units.













Applicant's Name: 3570 warrensville, LLC / Dmitry Belkin Application No: 2077  
 Property Address: 3570 Warrensville Center Road Parcel No: 736-29-048  
 City: Shaker Heights State: OH Zip: 44122  
 Applicant's Address: 4400 Renaissance pkwy Phone No: \_\_\_\_\_  
 City: Warrensville Heights State: OH Zip: 44128  
 Property Owner (if other than applicant) N/A  
 Property Owner's Address (if different) N/A  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Zoning District: \_\_\_\_\_ Present Use: Commercial  
 Proposed Use: See enclosed documentation and letter of explanation also submitted as part of this application  
 E-Mail Address: Legal@digitalforensics.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. manuals
- Other Descriptions or Materials as Appropriate specs
- 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 enclosed letter of explanation accompanying this application.

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

SIGNATURE: \_\_\_\_\_

DATE: 8/11/2020



## NOTICE OF PUBLIC HEARING

Notice is hereby given of continuation of an application is being made by Dmitry Belkin, 3570 Warrensville LLC, 3570 Warrensville Center Road, to the Board of Zoning Appeals for a variance to the location requirements for air conditioning condenser units. The request was continued from the September 2018 meeting for more information. The applicant proposes to locate eight air conditioning condenser units in the rear yard, behind this commercial building. The code requires that motorized equipment in a commercial zoning district be located either inside the building or on the roof. The units are proposed to be located directly behind the building and each unit is 3 feet 10.5 inches tall. The applicant proposes maiden grass plantings in concrete planters along either side of the units and to screen the units with a 6-foot tall white vinyl fence.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, September 1, 2020 at 7:00 p.m.** via video and audio conference. 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.

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Dan Feinstein  
Secretary  
Board of Zoning Appeals

**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](mailto: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.

*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.*

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

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**ADDRESS:**

**3570 Warrensville Center Road**  
3570 Warrensville, LLC  
Case#: 2077

**HEARING DATE:**

September 1, 2020

**SUMMARY:**

**Continuation of a request for a variance to the location requirements for air conditioning condenser equipment in order to locate the units on the ground at the rear of the building when code allows units on the roof or inside the building.**

**STAFF POSITION:**

- Staff suggests denial of the request based on the following:
  - There is no indication of the amount of noise generated by the combined eight units.
  - The white vinyl fence and concrete planters are not an aesthetically appropriate screening for this commercial property.
  - An air conditioning system can be designed to meet code and be located inside the building.
  - There is no precedent for outdoor air conditioning condenser units at commercial buildings.
  - There is no demonstration of hardship for an interior HVAC system vented to the exterior or into the attic.
  - The applicant created the hardship since they decided to remove the existing HVAC system and install a system that has units on the ground outside without Building permits.

**ACTION:**

- Variance to the location for air conditioning condenser units to be ground mounted instead of a code conforming location inside the building or on the roof.

**FACTS:**

1. The request was continued at the September 6, 2018 meeting with the following comments:
  - a. Cut sheets and specifications for all the condenser units, including noise rating.
  - b. Site Plan, including, but not limited to:
    - i. Fence location noted on a site plan and expanded site plan, to scale, detailing the parking lot layout and drive aisle width, and
    - ii. Verification of sufficient room around the units to install the fence without encroaching on the parking lot drive aisle.
  - c. Sufficient resolution of the City's enforcement action.
  - d. Completed Building Code review and approval of professionally prepared plans, including plans examiner approval.
2. The applicant has submitted information to address these issues.
3. The condenser units are proposed on the ground at the rear of the building. Single family homes on Lytle Road are located behind this building.
4. Code requires the units to be located inside the building or on the roof in the CM Commercial Mixed Use zoning district.
5. The applicant proposes to screen the eight units with new 6 foot tall fencing. The white vinyl fence specifications are in the packet.
6. The curb area behind the building is being extended to hold the units while allowing a code-conforming distance between the rear wall and the fence.

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

**Continued:**

**ADDRESS:**

**3570 Warrensville Center Road**  
3570 Warrensville, LLC  
Case#: 2077

**HEARING DATE:**

September 1, 2020

**CODE SECTIONS:**

1. 1262.08 A – In MF, A, CM and O zoning districts, mechanical equipment shall be located either indoors or on the roof of the principle building, and shall be designed as an integral part of the principle building, or concealed with similar architectural treatment and materials as the exterior of the building.

**OTHER ISSUES:**

1. The individual furnaces are proposed inside the mechanical room, while the condensing units are behind the building at the rear parking lot level.
2. The existing equipment was all installed without permits. It will be replaced with new units. Other renovations within the building have also been completed without permits.
3. Each unit is 41 inches tall and has a noise decibel rating of 76db.
4. The old HVAC system, which was located in the basement and a below-grade well was decommissioned and replaced with several individual systems servicing different portions of the building.
5. The Building Department issued an order to vacate the property and a notice of violations due to the prior work done without a permit.
6. The Building Department has since reviewed and approved the revised renovation and HVAC plans.
7. There is no precedent for at-grade outdoor air conditioning condensing units at a commercial building.
8. The applicant has not submitted any information quantifying the amount of sound generated by eight units in decibels, measured at the units or at the rear property line.
9. The concrete planters and white vinyl fence are not aesthetically appropriate for this commercial property in the CM Commercial Mixed Use zoning district.
10. If the parking lot aisles are changed to one-way circulation, the aisle widths can be reduced up to 4 feet each. This would allow more room behind the building for at least a 6 foot wide continuous curbed area with evergreen landscaping instead of planters and the fence.

**PRECEDENT:**

**Air Conditioning Condensers**

1. South Park Manor – 13800 Fairhill – re-located outdoor condenser created a noise disturbance – moved back inside to mechanical room, per city regulations, after legal action.

**Generators**

2. Oxford House Apartments – 15515 Van Aken Boulevard – a generator was approved on the ground in the rear yard.
3. 16100 Van Aken Boulevard – generator approved in the side yard of this apartment building.
4. Tower East – 20600 Chagrin Boulevard – generator and ornamental fence approved near the Northfield Road loading dock.
5. Office Max/UH – 3605 Warrensville Center Road – generator behind the building inside a fence.

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

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**Continued:**

**ADDRESS:**

**3570 Warrensville Center Road**  
3570 Warrensville, LLC  
Case#: 2077

**HEARING DATE:**

September 1, 2020

**PRECEDENT:**

6. Somerset Point – 3550 Northfield Road – generator screened by a building and vegetation.
7. Oliver House Apartments – 3715 Warrensville Center Road – a small generator located in the side yard with a 4 foot tall fence.

## SEPTEMBER 2018 MINUTES

### #1993. BELKIN PROPERTY – 3570 WARRENSVILLE CENTER ROAD:

A Public Hearing was held on the request of Dmitry Belkin, property owner, 3570 Warrensville Center Road, to the Board of Zoning Appeals for a variance to the location requirements for air conditioning condenser units. The applicant proposes to locate 7 air conditioning condenser units in the rear yard, behind this commercial building. The code requires that motorized equipment in a commercial zoning district be located either inside the building or on the roof. The units are proposed to be located directly behind the building and each unit is no more than 3 feet tall. The applicant proposes to screen the units with a 6 foot tall fence.

Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the location requirements for air conditioning condenser units at this commercial building. The applicant proposes to locate air conditioning condensing units on the ground behind the building. Code allows air conditioning condensers on the roof or inside the building on a commercial property. Several of the units have already been installed. The applicant proposes a 6 foot tall vinyl fence to screen the units. The old HVAC system was in the basement, but has been replaced. Staff suggests continuance in order for the applicant to submit the following:

1. Cut sheets and specifications for all the condenser units, including noise rating.
2. Site Plan, including, but not limited to:
  - a. Fence location noted on a site plan and expanded site plan, to scale, detailing the parking lot layout and drive aisle width, and
  - b. Verification of sufficient room around the units to install the fence without encroaching on the parking lot drive aisle.
3. Sufficient resolution of the City's enforcement action.
4. Completed Building Code review and approval of professionally prepared plans, including plans examiner approval.

Mr. Belkin represented that he is responsible for the work done at the property without permits. He has been working with his architect and engineer, and has submitted plans for the renovations done to the building without a permit. He cannot continue to have the building remain vacant. He cannot go further with the Building Department until he receives zoning approval. He would like to get final approval for the location of the units and be able to go forward with the project to open the building for his tenants.

Mr. Feinstein explained the Building code review is not yet complete. The final location of the air conditioning condenser units is unknown.

Ms. Braverman asked why the HVAC units were not installed inside the building where the original equipment was located.

Mr. Belkin explained the original equipment was an old chiller system that was failing. It was from the original building construction. The circulation was not good. It had broken down.

He had his contractor replace it and they used a different type of system for the building. The original system would have had to be replaced which is expensive. It was not going to work as well as the new system that was designed. This is an air control system

with modern technology. His contractor designed it for the building.

Mr. Zimmerman said it seems that the review by the City is not yet complete. The plans are not yet complete. Discussion about the final standing of the plans and work that has gone on without permits needs to be completed before this Board should be reviewing this project.

Mr. Gruber suggested the Board could continue the case.

Mr. Belkin asked if there was any indication from the Board if he could go forward with this system in the future when it is finally approved by the Building Department.

Mr. Gruber said a continuation would be an appropriate action for this Board so that the City can further review the Building Code issues regarding this proposal.

The case was continued for the applicant to provide the following:

1. Cut sheets and specifications for all the condenser units, including noise rating.
2. Site Plan, including, but not limited to:
  - a. Fence location noted on a site plan and expanded site plan, to scale, detailing the parking lot layout and drive aisle width, and
  - b. Verification of sufficient room around the units to install the fence without encroaching on the parking lot drive aisle.
3. Sufficient resolution of the City's enforcement action.
4. Completed Building Code review and approval of professionally prepared plans, including plans examiner approval.



22082 LORAIN ROAD  
PHONE: 216 - 403 - 9654

FAIRVIEW PARK, OHIO 44126  
FAX: 440 - 716 - 8837

August 03, 2020

City of Shaker Heights  
Attn: Daniel Feinstein,  
Senior Planner, Zoning Administrator  
3400 Lee Road  
Shaker Heights, OH 44122

Re: Board of Zoning Approval:  
3570 Warrensville Road Interior Alterations  
3570 Warrensville Road  
Shaker Heights, Ohio 44122

Mr. Feinstein:

In reference to your letter to Mr. Jeromy Simonovic dated July 16 requesting additional information for the Board of Zoning Appeals.

Mr. Simonovic,

Thanks for the revised plans. I understand that your architect has received Building Code plan approval. In order to get back on the Board of Zoning Appeals meeting agenda I still need the following:

1. Letter of request and explanation of how the original conditions of continuance have been met and how the proposal has changed plus explanation of the requested variances. This should include a detail of how the standards for a variance are met per code Section 1213.04 E.
2. The aisle width of the first drive aisle of the parking lot is less than the code required 22 ft. for a two way aisle. You will need to apply for a variance for that condition and explain in the letter.
3. Only one a/c condenser spec is provided. Are the existing units all being replaced with this one? Currently there are several different units on site.
4. Is the vinyl fence to be white? No color is noted.

All submissions must be digital as city hall is closed and review meetings are via Zoom. The zoning ordinances are available at [www.shakeronline.com](http://www.shakeronline.com) Let me know if you have questions.

Thanks

Dan

1. **Response:** See response below for the Standards of Variance response.
2. **Response:** Proposed aisle width is greater than 22' on revised drawing a variance will not be required.
3. **Response:** The condenser spec provided is applicable to all condenser units.
4. **Response:** Proposed color for the fence is white.

E. Standards for Variances. The regulations of this Zoning Ordinance shall not be varied unless findings based on the evidence are made in each specific case based on the following criteria:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship or practical difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.

**Response:** Variance is being requested to allow for the placement of HVAC condenser units along the west side of the building. The pitched roof of the existing building prohibits the equipment being placed there. The location along the west side of the building is also a much safer location for the condensers to be serviced.

2. The conditions upon which an application for a variance is based are unique to the property for which the variance is sought, and are not applicable, generally, to other properties within the same zoning classification.

**Response:** Typical commercial structures have flat roofs where a condenser can be placed. However, 3570 Warrensville has a pitched roof.

3. The purpose of the variance is not based upon a financial hardship alone.

**Response:** It is based on physical limitations of the roof.

4. The alleged practical difficulty or undue hardship is caused by this Zoning Ordinance and has not been created by any person having an interest in the property.

**Response:** Commercial HVAC condensers as a standard are required to be placed at the exterior of buildings. Existing building was not being air conditioned, therefore the equipment was not required to be placed on the exterior.

5. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

**Response:** HVAC condensing unit proposed locations will not be detrimental. They are placed strategically to minimize sound and visual disturbance to nearby properties.

6. The granting of the variance will not alter the essential character of the neighborhood.

**Response:** The placement of the condensers on the west side of the existing building will not alter the existing character of the neighborhood as the units are being screened for aesthetics.

If you have any questions and/or concerns, please contact me at 216-403-9654.

Sincerely,



Leon S. Sampat, Architect

**LS ARCHITECTS**

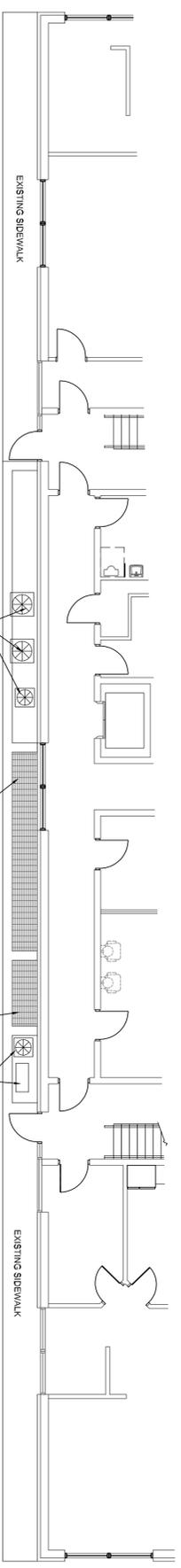
22082 Lorain Road

Fairview Park, Ohio 44126

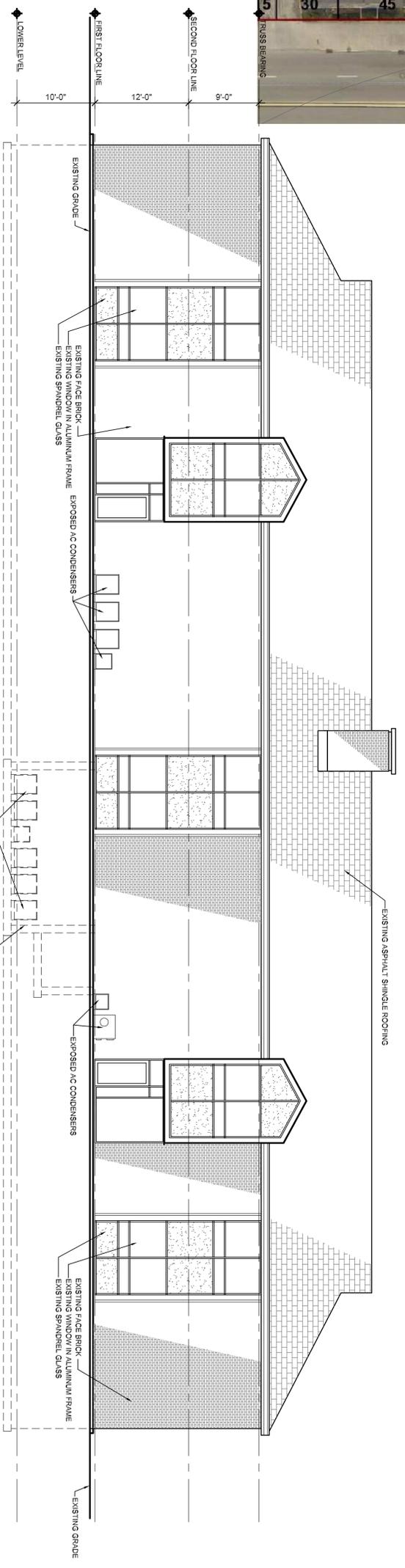




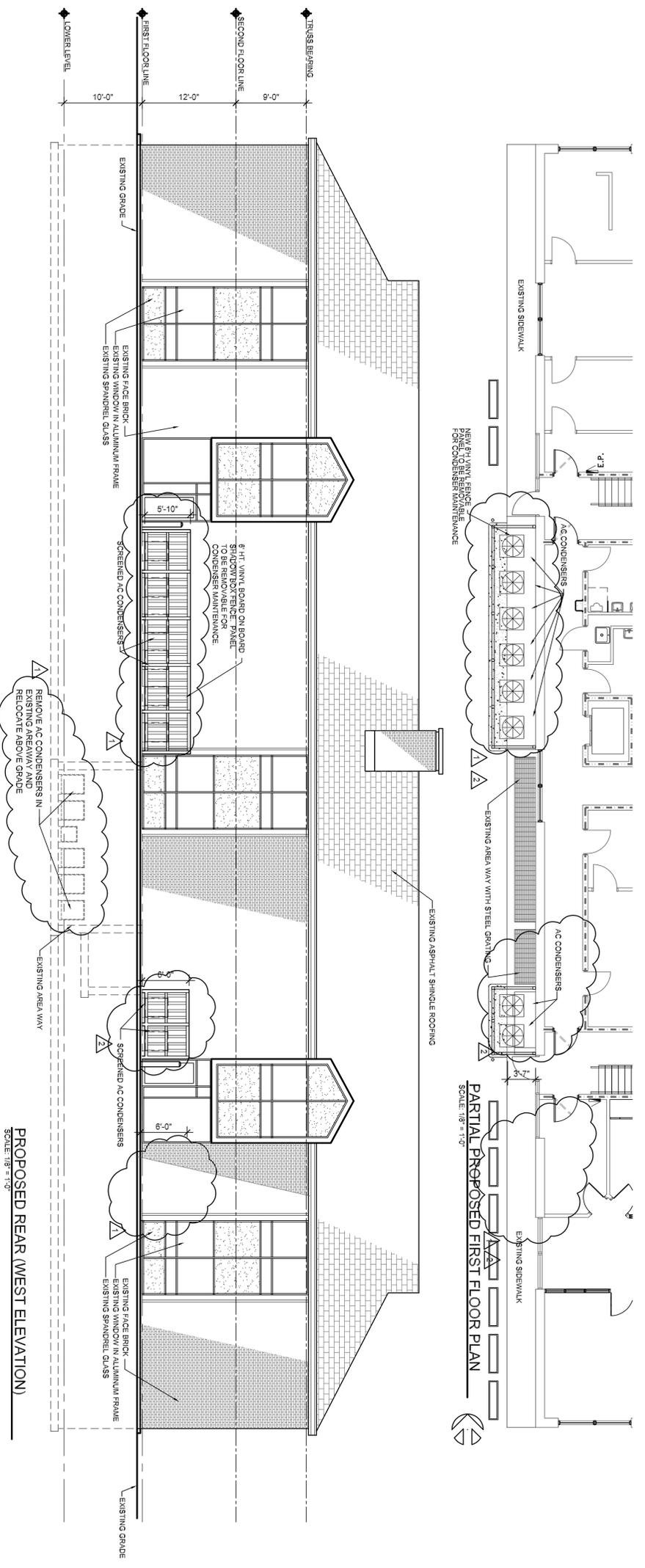
SITE PLAN  
SCALE: 1" = 30'-0"



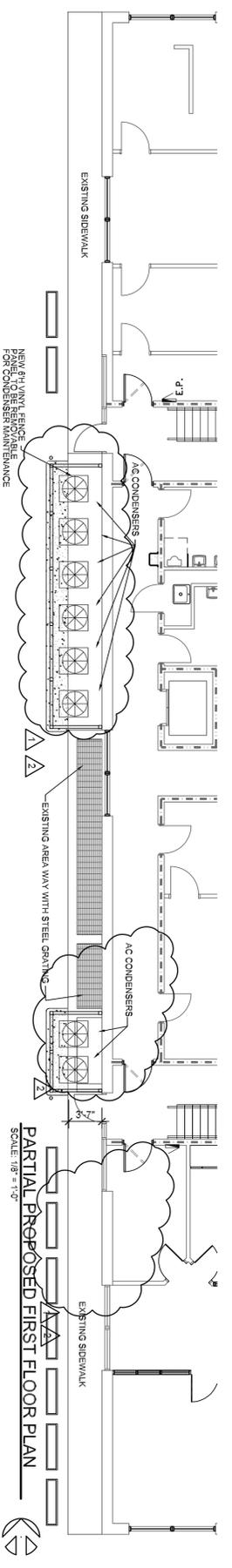
PARTIAL EXISTING FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"



EXISTING REAR (WEST ELEVATION)  
SCALE: 1/8" = 1'-0"



PROPOSED REAR (WEST ELEVATION)  
SCALE: 1/8" = 1'-0"



PARTIAL PROPOSED FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"

REV.	DATE
08.15.2019	
11.05.2019	
12.04.2019	

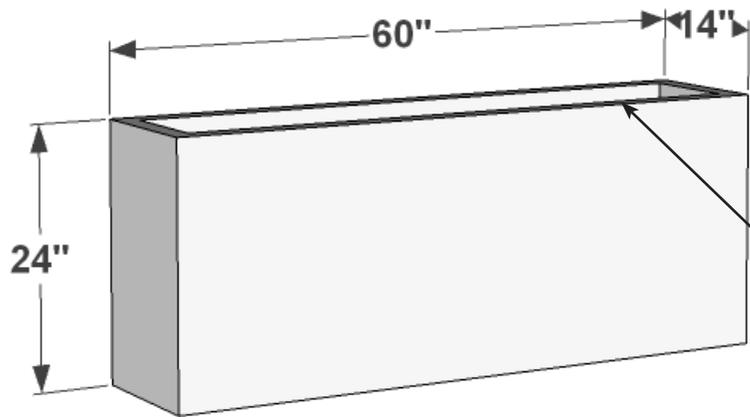
**LS ARCHITECTS**  
22082 LORAN ROAD  
FAIRVIEW PARK, OHIO 44126  
PHONE 26-403-9654 FAX: 440-716-8837



INTERIOR ALTERATIONS FOR:  
3570 WARRENSVILLE ROAD  
SHAKER HEIGHTS, OH

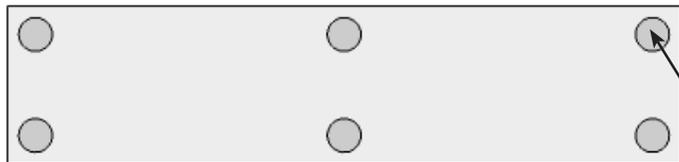
JOB NO: 18-194  
DATE: 10/10/2018  
ISSUE:  
SHEET:  
**A2.1**





**2"W x 3"D Thickened top trim**

PERSPECTIVE VIEW



**(6) Pads, 3" dia. x 1/4" thk.  
Offset 1" from edges**

BOTTOM VIEW

**General Note: If no drain holes are requested it is assumed proper drainage will be added in the field**

Date:  
Scale: NTS  
DB: RMA  
CB:  
Rep:  
Order#:

Content: Modern Rectangular Cast Stone GFRC  
PN: C19-MOD-REC601424  
Color/Finish:  
Customer Approval: \_\_\_\_\_

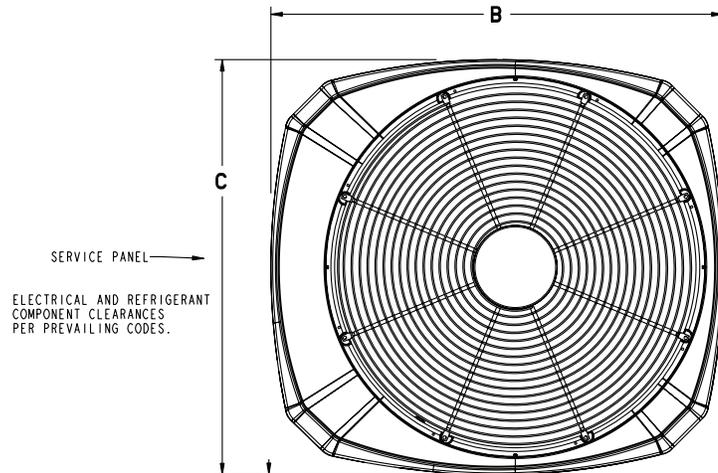
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T:888-320-0626 F:760-598-9888

TAG: \_\_\_\_\_

# Specifications

NOTE: All dimensions are in mm/inches.



TOP DISCHARGE AREA SHOULD BE UNRESTRICTED FOR AT LEAST 1524 (5 FEET) ABOVE UNIT. UNIT SHOULD BE PLACED SO ROOF RUN-OFF WATER DOES NOT POUR DIRECTLY ON UNIT, AND SHOULD BE AT LEAST 305 (12") FROM WALL AND ALL SURROUNDING SHRUBBERY ON TWO SIDES. OTHER TWO SIDES UNRESTRICTED.

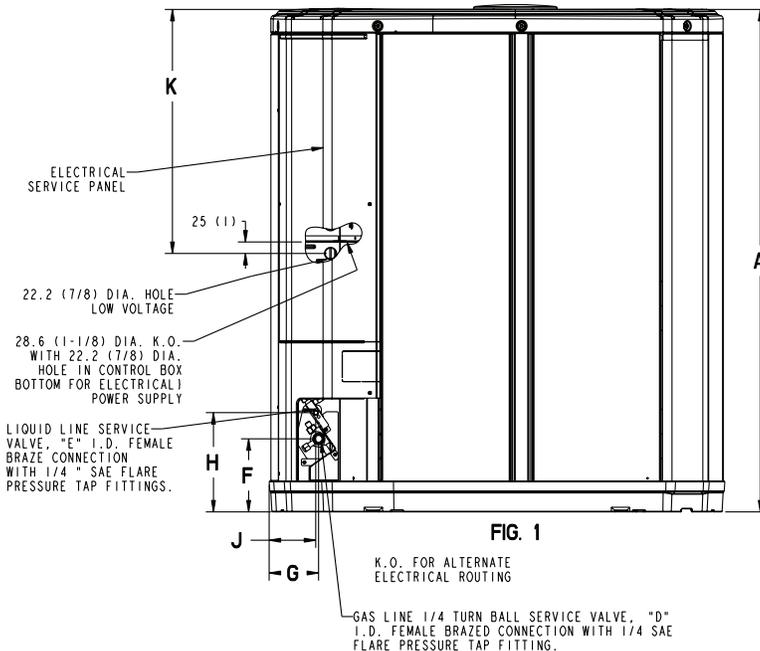


FIG. 1

K.O. FOR ALTERNATE ELECTRICAL ROUTING

GAS LINE 1/4 TURN BALL SERVICE VALVE, "D" I.D. FEMALE BRAZED CONNECTION WITH 1/4 SAE FLARE PRESSURE TAP FITTING.

## 5 Ton Split System Cooling — 1 Phase

### 4A7A3060A

#### Product Specifications

OUTDOOR UNIT ①②	4A7A3060A1000B
POWER CONNS. — V/PH/HZ ③	208/230/1/60
MIN. BRCH. CIR. AMPACITY	36
BR. CIR. PROT. RTG. - MAX. (AMPS)	60
<b>COMPRESSOR</b>	DURATION™ - SCROLL
NO. USED - NO. SPEEDS	1 - 1
VOLTS/PH/HZ	208/230/1/60
R.L. AMPS ⑦ - L.R. AMPS	27.6 - 158
FACTORY INSTALLED	
START COMPONENTS ⑧	YES
INSULATION/SOUND BLANKET	NO
COMPRESSOR HEAT	YES
<b>OUTDOOR FAN</b>	PROPELLER
DIA. (IN.) - NO. USED	27.6 - 1
TYPE DRIVE - NO. SPEEDS	DIRECT - 1
CFM @ 0.0 IN. W.G. ④	4610
NO. MOTORS - HP	1 - 1/4
MOTOR SPEED R.P.M.	825
VOLTS/PH/HZ	200/230/1/60
F.L. AMPS	1.3
<b>OUTDOOR COIL — TYPE</b>	SPINE FIN™
ROWS - F.P.I.	1 - 24
FACE AREA (SQ. FT.)	27.86
TUBE SIZE (IN.)	3/8
<b>REFRIGERANT</b>	
LBS. — R-410 (O.D. UNIT) ⑤	8 LBS., 6 OZ.
FACTORY SUPPLIED	YES
LINE SIZE - IN. O.D. GAS ⑥	7/8
LINE SIZE - IN. O.D. LIQ. ⑥	3/8
<b>CHARGING SPECIFICATION</b>	
SUBCOOLING	10°F
<b>DIMENSIONS</b>	H X W X D
CRATED (IN.)	46.4 x 35.1 x 38.7
<b>WEIGHT</b>	
SHIPPING (LBS.)	287
NET (LBS.)	251

- ① Certified in accordance with the Air-Source Unitary Air-Conditioner Equipment certification program, which is based on ARI standard 210/240.
- ② Rated in accordance with ARI standard 270.
- ③ Calculated in accordance with Natl. Elec. Codes. Use only HACR circuit breakers or fuses.
- ④ Standard Air — Dry Coil — Outdoor
- ⑤ This value approximate. For more precise value see unit nameplate.
- ⑥ Max. linear length 60 ft.; Max. lift - Suction 60 ft.; Max lift - Liquid 60 ft. For greater length consult refrigerant piping software Pub. No. 32-3312-0\* (\* denotes latest revision).
- ⑦ This value shown for compressor RLA on the unit nameplate and on this specification sheet is used to compute minimum branch circuit ampacity and max. fuse size. The value shown is the branch circuit selection current.
- ⑧ No means no start components. Yes means quick start kit components. PTC means positive temperature coefficient starter.

MODELS	BASE	FIG.	A	B	C	D	E	F	G	H	J	K
4A7A3060A	4	1	1045 (41-1/8)	946 (37-1/4)	870 (34-1/4)	7/8	3/8	152 (6)	98 (3-7/8)	219 (8-5/8)	86 (3-3/8)	508 (20)

#### A-weighted Sound Power Level [dB(A)]

From Dwg. D152862 Rev. 24

MODEL	SOUND POWER LEVEL [dB(A)]	A-WEIGHTED FULL OCTAVE SOUND POWER LEVEL dB - [dB(A)]							
		63	125	250	500	1000	2000	4000	8000
4A7A3060A1	76	51.8	55	64	67.7	73.5	65.5	60.2	52.3

Note: Rated in accordance with AHRI Standard 270-2008

# Mechanical Specification Options

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## General

The 4A7A3 is fully charged from the factory for up to 15 feet of piping. This unit is designed to operate at outdoor ambient temperatures as high as 115°F. Cooling capacities are matched with a wide selection of air handlers and furnace coils that are A.H.R.I. certified. The unit is certified to UL Standard 1995. Exterior is designed for outdoor application.

## Casing

Unit casing is constructed of heavy gauge, G90 galvanized steel and painted with a weather-resistant powder paint on all louvers, panels, prepaint on all other panels. Corrosion and weather-proof CMBP-G30 DuraTuff™ base.

## Refrigerant Controls

Refrigeration system controls include condenser fan, compressor contactor and high pressure switch. High and low pressure controls are inherent to the compressor. A factory installed liquid line drier is standard.

## Compressor

The Climatuff® compressor features internal over temperature and pressure protection and total dipped hermetic motor. Other features include: roto lock suction and discharge refrigerant connections, centrifugal oil pump and low vibration and noise.

## Condenser Coil

The outdoor coil provides low airflow resistance and efficient heat transfer. The coil is protected on all four sides by louvered panels.

## Low Ambient Cooling

As manufactured, this unit has a cooling capability to 55°F. The addition of an evaporator defrost control permits operation to 40° F. The addition of an evaporator defrost control with TXV permits low ambient cooling to 30° F.

## Accessories

**Thermostats** — Cooling only and heat/cooling (manual and automatic changeover). Sub-base to match thermostat and locking thermostat cover.

**Evaporator Defrost Control** — See Low Ambient Cooling.



**ARI Standard  
210/240 UAC**

*American Standard*  
HEATING & AIR CONDITIONING

American Standard Heating & Air Conditioning  
6200 Troup Highway  
Tyler, Texas 75711

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12/09

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*The manufacturer has a policy of continuous product and product data improvement and it reserves the right to change design and specifications without notice.*

# 18100 South Park Boulevard

For subdivision of land in order to join a vacant lot with the property on  
which the home is located.







Applicant's Name: Nelson Byrd Woltz Landscape Architects/Lanie McKinnon Application No: 2078  
 Property Address: 18100 South Park Blvd and 18150 South Park Blvd Parcel No: 732-07-002 and 732-07-003  
 City: Shaker Heights State: OH Zip: 44120  
 Applicant's Address 219 W. 29th Street, Ste 900 Phone No: 212.260.2270 x207  
 City: New York State: New York Zip: 10001  
 Property Owner (if other than applicant) The Gus and Guvnor Trust / Robert R. Campbell Jr, Trustee  
 Property Owner's Address (if different) \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Zoning District: SF-1 Present Use: Residence  
 Proposed Use: Residence  
 \_\_\_\_\_  
 E-Mail Address: whitneyhaslamjohnson@gmail.com (Whitney Johnson)

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: \_\_\_\_\_

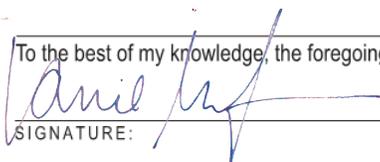
CPC

- 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:

Without consolidation of the lots, the Residence's adjacent forested lot can't be used for recreation or other outdoor uses that would otherwise comply with Zoning regulations were the lots to be consolidated.

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

  
 SIGNATURE:

08/13/2020

DATE:



## NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Lanie McKinnon, Nelson Byrd Woltz Landscape Architects, representing the Gus and Guvnor Trust, 18100 South Park Boulevard, to the City Planning Commission for subdivision of land in order to join the adjacent vacant lot with the property on which the home is located. The adjacent lot is owned jointly with the house lot. The house parcel (732-07-002) is proposed to be combined with the vacant lot (732-07-003). The combined lot is to be integrated into the active use of the yard. This combined lot meets code requirements in the SF-1 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, September 1, 2020 at 7:00 p.m.** via video and audio conference. 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.

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Dan Feinstein  
Secretary  
City Planning Commission

**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=OUUs3V016QnNpeVFYR1k0aHQxc0pMQT09>, 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](mailto: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.

*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.*

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

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**ADDRESS:**

**18100 South Park Boulevard**  
Gus and Guvnor Trust Residence  
Case#: 2078

**HEARING DATE:**

September 1, 2020

**SUMMARY:**

**Request for subdivision of land in order to join an adjacent vacant lot on South Park Boulevard with the property on which the home 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 city.
  - The vacant lot is owned jointly with the house lot.
  - The combined lot complies with lot and block standards for subdivision in the SF-1 Single Family Residential zoning district.
  - The combined lot complies with lot size and width requirements for the SF-1 Single Family Residential zoning district.

**ACTION:**

- Subdivision of land in the SF-1 Single Family Residential zoning district.

**FACTS:**

1. The applicant requests to join the adjacent vacant parcel 732-07-003 to the lot with the residence on it.
2. The new combined lot creates a double wide residential lot that is 348 feet wide and 144,970 square feet. About 3 acres.
3. The vacant lot is, and has been, owned jointly with the house lot. The applicant proposes to integrate it into the yard for the family.
4. The owner's house and the vacant lot are in the SF-1 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. 1220.05, 1220.06 – SF-1 Single Family lot must be 100 feet wide and 15,000 square feet in size.

**OTHER ISSUES:**

1. The extra lot is proposed to be fenced as a side yard with a ball court constructed and landscape added. The proposed improvements meet code requirements. If the consolidation is approved, the applicant will need to file a signed plat with the County to combine the two properties.
2. There are numerous examples of double lot size residential lots in the city and in this neighborhood.
3. The applicant has submitted plans including a tree preservation plan, planting plan, all court, and fencing on the adjacent lot. The plans meet code requirements.

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

**Continued:**

**ADDRESS:**

**18100 South Park Boulevard**  
Gus and Guvnor Trust Residence  
Case#: 2078

**HEARING DATE:**

September 1, 2020

**PRECEDENT:**

1. Voltz Residence – 3690 Daleford Road – combine a vacant side lot with the owner’s lot containing their house on Daleford Road.
2. Boudreaux Residence – Combine a vacant side lot with the owner’s lot containing their house on Stoer Road.
3. Neujahr Residence – Combine a vacant side lot with the owner’s lot containing their house on Stoer Road.
4. Mullin/Smith Residence – Combine a vacant side lot with the owner’s lot containing their house.
5. Henry Residence – Combine a vacant side lot with the owner’s lot containing their house.
6. Silberger Residence – Combine a portion of a vacant side lot with the owner’s lot containing their house.
7. Vokes Residence – Combine a vacant side lot with the owner’s lot containing their house.
8. Nordstrom Residence – Combine a vacant side lot with the owner’s lot containing their house.
9. Kennedy Residence – Combine a vacant lot with the owner’s lot containing their house.
10. Kogelschatz Residence – Combine a vacant lot with the owner’s lot containing their house.
11. Brooks-Horn Residence – Combine a vacant lot with the owner’s lot containing their house.

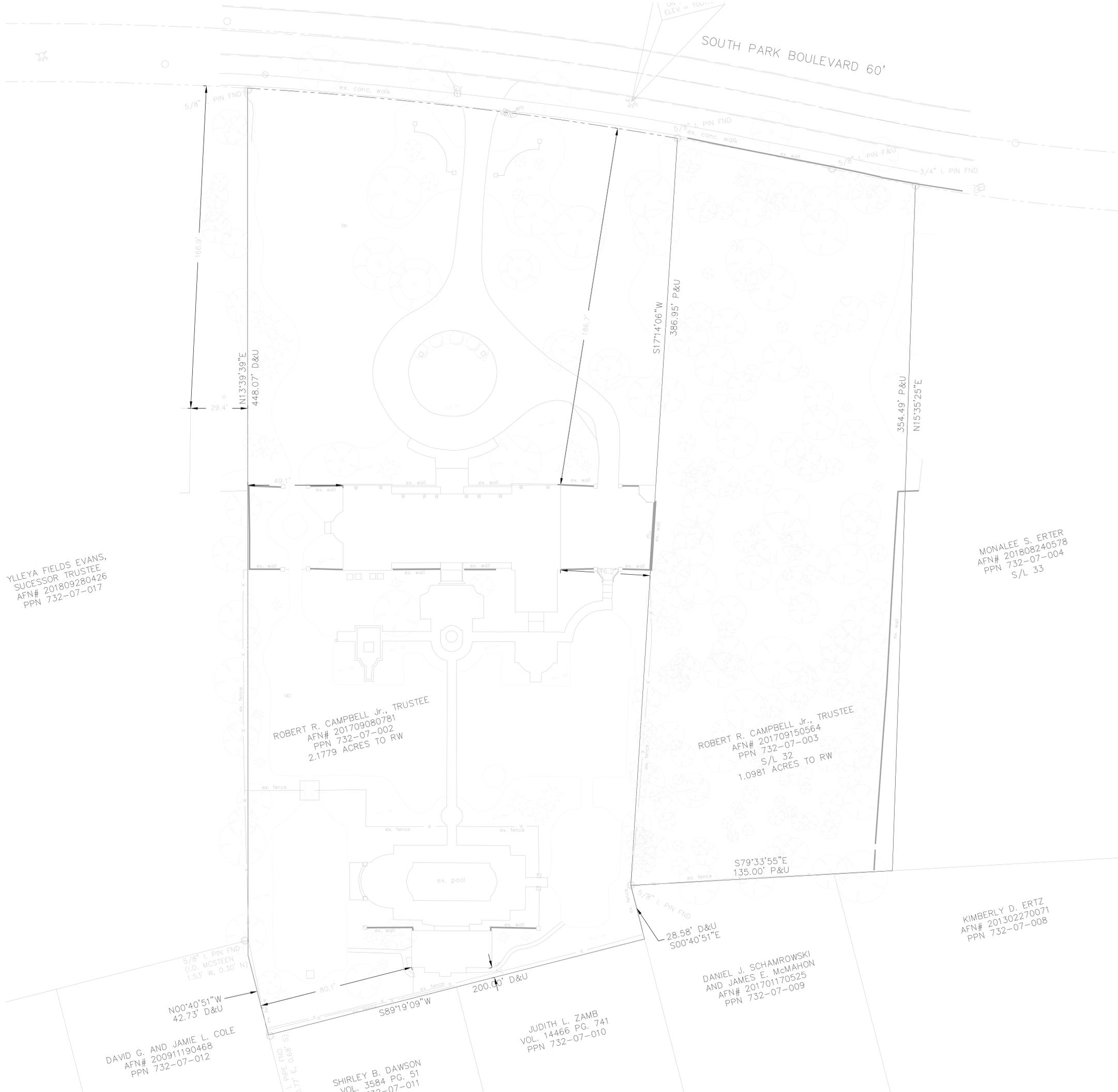
### **Narrative Description**

The property at 18150 South Park Blvd. adjacent to 18100 South Park Blvd. is currently an undeveloped lot with no structures located on the property. Both properties are owned by Robert J R Campbell, Trustee of the Gus and Guvnor Trust. The intent of this application is to apply for lot consolidation. Refer to the attached plans documenting the requested tree removal and proposed tree schedule as well as the proposed design elements that include a sports court and surrounding chain link fence with gate access. All removed trees are proposed to be replaced within the property boundary.

The lot (#732-07-003) at 18150 South Park Blvd. is 354'-6" (length) by 135'-0" (width) with an area of approximately 48,000 sf. At 18100 South Park Blvd, lot (#732-07-002) is 448' (length) by 222' width) and is approximately 94,814 sf in area. Once the two lots are combined, the property would be 357'-0" wide with an area of 142,814 sf. Separately and combined, these properties meet the regulations for standard block dimensions in the zoning regulation chapter 1220, which states that a lot must be 100'-0" wide minimum with a lot area of 15,000 sf minimum.

The consolidation is being requested for the residence to fully use the adjacent forested property for recreation purposes, meeting the zoning regulations. The primary addition is a basketball court, proposed location shown on the plans. With lot consolidation, the proposed court is in accordance with section 1260.04 by remaining outside the 10' setback from the rear property line. There will be an 8' tall fence immediately surrounding the court which meets section 1262.05, permitting fence heights in conformance with established recreation standards.





NOT FOR  
CONSTRUCTION

PROJECT NAME  
**Johnson  
Residence**  
Shaker Heights, OH

Technical Package

PROJECT NO. SHR1912  
DRAWN BY: EG  
CHECKED BY: LM

DRAWING NAME  
**SURVEY**

DATE: 08.14.2020  
SCALE 1/16" = 1'-0"

DRAWING NUMBER  
**L-001**

CONSOLIDATION  
LEGAL DESCRIPTION  
OF A  
3.2755 ACRE PARCEL  
FOR  
ROBERT R. CAMPBELL Jr., TRUSTEE

Situated in the City of Shaker Heights, County of Cuyahoga, and State of Ohio, and known as being a part of Original Warrensville Township Lot No. 24, and known as being all of subplot 32 in the K.V. Painter's Re-Subdivision as shown by plat recorded in Volume 60, Page 7 of Cuyahoga County Plat Records and further known as being all of a parcel of land conveyed to Robert J. Campbell Jr., Trustee (PPN 732-07-002) as recorded by AFN# 201709080781 of Cuyahoga County Deed Records;

Beginning at a 3/4 inch iron pin found on the Southerly right-of-way of South Park Boulevard, 60 feet wide, at the Northwesterly corner of subplot 33 as conveyed to Monalee S. Ester, Trustee (PPN 732-07-004) as recorded by AFN# 201808240578 of Cuyahoga County Deed Records;

- COURSE I            Thence **South 15° 35' 25" West**, along the Westerly line of said subplot 33, a distance of **354.49 feet** to a 5/8 inch iron pin found on the Northerly line of subplot 30 as conveyed to Kimberly D. Ertz (PPN 732-07-008) as recorded by AFN# 201302270071 of Cuyahoga County Deed Records;
- COURSE II           Thence **North 79° 33' 55" West**, along said Northerly line of subplot 30, and along the Northerly line of subplot 31 as conveyed to Steven J. and Kimberly A. Filby (PPN 732-07-009) as recorded by AFN# 201912050156 of Cuyahoga County Deed Records, a distance of **135.00 feet** to a 5/8 inch iron pin found at the Northwesterly corner thereof;
- COURSE III           Thence **South 0° 40' 51" East**, along the Westerly line of said subplot 31, a distance of **28.58 feet** to a 5/8 inch iron pin set at the Northeasterly corner of land conveyed to Judith L. Zamb (PPN 732-07-010) by deed recorded in Volume 14466, Page 741 of Cuyahoga County Deed Records;
- COURSE IV           Thence **South 89° 19' 09" West**, along said Northerly line of land so conveyed to Judith L. Zamb, and along the Northerly line of land conveyed to Shirley B. Dawson (PPN 732-07-011) by deed recorded in Volume 98-3584, Page 51 of Cuyahoga County Deed Records, a distance of **200.00 feet** to a point at the shared corner

of parcels 1 and 2 of land conveyed to Christopher J. and Kimberly Kelley (PPN 732-07-012) as recorded by AFN# 201907190502 of Cuyahoga County Deed Records (witness a 1 inch iron pipe found 0.77' East and 0.68 feet South);

COURSE V Thence **North 0° 40' 51" West**, along the Easterly line of said parcel 2 of lands conveyed to Christopher J. and Kimberly Kelley, a distance of **42.73 feet** to a point at the Southeasterly corner of land conveyed to Ylleya Fields Evans Successor, Trustee (PPN 732-07-017) as recorded by AFN# 201809280426 of Cuyahoga County Deed Records;

COURSE VI Thence **North 13° 39' 39" East**, along the Easterly line of land so conveyed to Ylleya Fields Evans Successor, Trustee, a distance of **448.08** to a point at the Northeasterly corner thereof, said point also being on said Southerly right-of-way of South Park Boulevard (witness a 5/8 inch iron pin found 0.93' South and 0.25' East);

COURSE VII Thence Southeasterly along the arc of a curve deflecting to the right, also being said Southerly right-of-way of South Park Boulevard, a distance of 304.32 feet, said curve having a radius of 1940.00 feet, a delta of 8° 59' 16", and a chord which bears **South 68° 25' 30" East**, a distance of **304.01 feet** to a 5/8 inch iron pin found at a point of curvature;

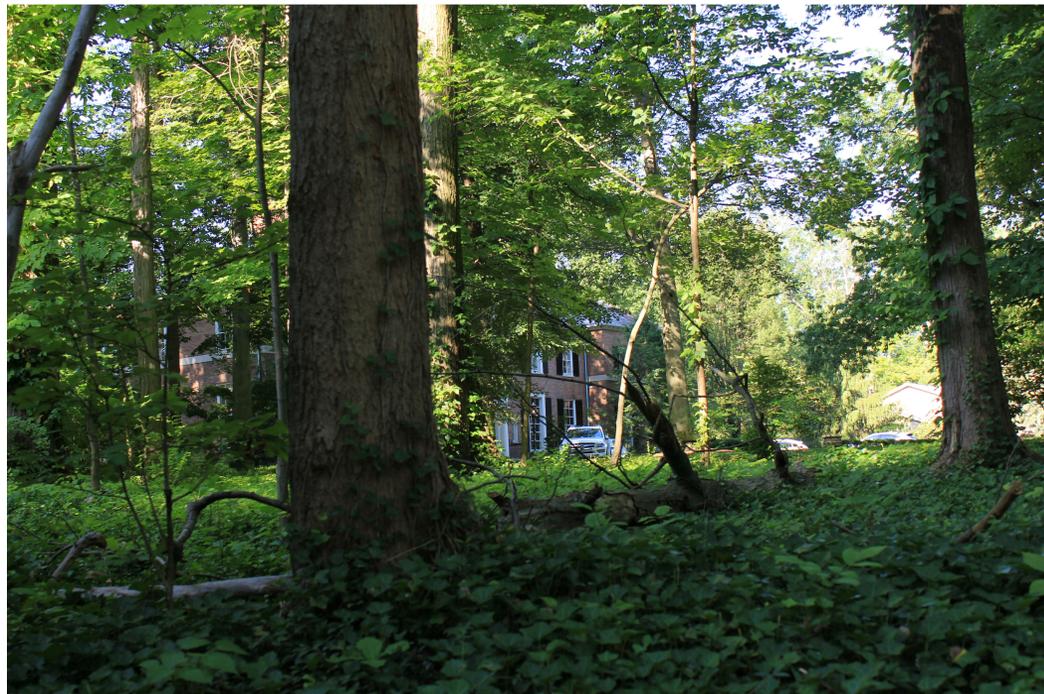
COURSE VIII Thence Southeasterly along the arc of a curve deflecting to the left, continuing along said Southerly right-of-way of South Park Boulevard, a distance of 43.72 feet, said curve having a radius of 1060.00 feet, a delta of 2° 21' 47", and a chord which bears **South 65° 06' 34" East**, a distance of **43.72 feet** to the Place of Beginning and containing **3.2755 acres** of land (2.1779 acres all of PPN 732-07-002, and 1.0976 acres all of PPN 732-07-003) as surveyed, calculated and described, on August 14, 2020 by Rudy E. Schwartz, P.S. 7193 be the same more or less but subject to all legal highways and all other easements of record. Bearings used herein refer to an assumed meridian and are intended to indicate angles only. All 5/8 inch by 30 inch iron pins set are I.D. Schwartz 7193.



8.14.20

DATE

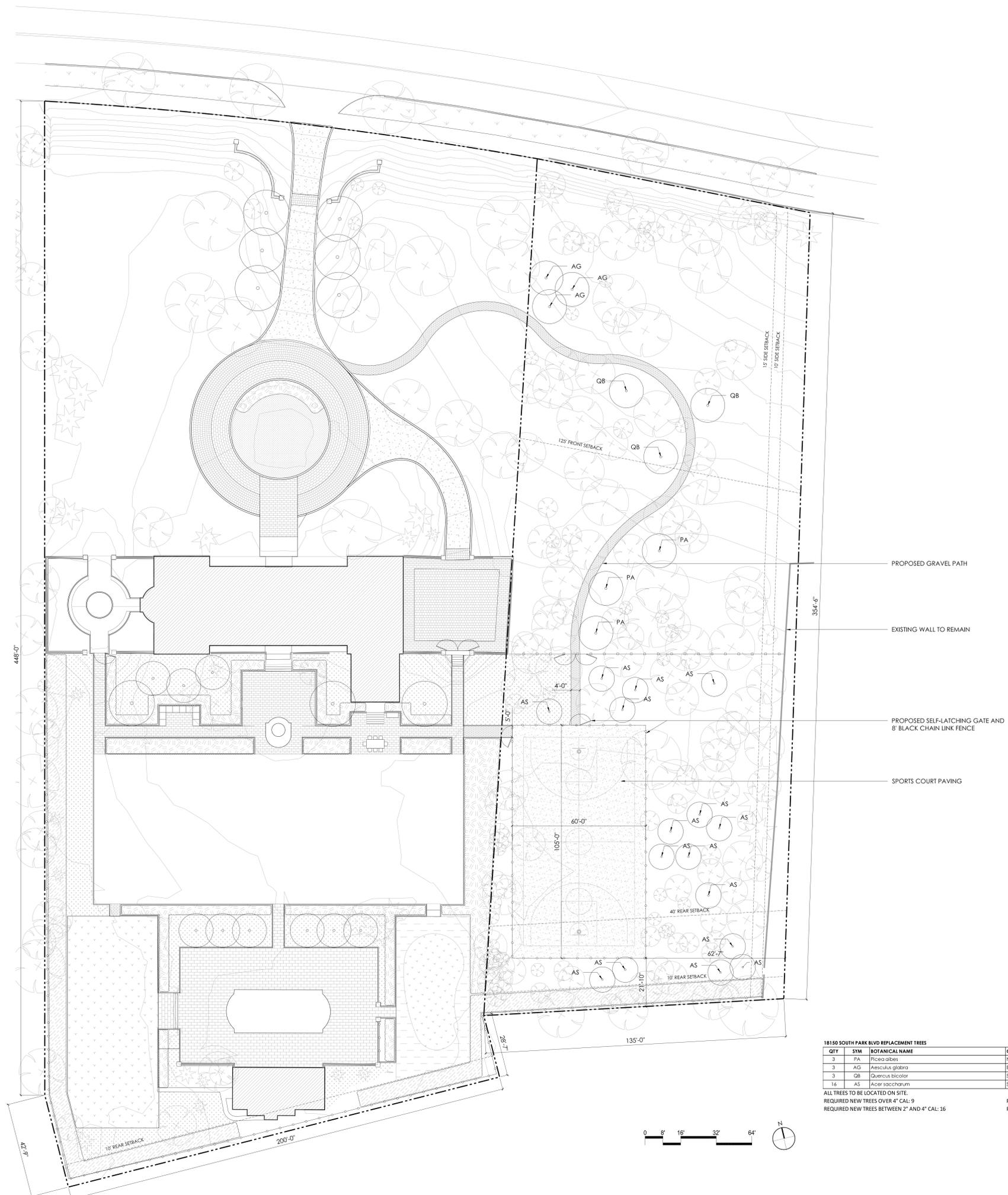
RUDY E. SCHWARTZ, P.S. 7193



# 18100 & 18150 South Park Blvd

TECHNICAL PACKAGE FOR LOT CONSOLIDATION

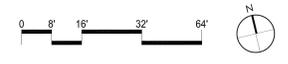
-  EXISTING TREE
-  PROPOSED TREE
-  EXISTING CONTOUR
-  PAVING TYPE 1:  
CRUSHED STONE
-  PAVING TYPE 2:  
ASPHALT OR CONCRETE
-  PROPOSED BLACK CHAIN LINK FENCE
-  PROPOSED HEDGE
-  PROPOSED THUJA 'GREEN GIANT' TREE
-  PROPOSED PLANTING
-  PROPERTY LINE



**18150 SOUTH PARK BLVD REPLACEMENT TREES**

QTY	SYM	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS
3	PA	Picea albes	Norway Spruce	4" CAL	OR NATIVE TREE AVAILABLE AT TIME OF PLANTING
3	AG	Aesculus glabra	Buckeye	4" CAL	OR NATIVE TREE AVAILABLE AT TIME OF PLANTING
3	QB	Quercus bicolor	Swamp White Oak	4" CAL	OR NATIVE TREE AVAILABLE AT TIME OF PLANTING
14	AS	Acer saccharum	Sugar Maple	2" CAL	OR NATIVE TREE AVAILABLE AT TIME OF PLANTING

ALL TREES TO BE LOCATED ON SITE.  
 REQUIRED NEW TREES OVER 4" CAL: 9  
 REQUIRED NEW TREES BETWEEN 2" AND 4" CAL: 16  
 PROPOSED NEW TREES OVER 4" CAL: 9  
 PROPOSED NEW TREES BETWEEN 2" AND 4" CAL: 16



NO. Date Issues/Revisions

PRELIMINARY FOR REVIEW ONLY

STAMP  
**NOT FOR  
CONSTRUCTION**

PROJECT NAME  
**Johnson  
Residence**  
 Shaker Heights, OH

Technical Package

PROJECT NO. SHR1912  
 DRAWN BY: EG  
 CHECKED BY: LM

DRAWING NAME

**OVERALL SITE PLAN**

DATE: 08.14.2020  
 SCALE: 1/16" = 1'-0"

DRAWING NUMBER  
**L-100**



LEGEND

TREE TO BE REMOVED

TREE TO BE REMOVED, APPROVED IN PREVIOUS ZONING APPLICATION

NOTES:

1. ALL TREES NOT INDICATED FOR REMOVAL ARE TO BE PROTECTED.
2. WORK DONE UNDER THE DRIFLINE OF EXISTING TREES TO BE DONE BY HAND OR PNEUMATIC EXCAVATION.

- 18150 SOUTH PARK BLVD  
9 TREES OVER 6" CAL TO BE REMOVED  
9 TREES AT 4" CAL OR LARGER TO BE PLANTED  
16 TREES UNDER 6" CAL TO BE REMOVED  
16 TREES AT 2" CAL OR LARGER TO BE PLANTED

EXISTING 18150 SOUTH PARK BLVD EXISTING TREES			
NUM	BOTANICAL NAME	COMMON NAME	COMMENTS
1	Ulmus americana	Elm	8" CAL
2	Picea abies	Norway Spruce	8" CAL
3	Picea abies	Norway Spruce	6" CAL
4	Quercus alba	White Oak	8" CAL
5	Acer saccharum	Sugar Maple	12" CAL
6	Acer saccharum	Sugar Maple	6" CAL
7	Ulmus americana	Elm	6" CAL
8	Carya ovata	Hickory	16" CAL
9	Quercus alba	White Oak	8" CAL
10	Quercus alba	White Oak	4" CAL LEANING
11	UNIDENTIFIED		DEAD
12	Acer saccharum	Sugar Maple	6" CAL
13	Acer saccharum	Sugar Maple	10" CAL
14	Acer saccharum	Sugar Maple	14" CAL
15	Quercus alba	White Oak	30" CAL
16	Quercus alba	White Oak	10" CAL
17	Carya ovata	Hickory	16" CAL
18	Quercus alba	White Oak	4" CAL
19	Quercus alba	White Oak	8" CAL
20	Picea abies	Norway Spruce	8" CAL
21	Picea abies	Norway Spruce	6" CAL REMOVED **
22	Acer saccharum	Sugar Maple	16" CAL
23	Fraxinus spp	Ash	8" CAL
24	Fraxinus spp	Ash	4" CAL REMOVE/REPLACE
25	Quercus alba	White Oak	30" CAL
26	Acer saccharum	Sugar Maple	8" CAL
27	Quercus alba	White Oak	30" CAL
28	Ulmus americana	Elm	4" CAL
29	Quercus alba	White Oak	4" CAL LEANING
30	Carya ovata	Hickory	4" CAL
31	Acer saccharum	Sugar Maple	10" CAL
32	Carya ovata	Hickory	18" CAL
33	Carya ovata	Hickory	18" CAL
34	Carya ovata	Hickory	18" CAL
35	Tilia americana	American Linden	24" CAL
36	Acer saccharum	Sugar Maple	14" CAL
37	Fagus grandiflora	Beech	18" CAL
38	Acer saccharum	Sugar Maple	10" CAL
39	Fagus grandiflora	Beech	6" CAL
40	Fraxinus spp	Ash	24" CAL
41	Quercus alba	White Oak	4" CAL
42	Acer saccharum	Sugar Maple	12" CAL
43	Picea abies	Norway Spruce	4" CAL REMOVED **
44	Acer saccharum	Sugar Maple	14" CAL
45	Quercus alba	White Oak	10" CAL REMOVED **
46	Picea abies	Norway Spruce	4" CAL REMOVED **
47	Picea abies	Norway Spruce	4" CAL REMOVED **
48	Quercus alba	White Oak	6" CAL REMOVED **
49	Carya ovata	Hickory	12" CAL
50	Carya ovata	Hickory	14" CAL DEAD
51	Carya ovata	Hickory	18" CAL DEAD
52	Fagus grandiflora	Beech	20" CAL
53	Ulmus americana	Elm	6" CAL
54	Quercus alba	White Oak	12" CAL
55	Carpinus caroliniana	Ironwood	4" CAL
56	Acer saccharum	Sugar Maple	6" CAL
57	Tilia americana	American Linden	8" CAL
58	Carya ovata	Hickory	18" CAL
59	Quercus alba	White Oak	6" CAL REMOVE/REPLACE
60	Acer saccharum	Sugar Maple	12" CAL
61	Quercus alba	White Oak	18" CAL
62	Quercus alba	White Oak	12" CAL
63	Quercus alba	White Oak	6" CAL
64	Quercus alba	White Oak	24" CAL
65	Carya ovata	Hickory	8" CAL
66	Carya ovata	Hickory	16" CAL
67	Quercus alba	White Oak	28" CAL
68	Fraxinus spp	Ash	4" CAL
69	Carya ovata	Hickory	16" CAL
70	Ulmus americana	Elm	6" CAL
71	Ulmus americana	Elm	6" CAL DEAD - REMOVE
72	Fraxinus spp	Ash	6" CAL REMOVED **
73	Quercus alba	White Oak	6" CAL REMOVED **
74	Acer saccharum	Sugar Maple	18" CAL
75	Carya ovata	Hickory	18" CAL
76	Quercus alba	White Oak	8" CAL
77	Quercus alba	White Oak	8" CAL
78	Quercus alba	White Oak	4" CAL
79	Quercus alba	White Oak	30" CAL
80	Quercus alba	White Oak	4" CAL
81	Quercus alba	White Oak	36" CAL
82	Quercus alba	White Oak	4" CAL
82A	Carya ovata	Hickory	12" CAL

EXISTING 18150 SOUTH PARK BLVD EXISTING TREES			
NUM	BOTANICAL NAME	COMMON NAME	COMMENTS
83	Quercus alba	White Oak	4" CAL
84	Carya ovata	Hickory	20" CAL
85	Quercus alba	White Oak	6" CAL
86	Carya ovata	Hickory	18" CAL
87	Quercus alba	White Oak	12" CAL
88	Quercus alba	White Oak	20" CAL
89	Acer saccharum	Sugar Maple	16" CAL
90	Fraxinus spp	Ash	20" CAL
91	Picea abies	Norway Spruce	4" CAL REMOVED **
92	Tilia americana	American Linden	6" CAL
93	Acer saccharum	Sugar Maple	6" CAL
94	Quercus alba	White Oak	24" CAL
95	Ulmus americana	Elm	12" CAL
96	Carya ovata	Hickory	14" CAL
97	Quercus alba	White Oak	18" CAL
98	Quercus alba	White Oak	10" CAL DEAD
99	Prunus spp	Cherry	12" CAL
100	Picea abies	Norway Spruce	16" CAL
101	Fraxinus spp	Ash	6" CAL
102	Picea abies	Norway Spruce	18" CAL
103	Carya ovata	Hickory	8" CAL
104	Carya ovata	Hickory	18" CAL
105	Ulmus americana	Elm	6" CAL
106	Carya ovata	Elm	20" CAL
107	Quercus alba	White Oak	40" CAL
108	Ulmus americana	Elm	6" CAL
109	Quercus alba	White Oak	8" CAL
110	Tilia americana	American Linden	6" CAL
111	Quercus alba	White Oak	20" CAL
112	Quercus alba	White Oak	8" CAL
113	Carya ovata	Hickory	18" CAL
114	Quercus alba	White Oak	6" CAL
115	Quercus alba	White Oak	18" CAL
116	Ulmus americana	Elm	4" CAL REMOVED **
117	Ulmus americana	Elm	8" CAL DEAD - REMOVE
118	Ulmus americana	Elm	8" CAL REMOVED **
119	Ulmus americana	Elm	4" CAL REMOVED **
120	Tilia americana	American Linden	6" CAL REMOVED **
121	Tilia americana	American Linden	6" CAL REMOVED **
122	Tilia americana	American Linden	6" CAL REMOVED **
123	Ulmus americana	Elm	4" CAL REMOVED **
124	Carya ovata	Hickory	18" CAL
125	Fraxinus spp	Ash	10" CAL
126	Ulmus americana	Elm	6" CAL
127	Malus spp	Apple	6" CAL
128	Fraxinus spp	Ash	6" CAL
129	Fraxinus spp	Ash	4" CAL
130	Ulmus americana	Elm	6" CAL
131	Ulmus americana	Elm	10" CAL REMOVE/REPLACE
132	Fraxinus spp	Ash	4" CAL REMOVE/REPLACE
133	Ulmus americana	Elm	8" CAL REMOVE/REPLACE
134	Quercus alba	White Oak	8" CAL REMOVE/REPLACE
135	Quercus alba	White Oak	16" CAL REMOVE/REPLACE
136	Ulmus americana	Elm	4" CAL REMOVE/REPLACE
137	Acer saccharum	Sugar Maple	8" CAL REMOVE/REPLACE
138	Acer saccharum	Sugar Maple	40" CAL REMOVE/REPLACE
139	Acer saccharum	Sugar Maple	6" CAL REMOVE/REPLACE
140	Acer saccharum	Sugar Maple	6" CAL REMOVE/REPLACE
141	Ulmus americana	Elm	4" CAL
142	Quercus alba	White Oak	8" CAL
143	Ulmus americana	Elm	4" CAL
144	Fraxinus spp	Ash	6" CAL
145	Fraxinus spp	Ash	8" CAL
146	Quercus alba	White Oak	14" CAL
147	Acer saccharum	Sugar Maple	8" CAL
148	Acer saccharum	Sugar Maple	8" CAL
149	Quercus alba	White Oak	16" CAL
150	Carya ovata	Hickory	8" CAL
151	Carya ovata	Hickory	6" CAL
152	Ulmus americana	Elm	6" CAL
153	Ulmus americana	Elm	6" CAL DEAD
154	Ulmus americana	Elm	6" CAL
155	Ulmus americana	Elm	4" CAL
156	Ulmus americana	Elm	4" CAL
157	Ulmus americana	Elm	6" CAL
158	Carya ovata	Hickory	4" CAL
159	Ulmus americana	Elm	6" CAL REMOVE/REPLACE
160	Ulmus americana	Elm	4" CAL REMOVE/REPLACE
161	Ulmus americana	Elm	4" CAL REMOVE/REPLACE
162	Ulmus americana	Elm	4" CAL REMOVE/REPLACE
163	Ulmus americana	Elm	4" CAL REMOVE/REPLACE
164	Ulmus americana	Elm	4" CAL REMOVE/REPLACE
165	Ulmus americana	Elm	4" CAL REMOVE/REPLACE

\*\* TREE REMOVAL APPROVED IN PREVIOUS ZONING APPLICATION. NOT INCLUDED IN TREE COUNT

EXISTING 18150 SOUTH PARK BLVD EXISTING TREES				
NUM	BOTANICAL NAME	COMMON NAME	CALIPER	COMMENTS
166	Fraxinus spp	Ash	8" CAL	REMOVE/REPLACE
167	Fraxinus spp	Ash	14" CAL	REMOVE/REPLACE
168	Quercus alba	White Oak	4" CAL	REMOVE/REPLACE
169	Quercus alba	White Oak	4" CAL	DEAD
170	Malus spp	Apple	4" CAL	REMOVE/REPLACE
171	Ulmus americana	Elm	6" CAL	
172	Fraxinus spp	Ash	14" CAL	
174	Fraxinus spp	Ash	8" CAL	
175			4" CAL	DEAD
176	Ulmus americana	Elm	4" CAL	
177	Fraxinus spp	Ash	8" CAL	REMOVE/REPLACE
178	Carya ovata	Hickory	6" CAL	REMOVE/REPLACE
179	Ulmus americana	Elm	4" CAL	
180	Ulmus americana	Elm	12" CAL	
181	Prunus spp	Cherry	4" CAL	
182			6" CAL	DEAD
183	Prunus spp	Cherry	4" CAL	
184	Tilia americana	American Linden	6" CAL	
185			6" CAL	DEAD
186	Fraxinus spp	Ash	8" CAL	
187	Fraxinus spp	Ash	8" CAL	
188	Fraxinus spp	Ash	8" CAL	
189	Prunus spp	Cherry	8" CAL	
190	Prunus spp	Cherry	6" CAL	
191	Malus spp	Apple	6" CAL	
192	Prunus spp	Cherry	4" CAL	
193	Prunus spp	Cherry	6" CAL	
194	Carya ovata	Hickory	8" CAL	
195	Fraxinus spp	Ash	6" CAL	
196	Fraxinus spp	Ash	6" CAL	
197	Quercus alba	White Oak	12" CAL	
198	Ulmus americana	Elm	8" CAL	TWIN-TRUNK
199	Quercus alba	White Oak	12" CAL	
200	Acer saccharum	Sugar Maple	18" CAL	TWIN-TRUNK
201	Tilia americana	American Linden	36" CAL	
202	Carya ovata	Hickory	18" CAL	
203	Acer saccharum	Sugar Maple	20" CAL	
204	Quercus alba	White Oak	22" CAL	STREET TREE
205	Quercus alba	White Oak	18" CAL	STREET TREE

STAMP

NOT FOR  
CONSTRUCTION

PROJECT NAME

Johnson  
Residence  
Shaker Heights, OH

Technical Package

PROJECT NO. SHR1912  
DRAWN BY: EG  
CHECKED BY: LM

DRAWING NAME

18150 SOUTH PARK BLVD  
EXISTING TREES CONT

DATE: 08.14.2020  
SCALE: NTS

DRAWING NUMBER

D-102

# 3642 Daleford Road

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







Applicant's Name: City of Shaker Heights Application No: 2080

Property Address: 3646 Daleford Road Parcel No: 735-30-049

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) Alisha Flores

Property Owner's Address (if different) 3642 Daleford Road

City: Shaker Heights State: OH Zip: 44120

Zoning District: SF-3 Single Family Residential Present Use: vacant lot

Proposed Use: Additional yard space for homeowner

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

SIGNATURE: *Jane M. ...*

DATE: 08/19/2020

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

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**ADDRESS:**

**3642 Daleford Road**  
City of Shaker Heights (Flores)  
Case#: 2080

**HEARING DATE:**

September 1, 2020

**SUMMARY:**

**Request for subdivision of land in order to join a city-owned vacant lot on Daleford Road with the property on which the Flores home 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:
  - A lot of the same size and configuration was approved on Daleford Road at the August 2020 meeting.
  - 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 applicant.
  - 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:**

- Subdivision of land in the SF-3 Single Family Residential zoning district.

**FACTS:**

1. The applicant requests to join the vacant, city-owned parcel 735-30-049 to the lot with the Flores residence on it.
2. The new combined lot creates a double wide residential lot that is 80 feet wide and 10,160 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 yard for her family.
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.

**The City of Shaker Heights  
Board of Zoning Appeals and City Planning Commission**

**STAFF REPORT**

**Continued  
ADDRESS:**

**3642 Daleford Road**  
City of Shaker Heights (Flores)  
Case#: 2080

**HEARING DATE:**

September 1, 2020

**OTHER ISSUES:**

1. City Council reviewed and approved the application to purchase the city-owned lot at their August 24, 2020 meeting.
2. The extra lot is proposed to be fenced as a side yard.
3. The city-owned vacant lot, parcel 735-30-049 would be joined with the house parcel, 735-30-048, 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:**

12. Voltz Residence – 3690 Daleford Road – combine a vacant side lot with the owner’s lot containing their house on Daleford Road.
13. Boudreaux Residence – Combine a vacant side lot with the owner’s lot containing their house on Stoer Road.
14. Neujahr Residence – Combine a vacant side lot with the owner’s lot containing their house on Stoer Road.
15. Mullin/Smith Residence – Combine a vacant side lot with the owner’s lot containing their house.
16. Henry Residence – Combine a vacant side lot with the owner’s lot containing their house.
17. Silberger Residence – Combine a portion of a vacant side lot with the owner’s lot containing their house.
18. Vokes Residence – Combine a vacant side lot with the owner’s lot containing their house.
19. Nordstrom Residence – Combine a vacant side lot with the owner’s lot containing their house.
20. Kennedy Residence – Combine a vacant lot with the owner’s lot containing their house.
21. Kogelschatz Residence – Combine a vacant lot with the owner’s lot containing their house.
22. Brooks-Horn Residence – Combine a vacant lot with the owner’s lot containing their house.



## NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by the City of Shaker Heights, representing Alisha Flores, 3642 Daleford 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 Flores home is located. Ms. Flores is purchasing the vacant lot next door. The house parcel (735-30-048) is proposed to be combined with the vacant adjacent lot (735-30-049). Ms. Flores proposes to integrate the vacant lot into her yard. 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, September 1, 2020 at 7:00 p.m.** via video and audio conference. 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.

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Dan Feinstein  
Secretary  
City Planning Commission

**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=OUUs3V016QnNpeVFYR1k0aHQxc0pMQT09>, 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](mailto: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.

*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.*

73530048

73530049

73530050

73530139

Parcel Number: 73530049

Property Data

- 735-30-049
- CITY OF SHAKER HEIGHTS
- 3646 DALEFORD RD
- SHAKER HEIGHTS, OH. 44120

[Zoom to](#)



## Memorandum

To: Members of Council  
From: Kamla Lewis, Director, Director of Neighborhood Revitalization  
cc: Mayor David E. Weiss  
Jeri Chaikin, CAO  
Date: August 17, 2020  
Re: **Application to Acquire City Owned Vacant Lot at 3646 Daleford Road (PPN 735-30-049) for Side Lot**

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### Summary

The City has received an application from Alisha Flores of 3642 Daleford Road, who is interested in acquiring the city owned vacant lot adjacent to her home, 3646 Daleford Road (PPN 735-30-049) in order to expand her 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:** Alisha Flores, 3643 Daleford Road
- **Proposal summary:** to purchase this vacant lot to use as an enlarged side yard.

#### Staff Review of Application

- The applicant's property is not in foreclosure, she is current in her property taxes, and there have been no criminal nuisance activity complaints. She has no outstanding Housing or Zoning Code violations. She purchased her home in Shaker Heights in July 2020, and is an owner occupant 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 March 2016 as a donation from the lender. The previous home was demolished in July 2016.
- Through its vacant lot program, the City so far has sold twenty-five (25) 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 Flores application to acquire the City owned vacant lot at 3646 Daleford Road (PPN 735-30-049) 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.



Flores home at 3642 Daleford Road and adjacent city owned vacant lot at 3646 Daleford Road

**Print**

**Application for Acquiring City-Owned Residential Lots - Submission #4555**

**Date Submitted: 8/23/2020**

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](mailto:kamla.lewis@shakeronline.com). Thank you.

**Applicant Name\***

Alisha Flores

**Street Address (PO Box is not acceptable)\***

3642 Daleford Road

**City\***

Shaker Heights

**State\***

OH

**Zip\***

44120

**Phone\***

724-822-7755

**Email\***

alisha.k.flores@gmail.com

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

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

Yes  No

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

Name

[Empty text box for Name]

Address

[Empty text box for Address]

Phone

[Empty text box for Phone]

Email

[Empty text box for Email]

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

Do you own property in Shaker Heights?\*

Yes  No

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

3642 Daleford Road  
Shaker Heights, OH 44120

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\*

735-30-049

Property Address\*

3646 Daleford Road, Shaker Heights OH 44120

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

**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).**

I would like to maintain the landscaping of this property and potentially expand my drive way and or garage.

**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.**

Choose File No file chosen

**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**

**Architect's email**

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

**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**

**Company email**

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

**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**


Enter \$ amount

**Personal assets**


Enter \$ amount

**Other**


Enter \$ amount

**Total**


Enter \$ amount

**Upload front elevation drawing/sketch of the home you propose to build.**
 No file chosen

Applications without a drawing/sketch will not be considered.

**Upload construction schedule and cost breakdown.**
 No file chosen

Must be on builder's letterhead.

**Upload proof of financing.**
 No file chosen

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

**Non-Collusion and Disclosure Affidavit\***

NOTARIZE-Non-CollusionandDisclosureAffidavit.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\***

Alisha K. Flores

**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**

First M. Last

**Non-Collusion and Disclosure Affidavit**

Personally appeared, Alisha Kay Flores 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 Alisha Kay Flores 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.

Alisha Flores  
Applicant Name Alisha Flores

08/14/2020  
Date

Personally appeared before me and swore to the truth of the truth of this affidavit, application, and all attachments on August 14th., 20 20.

Norman James Embree  
Notary Public Norman James Embree  
Notarized online using audio-video communication

