



SHAKER HEIGHTS

Board of Zoning Appeals & City Planning Commission Agenda Via Video and Audio Conference Due to COVID-19 Public Health Emergency Tuesday, October 6, 2020, 7:00PM

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.

Public comment will be taken during the meeting and residents may submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Daniel Feinstein at daniel.feinstein@shakeronline.com; or by calling (216) 491-1435. Any comments or questions received before the meeting 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 the September 1, 2020 meeting minutes

Documents:

[DRAFT BZACPC MINUTES 2020 0901.PDF](#)

BOARD OF ZONING APPEALS

#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 and 2020 meetings 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 surrounded by a 5-foot tall brick wall. The parking lot has been redesigned to allow a continuous curb and landscaping around the brick wall. The applicant has submitted documentation from a certified HVAC contractor and sound analysis from an engineer.

Documents:

#2081. RIZO-PATRON RESIDENCE - 2854 MANCHESTER ROAD:

Public Hearing on the request of Chelsea Braden, architect, representing Jose Rlzo-Patron, 2854 Manchester Road, to the Board of Zoning Appeals for variances to the garage regulations in order to construct a new detached 1 1/2 car garage in the rear yard. The applicant proposes the additional detached garage behind the house facing the side yard. Code allows one garage structure on the property, located in the rear yard only. The existing 16 1/2 foot wide, 313.5 square foot, rear facing, attached garage is proposed to remain. When added to the proposed 475 square foot garage, it creates a total of 3 garage spaces and 788.5 square feet of garage area. Code allows a maximum of 700 square feet of garage area in the SF-2 Single Family Residential zoning district. Code requires an attached garage on a street block where the majority of garage are attached. Only two of the nine garages on this street block are detached.

Documents:

[2081 2854 MANCHESTER - GARAGE VARIANCE 2.PDF](#)

#2082. C.T.L. REAL ESTATE LLC - 20820 CHAGRIN BOULEVARD:

Public Hearing on the request of Jill Brandt, Brandt Architects, representing CTL, 20820 Chagrin Boulevard, to the Board of Zoning Appeals for variances to the number of parking spaces and the accessory structure location and height requirements, and signage requirements. The applicant proposes to construct a new accessory structure and parking lot canopy and reconfigure the parking lot. The spaces in the parking lot are proposed to be reduced from 78 spaces to 58 surface spaces plus 6 garage spaces. A variance was approved for the current number of spaces in 1998. An accessory structure is proposed at the rear of the property consisting of 6 garage spaces, a machine shop, a wood shop, storage space and a dumpster enclosure. This structure is proposed to be set back 0 feet from the rear property line. Code requires a 3-foot setback. The accessory structure is 25 feet 8 inches tall at the two tower elements. Code allows a 20-foot tall accessory structure. A parking space canopy is proposed along the western side property line over 9 spaces. It is proposed set back 0 feet from the side property line. Code requires a 3-foot setback. A new sign is proposed on the rear elevation of the building equaling 50 square feet in size. Code allows an auxiliary entry sign to be no more than 2 feet tall and no wider than the entrance.

Documents:

[2082 20820 CHAGRIN - SETBACK VARIANCE 2.PDF](#)

#2084. HEARNS RESIDENCE - 2973 MONTGOMERY ROAD:

Public Hearing on the request of Graham and Kerianne Hearn, 2973 Montgomery Road, to the Board of Zoning Appeals for a variance to the rear yard setback regulations for an ornamental structure. The applicant proposes a pavilion in the rear yard, which is 5 feet from the rear property line. Code requires an ornamental structure to be set back 10 feet from the side and rear property lines. The pavilion replaces a play structure in the rear yard. There is an existing wood fence and landscaping along the rear property line.

Documents:

[2084 2973 MONTGOMERY - LANDSCAPE STRUCTURE VARIANCE 2.PDF](#)

#2085. GABBARD RESIDENCE - 2750 SOUTHTON ROAD:

Public Hearing on the request of David Ellison, architect, on behalf of Scott and Cynthia Gabbard, 2750 Southington Road, to the Board of Zoning Appeals for a variance to the height requirements for a storage structure. The applicant proposes to build a storage shed in the rear yard that is 13 feet 6 inches tall. Code limits storage structures to 10 feet

in height. The shed is designed to match the house's Tudor style and materials and the steep roof pitch. The shed is located behind the house in the center of the rear yard, with existing landscaping providing screening toward the neighboring property.

Documents:

[2085 2570 SOUTHTON - ACCESSORY STRUCTURE HEIGHT VARIANCE 2.PDF](#)

CITY PLANNING COMMISSION

#2083. LERNER SCHOOL OF AUTISM - 2860 COVENTRY ROAD (PLYMOUTH CHURCH):

Public Hearing on the request of Carl Carter, Cleveland Clinic Lerner School of Autism, located at Plymouth Church, 2860 Coventry Road, to the City Planning Commission for a Conditional Use Permit for a use similar to a specialized instructional school. The Lerner School of Autism proposes to utilize former daycare and preschool space in the church for their specialized primary school instruction. Their existing operations are expanding to Plymouth Church in order to accommodate the same number of children in their existing program in ample space to meet COVID-19 guidelines. 30 to 40 students, ranging in age from 2 to 10 years old, will utilize eight classrooms in the building five days a week. Pick up and drop off will occur at two locations with only staff parking in the parking lot. Council confirmation is required.

Documents:

[2083 2860 COVENTRY - CUP 2.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, September 1, 2020
7 P.M.**

**Via Video and Audio Conference Due To
COVID-19 Public Health Emergency**

Members Present: Sean P. Malone, Council, Acting Chair
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 Mr. Malone at 7:00 p.m.

* * * *

Approval of the August 4, 2020 Meeting Minutes

It was moved by Mr. Boyle and seconded by Mr. Dreyfuss-Wells to approve the minutes.

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

Motion Carried

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BOARD OF ZONING APPEALS

#2075. Silver Residence – 23606 Duffield Road:

A Public Hearing was held 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.

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

existing mature landscaping and the gates match the existing 4-foot tall ornamental aluminum fence approved by variance in 2013. Staff supports this request.

Hilary Henry, East Side Landscaping, said they would like to implement gates as a garden feature. One gate is tucked behind arborvitae hedge and 6 feet in from the hedge. The other gate is by the garage. This coordinates with the fence on the south property line.

Mr. Dreyfuss-Wells said the side of the house is close to the sidewalk. It is only 16 feet away. There is not much room for landscaping on this corner lot.

Ms. Harwood, owner, said this maximizes the usable back yard of their small lot.

Mr. Malone opened the Public Hearing.

Mr. Feinstein read into record the letter of support from the neighbor at 19001 Lomond Boulevard.

Mr. Dreyfuss-Wells said with the arborvitae the gates are nicely positioned in the small rear yard.

It was moved by Mr. Dreyfuss-Wells and seconded by Mr. Boyle to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet.

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

Motion Carried

#2077. 3570 Warrensville LLC – 3570 Warrensville Center Road:

A Continuation of a Public Hearing was held 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.

Mr. Feinstein showed slides of the site. He stated this is a continuation of a request for a variance to the location regulations for air conditioning condensing units at a commercial property. The case was continued from the September 2018 meeting for more information. The applicant has submitted additional information. The applicant removed the HVAC system from the building and proposed replacing it with eight (8) air conditioning condensers located at the rear of the building. Code allows units on the roof or inside a commercial property. The units are proposed to be screened with a 6-foot tall white vinyl fence. Staff does not support this request as outlined in the staff report.

Mr. Gruber gave an update on the city's enforcement actions. The city and the applicant have reached agreement including a court-overseen plan to renovate the building.

Leon Sampat, LS Architects, said there are 6 new units at the northwest corner and two additional on the southern corner. They propose a 6 foot tall vinyl fence around the units and spaced to meet code and removable to allow maintenance. The function of the planters is to protect the fence and the units from cars. The existing units will be removed and new units installed.

Mr. Boyle said planters are a poor way to install landscaping. The fence seems to screen the whole back of the building and entries in a material that does not relate to this brick commercial building. This is not an appropriate design for the rear of this building.

Mr. Sampat said there is minimal driveway aisle width in order to maintain the parking on site. The proposed planters and fence do fit in the narrow space behind the building.

Ms. Braverman said this is a residential solution to HVAC with a residential type fence to screen it. If a concrete curb with landscaping could be considered in a wider space behind the building. The driveway aisles could be narrowed with one way traffic circulation allowing more space behind the building for screening.

Dr. Ganning asked the justification of the units being proposed on the ground other than a flat roof.

Mr. Sampat said commercial rooftop or chiller system not as efficient. Those type of units are as loud or louder and are designed for 50 to 60,000 square foot buildings while this building is approximately 17,000 square feet.

Ms. Braverman asked if they researched an interior chiller system that would fit this building.

Dr. Ganning said she would prefer to see more information than has been provided. She may be convinced that enough screening may make this proposal appropriate. The proposed screening plan is not appropriate. How loud are the condenser units as a group?

Mr. Dreyfuss-Wells agrees with others comments about the current screen plan. They should remove pavement and alter parking configuration if we are to consider exterior condensers. Planters are not a good option as it is hard to keep plants alive. This is not appropriate fencing. A more substantial screen is needed before the request should be considered again.

Mr. Malone opened the Public Hearing. No comments were received in regard to this application.

Ms. Braverman said the recording of the other condenser unit is at a house. A noise rating for all the units in this location should be submitted.

Mr. Belkin said when they looked at different solutions for the HVAC, including a similar chiller in the pit in the building. The original chiller was installed 60 years ago. There was no zoning of heat or cooling for a building. These units allow control of each unit. If they replace with an interior chiller system, it is not an improvement. New units are more effective and can create zones for each tenant or area. The fence can be removed to allow service for each unit. A permanent wall would hinder access. They can revise plans for fence so it blends better with the building and there are more bushes. They

want to bring area up to code and have spent time and resources to make sure it is occupied. There is a long story of maintenance and all renovation plans have been submitted. They are ready to construct.

Ms. Braverman said asked if they could work with the HVAC company. Maybe a chiller will work for this building and can be located inside.

Mr. Belkin said the issue is the ductwork within the building. Maybe a letter from a licensed HVAC company would help explain the situation. If there were a flat roof then this would be done.

Mr. Malone said they need more information to understand. There is no precedent for a commercial HVAC outside. There seems to be engineering issues. The applicant should submit an explanation for not having a chiller and improved landscaping.

Mr. Dreyfuss-Wells said there are a number of other mechanical solutions. Other systems could be effective.

Mr. Belkin said they would submit a letter explaining the system. Any system cannot be cost prohibitive. They do not have a flat roof on top of building. Plans submitted were approved. They will supply the information requested.

Mr. Dreyfuss-Wells said gates on the ends of any enclosure would aid maintenance and they may need more space so they should consider pushing them further from the building. Change the layout of the parking lot.

Dr. Ganning said the specification sheet says 76 decibels. The applicant does not know what the sound rating is of the 8 units together. The current application does not have a demonstration of hardship. They need to get a licensed professional to submit the information requested.

Mr. Malone said this case should be continued. The applicant can submit the information requested.

The request was continued with the following comments:

- The demonstrated sound rating is 76 decibels per the unit specifications submitted. The demonstrated sound from a single similar unit is not the same as from 8 units.
- Submit sound decibel information for the combined noise level of all 8 condensing units.
- Submit information detailing a comparison of an interior chiller type HVAC system verses the proposed system with ground mounted condensing units. A licensed HVAC professional should be engaged to conduct this report. The report should include cost, feasibility and performance standards for this building.
- A vinyl fence and planters are not an appropriate screen nor aesthetic treatment for the building.
- Investigate a continuous curb, evergreen landscaping and screen wall system for the rear of the building that is aesthetically appropriate for this commercial property and complies with building code regulations.
- Investigate increasing the available space behind the building for screening treatment by changing the parking lot pattern to one way aisles while maintained the required number of parking spaces.

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CITY PLANNING COMMISSION

#2078. Gus and Guvnor Trust Residence – 18100 South Park Boulevard:

A Public Hearing was held 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.

Mr. Feinstein showed slides of the site. He stated this is a request for subdivision of land to combine two lots. The applicant proposes to combine the adjacent vacant lot with the lot on which the house is located. The adjacent lot (PPN 732-07-003) is proposed to be combined with the house lot. This combined lot meets the lot and block standards for the SF-1 Single Family Residential zoning district. Staff supports this request with the condition that a final plat is submitted to the City and filed with the County.

Lanie McKinnon, Nelson Byrd Woltz Landscape Architects, said this consolidation would allow recreational activity and allow the applicant to build a basketball court toward the back of the lot. The court will then be code conforming.

Mr. Malone opened the Public Hearing. No comments were received in regard to this application.

Dr. Ganning asked the history of this vacant parcel.

Ms. Braverman said it has probably always been vacant.

Ms. McKinnon said the previous owner of the house had also owned the lot.

It was moved by Dr. Ganning and seconded by Mr. Boyle 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: Malone, Boyle, Dreyfuss-Wells, Ganning
 Nays: None

Motion Carried

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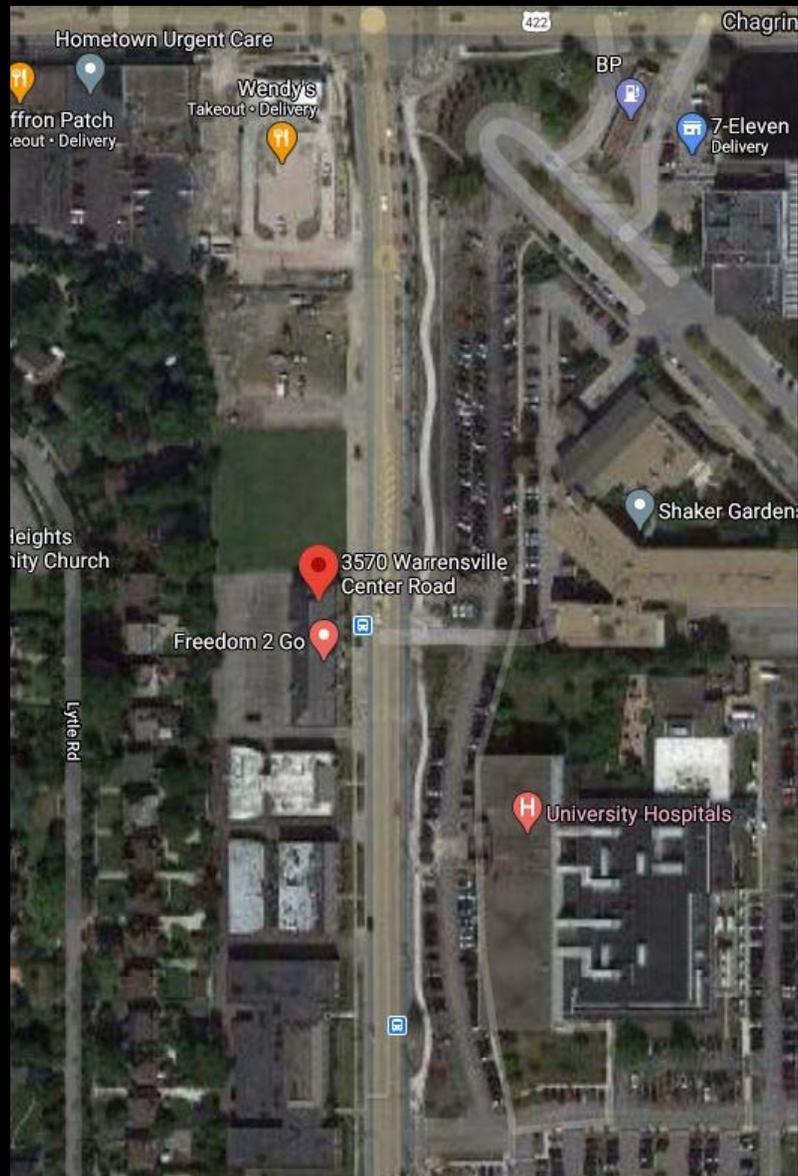
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#2080. City of Shaker Heights – 3642 Daleford Road:

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 CONTINUATION OF PUBLIC HEARING

Notice is hereby given that 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 and 2020 meetings 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 surrounded by a 5 foot tall brick wall. The parking lot has been redesigned to allow a continuous curb and landscaping around the brick wall. The applicant has submitted documentation from a certified HVAC contractor and sound analysis from an engineer.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, October 6, 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

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.

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Public comment will be taken during the meeting and residents may submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Daniel Feinstein at daniel.feinstein@shakeronline.com; or by calling (216) 491-1435. Any comments or questions received before the meeting 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

ADDRESS:

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

HEARING DATE:

October 6, 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 only on the roof or inside the building.

STAFF POSITION:

- Staff suggests approval with the condition that the parking spaces are reconfigured to be angled spaces.
- Based on:
 - The amount of noise generated by the combined eight units has been submitted by an engineer and is below code limits at the rear property line at 35 decibels.
 - The parking lot has been reconfigured to one-way circulation allowing the drive aisles to be narrower which creates more space behind the building for screening the units.
 - The units are now screened with a 5 foot tall brick wall surrounded with landscaping and a continuous concrete curb.
 - The curb, landscaping and 5-foot tall brick wall are aesthetically appropriate screening for the rear of a commercial building.
 - A licensed HVAC contractor has submitted a letter detailing the difficulty and impracticality of an interior system design for this particular building due to its current configuration and the old system.
 - The building has a gable roof form, which leaves no space for condenser units on the roof.
 - The essential character of the neighborhood will not be altered by the proposal since the units will be well screened and do not cause a noise disturbance.
 - The practical difficulty for an interior HVAC system is detailed in a letter from a licensed HVAC contractor.

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 condenser units are still proposed on the ground at the rear of the building.
2. Code requires the units to be located inside the building or on the roof in the CM Commercial Mixed Use zoning district.
3. The request was continued at the September 1, 2020 meeting with the following comments:
 - a. The demonstrated sound rating is 76 decibels per the unit specifications submitted. The demonstrated sound from a single similar unit is not the same as from 8 units.
 - b. Submit sound decibel information for the combined noise level of all 8 condensing units.

**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:

October 6, 2020

FACTS (continued):

- c. Submit information detailing a comparison of an interior chiller type HVAC system versus the proposed system with ground mounted condensing units. A licensed HVAC professional should be engaged to conduct this report. The report should include cost, feasibility and performance standards for this building.
- d. A vinyl fence and planters are not an appropriate screen nor aesthetic treatment for the building.
- e. Investigate a continuous curb, evergreen landscaping and screen wall system for the rear of the building that is aesthetically appropriate for this commercial property and complies with building code regulations.
 - i. Investigate increasing the available space behind the building for screening treatment by changing the parking lot pattern to one-way aisles while maintaining the required number of parking spaces.
4. The parking lot has been reconfigured with one-way circulation, which allows 18 foot wide drive aisles instead of the previous 22 foot wide aisles. The additional space allows a continuous curb, landscaping and a 5 foot tall brick wall to screen the units behind the building.
5. A letter has been submitted from a sound engineer detailing that the decibel sound rating at the rear property line is 35 decibels. This meets the 50 decibel maximum allowed by the noise ordinances.
6. A letter has been submitted from a licensed HVAC contractor detailing the practical difficulty of an interior system and the reasons the current HVAC system has been chosen.

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. Each unit is 41 inches tall and has a noise decibel rating of 76db.
2. The old HVAC system, which was located in the basement and a below-grade well was decommissioned and replaced with several individual systems and servicing different portions of the building.
3. The existing equipment was all installed without permits. It will be replaced with new units. Other renovations within the building were completed without permits.
4. The Building Department has since reviewed and approved the revised renovation and HVAC plans.
5. There are several precedents of generators being approved on the ground at commercial properties.
6. The building has a gable roof form, which leaves no space for condenser units on the roof.

**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:

October 6, 2020

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.

**ACTION SHEET
BOARD OF ZONING APPEALS
AND
CITY PLANNING COMMISSION
TUESDAY, SEPTEMBER 1, 2020**

1. Roll Call.
2. Approval of Minutes from the August 4, 2020 meeting.

Approved

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BOARD OF ZONING APPEALS

#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.

Decision:

Continued with the following comments:

- The demonstrated sound rating is 76 decibels per the unit specifications submitted. The demonstrated sound from a single similar unit is not the same as from 8 units.
- Submit sound decibel information for the combined noise level of all 8 condensing units.
- Submit information detailing a comparison of an interior chiller type HVAC system verses the proposed system with ground mounted condensing units. A licensed HVAC professional should be engaged to conduct this report. The report should include cost, feasibility and performance standards for this building.
- A vinyl fence and planters are not an appropriate screen nor aesthetic treatment for the building.
- Investigate a continuous curb, evergreen landscaping and screen wall system for the rear of the building that is aesthetically appropriate for this commercial property and also complies with building code regulations.
- Investigate increasing the available space behind the building for screening treatment by changing the parking lot pattern to one way aisles while maintained the required number of parking spaces.

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#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.

*

*

*

*

REV.	DATE
△	8/5/20
△	9/8/2020

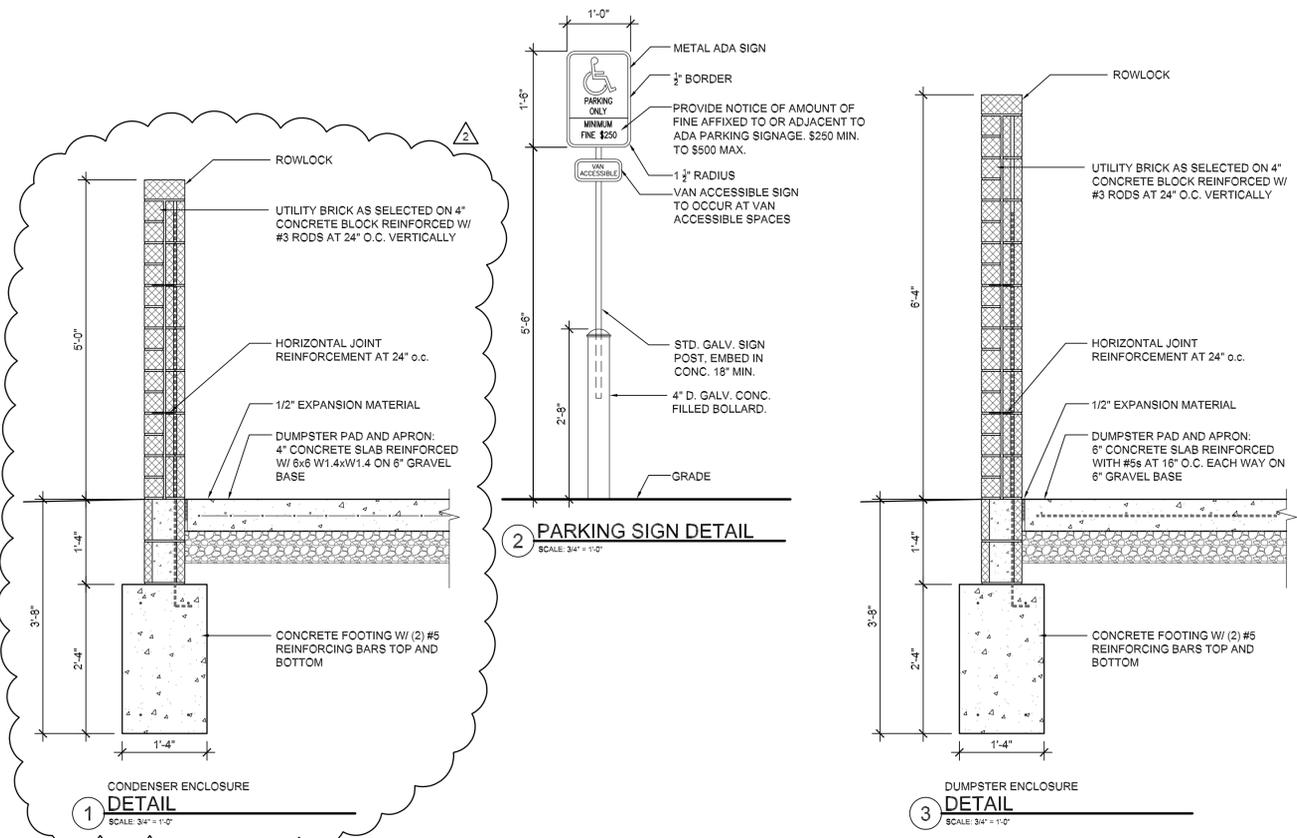
LS ARCHITECTS
 22082 LORAN ROAD
 FAIRVIEW PARK, OH 44126
 PHONE 26-403-9654 FAX 440-76-8887



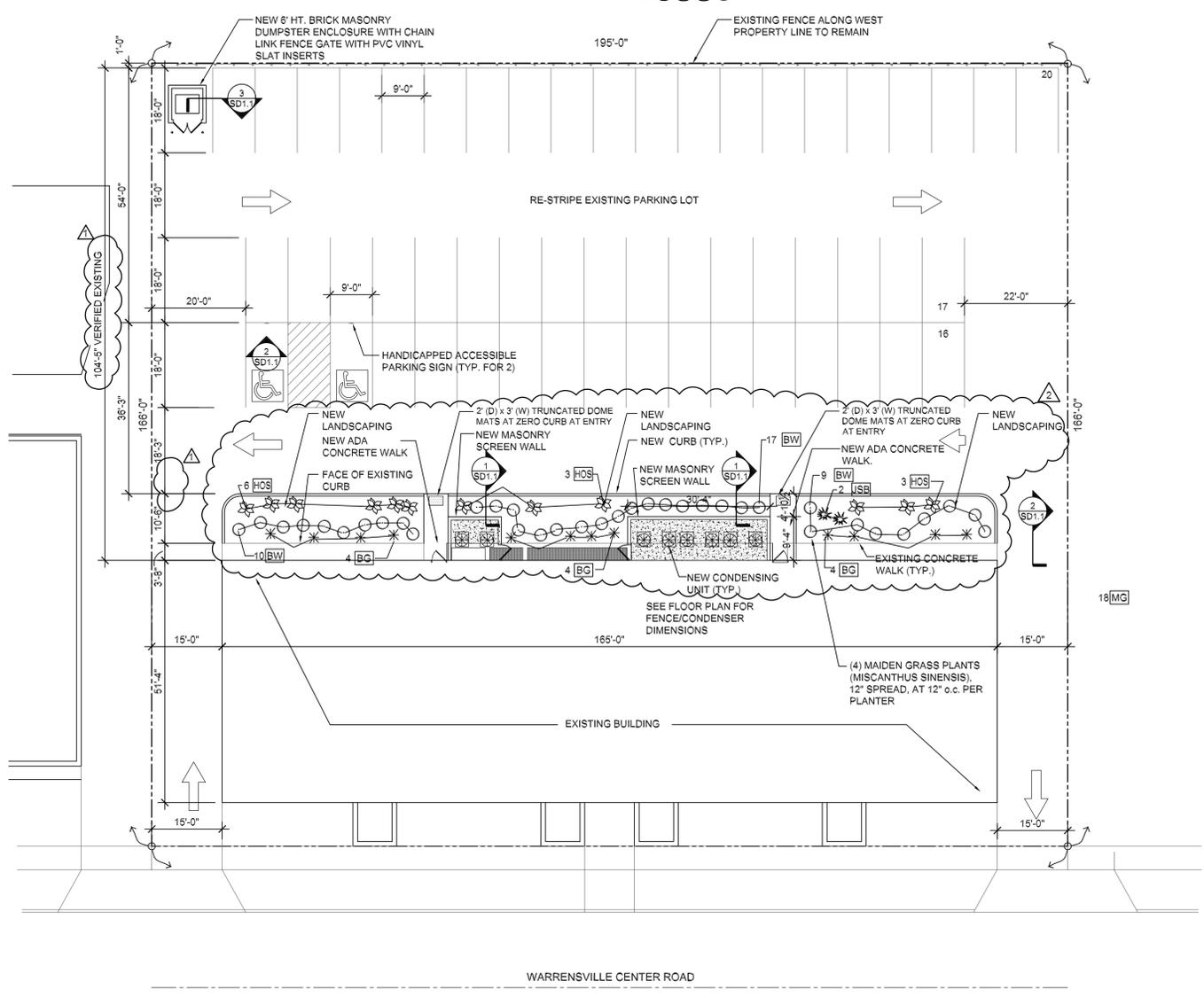
LEON S. SAMPAT
 LICENSE # 13053
 EXPIRATION DATE: 12/31/2019

INTERIOR ALTERATIONS FOR:
**3570 WARRENSVILLE ROAD
 SHAKER HEIGHTS, OH**

JOB NO: 18-194
 DATE: 10.10.2018
 ISSUE: -
 SHEET:
SD1.1

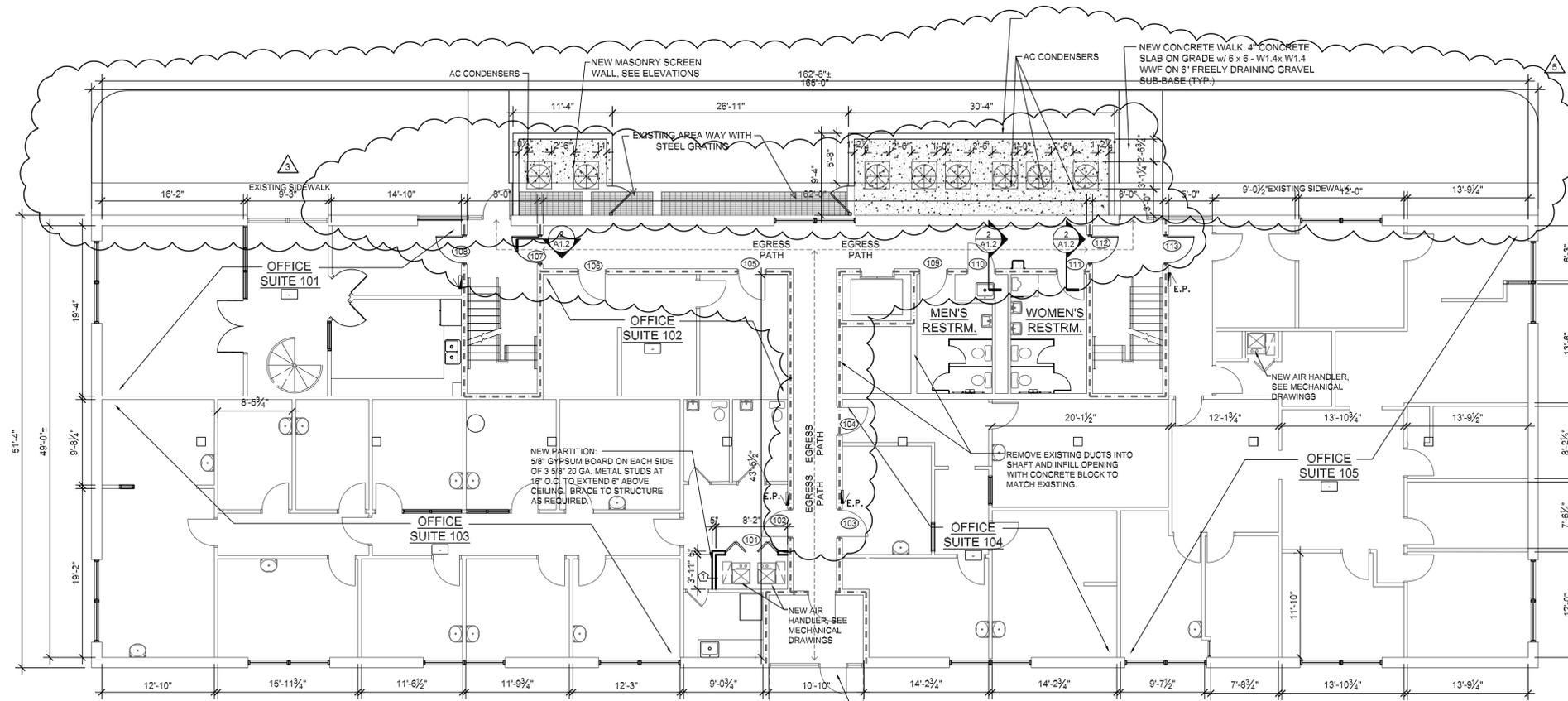


KEY	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE	WIDTH	COND.
BW ○	36	BUXUS	WINTER GEM BOXWOOD	24"-30"	24"-30"	
JSB *	2	JUNIPERUS SABINA "BROADMOOR"	JUNIPER "BROADMOOR"	15"-20"	15"-20"	
HOS ☼	12	HOSTA	PLANTAIN LILIES, BLUE ANGEL	12"-24"	16"-30"	
BG *	12	IMPERATA CYLINDRICA	JAPANESE BLOOD GRASS	12"	24"-30"	



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

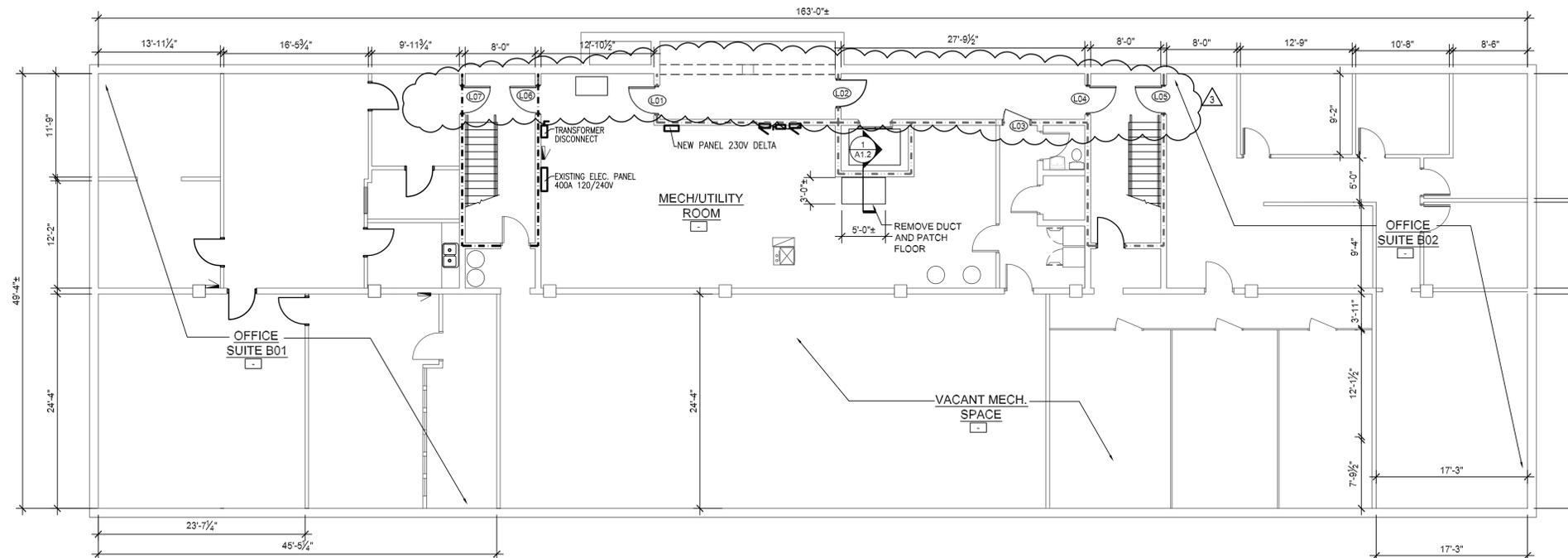
BUILDING AREA: 14,391 GROSS LEASABLE AREA
 1251.02 PARKING REQUIRED:
 1 SPACE/ 300 GROSS BLDG. AREA x 14,391 G.L.A. = 48 SPACES
 PARKING PROVIDED: 53 SPACES
 (1 CAR ACCESSIBLE, 1 VAN ACCESSIBLE)



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

- - - - - EXISTING ONE-HOUR RATED FIRE BARRIER
- - - - - EXISTING TWO-HOUR RATED FIRE BARRIER

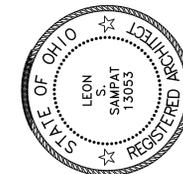
NOTE:
EXISTING ALL DUCTWORK TO BE REMOVED. INFILL OPENINGS OF FORMER DUCT PENETRATIONS IN STAIRWELLS WITH CONCRETE BLOCK TO MATCH EXISTING AND MEET UL #505. (TYP. ALL FLOORS)



LOWER LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

REV.	DATE
1	11.13.2018
2	11.05.2019
3	12.04.2019
4	05.14.2020
5	09.08.2020

LS ARCHITECTS
22082 LORAN ROAD
FAIRVIEW PARK, OH 44126
PHONE 26-403-9654 FAX 440-76-8887

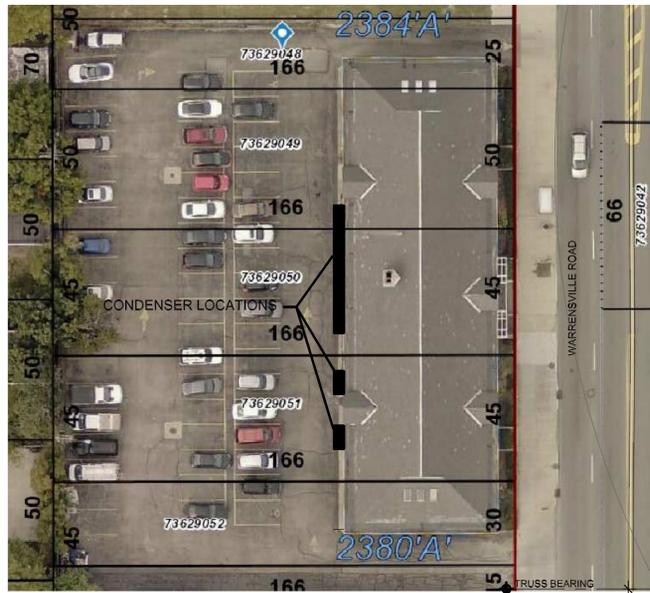


LEON S. SAMPAT
LICENSE # 13053
EXPIRATION DATE: 12/31/2019

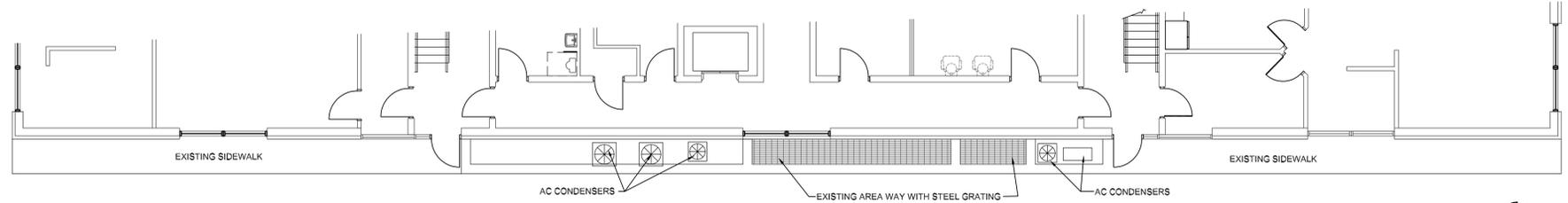
INTERIOR ALTERATIONS FOR:
**3570 WARRENSVILLE ROAD
SHAKER HEIGHTS, OH**

JOB NO: 18-194
DATE: 10.10.2018
ISSUE: -
SHEET:

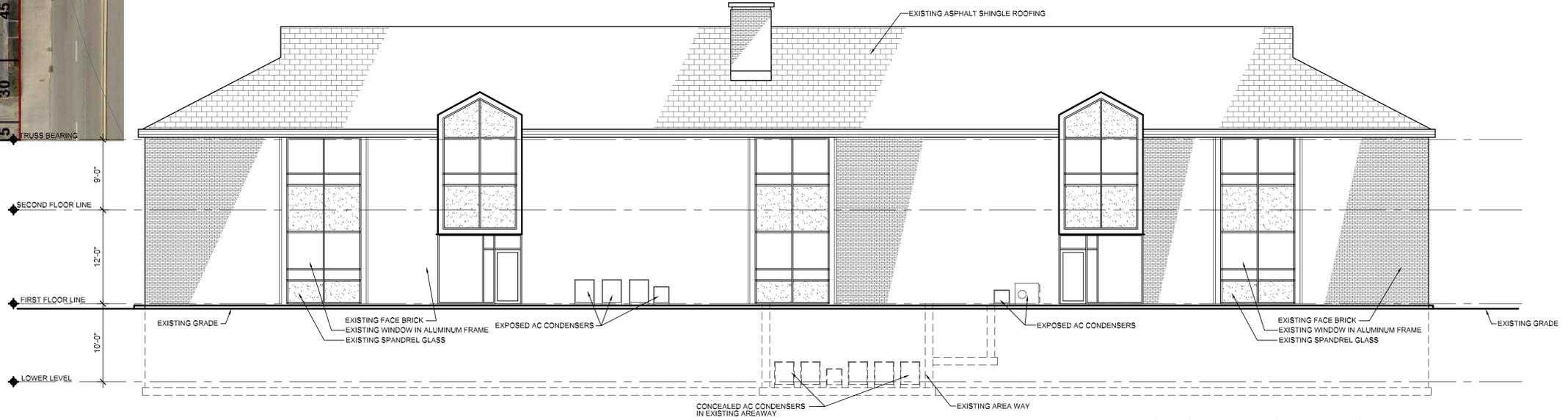
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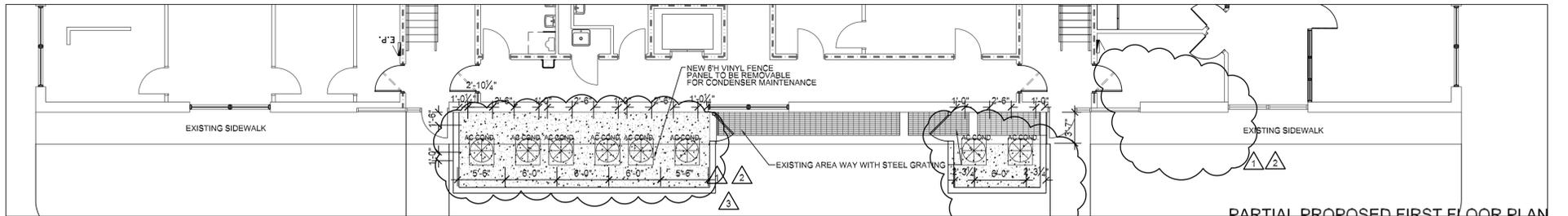
SITE PLAN
SCALE: 1"=30'-0"



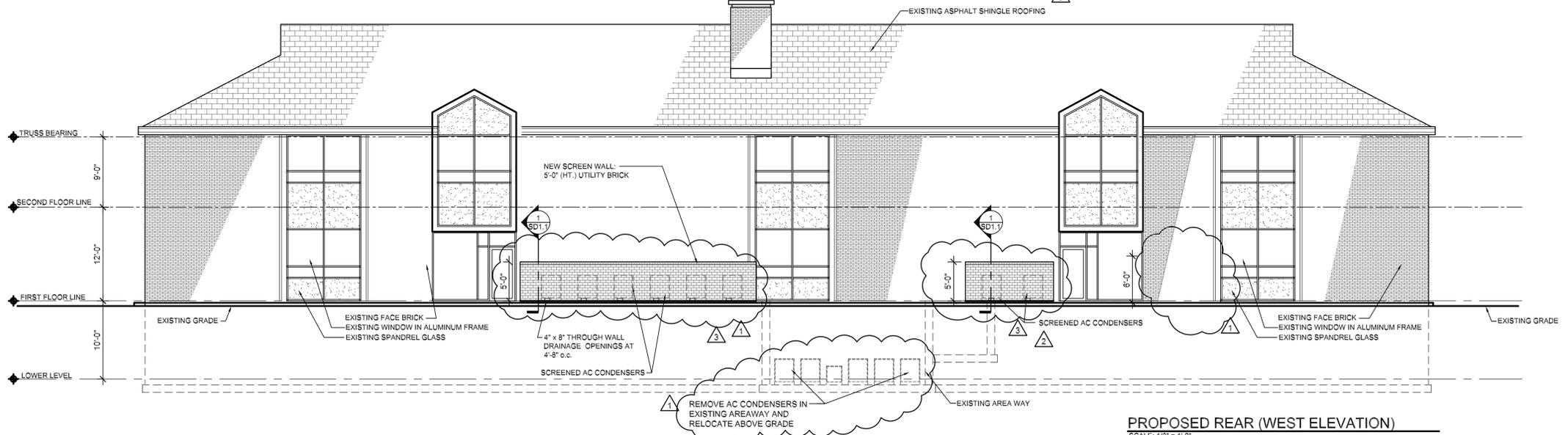
PARTIAL EXISTING FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



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



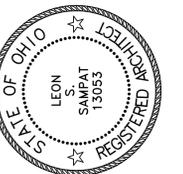
PARTIAL PROPOSED FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



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

REV.	DATE
	08.15.2019
1	11.05.2019
2	12.04.2019
3	09.08.2020

LS ARCHITECTS
22082 LORAN ROAD
FAIRVIEW PARK, OHIO 44126
PHONE 26-403-9654 FAX 440-76-8887



LEON S. SAMPAT
LICENSE # 13053
EXPIRATION DATE: 12/31/2019

INTERIOR ALTERATIONS FOR:
**3570 WARRENSVILLE ROAD
SHAKER HEIGHTS, OH**

JOB NO: 18-194
DATE: 10.10.2018
ISSUE:
SHEET:

A2.1

2020-09-03

Attn: Leon Sampat

Re: Chiller vs. Split system – Warrensville property

We believe the replacement of the existing chiller and air handler with new split systems can be justified due to the following constraints:

- 1) Typical chillers are rarely applied correctly when installed indoors. Although there are indoor versions of these chillers, they are often prohibitively expensive, loud and require significant maintenance
- 2) Given the state of the building and the derelict air handler and pumps abandoned in place, we would assume the piping, controls and accessories have failed or would be in need of significant repair or replacement. The cost to do so would be prohibitive
- 3) The system, using an air cooled chiller, would also require glycol to prevent freezing, pumps, controls, and fan coils, further adding to the cost.
- 4) The system as installed previously (chiller/air handler) appears to have little or no zoning. Based on the new layout, more zoning was needed and thus the split systems made sense.
- 5) Existing area well appears too small for a newer chiller.

A split system provides the following benefits over the chiller/air handler system

- 1) Ventilation can be dialed in to specific spaces and use groups for this new multi-tenant layout
- 2) Zoning and controls can be installed throughout, minimizing energy use. New equipment is of higher efficiency
- 3) Smoke control and detection is less centralized and installed such that smoke should be detected more readily and in location specific areas.
- 4) Condensing units, even installed at grade, should be relatively quiet as newer air cooled condensers are very low noise compared to air cooled chillers (mounted on grade)
- 5) Repairs and first cost are significantly lower while achieving the desired zoning
- 6) Smaller equipment is easier to replace as needed, the existing airhandler would need to be cut up and disposed of in pieces (as would a chiller)
- 7) No water piping, pipe insulation, or chemicals are needed, minimizing the maintenance and potential for failures that could damage the building.

While we agree both methods CAN be applied, it is clear in this facility that a chiller would prove to be a big initial cost, on going maintenance cost, provide an inferior zoning system, prove to be just as loud (or louder) if mounted on grade, not likely able to be applied in the area well, and would require more specialized maintenance for any future tenant/owner as well.



AcoustiControl is a Certified 100% Woman Owned Business

3570 Warrensville Center Road

Shaker Heights, Ohio 44122

Client: 3570 Warrensville LLC

Report Date: September 21, 2020

This acoustical report is to summarize the results of the acoustical calculations which would determine the noise level in dBA at the nearest residential property line which is due west of the building located at 3570 Warrensville Center Road when the proposed eight (8) outside condenser units located on the west side of the building are in operation. All calculations are based on information provided by 3570 Warrensville LLC which includes architectural drawings and sound power data for the American Standard condenser units.

1. Figure 1: shows the location of the condenser units on the west side of the building and it also shows that they are located 100 feet away from the residential property line.
2. Figure 2: shows the dimensions of the proposed masonry barrier wall.
3. Figure 3: shows the measured amount of noise generated by each American Standard condenser unit.
4. Figure 4: is taken from the City of Shaker Heights Ordinances Chapter 755 Noise Control this determines the maximum number of decibels permitted.

The information in the four figures is the basis of the acoustical calculations. The Shaker Heights Ordinance states that the maximum number of decibels permitted from 9:00 p.m. until 7:00 a.m. when all 8 condensers are in operation cannot exceed 55 dBA at the property line.

Based on thorough acoustical calculations that includes all 8 condenser units running, the designed screen barrier wall, and the distance from the property line, the noise level at the property line when all 8 condensers are in operation is calculated to be 35 dBA. This is 20 dBA below what is allowed by the Ordinance.

Conclusion: The proposed 8 outside condensers to be located at 3570 Warrensville Center Road meets the City of Shaker Heights Chapter 755 Noise Control Ordinance.

Sincerely Yours,



Jim Holtrop, INCE, ASA, ASHRAE

AcustiControl LLC / AcustiControl is a Certified 100% Woman Owned Business

Figure 1: Site Plan showing Location of Condensers at 3570 Warrensville Center Road.

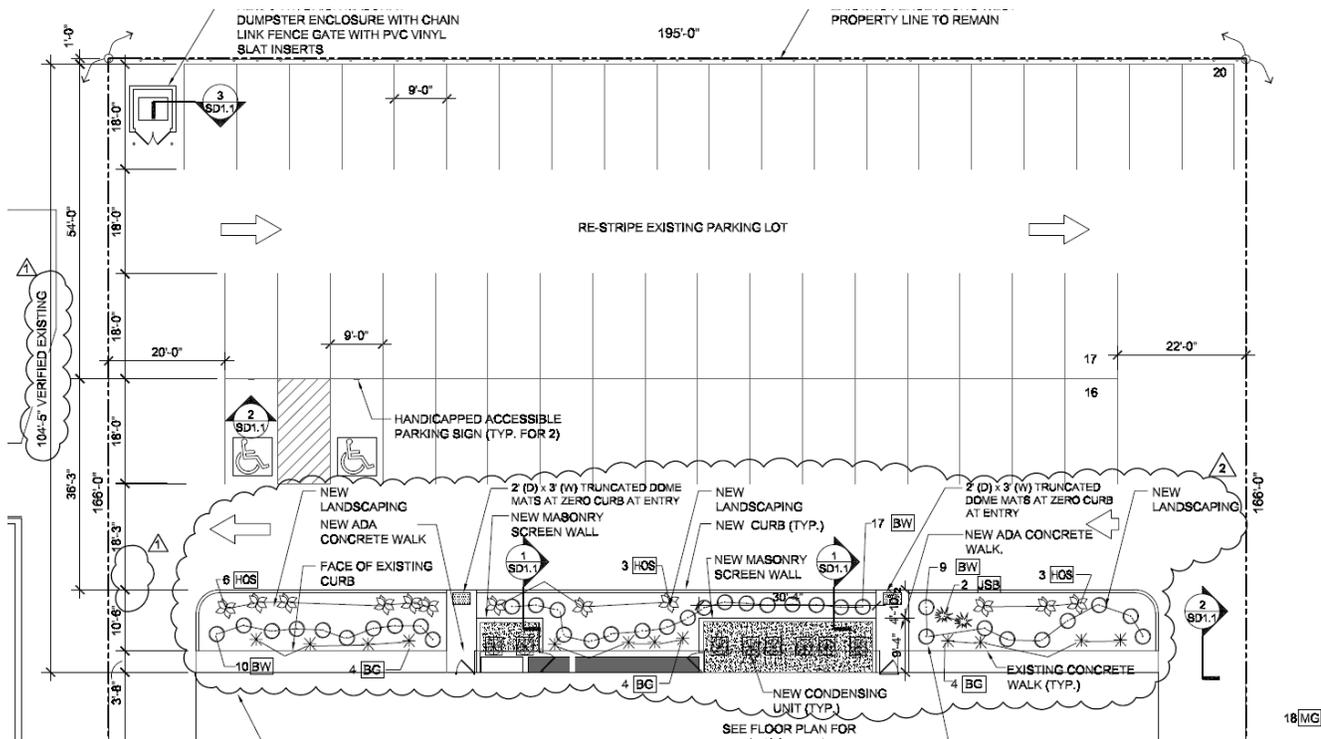


Figure 2: Detail of Proposed Masonry Acoustic Barrier Wall

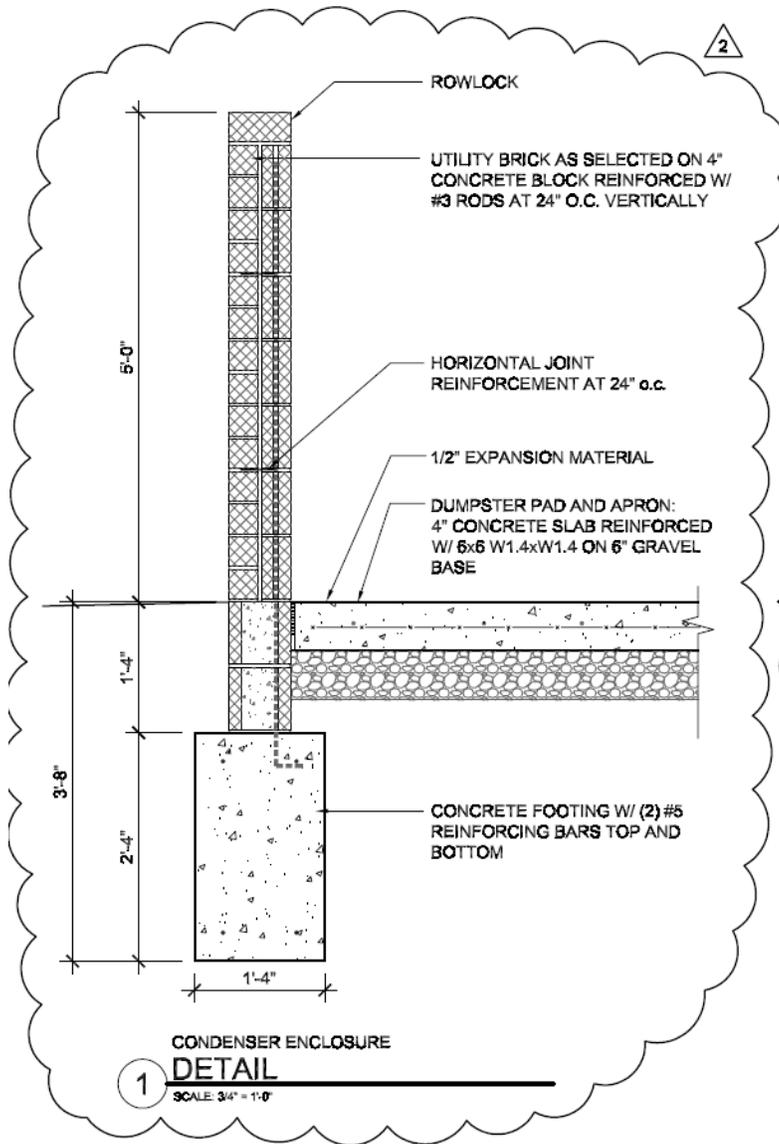


Figure 3: American Standard Model 4A7A3060A1 Sound Power Data of Condensers

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

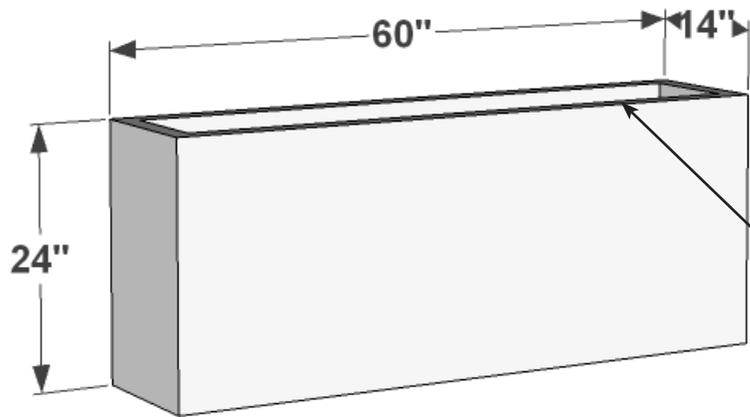
Note: Rated in accordance with AHRI Standard 270-2008

Figure 4:

Table 1 Shaker Heights Ordinances Chapter 755 Noise Control Requirements

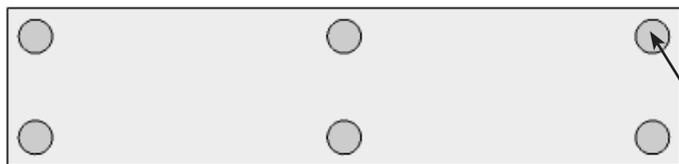
TABLE I
SOUND LEVELS BY ZONING DESIGNATIONS

Zoning designation of the property on which the source of the noise is located	Maximum number of decibels permitted from 7:00 a.m. until 9:00 p.m.	Maximum number of decibels permitted from 9:00 p.m. until 7:00 a.m.
Residential	55	50
Commercial	60	55



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: _____

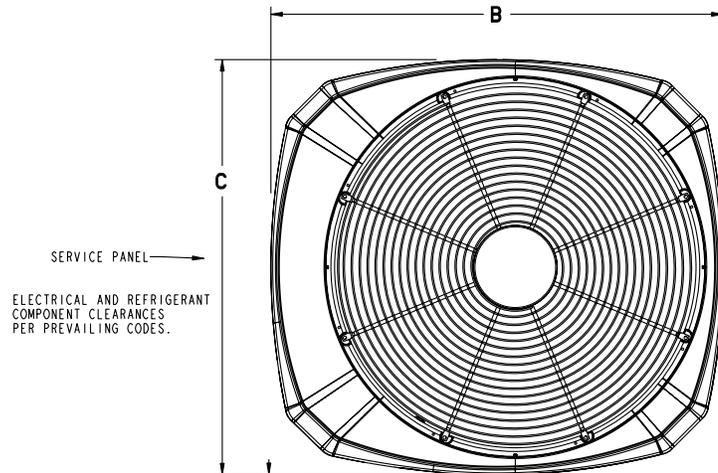
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TAG: _____

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.

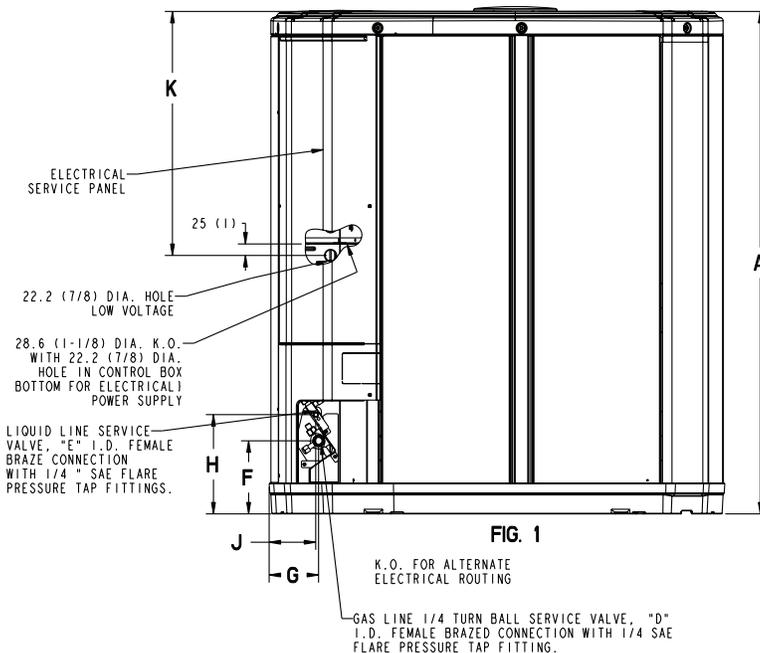


FIG. 1

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
COMPRESSOR	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
OUTDOOR FAN	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
OUTDOOR COIL — TYPE	SPINE FIN™
ROWS - F.P.I.	1 - 24
FACE AREA (SQ. FT.)	27.86
TUBE SIZE (IN.)	3/8
REFRIGERANT	
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
CHARGING SPECIFICATION	
SUBCOOLING	10°F
DIMENSIONS	H X W X D
CRATED (IN.)	46.4 x 35.1 x 38.7
WEIGHT	
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

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

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

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 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

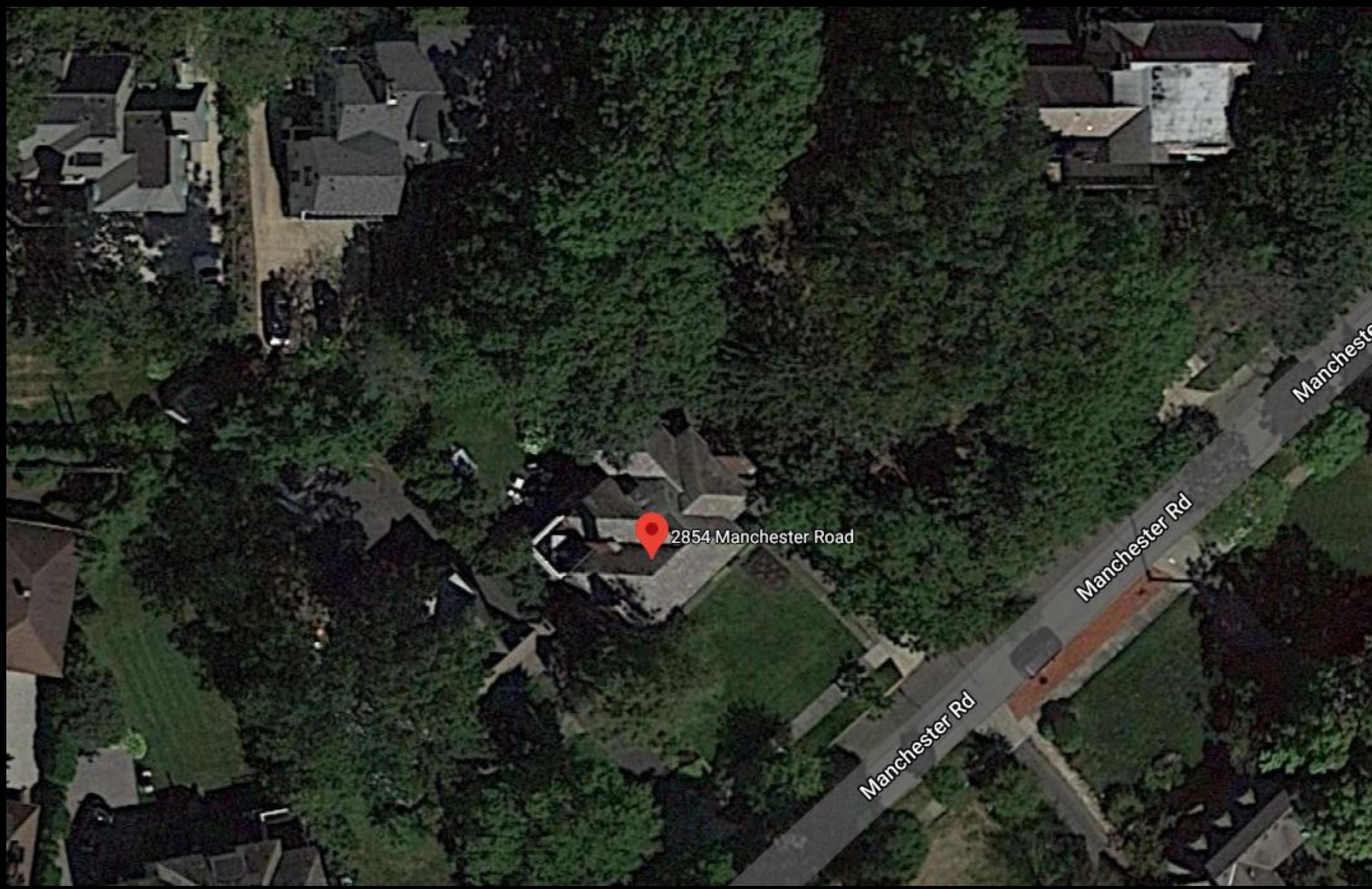
LS ARCHITECTS

22082 Lorain Road

Fairview Park, Ohio 44126

2854 Manchester Road

For variances to the garage regulations in order to construct a new detached 1 ½ car garage in the rear yard.



2854 Manchester Road

Manchester Rd

Manchester Rd

Manchester Rd









Applicant's Name: Chelsea Braden, Christopher Architecture & Interiors Application No: 2081

Property Address: 2854 Manchester Road Parcel No: Lot 130

City: Shaker Heights State: Ohio Zip: 44122

Applicant's Address 2601 Highland Avenue Phone No: 205-413-8531

City: Birmingham State: Alabama Zip: 35205

Property Owner (if other than applicant) Jose Rizo-Patron

Property Owner's Address (if different) _____

City: _____ State: _____ Zip: _____

Zoning District: SF-2 Present Use: Single family residence

Proposed Use: Add a detached garage in addition to the existing attached garage.

E-Mail Address: chelsea@christopherai.com

CHECK INFORMATION ACCOMPANYING THIS APPLICATION

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

CHECK SPECIFIC ACTION REQUIRED

BZA

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

2. OTHER APPROVALS

- Appeal
- Other: _____

CPC

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

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

The existing attached garage's limited size does not allow for a larger vehicle such as a mid-sized SUV nor does it allow for two cars unless both vehicles are relatively small. Even with two small vehicles, spacing is extremely tight and leaves little room for error, consistently risking damage to one or both of the smaller vehicles. The height of the existing opening is also only 6'-0" tall. Ultimately, the existing attached garage is no longer tenable to the homeowners.

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

Chelsea Braden
SIGNATURE:

09.14.2020
DATE:



NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Chelsea Braden, architect, representing Jose Rizo-Patron, 2854 Manchester Road, to the Board of Zoning Appeals for variances to the garage regulations in order to construct a new detached 1 ½ car garage in the rear yard. The applicant proposes the additional detached garage behind the house facing the side yard. Code allows one garage structure on the property, located in the rear yard only. The existing 16 ½ foot wide, 313.5 square foot, rear facing, attached garage is proposed to remain. When added to the proposed 475 square foot proposed garage, it creates a total of 3 garage spaces and 788.5 square feet of garage area. Code allows a maximum of 700 square feet of garage area in the SF-2 Single Family Residential zoning district. Code requires an attached garage on a street block where the majority of garages are attached. Only two of the nine garages on this street block are detached.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, October 6, 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

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

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

Public comment will be taken during the meeting and residents may submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Daniel Feinstein at daniel.feinstein@shakeronline.com; or by calling (216) 491-1435. Any comments or questions received before the meeting 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

ADDRESS:

2854 Manchester Road
Rizo-Patron Residence
Case#: 2081

HEARING DATE:

October 6, 2020

SUMMARY:

Variance to the garage requirements as to the number of garage structures, the type of garage, and the overall square footage in order to construct a detached garage in the rear yard when code allows only one garage that is attached in this instance.

STAFF POSITION:

- Staff suggests approval based on:
 - There is precedent for an additional freestanding garage structure on single family lots in the city.
 - There are 3 detached garages out of 9 other homes on this block of Manchester. There are 10 additional detached garages on the next block of Manchester.
 - The next door neighbor has a detached garage in the rear yard
 - The additional garage space should raise the property value.
 - The combined garage square footage is only 88.5 square feet over the 700 square foot maximum and meets the 3-car maximum.
 - The house blocks all of the street view of the garage.
 - Due to the existing garage location, it is not possible to expand the garage and not affect the house layout and access.
 - The attached garage size is only sufficient for 2 sub-compact cars.
 - The existing 15-foot wide garage door does not meet current requirements for a two-car garage door width.
 - The new garage design was approved by the Architectural Board of Review at their September 21, 2020 meeting.
 - The essential character of the neighborhood will not be adversely affected by a second garage, or the location, since the garage would not be visible to the street and there is a detached garage next door.
 - The garage location does not negatively affect the use, enjoyment or valuation of nearby properties.

ACTION:

- Variance to the number of garage structures on one property, to allow two structures.
- Variance to the type of garage to permit a detached garage on a street block of mostly attached garages.
- Variance to the maximum square footage of garage space to allow 788 square feet when 700 square feet is the maximum in the SF-2 Single Family zoning district.

FACTS:

1. The applicant proposes to retain an existing small, two car attached, rear-facing garage and construct a new 1 ½ car detached garage in the rear yard. Code allows only one garage structure per lot.
2. The new garage is proposed behind the house, facing the side. There are 3 detached garages out of 9 houses on this street block. Code requires that the garage style (attached vs. detached) match the prevalent style on the street block.

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

STAFF REPORT

**Continued:
ADDRESS:**

2854 Manchester Road
Rizo-Patron Residence
Case#: 2081

HEARING DATE:

October 6, 2020

FACTS (continued):

3. The existing garage (313.5 square feet) plus the proposed garage (475 square feet) equals 788.5 square feet. Code allows a maximum garage area of 700 square feet in the SF-2 zoning district. The interior area of the proposed garage is only 432 square feet.
4. The 20-foot tall garage is proposed to be located 12 feet 10 inches off the side property line and 10 feet off the rear property line. Code requires a 10-foot setback for a 20 foot tall garage.

CODE SECTIONS:

1. 1262.07 B – Garage structures shall be attached where the majority of garages on the street are attached. Six of the nine garages on this block are attached.
2. 1262.07 – Only one garage structure shall be provided on any lot.
3. 1262.07 – A garage is limited to a maximum of 700 square feet in the SF-2 zoning district.
4. 1262.07 – A 10-foot setback is required for a 20-foot tall garage.
5. 1262.07 – A variance may be granted when the BZA determines that a garage of a different type will not adversely affect the use, enjoyment and valuation of properties.

OTHER ISSUES:

1. The applicant proposes the additional garage space because they need space for larger cars and two motorcycles.
2. The proposed garage is 22 feet deep by 19 feet wide. It is set back 12 feet 10 inches from the side property line and 10 feet from the rear property line. The proposed garage is behind the house, not visible to the street.
3. The rear yard is generally surrounded with landscaping and a 6-foot tall picket fence.
4. The direct side neighbor has a detached garage in the rear yard.
5. There are 10 additional detached garages on the next block of Manchester.
6. The Architectural Board of Review approved the proposed garage design at their September 21, 2020 meeting.
7. The combined garages meet the 3 car maximum.
8. The existing garage opening is only 15 feet wide and does not leave room for access for two cars with the exception of sub-compact vehicles. A code compliant two car garage entry door is at least 16 feet wide.

PRECEDENT:

1. 19700 Shelburne Road – approved a second detached garage totaling 852 square feet.
2. Faltisco Residence, Lomond Boulevard – approved a second detached garage facing the street.
3. Teknos Residence, Courtland Boulevard – approved a second detached garage facing the street, totaling 1,058 square feet.
4. Anderson Residence, Attleboro Road – approved a second detached garage totaling 1,148 square feet.

ADDRESS:

HEARING DATE:

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

STAFF REPORT

2854 Manchester Road
Rizo-Patron Residence
Case#: 2081

October 6, 2020

PRECEDENT (continued):

5. Michel Residence, Canterbury Road – approved a second detached two-car garage plus woodshop.
6. Goodall Residence, Attleboro Road – approved a second detached garage.
7. Augustine Residence, Wicklow Road – approved a second, detached garage.
8. Chan/Wong Residence, North Park Boulevard – approved a second, detached garage, totaling 6 garage spaces and 1,200 square feet.
9. Gluz/Bernstein Residence, Fontenay Road – approved a second attached garage facing the street.
10. Oldham Residence, Shaker Boulevard – approved a second detached garage in the rear yard.
11. Mbanefo Residence, Inverness Road – approved a second two-car detached garage on a corner lot.
12. Rahal Residence, Glengary Road – approved a detached garage where the majority of garages are attached.
13. Lincoln Residence, Glengary Road – approved a second one-car detached garage with landscape screening.
14. Carreras Residence, South Woodland Road – approved a second one-car detached garage facing the street with landscape screening.
15. Meyer Residence, Shaker Boulevard – approved a second one-car garage facing the street with landscape screening.

C
CHRISTOPHER
ARCHITECTURE & INTERIORS

Chelsea Braden, Project Designer
On behalf of Jose Rizo-Patron, Owner
2854 Manchester Road
Shaker Heights, OH 44122

September 14, 2020

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

To Whom it May Concern,

We are asking for a variance due to a hardship concerning the existing garage. The existing attached garage's limited size does not allow for a larger vehicle such as a mid-sized SUV nor does it allow for two cars unless both vehicles are relatively small. Even with two small vehicles, spacing is extremely tight and leaves little room for error, consistently risking damage to one or both of the smaller vehicles. The height of the existing opening is also only 6'-0" tall. The current dimensions are 16'-6" wide by 19'-0" deep. Minimum for two cars needs to be 20' by 20'.

Unfortunately, the existing footprint does not allow for expansion given the location in relation to other rooms in the house. To the left (if facing the current garage door) there is an exterior door that leads to the kitchen which would be blocked off if expanded. To the right, there is a window against the corner that is in a guest bathroom that would also be blocked off if expanded. There is also not enough turnaround room in the driveway to lengthen the current footprint. Ultimately, the existing garage is no longer tenable to the homeowners.

We would like to add a detached garage at the rear of the property. This structure will not be seen from the road, but still allows for yard space surrounding it. It will be within the 10'-0" accessory structure setback requirement based on the 20'-0" height to the top ridge of the structure. All materials will match the existing home – brick, cornice, roofing and doors.

C
CHRISTOPHER
ARCHITECTURE & INTERIORS

Thank you for your consideration and we look forward to hearing from you.

Best,
Chelsea Braden



Rizo-Patron Residence

CONSTRUCTION DOCUMENTS

Issue: 09/14/2020

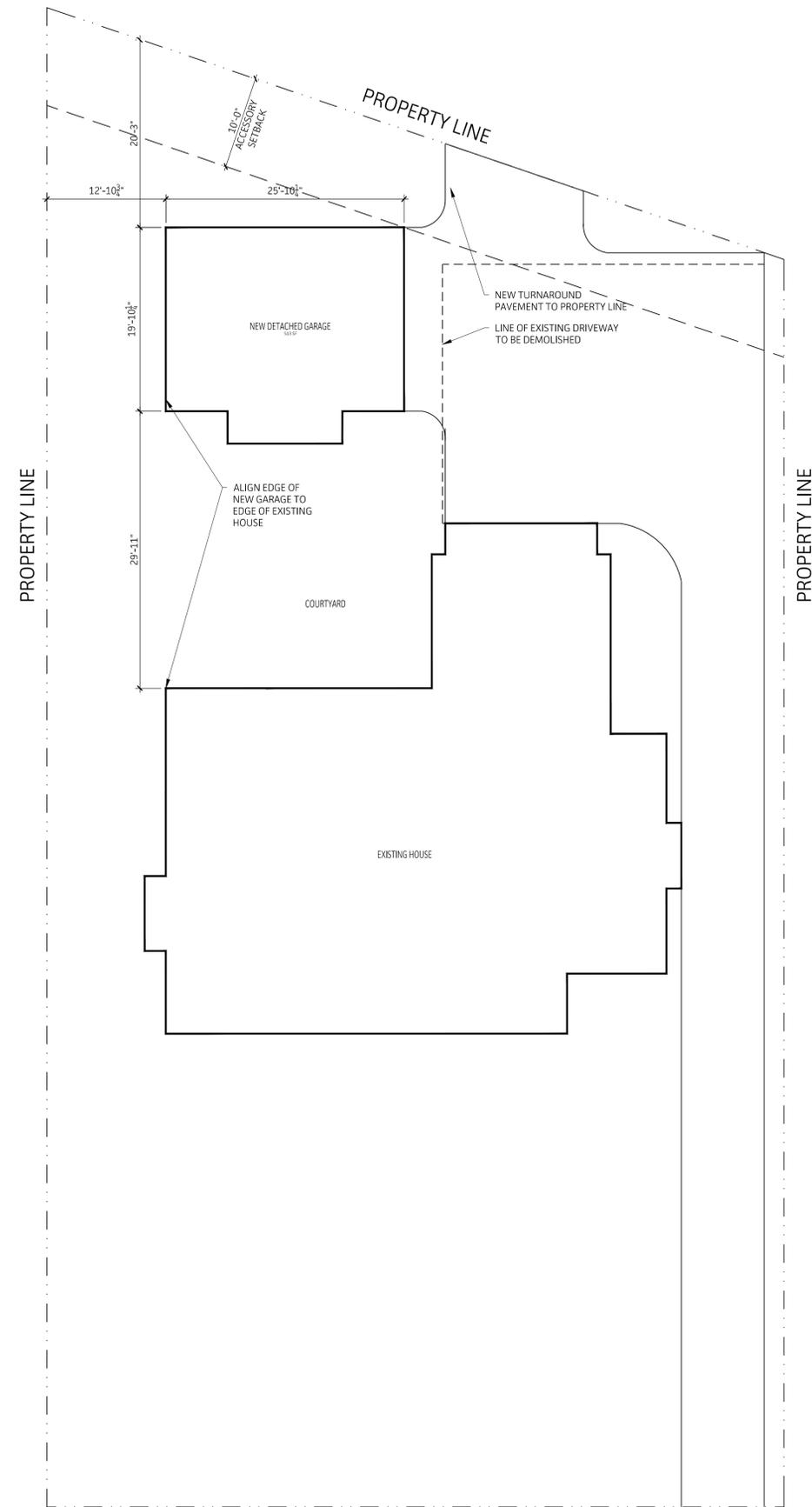
2854 Manchester Road
Shaker Heights, Ohio 44122

Drawing Index

- A0.0 COVER SHEET
- A1.0 SITE PLAN
- A2.1 GARAGE PLANS
- A3.1 ELEVATIONS
- A4.0 TYPICAL SECTION DETAILS

Project Information

Owner: Jose Rizo-Patron
Architect: Christopher Architecture & Interiors
Contact: Chris Reebals
Chelsea Braden
2601 Highland Avenue
Birmingham, Alabama 35205
(205)-413-8531
Square Footages
Unconditioned: 432 Interior sf
Applicable Codes: 2017 International Residential Code



2854 MANCHESTER ROAD

01 | Site Plan
SCALE: 1/8"=1'-0"

Christopher Architecture & Interiors
Chelsea Braden, Project Designer
2601 Highland Avenue
Birmingham, AL 35205
205-413-8531

Rizo-Patron
Residence

Jose Rizo-Patron, Owner
2854 Manchester Road
Shaker Heights, Ohio 44122
216-372-3913

DATE
09/14/2020
JOB NO.
20020

DRAWN BY
CB
CHECKED BY
CR

SHEET TITLE
SITE PLAN

A1.0

GENERAL PLAN NOTES

1. Do not scale drawings. Any dimension in question should be brought to the design team's attention for clarification.
2. Dimensions are laid out as follows:
 - EXTERIOR WALLS: Outside face of stud
 - INTERIOR WALLS: Center of Wall
 - WINDOWS & DOORS: Center of openings in stud walls.
 - MASONRY WALLS: Face to Face
 - MASONRY OPENINGS: Edge to Edge
3. Exterior walls should be 2x6 framing unless noted otherwise; typical.
4. Interior walls should be 2x4 framing unless noted otherwise; typical.
5. Walls containing pocket doors should be 2x6 stud framing; typical.
6. Walls containing "thickened opening" to be 10" thick unless noted otherwise; typical.

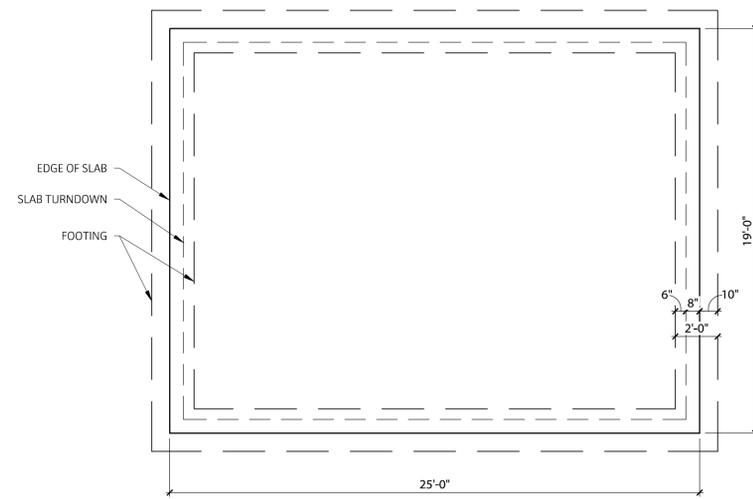
GENERAL ELECTRICAL PLAN NOTES

1. Refer to interior elevations for locations of outlets in cabinetry.
2. Refer to interior elevations for mounting heights.
3. Light switches to be located at 36" A.F.F.
4. Outlets to be mounted horizontally in baseboards.

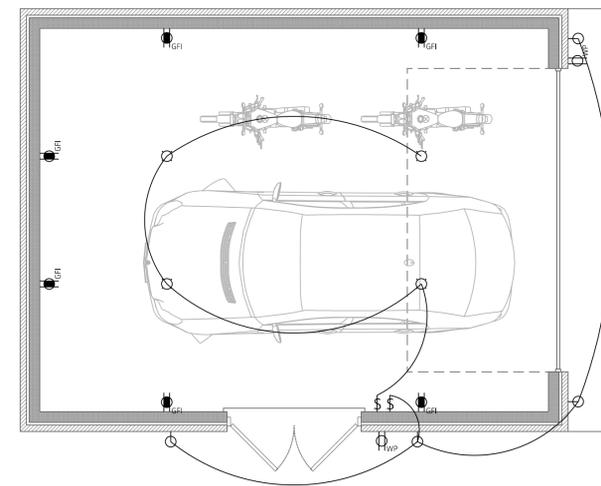
ELECTRICAL LEGEND

Locations are called-out on drawings. All symbols may not be used on every sheet.

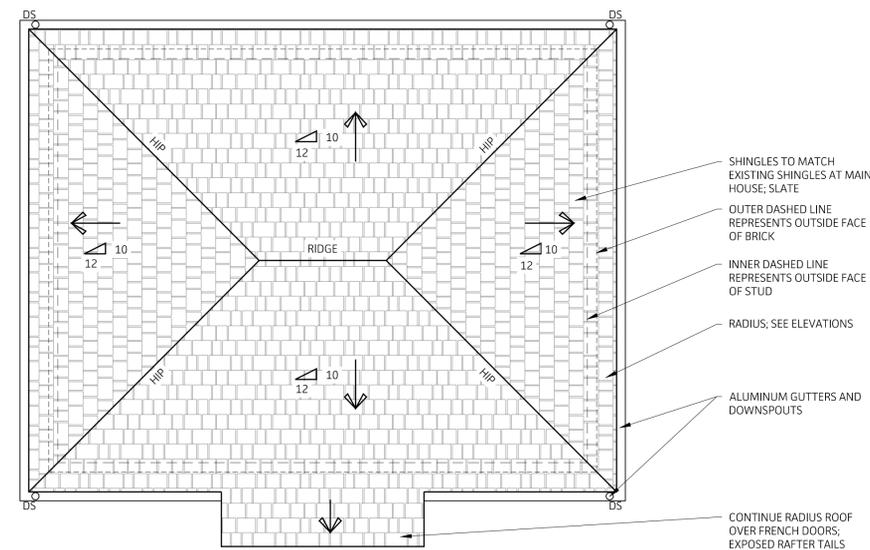
- FLOOD
- DUPLEX OUTLET, OUTDOOR
- GFI, DUPLEX OUTLET
- SWITCH
- SMOKE DETECTOR
- SURFACE-MOUNT (CEILING)
- WALL SCONCE; DIMMABLE



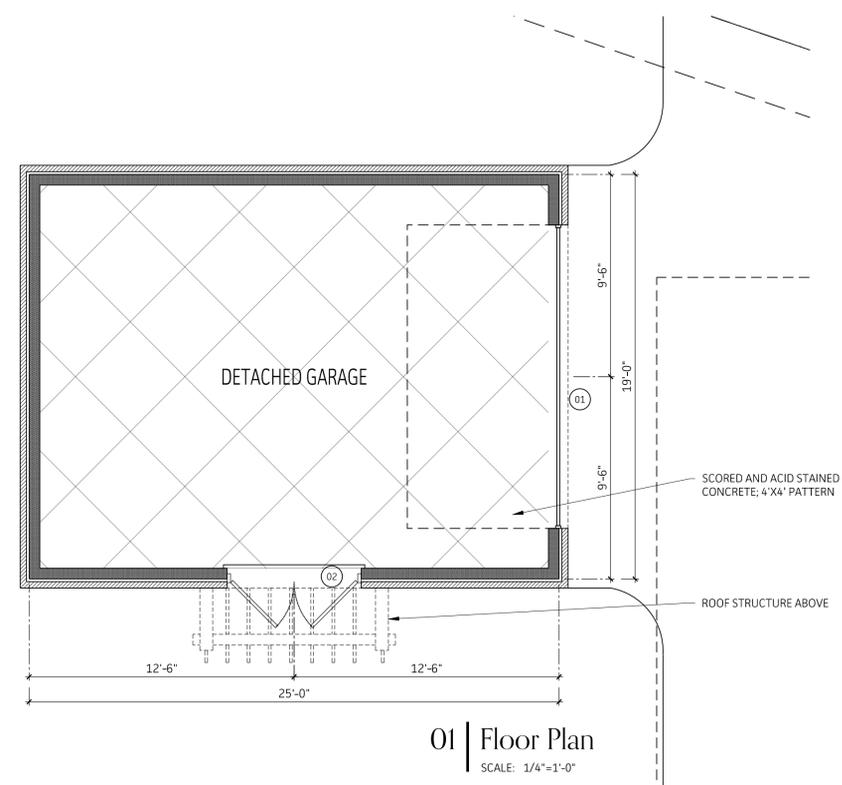
04 | Foundation Plan
SCALE: 1/4"=1'-0"



02 | Electrical Plan
SCALE: 1/4"=1'-0"



03 | Roof Plan
SCALE: 1/4"=1'-0"



01 | Floor Plan
SCALE: 1/4"=1'-0"

Christopher Architecture & Interiors
Chelsea Braden, Project Designer
2601 Highland Avenue
Birmingham, AL 35205
205-413-8531

Rizo-Patron Residence

Jose Rizo-Patron, Owner
2854 Manchester Road
Shaker Heights, Ohio 44122
216-372-3913

DATE: 09/14/2020
JOB NO.: 20020

DRAWN BY: CB
CHECKED BY: CR

SHEET TITLE: GARAGE PLANS

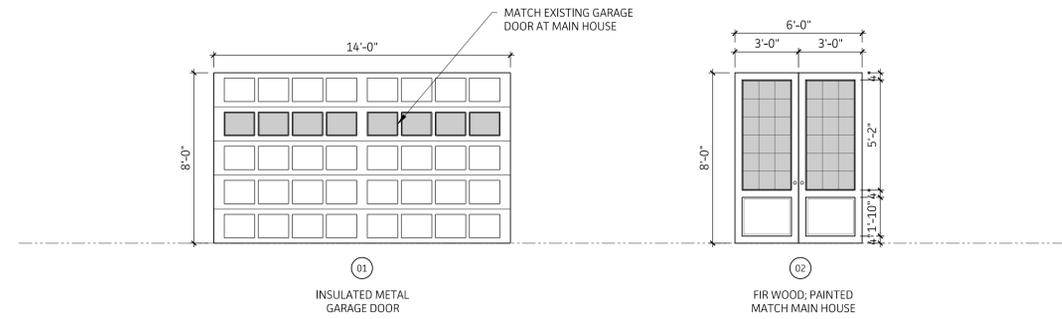
A2.1

GENERAL ELEVATION NOTES

1. Do not scale drawings. Any dimension in question should be brought to the design team's attention for clarification.
2. Notes with bolded text and a leader ending in a dot indicate that additional information is to be found in the specifications. See the referenced specification division on sheets A.01-A.03.
3. Design Team will provide full-scale templates of all timber details (including, but not limited to, beams, brackets, kneelers, and pergolas), rafter tails, and elliptical arches. Contractor to inform Design Team when this information is needed.

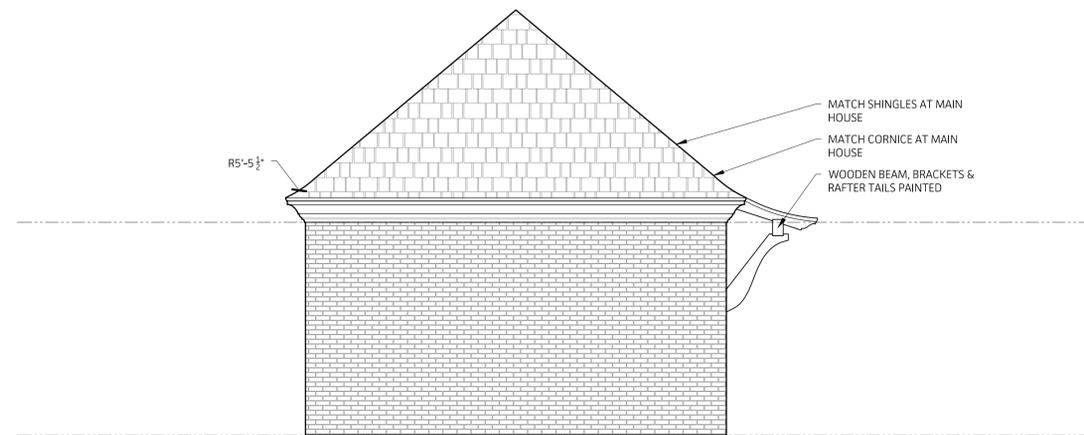
SPECIFICATION INDEX

Locations are called out on drawings. Refer to sheets A0.1 - A0.3. All notes may not be used on every sheet.



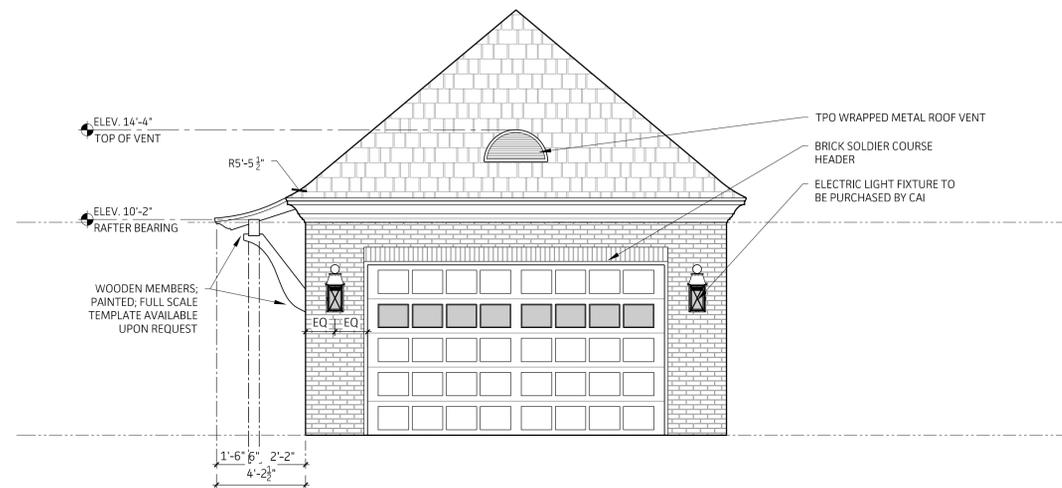
Door Schedule

SCALE: 1/4"=1'-0"



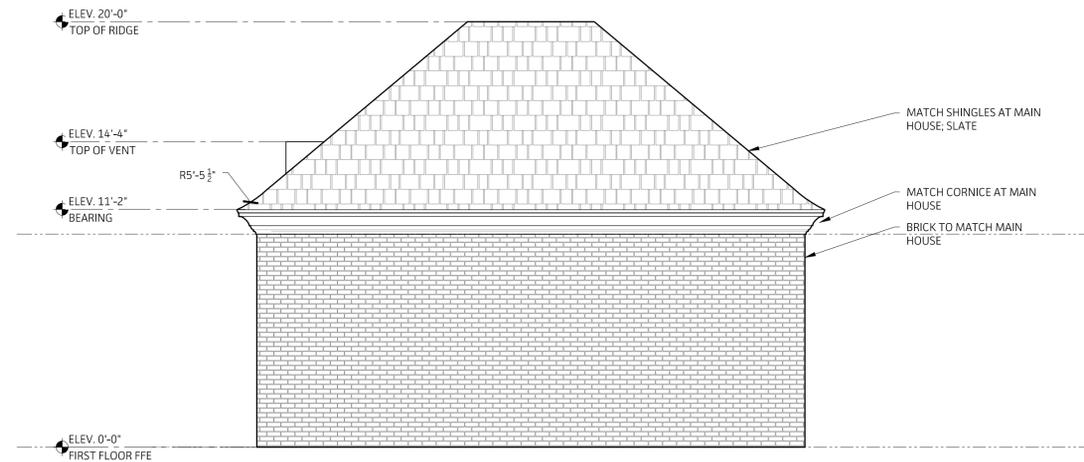
04 | Rear Elevation

SCALE: 1/4"=1'-0"



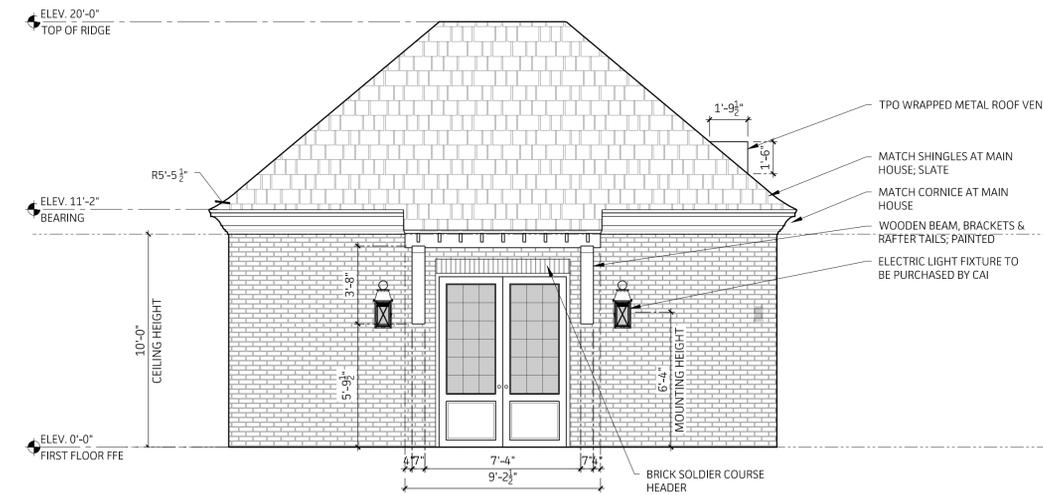
02 | Front Elevation

SCALE: 1/4"=1'-0"



03 | Right Elevation

SCALE: 1/4"=1'-0"



01 | Left Elevation

SCALE: 1/4"=1'-0"

Christopher Architecture & Interiors
Chelsea Braden, Project Designer
2601 Highland Avenue
Birmingham, AL 35205
205-413-8531

Rizo-Patron Residence

Jose Rizo-Patron, Owner
2854 Manchester Road
Shaker Heights, Ohio 44122
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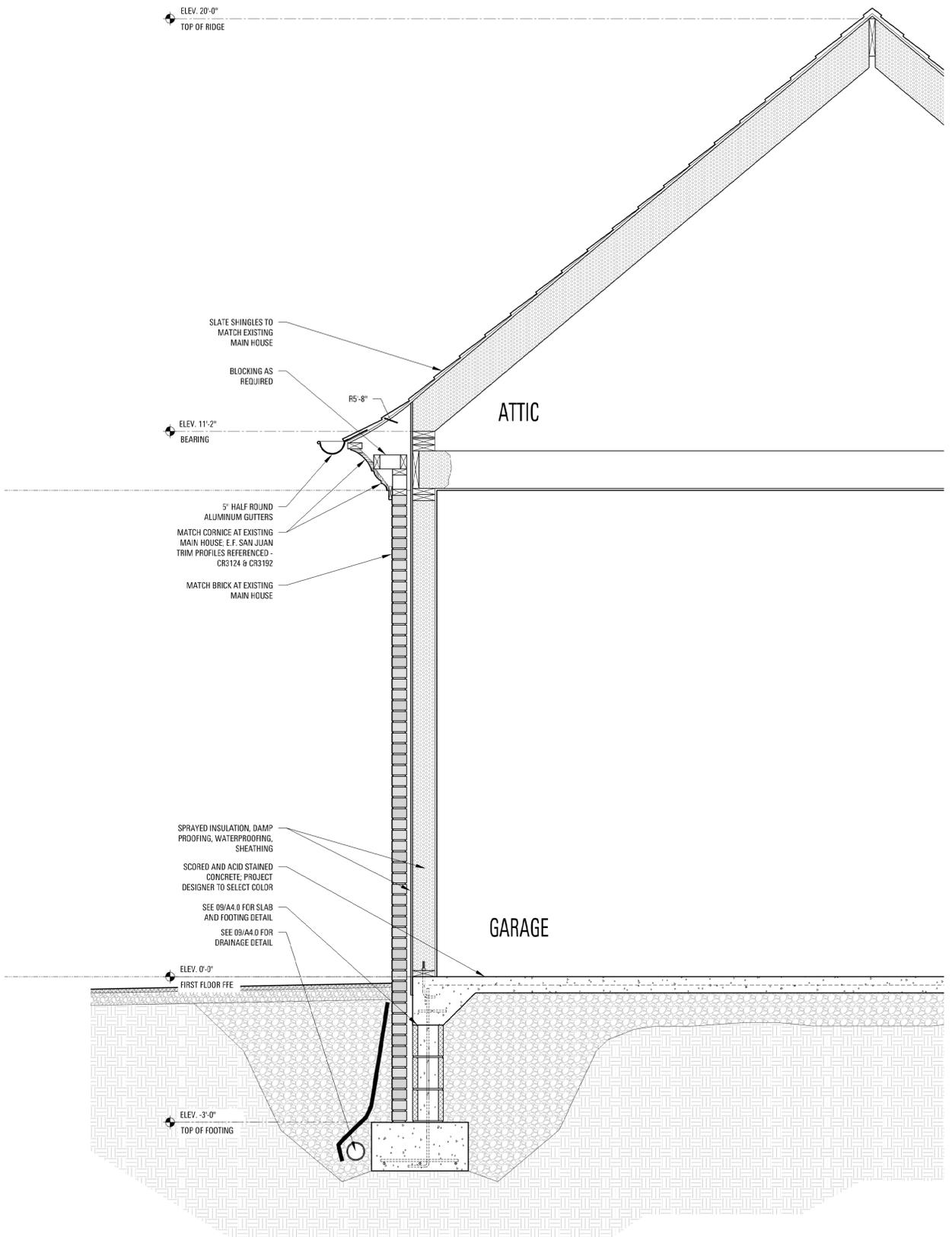
DATE: 09/14/2020
JOB NO.: 20020

DRAWN BY: CB
CHECKED BY: CR

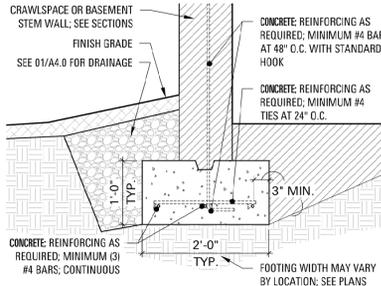
SHEET TITLE: ELEVATIONS

A3.1

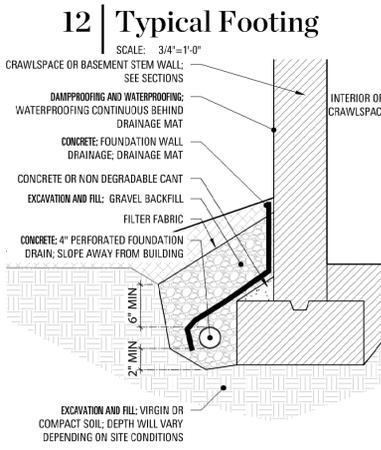
- GENERAL SECTION NOTES**
- Sections are intended to be graphic representation of architectural design intent. Final design of all structural systems should be provided by a licensed engineer and is not the responsibility of the architect.
 - Do not scale drawings. Any dimension in question should be brought to the design team's attention for clarification.
 - Notes with bolded text and a leader ending in a dot indicate that additional information is to be found in the specifications. See the referenced specification division on sheets A.01-A.03.
 - Mockups of all materials to be provided by installers doing the work for Design Team's approval. Design Team will provide full-scale templates of all timber details (including, but not limited to, beams, brackets, kneelers, and pergolas), rafter tails, and elliptical arches. Contractor to inform Design Team when this information is needed.



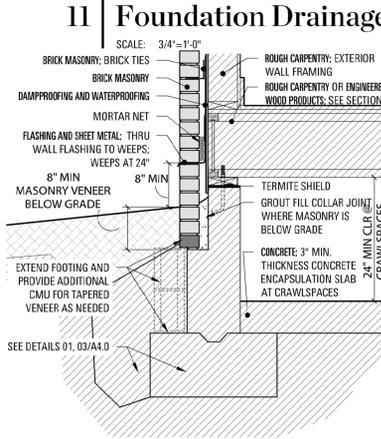
13 | Typical Wall Section
SCALE: 3/4"=1'-0"



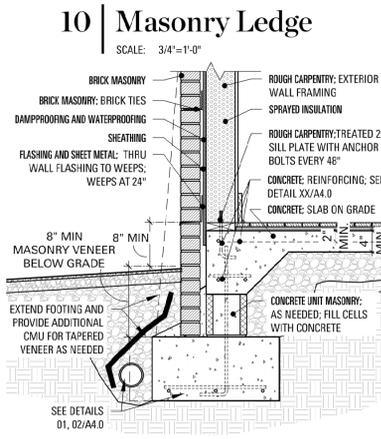
08 | Drip Edge Flashing
SCALE: 3/4"=1'-0"



12 | Typical Footing
SCALE: 3/4"=1'-0"

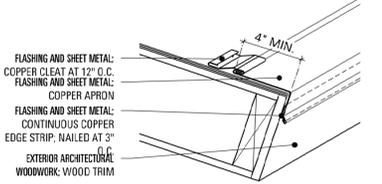


11 | Foundation Drainage
SCALE: 3/4"=1'-0"

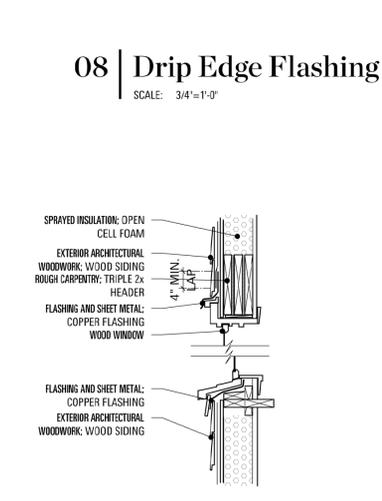


10 | Masonry Ledge
SCALE: 3/4"=1'-0"

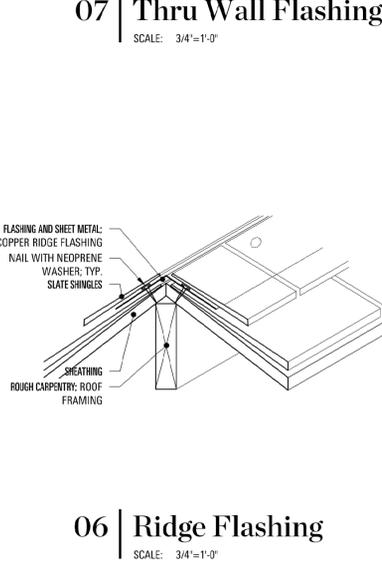
09 | Slab on Grade
SCALE: 3/4"=1'-0"



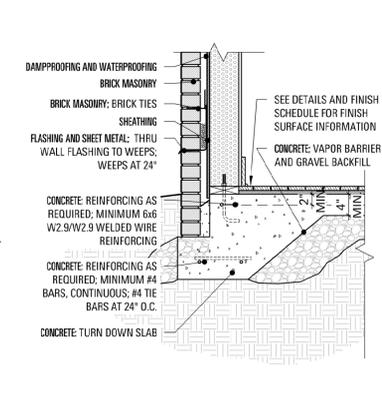
05 | Turndown Slab Edge
SCALE: 3/4"=1'-0"



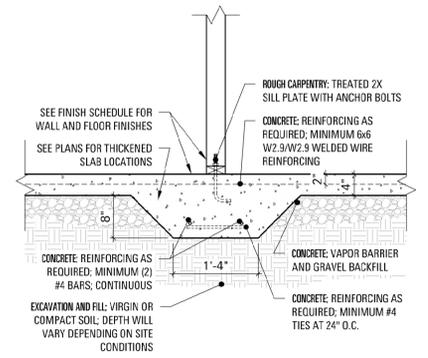
07 | Thru Wall Flashing
SCALE: 3/4"=1'-0"



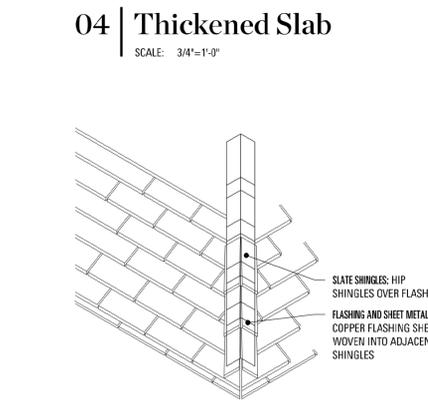
06 | Ridge Flashing
SCALE: 3/4"=1'-0"



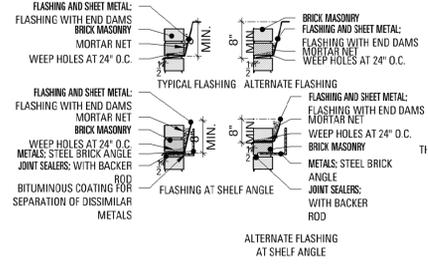
05 | Turndown Slab Edge
SCALE: 3/4"=1'-0"



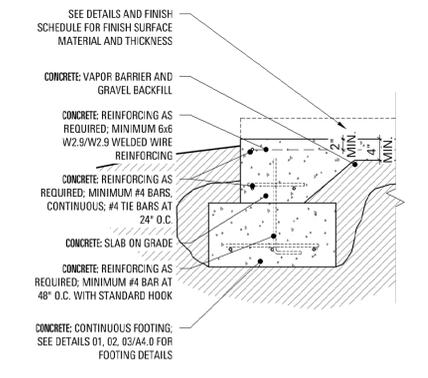
04 | Thickened Slab
SCALE: 3/4"=1'-0"



03 | Concealed Hip Flashing
SCALE: 3/4"=1'-0"



02 | Thru Wall Flashing
SCALE: 3/4"=1'-0"



01 | Slab Edge Reinforcing
SCALE: 3/4"=1'-0"

Christopher Architecture & Interiors
Chelsea Braden, Project Designer
2601 Highland Avenue
Birmingham, AL 35205
205-413-8531

**Rizo-Patron
Residence**
Jose Rizo-Patron, Owner
2854 Manchester Road
Shaker Heights, Ohio 44122
216-372-3913

DATE: 09/14/2020
JOB NO.: 20020
DRAWN BY: CB
CHECKED BY: CR

SHEET TITLE
TYPICAL DETAILS

A4.0

C

CHRISTOPHER

ARCHITECTURE & INTERIORS

RIZO-PATRON RESIDENCE

Zoning Appeals Board

September 14, 2020



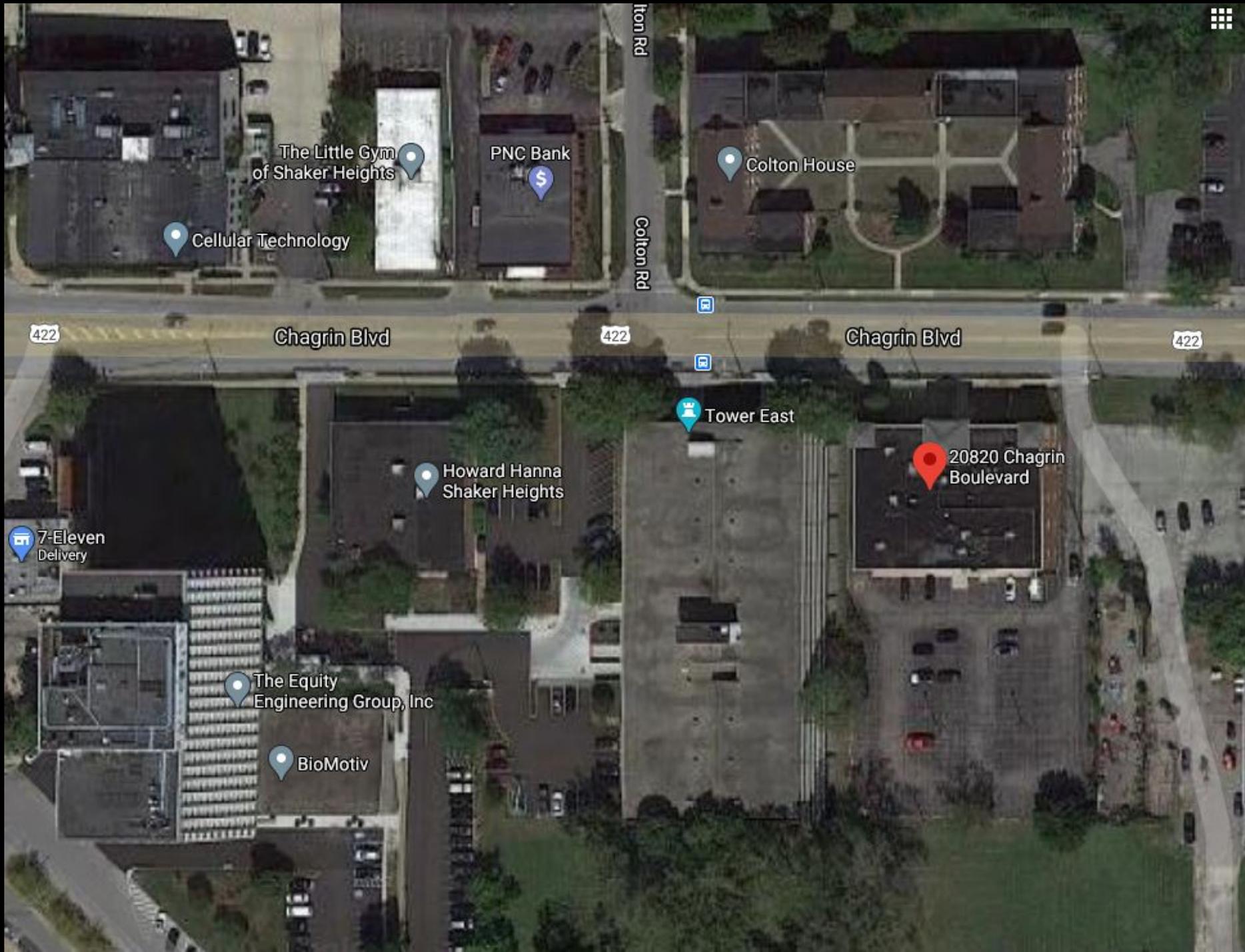






20820 Chagrin Boulevard

For variances to the number of parking spaces and the accessory structure location and height requirements.



The Little Gym
of Shaker Heights

PNC Bank

Colton House

Cellular Technology

Chagrin Blvd

422

Chagrin Blvd

422

Tower East

Howard Hanna
Shaker Heights

20820 Chagrin
Boulevard

7-Eleven
Delivery

The Equity
Engineering Group, Inc

BioMotiv











CITY OF SHAKER HEIGHTS

3400 LEE ROAD

SHAKER HEIGHTS, OH 44120

Applicant's Name: Jill Brandt Application No: 2082

Property Address: 20820 Chagrin Blvd. Parcel No: _____

City: Shaker Heights State: OH Zip: 44122

Applicant's Address: 19440 Riverwood Ave. Phone No: 440-265-1824

City: Rocky River State: OH Zip: 44116

Property Owner (if other than applicant): CTC Real Estate, LLC

Property Owner's Address (if different): 20521 Chagrin Blvd.

City: Shaker Heights State: OH Zip: 44122

Zoning District: O-office Present Use: O-office

Proposed Use: 3,755 sq accessory building for workshops, storage & parking.

E-Mail Address: jbrandt@brandtarchitecture.com

CHECK INFORMATION ACCOMPANYING THIS APPLICATION

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

CHECK SPECIFIC ACTION REQUIRED

- BZA
1. VARIANCE (requires public hearing)
- Sign regulations
 - Height Regulations
 - Area and Yard Regulations
 - Fence Regulations
 - Off-street Parking
2. OTHER APPROVALS
- Appeal
 - Other: _____

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

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

Enforcing setbacks would reduce parking.

Enforcing height would reduce or limit use

Property is adjacent to cemetery rather than structure.

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

SIGNATURE: Jill Brandt

DATE: 9/17/20



NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Jill Brandt, Brandt Architects, representing CTL, 20820 Chagrin Boulevard, to the Board of Zoning Appeals for variances to the number of parking spaces and the accessory structure location and height requirements and signage requirements. The applicant proposes to construct a new accessory structure and parking lot canopy and reconfigure the parking lot. The spaces in the parking lot are proposed to be reduced from 78 spaces to 58 surface spaces plus 6 garage spaces. A variance was approved for the current number of spaces in 1998. An accessory structure is proposed at the rear of the property consisting of 6 garage spaces, a machine shop, a wood shop, storage space and a dumpster enclosure. This structure is proposed to be set back 0 feet from the rear property line. Code requires a 3-foot setback. The accessory structure is 25 feet 8 inches tall at the two tower elements. Code allows a 20-foot tall accessory structure. A parking space canopy is proposed along the western side property line over 9 spaces. It is proposed setback 0 feet from the side property line. Code requires a 3-foot setback. A new sign is proposed on the rear elevation of the building equaling 50 square feet in size. Code allows an auxiliary entry sign to be no more than 2 feet tall and no wider than the entrance.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, October 6, 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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CITY OF SHAKER HEIGHTS | *Planning*

3400 Lee Road Shaker Heights, Ohio 44120 P 216.491.1430 F 216.491.1431 Ohio Relay Service 711
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**The City of Shaker Heights
Board of Zoning Appeals and City Planning Commission**

STAFF REPORT

ADDRESS:

20820 Chagrin Boulevard
C.T.L. Real Estate LLC
Case#: 2082

HEARING DATE:

October 6, 2020

SUMMARY:

Variances to the accessory structure location and height requirements, a parking variance and signage variance in order to build a structure at the back of the lot, a parking lot canopy and renovate the rear of the existing building.

STAFF POSITION:

- Staff suggests approval of the parking variance, accessory structure location and height variances based on the following:
 - The applicant estimates a parking space demand of 39 spaces, based on the room occupancy loads and expected use of the building.
 - The applicant indicates they will pursue additional parking in the Tower East parking garage if needed.
 - The applicant operates in a building across the street, which has ample parking including an underground parking level.
 - A previous variance was granted for 78 parking spaces based on multiple office and other service tenants in the building in 1998. The building will now have one user.
 - A parking variance will not be detrimental to the public welfare or improvements in the neighborhood as all parking is contained adjacent to a parking garage and cemetery. Possible additional future parking is available in the garage if needed.
 - The accessory structure is fireproof masonry construction and adjacent to a cemetery and a parking garage.
 - The height of the accessory structure only exceeds code requirements at the two tower elements.
 - The standard of practical difficulty is met, as the accessory structure and parking lot canopy need to be located on the rear and side property lines to facilitate the parking lot layout, without diminishing parking spaces.
 - The essential character of the neighborhood is not altered due to the location in the rear yard adjacent to a cemetery and a parking garage.
- Staff suggests denial of the sign variance based on the following:
 - There are two signs, a wall sign and a monument sign in the front of the building identifying the site.
 - The proposed sign over the rear entry is the maximum size of a primary sign of 50 square feet.
 - A code-conforming auxiliary entry sign is adequate to identify the rear entry at 2 feet tall and the width of the entry.
 - There is no justification of practical difficulty or hardship for a larger sign for the staff entry.

ACTION:

- Variance to the accessory structure height requirements to allow a 25 foot 6 inch height, when code requires a maximum 20 foot height.
- Variance to the accessory structure location requirements for a zero (0) foot rear property line setback, when code requires a 3 foot setback.

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

STAFF REPORT

**Continued:
ADDRESS:**

20820 Chagrin Boulevard
C.T.L. Real Estate LLC
Case#: 2082

HEARING DATE:

October 6, 2020

ACTION (continued):

- Variance to the accessory structure location requirements for a zero (0) foot side property line setback, when code requires a 3 foot setback.
- Parking variance to reduce the parking from 78 to 58 open spaces in addition to the 6 garage spaces.
- Variance to the auxiliary entry sign size to allow a 50 square foot sign when 2 feet tall and the width of the entry is allowed.

FACTS:

1. The applicant proposes to construct a new accessory structure and parking lot canopy, reconfigure the parking lot and renovate the rear of the existing building.
2. The parking spaces in the parking lot are proposed to be reduced from 78 spaces to 58 surface spaces plus 6 garage spaces. A variance was approved for the current number of spaces in 1998.
3. An accessory structure is proposed at the rear of the property consisting of 6 garage spaces, a machine shop, a wood shop, storage space and a dumpster enclosure.
4. The structure is proposed to be set back 0 feet from the rear property line. Code requires a 3-foot setback.
5. The accessory structure is 25 feet 8 inches tall at the two tower elements. Code allows a 20-foot tall accessory structure.
6. A parking space canopy is proposed along the western side property line over 9 spaces. It is proposed setback 0 feet from the side property line. Code requires a 3-foot setback.
7. A new sign is proposed on the rear elevation of the building equaling 50 square feet in size. Code allows an auxiliary entry sign to be no more than 2 feet tall and no wider than the entrance.

CODE SECTIONS:

1. 1262.01 D – A non-residential accessory structure is limited to 20 feet in height.
2. 1262.01 C – A non-residential accessory structure rear and side yard setback is a minimum of 3 feet.
3. 1251.02 – Office parking requires one space per 300 gross square feet in the building, which equals 119 spaces. A variance was granted in 1998 for 78 parking spaces in the existing parking lot.
4. 1250.07 C 5 – An auxiliary entry sign is allowed to be two feet tall and no wider than the entry.

OTHER ISSUES:

1. CTL has its headquarters in a building across the street at 20521 Chagrin Boulevard. They recently purchased this new property for their expanding business including their cellular analyzers. The use of the new building is detailed in the applicant's letter.
2. The Architectural Board of Review reviewed the design at the September 21, 2020 meeting and had the following comments:

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

STAFF REPORT

ADDRESS:

20820 Chagrin Boulevard
C.T.L. Real Estate LLC
Case#: 2082

HEARING DATE:

October 6, 2020

OTHER ISSUES (continued):

Tabled the accessory building for the applicant to investigate the following: 1) massing, roof form and pitch of the western element to complement the rest of the building; 2) alternative materials and color for the proposed cement block portions, with the option to study the use of EIFS above a water table of masonry; 3) investigate the post-support locations of the parking canopy; and 4) study and refine the gable roof form on the main building.

Discussion held regarding signage. The Board suggested the applicant investigate the option of primary signage on the front of the building as well as the rear, employee entry.

3. Only the tower elements of the new accessory building are 25 feet 8 inches tall. The rest of the building is less than 20 feet tall.
4. The parking variance granted in 1998 was for several office and service uses in the building for the number of parking spaces constructed with the building.
5. The building is flanked on one side by the Tower East parking garage, a cemetery behind it, and the other side by the cemetery maintenance building.
6. The only other parking lot canopy is at First Unitarian Church. It meets setbacks as it is in the middle of their parking lot with solar panels on top.
7. The rear entry sign is proposed to be the maximum allowable size of a primary sign of 50 square feet. The front of the building already has a primary monument sign and a wall sign.
8. A smaller, code-compliant sign over the rear entry would be adequate to identify the employee entry.
9. The applicant estimates the real demand for parking spaces as 39 spaces based on the occupancy limits and proposed uses in the building. See the applicant's chart in the packet of information.
10. The applicant has indicated they will pursue a shared parking agreement with Tower East if the existing parking is inadequate.

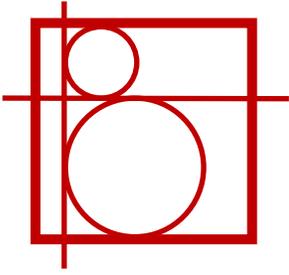
PRECEDENT:

Accessory Structure:

1. 20701 Brantley – University School – Approved a 22 foot 5 inch tall accessory storage building.
2. 19600 North Park – Hathaway Brown – Approved an accessory structure in the Courtland Boulevard front yard with a location variance.

Auxiliary Signage:

1. 3605 Warrensville Center Road – Office Max/UH – auxiliary sign as a monument sign at the rear driveway at Northfield Road.
2. 13015 Larchmere Boulevard – Loganberry Books – a second sign on the side of the building identifying the rear entry to Strong Bindery.



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19440 Riverwood Ave.
Rocky River, OH 44116
440-865-1824
www.brandtarchitecture.com

PROJECT: CTL – ACCESSORY BUILDING
20820 CHAGRIN BLVD.

September 25, 2020

SUMMARY OF PROJECT

We are proposing improvements to the rear of the property 3 main components: a new accessory building, a parking canopy, and a new decorative gable on the rear of the existing building. In practical use, the rear of the building becomes the primary entry for employees and guests. The proposed improvements are intended to enhance that experience both in function and aesthetics.

The accessory building and decorative gable will match the materials of the main building, red brick, tan brick (to match stone), tan EIFS, tan trim, white windows, asphalt shingles and green metal roof. We are also matching proportions, roof pitches and design elements. The canopy will also match the green metal roof.

The accessory building will contain a wood shop, machine shop, dumpster enclosure, storage.

- The woodshop will be used to create any packing or shipping containers for equipment CTL produces and ships as well as any general carpentry things needed in the processing area of the main building such as stands or specially sized work surfaces etc.
- The machine shop is a CNC shop in which parts are manufactured for our analyzer production. (We do have presently both, each in a dedicated room in the basement of the old building – both functions will move)
- Storage needs are primarily for shipping boxes, crates, and materials, and these are to be stored in the proposed accessory building, in 2 or 3 parking bays. If storage is only in the 3 bays then that is 805sf or 21% of the total area. The area will not be a storage space for CTL products (Analyzers are built to order, and shipped one by one as soon as ready). Parts from which analyzers are built don't take much space -they are stored in the production area on shelves.
- Parking shall be for CTL company cars only. They shall consist of: 2 service trucks, 2 transport trucks, one trailer. Plus, 3 bays are reserved for storage. If there are more parking spaces left, those will be assigned to key employees, one to the "employee of the month". Definitely none of Dr. Lehmann's personal vehicles will be stored there.

CODE REVIEW

CONSTRUCTION TYPE: III B
STORIES ABOVE GRADE: 1
Total building area= 3,755 SF

NUMBER OF EXITS REQUIRED: 3
 NUMBER OF EXITS PROVIDED: 3

EXIST TRAVEL DISTANCE: Use = 200' max.

AUTOMATIC SPRINKLER SYSTEM – not required
 FIRE RATING – City ordinance min 1-hour rating required at rear and side walls for setbacks
 2 -hour provided per OBC

PARKING ANALYSIS

USE GROUP: Mixed Use Main building and Accessory structure

SUITE	USE GROUP	AREA	ALLOWABLE OCC LOAD	OCC. LOAD	PARKING REQUIRED	ACTUAL OCC. LOAD**	PARKING REQUIRED
300 & 301	B	11,872 SF	1/100	118	40	16	16
200	F-1	6,901 SF	1/100	69	14	7	7
201	B	5,147 SF	1/100	51	18	11	11
100	S-1	7,319	1/500	14	15	0	
101	A-3	4,553	1/50	91	23	3 *	3
Accessory building		3755	1/100	7	8	2	2
TOTAL					118		39

*Max 3 trainers at one time and attendees are CTL employees.

**Based on current employees. The numbers of employees in the building will not increase much, perhaps 2-3 employees each subsequent year (most of our new hires will be located in the old building)

VARIANCES REQUIRED

1. PARKING – Per code a total of 118 parking spaces are required and 63 are provided. However, given the actual number of parking spaces projected to be used, 39, there will be a sufficient number of parking spaces. Also, the Owner has negotiations in progress to rent parking spaces in the adjoining garage.
2. HEIGHT – It is our understanding that technically this building is regarded as an accessory building with a maximum height of 20'-0". The code allows a parking structure to be 25'-0" with a pitched roof. We feel that this could reasonable be applied to the proposed structure.
 - The 5' variance is not substantial. In addition, the majority of the structure is under 15' tall with the 25' peak height in only 2 locations.
 - The property is uniquely situated with a cemetery as adjacent property rather than another commercial or residential structure.

The proposed height will have minimal, if any, impact on light, ventilation, fire safety, view etc. of the adjacent property. In addition, the structure to the east is a tall parking structure.

- We did explore reducing the height to 20'. This in turn lowered the roof height, and wall height, of the center section of the building. As a result, the garage doors would be reduced from 10' tall to 8' tall. This limits the size of vehicles or equipment that can use those bays.
3. REAR YARD SETBACK - It is our understanding that technically this building is regarded as an accessory building with a 3'-0" rear yard setback. The city ordinances allow a storage building to be 0'-0" setback from the property line provided it is a masonry, 1 hr. fire rated wall. We feel that this could reasonably be applied to the proposed structure. We are proposing a 1'-0" setback. The wall will be masonry and 1 hr. fire rated. We will ensure that all footings and eaves will be within the property line.
 - The difficulty in locating the building 3'-0" from the property line is the impact it will have on the existing parking. We would need to move our aisle and, in the process, lose 5 parking spaces.
 - As mentioned above, with a cemetery as adjacent property rather than another commercial or residential structure. The proposed setback will have minimal, if any, impact on light, ventilation, fire safety, view etc. of the adjacent property.
 4. SIDE YARD SETBACK – CANOPY – The proposed canopy is set over the existing parking spaces which are adjacent to the property line. We have set the post 1'-0" from the property line and allow the eave to extend 1'-0". This simply covers the existing parking.
 - To move the structure, and for practical purposes, the parking space to be 3'-0" from the property line would impact the existing parking. We would need to move our aisle and, in the process, lose parking spaces. If we angled parking to reduce aisle width, we would still lose parking spots due to the location of existing light poles.
 - Given the width of the lots, the variance request is not substantial.
 - The adjacent lot has a tall parking garage, and this will have minimal impact to that property.
 5. SIGNAGE – We understand that technically the rear door of the main building is a secondary entrance so signage is limited to 13sf and can't be wider than the door. However, we feel this is in practice, the primary entrance to the building since employees and guests park in the rear. We are proposing an identifying signage not to exceed 50sf. We feel this also furthers the building Owner's objective to enhance the aesthetic of the rear façade. Any signage for tenants will be located in the entry foyers. The new signage will not be visible from the street.

In general, we feel that these are reasonable variances. They are not significant and are the minimum required for a successful project. In most cases other means of resolving the problem would create a greater parking variance or limit the use of the proposed structure. The property is somewhat unique in it is adjacent to a cemetery rather than a commercial or residential structure so that granting these variances would not confer special privileges to the owner or set a common precedent. By matching the materials and architecture of the existing building the proposed structure will maintain the character of the neighborhood. In scale and proportion it is compatible with adjacent structures. Very little if any will be visible from the street. Granting of these variances will not impact governmental services.

Closing comments from the building Owner, Dr. Paul Lehmann:

The building that we purchased is an office building, and the majority of it will be used for office activities. The only exception is: (next to the existing gym in Suite 100 that will stay, however, as CTL owned and for CTL employees only) Suite 200 serving small volume assembly of computer and analyzer parts. Analyzers are built to order, presently between 5 and 10 per month. Most of the analyzer parts we purchase –mostly from Ohio vendors—but some special parts we need to custom manufacture. This primarily means low volume machining metal parts on CNC machines (to be housed in the CNC room of the addition). We also need to make our own packing crates and wood boxes for international shipping of analyzers. This requires a small wood shop, also to be housed in the “wood shop room” of the new addition. The raw materials for building these shipping boxes are large panels that would be difficult to transport and store in the main building. Therefore, we plan to store them next to the wood shop on up to 3 parking bays of the “garage” that therefore has a mixed use as storage and parking (shall we separate it by a wall?). Overall, the new addition permits to keep the main building a clean office -type workplace, with all dusty (wood shop) and noisy (CNC shop) activities, as well as storage moved to the remote new addition. Moreover, CNC machines are way too large and heavy o be moved in the main building. In addition, our overall plan is to convert a presently plain and ugly looking backside of that building into a warm and attractive space, because for us who work there – and for visitors that backside is what functionally becomes the main entrance (the formal main entrance in reality is just a façade).

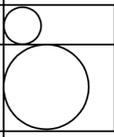
CTL STORAGE BUILDING

SCOPE OF WORK:
NEW 3,755 SF, 1 STORY STRUCTURE FOR ENCLOSED PARKING, WOOD SHOP, AND STORAGE BUILDING SHALL HAVE 1 HOUR FIRE RATED CONSTRUCTION AT WALLS ADJACENT TO PROPERTY LINES.

GENERAL BUILDING INFORMATION
AREA: 3,755 SF
CONSTRUCTION TYPE: III B - UNSPRINKLERED
USE GROUP: MIXED
OCCUPANT LOAD: ACTUAL = 3

- NOTE:
- STORAGE SHALL CONSIST OF NON-HAZARDOUS MATERIALS.
 - SMALL AMOUNTS OF GASOLINE & OIL MAY BE STORED IN PARKING BAYS IN QUANTITIES SIMILAR TO RESIDENTIAL GARAGE STORAGE.
 - EXHAUST & VENTILATION WILL BE PROVIDED IN WOOD & MACHINE SHOP BAYS

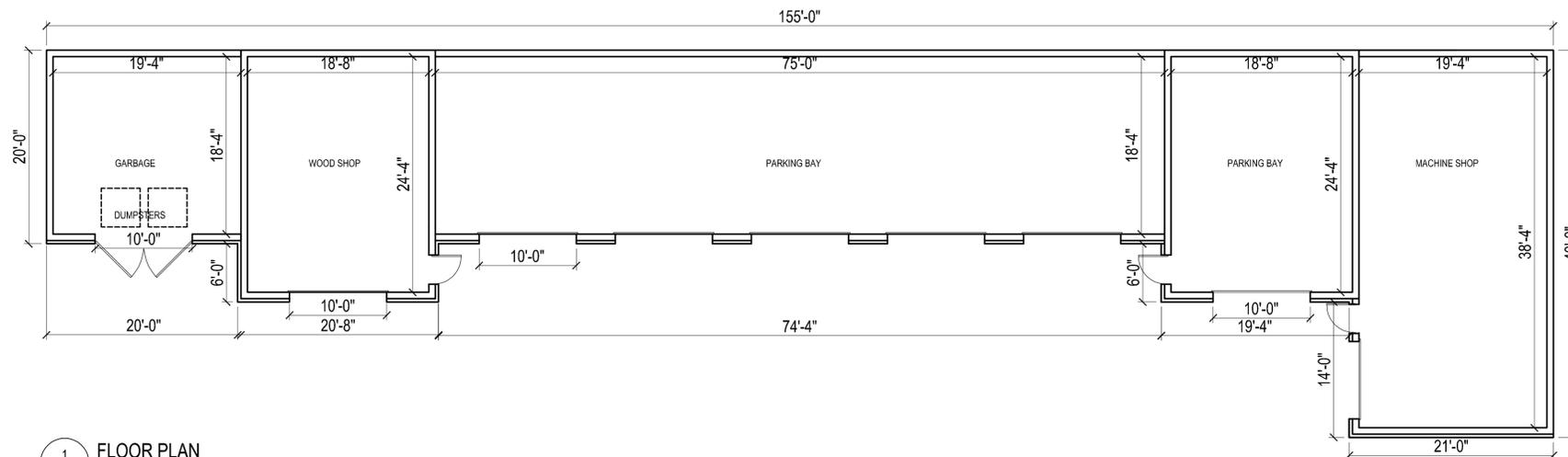
EXITS REQUIRED = 2
EXITS PROVIDED = 2+
FIRE SEPARATION:
1 HR SEPARATION PROVIDED ADJACENT TO PROPERTY LINE
PARKING SPACE REQUIRED: 118
PARKING SPACE PROVIDED = 58 ADDITIONAL PARKING TO BE SHARED WITH NEIGHBORING LOT TO WEST.



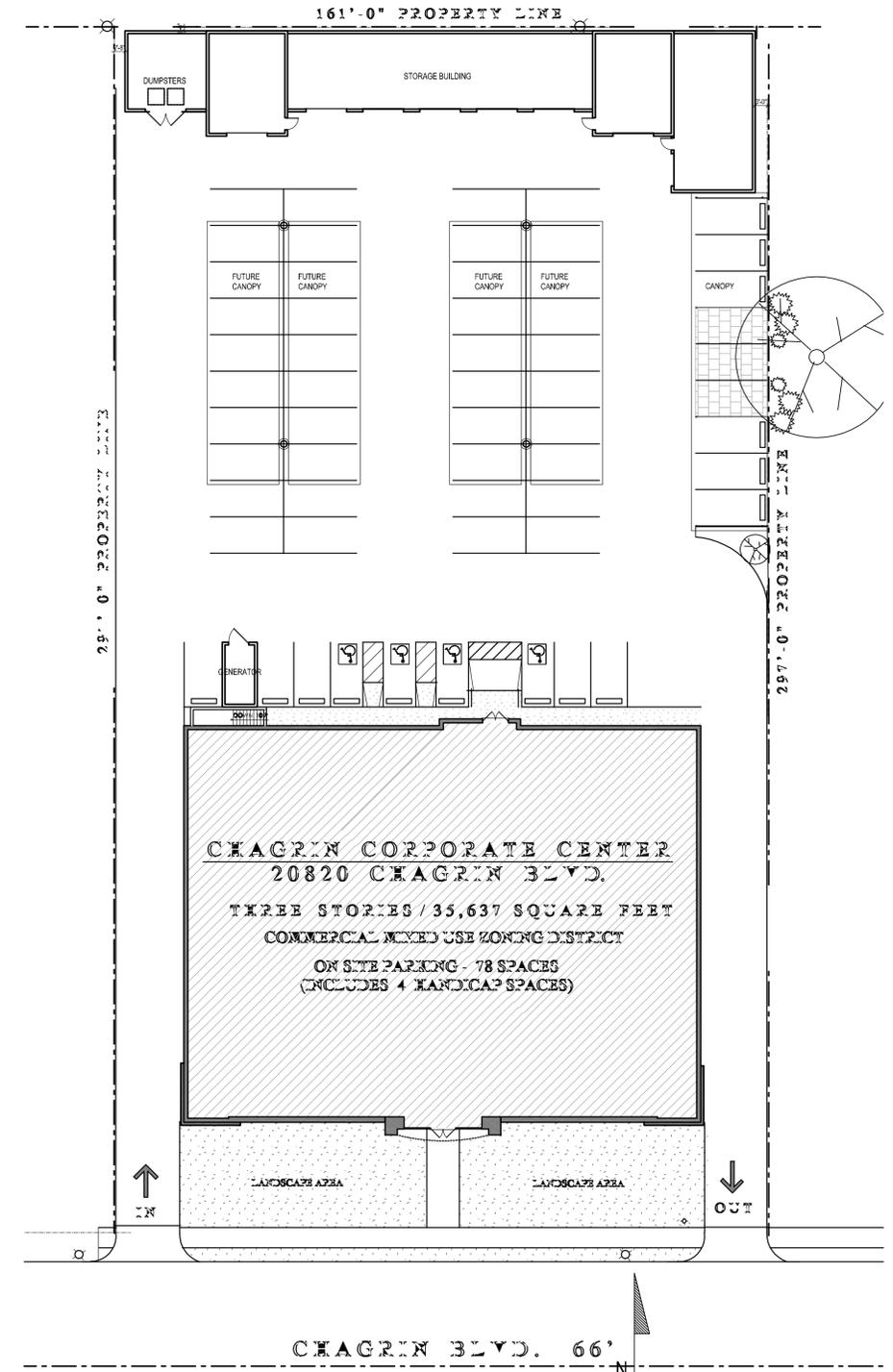
**BRANDT
ARCHITECTURE, LLC**

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brandtarchitecture.co

8/4/2020 REVIEW
8/20/2020 REVIEW
9/17/2020 BZA
9/25/2020 BZA/ARB



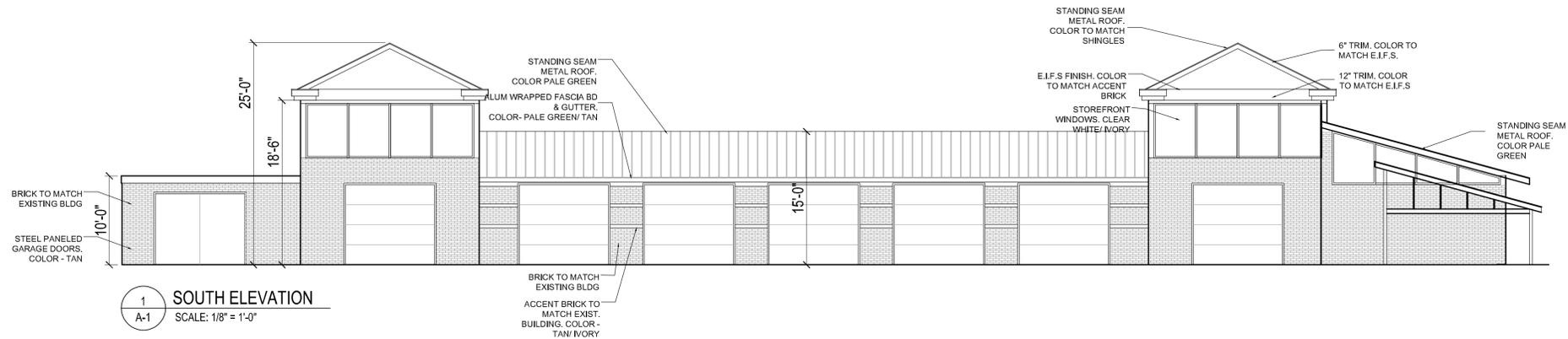
1 FLOOR PLAN
A-1 SCALE: 1/8" = 1'-0"



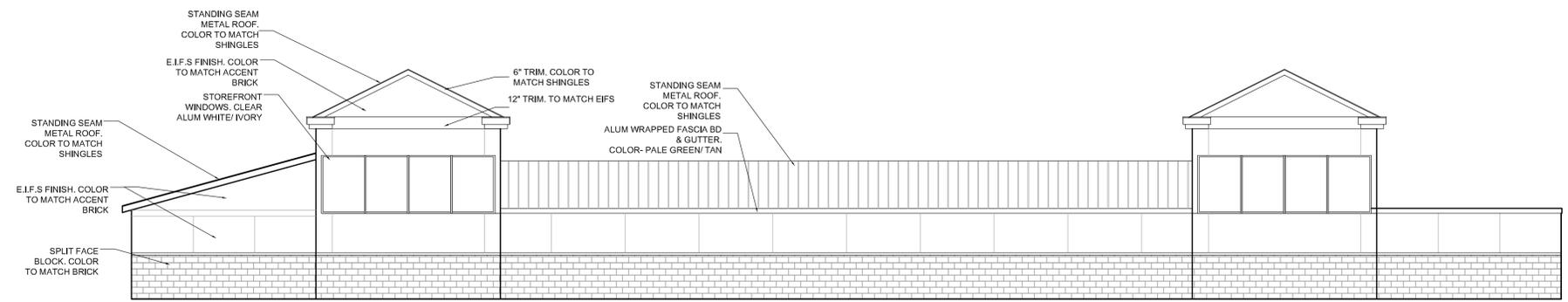
1 SITE PLAN
A-1 SCALE: 1" = 20'-0"

CTL
20820 CHAGRIN BLVD
SHAKER HEIGHTS, OH 44122

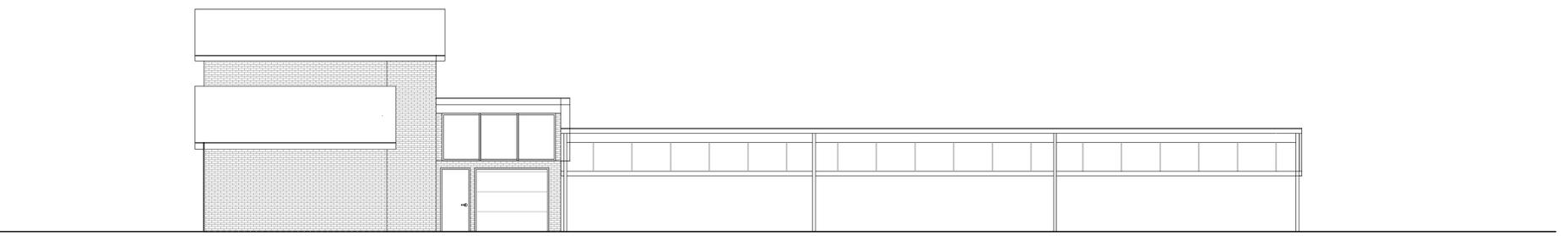
FLOOR
PLANS
A-1



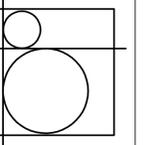
1 SOUTH ELEVATION
A-1 SCALE: 1/8" = 1'-0"



1 NORTH ELEVATION
A-1 SCALE: 1/8" = 1'-0"



1 WEST ELEVATION
A-1 SCALE: 1/8" = 1'-0"

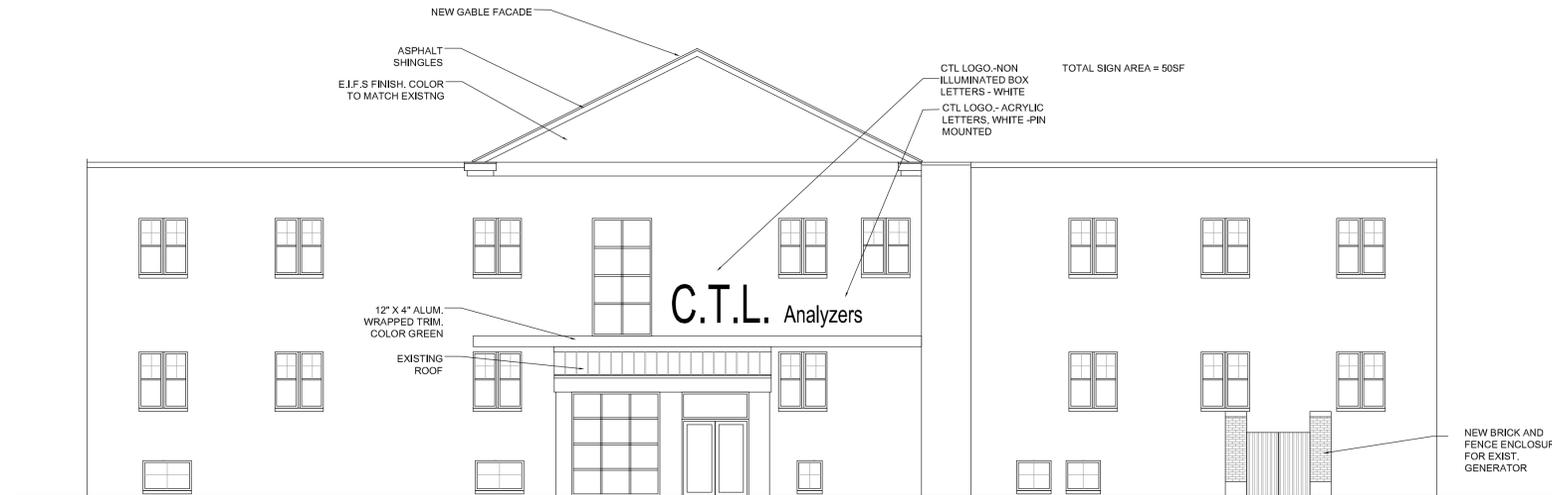


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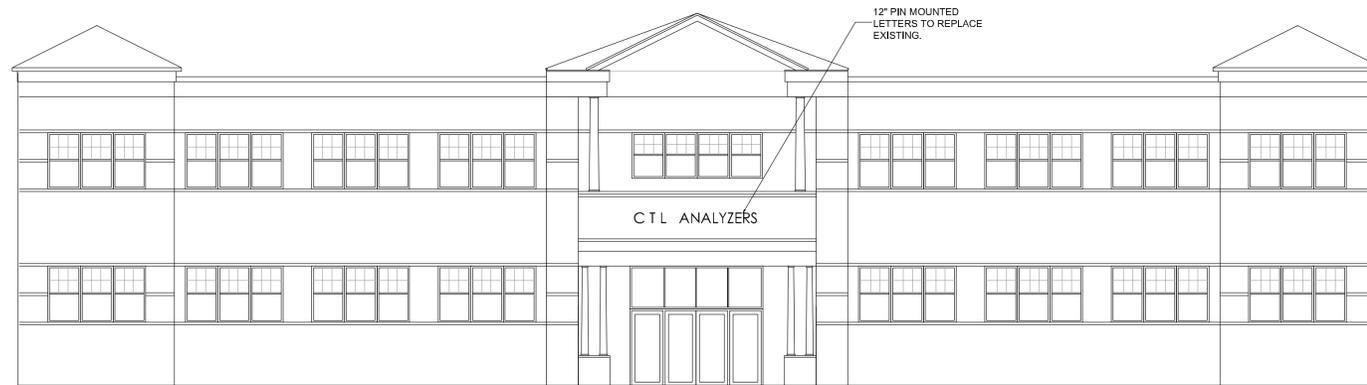
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8/4/2020	REVIEW
8/20/2020	REVIEW
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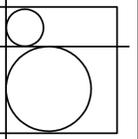
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SHAKER HEIGHTS, OH 44122



4 MAIN BUILDING SOUTH ELEVATION
A-1 SCALE: 1/8" = 1'-0"



4 MAIN BUILDING SOUTH ELEVATION
A-1 SCALE: 1/8" = 1'-0"



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8/4/2020	REVIEW
8/20/2020	REVIEW
9/17/2020	BZA
9/25/2020	BZA/ ARB

CTL
20820 CHAGRIN BLVD
SHAKER HEIGHTS, OH 44122

ELEVATIONS

A-3



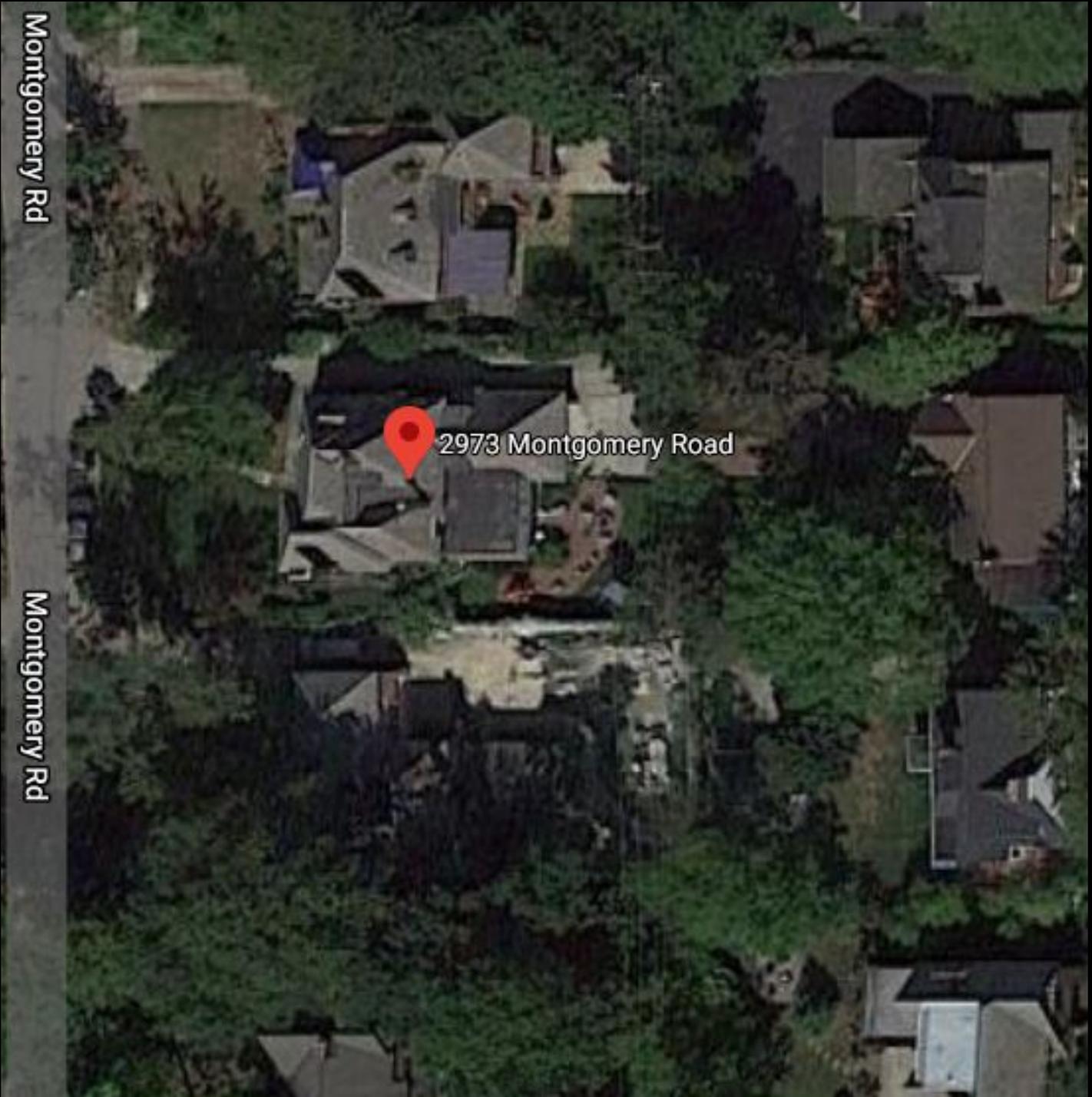






2973 Montgomery Road

For a variance to the rear yard setback regulations
for an ornamental structure.



Montgomery Rd

2973 Montgomery Road

Montgomery Rd









Applicant's Name: Graham & Kerianne Hearn Application No: 2084
 Property Address: 2973 Montgomery Road Parcel No: 733-22-052
 City: Shaker Heights State: Ohio Zip: 44122
 Applicant's Address: same Phone No: 216-407-7240
 City: _____ State: _____ Zip: _____
 Property Owner (if other than applicant) —
 Property Owner's Address (if different) —
 City: _____ State: _____ Zip: _____
 Zoning District: _____ Present Use: residential
 Proposed Use: residential ; building of a pavilion in our backyard for recreational use by our family

E-Mail Address: kd102001@hotmail.com ; ghearns@riversidecompany.c

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:

We request a variance for how close the pavilion would sit to the back property line in order to maximize green space, our house has an addition (built by previous owner) which decreases size of backyard, we value green space and would like to preserve it. We have talked to our neighbors; they have expressed their support.

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

Graham Hearn Kerianne Hearn
 SIGNATURE: _____

9/18/20
 DATE: _____



NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Graham and Kerianne Hearn, 2973 Montgomery Road, to the Board of Zoning Appeals for a variance to the rear yard setback regulations for an ornamental structure. The applicant proposes a pavilion in the rear yard, which is 5 feet from the rear property line. Code requires an ornamental structure to be set back 10 feet from the side and rear property lines. The pavilion replaces a play structure in the rear yard. There is an existing wood fence and landscaping along the rear property line.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, October 6, 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

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

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

Public comment will be taken during the meeting and residents may submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Daniel Feinstein at daniel.feinstein@shakeronline.com; or by calling (216) 491-1435. Any comments or questions received before the meeting 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

ADDRESS:

2973 Montgomery Road
Hearns Residence
Case#: 2084

HEARING DATE:

October 6, 2020

SUMMARY:

Variance to the rear yard setback regulations for an ornamental structure in order to build a pavilion that is set back 5 feet from the rear property line when code requires a 10-foot setback.

STAFF POSITION:

- Staff suggests approval based on the following:
 - The rear yard, driveway and garage limit the location of an ornamental structure.
 - The pavilion is an open glassy structure.
 - There is a 5-foot tall wood fence along the rear property line and ivy-covered fence to the side neighbor.
 - The pavilion replaces a play structure that is in the same general location and size in the rear yard.
 - Standards for practical difficulty are met due to the small rear yard and driveway location.
 - Standard of not altering the essential character of the neighborhood is met due to the replacement of the play structure.

ACTION:

- Variance to the 10-foot rear yard setback requirement for an ornamental structure to be 5 feet from the property line.

FACTS:

1. The applicant proposes to build a pavilion in their rear yard, which is 5 feet off the rear property line. Code requires a 10-foot setback.
2. The structure is 11 feet from the house, and 17 and 38 feet from the side property lines.
3. The location is limited by the driveway and garage location in this small rear yard.
4. There is a 5-foot tall wood fence on the rear property line.
5. The Architectural Board of Review will review the pavilion design at their October 5, 2020 meeting.

CODE SECTIONS:

1. 1262.10 – An ornamental structure may be no closer than 10 feet to the side and rear property lines and no more than 15 feet tall.
2. 1262.01 B – An accessory structure must be no closer than 10 feet to the wall of the primary structure.

OTHER ISSUES:

1. The pavilion is 20 feet by 20 feet in size and 14 feet tall.
2. There is ample precedent for rear yard accessory structures within 10 feet of the property lines.
3. The pavilion will have a slate roof with lap siding and a brick base and folding glass doors on the sides.

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

STAFF REPORT

Continued:

ADDRESS:

2973 Montgomery Road
Hearns Residence
Case#: 2084

HEARING DATE:

October 6, 2020

OTHER ISSUES(continued):

4. The pavilion replaces a play structure in the rear yard in the same general location and size.
5. The pavilion is proposed to be a gathering point in the rear yard for the family as they age out of the play structure.

PRECEDENT:

1. 3709 Glencairn – A cabana in the rear yard 2.5 feet off the side property line.
2. Weinberger Residence – a playhouse located 3 feet from the side property line in the rear yard.
3. Russo Residence – fountain and stone wall built on the property line.
4. Resnick Residence – a gazebo in the rear yard 5 feet from the side property line.
5. Gyurgyik Residence – a gazebo located 3 feet from the side and rear property lines.
6. Dal/Sujon Residence – a 9.5 foot tall trellis located 5.6 feet from the side property line.
7. McIntosh Residence – a tree house in the side yard behind the front of the house, 3 feet from the side property line.
8. Stamm Residence – a tree house located 2 feet from the rear property line in the rear yard.
9. Leskosky Residence – a spa, deck and arbor located 6 feet 4 inches from the rear property line in the rear yard.

Board of Zoning Appeals
Narrative Description

Our family would like to explore building a pavilion in our backyard to provide a covered area in which to enjoy our yard regardless of the weather. This idea has been percolating for a few years, but has become especially relevant to us as the pandemic continues to highlight both the increased safety of being outdoors to see grandparents and extended family and the interest of getting the most out of our home and yard.

We love our house and neighborhood; this is our forever home. As such, we have continuously invested in home improvements (recently completed whole-house waterproofing with Adelio's; currently renovating two bathrooms with Karlovec & Company) and work year-round on landscaping projects with New Vista Enterprises.

The pavilion would provide an area for our family to enjoy spending time together in our yard, as well give our children a place to safely spend time with friends (post-pandemic) as they move through their teenage years. We want to ensure that they always feel like they have a welcoming place to be rather than have to go looking for somewhere to go that might not be as safe. We envision the pavilion to have retractable glass doors, a fireplace and seating/eating area where we could have family dinners or relaxing evenings while watching movies. The glass doors would enable us to enjoy being outside in our yard during the rain and colder weather.

As we did when landscaping our front yard/creating a decorative retaining wall (New Vista Enterprises), we want the pavilion to complement the house and its style. It would match the existing house seamlessly, with similar roof lines and brick, as well as siding to match the addition in the back.

Our lot is a typical size for our neighborhood. However, we are lucky enough to have a family room addition in the back, which was added by a former owner. The drawback is that the backyard lacks the space that some other yards without additions have. We are asking for a variance on how close the pavilion would sit relative to the back property line so that we can try to preserve as much green space as possible. We value green space and lawn and would like to maximize as much as we can.

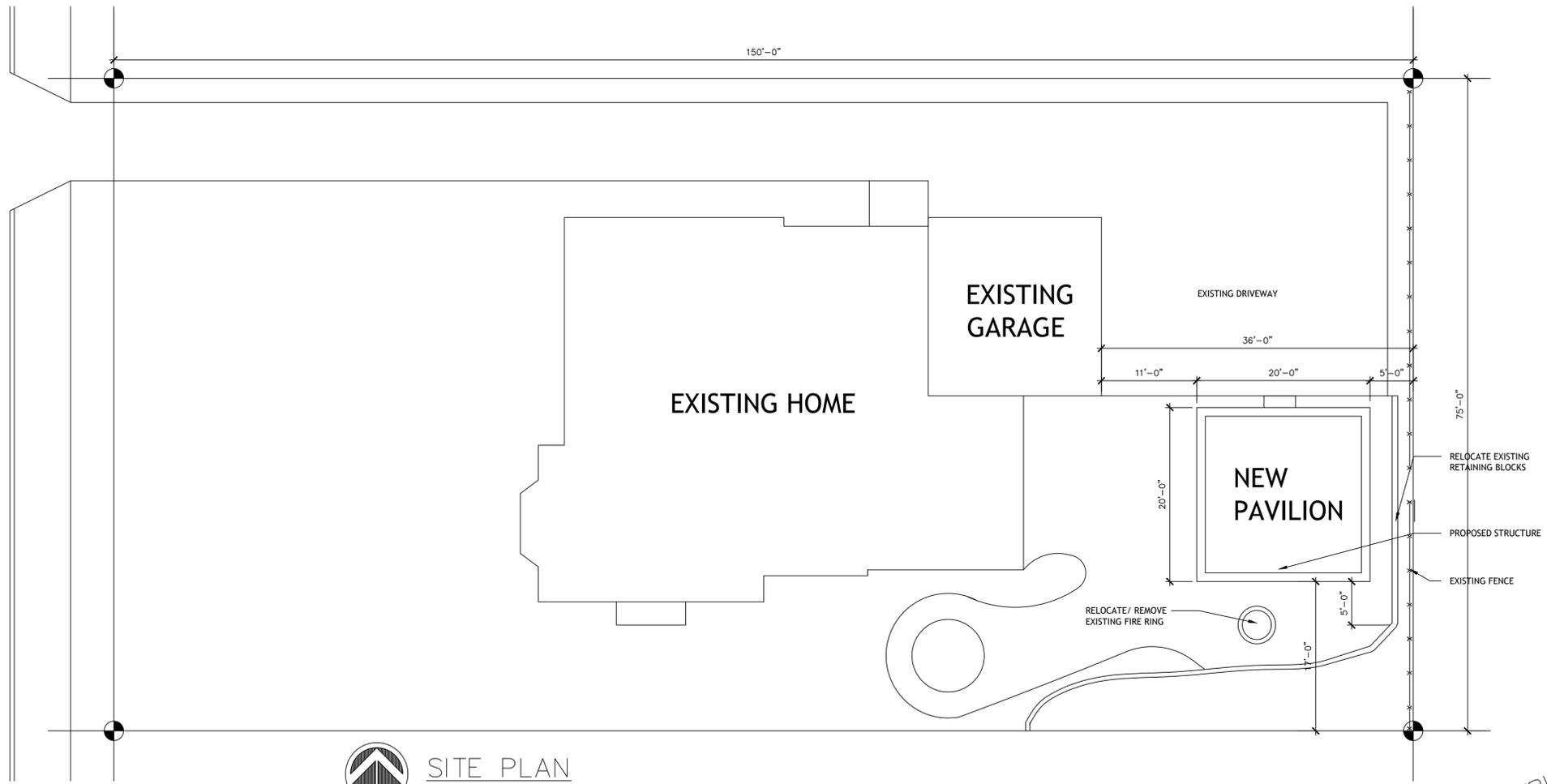
We have spoken to all our adjoining neighbors regarding the idea of a pavilion, and all three expressed support. If any of them would have raised any concern, we would not proceed. We are particularly sensitive to the view from our back neighbor's yard, however, we do not think that the pavilion could be seen very well from their yard. We have a four-foot high fence along the back property line. In addition, the neighbors have a ten-foot plus tall evergreen hedge lining the fence and a detached garage along the fence line.

Please let us know if we can provide any further information. We greatly appreciate your consideration.

Board of Zoning Appeals
Landscaping Plan

Currently, our yard is fully landscaped. Building the pavilion does not require the removal of large trees. We work with New Vista Enterprises on a year-round basis for landscaping. They would continue to advise us on recommendations for the addition of any bushes, etc. to enhance the pavilion and green space.

MONTGOMERY



SITE PLAN
SCALE: 1"=20'-0"

ZONING REVIEW
NOT ISSUED FOR CONSTRUCTION



ROBERT D. OROVETS
LICENSE # 8293
EXPIRATION 12-31-2020

ROBERT OROVETS ARCHITECT
35299 DORCHESTER ROAD
CLEVELAND, OHIO 44140
440-461-9161

PROJECT TITLE
**NEW SHELTER FOR:
HEARNS RESIDENCE**
2973 MONTGOMERY ROAD
SHAKER HEIGHTS, OHIO

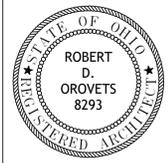
DESIGN AND CONSTRUCTION DOCUMENTS AS INSTRUMENTS OF SERVICE ARE GIVEN IN CONFIDENCE AND WILL REMAIN THE PROPERTY OF ROBERT OROVETS ARCHITECT. THE USE OF THIS DESIGN AND THESE CONSTRUCTION DOCUMENTS FOR PURPOSES OTHER THAN THE SPECIFIC PROJECT NAMED HEREIN IS EXPRESSLY FORBIDDEN WITHOUT THE WRITTEN CONSENT OF ROBERT OROVETS.

06-15-2020	REVIEW
07-27-2020	REVIEW
08-02-2020	REVIEW
08-30-2020	REVIEW
09-17-2020	REVIEW

DRAWN BY:
DRWNBY
CHECKED BY:
CHKBY
SHEET NUMBER

A1

JOB NUMBER
202021



ROBERT D. OROVETS
LICENSE # 8293
EXPIRATION 12-31-2020

ROBERT OROVETS ARCHITECT
35299 DORCHESTER ROAD
CLEVELAND, OHIO 44040
416-461-9161

PROJECT TITLE

NEW SHELTER FOR:
HEARNS RESIDENCE
2973 MONTGOMERY ROAD
SHAKER HEIGHTS, OHIO

DESIGN AND CONSTRUCTION DOCUMENTS AS INSTRUMENTS OF SERVICE ARE GIVEN IN CONFIDENCE TO THE CLIENT AND ARE THE PROPERTY OF ROBERT OROVETS ARCHITECT. THE USE OF THIS DESIGN AND THESE CONSTRUCTION DOCUMENTS FOR PURPOSES OTHER THAN THE PROJECT AND WITHOUT THE WRITTEN CONSENT OF ROBERT OROVETS ARCHITECT IS STRICTLY PROHIBITED.

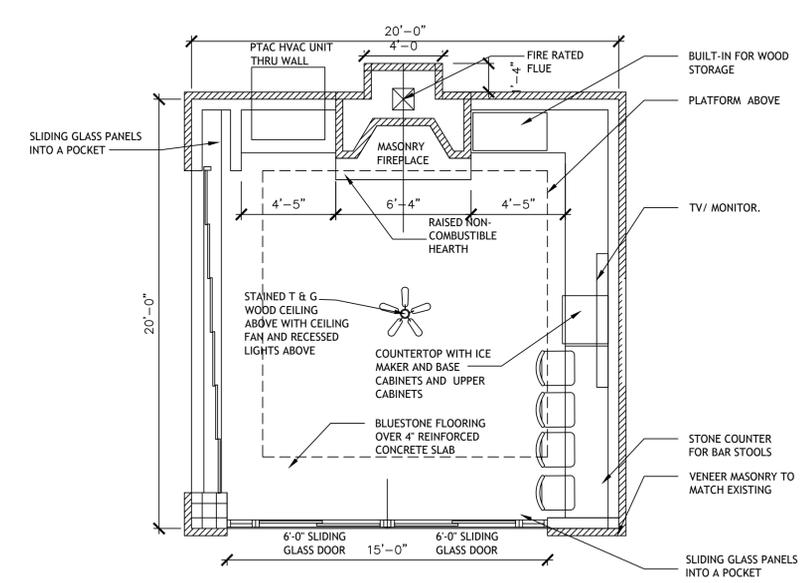
10-29-2018	REVIEW
07-27-2020	REVIEW
08-02-2020	REVIEW
08-30-2020	REVIEW
09-17-2020	REVIEW

DRAWN BY:
DRWNBY
CHECKED BY:
CHKBY
SHEET NUMBER

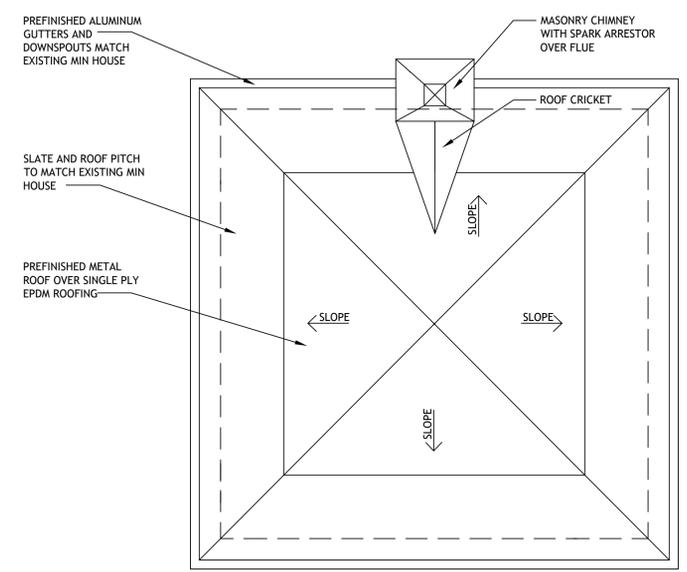
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JOB NUMBER

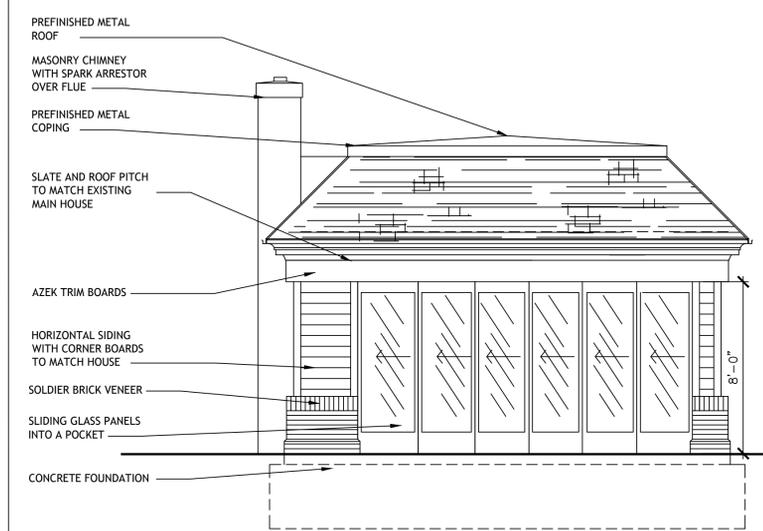
ZONING REVIEW
NOT ISSUED FOR CONSTRUCTION



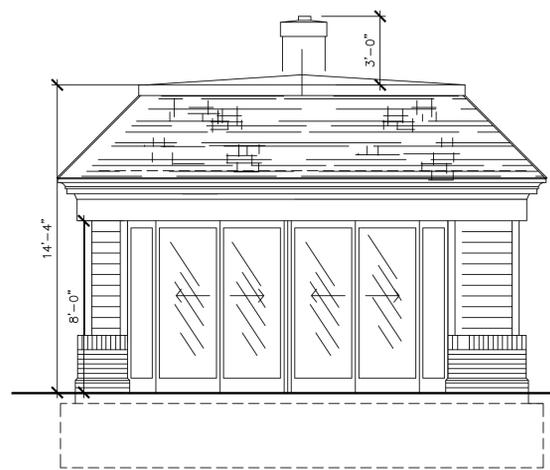
FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"



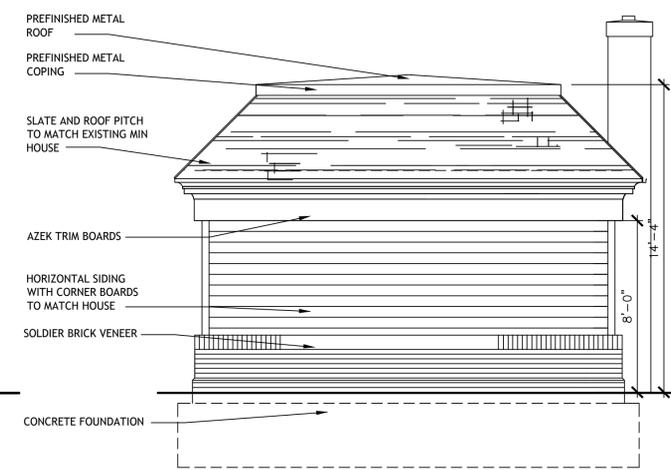
ROOF PLAN
SCALE: 1/4"=1'-0"



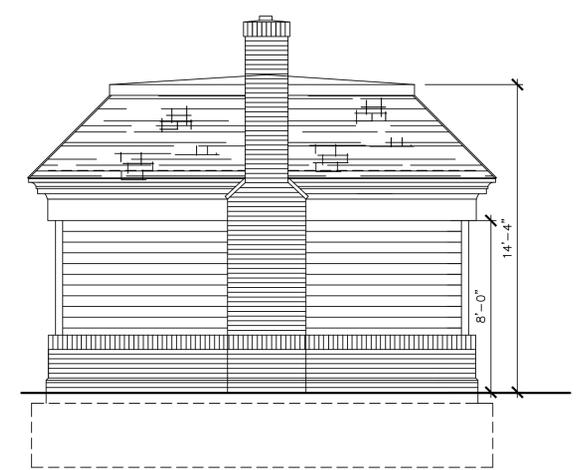
FRONT ELEVATION
SCALE: 1/4"=1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4"=1'-0"



REAR ELEVATION
SCALE: 1/4"=1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4"=1'-0"



6



273

TOGETHER
WE ARE
VELOSANO
100% locally sourced
VELOSANO

7

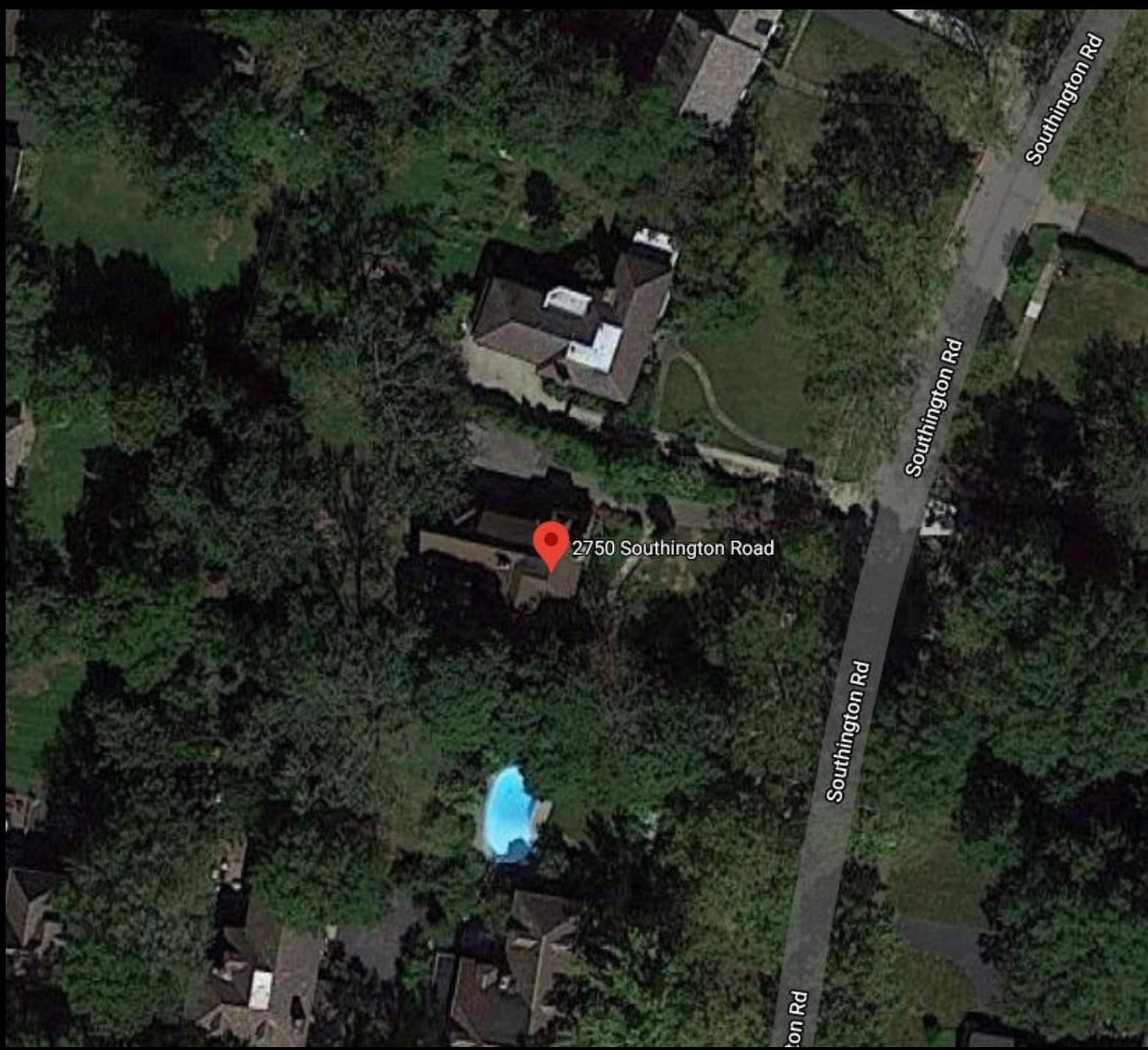






2750 Southington Road

For a variance to the height requirements for a storage structure.











Applicant's Name: DAVID ELLISON, ARCHITECT Application No: 2085

Property Address: 2750 SOUTHLINGTON ROAD Parcel No: 731-09-011

City: SHAKER HTS State: OH Zip: 44120

Applicant's Address: 2002 W. 41st St. Phone No: 216 631 0557

City: CLEVELAND State: OH Zip: 44113

Property Owner (if other than applicant): SCOTT + CYNTHIA GABBARD

Property Owner's Address (if different):

City: State: Zip:

Zoning District: SFI Present Use:

Proposed Use: PROPOSED HEIGHT VARIANCE FOR GARDEN SHED.

E-Mail Address: david @ dhellison.com

CHECK INFORMATION ACCOMPANYING THIS APPLICATION

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

CHECK SPECIFIC ACTION REQUIRED

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

SHED IS PROPOSED TO BE LOCATED CLOSE TO EXISTING HOUSE AND AWAY FROM PROPERTY LINES. IN ORDER TO COORDINATE ROOF PITCH, THE PROPOSED ROOF EXCEEDS THE 10' HT. LIMIT, BUT BECAUSE OF ITS LOCATION, FULFILLS SPIRIT & INTENT OF CODE.

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

Signature: David H. Ellison

DATE: SEPT 18, 2020



NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by David Ellison, architect, on behalf of Scott and Cynthia Gabbard, 2750 Southington Road, to the Board of Zoning Appeals for a variance to the height requirements for a storage structure. The applicant proposes to build a storage shed in the rear yard that is 13 feet 6 inches tall. Code limits storage structures to ten (10) feet in height. The shed is designed to match the house's Tudor style and materials and the steep roof pitch. The shed is located behind the house in the center of the rear yard, with existing landscape providing screening toward the neighboring property.

The Board of Zoning Appeals will hold a Public Hearing on said application on **Tuesday, October 6, 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

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.

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Public comment will be taken during the meeting and residents may submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Daniel Feinstein at daniel.feinstein@shakeronline.com; or by calling (216) 491-1435. Any comments or questions received before the meeting 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

ADDRESS:

2750 Southington Road
Gabbard Residence
Case#: 2085

HEARING DATE:

October 6, 2020

SUMMARY:

A variance to the height requirements to a storage structure in order to construct a storage shed that is 13 feet 6 inches tall in the rear yard.

STAFF POSITION:

- Staff suggests approval based on:
 - The shed is 39 and 59 feet from the side property lines and 52 feet from the rear.
 - The shed is only 10 feet away from the taller mass of the house.
 - The peaked roof form of the shed matches the Tudor architecture of the house.
 - There is existing landscape screening around the yard.
 - Standards protecting against detrimental or injurious effects and maintaining the essential character of the neighborhood are met due to the relationship to the house's Tudor architecture and steeply pitched roof form.

ACTION:

- Variance to the height of a storage structure for a 13 foot 6 inch height when code allows 10 feet.

FACTS:

1. Applicant proposes a storage shed in the rear yard that is 13 feet 6 inches tall to the top of the roof. Code allows a maximum 10 foot height for a storage structure.
2. The shed is set back 39 and 59 feet from the side property lines and 52 feet from the rear property line.
3. The shed has a steeply peaked roof to match the roof pitch of the house.
4. There is an abundance of existing mature landscape screening in the rear yard.

CODE SECTIONS:

1. 1262.16 – a storage structure is restricted to 10 feet in height, only in the rear yard, and a 5 foot setback to the side and rear property lines in the SF-1 Single Family Residential zoning district.

OTHER ISSUES:

1. The shed is located 10 feet behind the existing attached garage.
2. The shed is 8 feet by 16 feet in size.
3. Architectural Board of Review staff have administratively approved the design of the shed.

PRECEDENT:

1. 21300 Almar – garden shed in the rear yard that is 14 feet 6 inches tall.
2. Gross Residence – potting shed in the rear yard that is 16 feet 9.5 inches tall.
2. Givens Residence – pool cabana in the rear yard that is 16 feet tall.
3. Cicarella Residence – potting shed in the rear yard that is 11 feet tall.
4. O'Neill Residence – Pool equipment storage structure at 15 feet 6 inches in height. Approved with landscape screening.
5. Garvey Residence – storage shed 12 feet 6 inches tall.

DAVID H. ELLISON, ARCHITECT
2002 W. 41ST STREET
CLEVELAND, OHIO
44113

September 23, 2020

Board of Zoning Appeals
c/o Daniel Feinstein
City of Shaker Heights, Ohio
3400 Lee Road
Shaker Heights, OH 44120

RE: Zoning Variance Application for a garden shed that exceeds the 10' maximum height limit for a storage building.

Dear Sirs and Madames:

Scott and Cynthia Gabbard, the owners and occupants of the property at 2750 Southington Road, are appealing for relief from the strict application of the Zoning Code that requires that storage buildings be limited in height to 10'. They request permission to erect a garden shed that is 13'-6" at the highest point of its ridge.

The existing garage is narrow by modern standards and does not have sufficient room for two cars and the other items that end up in a garage. The Gabbards are a family of four, with two boys who may eventually have automobiles and will need additional space in the driveway in which to park. Our plan to solve these two problems is to enlarge and reconfigure the driveway and to construct a garden shed storage building large enough for bicycles and yard maintenance equipment. We have proposed to place the garden shed in back of the garage and positioned it so that it separates the terrace and garden from the parking area. In doing so, the form of the shed becomes juxtaposed with the existing garage. We would like to match the roof pitch of the garden shed with the roof pitch of the existing garage to create a more compatible composition, but it causes the overall height of the shed to exceed the 10' limit.

The apparent purpose and intent of the Zoning Code's provisions regarding the height and location of accessory and storage buildings protects immediate neighbors from having tall barns, garages and other buildings built too high and too close to their property lines. The negative consequences of solar obstruction and overcrowding are avoided by restricting the height and location of outbuildings.

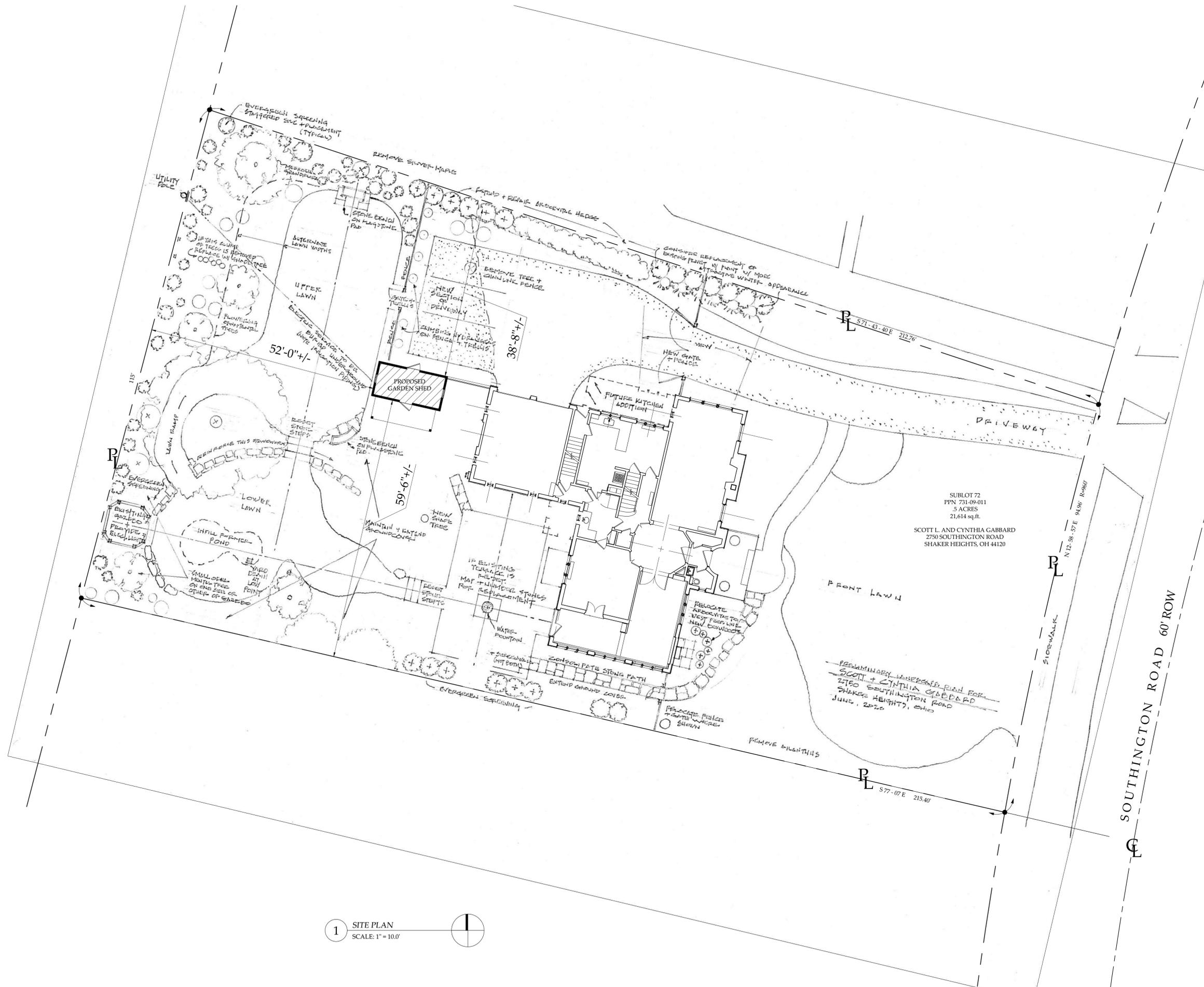
The proposed placement of the garden shed is closely associated with the house, well away from neighboring property lines, unlike the outbuildings imagined in the code. Coincidentally, if the shed

were to built in the exact same position shown, but as an attached rather than a detached building, its height would be permitted by the Zoning Code without variance. While the more common justification for a dimensional variance is a practical difficulty due to unique conditions that inhere in the specific property, our case is slightly different. While a garden shed that does not exceed the 10 height limit is possible, we believe that the architectural effect of matching roof pitches is more pleasing and that the spirit and intent of the Zoning Code is upheld if you choose to grant the height variance.

Your attention and consideration of this matter is greatly appreciated.

Sincerely yours,


David Ellison, AIA

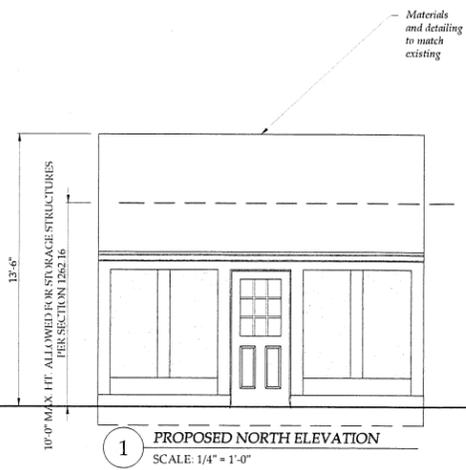


SUBLOT 72
 PPN 731-09-011
 5 ACRES
 21,614 sq. ft.
 SCOTT L. AND CYNTHIA GABBARD
 2750 SOUTHLINGTON ROAD
 SHAKER HEIGHTS, OH 44120

PRELIMINARY UNRECORDED PLAN FOR
 SCOTT + CYNTHIA GABBARD
 2750 SOUTHLINGTON ROAD
 SHAKER HEIGHTS, OHIO
 JUNE, 2020

1 SITE PLAN
 SCALE: 1" = 10.0'

SITE PLAN	
1" = 10.0'	
ISSUE:	DATE
FOR REVIEW FOR A PROPOSED VARIANCE FROM STRICT LETTER OF ORDINANCE 1262.16 LIMITING HEIGHT OF STORAGE STRUCTURE TO 10'	
	SEPTEMBER 18, 2020
<p>PROPOSED SHED at the GABBARD RESIDENCE 2750 SOUTHLINGTON ROAD SHAKER HEIGHTS, OHIO</p>	
<p>The D. H. ELLISON Co. MEMBER AMERICAN INSTITUTE OF ARCHITECTS 2002 W. 41 ST Cleveland, Ohio 44113 Telephone: 216-631-0557 Facsimile: 216-631-0997 Electronic Mail: DAVID@dhellison.COM</p>	
	<p>SP-1</p> <p style="text-align: right;">4</p>



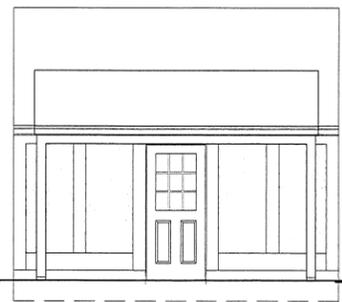
1 PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"



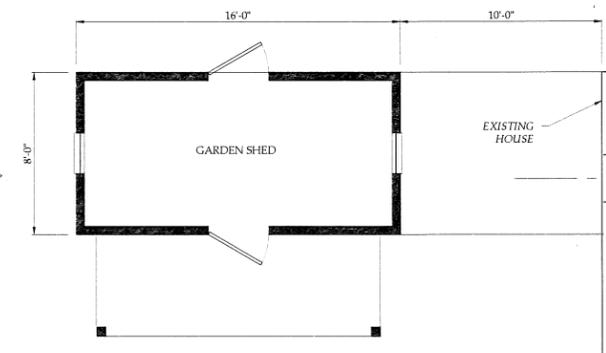
2 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"



3 PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"



4 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

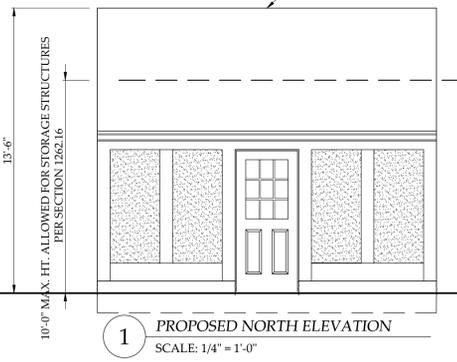


1 PLAN OF PROPOSED GARDEN SHED
SCALE: 1/4" = 1'-0"

PLANS, ELEVATIONS	
1/4" = 1'-0"	
ISSUE FOR REVIEW AND COMMENT	DATE
PROPOSED VARIANCE FROM STRICT LETTER OF ORDINANCE 1262.16 LIMITING HEIGHT OF STORAGE STRUCTURE TO 10'	SEPTEMBER 18, 2020
PROPOSED SHED at the GABBARD RESIDENCE 2750 SOUTHWINGTON ROAD SHAKER HEIGHTS, OHIO	
<i>The D. H. ELLISON Co.</i> <small>MEMBER AMERICAN INSTITUTE OF ARCHITECTS</small> 2002 W. 41 ST Cleveland, Ohio 44113 Telephone: 216-631-0557 Facsimile: 216-631-0997 Electronic Mail: DAVID@dhellison.COM	
<div style="font-size: 2em; font-weight: bold;">A-1</div>	



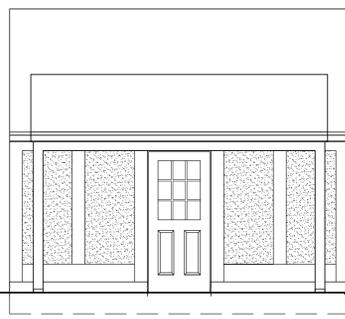
3 PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"



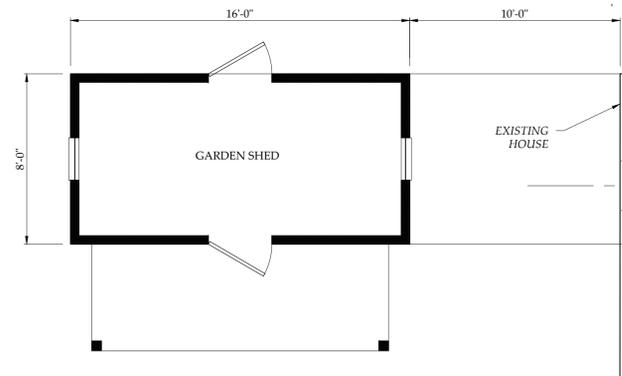
1 PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"



4 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



1 PLAN OF PROPOSED GARDEN SHED
SCALE: 1/4" = 1'-0"



PLANS, ELEVATIONS	
1/4" = 1'-0"	
ISSUE:	DATE
FOR REVIEW AND COMMENT	
PROPOSED VARIANCE FROM STRICT LETTER OF ORDINANCE 1262.16 LIMITING HEIGHT OF STORAGE STRUCTURE TO 10'	
SEPTEMBER 18, 2020	
<p>PROPOSED SHED at the GABBARD RESIDENCE 2750 SOUTHTON ROAD SHAKER HEIGHTS, OHIO</p>	
<p><i>The D. H. ELLISON Co.</i> MEMBER AMERICAN INSTITUTE OF ARCHITECTS 2002 W. 41 ST Cleveland, Ohio 44113 Telephone: 216-631-0557 Facsimile: 216-631-0997 Electronic Mail: DAVID@dhellison.COM</p>	
	A-1







2750











2750



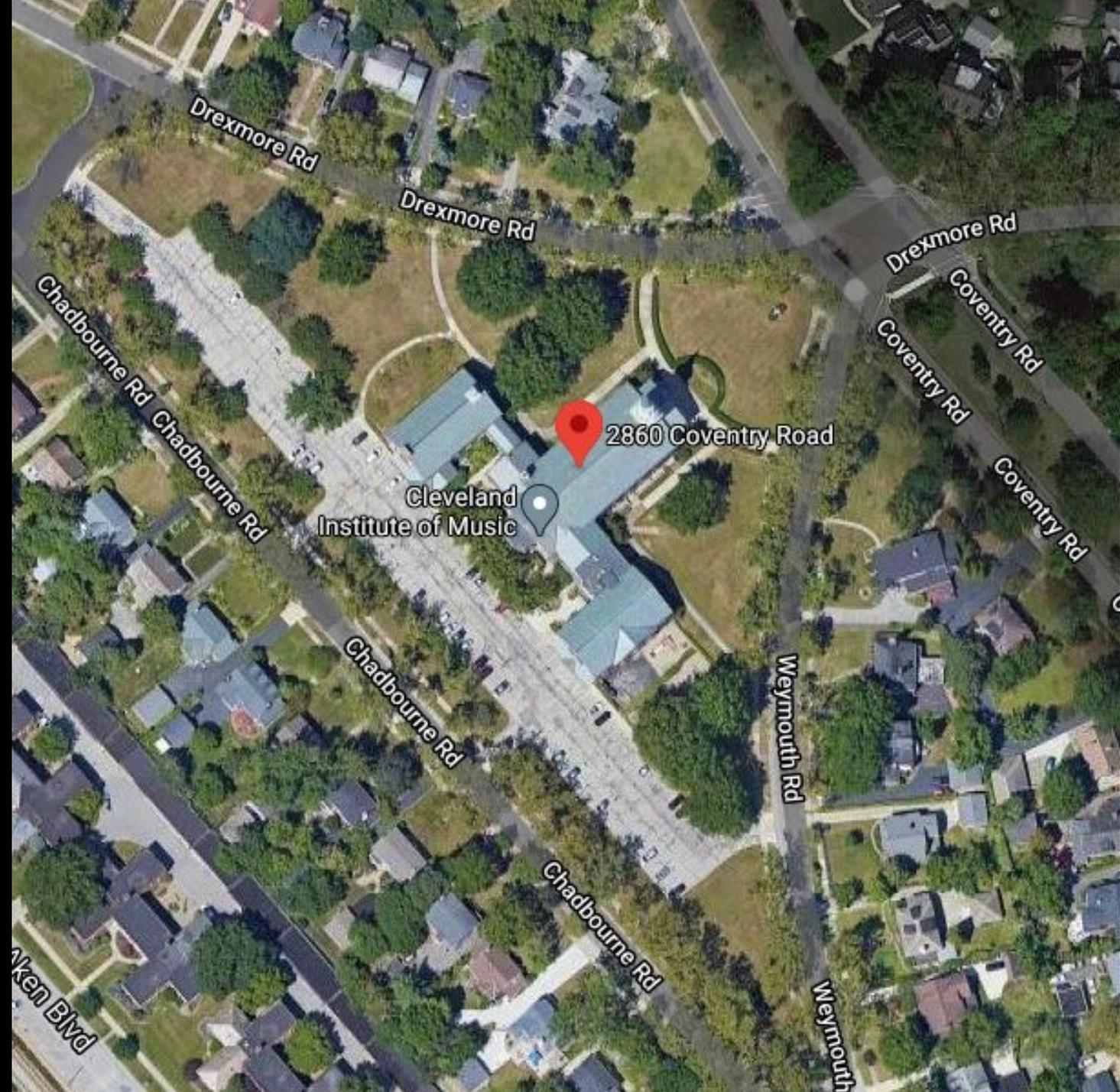






2860 Coventry Road

For a Conditional Use Permit for a use similar to a specialized instructional school.











19203673



www.usps.com



Cleveland Clinic
Children's

**EXIT
ONLY**

Applicant's Name: Cleveland Clinic Children's Hospital for Rehabilitation Application No: 2083

Property Address: 2860 Coventry Road Parcel No: 731-24-024

City: Shaker Heights State: OH Zip: 44120

Applicant's Address: 2801 Martin Luther King Jr. Drive. Phone No: 216-448-6440

City: Cleveland State: OH Zip: 44104

Property Owner (if other than applicant): Plymouth Church of Shaker Heights

Property Owner's Address (if different): 14144 Chadbourne Rd, Shaker Hts, OH 44120

City: Shaker Heights State: OH Zip: 44120

Zoning District: Institutional Present Use: Church

Proposed Use: Learner School of Autism auxiliary site.

E-Mail Address: BandPBBusinessSupport@ccf.org (MAIN) or CARTERC7@ccf.org (this application)

CHECK INFORMATION ACCOMPANYING THIS APPLICATION

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

CHECK SPECIFIC ACTION REQUIRED

- BZA: 1. VARIANCE (requires public hearing) - Sign regulations, Fence Regulations, Height Regulations, Off-street Parking, Area and Yard Regulations. 2. OTHER APPROVALS - Appeal, Other.
CPC: [checked] 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:

None. This conditional use is permitted under Shaker Heights Zoning Code 1240.04.A.7

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

SIGNATURE: [Signature] Senior Owners Representative

DATE: 09/18/2020



NOTICE OF PUBLIC HEARING

Notice is hereby given that application is being made by Carl Carter, Cleveland Clinic Lerner School of Autism, located at Plymouth Church, 2860 Coventry Road, to the City Planning Commission for a Conditional Use Permit for a use similar to a specialized instructional school. The Lerner School of Autism proposes to utilize former daycare and preschool space in the church for their specialized primary school instruction. Their existing operations are expanding to Plymouth Church in order to accommodate the same number of children in their existing program in ample space to meet COVID-19 guidelines. 30 to 40 students, ranging in age from 2 to 10 years old, will utilize eight classrooms in the building five days a week. Pick up and drop off will occur at two locations with only staff parking in the parking lot. Council confirmation is required.

The City Planning Commission will hold a Public Hearing on said application on **Tuesday, October 6, 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
City Planning Commission

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

STAFF REPORT

ADDRESS:

2860 Coventry Road
Lerner School of Autism (Plymouth Church)
Case#: 2083

HEARING DATE:

October 6, 2020

SUMMARY:

Conditional Use Permit to locate a use similar to a Specialized Instructional School for children with Autism in classroom space in Plymouth Church.

STAFF POSITION:

- Staff suggests approval of the Conditional Use Permit based on:
 - The same classroom space has been occupied by a daycare and a preschool, which received Conditional Use Permits in the past.
 - The use of the building is similar to the preschools, which were formerly in the church.
 - The use of the building is similar to a specialized instructional school, and all standards for specialized instructional schools are being met.
 - For the most part the school has different hours than the church.
 - No nuisance or adverse impact will be created because of the large institutional building and property.
 - The use will not interfere with surrounding development or cause traffic congestion because of the hours of operation and limited number of cars using the parking lot and the planned drop off and pick up procedure.

ACTION:

- Conditional Use Permit for a use similar to a specialized instructional school.

FACTS:

1. The applicant proposes to utilize existing classroom space in Plymouth Church for the Cleveland Clinic Lerner School of Autism.
2. The school proposes to utilize former daycare and preschool classroom space in the church for their specialized primary school instruction.
3. Their existing school is expanding to Plymouth Church in order to accommodate the same number of children in their existing program in enough space to meet COVID-19 guidelines.
4. 30 to 40 students, ranging in age from 2 to 10 years old, will utilize eight classrooms in the building five days a week.

CODE SECTIONS:

1. 1240.04 – A Conditional Use Permit is required for a use similar to a specialized instructional school in the I-Institutional zoning district.

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

STAFF REPORT

Continued:

ADDRESS:

2860 Coventry Road
Lerner School of Autism (Plymouth Church)
Case#: 2083

HEARING DATE:

October 6, 2020

OTHER ISSUES:

1. Daycare and preschool programs formerly occupied the classrooms. These programs also used the parking lot and entrances at the church.
2. Pick up and drop off will occur at two locations with only staff parking in the parking lot.
3. The applicant has submitted a packet of information and detailed letter explaining their use of the building and property.
4. The school is already in operation within the church to facilitate its reopening during the COVID-19 pandemic.
5. The pickup and drop off lines have been operating without incident.
6. Council confirmation of the Conditional Use Permit is required.

PRECEDENT:

1. 2860 Coventry Road - Headstart at Plymouth Church – a Conditional Use Permit for a daycare and preschool program.
2. 2860 Coventry Road - Plymouth Church Cooperative Preschool - a Conditional Use Permit for a partial day preschool program.
3. 2860 Coventry Road - Interfaith Hospitality Network at Plymouth Church – a Conditional Use Permit for a temporary homeless family shelter at the church.
4. Dance by Sha’Ran at Christ Episcopal Church – A Conditional use permit for a specialized instructional school dance program.
5. Verb Ballet at Christ Episcopal Church – A Conditional Use Permit for specialized school and a parking variance.
6. Duffy Liturgical Dance Ensemble at Christ Episcopal Church – A youth dance troupe with off-site performances.
7. Master Marr’s Tai Kwon Do on Chagrin Boulevard – Conditional Use Permit for a martial arts school.
8. 20820 Chagrin Boulevard – Conditional Use Permit for Studio J. Academy of Dance and a parking variance in the CM Commercial Mixed-Use zoning district.

Cleveland Clinic
Lerner Center for Autism
Application for
Conditional Use Permit
City of Shaker Heights, Ohio



Exhibit 1 - Application



Exhibit 2 - Narrative



1. Request

The Cleveland Clinic Children's Hospital for Rehabilitation requests a conditional use permit to allow the use of Plymouth Church by the Lerner School for Autism. The space is needed by the school for the foreseeable future during the pandemic.

The use requested is consistent with previous use of this site. The Plymouth Church has housed schools for many years. The space most recently housed the Plymouth Head Start program.

2. School Intro

The Cleveland Clinic Children's Lerner School for Autism is a chartered non-public school, certified by the Ohio Department of Education. The school has been in operation for 20 years and is located on the campus of the Cleveland Clinic Children's Hospital for Rehabilitation in Cleveland. It serves students with autism from the age of first diagnosis to 22 years. Licensed special educators, behavior analysts, speech/language pathologists and classroom behavior therapists have intensive training and experience in ABA. Parent training, observations and home visits are integral components of both of our programs.

Early childhood program: An intensive full-day, year-round, center-based behavioral service for children 1 to 5 years of age. Tailored instruction focuses on development of skills across the domains of language and communication, socialization, play, adaptive behavior and toilet training.

School-age program: An intensive full-day, year-round, center-based behavioral program. Tailored instruction focuses on communication, socialization, academics, adaptive behavior, vocational preparation and transitional services.

3. Project Background

On March 16, 2020 the Lerner School stopped in-person instruction per the governor's order due to the pandemic. After consulting with our Infectious Disease experts and the Cleveland Public Health Department we re-opened to in-person instruction on June 1, 2020 with specific protocols in place:

- Direct therapists must be 1:1 with students
- Appropriate PPE for staff
- Sanitization protocols for student materials and school building
- Symptom checks and temperature screening for staff and students
- Social distancing of 6' maintained between student/staff pairs

Due to these changes in staffing and utilization of space we are unable to accommodate all our students at the same time in our current location. In order to provide in-person instruction 5 days a week for all of our students we searched for additional space at off-site locations and selected Plymouth Church in Shaker Heights. Plymouth Church had available space that had previously been used by 2 different preschool programs for a number of years. This space is comprised of 8 rooms which encompass the

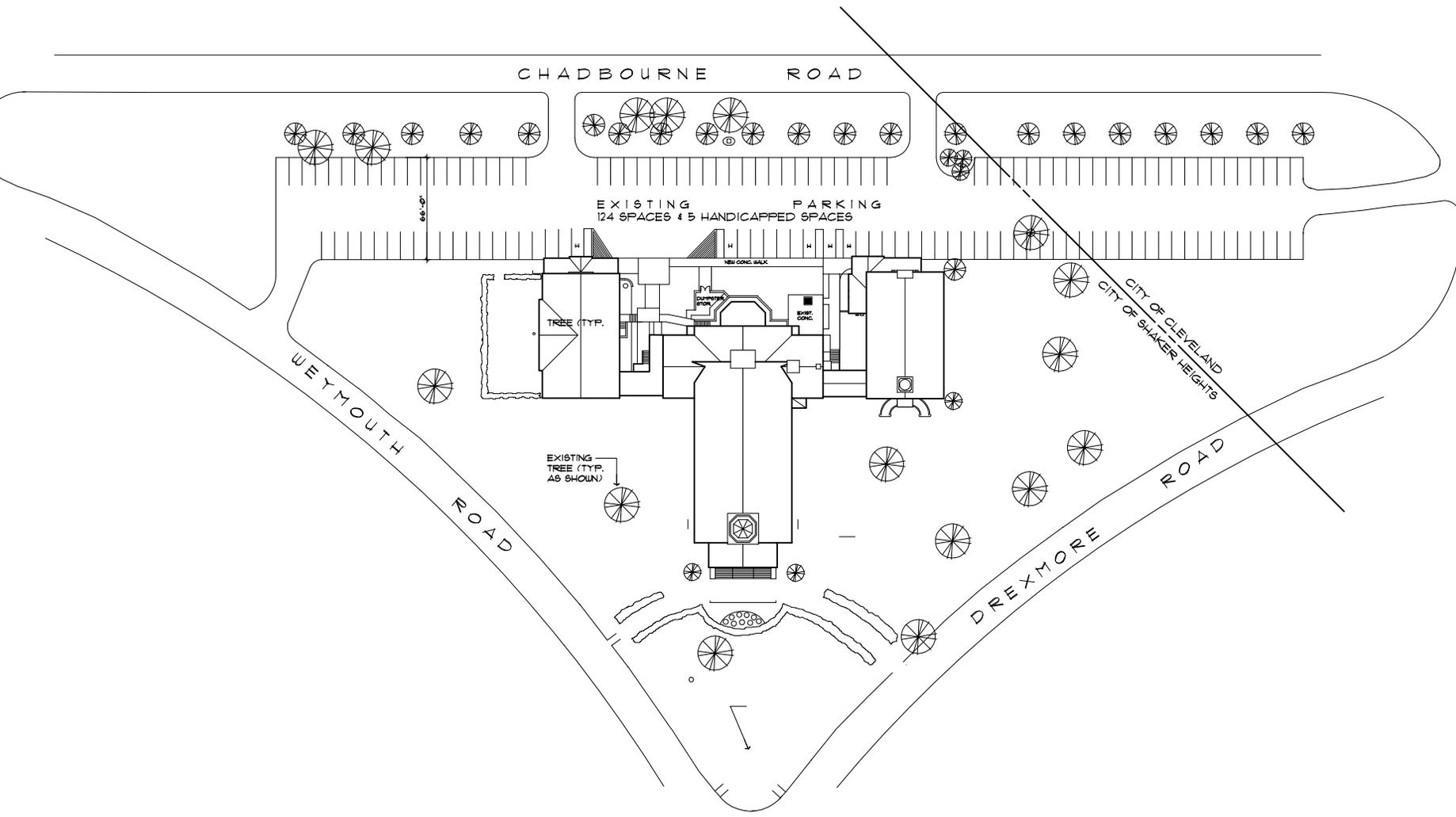
entirety of the space leased by the Lerner School. Operating in a similar manner and footprint should result in little to no disruption to the surrounding community.

4. School Operations

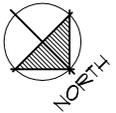
- Hours – Students are at school from 8:30am-3:00pm. Staff are typically there from 7:30am-4:30pm.
- Occupancy - The Lerner School plans to place 30-40 students at the Plymouth Location, with 45-55 staff supporting them. Student ages currently range from 2-10 at Plymouth.
- Parking - Per the site map, there are 124 parking spaces so there is ample parking for school and church staff. All staff are directed to park along the southwest side of the parking lot next to Chadbourne Rd. to leave open the other side for drop-off/pick-up of students.
- Student Transportation – Students are transported to/from school by a mixture of personal vehicles and school district transportation (vans or small buses). Vehicles typically start lining up 15-20 minutes prior to pick-up and drop-off times. Staff pickup students from the vehicle and walk directly into the building. The process is normally completed within 10-15 minutes.

Exhibit 3 - Site Plan





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



EXISTING SITE PLAN

MASTER PLAN STUDY
PLYMOUTH CHURCH
COVENTRY & DREXMORE ROADS
SLAKER HEIGHTS, OHIO

GAEDE SERNE ARCHITECTS INC.
920 WEST SUPERIOR AVE. #100 CLEVELAND, OHIO 44113
PHONE (216) 241-9559 FAX (216) 241-1825
Architecture Urban Design Historic Restoration Restoration

Revisions	
1	
2	
3	
File	
Job No. BCR 2008	
Date 5-29-2008	
Drawn By GM	



EX-SP

Exhibit 4 - Traffic and Signage



Pick-up and Drop-off Procedures

Address: 2860 Coventry Rd., Shaker Heights, Ohio 44120

Drop-off: 8:30am

Pick-up: 3:00pm

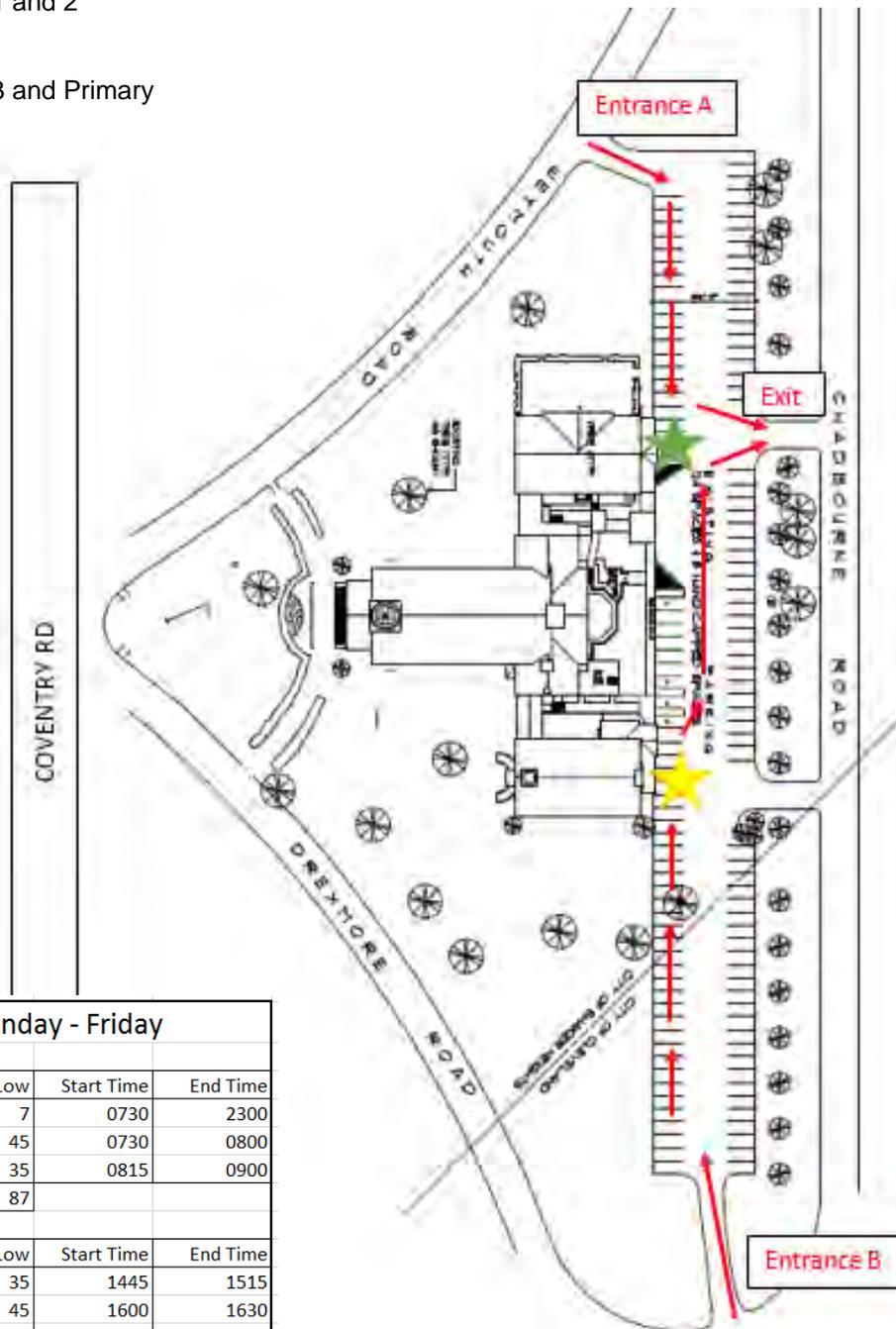
If you are arriving late for drop off, please call 216-636-0071 to let us know you've arrived.



ECE 1 and 2



ECE 3 and Primary



	High	Low	Start Time	End Time
Morning				
Church	7	7	0730	2300
Staff	55	45	0730	0800
Students	40	35	0815	0900
Totals	102	87		
Afternoon				
Students	40	35	1445	1515
Staff	55	45	1600	1630
Church	7	7	0730	2300
Totals	102	87		

You will see signage to direct you once you arrive in the parking lot.



Lane A – ECE 1 and 2 drop-off and pick-up

The first car in line will stop where the  is indicated on the map. All other cars will line up single file behind. Lerner School staff will continue to come to the car to complete the temperature screening prior to taking students into the building.



Lane B – ECE 3 and Primary drop-off and pick-up

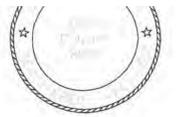
The first car in line will stop where the  is indicated on the map. All other cars will line up single file behind. Lerner School staff will continue to come to the car to complete the temperature screening prior to taking students into the building.



All traffic will use the same exit.

Exhibit 5 - Floor Plan





GARY FISCHER, LICENSE #8826
EXPIRATION DATE: 12/31/2015

- WHITE OR GRAYSCALE REPRODUCTIONS DO NOT FULLY CONVEY THE INTENDED INFORMATION.
- CODE PLANS INDICATE CODE CONCEPTS & REQUIREMENTS. REFER TO FLOOR PLANS AND OTHER SHEETS FOR CONSTRUCTION DETAILS AND OTHER METHODS OF IMPLEMENTATION.
- WALL RATINGS ARE CONTINUOUS THROUGH DOOR AND OTHER OPENINGS. FOR OPENING PROTECTION REFER TO OPENING SCHEDULE.
- REFER TO A1-SERIES SHEETS FOR AREA OF WORK. AREAS WITHIN SCOPE OF WORK SHALL MEET REQUIRED FIRE-RATINGS. THE DESIGN TEAM AND GENERAL CONTRACTOR ARE NOT RESPONSIBLE FOR VERIFYING OR REQUIREING STRUCTURES OUTSIDE OF THE AREA OF WORK TO COMPLY WITH REQUIRED RATINGS.

SHEET NOTES

LIFE SAFETY LEGEND

- ONE (1) HOUR RATED PARTITION
- TWO (2) HOUR RATED PARTITION
- THREE (3) HOUR RATED PARTITION
- EXIT MARKED EXIT/EGRESS STAIR
- FEC FIRE EXTINGUISHER CABINET
- FEX FIRE EXTINGUISHER, WALL HUNG

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Cleveland Office
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F: 216.749.1300

PROJECT:

Plymouth Shaker Church

Elevator and Vestibule Addition
2860 Coventry Road, Shaker Heights, Ohio

ISSUE: BLDG DEPT RESPONSE DATE: 20 SEPT 2013

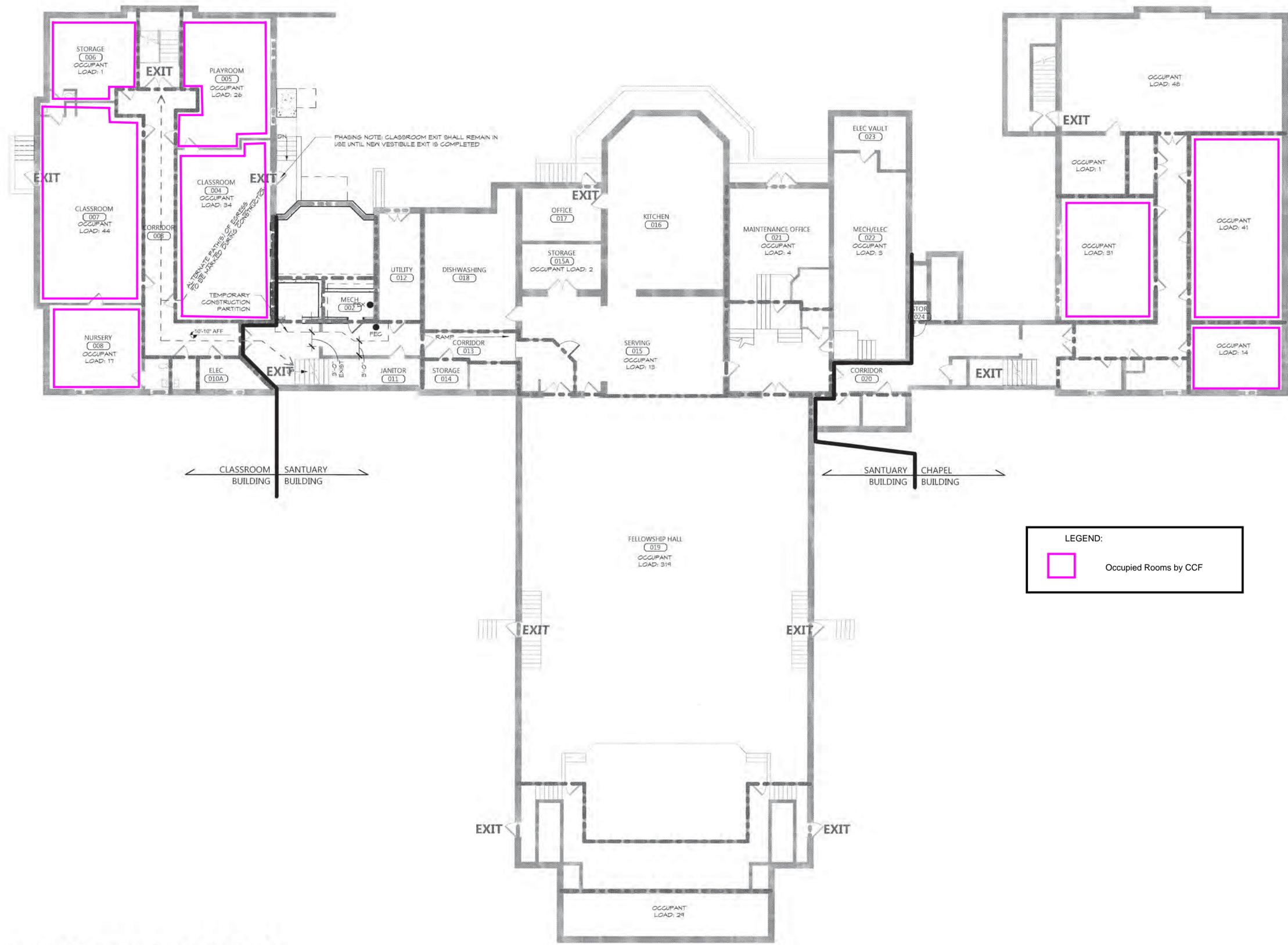
PROJECT #: 13027.01
DRAWN BY: RMD CHECKED BY: DJR

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DRAWING TITLE:
LOWER LEVEL CODE PLAN

SHEET #:
CD1-00



LEGEND:
 Occupied Rooms by CCF

2/12/2013 2:17:43 PM \\ark-dca\projects\Drawings\Plymouth Shaker Church_L13027.01\Drawings\PlymouthShaker_RE\020714.rvt

1 LOWER LEVEL CODE PLAN

3/32" = 1'-0"



Exhibit 6 - Aerial Photos





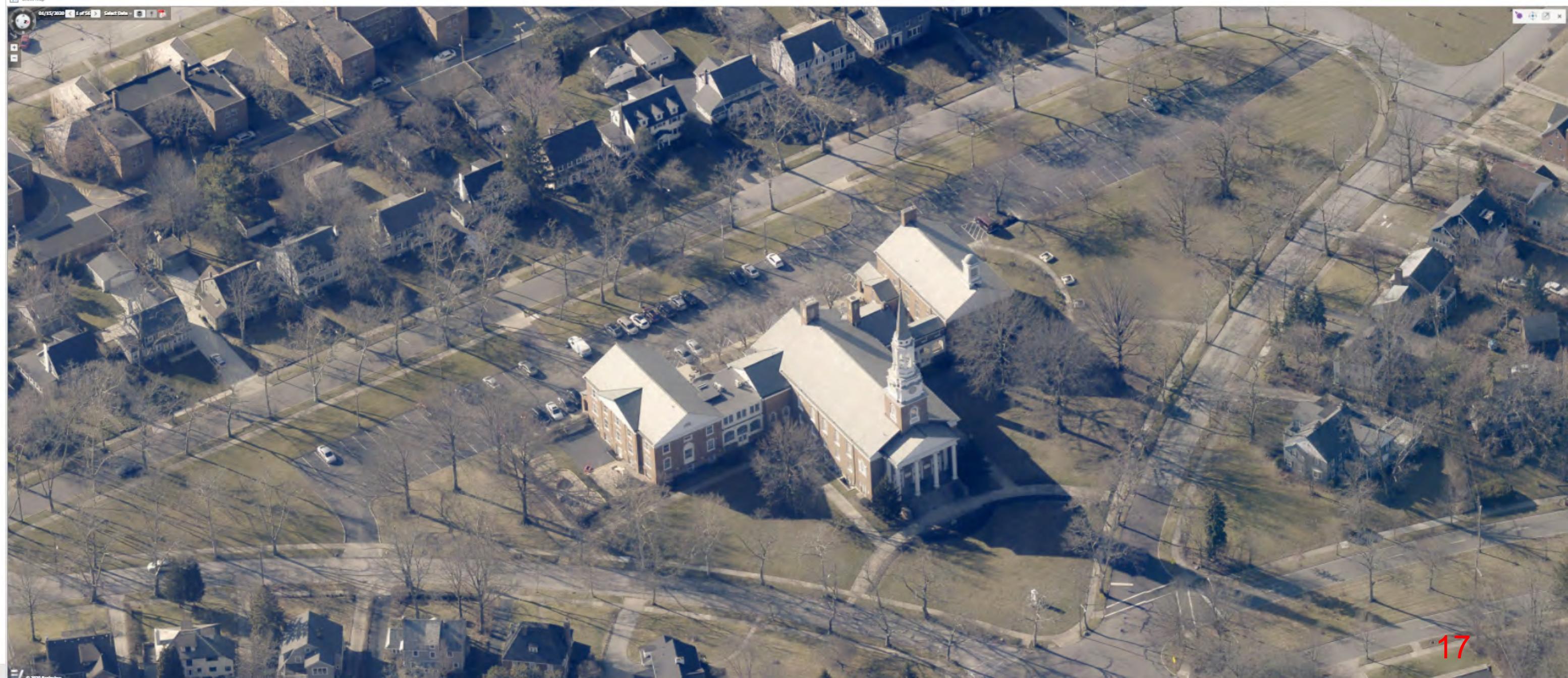


Exhibit 7 - Supplemental Information





Center for Autism



 **Cleveland Clinic Children's**

9500 Euclid Ave., Cleveland, OH 44195

Cleveland Clinic Children's provides comprehensive medical, surgical and rehabilitative care for infants, children and adolescents. Our more than 350 pediatric physicians accommodate more than 680,000 outpatient visits and 13,000 inpatient admissions per year at the children's hospital and outpatient facilities on our main campus, at the Cleveland Clinic Children's Hospital for Rehabilitation campus, and at regional hospitals, family health centers and other locations throughout Ohio. Cleveland Clinic Children's & Pediatric Institute is one of 26 clinical and special expertise institutes at Cleveland Clinic designed to offer highly integrated care and conduct innovative research across multiple settings. It is backed by the full resources of Cleveland Clinic, a nonprofit academic medical center ranked as one of the nation's top hospitals in the country by *U.S. News & World Report*. clevelandclinicchildrens.org

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Cleveland Clinic Children's Center for Autism

Cleveland Clinic Children's Center for Autism (CCCCA) is a leading program dedicated to autism treatment, education and research. The center's main site is on the campus of Cleveland Clinic Children's Hospital for Rehabilitation, one of the few CARF-accredited facilities of its kind, with additional satellite sites.

OUTPATIENT SERVICES

Diagnostic Clinics

CCCCA provides multidisciplinary evaluations for children suspected to have autism spectrum disorder (ASD) from the age when their parents first become concerned through early adolescence.

Clinical Applied Behavior Analysis (ABA) Services

Individualized ABA treatment (behavior therapy) is provided to children with ASD with a strong component of parent training. Focused ABA treatment plans target the development of specific skills across areas including socialization, play, adaptive behavior and language, with an emphasis on communication skills. Services will be provided using a tiered delivery model. A Board Certified Behavior Analyst (BCBA) will design and supervise treatment goals and oversee Registered Behavior Technicians (RBT) in working directly with the client.

Outpatient Speech/Language Therapy

The Center for Autism's outpatient speech department specializes in providing children with ASD speech/language



evaluations, individual therapy and small group therapy. All speech/language pathologists are trained in the principles of ABA.

LERNER SCHOOL FOR AUTISM

Our chartered non-public school, certified by the Ohio Department of Education, serves students from the age of first diagnosis to 22 years. Licensed special educators, behavior analysts, speech/language pathologists and classroom behavior therapists have intensive training and experience in ABA. Parent training, observations and home visits are integral components of both of our programs.

Early childhood program: An intensive full-day, year-round, center-based behavioral service for children 1 to 5 years of age. Tailored instruction focuses on development of skills across the domains of language and communication, socialization, play, adaptive behavior and toilet training.

School-age program: An intensive full-day, year-round, center-based behavioral program. Tailored instruction focuses on communication, socialization, academics, adaptive behavior, vocational preparation and transitional services. Applying skills in community settings is emphasized.

CONSULTATION SERVICES

Cleveland Clinic Children's Autism Development Solutions (CCCADS) offers full-service consultative services to medical and educational organizations, both nationally and internationally, to assist in establishing, or modifying existing intensive autism treatment programs within their own communities. Since 2007, CCCADS has helped develop nearly 20 programs across the United States.

RESEARCH

CCCCA conducts federally-funded clinical research focusing on improving treatment for children with autism and their families. Research studies offer families another option for receiving treatment and contributing to our knowledge in state-of-the-science care for those with ASD.

For more information about any Cleveland Clinic Children's Center for Autism service, please call **216.448.6440** or visit clevelandclinicchildrens.org/autism.



Rev. Dr. Deborah Lindsay
Interim Senior Minister
2860 Coventry Road
Shaker Heights, OH 44120
(216) 921-3510
dlindsay@PlymouthChurchUCC.org

Sept. 18, 2020

To the City of Shaker Heights,

We are extremely pleased the education wings of our building are now alive with children learning, playing, and growing, thanks to a new partnership with Cleveland Clinic Children's Center for Autism Lerner School.

This is an exciting development for Plymouth Church on several levels. Most importantly, during this unprecedented time, we are able to put our building to good use for vulnerable members of our community and their families. We are delighted our education space will be used for the purpose for which it was designed, which is to be a safe, welcoming, child-size space for young children. When we are able to return to in-person worship and other activities, the church will function just as we did with a previous tenant, Head Start, in the education areas.

On the first day of school this week, I sat by my office window listening to the children on the playground. It struck me that this is what it truly means to be a community that joins together during a challenging time. All of us at Plymouth Church are grateful for our partnership with the Lerner School and looking forward to our future together.

Please feel free to contact me directly with any questions you might have.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Lindsay".

Deborah Lindsay
Interim Senior Minister



Cleveland Clinic Children's