

CITY OF CLEVELAND HEIGHTS  
BOARD OF ZONING APPEALS  
MINUTES OF THE MEETING  
FEBRUARY 18, 2015

MEMBERS PRESENT:	Gail E. Bromley George A. Gilliam Benjamin Hoen Michael Wellman	Chair
MEMBER ABSENT:	Thomas Zych	Vice Chair
STAFF PRESENT:	Ron Nied Vesta A. Gates Karen Knittel Elizabeth Rothenberg Richard Wong	Acting Building Commissioner Zoning Administrative Assistant City Planner Assistant Law Director Planning Director
OTHERS PRESENT:	Cheryl L. Stephens	Vice Mayor, Planning & Development Committee Member

CALL TO ORDER:

Ms. Bromley called the regular meeting to order at 7:00 p.m. at which time all members were present except Mr. Zych whose absence was excused.

APPROVAL OF THE MINUTES OF THE DECEMBER 17, 2014 PUBLIC HEARING

Mr. Wellman moved to approve the December minutes. The motion was seconded by Mr. Hoen and carried 3-0-1; Mr. Gilliam abstained as he was not present at the December meeting.

THE POWERS OF THE BOARD AND PROCEDURES OF THE  
BOARD OF ZONING APPEALS PUBLIC HEARINGS

For the benefit of the applicants, representatives, and the public, Ms. Bromley stated that these hearings are quasi-judicial and certain formalities must be followed as if this were a court of law. Those who wish to speak regarding each case will be placed under oath. Following a presentation by City staff, each applicant may present his or her case. The Board will open a public hearing to obtain testimony from any other persons and the applicant will have a chance to respond to any such testimony. The Board will then ask questions of the applicant and render its decision. The formal nature of these proceedings is necessary because the applicant is asking for an extraordinary remedy called a variance. A variance is formal permission for the applicant not to comply with the municipal ordinances by which all other citizens are bound. The factors and criteria weighed by the Board with respect to the granting of variances are set forth in the Zoning Code and have been made available to all applicants. The burden is upon each applicant to establish the right to a variance under these criteria. The applicant must demonstrate circumstance unique to the physical character of his or her property, not personal difficulty, hardship or inconvenience. All variances granted by this Board are subject to review by City Council.

PUBLIC HEARING

FEBRUARY 18, 2015

CALENDAR NO. 3360

Mary and Derek Garceau, 3017 Fairmount Blvd., 'AA' single-family district, requests variances 1) to Code Section 1121.12(c)(1)C to permit a new front driveway with 2 curb cuts (1 on Fairmount & 1 on Stratford) and maintain the current drive and curb cut on Stratford Rd. (1 drive & 1 curb cut permitted); 2) to Code Sections 1121.12(c)(1)C to permit A new front driveway 12' to 19'6" feet wide (12' max. permitted) and 3) to Code Section 1161.105(a) to permit a 14' wide Fairmount Blvd. drive apron (12' max permitted).

All those who wished to testify regarding this request were sworn in by Ms. Rothenberg.

For the benefit of the audience, Ms. Knittel announced that the factors to be considered by the Board when making their decisions was put on the screen before the meeting.

The following staff report was given by Ms. Knittel, who was sworn in.

**HISTORY:**

In 1992, the property received a fence variance to permit a 4' tall fence set back and parallel to Stratford Road.

**CONTEXT:**

This house is located on a 155' wide lot at the corner of Fairmount Boulevard and Stratford Road. The Stratford Road frontage is 218'. The house is surrounded by other single family residents on large lots. The applicant's current driveway is off of Stratford Road. The applicant would like to construct a curved driveway across the front of his property with one curb cut on Fairmount Boulevard and one curb cut on Stratford Road.

This section of Fairmount Boulevard is a divided boulevard with two lanes of traffic going in each direction. There is a landscaped island between the east and west travel lanes. Parking is not permitted on Fairmount between Guilford and Stratford Roads from 7 to 9 A.M. Parked vehicles are rare along this section of Fairmount Boulevard and would result in reducing the number of travel lanes.

**REQUEST:**

The applicant is in the process of renovating this property and one project is the proposed addition of a curve driveway in the front yard. The applicant's proposed driveway requires three variances; each should be reviewed and considered separately.

**Variance 1: to Code Section 1121.12(c )(1)C to permit new front driveway with 2 curb cuts (one on Fairmount & one on Stratford) and maintain current drive & curb cut on Stratford Rd. (1 drive & 1 curb cut permitted)**

The location and orientation of the applicant's home and their current driveway which provides the only vehicle access to the property is off of Stratford Road. The applicant states that visitors, contractors and deliveries are often confused. Most of the applicant's neighbors' driveways provide access to their front doors and many have curved or circular driveways. The applicant states that often persons looking for their home pull into their neighbor's driveway at 3029 Fairmount Boulevard, which runs between the two houses.

The applicant points out that traffic on Fairmount Boulevard can be heavy at times making it impractical and an unsafe environment to park vehicles. Entering and exiting a parked vehicle on Fairmount, especially for the driver is unsafe due to this traffic volume and road design. The posted speed on Fairmount Boulevard is 35 miles per hour. The applicant states that traffic speed is another concern.

The applicant states that visitors who park along Stratford Road may walk 600' or

more to arrive at their front door. A drive with a Fairmount Boulevard curb cut connecting to the current drive off Stratford Road is not practical as it would require pavement along the entire length of Stratford, eliminating most of the side yard.

The proposed site plan was reviewed with the Police Chief who did not have safety concerns about the additional curb cuts.

**Variance 2: to Code Sections 1121.12(c )(1)C to permit new front driveway 12' to 19'6" wide (12' max. permitted)**

The driveway width widens close to the front door to enable a vehicle to be stopped and allow a second vehicle to drive past it. The applicant states that this design will not create an aesthetic concern due to the scale of their home. The maximum front yard pavement coverage for this lot is 3,000 square feet. The proposed driveway and sidewalks cover 2,727 square feet and therefore is code conforming. The driveway design will direct storm water from the driveway to several garden areas on the property.

**Variance 3: to Code Section 1161.105(a) to permit 14' wide Fairmount Blvd. drive apron (12' max permitted)**

The applicant states due to the traffic volume and speed on Fairmount Boulevard, a 14' curb cut is needed to enable safe entry to the driveway from Fairmount Boulevard.

The applicant has stated that they intend to continue using the existing drive and garage, the curved driveway is intended for the safety of their guests and deliveries. The applicant does not intend for overnight parking to occur in the curved driveway.

If approved, conditions should include:

1. Receipt of a Building Permit;
2. The driveway is designed and built to enable storm water to be managed on-site;
3. No overnight parking in the curved driveway;
4. Planning Director approval of a landscape plan; and
5. Complete construction within 18 months of City Council's approval of this resolution.

Ms. Knittel added that because there are 3 separate variances, they should be considered separately when the Board is voting.

That being the end of staff's report, Ms. Bromley asked the applicant to come forward and add anything he wished.

Derek Garceau, 3017 Fairmount Boulevard, stated that he was sworn in and that he had nothing else he wished to add as staff had done a great job in summarizing all of his concerns.

#### PUBLIC HEARING OPENED/PUBLIC HEARING CLOSED

Ms. Bromley asked for any questions from the Board.

Mr. Wellman stated that one of the issues he always took into consideration was the number of variances being requested and whether any of them may not really be necessary. Looking at the 3 variance requests in this case, he wondered if the request for the 14-foot wide drive apron was really an important feature.

Mr. Garceau explained that he and his landscape architect had a long conversation about that, knowing that a 12-foot maximum was required by the code and wanting to be as code-conforming as possible. With the high volume of traffic combined with the high rate of speed, although no one expects to make a turn at a high rate of speed, he would prefer visitors not be forced to come to a complete stop from 35 miles per hour to make the turn. That area is notorious for speeders and there is a police speed trap right across the street. Our feeling was that a slightly wider curb-cut would be minimally noticeable within the scale of the property but would be vast improvement for driving visitors. He and Ms. Knittel also discussed the line of site for pedestrians and bikers, of which the typical volume is not very high. We have estimated at least 75-feet between the edge of the proposed driveway and the closest site obstruction, like a tree. Our feeling was that this would almost be totally unnoticeable but a great improvement for access.

Mr. Wellman stated that his second issue was that the Board generally did not like to see parking in the front yard. He asked the applicant if he foresaw that as a regular occurrence.

Mr. Garceau stated that he did not. The primary use would be for mail and package delivery. As was mentioned by staff, we are in the midst of many, many renovations so a lot of things are coming and going and this will be a better drop-off point. The curved drive will make things a lot easier for guests when entertaining but we were very specific in our application that we do not intend to have any overnight parking and will continue to maintain our current driveway and garage behind the property for family use. Current access is limited to approach by foot. Referring to the site plan he pointed out that even if you park at the nearest corner of Stratford and walked up the driveway, the distance is several hundred feet. In foul weather like this it's tough to negotiate so at the very least this is an improvement for people coming and going.

Mr. Wellman stated that he had one more comment to make. The Board occasionally see these cases with curved driveways in front of the house and the

first thing that comes to his mind is that there is probably a code-conforming solution that would involve extending the existing driveway and having some kind of crazy loop in front of the house that would be far more ugly than what is being proposed. It would probably be code-conforming but to him, this makes this a better solution.

Mr. Garceau stated that they had evaluated that during the time they were looking at proposals. In addition to not having any clearance between a proposed driveway and the west side of the house, it also became too much coverage, so it would not have been code-conforming. Using the existing driveway was undesirable from many different angles.

There being no further comments, Ms. Bromley asked for a motion. She stated that each variance will have a separate motion.

Mr. Wellman moved to grant the request of Mary and Derek Garceau, 3017 Fairmount Boulevard, for a variance from Code Section 1121.12(c)(1)C to permit a new front driveway with two curb cuts, 1 on Fairmount and 1 on Stratford, and maintain the current drive and curb on Stratford Road where 1 drive and 1 curb-cut is permitted, based on the finding that special conditions do exist for this lot. Specifically, it is a large corner lot with frontage on a busy street which may create some safety concerns; the variance is insubstantial because there are several other adjacent and nearby properties which have similar situations; the essential character of the neighborhood would not be substantially altered. He didn't see any conditions.

Ms. Knittel stated that there were recommended conditions for this and the other two variances. The only deletion is the requirement for Architectural Board of Review Approval. That is not necessary.

Mr. Wellman amended his motion to state that if the variance is approved conditions should include: 1) Receipt of a Building Permit; 2) The driveway is designed and built to enable storm water to be managed on-site; 3) No overnight parking in the curved driveway; 4) Planning Director approval of a landscape plan; and 5) Complete construction within 18 months of City Council's approval of this resolution.

Mr. Gilliam seconded the motion.

There being no further discussion, the motion carried 4-0.

Mr. Wellman moved to grant the second request of Mary and Derek Garceau, 3017 Fairmount Boulevard for a variance from Code Section 1121.12(c)(1)C to permit a new front driveway to be 12-feet to 19-feet 6-inches wide where a maximum width of 12-feet is permitted based on similar findings that special conditions exist for this

lot, specifically, it is a large corner lot with frontage on a busy street; the variance is insubstantial; and the essential character of the neighborhood will not be altered. In addition, the same conditions previously specified apply to this variance.

Mr. Hoen seconded the motion.

There being no further discussion, the motion carried 4-0.

Mr. Wellman moved to grant the third request of Mary and Derek Garceau, 3017 Fairmount Boulevard for a variance from Code Section 1161.105(a) to permit a 14-foot-wide Fairmount Boulevard drive apron where a 12-foot width is the maximum permitted based upon the aforementioned reasons and conditions.

Mr. Hoen seconded the motion.

Ms. Bromley stated that she could not support this request because she believed it to be extraordinary and she did not see a practical difficulty.

There being no further discussion, the motion carried 3-1, Ms. Bromley was opposed.

Ms. Bromley reminded the applicant that the variances must be reviewed by City Council.

CALENDAR NO. 3361

Hans and Lisa Hunziker, 2964 Corydon Rd., 'A' single-family district, requests a variance to Code Section 1121.08 to permit a house addition to be 4'5" from the side property line (5' min required).

All those who wished to testify regarding this request were sworn in by Ms. Rothenberg.

Ms. Knittel, who was sworn in, reported the following:

This house is located in a single-family district and is surrounded by single family homes. The house has an existing screened-in-porch located 4'5" from the property line. The neighbor's driveway is adjacent to the screened-in porch. The house at 2960 Corydon is 13'8" from the existing porch.

The applicant would like to enclose the 14' long existing porch and add an additional 16' space. The intent is to keep the existing footprint and utilize the existing foundation and slab that are in excellent condition. This will be a one-story addition. The owner of 2960 Corydon Road, Dennis Garriga, the property that will be most affected by this variance, has written a letter of support that is included in

the packets to the Board.

Code Section 1175.01(b) Nonconforming lots and structures continued use additions states:

*The construction of an addition, including a porch, deck, handicap ramp or steps, to a single-family or two-family home in an AA, A or B District shall be permitted when such addition is within the minimum side yard required by the Zoning Code, but not closer to the side lot line than the existing residence, provided that the length of the wall of such addition, parallel to the side lot line is no greater than the length of the existing wall located within the required side yard.*

The addition will be no closer to the side lot line than the existing porch wall however; the length of the addition is 2' longer than the existing porch wall, resulting in the need for this variance.

The new space will be used as a family room and game room and add a downstairs bathroom. The design is taking into account the principles of aging-in-place by including wider doorways that would accommodate a person with mobility issues.

The 2960 Corydon neighbor who would be most impacted by this addition has written a letter of support.

If approved, conditions should include:

1. Approval of the Architectural Board of Review;
2. Receipt of a Building Permit;
3. Complete construction within 18 months of City Council's approval of this resolution; and
4. A requirement to return to the Board of Zoning Appeals for another variance should the property owner and any future owner consider modifications that would increase the addition's height or length.

That being the end of staff's report, Ms. Bromley asked the applicant to come to the microphone.

Hans Hunziker, 2964 Corydon Road, confirmed that he had been sworn in and stated that he really had nothing to add. He repeated that the neighbor was in support of the variance because currently, there is a fence installed along the property line that will be removed and will allow the neighbor additional space to store his snow. The neighbor also owns a limo service and removal of the fence will allow him better ingress and egress of his vehicles. He asked if the Board had any questions.

**PUBLIC HEARING OPENED/PUBLIC HEARING CLOSED**

There being no questions or comments from the Board, Ms. Bromley asked for a motion.

Mr. Hoen moved to grant the request of Hans and Lisa Hunziker, 2964 Corydon Road, a variance to Code Section 1121.08 to permit a house addition to be 4-feet 5-inches from the side property line where a 5-foot minimum setback is required based on the finding that the property does have special conditions and circumstances that exist, specifically that an otherwise conforming structure in the same vein would not be consistent with the existing non-conforming structure which already extends 4-feet 5-inches from the property line; the variance is insubstantial given that the existing porch is already non-conforming; the essential character of the neighborhood would not be substantially altered as many other residences in the neighborhood have side-yard, single-story, enclosed porches like the one proposed; the spirit and intent behind the zoning requirement is being observed. If the variance is approved, conditions should include: 1) Approval of the Architectural Board of Review; 2) Receipt of a Building Permit; 3) Complete construction within 18 months of City Council's approval of this resolution; and 4) A requirement to return to the Board of Zoning Appeals for another variance should the property owner and any future owner consider modifications that would increase the addition's height or length.

Mr. Gilliam seconded the motion.

There being no further discussion or comment, the motion passed 4-0.

Ms. Bromley reminded the applicant that the variance still had to be reviewed by City Council.

#### CALENDAR NO. 3362

CH-UH City Schools, Heights High School, 13263 Cedar Rd., 'S-2' Mixed Use district, requests variances to Code Section 1153.03(a)(3) to permit Stadium Gateway Building set back 20' from Lee Rd. right-of-way and 20' from Cedar Rd. right-of-way. (50' setback req'd).

All those who wished to testify regarding this request were sworn in by Ms. Rothenberg.

Ms. Knittel, who was sworn in, reported the following.

The City's only high school is located in the S-2 Mixed Use district in the Cedar Lee commercial district. The school is located near the center of the site between Cedar Road and Washington Boulevard. To the east of the school are softball and baseball fields and a football field and track are located to the west. To the north across Washington Boulevard and to the east across Goodnor Road are single

family residents (zoned 'A' Single-Family). To the south is Cedar Road where there is an 'A' single-family district east of Kildare and a 'C2X' Multiple-use district to the west of Kildare.

#### RECENT VARIANCES

Cal. No. 3341 variances to eliminate 4 parking spaces and to permit four 100' tall light poles at the football field (March 2014)

Cal. No. 2847, 2848, 2849 variances permitting 110' pole to serve as wireless communication tower carrying antenna array for 3 different providers. (April 2000)

Cal. No. 3305 variances to upgrade softball field (March 2013)  
1) to permit chain link fencing in the front yard);  
2) to permit 6' to 8' tall fencing in the front yard along Goodnor & Washington;  
3) to permit structures: backstop (8' to 18' high), dugouts, scoreboard (16.5' high) & movable grandstands in front yard.

#### PROJECT DESCRIPTION

The CH-UH City School District proposes to construct a "gateway building" at the northeast corner of Cedar and Lee roads. The "gateway building" is actually two separate buildings, one "Home" and one "Visitors," that will serve as the location for ticket booths, concessions and restrooms. The buildings are connected by a gated entrance area and an entry arch is located in the corner plaza. The District plans to construct the buildings before football season so that permanent facilities are in place, as school restroom facilities will no longer be available.

Schools are conditionally permitted in any zoning district. The Planning Commission will review this plan at their February 11, 2015 meeting. A report from the Planning Commission meeting will be included in the staff presentation at our meeting. Code section 1153.03 requires that school facilities be set back 50' from the right-of-way in any zoning district.

The S-2 Mixed-Use District, in which the school is located, would require a 0' to 10' setback for commercial development, similar to the minimal setbacks present at the other three corners of this intersection. This would continue the overall urban context and commercial nature of this intersection. The proposed 25' setback of the Gateway Building requires a variance due to its educational use.

Staff was involved in encouraging the school district to consider this design to pull this over to the Cedar-Lee intersection. We felt that this does allow there to be an entryway and the high school stadium to meet the commercial district, whereas in the past there was really no access to the football stadium from the commercial district. This setback is also more in keeping with the setbacks of what you would

see at the four corners of the commercial district. Referring to the elevations submitted by the applicant, Ms. Knittel pointed out the design elements that were included to make the proposal fit in with the commercial district, such as windows that have artwork in them. She then showed slides of the Cedar-Lee district, referring to what will be changed and what will stay the same.

If approved, conditions should include:

1. Approval of the Architectural Board of Review;
2. Receipt of a Building Permit;
3. Planning Director approval of final landscape, paving, draining and lighting plan; and
4. Complete construction within 18 months of City Council's approval of this resolution.

This proposal was reviewed by the Planning Commission on February 11<sup>th</sup> and was approved contingent upon approval of the required variances being granted.

That being the end of staff's report, Ms. Bromley asked the applicant to come to the microphone.

Marco Ciccarelli, 12210 Euclid Avenue, Cleveland, Ohio, Studio Techne Architects, represented the applicant. He confirmed that he had been sworn in. He stated that as was summarized, as part of the enabling of all the projects that are going on around the high school, the team washrooms will be torn down this summer and the teams will use this field in the fall. If the variance is not approved the teams will have no facilities in the fall. We have worked with staff to bring the building in line with the commercial district and tried to present a building that is an amenity to the community.

PUBLIC OPENED/PUBLIC HEARING CLOSED

Ms. Bromley asked if the Board had any questions or comments.

Mr. Gilliam commented that he liked the idea of attempting to match the setbacks to the Cedar and Lee Roads commercial district. He felt it to be a good thing.

Mr. Hoen asked if, at the Planning Commission meeting, any discussion or consideration given to the fact that after a game, the crowds would potentially disperse into the commercial district. One of the advantages of this layout is that the entrance is going to be a gateway from the commercial district to the stadium. He recalled having been in those situations before and those after-game crowds can get a little rowdy.

Mr. Wong explained that, rowdiness aside, the commercial district, the

restaurateurs, and businesses would love to have thousands of people before or after a football game, patronizing their businesses. This was a very deliberate intention to move the activity from the center of Washington Boulevard around the corner to Cedar and Lee where it belongs. But, as far as behavior, that would be the purview of the Police Department to make sure that people are behaving properly.

Mr. Hoen asked if there was any public comment against the idea.

Mr. Wong stated there was not. Planning Commission attendance was pretty much like tonight. There were only applicants and representatives, but no residents were present to testify about it. There was a neighborhood meeting prior to the Planning Commission meeting and again, there was a very light turn-out.

Mr. Gilliam commented that this was also about the crowd spilling into the commercial district. Where the fence is now, the crowd spills into the residential neighborhood. I'd rather have the crowds in the commercial district, not only to spend their money but to keep the crowds away from the residential district.

Mr. Hoen explained he was more concerned about the access to alcohol in the restaurants in the commercial district having a different effect.

Mr. Gilliam repeated that it was an issue that is the purview of the Police but it isn't a design issue.

There being no further comment from the Board, Ms. Bromley asked for a motion.

Mr. Gilliam moved to grant Cleveland Heights-University Heights City Schools, Heights High School, 13263 Cedar Rd., a variance to Code Section 1153.03(a)(3) to permit the Stadium Gateway Building to be set back 20-feet from the Lee Road right-of-way and 20-feet from the Cedar Road right-of-way where a 50-foot setback is required because it does not affect the character of the neighborhood because the neighborhood from that angle is basically a commercial strip; it enhances the use of the commercial district and enhances the residential neighborhood by not having all the kids directed into the residential area of the street. If the variance is approved conditions should include: 1) Approval of the Architectural Board of Review; 2) Receipt of a Building Permit; 3) Planning Director approval of final landscape, paving, draining and lighting plan; and 4) Complete construction within 18 months of City Council's approval of this resolution.

The motion was seconded by Mr. Hoen.

There being no further discussion the motion carried 4-0.

CALENDAR NO. 3363

CH-UH School City Schools, Delisle Education Options Center, 14780 Superior Rd., 'C-1' Office district, requests a variance to Code Section 1153.03(a)(3) to permit auto tech parking to be set back 24'8" from the Superior Rd. right-of-way. (50' set back req'd).

Everyone who was sworn those who wished to testify regarding this request were sworn in by Ms. Rothenberg.

Ms. Knittel, who had been sworn in, reported the following:

The property, zoned 'C-1' Office, is located at the intersection of S. Taylor Road, Superior Road and Washington Boulevard. To the north is a funeral home (zoned 'S-2' Mixed Use), a parking lot used by the Delisle Education Center, zoned 'MF2' Multiple Family and single-family residences (zoned 'A' Single Family), to the east are single-family homes (zoned 'A' Single Family), to the west across Taylor Road is zoned 'MF2' Multiple Family. To the south are commercial businesses, the west side of South Taylor is located in Cleveland Heights and is zoned 'C-1' local retail, the east side is located in University Heights.

**HISTORY:** This building was originally built to house Taylor Road elementary school which has been closed for decades. The CH-UH City School District has used the building for various District-related uses over the years and, currently, the building houses District Registration, the IT Department, Options Center for students, the Pharmacy Tech program, and Cosmetology and Nurse programs.

In October 2014, the Planning Commission granted the District permission to use the building to house the Auto Mechanic's Career Tech Lab for two years while the high school was undergoing renovations. In planning and budgeting for the high school renovations, the CH-UH City School District felt it was most effective to permanently relocate the auto use to the Delisle Center.

**PROJECT DESCRIPTION:** As part of the School District's overall plan for facility improvements, they plan to permanently relocate the Auto Mechanic's Career Tech Lab into the Delisle Education Center. The existing Delisle Education Center gym is used for storage and will be renovated into an auto lab space to accommodate lifts, equipment, tools, parts storage and an office and waiting room. Nearby space in the building will also be utilized for classrooms, offices, locker facilities for the students and storage. Improvements to the exterior include installing a new overhead garage door for automobile access, new windows and pavement to accommodate auto shop parking and a driveway.

There are currently 78 parking spaces in the adjacent parking lot and 50 in the District-owned lot north of the site across Superior Road.

**VARIANCE REQUEST:**

The applicant requests a variance to Code Section 1153.03(a)(3) to permit auto tech parking set back of 24'8" from Superior Rd. ROW. (50' set back req'd).

Schools are conditionally permitted in any zoning district. The Planning Commission will review this plan at their February 11, 2015 meeting. A report from the Planning Commission meeting will be included in the staff presentation at our meeting. Code section 1153.03 requires that school facilities be set back 50' from the right-of-way in any zoning district.

The program uses several Board of Education demonstration vehicles for class projects. These vehicles are not licensed and therefore cannot be driven on public streets.

Students also work on teacher cars for things like oil changes. In order to make room for these vehicles in the lab bays, parking must be provided on site for the demonstration vehicles. The auto-tech instructor is the only person authorized to move the vehicles, which is an additional reason the parking area needs to be as close as possible, to avoid time away from the lab space during class time. The Board of Education owns the parking lot across Superior Road, however, this would require driving the vehicles across a public road. A drive on site connecting the parking areas on the opposite side of the building would require more hard surface paving.

Most cars will be moved into the building overnight, though occasionally a teacher car will need to stay overnight, in which case a shop car will need to park in the fenced lot overnight.

This parking area is located behind the building line of the school, therefore the parking lot is not defined by the zoning code as being in a front yard. The school district intends to follow our perimeter parking lot landscape requirements.

If approved, conditions should include:

1. Receipt of a Building Permit;
2. Planning Director approval of final landscape, paving, draining and lighting plan; and
3. Complete construction within 18 months of City Council's approval of this resolution.

That being the end of staff's report, Ms. Bromley asked the applicant's representative to come to the microphone.

Marco Ciccarelli, 12210 Euclid Avenue, Cleveland, Ohio, Studio Techne Architects,

stated that he only wanted to add that the project is slated to begin this summer so it can be ready for use in the fall.

Mr. Hoen commented that it appeared that the site sloped down toward the alcove area near the building. Combined with the proposed screening shown on the drawing it appeared to be a pretty sheltered corner.

Mr. Gilliam pointed out that it appeared as though the school was constructed in a non-conforming position.

Ms. Knittel explained that many of our school buildings were constructed prior to the zoning code requirement for a 50-foot setback.

There being no further comment from the Board, Ms. Bromley asked for a motion.

Mr. Gilliam moved to grant Cleveland Heights-University Heights School City Schools, Delisle Education Options Center, 14780 Superior Road, a variance to Code Section 1153.03(a)(3) to permit auto tech parking to be set back 24-feet 8-inches from the Superior Road right-of-way where a 50-foot setback is required based on the finding that the variance will not substantially change the character of the neighborhood; it is part of a school building that is already situated in a non-conforming manner but it is a good reuse of that building. If the variance is approved conditions should include: 1) Receipt of a Building Permit; 2) Planning Director approval of final landscape, paving, draining and lighting plan; and 3) Complete construction within 18 months of City Council's approval of this resolution.

Mr. Wellman seconded the motion which carried 4-0.

Ms. Bromley reminded the applicant that City Council must review the variance.

#### OLD BUSINESS

Ms. Knittel reported that the variance request for the Alcazar was approved by City Council.

#### NEW BUSINESS

Mr. Gilliam moved to adjourn to executive session to discuss general plans for the future/general issues before the City.

Roll Call: Hoen, Aye  
Wellman, Aye  
Bromley, Aye  
Gilliam, Aye

The meeting was adjourned to executive session at 7:55 p.m.

ADJOURNMENT

There being no further business to come before the Board, the regular meeting was adjourned at 8:03 p.m.

Respectfully Submitted,

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Gail E. Bromley, Chair

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Vesta A. Gates, Secretary