RESOLUTION NO. 09-18

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT, PURSUANT TO SECTION 1123.03(a)(A) and SECTION 1123.03(a)(N) OF THE EAST CLEVELAND CODIFIED ORDINANCES, TO VENSIENCIA HORN OF MRS. VENNIE'S PLACE, TO OPERATE A DAYCARE, LOCATED AT 2137 WESTBURN FOR THE PUBLIC WELFARE, HEALTH AND SAFETY AND DECLARING AN EMERGENCY.

Requested By: The Building and Housing Department
Sponsored By: Joie N. Graham, Council President

WHEREAS, the Codified Ordinances of the City of East Cleveland: Part Eleven Zoning Ordinance regulates the use of property, buildings, structures and premises to ensure that buildings, structures and premises within a certain district conform to the regulations promulgated for that district unless the City deems that a variance or a conditional use permit is appropriate pursuant to the guidelines set forth in Chapter Section 1123.03(a)(A) and Section 1123.03(a) (N) of the City’s Codified Ordinances; and

WHEREAS, the City’s Board of Zoning Appeals is empowered to make recommendations to Council regarding the granting of conditional use permits, and

WHEREAS, Vensiencia Horn of Mrs. Vennie’s Place has applied for a conditional use permit to operate a day care center, located at 2137 Westburn, East Cleveland, Ohio 44112; and

WHEREAS, the BZA recommends that Council grant to Vensiencia Horn of Mrs. Vennie’s Place a conditional use permit to operate a daycare center, located at 2137 Westburn, East Cleveland, Ohio 44112; and

WHEREAS, the fee for a conditional use permit is set at One Hundred Dollars ($100.00); which is to be renewed annually pursuant to Section 1105.03 of the East Cleveland Codified Ordinances; and

WHEREAS, Council finds that express terms and conditions of Vensiencia Horn of Mrs. Vennie’s Place’s conditional use permit will ensure that the operation of the daycare center is in harmony with the general intent of the Zoning Ordinances, and secures the general welfare and substantial justice in the promotion of the public health, comfort, convenience and morals, safety and general welfare of the City as set forth in Codified Ordinance 1105.02; and

WHEREAS, this Resolution is declared to be an emergency for the public safety, health and welfare, allowing Vensiencia Horn of Mrs. Vennie’s Place to move forward

Res. 09-18
March 20, 2018

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with compliance and permitting activities for its operations and expediting the provision of employment opportunities, services and revenue to the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of East Cleveland, Ohio, four-fifths (4/5) concurring:

SECTION 1. That Council hereby accepts the recommendation of the Board of Zoning Appeals and grants to Vensiencia Horn of Mrs. Vennie's Place a conditional use permit to operate a daycare center, located at 2137 Westburn, East Cleveland, OH 44112, provided that the daycare center complies with all the applicable local, state, and federal laws which regulate such facilities.

SECTION 2. That Council further directs that the permit expressly provide that said permit will expire and become void if the premises are not utilized for the conditional use granted, and further, that the permit notify the holder that an annual fee of $100.00 is required to renew the permit, until such conditional use terminates.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. That it is found and determined that all deliberations of this Council and any of its committees relating to the passage of this Resolution were adopted in an open meeting of this Council, in compliance with all legal requirements.

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the public safety, health and welfare of the residents of the City and provided it receives the affirmative vote of four-fifths (4/5) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: March 20, 2018

JOIE N. GRAHAM
PRESIDENT OF COUNCIL

Date of Signature
ATTEST:

Dr. Khadijah F. Guy
Clerk of Council

Date of Signature

APPROVED:

Brandon L. King, Mayor

Date of Signature

VETO:

YES NO

APPROVED AS TO FORM:

Willa M. Hemmons
Director of Law

Date of Signature

Emergency ✓ First Read n/a Second Read n/a

<table>
<thead>
<tr>
<th>Name</th>
<th>Yea</th>
<th>Nay</th>
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<tr>
<td>Councillor Joie N. Graham</td>
<td>x</td>
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<td>Councillor Ernest L. Smith</td>
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<td>Councillor Barbara J. Thomas</td>
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<td>Councillor Nathaniel Martin</td>
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<td>Councillor Timothy R. Austin</td>
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March 20, 2018

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THE CITY OF EAST CLEVELAND LEGISLATION REQUEST FORM

Department submitting the request: BZA Date 2-20-2018
For more detailed information contact: ABumbulis 80 216-681-2467
Name Phone number

A. State the request and describe any associated costs.

REQUEST FOR LEGISLATIVE APPROVAL FOR

CONDITIONAL USE AS DAYCARE,
MRS. VENNIE'S PLACE 2137 WESTBURN
VENNIE, NIA HORN 216-392-7618

Provide a copy of supportive documentation.

B. State why the legislation is needed.

CONDITIONAL USE PER 1123.03(C)(A)
AND 1123.03 (C)(A)

C. If this is emergency legislation, state the nature of the urgency.

NO

Has a request been made to draft a contract to carry out the intent of this Legislation? Yes No

D. If the subject matter of the legislation requires review by a City board, commission, or committee, name the entity and indicate when the matter was reviewed and the result.

BZA SEE ATTACHED MINUTES FOR RECOMMENDATION

Board, Committee, Commission

Date(s) Presented

Department Director's Signature/Date Finance Director's Signature/Date Mayor Brandon King's Date

For the use of the Law Department

☐ Received on
☐ Draft sent to assistant for typing on
☐ Draft sent to Director Willa Hommers for approval on form
☐ Draft sent for revision and review
☐ Date Legislation was delivered to Council via email
☐ Draft incomplete, Law dept. has requested additional information.

RECEIVED
FEB 2 0 2018

By: [Signature]
Brandon King, 
MAYOR

BOARD OF ZONING APPEALS 
MEETING MINUTES
Tuesday, November 14, 2017 at 11:05 a.m.

LOCATION: Room 215, East Cleveland City hall
14340 Euclid Ave.
East Cleveland, Oh 44112

Voting Members Present
Chief of Staff Smedley
Lieutenant Ray Steadman
Deputy Chief Wallace Clark

Non-Voting Members Present:
Anthony Bumballs, Building Official
Marlene Ridenour Assistant Law Director

Applicants Present
David DeFrancesco
Eric Houdok
Gerald Griffin
Pleurant Dreshay
Mike Smedly
Ray Steadman
Bob Wakut
Wallace Clack
Mayyid Maldi
Donald Tibbs
Dan Trafaggio

Roll Call: 11:05 AM
Chief Smedley, Present
Chief Wilcox-Present
Chief Cardilli-Present

Agenda item(s) discussed are as follows:

Docket #01-2017
14900 Private Drive
McGregor Homes
1) Discussion of Actual Plans for Senior Addition to McGregor. Plans conform to prior submitted variances, no action required, no additional variance needed

Docket #09-2017
1580 Hayden Avenue
Cash to Go
Flying Feather Orchards Pension Fund
Nicole Maldi
Conditional Use Pawn shop, Variances for size, location and type of signage
1) Motion by Chief Smedley, seconded by Lt. Steadman to table proposed conditional use as pawnshop until owner clarifies to Law department actual use of business, Discussion followed, motion passed
Lt. Steadman - Yea
Dep Chief Wallace - Yea
Chief Smedley - Yea
2) Owner withdraw application for signage variances until determination of law Department regarding business use, especially condition use as Pawn shop

Docket #10-2017
12832 Euclid Avenue
Broken Connections, Inc
Dawn Tibbs
Conditional use daycare, variance for parking
1) Motion by Chief Smedley, Seconded by Lt. Steadman to grant conditional use per 1123.03(a)(A) any place of organized or unorganized religious observance, worship instruction or meeting place or any place where education, religious or other instruction, weather public or private is given, an 1123.03(a)(N) Nursery, day school, kindergarten or home or institution where children are kept day or night. Discussion followed motion approved
Lt. Steadman - Yea
Dep Chief Wallace - Yea
Chief Smedley - Yea

Docket #11-2017
2137 Westburn Road
Mrs. Yennie's Place
Conditional use as a daycare
Venciencia Horn
1) Motion by Chief Smedley, Seconded by Lt. Steadman to recommend to council, grant conditional use per 1123.03(a)(A) any place of organized or unorganized religious observance, worship instruction or meeting place or any place where education, religious or other instruction, weather public or private is given, an 1123.03(a)(N) Nursery, day school, kindergarten or home or institution where children are kept day or night. Variance
for Type A daycare in a U1 district contingent upon approval of conditional uses by council. Discussion followed motion approved.
Lt Steadman - Yea
Dep Chief Wallace - Yea
Chief Smedley - Yea

Docket 12-2017
13201 Euclid Avenue
Cummings & Davis Funeral Home Garage
Several variances for new garage
Bob Wakut
1) Motion by Chief Smedley, Seconded by Lt. Steadman to approve variance first issued 12-6-2016 which expired since garage had not been constructed. Discussion followed motion approved.
Lt Steadman - Yea
Dep Chief Wallace - Yea
Chief Smedley - Yea

Adjournment: 12:00PM

Roll Call:
Lt Steadman - Yea
Dep Chief Wallace - Yea
Chief Smedley - Yea

Anthony Bumballs
Building Official, Secretary

Minutes approved February 8, 2018

Lt. Steadman

Wallace Clark/Per
Dep Chief Wallace

Chief Smedley
THE CITY OF EAST CLEVELAND LEGISLATION REQUEST FORM

Department submitting the request: BZA  
Date 2-20-2018

For more detailed information contact  
Name A. Bumbish-Ro  
Phone number 216-691-2485

A. State the request and describe any associated costs.

REQUEST FOR LEGISLATIVE APPROVAL FOR CONDITIONAL USE AS DAYCARE

MRS. VERMIE'S PLACE 2137 Westburn

VERMIE NIA HORN 216-392-7618

Provide a copy of supportive documentation.

B. State why the legislation is needed.

CONDITIONAL USE PER 1123.03(C)(2)(A)

AND 1123.03(C)(2)(A)

C. If this is emergency legislation, state the nature of the urgency.

NO

Has a request been made to draft a contract to carry out the intent of this Legislation?  

Yes  No

D. If the subject matter of the legislation requires review by a City board, commission, or committee, name the entity and indicate when the matter was reviewed and the result.

BZA see attached minutes for recommendations

Board, Committee, Commission  
Date(s) Presented

Department Director's Signature/Date  
Finance Director's Signature/Date  
Mayor Brandon King/Date

☑ Approved  ☐ Denied

For the use of the Law Department

☐ Received on  
☐ Draft sent to assistant for typing on  
☐ Draft sent to Director Willie Hemmons for approval as to form  
☐ Draft sent for revision and review  
☐ Date Legislation was delivered to Council via email  
☐ Draft Incomplete, Law dept. has requested additional information.