

RESOLUTION NO. 10-18

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 DAWN TIBBS OF BROKEN CONNECTIONS, TO OPERATE A DAYCARE, LOCATED AT 12832 EUCLID AVENUE 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, Dawn Tibbs of Broken Connections has applied for a conditional use permit to operate a day care center, located at 12832 Euclid Avenue, East Cleveland, Ohio 44112; and

WHEREAS, the BZA recommends that Council grant to Dawn Tibbs of Broken Connections a conditional use permit to operate a daycare center, located at 12832 Euclid Avenue, 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 Dawn Tibbs of Broken Connections' 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 Dawn Tibbs of Broken Connections to move forward 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:

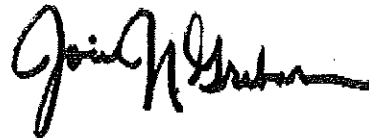
SECTION 1. That Council hereby accepts the recommendation of the Board of Zoning Appeals and grants to Dawn Tibbs of Broken Connections a conditional use permit to operate a daycare center, located at 12832 Euclid Avenue, East Cleveland, OH 44112, provided that the daycare center complies with all the 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 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.

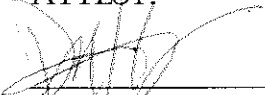
PASSED: March 20, 2018



JOIE N. GRAHAM
PRESIDENT OF COUNCIL

3/21/18
Date of Signature

ATTEST:



DR. KHADIJAH F. GUY
CLERK OF COUNCIL

3/21/18
Date of Signature

APPROVED:



BRANDON L. KING, MAYOR

Date of Signature

VETO:

YES _____ NO _____

APPROVED AS TO FORM:



WILLA M. HEMMONS
DIRECTOR OF LAW

3/21/18
Date of Signature

Emergency First Read n/a Second Read n/a

	Yea	Nay
Councilor Joie N. Graham	x	
Councilor Ernest L. Smith	x	
Councilor Barbara J. Thomas	Excused	
Councilor Nathaniel Martin	x	
Councilor Timothy R. Austin	x	



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 Bumbalis, 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 Maldí

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 withdrew 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. Vennie's Place

Conditional use as a daycare

Vensiencia 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

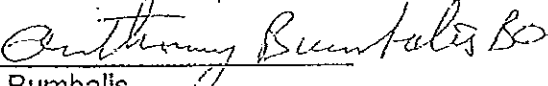
1) Motion by Chief Smedley, Seconded by Lt. Steadman to approve variance first issued 12-6-2016 which expired since garage had not been constructed. Discussion followed motion approved.

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 Bumbalis
Building Official, Secretary

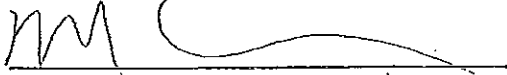
Minutes approved February 8, 2018



Lt. Steadman



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 ABumbales BO 216-291-2415
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
VENSIENIA 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)(B)

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.

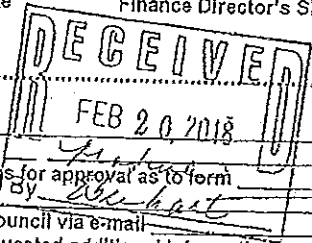
BZA see ATTACHED MINUTES FOR RECOMMENDATION
Board, Committee, Commission Date(s) Presented

Department Director's Signature/ Date

Finance Director's Signature/ Date

Mayor Brandon King/ Date
 Approved Denied

For the use of the Law Department



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