**Wednesday, May 10, 2023**

**AGENDA**

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS**

**NOTICE of PUBLIC HEARING**

**CLEVELAND CITY HALL-Room 514 or via WebEx**

**9:30am Eastern Standard Time**

**BBSA@clevelandohio.gov**

**Download the WebEx Desktop App or the mobile App from the WebEx website at** [**https://www.webex.com/downloads.html/**](https://www.webex.com/downloads.html/)

**Instructions to enable a browser plug-in for Chrome or Firefox can be found here:** [**https://help.webex.com/en-us/WBX77970/How-Do-I-Enable-the-Webex-Plug-in-to-Join-aMeeting-Using-Chrome-or-Firefox**](https://help.webex.com/en-us/WBX77970/How-Do-I-Enable-the-Webex-Plug-in-to-Join-aMeeting-Using-Chrome-or-Firefox)

**For instructions to join the call you can go to here:** [**https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App**](https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App)

**Email:** **cdavis@clevelandohio.gov** **to receive the calendar invite (This invite is for testament/witness purposes only).**

**PUBLIC HEARINGS WILL LIVE BE STREAMED ON Youtube:**

 [**https://www.youtube.com/channel/UCB8ql0Jrhm\_pYIR1OLY68bw/**](https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/)

**Building: Docket A-222-22**

**3196 West 44th Street**

**WARD: 3 (Kerry McCormack)**

**The Matta Group LLC,** Owner of the Three Dwelling Units Three-Family Residence Two Story Frame Structure appeals from a **NOTICE OF VIOLATION-INTERIOR/EXTERIOR MAINTENANCE, NO PERMIT & UNAUTHORIZED ILLEGAL USE,** dated November 30, 2022; & December 21, 2022, appellant is requesting time to complete abatement of the violations.

**Building: Docket A-4-23**

**12701 Shaker Boulevard**

**WARD: 6 (Blaine A. Griffin)**

**Shaker Heights Apartments Owner, LLC,** Owner of the R-2 Residential-Non -transient Apartments (Shared Egress) High -Rise Building Structure appeals from a **NOTICE OF VIOLATION-INTERIOR/EXTERIOR MAINTENANCE,** dated December 8, 2022; appellant is requesting for time to complete abatement of the violations.

**Building: Docket A-7-23**

**7812 Euclid Avenue**

**WARD: 6 (Blaine A. Griffin)**

**Calvary Presbyterian Church,** Owner of the A-3 Assembly- Recreation or Religious Facilities High -Rise Building Structure appeals from a **NOTICE OF VIOLATION- FAILURE TO REGISTER**, dated November 10, 2022; appellant is requesting for time to complete abatement of the violation.

**Housing: Docket A-217-22**

**11410 Superior Avenue**

**WARD: 9 (Kevin Conwell)**

**Teresa Thompson,** Owner of the One Dwelling Unit Single-Family Residence One and a Half Story Frame Property appeals from a **NOTICE OF VIOLATION- EXTERIOR MAINTENANCE,** dated December 2, 2022; appellant is requesting time to complete abatement of the violations.

**Housing: Docket A-218-22**

**2236 East 97th Street**

**WARD: 6 (Blaine A. Griffin)**

**David T. Thompson Jr.,** Owner of the One Dwelling Unit Single Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION- EXTERIOR MAINTENANCE,** dated December 2, 2022; appellant is requesting for time to complete abatement of the violations.

**Housing: Docket A-219-22**

**2233 East 87th Street**

**WARD: 4 (Blaine A. Griffin)**

**David T. Thompson Jr.,** Owners of the Two Dwelling Units Two-Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION- EXTERIOR MAINTENANCE** dated December 2, 2022; appellant is requesting for time to complete abatement of the violations.

**Housing: Docket A-220-22**

**2195 East 70th Street**

**WARD: 5 (Richard A. Starr)**

**Teresa Thompson,** Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION- EXTERIOR MAINTENANCE** dated December 2, 2022; appellant is requesting for time to complete abatement of the violations.

**Housing: Docket A-221-22**

**3813 East 153rd Street**

**WARD: 1 (Joseph T. Jones)**

**David Thompson,** Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION- EXTERIOR MAINTENANCE** dated December 2, 2022; appellant is requesting for time to complete abatement of the violations.

**Housing: Docket A-5-23**

**944 Stevenson Road**

**WARD: 8 (Michael D. Polensek)**

**Anthony Buchanan,** Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION-INTERIOR/EXTERIOR MAINTENANCE,** dated December 7, 2022; appellant is requesting for time to complete abatement of the violations.

 **Docket A-5-23** has been **WITHDRAWN** per the request of the appellant.

**Housing: Docket A-6-23**

**1020 East 74th Street**

**WARD:10 (Anthony T. Hairston)**

**Karl/Valicia Smith-Jones,** Owner of the Two Dwelling Units, Two Family Residence, Two Story Frame Property appeals from a **NOTICE OF VIOLATION-INTERIOR MAINTENANCE,** dated December 6, 2022; appellant is requesting for time to complete abatement of the violations.

**Time Extension Housing: Docket A-130-22**

**4211 Storer Avenue**

**WARD: 14 (Jasmin Santana)**

**Musura LLC,** Owner of the Three Dwelling Units Three-Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION-INTERIOR/EXTERIOR MAINTENANCE,** dated February 3, 2022; appellant is requesting for additional time awarded under Docket A-24-22 until July 6, 2022, to complete the abatement of the violations and until September 20, 2022 to obtain all required permits.

**Time Extension Building: Docket A-186-22**

**7812 Euclid Avenue**

**WARD: 6 (Blaine A. Griffin)**

**Calvary Presbyterian Church,** Owner of the A-3 Assembly Recreation or Religious Facilities-Two Story Masonry Frame Structure appeals from a **NOTICE OF VIOLATION-HAZARDOUS CONDITIONS,** dated May 19, 2022; appellant is requesting for additional time awarded under Docket A-98-22 until November 12, 2022, to complete the abatement of the violations.

**Adjudication Order Building: Docket A-91-23**

**828 Huron Road**

**WARD: 3 (Kerry McCormack)**

**Victory Properties,** Owner of the A-2 Assembly-Food and Drink Consumption Facilities-Three Story Masonry Frame Structure appeals from an **ADJUDICATION ORDER B23005801-1a, Plans Examine: OBC 903.2.1.2 automatic sprinkler, OBC 903.2.8 automatic sprinkler system shall be provided throughout all buildings with a group R fire area (3rd floor). Fire Prevention Bureau: OBC 903.2.1.2 Plans do not appear to show sprinkler system for Group A occupancy. OBC 903.2.8 Plans do not show sprinkler system for Group R occupancy. OBC 106.1 (13) water supply data, OBC 907.2.9 R-2 fire alarm system or smoke detection. OBC Section 906 Portable Extinguishers, 906.2, NFPA 10 fire extinguishers, OBC 106.1 No fire protection information sheet, OBC 106, sheet T-100 plans identify occupancy classifications and net area, OBC 106: plans do not identify all rooms or A-2 restaurant and dining assemblies with kitchen and equipment without hoods. OBC 106, Sheet M0-00: Mechanical plans, OBC 106: Sheet A500, schedule-note 7 & Sheet A102-note 4, OBC 1029.12.1, OBC 1029.12.1.2, OBC 1029.12.1.1 Aisle dimensions, OBC 1004.3 Occupant loads for each floors and signage detail, OBC 1001.4 Fire safety and evacuation plans, OFC 403.2 (2) Approved fire safety and evacuation plan** dated April 21, 2023; appellant is requesting for a variance to the code requirements

**NEW BUSINESS**

**Housing: Docket NPR-1-23**

**11811 Forest Avenue**

**WARD: 4 (Deborah A. Gray)**

**Cedric and Miracle Blanton,** Owner of the One Dwelling Unit, Single Family Residence Two Story Frame Structure appeals from a **NOTICE OF VIOLATION-CONDEMNATION-MAIN STRUCTURE and CONDEMNATION-GARAGE,** dated March 1, 2021; appellant is requesting time to complete the abatement of the violations.

**WHEREAS**, on September 22, 2022 the Department of Building and Housing by way of Karen Lopez hand-delivered an appeal letter without the postmarked envelope from the owners (Cedric and Miracle Blanton) of the real property located at 11811 Forest Avenue Cleveland, Ohio 44122; and

**WHEREAS,** On September 26, 2022, the Board of Building Standards and Building Appeals sent the owners (Cedric and Miracle Blanton) certified mail through the United States Postal Service to the address listed on the appeal letter, including instructions on how to file a formal appeal and how to contact the Board of Building Standards and Appeals (“Board”) for further assistance; and

**WHEREAS**, on October 6, 2022, the United States Postal Service returned the certified mail to the Board marked “Return to sender attempted-not known unable to forward”; and

**WHEREAS,** Upon receipt of the returned mail, the Board of Building Standards and Building Appeals conducted an online public records database search to find an alternative mailing address for the owners (Cedric and Miracle Blanton) and sent instructions on the appeal process via certified mail to the proper address found on the database; and

**WHEREAS**, as of April 26, 2023, the United States Postal Service has not reported delivery failure by returning the certified green mail cards to the Board’s office and the owners have not made any further attempt to file a formal appeal; now, therefore,

**BE IT RESOLVED** by the Board of Building Standards and Building Appeals that, after providing the necessary due notice, due process and the right to be heard by sending, over the course of several months, repeated notices of the right of appeal and appeals procedure to the appellants, under the authority of Sections 3103.20 (e) and 367.09 of the Codified Ordinances of Cleveland, Ohio, 1976, the appeal of the owners of 11811 Forest Avenue Cleveland, Ohio 44122 is rendered non-responsive.

**BE IT FURTHER RESOLVED** that the appeal of the owners of 11811 Forest Avenue Cleveland, Ohio 44122 is **DISMISSED** for failure to prosecute and is **REMANDED** to City of Cleveland.

**APPROVAL OF RESOLUTIONS**

**DOCKET/S:**

**A-211-22 Veronica/Wilbur Harris**

**A-213-22 Coastal Lines Homes LLC**

**A-215-22 Paul Gregory**

**A-216-22 79th Street LLC**

**A-223-22 Rasheen Ali**

**A-1-23 Wolfe Pintus Lorain LLC**

**A-3-23 Baronia Brice**

**APPROVAL OF MINUTES**

**April 26, 2023**

**Memo**

City of Cleveland

Frank G. Jackson, Mayor

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary

 Board of Building Standards and Building Appeals

Date: April 20, 2023

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on **WEDNESDAY May 10, 2023,** at approximately 9:30 A.M. via WebEx.

**DOCKET NO. ADDRESS INSPECTOR/S**

A-222-22 3196 W. 44 R. Derrett

A-4-23 12701 Shaker K. Harris

A-7-23 7812 Euclid A. Arnold

A-217-22 11410 Superior R. Derrett

A-218-22 2236 E. 97 R. Derrett

A-219-22 2233 E. 87 R. Derrett

A-220-22 2195 E. 70 R. Derrett

A-221-22 3813 E. 153 R. Derrett

A-6-23 1020 E. 74 D. Blazevic

A-186-22 7812 Euclid A. Cvitic

A-130-22 4211 Storer R. Derrett