

MINUTES OF A REGULAR MEETING OF THE  
CLEVELAND PLANNING COMMISSION

Thursday September 16, 2021

**Members present:** Mickey Thompson, Jordan Goins, John Cox, John Aguzzi, Edwin Montgomery, David Griffith, Robert Heslep

**Ex-officio members present:** Billy Trotter, Katie Portner, Connie McClellan, Greg Jackson

Chair John Aguzzi called the meeting to order at 4:00 P.M.

**Approval of previous meeting minutes**

After a review of the August 2021 meeting minutes, Mickey Thompson made a motion to approve the minutes as presented. Edwin Montgomery seconded the motion. The vote was "aye" with no opposition.

**Old Business**

Jacorious Liner has filed an appeal to the NFPA96 code regarding Fire Suppression/Ventilation Systems for his business located at 122 North Street. Mr. Liner appeared before the Planning Commission to present his case for an appeal. He questioned why the current ventilation system could not be grandfathered, and stated that the decision created an undue financial burden on him as a business owner and that he felt the decision by the Fire Inspector was not an impartial decision.

Greg Jackson, City of Cleveland Fire Inspector, presented documentation to the members of the Planning Commission regarding his decision.

1. Land Development ordinance section 606.1 – the building no longer qualifies as a non-conforming use, as it has been closed for more than one year.
2. Last water bill showed that the water service was discontinued in 2019.
3. NFPA96 Standard for Commercial Cooking Operations section 1.4.2: Authority having jurisdiction determines that existing situation presents an unacceptable degree of risk.
4. NFPA96 Standard for Commercial Cooking Operations section 5.1-5.7: Current hood is a galvanized unit that does not meet current NFPA guidelines.

Members of the Planning Commission questioned Mr. Jackson for clarification on the safety of the ventilation system. After further discussion, David Griffith made a motion to deny the appeal, based upon the non-conforming use code. Mickey Thompson seconded the motion. The vote was all in favor of the motion to deny the appeal.

The Planning Commission thanked Greg Jackson, Billy Trotter, and Connie McClellan for providing documentation to members in advance of the meeting. Members stated that having all documentation in advance helped them to make an informed decision on the appeal.

As there was no further business, the meeting was adjourned.

City of Cleveland Planning Commission

*John Aguzzi*

John Aguzzi, Chair