



AGENDA
REGULAR MEETING OF THE CITY OF CLEVELAND'S
BOARD OF ZONING APPEALS
TUESDAY, MARCH 10, 2026, AT 12:00 PM
CLEVELAND MUNICIPAL BUILDING 190 CHURCH STREET NE

Welcome and Roll Call of Members

1. Minutes

February 10, 2026, Regular Meeting

2. Public Hearings

3. Old Business

4. New Business

- a. request by Chase Family Investments for approval of a conditional use permit for an animal shelter located at 111 Industrial Way SW (Tax Map 065 Parcel 003.05) and located within the IL Light Industrial Zoning District.
- b. request by Cleveland Utilities for approval of setback variances for retaining walls located at 2578 Guthrie Ave. (Tax Map 041K Group G Parcel 010.04) and located within the CH Highway Commercial Zoning District.

5. Staff Report

6. Board Member Reports

7. Adjourn



**MINUTES
SPECIAL CALLED MEETING OF THE CITY OF CLEVELAND'S
BOARD OF ZONING APPEALS
TUESDAY, FEBRUARY 10, 2026, AT 12:00 PM
CLEVELAND MUNICIPAL BUILDING 190 CHURCH STREET NE**

The special called meeting of the Board of Zoning Appeals was called to order by Charlotte Peak, Chairperson, at 12:00 P.M.

Members present included: Greg Thomas, Clint Taylor, Matthew Coleman, Charlotte Peak

Members absent included: Kathy Rohsenberger

Staff present included Erica Bevis, Senior Planner, Joel Prince, Planner II/Codes Enforcement Supervisor, Jay Miller, Planner

Legal Counsel present included: John Kimball, Attorney for the City of Cleveland

Others Present included: Kimberly Ledford, Ellis Ledford Properties, Jacob Ellis, Ellis Ledford Properties, Abby Nelson.

The minutes of November 13, 2025, Special called meeting were presented for approval.

Clint Taylor made a motion to accept the minutes from November 13, 2025, seconded by Greg Thomas, and it was unanimously approved.

There were no Public Hearings.

There was no Old Business.

In New Business,

- A. Request by Daniel Shtefanio for approval of front setback variances for a church addition located at 2611 Blue Springs Rd. (Tax Map 065F Group A Parel 008.01) and located within the CH Highway Commercial Zoning District.**

Erica Bevis presented a request for a charge addition to an existing church structure located on a corner lot subject to 50-foot setbacks along both road frontages. She explained that the building is pre-existing and already does not conform to current setback requirements, and the proposal involves an expansion at the rear of the structure. Staff considers the request a reasonable expansion given the site constraints, including existing parking and ramp placement. Approximately 70 feet currently separate the property line from the edge of pavement at the ramp, and no future right-of-way needs or roadway expansions are anticipated along Blue Springs Road, which already has a 50-foot right-of-way. The applicant is requesting a setback of 24 feet 10 inches from Blue Springs Road and approximately 30 feet from the ramp property line. Charlotte Peak inquired about the state right-of-way width, which was confirmed to remain 50 feet. After confirming there was substantial distance between the property line and the pavement, the chair opened the floor for public comment; none was offered either in support of or opposition to the project. With no additional questions from the board, a motion was requested to approve or deny the application.

No questions, Matthew Coleman made a motion to approve the request by Daniel Shtefanio for approval of front setback variances for a church addition located at 2611 Blue Springs Rd. (Tax Map 065F Group A Parcel 008.01) and located within the CH Highway Commercial Zoning District, seconded by Clint Taylor and unanimously approved. Kathy Rohsenberger is absent.

B. Request by Jacob Ellis and Kimberly Ledford for approval of a conditional use permit for a real estate office located at 3325 Davy Crockett Dr. NE (Tax Map 050F Group A Parcel 018.06) and located within the IL Light Industrial Zoning District.

Erica Bevis presented a request for a conditional use permit to allow office space within a property zoned light industrial. She explained that office use is permitted conditionally under the current zoning ordinance and noted that the surrounding area already functions as a mixed-use environment, including distribution storage, office operations, and similar business activities. The proposed use would be limited to private office space not open to the public, with existing access and parking considered adequate. Staff identified no anticipated negative impacts and recommended approval. Charlotte Peak asked for clarification regarding the conditional use requirement, given the presence of existing office uses in the area. Staff indicated that many existing uses are likely grandfathered and acknowledged that the ordinance may warrant future review and revision. It was also clarified that any subsequent occupant seeking the same office use would be required to obtain a new conditional use permit

under current regulations. The chair opened the floor for public comment; none was offered in support of or opposition to the request. With no further discussion, a motion was requested to approve or deny the application.

No questions, Clint Taylor made a motion to approve request by Jacob Ellis and Kimberly Ledford for approval of a conditional use permit for a real estate office located at 3325 Davy Crockett Dr. NE (Tax Map 050F Group A Parcel 018.06) and located within the IL Light Industrial Zoning District, seconded by Matthew Coleman and unanimously approved. Kathy Rohsenberger is absent.

Staff Report

There were no Board Member Reports.

The meeting was adjourned at 12:06 P.M.



CLEVELAND
TENNESSEE

EST. 1842

Staff Report

Case: BZA 2026-03 111 Industrial Way (see **Appendix** for case materials)

March 10, 2026

City of Cleveland Board of Zoning Appeals

Applicant:	Chase Family Investments
Site Address:	111 Industrial Way SW
Tax Map:	065 003.05
Area:	1.00 Acres
Current Zone:	IL Light Industrial
Requested Variance:	Request for approval of a conditional use permit for an animal shelter.
Sewer/Water:	Yes
Council District:	District 1 – Marsha McKenzie

PLANNING & DEVELOPMENT

1. Site Zoning History

This property is zoned IL Light Industrial. The lot is surrounded by IL Light Industrial zoning to the North, East, South, and West. The lot currently holds a vacant warehouse.

2. Site Analysis

The 1.00-acre site is located at 111 Industrial Way SW and contains a vacant warehouse.

3. Staff Findings

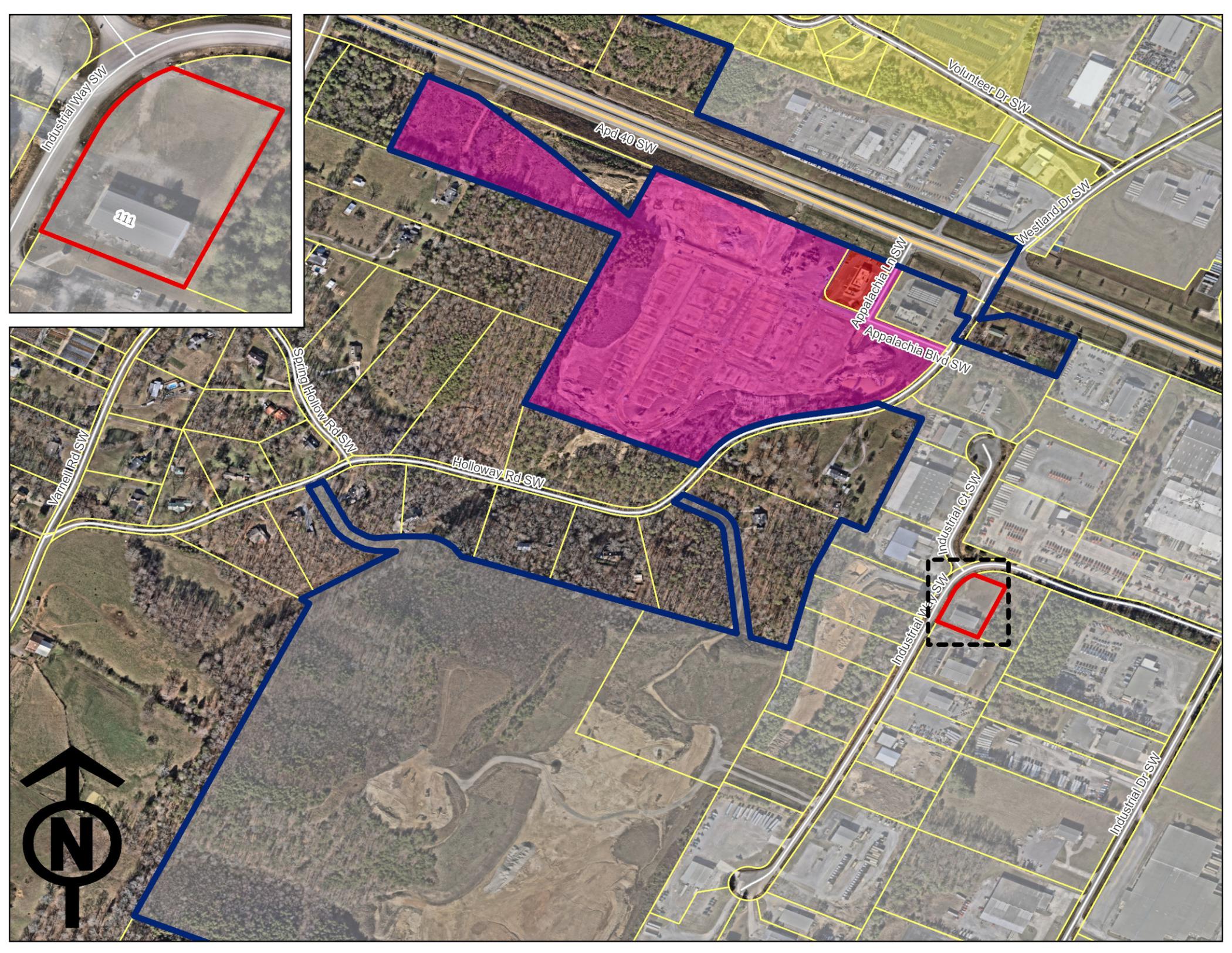
The ordinance online still includes animal boarding/shelters as a conditional use. An offer was made on this property based on the information that was at hand and staff deems it appropriate to move forward based on this. Staff also agrees it should be a conditional use and as we continue to work toward an updated, cleaner version of the zoning ordinance,

animal shelters will be covered as a clear conditional use in this zone.

The shelter would be accessed from Industrial Way SW which is considered a local Road. No significant traffic impacts to residential areas are anticipated as there are no residential properties within 800 feet of the proposed shelter. The proposed animal shelter will be required to go through the city's internal review process and meet all setbacks, parking, density requirements, etc. There are no anticipated impacts to historic resources or any other environmental concerns. The use proposed would be considered less intense than the surrounding zoning, and no negative impacts are foreseen given the current conditions.

4. Staff Recommendation

APPROVE





Staff Report

Case: BZA 2026-04 2578 Guthrie Avenue (see Appendix for case materials)

March 10, 2026

City of Cleveland Board of Zoning Appeals

Applicant:	Cleveland Utilities c/o Marshall Stinnett
Site Address:	2578 Guthrie Avenue
Tax Map:	041K G 010.04
Area:	0.80 Acres
Current Zone:	CH Highway Commercial
Requested Variance:	Request for retaining wall setback reduction.
Sewer/Water:	Yes
Council District:	District 5 – Duane Goff

PLANNING & DEVELOPMENT

1. Site Zoning History

This property is zoned CH Highway Commercial. The lot is surrounded by CH Highway Commercial zoning on all sides. There is currently a laydown yard for fiber internet installation materials located on the lot.

2. Site Analysis

The .80-acre site is located on and is addressed to 2578 Guthrie Ave. Currently, it is a laydown yard for Cleveland Utilities. The property owner is proposing to build a new office building. The site has two road frontages. There is a small but steep slope to the north and the east side of the property.

3. Staff Findings

In November of 2025, this project was presented to the Board of Zoning Appeals due to the property being a corner lot with two front setbacks which result in a reduced buildable area. This variance addressed building placement only and did not eliminate ongoing site

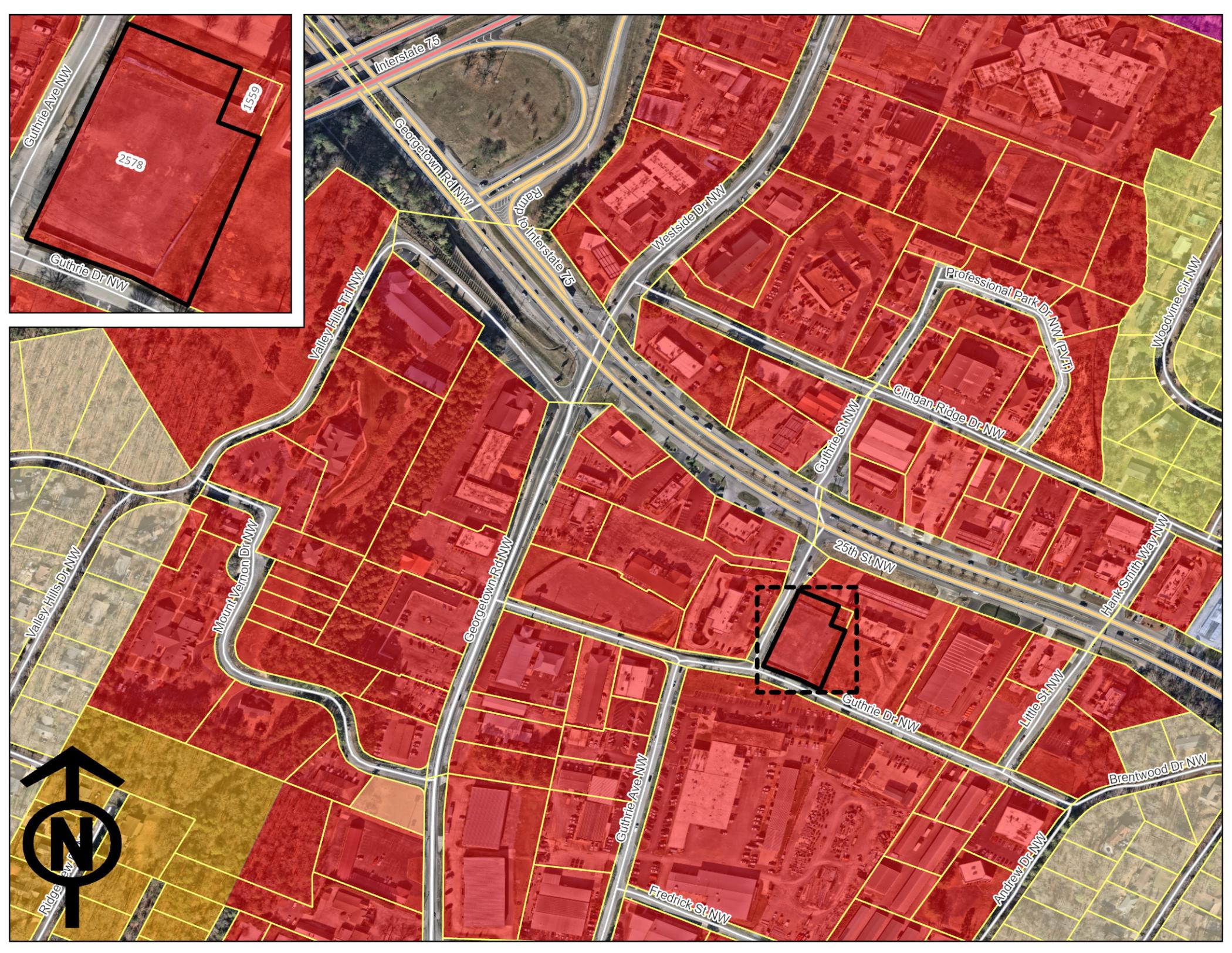
constraints.

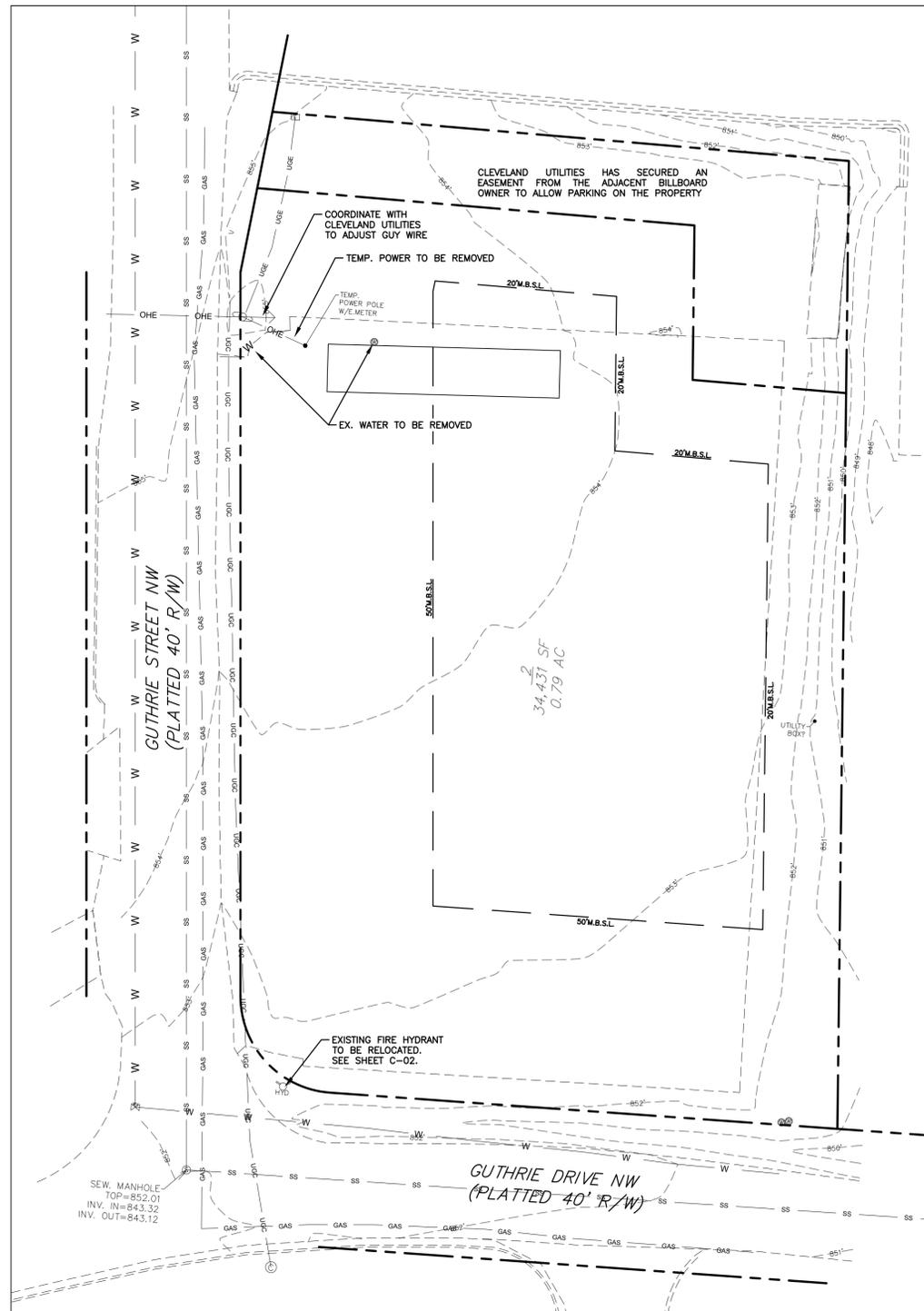
The current request is for a retaining wall setback reduction along the north and east property lines. Retaining walls are considered accessory structures and a 5-foot setback is required off property lines. The retaining wall to the north is proposed to be 0 inches from the property line and is a little over half a foot tall. The eastern retaining wall is proposed to be 6 inches from the property line and is approximately 6 feet tall at the highest point.

The retaining walls are necessary due to topographical constraints and drainage patterns of the property. This is not a problem created by the property owner. Staff are currently working on an ordinance amendment to allow retaining walls within this 5-foot setback specifically on commercial sites due to the increased requirements of stormwater management, parking, etc. that also dictate site layout. There are no anticipated negative impacts to neighboring properties.

4. Staff Recommendation

APPROVE





EXISTING CONDITIONS

EXISTING CONDITIONS ARE BASED UPON A SURVEY BY OTHERS

LANDSCAPING CALCULATIONS:

LANDSCAPING REQUIREMENTS:

- 5' (AVG) LANDSCAPE BUFFER ALONG ALL PROPERTY LINES
- 1 TREE PER 40 LF OF PERIMETER (IF PROPERTY HAD SAME AREA, BUT WAS PERFECT SQUARE)
- INTERIOR LANDSCAPING SHALL EQUAL 4% (MIN.) OF TOTAL IMPERVIOUS AREA, EXCLUDING BUILDING FOOTPRINT
- NO MORE THAN 20 SPACES IN A ROW WITHOUT A LANDSCAPE ISLAND
- 1 TREE & 3 SHRUBS PER LANDSCAPE ISLAND
- NO SPECIES OF TREE CAN ACCOUNT FOR MORE THAN 60% OF TREE REQUIREMENTS

LANDSCAPING CALCULATIONS:

TOTAL PROPERTY AREA = 39,065 SF
 CALCULATED PERIMETER = ((39,065 SF)^{0.5}) * 4 SIDES = 791 LF
 PERIMETER TREES = 791 LF / (40 LF/TREE) = 20 TREES REQ.
 INT. LANDSCAPING = 23,016 * 0.04 = 921 SF
 TREE PRESERVATION OR REPLACEMENT = N/A

LANDSCAPING PROVIDED:

20 NEW TREES
 7,062 SF INTERNAL LANDSCAPING

KEYNOTES

- (A) Standard Duty Asphalt Pavement - Detail 1 / C-04
- (B) Heavy Duty Asphalt Pavement - Detail 2 / C-04
- (C) Heavy Duty Concrete Pavement - Detail 3 / C-04
- (D) Extruded Curb - Detail 4 / C-04
- (E) Stop Sign - Detail 5 / C-04
- (F) Parallel Ramp - Detail 6 / C-04
- (G) Flared Ramp - Detail 7 / C-04
- (H) Accessible Sign - Detail 10 / C-04
- (I) Accessible Symbol - Detail 8 / C-04
- (J) Concrete Sidewalk - See Plan for Width
- (K) 4" White Stripe @ 3' O.C.
- (L) Header Curb - Detail 11 / C-04
- (M) 30" Conc. Curb & Gutter - Detail 2 / C-05
- (N) Lowered Conc. Curb & Gutter - Detail 2 / C-05
- (O) Sidewalk Turndown - Detail 13 / C-04
- (P) Concrete Turndown - Detail 14 / C-04
- (Q) Dumpster Enclosure - Detail 4 / C-05
- (R) Directional Arrow - Detail 12 / C-04
- (S) R.O.W Pavement - Detail 15 / C-04
- (T) Curb Ramp - Detail 9 / C-04

PARKING AND PAVING NOTES

1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, REGULATIONS, AND/OR LOCAL STANDARDS IMPOSED BY LOCAL UTILITY, CITY, COUNTY, AND STATE. IT IS THE CONTRACTOR'S RESPONSIBILITY THAT ALL THE CONSTRUCTION BE IN ACCORDANCE WITH THE CITY OF CLEVELAND AND TDOT STANDARD DETAILS AND SPECIFICATIONS.
2. CONTRACTOR SHALL COMPLY WITH ALL PERTINENT PROVISIONS OF THE "MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION" ISSUED BY AGC OF AMERICA, INC., AND THE SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION ISSUED BY THE U.S. DEPARTMENT OF LABOR.
3. CONTRACTOR SHALL PROVIDE ALL NECESSARY BARRICADES, SUFFICIENT LIGHTS, SIGNS AND OTHER TRAFFIC CONTROL METHODS AS MAY BE NECESSARY FOR THE PROTECTION AND SAFETY OF THE PUBLIC AND SHALL BE PROVIDED AND MAINTAINED THROUGHOUT ALL CONSTRUCTION ADJACENT TO AND WITHIN ALL ROADWAYS. CONTRACTOR SHALL SUBMIT TRAFFIC CONTROL PLAN TO CITY AND STATE FOR APPROVAL.
4. THE CONTRACTOR SHALL TAKE NECESSARY MEASURES TO SEPARATE WORK AREAS FROM PEDESTRIAN TRAFFIC AND TO INSURE SAFE PEDESTRIAN PASSAGE AT ALL TIMES.
5. ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. A MINIMUM CLEARANCE OF TWO FEET SHALL BE MAINTAINED BETWEEN THE FACE OF CURB AND ANY PART OF A TRAFFIC SIGN OR LIGHT POLE. CONTRACTOR SHALL COORDINATE INSTALLATION OF ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES WITH OTHER CONTRACTORS ON SIGNS OR LIGHT POLES.
6. CONTRACTOR SHALL FURNISH AND INSTALL ALL PAVEMENT MARKINGS AS SHOWN. ALL PAVEMENT MARKINGS SHALL BE FOUR (4") WIDE SOLID WHITE UNLESS INDICATED OTHERWISE ON THE DRAWINGS. PAINT SHALL BE APPLIED IN TWO COATS FOR A MINIMUM DRY FILM THICKNESS OF 15 MIL. THERMOPLASTIC STRIPING, IF REQUIRED, SHALL BE SPRAY TYPE, APPLIED IN ACCORDANCE WITH DOT STANDARDS.
7. CONTRACTOR SHALL SAW-CUT TO PROVIDE SMOOTH TRANSITIONS AT TIE-INS TO EXISTING EDGES OF PAVEMENT AND AT COLD JOINTS OF RECENTLY PAVED ASPHALT.
8. JOINTS OR SCORE MARKS ARE TO BE SHARP AND CLEAN WITHOUT SHOWING EDGES OF JOINTING TOOL.
9. CONTRACTOR SHALL SAW-CUT TIE-INS AT EXISTING CURBS AS NECESSARY TO ENSURE SMOOTH TRANSITIONS. CONTRACTOR SHALL SAW-CUT AND TRANSITION TO MEET EXISTING PAVEMENT AS NECESSARY AND AS DIRECTED BY INSPECTOR TO INSURE POSITIVE DRAINAGE. (TYPICAL @ ALL INTERSECTIONS)
10. PAVING CONTRACTOR SHALL INSTALL PAPER BREAKAWAY EDGES AT COLD JOINTS OR SAWCUT AS REQUIRED TO INSURE A STRAIGHT, FULL-DEPTH JOINT FACE IMMEDIATELY PRIOR TO INSTALLING ABUTTING HOT ASPHALT.
11. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS INDICATED OTHERWISE.
12. CONTRACTOR SHALL BE RESPONSIBLE FOR COST OF PAVEMENT REPLACEMENT WHERE UTILITY LINES ARE EXTENDED ACROSS EXISTING ASPHALT.
13. ASPHALT SURFACE COURSE SHALL BE LAID WITH THE DIRECTION OF TRAFFIC IN ALL DRIVE LANES WITHIN PARKING FIELDS.
14. BASE AND ASPHALT THICKNESSES ARE MINIMUM REQUIRED. REFER TO SPECIFICATIONS FOR TYPE OF PAVING AND BASE TO BE USED.
15. ALL CONCRETE SHALL BE CLASS A 4000 P.S.I. UNLESS NOTED OTHERWISE. DO NOT POUR ANY CONCRETE BEFORE FORMS ARE INSPECTED AND APPROVED BY THE INSPECTOR.
16. ALL RAMP CONSTRUCTION ARE NOT TO EXCEED A SLOPE OF 1:12. ALL SIDEWALKS SHALL NOT HAVE A CROSS-SLOPE GREATER THAN 1:50.
17. CONCRETE DUMPSTER PADS TO BE FLUSH WITH PAVEMENT UNLESS INDICATED OTHERWISE.
18. SEE SHEET C-04 FOR ADDITIONAL DETAILS ON STRIPING, SIGNS, ETC.

RETAINING WALL NOTES

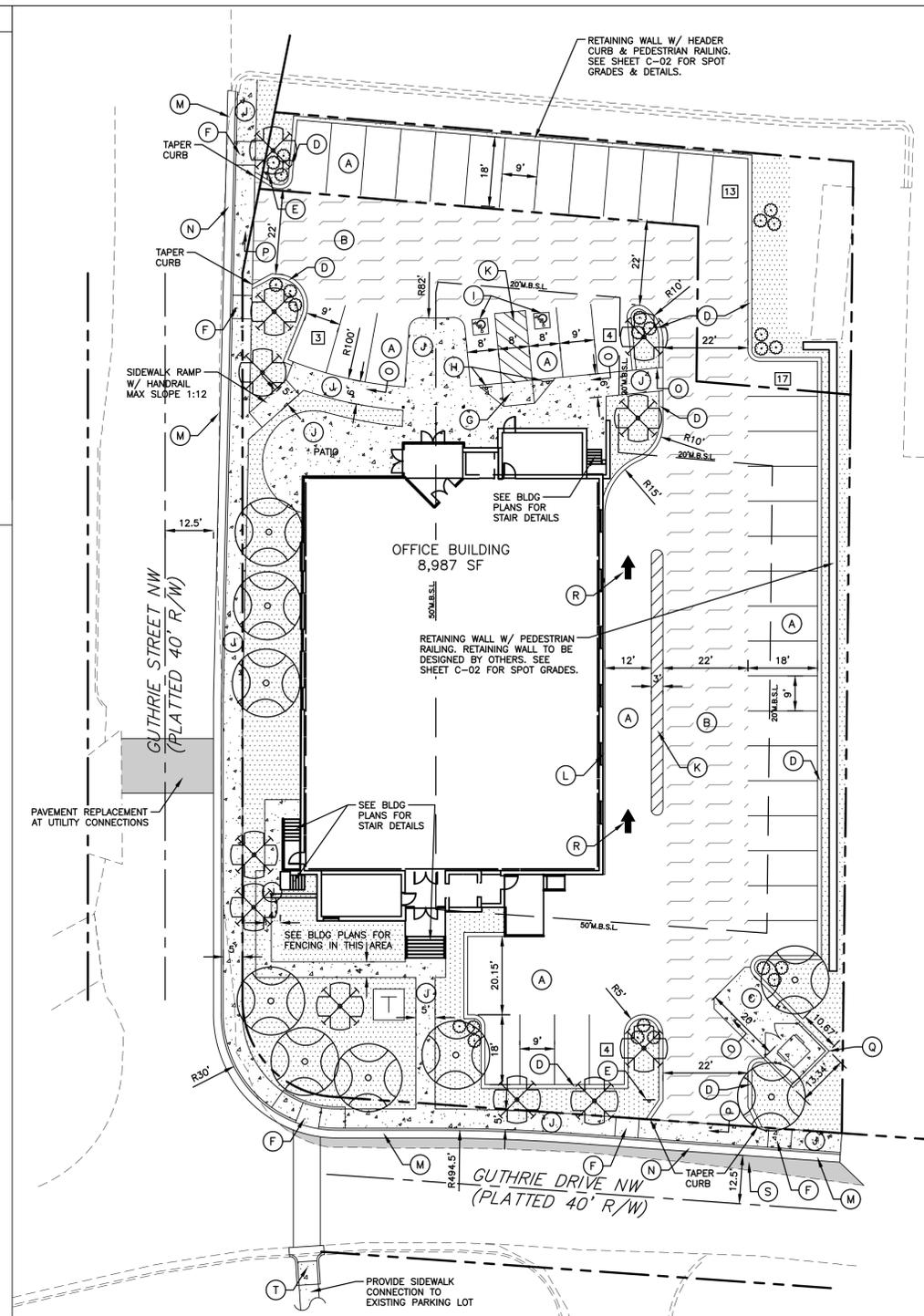
1. CONTRACTOR SHALL PROVIDE SHOP DRAWINGS FOR STRUCTURAL DESIGN OF THE RETAINING WALL BASED ON THE DESIRED PRODUCT USED. CONSULT RETAINING WALL MANUFACTURER/SUPPLIER FOR SITE SPECIFIC RETAINING WALL DESIGN. STRUCTURAL DESIGN FOR WALLS OVER 4' SHALL BE SIGNED AND SEALED BY AN ENGINEER.
2. CONSULT OWNER FOR COLOR TO BE USED. BIDS SHOULD BE BASED ON ANCHOR DIAMOND PRO (STRAIGHT FACE), COLOR=BUFF. COST EFFECTIVE ALTERNATES MAY BE PROPOSED BY CONTRACTOR.
3. FINAL RETAINING WALL DESIGN MUST BE APPROVED BY BERRY ENGINEERS LLC BEFORE STARTING CONSTRUCTION. ALLOW AT LEAST 1 WEEK FOR APPROVAL.

SEE SHEET C-06 FOR LANDSCAPING STANDARD NOTES & DETAILS

LANDSCAPING LEGEND

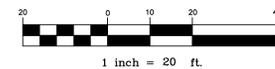
SYMBOL	COMMON NAME	SCIENTIFIC NAME	QUANTITY	MIN. INSTALLED SIZE
	WILLOW OAK	QUERCUS PHELLOS	9	2" CAL.
	REDBUD	CERCIS CANADENSIS	11	6-8 FT TALL
	DWARF YAUPON HOLLY	ILEX VOMITORIA	24	3 GAL.
	SOD FESCUE			

SITE LAYOUT & PAVING PLAN



PARKING & PAVING LEGEND

PROPERTY LINE	---
CONCRETE EXTRUDED CURB	=====
EXISTING EDGE OF PAVEMENT	- - - - -
DIRECTIONAL ARROW, PAINTED WHITE	→
TRAFFIC SIGN	⊖
LANDSCAPE AREA	
STANDARD DUTY ASPHALT PAVEMENT	
HEAVY DUTY ASPHALT PAVEMENT	
R.O.W. ASPHALT PAVEMENT	
STRIPING:	
SINGLE SOLID WHITE (SSW)	—
LIGHT POLE (SEE SITE ELECTRICAL PLANS)	
TRANSFORMER (SEE SITE ELECTRICAL PLANS)	



CIVIL ENGINEER:
BERRY ENGINEERS LLC
 63 BROAD ST NW
 CLEVELAND, TN 37311
 TEL: (423) 790-5880

DEVELOPER:
RARDIN + CARROLL
 6105 PRESERVATION DR - STE A
 CHATTANOOGA, TN 37416
 423-894-3242

PROJECT:
CLEVELAND UTILITIES OFFICE BUILDING
 2578 GUTHRIE ST NW
 CLEVELAND, TN 37311

FOR REVIEW

REVISIONS

1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

SHEET NAME:
EX. CONDITIONS, SITE LAYOUT & PAVEMENT PLAN

DATE: 02/03/2025

DRAWN BY: JDS

CHECKED BY: BMB

PROJECT NO.: 25028

SHEET NUMBER:
C-01