



**Department of  
Transportation**  
transportation.ohio.gov

Mike DeWine, Governor  
Jim Tressel, Lt. Governor  
Pamela Boratyn, Director

Via Certified Mail No: 0750 0001 1694 6702

8/1/2025

CLYDE & CO US LLP  
ATTN: Kenneth Quinn  
1775 Pennsylvania Ave NW  
Washington, DC 20006

Proposal: Commercial Building  
Latitude: 41° 24' 31.40" N  
Longitude: 81° 49' 34.89" W  
Height: 221-ft AGL / 1007-ft MSL

Subject: APPLICATION FOR CONSTRUCTION - PERMIT DENIAL  
Aeronautical Studies No's: 2025-DOT-1020-OE, 2025-DOT-1021-OE, 2025-DOT-1022-OE, 2025-DOT-1023-OE & 2025-DOT-2024-OE [2024-AGL-15824-OE, 2024-AGL-15831-OE, 2024-AGL-15832-OE, 2024-AGL-15833-OE, 2024-AGL-15834-OE]

Mr. Quinn,

The purpose of this letter is to notify you that your permit application concerning the proposed construction of a commercial building at the above submitted location and height has been denied for the following reason:

The proposed structure has been determined to be an obstruction to air navigation based upon 14 CFR Part 77, Subpart C "Standards for Determining Obstructions to Air Navigation or Navigational Aids or Facilities", Ohio Revised Code chapter 4561, the Ohio Administrative Rules adopted under Chapter 119, and/or FAA Advisory Circulars, Orders and other airport/heliport design standards.

ODOT has determined that this proposed structure exceeds 14 CFR part 77, Civil Imaginary Surfaces, specifically, Section 77.19 (a) Horizontal surface. A Horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of a specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The proposed structure exceeds this protected surface at the Cleveland Hopkins International Airport, Cleveland Ohio by 58-ft at the highest point.

If the proposed structure at this location were reduced in height to not exceed 163-ft AGL / 949-ft MSL it would not be considered an obstruction to air navigation. Please contact our office to request a permit at these reduced heights.

This structure may also be permitted at your proposed height at another location further away from the airport. If you want to change the location of the proposed structure, you will need to file a new 7460-1 Notice of Proposed Construction with the FAA.

In accordance with Ohio Administrative Code 5501:1-8-07, you have the right to request a hearing pursuant to section 119.06 of the Revised Code. Any request for a hearing must be filed with the ODOT Aviation Administrator within thirty (30) days of the receipt of the written notice.

The address is:

Aviation Administrator  
ODOT Office of Aviation  
2829 Dublin Granville Rd  
Columbus, OH 43235

At the hearing you may appear in person or be represented by your attorney or by such other representative who is permitted to practice before the agency. Please be advised that corporations must be represented by counsel. If you decide to appear personally, you may present evidence and examine witnesses appearing for and against you. In lieu of appearing personally, you may present your position, argument and contentions in writing to the Aviation Administrator.

If a hearing is requested, it shall be conducted in accordance with sections 119.01 to 119.13 of the Revised Code.

If you have any questions, please contact us at [Ohio.Airport.Protection@dot.ohio.gov](mailto:Ohio.Airport.Protection@dot.ohio.gov)  
Or (614) 466-6804 or (855) 867-1852.

Respectfully,

ODOT Office of Aviation  
2829 West Dublin-Granville Road  
Columbus, OH 43235

cc: City of Cleveland, Department of Port Control