

CITY OF *Beachwood*

**Beachwood Planning and Zoning Commission Meeting Minutes
Thursday, September 26, 2024, 6:30 PM
at Beachwood City Hall, Council Chambers
25325 Fairmount Boulevard, Beachwood, Ohio 44122**

Called to order at 6:30 PM by Chairman Bryan Zabell.

Roll Call: Present: Mayor Berns, A. Blue Donald, I. Dhillon, R. Hecht, J. Shoykhet,
E. Synenberg, B. Zabell
Absent: None.
Also Present: T. Hunt, B. Roenigk, G. Smerigan

Approval of the Minutes

Moved by R. Hecht, seconded by J. Shoykhet, that the minutes of the Planning and Zoning Commission Meeting held on August 29, 2024, be approved.

Roll Call	Yes:	Mayor Berns, A. Blue Donald, R. Hecht, J. Shoykhet, E. Synenberg, B. Zabell
	No:	None.
	Abstain:	I. Dhillon
	Not Voting:	None.
		MOTION – MINUTES APPROVED

Council Report

Mr. Synenberg, Council Representative, welcomed Ali Stern, Council Member, to the meeting. He commented that the City's Fall Fest will be held this weekend.

Citizen's Remarks

Darlene Stewart
Ms. Stewart made remarks.

Agenda Items

P&Z 2024-20	Carmen Amicone, Amicone Building & Construction, on behalf of Kanhaiya Poddar, property owner, is requesting a 3.5' rear yard setback variance for an addition at 2609 Edgewood Road, in accordance with BCO Section 1113.04, Location of Building Line.
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Mr. Carmen Amicone was present at the meeting to seek a variance for an addition off the rear of the existing home.

Mr. Roenigk stated the Fire, Police and Building Departments had no comments. In the absence of Mr. Joseph Ciuni, he noted the City Engineer recommends approval.

Mr. Smerigan reviewed his staff report and recommended two (2) stipulations indicated in his staff report, should the Commission decide to grant the variance.

Moved by I. Dhillon, seconded by E. Synenberg, that P&Z 2024-20 be approved subject to the following findings and stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty will result on the subject site from the literal enforcement of Code Section 1113.03 with regard to rear yard setbacks; 2) Granting a variance of 6.5 feet to Section 1113.03 permit a rear yard setback of 29.5 feet in lieu of the Code required 36 feet.

Roll Call	Yes:	Mayor Berns, A. Blue Donald, I. Dhillon, R. Hecht, J. Shoykhet, E. Synenberg, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.

MOTION APPROVED

P&Z 2024-30 Jim McFarland, Zoning Resources, is requesting approval for an area variance for a wall sign to be located at 24601 Chagrin Blvd., Giant Eagle.

Mr. Jim McFarland was present at the meeting and informed the Commission that Giant Eagle is doing a brand refresh of all the stores throughout Ohio and other states.

Mr. Roenigk stated the Fire, Police and Engineering Departments had no comments. The Building Department is in favor of the variance. He explained the majority of the sign variance is on the east side of the building which faces Fire Station Drive and the sign variance on the front side of the building is minimal.

Mr. Smerigan recommended the Commission grant approval subject to the two (2) stipulations indicated in his staff report.

Moved by A. Blue Donald, seconded by I. Dhillon, that P&Z 2024-30 be approved subject to the following stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty will result on the subject site from the literal enforcement of Code Section 1141.15(a) with regard to maximum sign area; 2) Granting a variance of 111.31 square feet to Section 1141.15(a) permit a total sign area of 631.32 square feet in lieu of the Code maximum of 520 square feet.

Roll Call	Yes:	Mayor Berns, A. Blue Donald, I. Dhillon, R. Hecht, J. Shoykhet, E. Synenberg, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.

MOTION APPROVED

P&Z 2024-31 Zachary Katz, property owner, is requesting a 3.5' front yard setback variance for a garage addition at 23203 Beachwood Blvd., in accordance with BCO Section 1113.04, Location of Building Line.

Mr. Zachary Katz was present at the meeting to seek a variance to make the garage more practical to fit vehicles.

Mr. Roenigk stated the Fire, Police and Engineering Departments had no comments. The Building Department has no issues with this item.

Mr. Smerigan reviewed his staff report and recommends approval subject to the two (2) stipulations indicated in his staff report.

Moved b J. Shoykhet, seconded by A. Blue Donald, that P&Z 2024-31 be approved subject to the following findings and stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty will result on the subject site from the literal enforcement of Code Section 1113.04(a) with regard to front yard setbacks; 2) Granting a variance of 3.5 feet to Section 1113.04(a) permit a front yard setback of 31.5 feet in lieu of the Code required 35 feet.

Roll Call	Yes:	Mayor Berns, A. Blue Donald, I. Dhillon, R. Hecht, J. Shoykhet, E. Synenberg, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.
		MOTION APPROVED

P&Z 2024-32 James and Linda Ross, property owners, are requesting a 2' side yard setback variance for a northern addition at 2638 Deborah Drive, in accordance with BCO Section 1113.05, Side Yards.

Mr. Michael Bonner, Architect, and Mrs. Linda Ross were present at the meeting to seek a variance for the proposed addition.

Mr. Roenigk stated the Fire, Police and Engineering Departments had no comments. He had previously spoken to the architect about the hardscape requirements of the city as they are increasing the size of the driveway. The Building Department has no issues.

Mr. Smerigan reviewed his staff report and recommends approval subject to the two (2) stipulations indicated in his staff report.

Moved by R. Hecht, seconded by J. Shoykhet, that P&Z 2024-32 be approved subject to the following stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty will result on the subject site from the literal enforcement of Code Section 1113.05 with regard to side yard setbacks; 2) Granting a variance of 2 feet to Section 1113.05 permit a side yard setback of 10 feet in lieu of the Code required 12 feet.

Roll Call	Yes:	Mayor Berns, A. Blue Donald, I. Dhillon, R. Hecht, J. Shoykhet, E. Synenberg, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.
		MOTION APPROVED

P&Z 2024-34 Daniel Gomillion, Burning River Builders, on behalf of Banafsheh K. Adler, Trustee, property owner, is requesting preliminary and final approval of a lot split for PPN 741-35-005, 26930 Hurlingham Road.

Mr. Steve Gomillion, Burning River Builders, was present at the meeting on behalf of Mr. Adler.

Mr. Roenigk stated the Fire and Police Departments had no comments. He noted the City Engineer recommends approval as the lot split meets all County and City Standards, and the lot split cannot be recorded until the existing house is removed. The Building Department requests a stipulation that the existing house must be razed.

Mr. Smerigan reviewed his staff report and recommended two (2) stipulations indicated in his staff report, should the Commission decide to approve the lot split.

Moved by I. Dhillon, seconded by A. Blue Donald, that P&Z 2024-34 be approved subject to the following stipulations: 1) That approval is conditioned on removal of the existing dwelling which shall be accomplished prior to recording the plat; 2) Compliance with any comments and recommendations of the City Engineer.

Roll Call	Yes:	Mayor Berns, A. Blue Donald, I. Dhillon, R. Hecht, J. Shoykhet, E. Synenberg, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.
		MOTION APPROVED

P&Z 2024-35 Seth Harrison, on behalf of Jacqueline Harrison, property owner, is requesting a 336.5' hardscape variance for concrete at 21819 Halworth Road, in accordance with BCO Section 1146.03(C), Landscaping of Residential Lots Required.

Chairman Zabell informed the Commission the applicant decided to remove this item in advance of the meeting. The item has been removed from the agenda.

P&Z 2024-27 Ordinance No. 2024-63, Rezoning 2555 Edgewood Road, Beachwood, Ohio 44122 (PPN 741-08-036) and 2561 Edgewood Road, Beachwood, OH 44122 (PPN 741-08-037) from U-1 Single Family Residential District to U-5 Public and Institutional District (Referred from Council 8/20/2024).

Mr. Aaron Evenchik, the counsel for both property owners, was present at the meeting to discuss the requested rezoning and proposed structure concept for the property.

Mr. Roenigk stated the Fire, Police, Engineering, and Building Departments had no comments.

Mr. Smerigan reviewed the proposed concept development plan and stated it would require several variances to make it work. He reminded the Commission that this request is for rezoning, not site plan approval, and they are acting in the form of recommendation back to City Council.

Chairman Zabell explained the many reasons why he is not comfortable with the current concept plan. He welcomed input from the Commission.

Mr. Smerigan reviewed the required approval steps for both rezoning and site development plans.

Discussion ensued.

Mayor Berns suggested holding an internal meeting with the administration to discuss alternative plans.

Mr. Evenchik replied he is committed to working with the city as is the synagogue.

Moved by R. Hecht, seconded by I. Dhillon, that P&Z 2024-27 be tabled.

Roll Call	Yes:	Mayor Berns, A. Blue Donald, I. Dhillon, R. Hecht, J. Shoykhet, E. Synenberg, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.
		MOTION APPROVED - TABLED

P&Z 2024-33 An Ordinance amending Section 1111.03 titled, "Prohibited Uses", of the City of Beachwood, Ohio Planning and Zoning Code.

Mr. Smerigan provided an update on the proposed amended ordinance.

Moved by I. Dhillon, seconded by E. Synenberg, that P&Z 2024-33 be approved and recommended to City Council.

Roll Call	Yes:	Mayor Berns, A. Blue Donald, I. Dhillon, R. Hecht, J. Shoykhet, E. Synenberg, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.
		MOTION APPROVED – RECOMMENDATION TO COUNCIL (Monday, October 7, 2024)

Chairman Zabell introduced the final item on the agenda, the Presentation of the Rules of Procedure for Beachwood Planning and Zoning Commission.

Whitney Crook, Clerk of Council, presented the Rules of Procedure and responded to questions from the Commission.

Adjournment

Moved by A. Blue Donald, seconded by J. Shoykhet, to adjourn the Planning and Zoning Commission Meeting at 8:21 P.M.

Approved:

Clerk of Council

6