

# CITY OF *Beachwood*

**Beachwood Planning and Zoning Commission Meeting Minutes  
Tuesday, December 3, 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, R. Hecht, J. Shoykhet, E. Synenberg, B. Zabell  
Absent: A. Blue Donald, I. Dhillon  
Also Present: J. Ciuni, M. Kurz, B. Roenigk, G. Smerigan

## **Approval of the Minutes**

Moved by R. Hecht, seconded by E. Synenberg, that the minutes of the Planning and Zoning Commission Meeting held on October 29, 2024, be approved.

|           |             |                                                |
|-----------|-------------|------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, E. Synenberg, B. Zabell |
|           | No:         | None.                                          |
|           | Abstain:    | J. Shoykhet                                    |
|           | Not Voting: | None.                                          |
|           |             | MOTION – MINUTES APPROVED                      |

## **Council Report**

Mr. Smerigan, City Planner, stated Council placed a rezoning application on first reading and referred the item to the next Planning and Zoning Commission Meeting.

## **Citizen's Remarks**

Jeffrey Nash  
Mr. Nash made remarks.

Ronald Kahn  
Mr. Kahn made remarks.

Jared Schnall  
Mr. Schnall made remarks.

Ethan Karp  
Mr. Karp made remarks.

David Steinberg  
Mr. Steinberg made remarks.

**New Business****Agenda Items**

**P&Z 2023-17** Andrew Gotlieb, Keystate Homes, is requesting preliminary site plan approval for a residential development of cluster homes to be located at PPN 741-29-020, North Woodland Road.

Chairman Zabell suggested making a motion to move the item to the end of the agenda because there is not enough Commission members to take a proper vote.

Moved by E. Synenberg, seconded by R. Hecht, that P&Z 2023-17 be moved to the end of the agenda.

|           |             |                                                                |
|-----------|-------------|----------------------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, J. Shoykhet,<br>E. Synenberg, B. Zabell |
|           | No:         | None.                                                          |
|           | Abstain:    | None.                                                          |
|           | Not Voting: | None.                                                          |
|           |             | MOTION APPROVED                                                |

**P&Z 2024-39** Applicant has requested a 20' side yard setback variance for the fence location at 24815 Greenwich Lane, in accordance with BCO Section 1146.02(b)(5), Fences.

Mr. James Hershberger, Custom Homes & Decks LLC, was present at the meeting to seek approval for a variance to install a fence in the side yard setback of a corner lot.

Mr. Ciuni had no Engineering comments.

Mr. Roenigk stated the applicant has a permit and has installed three (3) sides of the fence. They held off on the last side due to the required variance. The Building Department is opposed to putting the fence right up to the property line and suggest it be twelve (12) feet, not the current twenty (20) feet, from the right-of-way line. This is one of the amendments to the Zoning Code which the Administration has recommended to City Council.

Mr. Smerigan reviewed his staff report and recommended the Commission grant the variance.

Chairman Zabell informed the applicant there is no support from staff for the twenty (20) feet up to the right-of-way and asked if he and/or the client would be agreeable with the twelve (12) feet.

Mr. Hershberger replied yes.

Moved by R. Hecht, seconded by J. Shoykhet, that P&Z 2024-39 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 1146.05(b)(2) with regard to the placement of ornamental fences in side yards of corner lots; 2) Granting a variance of eight (8) feet to Section 1146.05(b)(2) to permit an ornamental black metal fence six (6) feet in height to be twelve (12) feet from the right-of-way line in lieu of the Code required twenty (20) feet.

|           |             |                                                                |
|-----------|-------------|----------------------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, J. Shoykhet,<br>E. Synenberg, B. Zabell |
|           | No:         | None.                                                          |
|           | Abstain:    | None.                                                          |
|           | Not Voting: | None.                                                          |

MOTION APPROVED

**P&Z 2024-41** Applicant has requested an 11' rear yard setback variance, in accordance with BCO Section 1113.03, Rear Yards, and a 135' total lot hardscape variance, in accordance with BCO Section 1146.03(C), Landscaping of Residential Lots Required, for addition at 23115 Greenlawn Avenue.

Ms. Rebecca Fertel, Architect, and Ms. Cheryl Lever, homeowner, were present at the meeting to seek approval of a rear setback variance for an addition to the existing dwelling and a hardscape variance for a proposed deck.

Mr. Ciuni had no Engineering comments.

Mr. Roenigk stated the Police and Fire Departments had no comments. The Building Department has no objections.

Mr. Smerigan reviewed his staff report and commented they have made considerable effort to minimize the two (2) variances they need.

Moved by J. Shoykhet, seconded by R. Hecht, that P&Z 2024-41 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 1113.03 with regard to minimum rear yard setbacks, and Code Section 1146.03(c) with regard to maximum permitted hardscaping; 2) Granting a variance of 11 feet to Section 1113.03 to permit a rear yard building setback for a one-story addition of 28 feet in lieu of the Code required 39 feet; 3) Granting a variance of 135 square feet to Section 1146.03(c) to permit 1,305 square feet of hardscaping in lieu of the Code permitted maximum of 1,170 square feet.

|           |             |                                                                |
|-----------|-------------|----------------------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, J. Shoykhet,<br>E. Synenberg, B. Zabell |
|           | No:         | None.                                                          |
|           | Abstain:    | None.                                                          |
|           | Not Voting: | None.                                                          |

MOTION APPROVED

**P&Z 2024-43** Applicant has requested a 9.3' rear yard setback variance for a screened in deck at 24213 Woodway Road, in accordance with BCO Section 1113.03, Rear Yards.

Mr. Marlin Detweiler, contractor, and Mrs. Miriam Fair, homeowner, were present at the meeting to seek approval of a rear setback variance for a screened-in deck addition.

Mr. Ciuni had no Engineering comments.

Mr. Roenigk stated the Police and Fire Departments had no comments. The Building Department has no objections.

Mr. Smerigan reviewed his staff report and suggested the Commission make the necessary findings to grant the variance.

Moved by R. Hecht, seconded by E. Synenberg, that P&Z 2024-43 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 1113.03 with regard to the required minimum rear yard setback; 2) Granting a variance of 9.3 feet to Section 1113.03 to permit a rear yard building setback for a one-story covered deck of 26.7 feet in lieu of the Code required 36 feet.

|           |             |                                                                |
|-----------|-------------|----------------------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, J. Shoykhet,<br>E. Synenberg, B. Zabell |
|           | No:         | None.                                                          |
|           | Abstain:    | None.                                                          |
|           | Not Voting: | None.                                                          |
|           |             | MOTION APPROVED                                                |

**P&Z 2024-44**      Applicant has requested preliminary site plan approval for building and play area additions at 26600 Shaker Blvd., Fuchs Mizrahi School.

Mr. Nick Dilisio, Bialosky, discussed the proposed three (3) additions to the existing building. The project also includes additional playground space and additional parking spaces to meet the required parking requirements for the site.

Mr. Ciuni stated Engineering recommends preliminary approval. For final approval, Engineering will need the final submittal for geometric, utility, and grading plans along with drainage calculations and pavement composition plans.

Mr. Roenigk stated the Police Department had no comments. The Fire Department requests a 360-degree access around the entire structure. The Building Department has no objections.

Mr. Smerigan reviewed his staff report and recommends the Commission grant preliminary site plan approval.

Mr. Shoykhet asked if the plan submitted complies with the 360-degree access.

Mr. Smerigan explained the applicant intends to comply with the request for the 360-degree access on the final site plan submission.

Moved by R. Hecht, seconded by J. Shoykhet, that P&Z 2024-44 be approved subject to the comments of the Fire Department before final approval.

|           |             |                                                                |
|-----------|-------------|----------------------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, J. Shoykhet,<br>E. Synenberg, B. Zabell |
|           | No:         | None.                                                          |
|           | Abstain:    | None.                                                          |
|           | Not Voting: | None.                                                          |
|           |             | MOTION APPROVED                                                |

**P&Z 2024-45**      Applicant has requested preliminary and final site plan approval for a dumpster fence enclosure at 3025 Science Park Drive, Cleveland Clinic Rehab Hospital.

Mr. Beau Patterson, Alltracon LLC, stated they are requesting approval for a black chain link fence enclosure to screen the existing dumpster.

Mr. Ciuni stated Engineering has no objections and recommends approval.

Mr. Roenigk stated the Police and Fire Departments had no comments. The Building Department has no objections.

Mr. Smerigan reviewed his staff report and recommends the Commission grant both preliminary and final site plan approval.

Moved by J. Shoykhet, seconded by R. Hecht, that P&Z 2024-45 be approved.

|           |             |                                                                |
|-----------|-------------|----------------------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, J. Shoykhet,<br>E. Synenberg, B. Zabell |
|           | No:         | None.                                                          |
|           | Abstain:    | None.                                                          |
|           | Not Voting: | None.                                                          |
|           |             | MOTION APPROVED                                                |

**P&Z 2024-5(A)**      Applicant is requesting preliminary and final approval of a revised lot split plat for PPN 742-39-005, Chagrin Highlands.

Mr. Smerigan stated the Commission approved the lot split plat in January which outlines the future roadway connection to Commerce Park to Harvard Road. The County requested a revision to show the future right-of-way as an access easement so that all the lots would have frontage until the new street is constructed. Once the revised plat is approved and recorded with the County, we can move forward with the land acquisition.

Mr. Ciuni recommends approval.

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

Mr. Smerigan recommends approval.

Moved by R. Hecht, seconded by J. Shoykhet, that P&Z 2024-5(A) be approved.

|           |             |                                                                |
|-----------|-------------|----------------------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, J. Shoykhet,<br>E. Synenberg, B. Zabell |
|           | No:         | None.                                                          |
|           | Abstain:    | None.                                                          |
|           | Not Voting: | None.                                                          |
|           |             | MOTION APPROVED                                                |

Mr. Jeffrey Shoykhet, Planning and Zoning Commission Member, recused himself from the meeting because he has a prior working relationship with the applicant representing Keystate Homes.

**P&Z 2023-17** Andrew Gotlieb, Keystate Homes, is requesting preliminary site plan approval for a residential development of cluster homes to be located at PPN 741-29-020, North Woodland Road.

Mr. Andrew Gotlieb, Keystate Homes, provided a presentation of the historical context of the property.

Mr. Ciuni spoke of the historical background of the property regarding drainage. Currently, he does not have enough information from the applicant to comply with the city's ordinances on storm water management. The project cannot go forward until we receive a letter from the applicant with the review and approval from the Army Corps of Engineers. At this time, he does not have enough information to recommend approval.

Mr. Smerigan stated the site plan has an appropriate density, but several variances are still required to make the site plan work. He reviewed his issues with the site plan.

Mr. Roenigk read aloud the Fire Department staff report.

Discussion ensued.

Chairman Zabell offered the applicant a choice to either take a vote or table the item.

Mr. Gotlieb chose to table.

Moved by R. Hecht, seconded by E. Synenberg, that P&Z 2023-17 be tabled.

|           |             |                                                |
|-----------|-------------|------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, E. Synenberg, B. Zabell |
|           | No:         | None.                                          |
|           | Abstain:    | None.                                          |
|           | Not Voting: | None.                                          |
|           |             | MOTION APPROVED - TABLED                       |

Mr. Shoykhet returned to the dias.

## Old Business

### Agenda Items

**P&Z 2024-40** Review and possible vote on the Rules of Procedure for Beachwood Planning and Zoning Commission.

Chairman Zabell requested to keep the item tabled as he would like the other Commission Members present.

Mayor Berns suggested waiting till the new City Council Representative is appointed to the Planning Commission.

Mayor Berns stated this is Eric Synenberg's last meeting with Planning and Zoning. He thanked him for his input and time.

Councilman Synenberg thanked others in return.

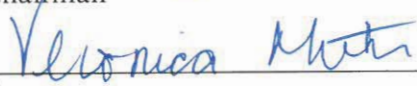
**Adjournment**

Moved by J. Shoykhet, seconded by R. Hecht, to adjourn the Planning and Zoning Commission Meeting at 8:26 P.M.

|           |             |                                                                |
|-----------|-------------|----------------------------------------------------------------|
| Roll Call | Yes:        | Mayor Berns, R. Hecht, J. Shoykhet,<br>E. Synenberg, B. Zabell |
|           | No:         | None.                                                          |
|           | Abstain:    | None.                                                          |
|           | Not Voting: | None.                                                          |
|           |             | MOTION APPROVED                                                |

Approved:

  
 \_\_\_\_\_  
 Chairman

  
 \_\_\_\_\_  
 Secretary

  
 \_\_\_\_\_  
 Clerk of Council

Next Regular Planning and Zoning Commission Meeting will be held on: Thursday, January 30, 2025, at 6:30 P.M. in Council Chambers. For all updates regarding Planning and Zoning Commission Meetings, please visit: [www.BeachwoodOhio.com](http://www.BeachwoodOhio.com).

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**Pursuant to Ordinance Number 2020-78 Council has determined that the Video Recording of the meetings shall stand as the official Minutes of its Body, its Committees, and those of the Planning and Zoning Commission. A written synopsis of all agenda items and votes shall also be promptly prepared and kept.**