

CITY OF *Beachwood*

**Beachwood Planning and Zoning Commission Meeting
Thursday, May 29, 2025, 6:30 PM
at Beachwood City Hall, Council Chambers,
25325 Fairmount Boulevard, Beachwood, Ohio 44122**

Amended Agenda

New Business

Agenda Items

1. Roll Call
2. Approval of Minutes of April 24, 2025, Planning and Zoning Commission Meeting
3. Council Report
4. Citizen's Remarks
5. Planning and Zoning Commission
2025-15 Edward Bloom has requested a 601' total lot allowed hardscape variance for a concrete driveway pad at 25300 Shaker Blvd., in accordance with BCO Section 1146.03(c), Landscaping of Residential Lots Required.
6. Planning and Zoning Commission
2025-16 Tzvi Maimon has requested a 407' front yard allowed hardscape variance, in accordance with BCO Section 1146.04, Driveways in Class U-1 District, and a 188' total lot allowed hardscape variance, in accordance with BCO Section 1146.03(c), Landscaping of Residential Lots Required, to widen the existing driveway at 2387 South Green Road.
7. Planning and Zoning Commission
2025-17 Anshel Epstein has requested a 25' rear yard setback variance for garage addition at 25161 Cardington Drive, in accordance with BCO Section 1113.03, Rear Yards.

Tabled Items

1. Planning and Zoning Commission
2024-48 Applicant is requesting preliminary site plan approval for a new residential apartment building to be located at 23250 Chagrin Blvd. (Commission tabled on 1/30/2025).
2. Planning and Zoning Commission
2025-11 Applicant has requested a 2,059.60' total lot allowed hardscape variance for a new pool and patio at 25741 Hurlingham Road, in accordance with BCO Section 1146.03(c), Landscaping of Residential Lot Required (Commission tabled on 4/24/2025).
3. Planning and Zoning Commission
2025-7 Amending various sections of the City of Beachwood, Ohio, Planning and Zoning Code (Ordinance No. 2025-5, referred from Council 2/3/2025; Commission tabled on 4/24/2025).

PLANNING & ZONING APPLICATION

Form must be completed or will not be processed

APPLICATION DATE: 4/30/25

OWNER OF BUILDING: Edward Bloom PHONE: 26-287-7726

STREET ADDRESS: 25300 Shaker Blvd

CITY/STATE/ZIP: Beachwood, Ohio 44122

APPLICANT: Same as above PHONE: _____

COMPANY OR FIRM: _____

EMAIL: eddiebloom30@gmail.com

STREET ADDRESS: _____

CITY/STATE/ZIP: _____

PRESENTER(S) TO APPEAR AT THE P&Z MEETING (include name & email address):

Calvin Clark

DESCRIPTION OF THE PROPERTY:

ADDRESS: 25300 Shaker Blvd SUITE # _____

TENANT NAME: _____

PERMANENT PARCEL # _____ - _____ - _____ PRESENT USE: _____ PROPOSED USE: _____

PURPOSE OF APPLICATION: Concrete Pad, for vehicle turnaround

NATURE OF THE REQUEST (check as many as apply):

- Preliminary site plan approval
- Final site plan approval
- Lot split
- Lot consolidation
- Conditional use permit
- Rezoning
- Zoning text amendment
- Other Hardscape Variance
- Request for a variance.

Must provide a "Box Score" indicating permitted area, distance, etc. and requested area, distance, etc. with application.

Please explain reason for variance (must indicate a hardship):

Safety reasons for vehicle on major road.

Are there any special issues regarding this application that should be brought to the attention of the Planning Commission and Staff? If so, please explain. _____

Planning & Zoning Submission Requirements:

- Attach site plan of the proposed development with details such as square footage, height, purpose.
- Attach an aerial photo depicting the property and surrounding area (these are available online via County Auditor's GIS website or Google Earth).
- Attach copy of the Auditor's Report from the Cuyahoga County website indicating the real estate taxes for the property have been paid on a current basis.
- Any Planning & Zoning application which requires Council approval must have a representative attend the scheduled Council meeting.

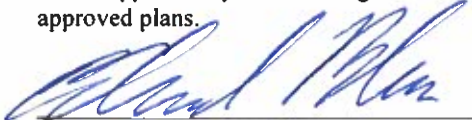
Planning & Zoning Submission Filing Fees & Deposits:

A non-refundable filing fee in the amount of thirty-five dollars (\$35.00) shall be paid to the City for each application submitted to the Planning and Zoning Commission; and...

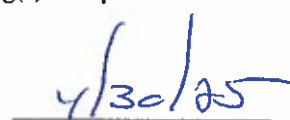
A cash fee in the amount set forth in the following schedule shall be submitted in addition to the filing fee listed in subsection (a) hereof, at the time of application to the Planning and Zoning Commission and/or Council:

	<u>Zoning District</u>	<u>Fee</u>
(1)	U-1, A-1 / U-1, A-2 / U-2 / U-2A / Variances Includes all applications to the Planning Commission and/or Council except applications for lot splits and/or consolidations plats, easement applications, and any application required to be recorded with the County Recorder's Office.	\$300.00
(2)	All other Zoning Districts for site development plan review (new building/addition)	\$5,000.00
(3)	All lot split and/or consolidation plats, easements, and any application required to be recorded with the County Recorder's Office	\$1,500.00
(4)	For all Zoning Districts, excepting U-1, A-1/U-1, A-2/U-2/ and U-2A, all other applications, including, but not limited to: special use permits, conditional use permits, variances, text amendments, or similar or harmonious use	\$750.00
(5)	Map Amendment	\$2,500.00

We, the building owner and/or applicant, with our signature below, hereby agree to follow specifically the plans submitted to and approved by the Planning and Zoning Commission and do agree to construct said building(s) as depicted on said approved plans.


SIGNATURE


PRINTED NAME


DATE

*****OFFICE USE ONLY*****

PLANNING & ZONING COMMISSION - P&Z No. _____ MEETING DATE: _____

FEE: RECEIPT # _____ AMOUNT \$ _____ DATE PAID _____

Preliminary Approval: _____
Date

Final Approval: _____
Date

Recommendation to Council: YES NO Meeting Date: _____



CUYAHOGA COUNTY, *Ohio*

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- [Permits](#)
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TAXES

- [Tax By Year](#)
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LEGAL RECORDINGS

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Primary Owner

BLOOM, EDWARD

Property Address

25300 Shaker BLVD Beachwood, OH 44122

Tax Mailing Address

BLOOM, EDWARD 25300 Shaker BLVD Beachwood, OH 44122

Description

39 VANS 45 0872 ALL

Property Class

SINGLE FAMILY DWELLING

Parcel Number

742-02-011

Taxset

Beachwood

Tax Year

2024 Pay 2025 ▼

[PAY BY E-CHECK OR CREDIT/DEBIT CARD](#)

Summary By Tax Year 2024 Pay 2025

Please use the Pay Your Taxes Online to pay your tax bill for the current tax year

ACTIVITY
Informal Reviews
Board of Revisions Cases

Assessed Values

Land Value	\$30,170
Building Value	<u>\$145,150</u>
Total Value	<u><u>\$175,320</u></u>
Homestead Value	\$

Half Year Charge Amounts

Gross Tax	\$10,669.10
Less 920 Reduction	<u>\$5,792.20</u>
Sub Total	\$4,876.90
Non-business Credit	\$366.21
Owner Occupancy Credit	\$91.55
Homestead Reduction	\$.00
Total Assessments	<u>\$75.00</u>
Half Year Net Taxes	<u><u>\$4,494.14</u></u>

Market Values

Land Value	\$86,200
Building Value	<u>\$414,700</u>
Total Value	<u><u>\$500,900</u></u>

Rates

Full Rate	121.71
920 Reduction Rate	.542895
Effective Rate	55.63427

Flags

Owner Occupancy Credit	Y
Homestead Reduction	N

Foreclosure	N
Cert. Pending	N
Cert. Sold	N
Payment Plan	N

Escrow

Escrow	N
Payment Amount	\$.00

Tax Balance Summary

Charges

\$8,988.28

Payments

\$4,494.52

Balance Due

\$4,493.76

2024 (pay in 2025) Charge and Payment Detail

Taxset	Charge Type	Charges	Payments	Balance Due
Beachwood				
	1st half tax	\$4,419.14	\$4,419.14	\$.00
	1ST HALF BALANCE	\$4,419.14	\$4,419.14	\$.00
	2nd half tax	\$4,419.14	\$.38	\$4,418.76
	2ND HALF BALANCE	\$4,419.14	\$.38	\$4,418.76
C100030C-SEWER MAINTENANCE				
	1st half tax - 2024	\$37.50	\$37.50	\$.00
	1ST HALF BALANCE	\$37.50	\$37.50	\$.00
	2nd half tax - 2024	\$37.50	\$.00	\$37.50
	2ND HALF BALANCE	\$37.50	\$.00	\$37.50
C100030S-Sewer Maintenance				

1st half tax - 2024	\$37.50	\$37.50	\$.00
1ST HALF BALANCE	\$37.50	\$37.50	\$.00
2nd half tax - 2024	\$37.50	\$.00	\$37.50
2ND HALF BALANCE	\$37.50	\$.00	\$37.50

	Charges	Payments	Balance Due
Total Balance	\$8,988.28	\$4,494.52	\$4,493.76

PAY BY E-CHECK OR CREDIT/DEBIT CARD

View Map

Updated :04/30/2025 03:40:39 AM

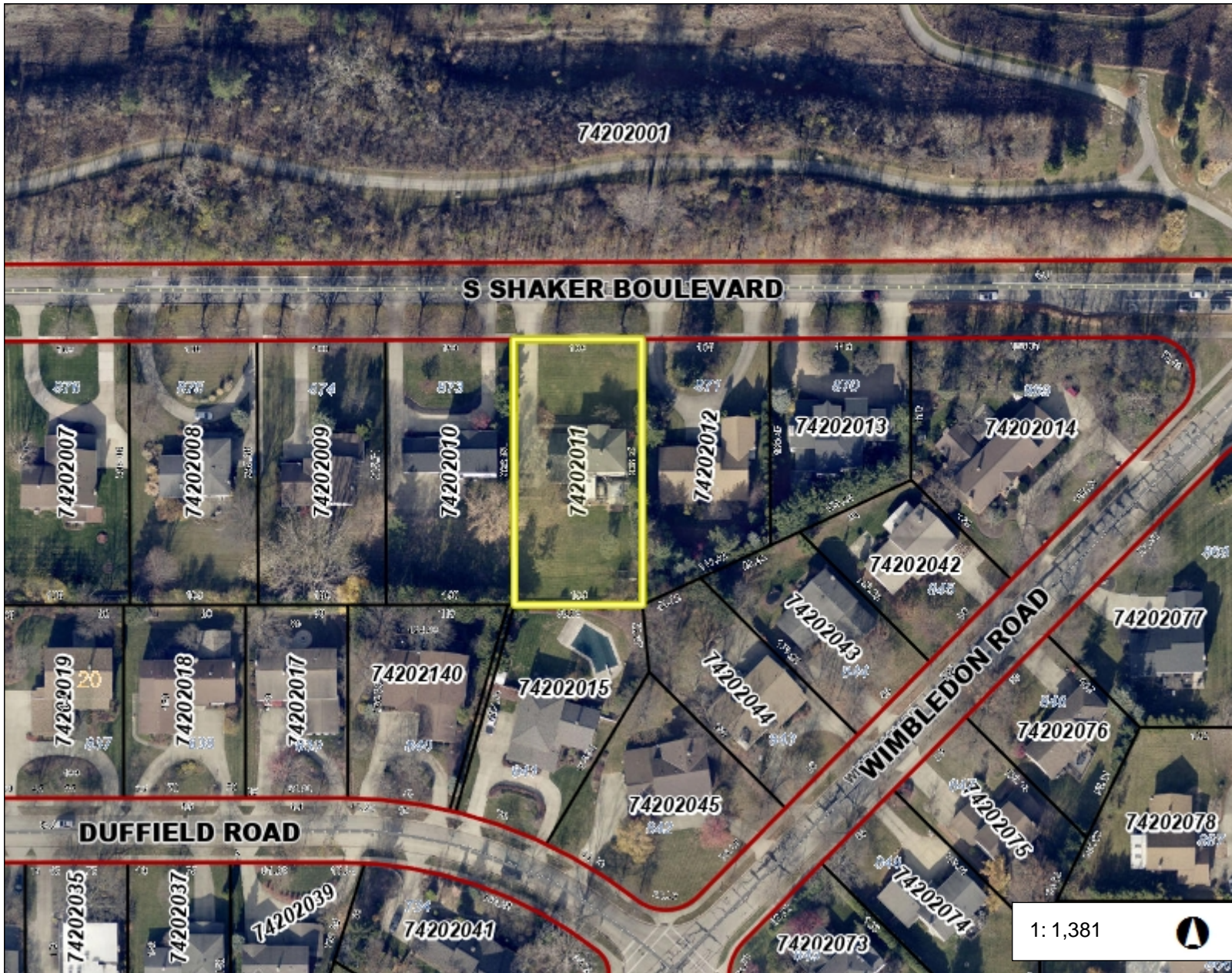
Disclaimer: Cuyahoga County provides this geographic data and related analytical results as a free public service on an "as is" basis. Cuyahoga County makes no guarantee(s) or warranty(ies) as to the accuracy, completeness, or timeliness of the information contained herein, and said information is not intended to, nor does it, constitute an official public record of Cuyahoga County. While much of the data contained herein is compiled from public records, the official records of the public office or agency from which they were compiled remains the official record of any such public office or agency. **By accessing, viewing or using any part of the site, you expressly acknowledge you have read, agree to and consent to be bound by all of the terms and conditions listed on this site. Routine maintenance is performed on Fridays and disruptions may occur. We apologize for any inconvenience.**

WATER DEPARTMENT OFFICIALS: AS OF JANUARY 1, 2021 PLEASE UTILIZE THE TRANSFER TAB ON THE MYPLACE SITE TO DETERMINE OWNERSHIP CREATING OR CLOSING ACCOUNTS. PARCEL DATA ON PROPERTY TRANSFERS ARE UPDATED DAILY. THEREFORE, YOU CAN NOW RELY ON THIS SITE FOR ACCURATE REAL PROPERTY OWNERSHIP. YOU ARE ALSO WELCOME TO ACCEPT COPIES OF RECORDED DEEDS FROM OUR OFFICE.

THANK YOU



Cuyahoga County GIS Viewer

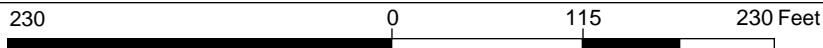


Date Created: 4/30/2025

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel
- Private Road

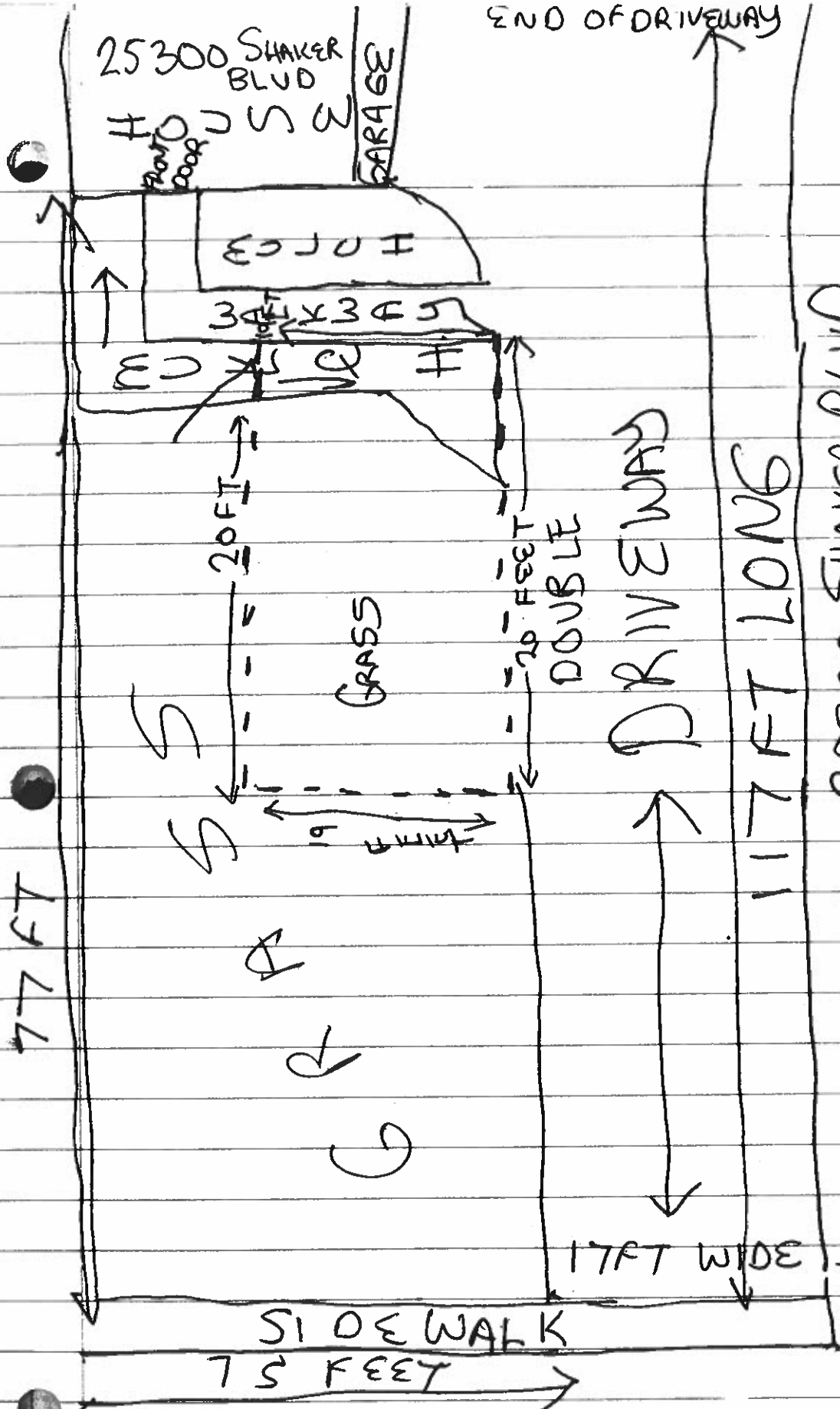
1: 1,381



Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



25300 SHAKER
BLVD
#000000
GARAGE

END OF DRIVEWAY

FRONT PORCH

34 FT X 34 FT

FRONT DOOR

20 FT

GRASS

20 FEET
DOUBLE

DRIVEWAY

117 FT LONG

25300 SHAKER BLVD

ED BLOOM

216-287-7776

77 FT

SIDEWALK
75 FEET

17 FT WIDE

P.O. Box 3163
Cuyahoga Falls, Ohio 44223
Ph: 440-725-1886
geosmerigan@gmail.com

TO: Beachwood Planning Commission

FROM: George Smerigan, City Planner



DATE: May 13, 2025

RE: **P&Z 2025-15 Edward Bloom**
25300 Shaker Boulevard
Hardscape Variance

This request is for approval of a hardscape variance for a proposed parking pad/turn around. The applicant is seeking to construct both a 19 ft. X 20 ft. concrete pad. The intent of the pad is to permit vehicles to turn around to exit the site without backing out due to the heavy traffic volumes on Shaker Boulevard.

Section 1146.03(c) limits hardscape to a maximum of fifteen percent (15%) of the total lot area. In this case, the applicant is permitted 3,090 square feet of hardscape, but currently has 3,311 square feet of hardscape. The proposed concrete pad would add 380 square feet of hardscape, which would take the total to 3,691 square feet. That would require a variance of 601 square feet or approximately 19.5%.

There are several mitigating factors. First, with the additional hardscape the applicant would still be compliant with the permitted front yard hardscape requirement. The issue is merely with the total for the lot and not the front yard hardscaping. Second, the houses on Shaker Boulevard have larger front setbacks, which mean longer driveways that contribute to hardscape totals. Third, there is a genuine safety issue with backing into Shaker Boulevard. Finally, the majority of other houses on this section of Shaker Boulevard have circular driveways, so the additional pavement in the front yard will not be out of character with the surrounding homes.

The Commission has final authority to either grant or deny these variance requests. Should the Commission decide to grant the variances, it should be 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

P&Z 2025-15
Edward Bloom
25300 Shaker Boulevard
Hardscape Variance
May 13, 2025
Page 2

- 1146.03(c) with regard to maximum permitted hardscaping.
2. Granting a variance of 601 square feet to Section 1146.03(c) to permit a total of 3,691 square feet of hardscaping in lieu of the Code permitted maximum of 3,090 square feet.



GPD GROUP®
Glaus, Pyle, Schomer, Burns & DeHaven, Inc.

Cleveland Office

5595 Transportation Blvd
Suite 100
Cleveland, OH 44125

tel 216.518.5544
fax 216.518.5545

www.gpdgroup.com

MEMORANDUM
CITY OF BEACHWOOD
PLANNING AND ZONING COMMISSION MEETING

Meeting Date: May 29, 2025

Report Date: May 13, 2025

2025120.01

To: Mr. Brian Roenigk
Building Commissioner

From: Joseph R. Ciuni, P.E. P.S.
City Engineer

AGENDA ITEM NO. 5

P & Z 2025-15 Edward Bloom has requested a 601 sq. ft. total lot allowable hardscape variance for a concrete driveway pad at 25300 Shaker Blvd., in accordance with BCO Section 1146.03 (c), Landscaping of Residential Lots Required.

1. The Engineering Dept. opposes this variance request. The driveway was previously expanded to a double-wide driveway (possibly the reason the current hardscape is already over the maximum allowable). We are against adding more hard surfaces and fail to see the hardship or practical difficulty to warrant a variance.

Fire Prevention Bureau

P&Z Report

To: Planning and Zoning Commission
From: Matthew Domonkos, Assistant Chief
Date: 05/06/2025
Re: P&Z # 2025-15 25300 Shaker Blvd. (Variance)

The Fire Prevention Bureau has reviewed the drawings/documents submitted for this item.

1. The Fire Department has no questions or comments at this time.

Matthew Domonkos

Matthew Domonkos
Assistant Fire Chief



25325 Fairmount Blvd. • Beachwood, Ohio 44122

Phone (216)292-1914 • Fax (216)292-1917

Email: Building@beachwoodohio.com

PLANNING & ZONING APPLICATION

Form must be completed or will not be processed

APPLICATION DATE: 4/10/2025

OWNER OF BUILDING: 2387 s green llc PHONE: 2169044964

STREET ADDRESS: 2387 s green

CITY/STATE/ZIP: beachwood ohio

APPLICANT: tzvi maimon PHONE: 2169044964

COMPANY OR FIRM: 2387 s green llc

EMAIL: maimontzvi@gmail.com

STREET ADDRESS: 2387 s green

CITY/STATE/ZIP: beachwood ohio 44118

PRESENTER(S) TO APPEAR AT THE P&Z MEETING (include name & email address):

tzvi maimon maimontzvi@gmail.com

pete malone vivamalone@gmail.com

DESCRIPTION OF THE PROPERTY:

ADDRESS: 2387 s green rd beachwood ohio SUITE # _____

TENANT NAME: _____

PERMANENT PARCEL # _____ - _____ - _____ PRESENT USE: _____ PROPOSED USE: _____

PURPOSE OF APPLICATION: would like to widen driveway so i can fit 2 cars and be l able to wal
in between them comfortably

NATURE OF THE REQUEST (check as many as apply):

- Preliminary site plan approval
- Final site plan approval
- Lot split
- Lot consolidation
- Conditional use permit
- Rezoning
- Zoning text amendment
- Other _____
- Request for a variance.

Must provide a "Box Score" indicating permitted area, distance, etc. and requested area, distance, etc. with application.

Please explain reason for variance (must indicate a hardship):

current driveway is very narrow and cracked up creating a lot of dirt and mud.

Are there any special issues regarding this application that should be brought to the attention of the Planning Commission and Staff? If so, please explain. _____

Planning & Zoning Submission Requirements:

- Attach site plan of the proposed development with details such as square footage, height, purpose.
- Attach an aerial photo depicting the property and surrounding area (these are available online via County Auditor's GIS website or Google Earth).
- Attach copy of the Auditor's Report from the Cuyahoga County website indicating the real estate taxes for the property have been paid on a current basis.
- Any Planning & Zoning application which requires Council approval must have a representative attend the scheduled Council meeting.

Planning & Zoning Submission Filing Fees & Deposits:

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A cash fee in the amount set forth in the following schedule shall be submitted in addition to the filing fee listed in subsection (a) hereof, at the time of application to the Planning and Zoning Commission and/or Council:

	<u>Zoning District</u>	<u>Fee</u>
(1)	U-1, A-1 / U-1, A-2 / U-2 / U-2A / Variances Includes all applications to the Planning Commission and/or Council except applications for lot splits and/or consolidations plats, easement applications, and any application required to be recorded with the County Recorder's Office.	\$300.00
(2)	All other Zoning Districts for site development plan review (new building/addition)	\$5,000.00
(3)	All lot split and/or consolidation plats, easements, and any application required to be recorded with the County Recorder's Office	\$1,500.00
(4)	For all Zoning Districts, excepting U-1, A-1/U-1, A-2/U-2/ and U-2A, all other applications, including, but not limited to: special use permits, conditional use permits, variances, text amendments, or similar or harmonious use	\$750.00
(5)	Map Amendment	\$2,500.00

We, the building owner and/or applicant, with our signature below, hereby agree to follow specifically the plans submitted to and approved by the Planning and Zoning Commission and do agree to construct said building(s) as depicted on said approved plans.



 SIGNATURE

Tzvi Maimon

 PRINTED NAME

4/30/2025

 DATE

*****OFFICE USE ONLY*****

PLANNING & ZONING COMMISSION - P&Z No. _____ MEETING DATE: _____

FEE: RECEIPT # _____ AMOUNT \$ _____ DATE PAID _____

Preliminary Approval: _____
Date

Final Approval: _____
Date

Recommendation to Council: YES NO Meeting Date: _____



Search

City

Search By Owner Parcel Address

PROPERTY DATA

- General Information
- Transfers
- Values
- Land
- Building Information
- Building Sketch
- Other Improvements
- Permits
- Property Summary Report

TAXES

- Tax By Year
- Pay Your Taxes Online

LEGAL RECORDINGS

- Get a Document List

Primary Owner

2387 GREEN ROAD LLC

Property Address

2387 Green RD Beachwood,OH 44122

Tax Mailing Address

2387 GREEN ROAD LLC 2495 LAURELHURST RD UNIVERSITY HTS., OH 44118

Description

8 GREENL 0031 ALL

Property Class

SINGLE FAMILY DWELLING

Parcel Number

741-10-002

Taxset

Beachwood

Tax Year

2024 Pay 2025

Summary By Tax Year 2024 Pay 2025

Please use the Pay Your Taxes Online to pay your tax bill for the current tax year

ACTIVITY
Informal Reviews
Board of Revisions Cases

Assessed Values

Land Value	\$21,840
Building Value	\$91,910
Total Value	<u>\$113,750</u>
Homestead Value	\$

Half Year Charge Amounts

Gross Tax	\$6,922.26
Less 920 Reduction	<u>\$3,758.06</u>
Sub Total	\$3,164.20
Non-business Credit	\$237.60
Owner Occupancy Credit	\$.00
Homestead Reduction	\$.00
Total Assessments	<u>\$37.50</u>
Half Year Net Taxes	<u>\$2,964.10</u>

Market Values

Land Value	\$62,400
Building Value	<u>\$262,600</u>
Total Value	<u>\$325,000</u>

Rates

Full Rate	121.71
920 Reduction Rate	.542895
Effective Rate	55.63427

Flags

Owner Occupancy Credit	N
Homestead Reduction	N

Foreclosure	N
Cert. Pending	N
Cert. Sold	N
Payment Plan	N

Escrow

Escrow	Y
Payment Amount	\$1,586.99

Tax Balance Summary

Charges

\$9,204.69

Payments

\$3,593.33

Balance Due

\$5,611.36

2024 (pay in 2025) Charge and Payment Detail

Taxset	Charge Type	Charges	Payments	Balance Due
Beachwood				
	Prior year tax - 2022	\$2,283.39	\$524.20	\$1,759.19
	Prior year penalty - 2022	\$518.86	\$105.03	\$413.83
	Prior year interest - 2023	\$90.50	\$0.00	\$90.50
	Prior year August interest - 2024	\$250.92	\$0.00	\$250.92
	December interest - 2024	\$84.89	\$0.00	\$84.89
	DELQ BALANCE	\$3,228.56	\$629.23	\$2,599.33

1st half tax	\$2,926.60	\$2,926.60	\$.00
1ST HALF BALANCE	\$2,926.60	\$2,926.60	\$.00
2nd half tax	\$2,926.60	\$.00	\$2,926.60
2ND HALF BALANCE	\$2,926.60	\$.00	\$2,926.60

C100030C-SEWER MAINTENANCE

Prior year tax - 2022	\$18.75	\$.00	\$18.75
Prior year interest - 2023	\$.56	\$.00	\$.56
Prior year August interest - 2024	\$1.74	\$.00	\$1.74
December interest - 2024	\$.63	\$.00	\$.63
DELQ BALANCE	\$21.68	\$.00	\$21.68
1st half tax - 2024	\$18.75	\$18.75	\$.00
1ST HALF BALANCE	\$18.75	\$18.75	\$.00
2nd half tax - 2024	\$18.75	\$.00	\$18.75
2ND HALF BALANCE	\$18.75	\$.00	\$18.75

C100030S-Sewer Maintenance

Prior year tax - 2022	\$18.75	\$.00	\$18.75
Prior year penalty - 2022	\$3.95	\$.00	\$3.95
Prior year interest - 2023	\$.68	\$.00	\$.68
Prior year August interest - 2024	\$2.11	\$.00	\$2.11
December interest - 2024	\$.76	\$.00	\$.76
DELQ BALANCE	\$26.25	\$.00	\$26.25
1st half tax - 2024	\$18.75	\$18.75	\$.00
1ST HALF BALANCE	\$18.75	\$18.75	\$.00
2nd half tax - 2024	\$18.75	\$.00	\$18.75
2ND HALF BALANCE	\$18.75	\$.00	\$18.75

Charges Payments Balance Due

Total Balance

\$9,204.69 \$3,593.33 \$5,611.36

PAY BY E-CHECK OR CREDIT/DEBIT CARD

View Map

Updated :04/30/2025 03:40:39 AM

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THANK YOU



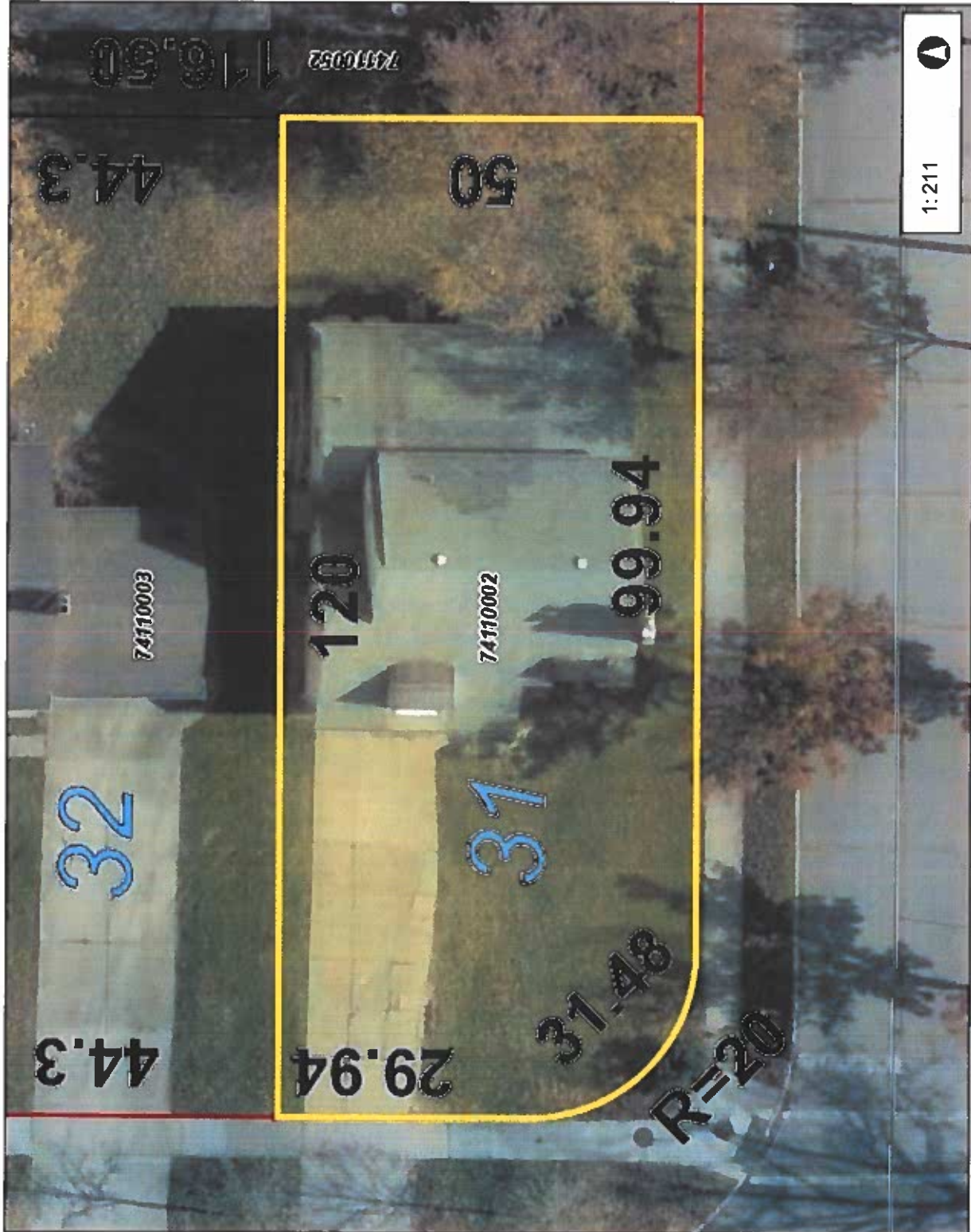
Cuyahoga County GIS Viewer



Date Created: 4/9/2025

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel
- Private Road



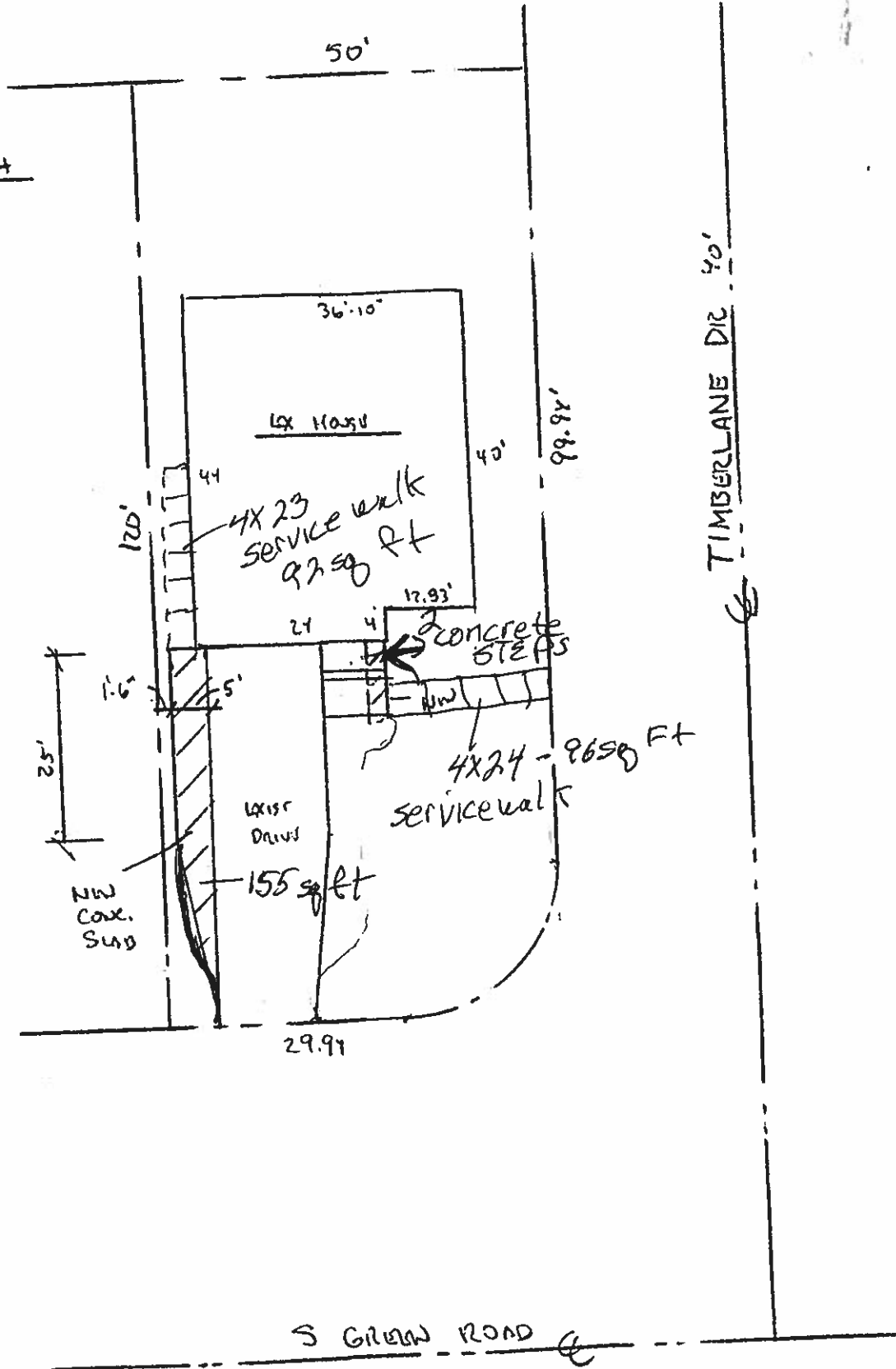
1:211



Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

NORTH



SITE PLAN:
SCALE: 1" = 20'

P.O. Box 3163
Cuyahoga Falls, Ohio 44223
Ph: 440-725-1886
geosmerigan@gmail.com

TO: Beachwood Planning Commission

FROM: George Smerigan, City Planner

DATE: May 13, 2025

RE: **P&Z 2025-16 2387 s green, llc**
2387 South Green Road
Hardscape Variance

This request is for approval of two (2) hardscape variances in order to widen the existing driveway and add service walks on both sides of the house. The pavement would extend to within 1.5 feet of the side lot line. Section 1146.03(c) limits hardscape to a maximum of fifteen percent (15%) of the total lot area. In this case, the applicant is permitted 900 square feet of hardscape and currently has 745 square feet of hardscape. The proposed additional pavement would add 343 square feet of hardscape, which would take the total to 1,088 square feet. That would require a variance of 188 square feet or approximately 21%.

In addition, Section 1146.04 limits the amount of hardscape in front yards to a maximum of 40% of the front yard area. In this instance, that is 512 square feet. The existing front yard hardscape on the subject lot is 668 square feet. The portion of the proposed pavement that is within the front yard area is 251 square feet. That would bring to total hardscape within the front yard to 919 square feet. That would require a variance of 407 square feet or 79.5%.

The applicant has a double wide driveway that is typically considered adequate for a two-car garage. There is no apparent practical difficulty associated with the desired 5 feet expansion of the driveway or the extension of the walkways. The desire for two variances and the size of the variances is not supported by any unique characteristics of the property. The granting of these variances is not recommended.

The Commission has final authority to either grant or deny these variance requests. Should the Commission decide that there is sufficient evidence to make a

P&Z 2025-16
2387 s green, llc
2387 South Green Road
Hardscape Variance
May 13, 2025
Page 2

determination that there is a practical difficulty and to grant the variances, that action should be 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 1146.03(c) with regard to maximum permitted hardscaping and to Code Section 1146.04 with regard to maximum permitted hardscaping in front yards.
2. Granting a variance of 188 square feet to Section 1146.03(c) to permit a total of 1,088 square feet of hardscaping in lieu of the Code permitted maximum of 900 square feet.
3. Granting a variance of 407 square feet to Section 1146.04 to permit a total of 919 square feet of hardscaping in the front yard in lieu of the Code permitted maximum of 512 square feet.



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MEMORANDUM
CITY OF BEACHWOOD
PLANNING AND ZONING COMMISSION MEETING

Meeting Date: May 29, 2025

Report Date: May 13, 2025

2025120.01

To: Mr. Brian Roenigk
Building Commissioner

From: Joseph R. Ciuni, P.E. P.S.
City Engineer

AGENDA ITEM NO. 6

P & Z 2025-16 **Tzvi Maimon has requested a 407 sq. ft. front yard allowable hardscape variance in accordance with BCO Section 1146.04, Driveways in Class U-1 District, and a 188 sq. ft. total lot allowed hardscape variance, in accordance with BCO Section 1146.03 (c), Landscaping of Residential Lots Required, to widen the existing driveway at 2387 South Green Road.**

1. The Engineering Dept. recommends approval of the request to widen the driveway. We do not recommend approval of the 2 service walks. There is a hardship with the small lot and the narrow driveway pulling out onto South Green Road. We are against adding more hardscape and feel the service walks can be installed with other materials to prevent adding more hard surfaces.

Fire Prevention Bureau

P&Z Report

To: Planning and Zoning Commission
From: Matthew Domonkos, Assistant Chief
Date: 05/06/2025
Re: P&Z # 2025-16 2387 S. Green Rd. (Variance)

The Fire Prevention Bureau has reviewed the drawings/documents submitted for this item.

1. The Fire Department has no questions or comments at this time.

Matthew Domonkos

Matthew Domonkos
Assistant Fire Chief

PLANNING & ZONING APPLICATION

Form must be completed or will not be processed

APPLICATION DATE: 5-5-15

OWNER OF BUILDING: ANSHEL EPSTEIN PHONE: 216 346 5770

STREET ADDRESS: 25161 CARDINGTON DR

CITY/STATE/ZIP: BEACHWOOD OH 44114

APPLICANT: ANSHEL EPSTEIN PHONE: 216 346 5730

COMPANY OR FIRM: _____

EMAIL: ANSHEL@EPSTEINOHIO.COM

STREET ADDRESS: 25161 CARDINGTON DR

CITY/STATE/ZIP: BEACHWOOD OH 44114

PRESENTER(S) TO APPEAR AT THE P&Z MEETING (include name & email address):

ANSHEL EPSTEIN

DESCRIPTION OF THE PROPERTY:

ADDRESS: 25161 CARDINGTON DR SUITE # _____

TENANT NAME: _____

PERMANENT PARCEL # _____ - _____ - _____ PRESENT USE: _____ PROPOSED USE: _____

PURPOSE OF APPLICATION: ADDING A GARAGE

NATURE OF THE REQUEST (check as many as apply):

- Preliminary site plan approval
- Final site plan approval
- Lot split
- Lot consolidation
- Conditional use permit
- Rezoning
- Zoning text amendment
- Other TO STORE MY TRACTOR
- Request for a variance.

Must provide a "Box Score" indicating permitted area, distance, etc. and requested area, distance, etc. with application.
Please explain reason for variance (must indicate a hardship):

Are there any special issues regarding this application that should be brought to the attention of the Planning Commission and Staff? If so, please explain. _____



CUYAHOGA COUNTY, *Ohio*

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- [Building Sketch](#)
- [Other Improvements](#)
- [Permits](#)
- [Property Summary Report](#)

TAXES

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- [Pay Your Taxes Online](#)

LEGAL RECORDINGS

- [Get a Document List](#)

Primary Owner

EPSTEIN, ANSHEL & NECHAMA

Property Address

25161 Cardington DR Beachwood, OH 44122

Tax Mailing Address

NECHAMA & ANSHEL EPSTEIN 24118 E BAINTREE RD BEACHWOOD, OH 44122

Description

19 FRMT PK EST#2 0047 ALL

Property Class

SINGLE FAMILY DWELLING

Parcel Number

741-19-017

Taxset

Beachwood

Tax Year

2024 Pay 2025

[PAY BY E-CHECK OR CREDIT/DEBIT CARD](#)

Summary By Tax Year 2024 Pay 2025

Please use the Pay Your Taxes Online to pay your tax bill for the current tax year

ACTIVITY
Informal Reviews
Board of Revisions Cases

Assessed Values

Land Value	\$37,450
Building Value	<u>\$95,900</u>
Total Value	<u><u>\$133,350</u></u>
Homestead Value	\$

Half Year Charge Amounts

Gross Tax	\$8,115.01
Less 920 Reduction	<u>\$4,405.60</u>
Sub Total	\$3,709.41
Non-business Credit	\$278.54
Owner Occupancy Credit	\$.00
Homestead Reduction	\$.00
Total Assessments	<u>\$86.26</u>
Half Year Net Taxes	<u><u>\$3,517.13</u></u>

Market Values

Land Value	\$107,000
Building Value	<u>\$274,000</u>
Total Value	<u><u>\$381,000</u></u>

Rates

Full Rate	121.71
920 Reduction Rate	.542895
Effective Rate	55.63427

Flags

Owner Occupancy Credit	N
Homestead Reduction	N

Foreclosure	N
Cert. Pending	N
Cert. Sold	N
Payment Plan	N

Escrow

Escrow	N
Payment Amount	\$.00

Tax Balance Summary

Charges

\$7,034.24

Payments

\$3,517.56

Balance Due

\$3,516.68

2024 (pay in 2025) Charge and Payment Detail

Taxset	Charge Type	Charges	Payments	Balance Due
Beachwood				
	1st half tax	\$3,430.87	\$3,430.87	\$.00
	1ST HALF BALANCE	\$3,430.87	\$3,430.87	\$.00
	2nd half tax	\$3,430.87	\$.43	\$3,430.44
	2ND HALF BALANCE	\$3,430.87	\$.43	\$3,430.44
C100030C-SEWER MAINTENANCE				
	1st half tax - 2024	\$43.13	\$43.13	\$.00
	1ST HALF BALANCE	\$43.13	\$43.13	\$.00
	2nd half tax - 2024	\$43.12	\$.00	\$43.12
	2ND HALF BALANCE	\$43.12	\$.00	\$43.12

C100030S-Sewer Maintenance

1st half tax - 2024	\$43.13	\$43.13	\$.00
1ST HALF BALANCE	\$43.13	\$43.13	\$.00
2nd half tax - 2024	\$43.12	\$.00	\$43.12
2ND HALF BALANCE	\$43.12	\$.00	\$43.12

	Charges	Payments	Balance Due
Total Balance	\$7,034.24	\$3,517.56	\$3,516.68

PAY BY E-CHECK OR CREDIT/DEBIT CARD

View Map

Updated :05/05/2025 03:47:32 AM

Disclaimer: Cuyahoga County provides this geographic data and related analytical results as a free public service on an "as is" basis. Cuyahoga County makes no guarantee(s) or warranty(ies) as to the accuracy, completeness, or timeliness of the information contained herein, and said information is not intended to, nor does it, constitute an official public record of Cuyahoga County. While much of the data contained herein is compiled from public records, the official records of the public office or agency from which they were compiled remains the official record of any such public office or agency. **By accessing, viewing or using any part of the site, you expressly acknowledge you have read, agree to and consent to be bound by all of the terms and conditions listed on this site. Routine maintenance is performed on Fridays and disruptions may occur. We apologize for any inconvenience.**

WATER DEPARTMENT OFFICIALS: AS OF JANUARY 1, 2021 PLEASE UTILIZE THE TRANSFER TAB ON THE MYPLACE SITE TO DETERMINE OWNERSHIP CREATING OR CLOSING ACCOUNTS. PARCEL DATA ON PROPERTY TRANSFERS ARE UPDATED DAILY. THEREFORE, YOU CAN NOW RELY ON THIS SITE FOR ACCURATE REAL PROPERTY OWNERSHIP. YOU ARE ALSO WELCOME TO ACCEPT COPIES OF RECORDED DEEDS FROM OUR OFFICE.

THANK YOU



Cuyahoga County GIS Viewer



Date Created: 5/5/2025

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel
- Private Road

141 0 70 141 Feet

Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

OFFICE COPY

RECEIVED
MAY 05 2025

VINYL
SIDING

10

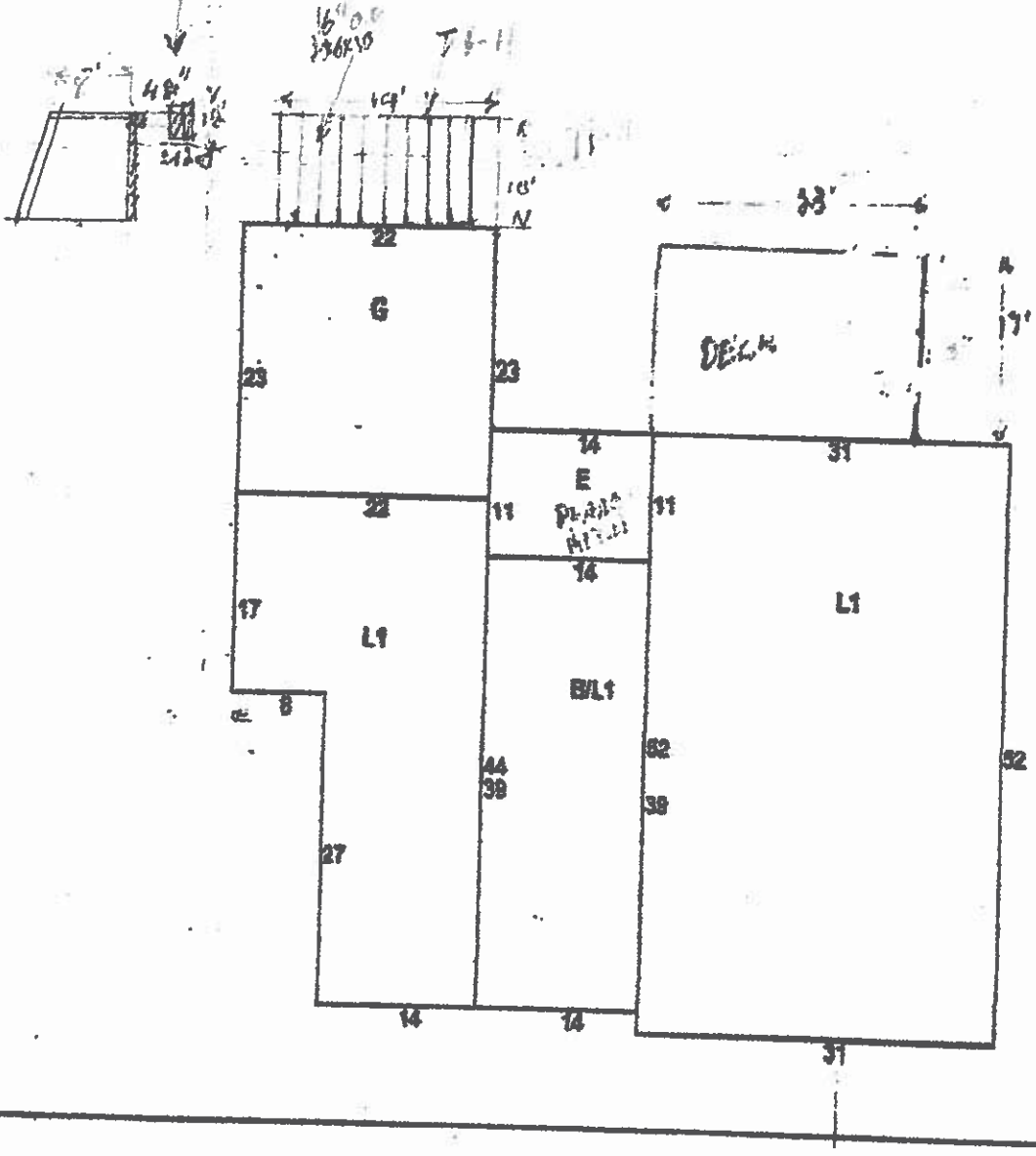
144.5 SQ FT

17

17

ANDREW EPSTEIN
 25161 CARDINGTON DR
 BEACHWOOD OH 44127

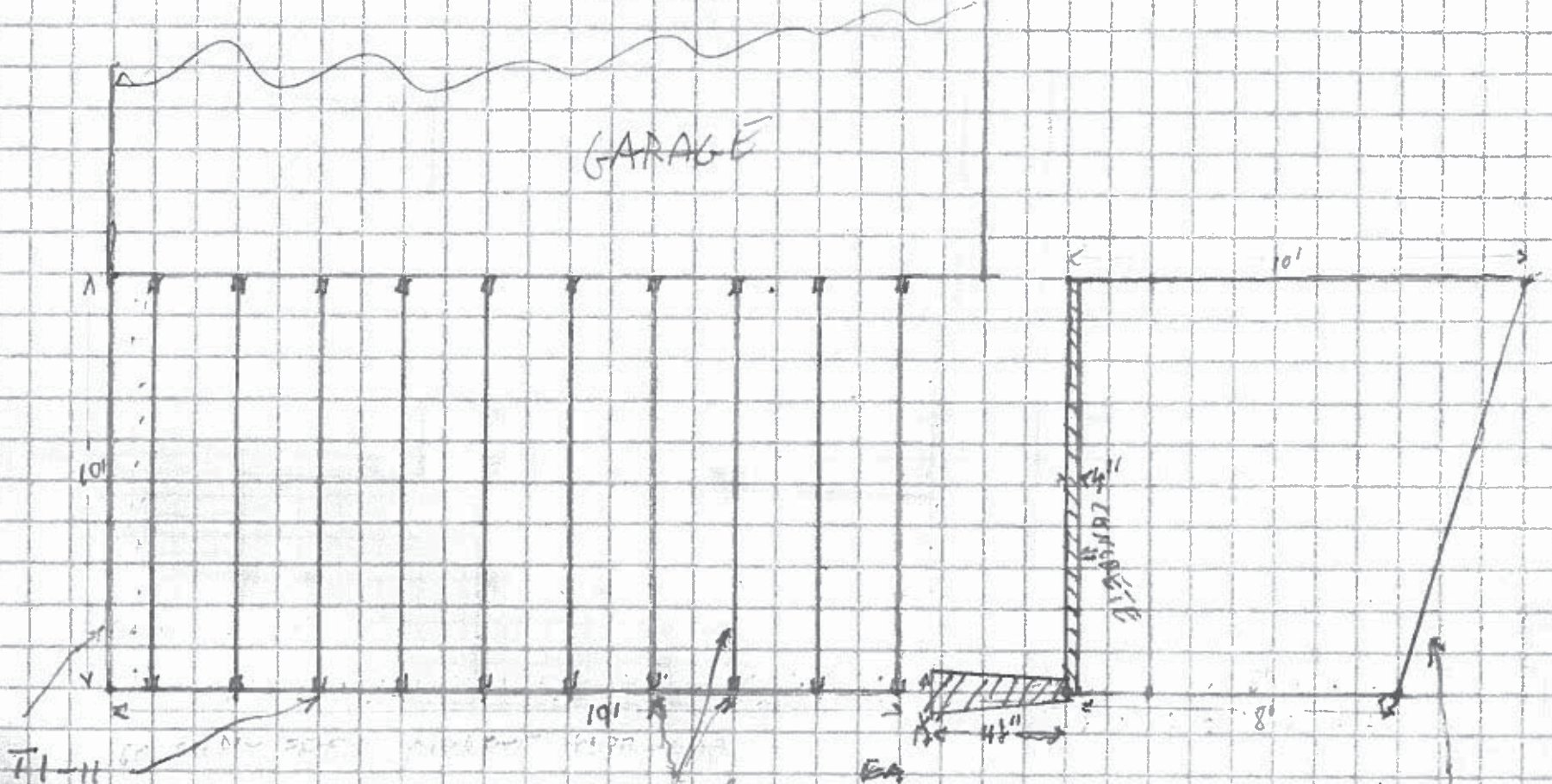
OKG



1" = 1'

AUSTIN EPSTEIN
2561 CARROLLTON DR
BEACHWOOD GA 30622
404 3465550

GARAGE



- 1" x 6" x 10" @ 24" O.C. EA
- 2" x 4" x 16" 10
- 2" x 4" x 8" 17
- 7' GARAGE DOOR
- 26" x 10' ROOFING PANEL 10

26" x 10'
AMERICAN COVERLITE
POLYCARBONATE PANEL

60' CONCRETE FLOOR

Tactical Planning, LLC

P.O. Box 3163
Cuyahoga Falls, Ohio 44223
Ph: 440-725-1886
geosmerigan@gmail.com

TO: Beachwood Planning Commission

FROM: George Smerigan, City Planner



DATE: May 10, 2025

RE: **P&Z 2025-17 Epstein Residence**
25161 Cardington Drive
Rear Setback Variance

This request is for approval to construct a garage addition on the rear of the existing dwelling. Section 1113.03 requires a rear yard setback of 40 feet. The applicant is seeking to place the addition 15 feet from the rear lot line, which would require a variance of 25 feet. The applicant has a unique circumstance as the rear lot line runs at a severe angle to the front line of the lot. There is a 60 feet difference in the depth of the lot from one side lot line to the other. The existing garage is on the short side of the lot and is a side load garage. Therefore, the only reasonable location for an addition is on the short side of the rear yard. The 25 feet variance would only occur at the front corner of the garage and the distance to the rear lot line would increase by about 10 at the rear of the proposed addition. The house has a rear yard setback of approximately 75 feet on the opposite side of the house.

This is clearly a unique circumstance with an unusual lot configuration. The applicant is also constrained by the existing house location and garage location. In my opinion there is practical difficulty due to the combination of the odd lot configuration and the existing house and garage orientation. Some landscaping should be provided to minimize the impact on the neighbor.

The Commission has final authority to either grant or deny the requested variance. Should the Commission determine to grant the variance, it should be 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 the minimum rear yard setback.
2. Granting a variance of 25 feet to Section 1113.03 to permit a rear yard building setback of 15 feet in lieu of the Code required 40 feet.
3. Landscaping be provided along the property line as approved by the Building Commissioner.



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MEMORANDUM
CITY OF BEACHWOOD
PLANNING AND ZONING COMMISSION MEETING

Meeting Date: May 29, 2025

Report Date: May 13, 2025

2025120.01

To: Mr. Brian Roenigk
Building Commissioner

From: Joseph R. Ciuni, P.E. P.S.
City Engineer

AGENDA ITEM NO. 7

P & Z 2025-17 Anshel Epstein has requested a 25' rear yard setback variance for a garage addition at 25161 Cardington Drive, in accordance with BCO Section 1113.03, Rear Yards.

1. The Engineering Dept. has no comment on this item.

Fire Prevention Bureau

P&Z Report

To: Planning and Zoning Commission
From: Matthew Domonkos, Assistant Chief
Date: 05/06/2025
Re: P&Z # 2025-17 25161 Cardington Dr. (Variance)

The Fire Prevention Bureau has reviewed the drawings/documents submitted for this item.

1. The Fire Department has no questions or comments at this time.

Matthew Domonkos

Matthew Domonkos
Assistant Fire Chief

PLANNING & ZONING APPLICATION

Form must be completed or will not be processed

APPLICATION DATE: 4-30-2025

OWNER OF BUILDING: Beachwood Office LLC PHONE: 414-777-1200

STREET ADDRESS: 1200 N. Mayfair Road, Suite 410

CITY/STATE/ZIP: Milwaukee WI 53226

APPLICANT: Beachwood Office LLC PHONE: 216-469-1924

COMPANY OR FIRM: Beachwood Office LLC

EMAIL: c/o jbhellerconsulting@gmail.com

STREET ADDRESS: 24407 Tunbridge Lane

CITY/STATE/ZIP: Beachwood OH 44122

PRESENTER(S) TO APPEAR AT THE P&Z MEETING (include name & email address):

James B. Heller jbhellerconsulting@gmail.com, Ron Tannenbaum with RDL Architects ront@rdlarchitects.com; Diane Calta, dcalta@mggmlpa@.com

DESCRIPTION OF THE PROPERTY:

ADDRESS: 23250 Chargrin Blvd, Beachwood, OH 44122 SUITE # N/A

TENANT NAME: N/A

PERMANENT PARCEL # 742 .23 .002 PRESENT USE: U-3C PROPOSED USE: U-3C

PURPOSE OF APPLICATION: To submit for a preliminary site development plan review and approval.

NATURE OF THE REQUEST (check as many as apply):

- Preliminary site plan approval
- Final site plan approval
- Lot split
- Lot consolidation
- Conditional use permit
- Rezoning
- Zoning text amendment
- Other _____
- Request for a variance.

Must provide a "Box Score" indicating permitted area, distance, etc. and requested area, distance, etc. with application. Please explain reason for variance (**must indicate a hardship**):

Are there any special issues regarding this application that should be brought to the attention of the Planning Commission and Staff? If so, please explain. _____

Planning & Zoning Submission Requirements:

- Attach site plan of the proposed development with details such as square footage, height, purpose.
- Attach an aerial photo depicting the property and surrounding area (these are available online via County Auditor's GIS website or Google Earth).
- Attach copy of the Auditor's Report from the Cuyahoga County website indicating the real estate taxes for the property have been paid on a current basis.
- Any Planning & Zoning application which requires Council approval must have a representative attend the scheduled Council meeting.


Planning & Zoning Submission Filing Fees & Deposits:

A non-refundable filing fee in the amount of thirty-five dollars (\$35.00) shall be paid to the City for each application submitted to the Planning and Zoning Commission; and...

A cash fee in the amount set forth in the following schedule shall be submitted in addition to the filing fee listed in subsection (a) hereof, at the time of application to the Planning and Zoning Commission and/or Council:

	<u>Zoning District</u>	<u>Fee</u>
(1)	U-1, A-1 / U-1, A-2 / U-2 / U-2A / Variances Includes all applications to the Planning Commission and/or Council except applications for lot splits and/or consolidations plats, easement applications, and any application required to be recorded with the County Recorder's Office.	\$300.00
(2)	All other Zoning Districts for site development plan review (new building/addition)	\$5,000.00
(3)	All lot split and/or consolidation plats, easements, and any application required to be recorded with the County Recorder's Office	\$1,500.00
(4)	For all Zoning Districts, excepting U-1, A-1/U-1, A-2/U-2/ and U-2A, all other applications, including, but not limited to: special use permits, conditional use permits, variances, text amendments, or similar or harmonious use	\$750.00
(5)	Map Amendment	\$2,500.00

We, the building owner and/or applicant, with our signature below, hereby agree to follow specifically the plans submitted to and approved by the Planning and Zoning Commission and do agree to construct said building(s) as depicted on said



 SIGNATURE

Stewart M. Wangard

 PRINTED NAME

4-30-2025

 DATE

*****OFFICE USE ONLY*****

PLANNING & ZONING COMMISSION - P&Z No. _____ MEETING DATE: _____

FEE: RECEIPT # _____ AMOUNT \$ _____ DATE PAID _____

Preliminary Approval: _____
 Date

Final Approval: _____
 Date

Recommendation to Council: YES NO Meeting Date: _____



CUYAHOGA COUNTY, *Ohio*

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- [Property Summary Report](#)

TAXES

- [Tax By Year](#)
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Primary Owner

BEACHWOOD OFFICE, LLC

Property Address

23250 Chagrin BLVD Beachwood, OH 44122

Tax Mailing Address

BEACHWOOD OFFICE, LLC 1200 N MAYFAIR SUITE 410 MILWAUKEE, WI 53226

Description

58 COMMERCE PARK DEV 0001 EMP 74223010

Property Class

OFFICE BUILDINGS - 3 OR MORE STORIES (ELEVATOR)

Parcel Number

742-23-002

Taxset

Beachwood

Tax Year

2024 Pay 2025

[PAY BY E-CHECK OR CREDIT/DEBIT CARD](#)

Summary By Tax Year 2024 Pay 2025

Please use the Pay Your Taxes Online to pay your tax bill for the current tax year

ACTIVITY
Informal Reviews
Board of Revisions Cases

Assessed Values

Land Value	\$327,780
Building Value	<u>\$355,290</u>
Total Value	<u><u>\$683,070</u></u>
Homestead Value	\$

Half Year Charge Amounts

Gross Tax	\$41,568.22
Less 920 Reduction	<u>\$16,428.16</u>
Sub Total	\$25,140.06
Non-business Credit	\$.00
Owner Occupancy Credit	\$.00
Homestead Reduction	\$.00
Total Assessments	<u>\$150.12</u>
Half Year Net Taxes	<u><u>\$25,290.18</u></u>

Market Values

Land Value	\$936,500
Building Value	<u>\$1,015,100</u>
Total Value	<u><u>\$1,951,600</u></u>

Rates

Full Rate	121.71
920 Reduction Rate	.395209
Effective Rate	73.609058

Flags

Owner Occupancy Credit	N
Homestead Reduction	N

Foreclosure	N
Cert. Pending	N
Cert. Sold	N
Payment Plan	N

Escrow

Escrow	N
Payment Amount	\$.00

Tax Balance Summary

Charges

\$50,580.34

Payments

\$25,290.18

Balance Due

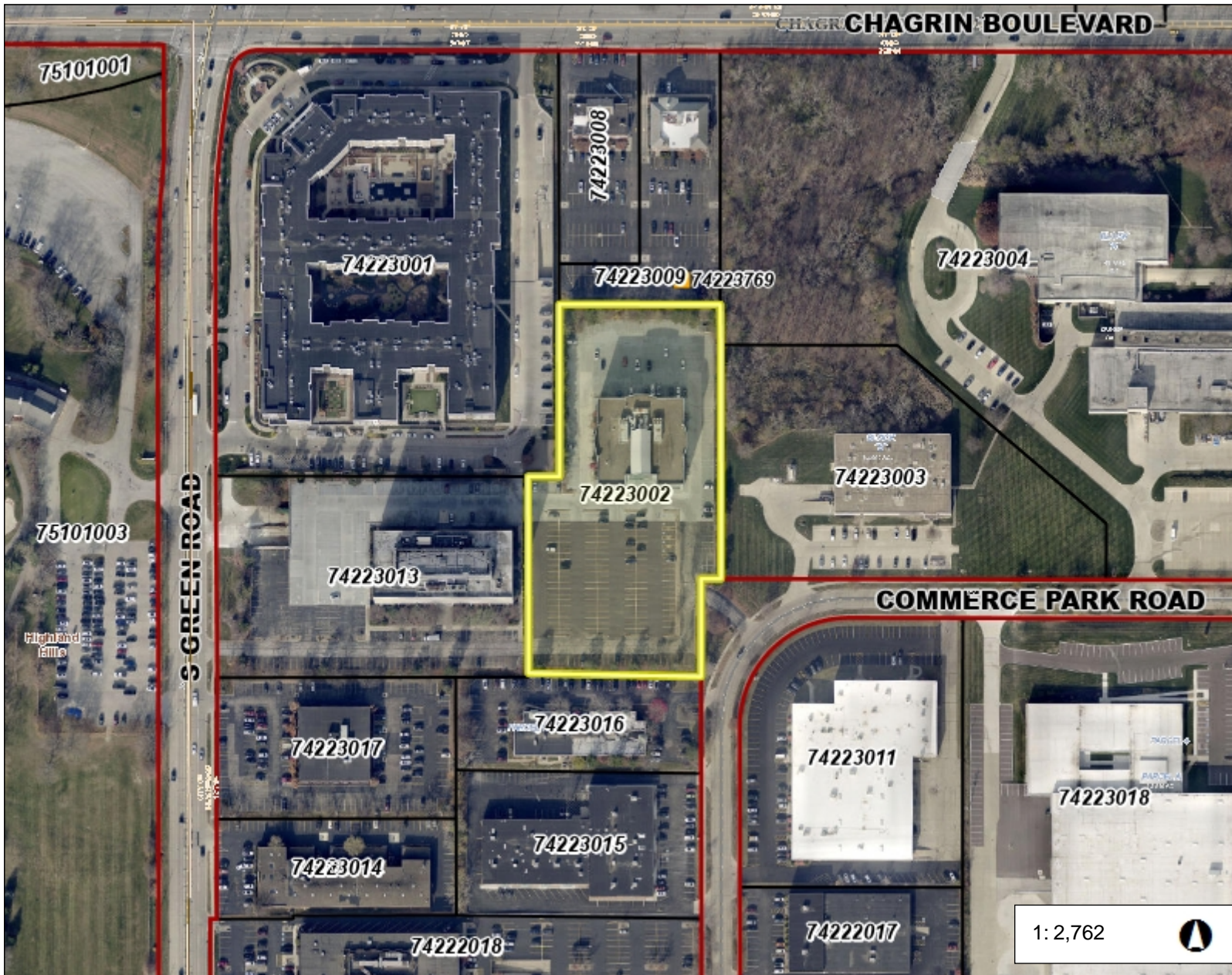
\$25,290.16

2024 (pay in 2025) Charge and Payment Detail

Taxset	Charge Type	Charges	Payments	Balance Due
Beachwood				
	1st half tax	\$25,140.06	\$25,140.06	\$.00
	1ST HALF BALANCE	\$25,140.06	\$25,140.06	\$.00
	2nd half tax	\$25,140.06	\$.00	\$25,140.06
	2ND HALF BALANCE	\$25,140.06	\$.00	\$25,140.06
C100030C-SEWER MAINTENANCE				
	1st half tax - 2024	\$75.06	\$75.06	\$.00
	1ST HALF BALANCE	\$75.06	\$75.06	\$.00



Cuyahoga County GIS Viewer



Date Created: 5/2/2025

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel
- Private Road

460 0 230 460 Feet

Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

April 30, 2025

Bryan Zabell, Chairman
City of Beachwood
Planning and Zoning Commission
c/o Veronica.Muth@beachwoodohio.com
25325 Fairmount Boulevard
Beachwood, Ohio 44122

Re: ***Beachwood Office, LLC (“Applicant”)***
Preliminary Site Development Plan Application P & Z Case No. 2024-48
Commerce Park Building V
23250 Chagrin Boulevard, Beachwood, Ohio 44122 (“Property”)

Dear Chairman Zabell and Members of the Planning and Zoning Commission:

Please accept this letter as part of Beachwood Office LLC’s preliminary site development plan application known as P & Z Case No. 2024-48. The matter was tabled at the January 30, 2025 Planning and Zoning Commission meeting to allow a determination to be made on the Applicant’s rezoning request. The rezoning and a height variance were recommended for approval by the Commission and approved by Council on April 21, 2025. For reference, see Beachwood Ordinance 2024-82.

The preliminary site development plan has been developed by the Wangard Team and its architect Ron Tannenbaum with RDL Architects and is now ready for consideration by the Commission. RDL Architects is a local architectural firm with strong roots in the City of Beachwood. It is requested that the matter be taken from the table at the Commission’s next regularly scheduled meeting for further consideration. The preliminary site development plan application for the proposed redevelopment of the Property was and is being submitted in accordance with Beachwood Codified Ordinance Section 1108.02. A copy of the legal description plus all other required documents were previously submitted.

The Applicant, Beachwood Office LLC, is owned by Stewart Wangard of Wangard Partners, Inc. Wangard Partners, Inc. is a commercial real estate investment company, established in 1992, that partners with high net worth and industrial investors to acquire, develop and manage multifamily, industrial, retail and office properties.

The property is approximately 3.529 acres and currently contains a four (4) story commercial office building. After considerable due diligence, the Applicant is proposing to tear down the existing four (4) story commercial office building and replace it with a complex called ‘Icon East’ to accommodate approximately +/- 126 residential apartments and 293 total parking



spaces. The buildings will have total square footage of approximately 144,329 square feet. The height of the two (2) building will be 6 stories and approximately 75 feet high.

The development will include residential amenities such as an outdoor pool, exercise facility, dog park and pickle ball courts. Overall, the investment in this building, including site acquisition and development will be well over 25 million dollars. This redevelopment will result in additional real estate taxes paid to the school district and the City. In addition, for those residents that choose to live and work in the City, additional income taxes will be generated for the City.

Representatives of the Applicant will be able to explain the preliminary site development plan and how it relates to the site and surrounding properties in greater detail at the time of the required review meeting; however, we believe that if the preliminary site development plan is approved, it will be another step forward in the redevelopment of this Property that will also benefit Commerce Park. It will be another five star amenity that the City of Beachwood can offer to current and future residents.

Hopefully, this overview offers good insight for the City’s consideration of the proposed preliminary site development plan. We look forward to presenting this information in person to the Planning and Zoning Commission, at which time the information mentioned herein can be more fully discussed in detail.

Very truly yours,

Diane A. Calta
Diane A. Calta

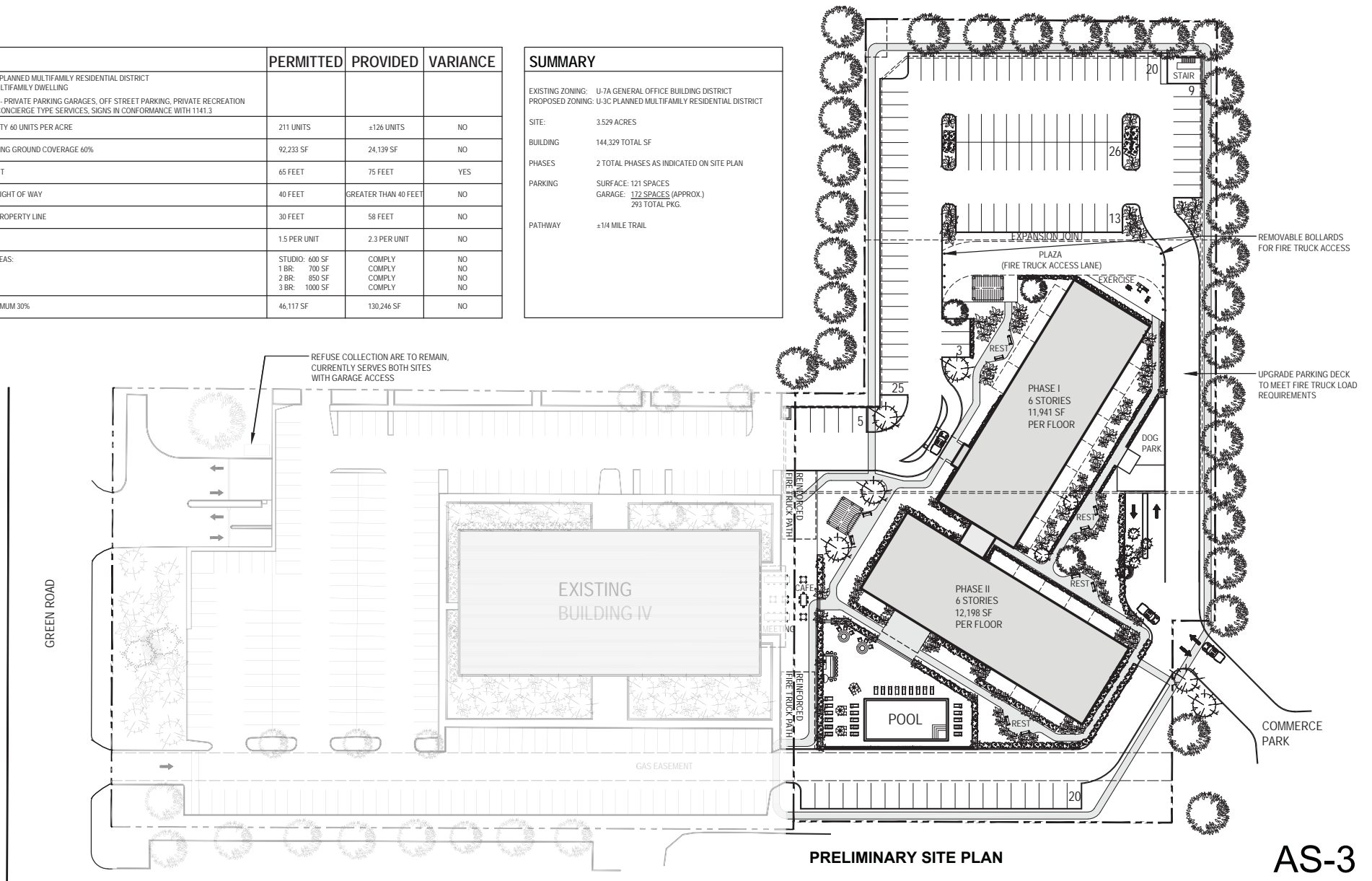
DAC

Enclosure

cc: James B. Heller
Timothy J. Voeller
Stewart Wangard
Anne White
Valters Veidemanis
Ron Tannenbaum

ZONING	PERMITTED	PROVIDED	VARIANCE
PROPOSED: U-3C PLANNED MULTIFAMILY RESIDENTIAL DISTRICT PRIMARY USE: MULTIFAMILY DWELLING ACCESSORY USE - PRIVATE PARKING GARAGES, OFF STREET PARKING, PRIVATE RECREATION AND FACILITIES, CONCIERGE TYPE SERVICES, SIGNS IN CONFORMANCE WITH 1141.3			
MAXIMUM DENSITY 40 UNITS PER ACRE	211 UNITS	±126 UNITS	NO
MAXIMUM BUILDING GROUND COVERAGE 60%	92,233 SF	24,139 SF	NO
MAXIMUM HEIGHT	65 FEET	75 FEET	YES
SETBACK FROM RIGHT OF WAY	40 FEET	GREATER THAN 40 FEET	NO
SETBACK FROM PROPERTY LINE	30 FEET	58 FEET	NO
PARKING RATIO	1.5 PER UNIT	2.3 PER UNIT	NO
MINIMUM UNIT AREAS:	STUDIO: 600 SF 1 BR: 700 SF 2 BR: 850 SF 3 BR: 1000 SF	COMPLY COMPLY COMPLY COMPLY	NO NO NO NO
OPEN SPACE MINIMUM 30%	46,117 SF	130,246 SF	NO

SUMMARY	
EXISTING ZONING:	U-7A GENERAL OFFICE BUILDING DISTRICT
PROPOSED ZONING:	U-3C PLANNED MULTIFAMILY RESIDENTIAL DISTRICT
SITE:	3.529 ACRES
BUILDING:	144,329 TOTAL SF
PHASES:	2 TOTAL PHASES AS INDICATED ON SITE PLAN
PARKING:	SURFACE: 121 SPACES GARAGE: 172 SPACES (APPROX.) 293 TOTAL PKG.
PATHWAY:	±1/4 MILE TRAIL



rdla: #22135R COPYRIGHT © 2025

23250 CHAGRIN BLVD | BEACHWOOD, OHIO | NEW CONSTRUCTION: MULTIFAMILY (6 FLOORS)

DATE: 04-30-2025
SCALE: 1" = 64'



The drawings, specifications, ideas, design and arrangements represented thereby are and shall remain the property of the architect. No part of shall be copied, disclosed to others or used in conjunction with any work or project other than the specific project for which they have been prepared and developed without the written consent of the architect. Visual contact with these drawings or specifications shall constitute conclusive evidence of acceptance of these restrictions. Written dimensions on these drawings shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job site, and this office must be notified of any variations from the dimensions and conditions shown by these drawings.

P.O. Box 3163
Cuyahoga Falls, Ohio 44223
Ph: 440-725-1886
geosmerigan@gmail.com

TO: Beachwood Planning Commission

FROM: George Smerigan, City Planner

DATE: May 12, 2025

RE: **P&Z 2024-48 Mansour Gavin, LPA
Beachwood Office, LLC
23250 Chagrin Boulevard
Preliminary Site Development Plan**

This request is for preliminary site development plan approval for a new 126 unit apartment building. The subject site is U-3C Planned Multi-Family Residential District. The proposed apartment complex would consist of two (2) interconnected buildings in an L-shaped arrangement. The northern building is shown as 11,941 square feet per floor. The southern building is shown as 12,198 square feet per floor. The plan indicates that the buildings will be six-stories and 75 feet in height.

The site would have access from both Green Road and Commerce Park Drive. There would be fire access around the entire building. As indicated in the attached box score, the site development plan may require a setback variance from Commerce Park Drive. There appears to be sufficient room to adjust the layout to meet the setback requirement. The applicant will need to provide floor plans in order to confirm compliance with minimum dwelling unit sizes and with the required dwelling unit mix. Otherwise, the site development plan appears to comply with the minimum requirements of the U-3C District.

It is recommended that the Commission grant preliminary site development plan approval subject to the following stipulations:

1. Adjusting the southern building to maintain the required 40 feet setback from the right-of-way of Commerce Park Drive
2. Provision of floor plans and unit mix information with the final site development plan.
3. Provision of a structural analysis of the existing garage prior to submission of final site development plans.
4. Compliance with the comments of the City Engineer and Fire Department.

	ZONING DATA		
ZONING STANDARDS	REQUIRED	PROPOSED	VARIANCE
ZONING DISTRICT	U-3C	U-3C	
MAXIMUM BUILDING GROUND COVERAGE	60% or 2.11 Acres	16% or 0.55 Acres	
MAXIMUM DENSITY	60 DU/AC or 211 Dwelling Units	35.7 DU/AC or 126 Dwelling Units	
MINIMUM FRONT YARD SETBACK	40 Feet	36 Feet	4 Feet
MINIMUM PROPERTY LINE SETBACK	30 Feet	47 Feet	
MAXIMUM BUILDING HEIGHT	65 Feet	75 Feet	Previously Approved
MINIMUM DWELLING UNIT SIZES	Studio = 600 Sq. Ft. 1 Bedroom = 700 Sq. Ft. 2 Bedroom = 850 Sq. Ft. 3 Bedroom = 1000 Sq. Ft.	TBD	
UNIT MIX	1 Bedroom Limited to Maximum 50% or 63 DU	TBD	
MINIMUM PARKING SETBACK	10 Feet	10 Feet	
MINIMUM DRIVEWAY WIDTH	24 Feet	24 Feet	
MINIMUM OPEN SPACE	30% of land area or 1.06 Acres	30% of land area or 1.06 Acres	
MINIMUM OFF-STREET PARKING	1.5 per dwelling unit or 189 Spaces	172 Garage Spaces <u>121 Surface Spaces</u> 293 Total Spaces or 2.32 per dwelling unit	



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MEMORANDUM
CITY OF BEACHWOOD
PLANNING AND ZONING COMMISSION MEETING

Meeting Date: May 29, 2025

Report Date: May 13, 2025

2025120.01

To: Mr. Brian Roenigk
Building Commissioner

From: Joseph R. Ciuni, P.E. P.S.
City Engineer

AGENDA ITEM Tabled Item 1

P & Z 2024-48 Applicant is requesting preliminary site plan approval for a new residential apartment building to be located 23250 Chagrin Blvd.

1. The Engineering Dept. does not have any comments on the preliminary site plan.
2. We will review the complete details on geometry, grading, utilities and storm water management with the final plans.

Fire Prevention Bureau

P&Z Report

To: Planning and Zoning Commission
From: Matthew Domonkos, Assistant Chief
Date: 05/06/2025
Re: P&Z 2024-48- 23250 Chagrin Blvd (Site Plan)

The Fire Prevention Bureau has reviewed the drawings/documents submitted for this item.

1. The condition of parking garage that is needed for Fire apparatus travel is unknown. Bi-annual testing that the building department requires per Beachwood Codified ordinance will need to be submitted for review prior to use change of this structure.

Matthew Domonkos

Matthew Domonkos
Assistant Fire Chief

PLANNING & ZONING APPLICATION

Form must be completed or will not be processed

APPLICATION DATE: May 9, 2025

OWNER OF BUILDING: 25741 Hurlingham Road LLC PHONE: 216-496-2092

STREET ADDRESS: 25741 Hurlingham Road

CITY/STATE/ZIP: Beachwood, OH 44122

APPLICANT: Joseph J. Whang PHONE: 216-496-2092

COMPANY OR FIRM: n/a

EMAIL: joe_whang@yahoo.com

STREET ADDRESS: same as above

CITY/STATE/ZIP: _____

PRESENTER(S) TO APPEAR AT THE P&Z MEETING (include name & email address):

Joe Whang; joe_whang@yahoo.com

Brian Kennedy; brian@ohiopoolandpatio.com

DESCRIPTION OF THE PROPERTY:

ADDRESS: same as above SUITE # _____

TENANT NAME: _____

PERMANENT PARCEL # _____ - _____ - _____ PRESENT USE: _____ PROPOSED USE: _____

PURPOSE OF APPLICATION: Request a 504 sq ft hardscape variance to install a pool and a variance to waive the 4' concrete pool perimeter & replace with grass or permeable surface.

NATURE OF THE REQUEST (check as many as apply):

- Preliminary site plan approval
- Final site plan approval
- Lot split
- Lot consolidation
- Conditional use permit
- Rezoning
- Zoning text amendment
- Other _____
- Request for a variance.

Must provide a "Box Score" indicating permitted area, distance, etc. and requested area, distance, etc. with application.

Please explain reason for variance (**must indicate a hardship**):

Unaware of the hardscape rule when obtaining the house in Dec '24; want a safe place for

Are there any special issues regarding this application that should be brought to the attention of the Planning Commission and Staff? If so, please explain. (con't from above) my middle school daughters & their friends where I can supervise them.

Planning & Zoning Submission Requirements:

- Attach site plan of the proposed development with details such as square footage, height, purpose.
- Attach an aerial photo depicting the property and surrounding area (these are available online via County Auditor’s GIS website or Google Earth).
- Attach copy of the Auditor’s Report from the Cuyahoga County website indicating the real estate taxes for the property have been paid on a current basis.
- Any Planning & Zoning application which requires Council approval must have a representative attend the scheduled Council meeting.

Planning & Zoning Submission Filing Fees & Deposits:

A non-refundable filing fee in the amount of thirty-five dollars (\$35.00) shall be paid to the City for each application submitted to the Planning and Zoning Commission; and...

A cash fee in the amount set forth in the following schedule shall be submitted in addition to the filing fee listed in subsection (a) hereof, at the time of application to the Planning and Zoning Commission and/or Council:

	<u>Zoning District</u>	<u>Fee</u>
(1)	U-1, A-1 / U-1, A-2 / U-2 / U-2A / Variances Includes all applications to the Planning Commission and/or Council except applications for lot splits and/or consolidations plats, easement applications, and any application required to be recorded with the County Recorder’s Office.	\$300.00
(2)	All other Zoning Districts for site development plan review (new building/addition)	\$5,000.00
(3)	All lot split and/or consolidation plats, easements, and any application required to be recorded with the County Recorder’s Office	\$1,500.00
(4)	For all Zoning Districts, excepting U-1, A-1/U-1, A-2/U-2/ and U-2A, all other applications, including, but not limited to: special use permits, conditional use permits, variances, text amendments, or similar or harmonious use	\$750.00
(5)	Map Amendment	\$2,500.00

We, the building owner and/or applicant, with our signature below, hereby agree to follow specifically the plans submitted to and approved by the Planning and Zoning Commission and do agree to construct said building(s) as depicted on said approved plans.

Joseph J. Whang Digitally signed by Joseph J. Whang
Date: 2025.05.09 16:15:43 -04'00'
SIGNATURE

Joseph J. Whang
PRINTED NAME

May 9, 2025
DATE

*****OFFICE USE ONLY*****

PLANNING & ZONING COMMISSION - P&Z No. _____ MEETING DATE: _____

FEE: RECEIPT # _____ AMOUNT \$ _____ DATE PAID _____

Preliminary Approval: _____
Date

Final Approval: _____
Date

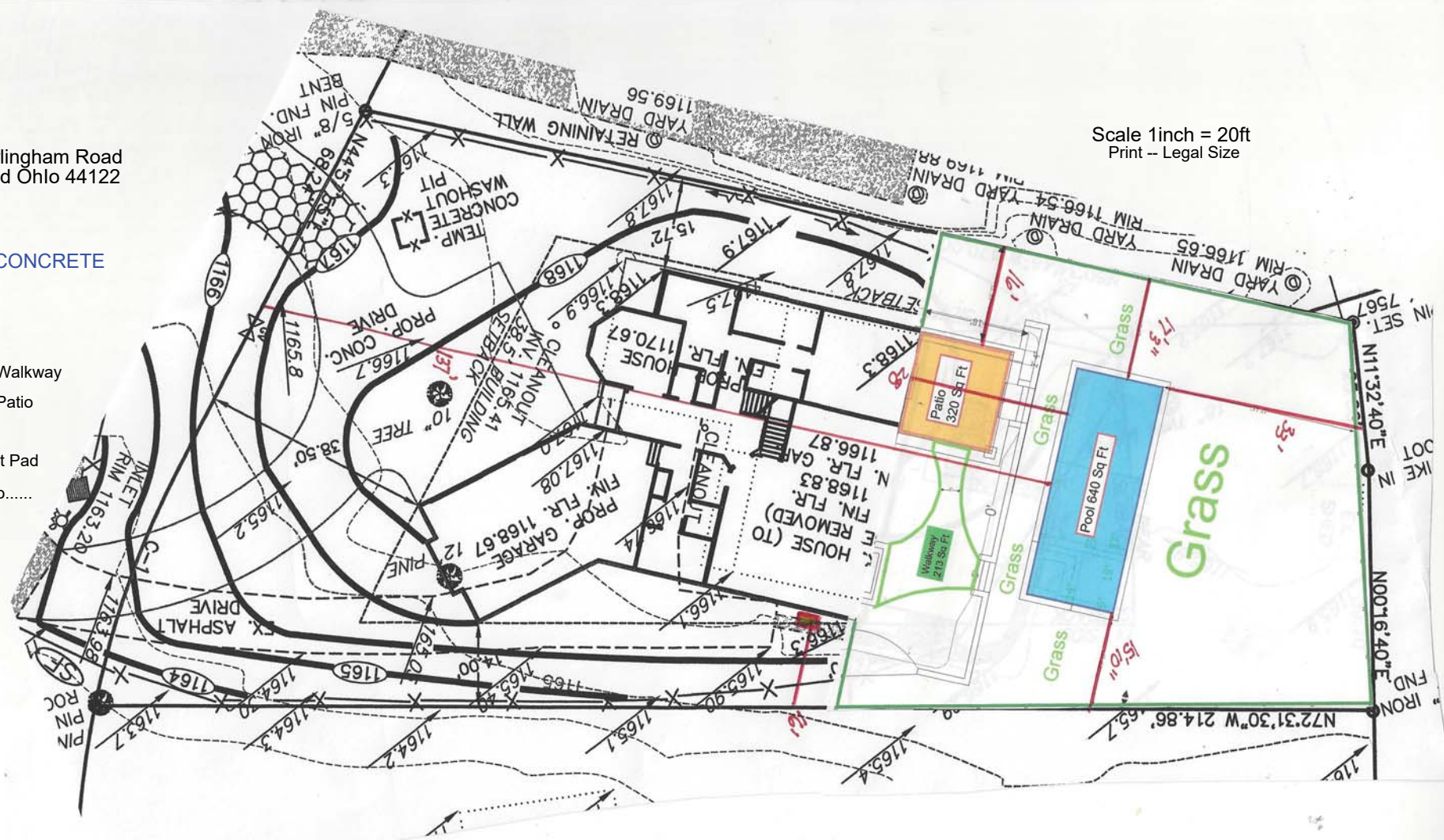
Recommendation to Council: YES NO Meeting Date: _____

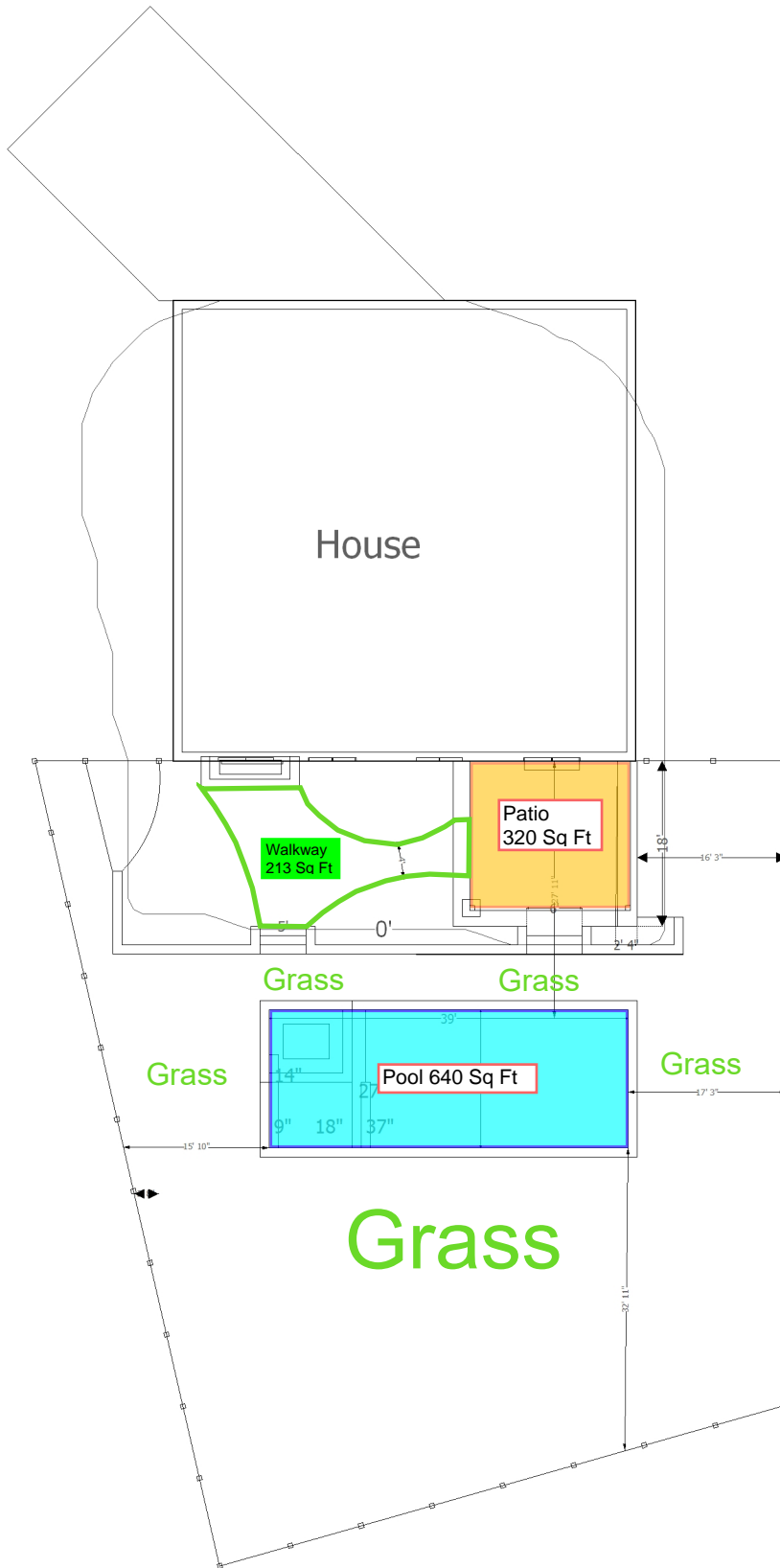
Whang
 25741 Hurlingham Road
 Beachwood Ohio 44122

Scale 1inch = 20ft
 Print -- Legal Size

Pool w/ NO CONCRETE
 around pool

- Pool
- Concrete Walkway
- Concrete Patio
- Fence
- Equipment Pad
- Distance to.....





Allowed 2678.4

Existing 2489.0

Available 189.4
=====

Old Patio (480.0)

Pool 640.0

New Patio 320.0

Walkway 213.0

Change 693.0
=====

Variance 503.6

Requested

Tactical Planning, LLC

P.O. Box 3163
Cuyahoga Falls, Ohio 44223
Ph: 440-725-1886
geosmerigan@gmail.com

TO: Beachwood Planning Commission

FROM: George Smerigan, City Planner



DATE: May 13, 2025

RE: **P&Z 2025-11 Ohio Custom Pool & Patio
25741 Hurlingham Road, LLC
25741 Hurlingham Road
Hardscape Variance
Pool Decking Variance**

This request for a hardscape variance for the purpose of constructing an inground pool and pool deck has been revised from the application tabled last month. The proposed pool is still 640 square feet in area, but the surrounding pool deck request has been reduced from 1,629 square feet to 320 square feet. The applicant is seeking to install 213 square feet of walkway, but has agreed to remove 480 square feet of existing patio.

Section 1146.03(c) limits the total amount of hardscape, parking areas, and driveways on any residential lot to not more than fifteen percent (15%) of the total lot area. Based on the area of the subject lot, the applicant is permitted a total of 2,679 square feet of hardscape. The subject site currently has 2,489 square feet of hardscape. The combination of new hardscape and patio reduction would result in a total hardscape area of 3,182 square feet. The applicant would need a variance of 503 square feet or 19% more than the permitted maximum.

The elimination of the deck around the pool requires a variance to Section 1335.31 that requires a walkway four (4) feet wide around any pool. Granting that variance will help keep the amount of hardscape reasonable; however, it will create a less desirable situation around the pool. It appears a reasonable compromise to permit the pool and maintain a three (3) feet deck around the pool. That would add approximately 324 square feet of hardscape making the total 827 square feet.

P&Z 2025-11
Ohio Custom Pool & Patio
25741 Hurlingham Road, LLC
25741 Hurlingham Road
Hardscape Variance
Pool Decking Variance
May 13, 2025
Page 2

The Commission has final authority to either grant or deny this variance request. Should the Commission decide to grant the variance, it should be 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 1146.03(c) with regard to maximum permitted hardscaping and Section 1335.31 with regard to pool decking.
2. Granting a variance of 827 square feet to Section 1146.03(c) to permit a total of 3,506 square feet of hardscaping in lieu of the Code permitted maximum of 2,679 square feet.
3. Granting a variance of one (1) foot to Section 1335.31 to reduce the mandatory decking surrounding the pool to three (3) feet in lieu of the Code required four (4).



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MEMORANDUM

CITY OF BEACHWOOD

PLANNING AND ZONING COMMISSION MEETING

Meeting Date: May 29, 2025

Report Date: May 13, 2025

2025120.01

To: Mr. Brian Roenigk
Building Commissioner

From: Joseph R. Ciuni, P.E. P.S.
City Engineer

AGENDA ITEM Tabled Item No. 2

P & Z 2025-11 Applicant has requested a 2,059" total lot allowed hardscape variance for a new pool and patio at 25741 Hurlingham Road, in accordance with BCO Section 1146.03(c), Landscaping of Residential Lot Requirement.

1. This revised request is for a variance of 503 sq. ft. and the pool (which counts as hardscape) is 640 sq. ft. We do not have any issues with the requested variance.

Tactical Planning, LLC

P.O. Box 3163
Cuyahoga Falls, Ohio 44223
Ph: 440-725-1886
geosmerigan@gmail.com

TO: Beachwood Planning Commission

FROM: George Smerigan, City Planner



DATE: February 10, 2025

RE: **P&Z 2025-7** **Ordinance No. 2025-5**
Zoning Code Amendments

Based on the joint work session discussion, it is recommended that the Commission recommend to City Council adoption of Ordinance No. 2025-5 with the modification that Section 1113.09(c) Maximum Floor Area be deleted.

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CITY OF BEACHWOOD, OHIO PLANNING AND ZONING CODE

WHEREAS, the City Planner and Building Commissioner have recommended amendments to the City’s Planning and Zoning Code in response to property owner requests and discussions with Administrative Staff, Council, and the Planning and Zoning Commission, which amendments are attached hereto and fully incorporated by reference herein as “Exhibit A”; and

WHEREAS, these amendments are intended to promote public health, safety, and welfare by improving clarity of the Code, enhancing land use controls to enhance overall property values in the City, and simplifying interpretation of the Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Beachwood, County of Cuyahoga and State of Ohio, that:

Section 1: The Council of the City of Beachwood, having received a recommendation from the City Planner and Building Commissioner for amendments to the City’s Planning and Zoning Code, places this issue and said proposed amendments in “Exhibit A” hereto on first reading and refers the proposed amendments to the Planning and Zoning Commission for its study, report, and recommendation.

Upon receipt of the Planning and Zoning Commission's report and recommendation, Council shall place the proposed amendments on second reading and schedule a public hearing or refer the matter to a Committee of Council for consideration.

If a public hearing is scheduled, it shall occur no less than 30 days after receipt of the Planning and Zoning Commission’s report and recommendation. If the Ordinance is referred to a Committee of Council, a public hearing shall be scheduled following the Committee's report. This Ordinance shall be read by Council on three separate occasions, and its passage shall cause the proposed text amendments to the Code to become effective upon operation of law.

Section 2: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the ____ day of _____, 2025 and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the ____ day of _____, 2025.

Clerk

Approval: I have approved this legislation this ____ day of _____, 2025 and filed it with the Clerk.

Mayor

EXHIBIT A

PROPOSED CODE AMENDMENTS

1. AMEND SECTION 1101.08 DEFINITION OF "BUILDING HEIGHT"
2. AMEND CHAPTER 153 "ARCHITECTURAL BOARD OF REVIEW"
3. DELETE CHAPTER 1145 "YARDS AND LINES" IN ITS ENTIRETY
4. DELETE CHAPTER 1143 "LOTS" IN ITS ENTIRETY
5. AMEND CHAPTER 1146 "FENCES, LANDSCAPING, AND DRIVEWAYS" BY MOVING SOME SECTIONS TO CHAPTER 1113 U-1 AND AMENDING OTHER SECTIONS
6. AMEND CHAPTER 1113 "U-1 SINGLE FAMILY RESIDENTIAL DISTRICT" TO INCLUDE ALL APPLICABLE REGULATIONS (OTHER THAN FENCES)

1101.08 BUILDING HEIGHT.

"Building Height" means the vertical distance from the finished grade at the ~~centerline, six feet (6') perpendicular to the front~~front building line, to the top of the highest roof beams of a flat roof or to the ~~mean level~~peak of the highest gable or ~~slope of a~~ hip roof. When a building faces on more than one street, Commission shall determine the front. The finished grade may not be less than the average finished grade across the width of the lot measured at the front building line.

CHAPTER 153
ARCHITECTURAL BOARD OF REVIEW

- 153.01 Established.
- 153.02 Qualifications of members.
- 153.03 Conflict of interest.
- 153.04 Organization.
- 153.05 Quorum.
- 153.06 Purpose.
- 153.07 Review and Approval Required.
- 153.08 Accessory Structures.
- 153.09 Appeals

CROSS REFERENCES

- Power to establish - see CHTR. Art. VI, Sec. 1
- Fee for review of plans and specifications - see BLDG. 1329.08
- Sign Permits – see Section 1141.06

153.01 ESTABLISHED.

(a) There is hereby established an Architectural Board of Review which shall consist of three members, who shall be the Building Commissioner, the City Planner, and one additional member who shall be appointed by the Mayor and confirmed by Council for a term of three years. Current members of the Architectural Board who are not the appointed member shall serve as alternate members until the expiration of their terms.

(b) Vacancies shall be filled for the remainder of an unexpired term in the same manner as the original appointment. Any member of the Board shall be subject to removal by the Mayor, with the consent of Council, for cause. In the event of a temporary absence or unavailability of any appointed member, an alternate member is hereby authorized to replace the appointed member during the appointed member's unavailability. Such alternate member shall possess all of the qualifications of an appointed member, shall have the same powers and perform the same duties and shall receive the same compensation as an appointed member for each meeting attended.

(Ord. 2009-152. Passed 12-7-09.)

153.02 QUALIFICATIONS OF MEMBERS.

The appointed member of the Architectural Board of Review shall be a registered architect, duly registered and authorized to practice architecture in and under the laws of the State of Ohio, and shall have been actively engaged in the general practice of architecture as a registered architect in the State of Ohio for a period of not less than three years prior to

appointment to the Board.
(Ord. 2009-152. Passed 12-7-09.)

153.03 CONFLICT OF INTEREST.

No member of the Architectural Board of Review shall participate in the review of any work of which he or any partner or professional associate is the author, or in which he or they have any direct or indirect financial interest.
(Ord. 2009-152. Passed 12-7-09.)

153.04 ORGANIZATION.

The Building Commissioner shall serve as Chairman and shall be responsible for the proper administration of the Board and for scheduling regular meetings of the Board. If the Secretary is unavailable, one of the members of the Board shall act as Secretary for the meeting. The Secretary shall keep records of each Board meeting.
(Ord. 2009-152. Passed 12-7-09.)

153.05 QUORUM.

Two members of the Architectural Board of Review, one of whom shall be the appointed member, shall constitute a quorum, and its official action shall require the affirmative vote of not less than two members. It shall exercise the powers and duties herein provided for in accordance with the ordinances of the City and such laws of the State as may be applicable. The Board may adopt rules and regulations for its procedure.
(Ord. 2009-152. Passed 12-7-09.)

153.06 PURPOSE.

The purpose of the Architectural Board of Review is to preserve and protect the public health, safety and welfare by maintaining the high character of community development and protecting the real estate and its value in the City from impairment or reduction of value by regulating, according to architectural principles, the design, use of materials, finished grade lines and orientation of all new buildings, and by assuring that the appearance and aesthetics of building exteriors reasonably conform to City standards found in the area of the proposed building or addition to an existing building.
(Ord. 2009-152. Passed 12-7-09.)

153.07 REVIEW AND APPROVAL REQUIRED.

Each application for a building permit for:

- (a) a new principal building;
- (b) an addition to or expansion of an existing principal building;
- (c) a commercial sign; or
- (d) an accessory building of two hundred (200) square feet or greater

shall first be referred to the Architectural Board of Review for consideration. No building or sign permit for any of the above shall be issued without the prior approval of the Architectural Board of Review.

153.08 ACCESSORY STRUCTURES.

Accessory buildings of less than two hundred (200) square feet in area and accessory structures such as, but not limited to, pools, decks, pergolas, play equipment, and similar structures shall not require review and approval by the Architectural Board of Review, provided however, that the Building Commissioner may refer any such building or structure to the Architectural Board of Review for its consideration where the Commissioner has concerns as to whether such accessory building or structure fits and is appropriate in the neighborhood.

153.09 APPEALS.

Persons aggrieved by a final decision of the Architectural Board of Review with regard to approval of building plans may appeal such decision to the Planning and Zoning Commission provided that such appeal shall be filed within thirty (30) days after the date of the Architectural Board of Review's action.
(Ord. 2009-152. Passed 12-7-09.)

DELETE CHAPTER 1145 "YARDS AND LINES" IN ITS ENTIRETY

DELETE CHAPTER 1143 "LOTS" IN ITS ENTIRETY

CHAPTER 1146
FENCES, ~~LANDSCAPING AND DRIVEWAYS~~

- 1146.01 Definitions.
- 1146.02 Fences.
- ~~1146.03 Landscaping.~~
- ~~1146.04 Driveways in Class U-1 Districts.~~
- 1146.99 Violations and penalties.

1146.01 DEFINITIONS.

Terms as used in this chapter shall have the following meanings:

- (a) "Decorative or Ornamental Fence" means any type of free-standing open fence, except chain-link and wire fences.
- (b) "Fence" means an elevated partition or barrier separating one lot from another lot or parts of the same lot and includes the material used for the fence, its support members and all related parts.
- (c) "Fence Height" shall be measured from the existing predominant and prevailing ground grade level to the top of the fence. No berm, mound or base shall be created or constructed for the purpose of erecting a fence thereon so as to increase the permitted height of the fence from the level of the then existing natural grade.
- (d) "Free-standing Fence" means a fence which is not connected at any point to the main building on the property.
- (e) "Growing Landscaping" means grass, trees, bushes and other living plants.
- (f) "Hardscape" means patios, walkways, fountains, decks, and other improved surfaces.
- (g) "Open Fence" means a fence with at least twenty-five percent (25%) aggregate opening over the surface area of the fence with all openings equally distributed.
- (h) "Snow Fence" means a flexible temporary ~~wood and wire~~ barrier which has an aggregate opening of fifty percent (50%) over the surface area of the fence and is designed and used for the sole purpose of limiting snow from drifting.
- (i) "Garden Fence" means a temporary barrier which has an aggregate opening of fifty percent (50%) over the surface of the fence and which is intended and located so as to enclose and protect vegetables and other plants from animals.

1146.02 FENCES.

- (a) Permitted Materials: Fences shall be constructed of wood, steel, aluminum, or PVC (polyvinyl chloride), formulated to resist impact and approved for ultraviolet stabilization, meeting requirements of ASTM D638. All fencing shall be structurally able to withstand weather conditions.

- (b) Fences Permitted In U-1, U-2A, U-3, U-3C, and U-3A Use Districts: Fences are permitted on property zoned Class U-1, U-2A, U-3, U-3C, and U-3A according to the following regulations:
- (1) Along side and rear lot lines, but not greater than six feet (6') in height where abutting land is zoned Class U-1, U-2A, U-3, U-3C or U-3A.
 - (2) Along side and rear lot lines, but not greater than eight feet (8') in height where the abutting land is zoned in any non-residential Use District.
 - (3) Within the rear yard, but not greater than six feet (6') in height.
 - (4) Ornamental fences within front yards provided that:
 - A. ~~An No~~ ornamental fence ~~by itself, or with other structures,~~ shall ~~not completely enclose~~ exceed four (4) feet any area of a required front yard.
 - B. An ornamental fence shall not be located closer to any side lot line than the foundation wall on that side of the house.
 - C. No ornamental fence shall be erected closer than ~~twenty ten~~ feet (20'10') from the front property line.
 - D. ~~The total of all ornamental fencing within the required front yard setback shall be less than fifty percent (50%) of the width of the lot.~~
 - (5) ~~Ornamental fences~~ Fences in the street side yard of corner lots, but not greater than six (6) feet in height or closer than ~~twenty twelve (2012)~~ feet from the right-of-way line.
- (c) Fences Permitted in Non-Residential Use Districts:
- (1) Along side and rear lot lines, but not greater than eight feet (8') in height.
 - (2) Within the rear yard, but not greater than eight feet (8') in height.
 - (3) Within front yard setbacks only as specifically authorized by the Commission.
- (d) Prohibited Fences: The following fences are prohibited in the City:
- (1) Wire fences constructed of material less than #11 AWG.
 - (2) Barbed wire fences.
 - (3) Fences charged with electricity.
 - (4) Fences forward of the required front yard setback, except for ornamental fences as regulated in subsection (b)(4) hereof or within non-residential districts as provided in subsection (c)(3) hereof.
 - (5) Snow fences greater than four feet (4') in height or used during the months of April through and including October.
 - ~~(6) Fences located less than fifteen feet (15') from any driveway where the driveway is closer than fifteen feet (15') from a side lot line.~~
 - ~~(7) Fences not specifically permitted by this Chapter.~~
 - ~~(8) Fences not having a uniform color, material and design except as specifically authorized by the Commission Building Commissioner.~~
 - ~~(9) Any solid fence or any fence that does not comply with the definition of an Open Fence as set forth in Section 1146.01(g), provided however, that solid fences may be permitted in non-residential districts for screening and buffering as approved by the Commission.~~
- (e) Construction Or Replacement; Permit Required: Before constructing or replacing any fence, except ~~a snow fences or garden fences that enclose an area of less than two hundred (200) square feet~~, the owner shall apply for and be issued a permit by the Building

Commissioner. Fences for land zoned other than Class U-1 Single-Family District shall also require the approval of the Planning and Zoning Commission.

(f) Maintenance Of Fences: Fences shall be maintained with the same standards required of new fences, and the owner shall:

- (1) Replace or repair any part that is rusted or rotted.
- (2) Re-paint or re-stain any part where the paint or stain is faded, cracked or peeling.
- (3) Repair or replace any part that is loose, bent, bowed or leaning.

(g) Nonconforming Fences: A nonconforming fence is defined as a fence which was constructed prior to the enactment of legislation regulating fences. Nonconforming fences shall be repaired and maintained, and shall be replaced with conforming fences if more than fifty percent (50%) of any such fence requires replacement, is destroyed or removed.

(h) Fences shall be designed, constructed and maintained so that the finished side faces the neighbor or the structure is equally attractive from the side of the adjoining property owner.

(i) Fences may be placed adjacent to the property line, but shall not be placed on the property line.

~~1146.03 — LANDSCAPING.~~

~~—(a) Height Of Hedges And Shrubbery: Shrubs, hedges or bushes adjacent to side yard lines in front of the building line and shrubs, hedges or bushes adjacent to and parallel with the public sidewalk for a distance of fifteen feet (15') from any driveway shall be planted and maintained so as not to exceed a height of two feet (2'). Prior to any prosecution for the violation of this section, the property owner shall be given ten (10) days written notice by the Chief of Police or his duly authorized representative.~~

~~—(b) Shade Tree Planting: Any owner or builder of a house or other building which is constructed and erected within the City shall deposit seventy-five dollars (\$75.00) with the Public Works Department to cover all expenses for the planting of shade trees on the tree lawn abutting such house or other building. One shade tree shall be planted for each multiple of thirty feet (30') to fifty feet (50') of frontage, depending on the tree lawn and type of tree to be planted, as determined by the Public Works Director. Corner lots require trees on both streets. A minimum of one (1) shade tree shall be planted for each house or other building, regardless of the frontage of the lot. The Building Commissioner shall not issue a building permit to any person engaged in the construction of houses or buildings for resale until such person has complied with this section.~~

~~—(c) Landscaping of Residential Lots Required: Growing and/or non-growing landscaping is required on the entire lot, except for such portions as are occupied by the house, garage, driveway or other permitted improvements. Council hereby finds and determines that the required landscaping is necessary for the public peace, health, safety and welfare, to protect pedestrians, to prevent deterioration of property values and to prevent the wash-down of mud and other debris across sidewalks and into catch basins. Not more than fifteen percent (15%) of the total lot area shall consist of hardscape, parking areas, and driveways.~~

~~—(d) Tree Lawns: Tree lawn areas shall only be planted with grass and/or City authorized street trees. No other improvements or landscaping shall be permitted within the tree lawn. No retaining walls, landscape timbers, or other landscape features shall be placed within twelve inches (12") of a public sidewalk. Damage to landscape features located within twelve inches (12") of a public sidewalk from snow plowing or sidewalk maintenance shall be the responsibility of the homeowner.~~

~~—(e) Completion of Landscaping: Landscaping shall be completed within one hundred twenty (120) days following issuance of a certificate of occupancy unless such date occurs after October 1 of a year. In that event, the time for completion shall be extended to June 1 of the following year. However, should a certificate of occupancy not be issued within two hundred forty (240) days of the issuance of a building permit, then the builder or owner shall install the front yard landscaping within ninety additional days unless such date occurs after October 1 of a year. In that event, the time for completion shall be extended to June 1 of the following year.~~

~~—(f) Emergency Improvements: The City may, as a condition of any building permit, enter upon single-family lots and make temporary emergency improvements required for the protection of the building, land or neighboring property. The City shall give reasonable notice to the person issued the building permit or others. The City may suspend the building permit until the cost for such emergency improvements is reimbursed to the City and/or it may assess such costs against the property.~~

~~—(g) Maintenance of Landscaping in Single Family Residential Districts: The person who applies for and is issued required building permits or certificates of occupancy shall cause the landscaping required by this section to be installed as set forth in this section, and the continuing owners of the property shall maintain the lot in compliance with this Building Code. After it is installed as required, the original landscaping may be altered by the owner without an additional permit, provided that such alteration meets the standards of this Building Code. Owners of single-family homes shall install and maintain landscaping by planting, replanting or installing all of the growing things and maintaining other permitted landscaping features in good maintenance and repair, with the grass cut to a height not to exceed eight inches (8").~~

~~—(h) Notice of Violations: The Building Commissioner shall give written notice to the owner, owner-tenant or person in charge of a single-family home found in violation of the Building Code. Such notice shall direct the installation and/or maintenance of landscaping and landscaping features as required by this section to be completed within five (5) days from the date the notice is to be delivered. If the owner, owner-tenant or person in charge cannot be located, the notice shall be delivered to the house occupying such lot and posted thereon, which delivery shall constitute sufficient notice under this subsection. A separate offense under this subsection shall be deemed committed each day a violation continues, but no additional notice, after the first notice, shall be required.~~

1146.04 — DRIVEWAYS IN CLASS U-1 DISTRICTS.

Excluding the tree lawn, not more than forty percent (40%) of the required front yard area may be improved with driveways, parking areas, sidewalks, and other hardscape surfaces.

1146.99 VIOLATIONS AND PENALTIES.

Any person who fails to comply with any provision of the Chapter shall be guilty of a misdemeanor of the first degree and upon conviction thereof shall be subject to the penalties set forth in Section 101.99 of these Codified Ordinances.

CHAPTER 1113
U-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

- 1113.01 Permitted Uses.
- 1113.02 Accessory Uses.
- ~~1113.03 Lot Area Per Dwelling Unit~~
- ~~1113.04 Lot Width~~
- ~~1113.05 Lot Depth~~
- ~~1113.04-06 Location of building line~~Building Setback Line.
- ~~1113.05-07 Side Yards~~
- ~~1113.03-08 Rear Yards~~
- ~~1113.06-09 House Size~~~~districts.~~
- ~~1113.07-10 Projections into and uses of required yards.~~
- ~~1113.08-11 Maximum Height~~~~regulations.~~
- ~~1113.12 Frontage Required~~
- ~~1113.13 Landscaping~~
- ~~1113.14 Driveways~~
- ~~1113.15 Fences~~
- ~~1113.09-16 Cluster Development Alternate.~~

1113.01 PERMITTED USES.

In a Class U-1 District, no building or premises shall be used, and no building shall be erected which is designed, constructed or used, for any purpose other than a single-family detached dwelling, occupied and used by one family as defined in Section 1101.22, or a residential care facility as ~~set forth herein~~defined in Section 1101.347.

1113.02 ACCESSORY USES.

~~An~~The following accessory uses ~~is~~may be permitted in a Class U-1 District, provided that such accessory use is located upon the same lot or use to which it is accessory.

(a) Garages. Each dwelling shall have an enclosed garage space for at least ~~one (1)~~two (2) vehicles, but the total garage floor area for any dwelling shall not exceed 1,050 square feet of gross floor area.

(b) Home Occupations. Home occupations are permitted for professional and business offices where each person employed in such business or profession actually resides at the residence. Such business or professional office shall not have any signage. No residence

may be used as a store, trade or business for the sale or storage of any merchandise or other property ~~declared unlawful by the laws of the United States, the State and/or the City.~~ The sale of personal furniture and furnishings owned and used by the occupants may be sold as is otherwise regulated by City ordinance.

(c) Parking. The parking or storage of any truck, bus or other commercial vehicle is prohibited unless the vehicle is in actual use, performing a service or delivering or picking up merchandise or persons from the property, or unless such vehicle is parked entirely within an enclosed accessory garage located on the same lot as the residence. Motor vehicles shall be parked only within an enclosed garage or on a paved driveway. A motor vehicle which is not capable of operation on a public street or highway shall not be parked or permitted to remain outside of an enclosed garage. Parking spaces in U-1 Districts shall comply with the provisions of Chapter 1144.

(d) Roomers. Each residence may rent not more than one (1) bedroom to not more than two (2) persons as roomers.

(e) Accessory Recreation Structures. Accessory recreation structures, such as children's play equipment and fenced courts, may be permitted provided such accessory recreation structures:

- (1) Are located in the rear yard behind the principal building;
- (2) Are located a minimum of ten feet (10') from the rear lot line;
- (3) Comply with the side yard setbacks contained in Section 1113.05.

Tree houses and accessory recreation structures are not included in the definition of "building" or "structure" as set forth in Section 1101.07.

1113.03 LOT AREA PER DWELLING UNIT.

(a) In a Class A-1 Area District, no Dwelling shall be erected or altered to accommodate or make provision for more than one (1) Dwelling Unit for each 18,000 square feet of lot area, and further provided that not more than one (1) Single Family Detached Dwelling may be erected on any lot separately owned prior to May 18, 1953, or on any numbered lot in a recorded subdivision that was on record in the office of the County Recorder at the time of the passage of this section, a dedication of the streets of which subdivision was accepted for public use by Council.

(b) In a Class A-2 Area District, no Dwelling Unit shall be erected or altered to accommodate or make provision for more than one (1) family for each 9,000 square feet of area of the lot, provided that one Single Family Detached Dwelling may be erected on any lot separately owned at the time of the passage of this section, or on any numbered lot in a recorded subdivision that was on record in the office of the County Recorder at the time of the passage of this section, a dedication of the streets of which subdivision was accepted for public use by Council.

(c) There shall not be more than one Dwelling Unit on any individual building lot.

1113.04 LOT WIDTH.

(a) In a Class A-1 Area District, no Dwelling Unit shall be erected on a lot having an average width of less than one hundred feet (100') unless such lot was separately owned prior to May 18, 1953, or unless such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section and for which a dedication of the streets in such allotment was made for public use and accepted by Council.

(b) In a Class A-2 Area District, no Dwelling Unit shall be erected on a lot having an average width of less than sixty feet (60') unless such lot was separately owned prior to May 18, 1953, or unless such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section and for which a dedication of the streets in such allotment was made for public use and accepted by Council.

1113.05 LOT DEPTH.

(a) In a Class A-1 Area District, no Dwelling Unit shall be erected on a lot having an average depth of less than one hundred eighty feet (180') unless such lot was separately owned prior to May 18, 1953, or unless such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section and for which a dedication of the streets in such allotment was made for public use and accepted by Council.

(b) In Class A-1 and in Class A-2 Area Districts, no Dwelling Unit shall be erected on a lot having an average depth of more than three and one-half times (3.5) the average width. These provisions shall not apply if such lot was separately owned prior to May 18, 1953, or if such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section and for which a dedication of the streets in such allotment was made for public use and accepted by Council.

1113.0406 ~~LOCATION OF~~ BUILDING SETBACK LINE.

On any street frontage in a Class U-1 District, the location of the building line shall be as follows:

(a) On a street frontage other than the side line of a corner lot, the distance of the building line back from the street right-of-way line shall be twenty percent (20%) of the average depth of the lot or thirty-five feet (35') whichever is greater.

(b) In a Class U-1 District along the side line of a corner lot, the distance of the building line back from the street right-of-way line shall be twenty percent (20%) of the average width of such lot, or twenty feet (20') whichever is greater.

(c) No building or portion of a building extending above the established finished grade shall be erected between the Building Line and the street right-of-way line.

1113.0507 SIDE YARDS.

Side yards are required in Single-Family House Districts as follows:

Lot Frontage-Width (ft.)	Combined Open Side Yard (ft.)	Minimum Side Yard (ft.)
100 and over	28	14
80 to 99	24	12
60 to 79	15	7
50 to 59	11	3
49-40 to 5949	11	3

Building permits shall be issued wherever possible to alternate minimum side yards to avoid abutting minimum side yards.

1113.0308 REAR YARDS.

(a) In a Class U-1 District, every building erected shall have a rear yard. The least dimension of such rear yard shall be thirty percent (30%) of the average depth of the lot, but such least dimension need not be more than forty feet (40'), ~~provided such least dimension shall be in no case less than one-half of the height of the building.~~

(b) Decks and similar unenclosed structures, or portions thereof, ~~may extend into said rear yards, but no such structure shall extend closer to the rear lot line than a least dimension of~~ shall have a minimum rear setback equal to twenty percent (20%) of the average depth of the lot. ~~Decks shall have a minimum side yard setback of five (5) feet.~~

(c) Twenty-five percent (~~2520~~%) of the area of ~~such the rear~~ yard may be occupied by a one-story accessory building not more than fifteen feet (15') in height. Accessory buildings on interior lots shall be located a minimum of five feet (5') from the side and rear lot lines.

(d) On a corner lot the rear line of which is identical with the side line of an interior lot, no accessory building, if detached from the main building, shall be erected within twenty-five feet (25') of any street line or within ten feet (10') of the rear lot line.

1113.0609 HOUSE SIZE ~~DISTRICTS~~.

(a) Purpose and Intent. House size regulations are established to insure long-term compatibility within neighborhoods, preserve and protect residential property values,

balance the size and bulk of housing with available lot area, avoid over building of residential lots, and provide appropriate housing opportunities within the City.

(b) Minimum Floor Area. Each house shall have a minimum gross floor area excluding basements, as defined in Section 1101.05, and garages based upon the Area District in which it is located as set forth herein:

A-1 Area Districts	2,400 Square Feet
A-2 Area Districts	1,800 Square Feet

(c) Maximum Floor Area. Each house shall have a maximum gross floor area excluding basements, as defined in Section 1101.05, and garages in accordance with the following table:

- (1) On lots that are 9000 square feet in area and greater and which have a lot width of 80 feet or greater, the maximum gross floor area shall be 5,000 square feet.
- (2) On any lot that is less than 9000 square feet in area or which has a lot width of less than 80 feet, the maximum gross floor area shall be 4,000 square feet.

Lot Area	Minimum Side Yard	Maximum House Size
Less than 10,000 Sq. Ft.	Less than 10 Feet	2.0 X Buildable Area
Less than 10,000 Sq. Ft.	10 Feet or Greater	2.2 X Buildable Area
10,001 to 15,000 Sq. Ft.	Less Than 10 Feet	1.5 X Buildable Area
10,001 to 15,000 Sq. Ft.	10 Feet or Greater	1.7 X Buildable Area
15,001 to 24,000 Sq. Ft.	10 Feet or Greater	1.25 X Buildable Area
Greater Than 24,000 Sq. Ft.	10 Feet or Greater	1.1 X Buildable Area

~~For purposes of compliance with this section, Buildable Area shall be that portion of a lot behind the required Front, Side and Rear Set-Back Lines for the Use District within which a building may be constructed in conformance with this chapter. All Required Yards shall be deducted from the lot area to determine the Buildable Area.~~

~~1113.0710~~ PROJECTIONS INTO AND USES OF REQUIRED YARDS.

(a) There shall be no parking or storage of any motor vehicle in a side or rear yard or in front of any building setback line except upon an approved driveway or apron. No commercial vehicle shall be parked or stored on an unenclosed portion of a residentially zoned property except as specifically authorized in Section 452.14 of the Traffic Code.

(b) No commercial materials or equipment shall be stored on the exterior area of any residentially zoned property.

(c) The following building features may extend not more than twenty-four inches (24") into any front, side, or rear yard setback:

- (1) Cornices, canopies, eaves, overhangs and similar features;
- (2) Chimneys;
- (3) Bow windows, bay windows, and similar features.

(d) Steps from required exit doors may extend not more than three feet (3') into any required front, side, or rear yard setback.

(e) Accessibility ramps for disabled persons which meet Americans with Disabilities Act guidelines may extend into required front, side or rear yard setbacks subject to a determination by the Building Commissioner that the design of such facilities is reasonable and constitutes the least possible intrusion into the required setback. Such structures shall be considered temporary and any permit issued by the Building Commissioner shall contain a written agreement by the applicant to remove same upon termination of the accessibility need.

(f) Driveways, patios, and other hardscape surfaces shall be setback a minimum of two (2) feet from any side lot line and five (5) feet from any rear lot line.

(g) On a corner lot between the building line and the street line, and within the triangular space included between the street line, for a distance of twenty-five feet (25') from their point of intersection, no fence or other structure more than three feet (3') in height above the plane of the established grade shall hereafter be erected, and no shrubs or foliage shall be maintained that, in the judgment of the Building Commissioner, will materially obstruct the view of a driver of a vehicle approaching the intersection and within seventy-five feet (75') of the center of such intersection, of approaching cross traffic which is within seventy-five feet (75') of the center of such intersection.

~~1113.0811~~ MAXIMUM HEIGHT REGULATIONS.

Each dwelling shall have a maximum height of thirty-five feet (35').

1113.12 LANDSCAPING.

(a) Height Of Hedges And Shrubbery. Shrubs, hedges or bushes adjacent to side yard lines in front of the building line and shrubs, hedges or bushes adjacent to and parallel with the public sidewalk for a distance of fifteen feet (15') from any driveway shall be planted and maintained so as not to exceed a height of three feet (3').

(b) Shade Tree Planting. Any owner or builder of a house which is constructed and erected within the City shall deposit two hundred fifty dollars (\$250.00) per tree with the Public Works Department to cover all expenses for the planting of shade trees on the tree lawn abutting such house or other building. One shade tree shall be planted for each forty feet (40') of frontage, depending on the tree lawn and type of tree to be planted, as determined by the Public Works Director. Corner lots require trees on both streets. A minimum of one (1) shade tree shall be planted for each house or other building, regardless

of the frontage of the lot. The Building Commissioner shall not issue a building permit to any person until this deposit has been filed.

(c) Landscaping of Residential Lots Required. Growing and/or non-growing landscaping is required on the entire lot, except for such portions as are occupied by the house, garage, driveway or other permitted improvements to prevent the wash-down of mud and other debris across sidewalks and into catch basins. Not less than thirty percent (30%) of the total lot area shall consist of Growing Landscaping. "Growing Landscaping" means grass, trees, bushes and other living plants.

(d) Tree Lawns. Tree lawn areas shall only be planted with grass and/or City authorized street trees. No other improvements or landscaping shall be permitted within tree lawns.

(e) Front Yard Landscaping Restrictions. No retaining walls, landscape timbers, or other landscape features shall be placed within twelve inches (12") of a public sidewalk. Damage to landscape features located within twelve inches (12") of a public sidewalk from snow plowing or sidewalk maintenance shall be the responsibility of the homeowner.

(f) Completion of Landscaping. Landscaping shall be completed within ninety (90) days following issuance of a certificate of occupancy unless such date occurs after November 1 of a year. In that event, the time for completion shall be extended until June 1 of the following year; provided, that the site has been stabilized with temporary seeding or other City approved method of controlling erosion and sedimentation.

(g) Temporary Stabilization. All disturbed areas, including stockpiles, must be stabilized with temporary seeding, mulching, erosion matting, or other method in accordance with City standards within thirty (30) days of disturbance.

(h) Emergency Improvements. The City may, as a condition of any building permit, enter upon single-family lots and make temporary emergency improvements required for the protection of the building, land or neighboring property. The City shall give reasonable notice to the person issued the building permit or others. The City may suspend the building permit until the cost for such emergency improvements is reimbursed to the City and/or it may assess such costs against the property.

(i) Maintenance of Landscaping in Single Family Residential Districts. The person who applies for and is issued required building permits or certificates of occupancy shall cause the landscaping required by this section to be installed as set forth in this section, and the continuing owners of the property shall maintain the lot in compliance with this Building Code. After it is installed as required, the original landscaping may be altered by the owner without an additional permit, provided that such alteration meets the standards of this Code. Owners of single-family homes shall install and maintain landscaping by planting, replanting or installing all of the growing things and maintaining other permitted landscaping features in good maintenance and repair, with the grass cut to a height not to exceed eight inches (8").

(j) Notice of Violations. The Building Commissioner shall give written notice to the owner, owner-tenant or person in charge of a single-family home found in violation of this

section. Such notice shall direct the installation and/or maintenance of landscaping and landscaping features as required by this section to be completed within five (5) days from the date the notice is to be delivered. If the owner, owner-tenant or person in charge cannot be located, the notice shall be delivered to the house occupying such lot and posted thereon, which delivery shall constitute sufficient notice under this subsection. A separate offense under this subsection shall be deemed committed each day a violation continues, but no additional notice, after the first notice, shall be required.

1113.13 FRONTAGE REQUIRED.

No permit shall be issued for a building or a use on a lot unless such lot has a frontage upon a public highway or upon a public street which has been duly dedicated and accepted for public use and which meets minimum City standards of improvement so as to insure adequate and satisfactory access to such lots, according to specifications approved by Council.

1113.14 DRIVEWAYS.

Excluding the tree lawn, not more than thirty percent (30%) of the required front yard area may be improved with driveways, parking areas, sidewalks, or any other hardscape surfaces. All driveways shall be provided with an asphalt, concrete or other similar hard surface designed in accordance with criteria established by the Engineer. All drive aprons shall be concrete. All driveways shall be graded and drained to provide positive drainage away from buildings, to prevent runoff onto adjacent properties, and to direct storm water to an approved inlet.

1113.15 FENCES.

Fences in U-1 Districts shall conform to the provisions of Chapter 1146.

1113.0916 CLUSTER DEVELOPMENT ALTERNATE.

In lieu of compliance with the standard provisions of Sections 1113.03 through 1113.08 hereof this Chapter, property owners in a Class U-1 Single-Family House District may choose to design and develop a group of single-family detached dwellings as a Cluster Development in conformance with the provisions of Chapter 1114. Where duly approved by the Commission pursuant to the provisions of Chapter 1114, the Cluster Development plan and standards shall apply and take precedence over the provisions of Sections 1113.01 through 1113.08 this Chapter.