

Beachwood Planning and Zoning Commission Meeting Minutes
Thursday, April 24, 2025, 6:30 PM
at Beachwood City Hall, Council Chambers
25325 Fairmount Boulevard, Beachwood, Ohio 44122

New Business

Agenda Items

P&Z 2024-2(B) Applicant has requested revised final site plan approval for the dumpster enclosure location at 25501 Bryden Road, Bryden Elementary School.

Mr. Ryan Schmit, TDA Architecture, reviewed the proposed change to the dumpster location.

Mr. Ciuni recommends approval of the application.

Mr. Roenigk stated the Building Department is in favor of the changes and both Fire and Police Departments had no comments.

Mr. Smerigan stated this is a relatively minor change to the site plan that was previously approved and recommends approval.

Moved by A. Blue Donald, seconded by J. Shoykhet, that P&Z 2024-2(B) be approved.

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

P&Z 2024-13(A) Applicant has requested final site plan approval for warehouse addition, dumpster pad and compressor pad at 23800 Mercantile Road, BASF Catalysts, LLC.

Mr. Robert Prunchak, BASF, reviewed the warehouse addition project. He noted they are going to add a curb to the parking lot which will reduce runoff from the parking lot. This was not a requirement but a suggestion.

Mr. Ciuni recommends approval.

Mr. Roenigk stated the Building Department is in favor of the project and both Fire and Police Departments had no comments.

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

Moved by J. Shoykhet, seconded by A. Blue Donald, that P&Z 2024-13(A) be approved.

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

P&Z 2025-8

Applicant has requested a 13' rear yard setback variance, in accordance with BCO Section 1113.03, Rear Yards; 1' side yard setback variance, in accordance with BCO Section 1113.05, Side Yards; 48' total lot hardscape variance, in accordance with BCO Section 1146.03(c), Landscaping of Residential Lots Required; and 97' front yard hardscape variance in accordance with BCO Section 1146.04, Driveways in Class U-1 District, for new home construction at 2549 Larchmont Drive.

Ms. Rebecca Fertel, Architect, reviewed the project and variances requested for approval to construct the new home.

Mr. Ciuni stated Engineering recommends approval as the variances are reasonable for this application.

Mr. Roenigk stated Police and Fire Departments had no comments. The Building Department is in favor of this, but there are topographical issues with this which have been discussed with the architect.

Mr. Smerigan reviewed his staff report and believes all the requested variances are reasonable in their scope. He recommends the Commission approve the site plan and grant the variances with the stipulations listed in his staff report.

Moved by R. Hecht, seconded by J. DeLong, that P&Z 2025-8 be approved with the following stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty will result on the subject site from the literal enforcement of Code Section 1113.03 with regard to minimum rear yard setbacks, Code Section 1113.05 with regard to combined side yard setbacks, Code Section 1146.03(c) with regard to maximum permitted hardscaping, and Code Section 1146.04 with regard to hardscaping in front yards; 2) Granting a variance of 13 feet to Section 1113.03 to permit a rear yard building setback of 23 feet in lieu of the Code required 36 feet; 3) Granting a variance of 1 foot to Section 1113.05 to permit the combined side yard setbacks to be 10 feet in lieu of the Code required 11 feet; 4) Granting a variance of 48 square feet to Section 1146.03(c) to permit 948 square feet of hardscaping in lieu of the Code permitted maximum of 900 square feet; 5) Granting a variance of 97 square feet to Section 1146.04 to permit 764 square feet of hardscaping in the front yard in lieu of the Code permitted maximum of 677 square feet.

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

P&Z 2025-9

Applicant has requested a 15' rear yard setback variance for an addition at 2472 Brentwood Road, in accordance with BCO Section 1113.03, Rear Yards.

Ms. Rebecca Fertel, Architect, reviewed the variance request for the rear addition to the existing home.

Mr. Ciuni stated Engineering recommends approval.

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

Mr. Smerigan reviewed his staff report. He believes there is sufficient grounds for the Commission to determine there is a practical difficulty and to grant the variance with the stipulations listed in his staff report.

Moved by R. Hecht, seconded by A. Blue Donald, that P&Z 2025-9 be approved with the following stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty will result on the subject site from the literal enforcement of Code Section 1113.03 with regard to minimum rear yard setbacks; 2) Granting a variance of 15 feet to Section 1113.03 to permit a rear yard building setback of 25 feet in lieu of the Code required 40 feet subject to the stipulation that the total area of the encroachment shall not exceed a maximum of 225 square feet.

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

P&Z 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.

Mr. Joe Whang, property owner, provided a brief history of why he moved to Beachwood. He explained the builder informed him there was plenty of room for an inground pool which he wanted to add to the newly constructed home for his daughter to enjoy. After he moved in, the pool company informed him the lot would be over the permitted hardscape for a new pool due to the existing large, circular driveway. If he had known this was an issue, he would have picked a different house.

Mr. Ciuni stated, as the City Engineer, he is against allowing hardscape variances, in general, because of storm water runoff. He requested, if the application is approved, that anything built in the back should not go into the storm sewer.

Mr. Roenigk stated Police and Fire Departments had no comments. He would not be opposed to a smaller variance, as the size of this variance request is larger than anything they have approved of before in the city.

Mr. Smerigan commented he believes the variance is too substantial and he cannot find anything unique that would be the basis for the Commission to determine that a practical difficulty exists on the lot. He recommends the Commission deny the request.

Discussion ensued.

Chairman Zabell informed the applicant the city is willing to help but the submitted plan is not getting support. He suggested consulting with the Building Department on a plan that would get their support.

Mr. Whang replied he would like to explore different options with staff.

Moved by J. Shoykhet, seconded by E. Silver, that P&Z 2025-11 be tabled.

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

MOTION APPROVED – TABLED

P&Z 2025-12 Applicant has requested a 2' rear yard setback variance, in accordance with BCO Section 1113.03, Rear Yards, and a 1.67' side yard setback variance, in accordance with BCO Section 1113.05, Side Yards, for an addition at 2409 Beachwood Blvd.

Mr. Joseph Calderwood, Architect, reviewed the project and variances requested for approval to construct an addition on the rear of the existing home.

Mr. Ciuni recommends approval.

Mr. Roenigk stated Police and Fire Departments had no comments. The Building Department recommends approval of the small variance.

Mr. Smerigan reviewed his staff report. He believes both variances are modest and there are reasons that would permit the Commission to make a determination of a practical difficulty. He has suggested stipulations listed in his staff report if the Commission approves the requested variances.

Moved by R. Hecht, seconded by A. Blue Donald, that P&Z 2025-12 be approved with the following stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty will result on the subject site from the literal enforcement of Code Section 1113.03 with regard to minimum rear yard setback and Code Section 1113.05 with regard to minimum side yard setback; 2) Granting a variance of 2 feet to Section 1113.03 to permit a rear yard building setback of 38 feet in lieu of the Code required 40 feet; 3) Granting a variance of 1.67 feet to Section 1113.05 to permit a side yard building setback of 5.33 feet in lieu of the Code required 7 feet.

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

MOTION APPROVED

P&Z 2025-14 Applicant has requested a variance for an additional accessory structure and a 2.5' height variance for the covered porch at 2540 Buckhurst Drive, in accordance with BCO Section 1113.03, Rear Yards.

Mr. Rob Myers, Myers Homes, reviewed the variance requests for an outdoor living room area and pergola. The pergola will also be used as a Sukkah.

Mr. Ciuni recommends approval.

Mr. Roenigk stated Police and Fire Departments had no comments. The Building Department has no issues with this request.

Mr. Smerigan reviewed his staff report. He believes there are valid reasons for the Commission to determine there is a practical difficulty and recommends the Commission grant the variances with the stipulations listed in his staff report.

Moved by A. Blue Donald, seconded by J. DeLong, that P&Z 2025-14 be approved with the following stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty will result on the subject site from the literal enforcement of Code Section 1113.03 with regard to the number and height of accessory structures; 2) Granting a variance of 2.5 feet to Section 1113.03 to permit the covered patio structure to be 17.5 feet in height in lieu of the Code maximum of 15 feet; 3) Granting a variance to Section 1113.03 to permit there to be two (2) accessory structures.

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

P&Z 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).

Chairman Zabell suggested a work session be scheduled to further review and discuss the proposed changes.

Moved by A. Blue Donald, seconded by J. Shoykhet, that P&Z 2025-7 be tabled.

Roll Call	Yes:	Mayor Berns, A. Blue Donald, J. DeLong, R. Hecht, J. Shoykhet, E. Silver, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.
		MOTION APPROVED – TABLED

Tabled Items

P&Z 2024-40 Review and possible vote on the Rules of Procedure for Beachwood Planning and Zoning Commission (Commission tabled on 10/29/2024 and 12/3/2024).

Moved by R. Hecht, seconded by A. Blue Donald, that P&Z 2024-40 be taken from the table.

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

Ms. Whitney Crook, Clerk of Council, discussed the new Rules of Procedure for the Commission and thanked everyone for their support.

Moved by J. Shoykhet, seconded by R. Hecht, that P&Z 2024-40 be approved.

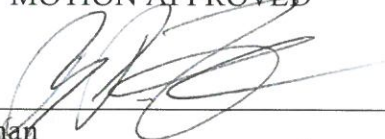
Roll Call	Yes:	Mayor Berns, A. Blue Donald, J. DeLong, R. Hecht, J. Shoykhet, E. Silver, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.
MOTION APPROVED		

Adjournment

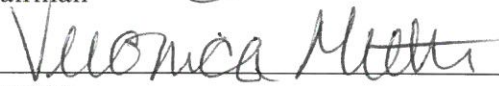
Moved by A. Blue Donald, seconded by E. Silver, to adjourn the Planning and Zoning Commission Meeting at 7:37 P.M.

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

Approved:



 Chairman



 Secretary



 Clerk of Council

Next Regular Planning and Zoning Commission Meeting will be held on: Thursday, May 29, 2025, at 6:30 P.M. in Council Chambers. For all updates regarding Planning and Zoning Commission Meetings, please visit: www.BeachwoodOhio.com.

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

