

CITY OF *Beachwood*

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

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

Roll Call: Present: Mayor Berns, A. Blue Donald, J. DeLong, J. Shoykhet, B. Zabell
Absent: R. Hecht, E. Silver
Also Present: J. Ciuni, M. Kurz, B. Roenigk, G. Smerigan

Approval of the Minutes

Moved by J. Shoykhet, seconded by A. Blue Donald, that the minutes of the Planning and Zoning Commission Meeting held on April 24, 2025, be approved.

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

MOTION – MINUTES APPROVED

Council Report

None.

Citizen's Remarks

None.

New Business

Agenda Items

P&Z 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.

Mr. Marvin Sicherman, family member representing Mr. Bloom, explained why the family is requesting approval to widen the driveway.

Mr. Ciuni stated Engineering has a longstanding opposition to variances for more hardscape, so he has a standing objection to any variance of this kind.

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

understands the safety concerns of Mr. Bloom and has no issues with the variance.

Mr. Smerigan reviewed his staff report and commented should the Commission grant the variances, it should be subject to the listed findings and stipulations listed in his staff report.

Moved by A. Blue Donald, seconded by J. Shoykhet, that P&Z 2025-15 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 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.

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

MOTION APPROVED

P&Z 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.

Mr. Tzvi Maimon reviewed his request to widen the existing driveway and add service walks on both sides of the house.

Mr. Ciuni stated he has the same objection to adding more hardscape to this area.

Mr. Roenigk stated Police and Fire Departments had no comments. He commented the project was started without permits as required by City Ordinance. He personally gave the applicant approval to replace what was existing, which is over the allowed square footage of front yard hardscape. The Building Department is against any variances going forward.

Mr. Smerigan reviewed his staff report and shared there is no practical difficulty associated with the request or any unique characteristics to support the variances. The granting of these two (2) variances is not recommended.

Discussion ensued.

Moved by J. Shoykhet, seconded by A. Blue Donald, that P&Z 2025-16 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 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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| Roll Call | Yes: | None. |
| | No: | Mayor Berns, A. Blue Donald, J. DeLong, J. Shoykhet, B. Zabell |
| | Abstain: | None. |
| | Not Voting: | None. |
| MOTION DENIED | | |

Chairman Zabell encouraged the applicant to work with the Building Department staff to come up with a plan that has their support.

P&Z 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.

Mr. Anshel Epstein reviewed the request for a proposed garage addition for additional storage.

Mr. Ciuni stated he has no Engineering comments on the rear yard setback.

Mr. Roenigk stated Police and Fire Departments had no comments. He previously had a conversation with the applicant about what the structure should look like when he submits it to Architectural Board of Review.

Mr. Smerigan reviewed his staff report and, in his opinion, there is practical difficulty due to the combination of the odd lot configuration and garage orientation. He has recommended findings and stipulations listed in his staff report should the Commission determine to grant the variance.

Mayor Berns noted his concerns with the request.

Discussion ensued.

Moved by A. Blue Donald, seconded by J. DeLong, that P&Z 2025-17 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 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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| Roll Call | Yes: | A. Blue Donald, J. DeLong, J. Shoykhet, B. Zabell |
| | No: | Mayor Berns |
| | Abstain: | None. |
| | Not Voting: | None. |
| MOTION APPROVED | | |

Tabled Items

P&Z 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).

Moved by J. Shoykhet, seconded by A. Blue Donald, that P&Z 2024-48 be taken from the table.

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

MOTION APPROVED

Ms. Kathryn Weber, Attorney with Mansour Gavin LPA, Mr. James Heller, representative for Wangard Partners, and Mr. Ron Tannenbaum, RDL Architects, were present at the meeting.

Ms. Weber reviewed the request for preliminary site plan approval for two (2) proposed apartment buildings which include residential amenities such as an outdoor pool, exercise facility, dog park, and pickle ball courts. Overall, the investment will be approximately 25 million dollars which will result in additional real estate taxes being paid to the school district of the city.

Mr. Tannenbaum further explained the proposed apartment building amenities, parking deck, and fire truck access to the area.

Mr. Ciuni stated there are no comments on the preliminary site plan.

Mr. Roenigk shared his concerns about the underground parking garage north of the expansion joint and fire truck access through the parking areas.

Mr. Tannenbaum responded they are designing this with the anticipation they are providing a fire truck route that would stay south of the expansion joint.

Mr. Smerigan reviewed his staff report and recommends the Commission grant preliminary site development plan approval subject to listed stipulations in his staff report.

Mayor Berns stated he had spoken to the Fire Chief who has strong reservations of the access drive and pipe bollard. He does not think the proposed plan will be satisfactory for the Fire Department; otherwise, he is in complete support of the plan.

Moved by A. Blue Donald, seconded by J. Shoykhet, that P&Z 2024-48 be approved as presently submitted today with 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.

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| Roll Call | Yes: | Mayor Berns, A. Blue Donald, J. DeLong, J. Shoykhet, 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 (Commission tabled on 4/24/2025).

Moved by J. Shoykhet, seconded by J. DeLong, that P&Z 2025-11 be taken from the table.

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

MOTION APPROVED

Mr. Joe Whang, property owner, reviewed the revised hardscape variance request for the proposed new pool and patio.

Mr. Ciuni stated he is in favor of the variance.

Mr. Roenigk informed the applicant they do want the four (4) foot walk around the pool.

Mr. Smerigan reviewed his staff report and suggested the deck around the pool be reduced from four (4) feet to three (3) feet.

Both Mr. Roenigk and Mr. Whang agreed.

Moved by J. Shoykhet, seconded by A. Blue Donald, that P&Z 2025-11 to advance the amended application.

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

MOTION APPROVED

Moved by J. Shoykhet, seconded by J. DeLong, that P&Z 2025-11 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 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).

*Note correction to above motion: Administrative staff determined the correct variance is a total of 875 square feet to Section 1146.03(c).

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| Roll Call | Yes: | Mayor Berns, A. Blue Donald, J. DeLong, J. Shoykhet, 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; Commission tabled on 4/24/2025).

Moved by A. Blue Donald, seconded by J. Shoykhet, that P&Z 2025-7 be taken from the table.

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

MOTION APPROVED

Chairman Zabell provided an overview of the joint work session discussion of the proposed zoning code amendments. The conclusion of the meeting was Planning Commission would advance a motion to approve the code modifications except for the caps on the residential square footage.

Moved by A. Blue Donald, seconded by J. DeLong, that P&Z 2025-7 be approved and recommended to City Council with the modification that Section 1113.09(c), Maximum Floor Area, be deleted.

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

MOTION APPROVED –
RECOMMENDATION TO COUNCIL
(Monday, June 16, 2025)

Adjournment

Moved by J. Shoykhet, seconded by A. Blue Donald, to adjourn the Planning and Zoning Commission Meeting at 7:56 P.M.

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| Roll Call | Yes: | Mayor Berns, A. Blue Donald, J. DeLong, J. Shoykhet, 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, June 26, 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.