

CITY OF *Beachwood*

Beachwood Planning and Zoning Commission Meeting Minutes
Thursday, July 31, 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, J. DeLong, R. Hecht, J. Shoykhet, E. Silver, B. Zabell
Absent: A. Blue Donald
Also Present: J. Ciuni, M. Kurz, B. Roenigk, G. Smerigan

Mr. Matthew Kurz, Assistant Law Director, made a brief service announcement regarding recent scam emails targeting Planning and Zoning Commission applicants seeking invoice payments of substantial fees.

Approval of the Minutes

Moved by R. Hecht, seconded by J. Shoykhet, that the minutes of the Planning and Zoning Commission Meeting held on June 26, 2025, be approved.

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

Moved by J. Shoykhet, seconded by R. Hecht, that the minutes of the Special Planning and Zoning Commission Meeting held on July 1, 2025, be approved.

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

Council Report

None.

Citizen's Remarks

None.

New Business
Agenda Items

P&Z 2025-23 Debra Yasinow has requested a permit extension for the temporary sign located at 25701 Science Park Drive, Jewish Federation of Cleveland.

Mr. Daniel Pearlman was present at the meeting to represent the Jewish Federation of Cleveland.

Mr. Ciuni had no Engineering comments.

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

Mr. Smerigan stated the extension request is for an additional six (6) months.

Moved by R. Hecht, seconded by J. Shoykhet, that P&Z 2025-23 be approved.

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

P&Z 2025-24 Patricia Williamson has requested approval to operate an adult day center to be located at 24000 Mercantile Road, Suite 16.

Ms. Patricia Williamson provided a brief overview of the proposed adult day center.

Mr. Ciuni had no Engineering comments.

Mr. Roenigk stated Police and Fire Departments had no comments. He previously provided the applicant provisions that must be adhered to according to BCO Section 1155.03.

Mr. Smerigan reviewed his staff report and recommends the Commission grant approval subject to Mr. Roenigk verifying the applicant has complied with all criteria in BCO Section 1155.03.

Moved by J. Shoykhet, seconded by E. Silver, that P&Z 2025-24 be approved subject to compliance with the standards set forth in BCO Section 1155.03.

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

P&Z 2025-26

Dmitry Belkin has requested an appeal of the decision of the City of Beachwood Building Commissioner made in the enforcement of BCO Section 1111.02(k)(7) Classification of Uses, for the request for indoor storage usage at 23533 Mercantile Road.

Mr. Jeromy Simonovic, Attorney for the applicant, introduced Dmitry Belkin, property owner, and Brian Green, Attorney. Mr. Simonovic addressed the owner's concerns regarding difficulties in leasing the property under its current use.

Mr. Belkin provided clarification regarding his request to allow indoor storage in the U-8 Zoning District.

Mr. Ciuni had no Engineering comments.

Mr. Roenigk stated Police and Fire Departments had no comments. He stands with his original opinion that the storage unit would not be permitted in the City of Beachwood.

Mr. Smerigan reviewed his staff report and agrees that Mr. Roenigk correctly interpreted the code.

Mr. Green noted his issues with how the code is written.

Mr. Belkin pleaded with the Commission to allow him to bring businesses to Beachwood and build a viable business within the building that is going to attract businesses. Otherwise, the building could remain vacant for decades.

Moved by J. Shoykhet, seconded by J. DeLong, to uphold the decision of the Building Commissioner.

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

P&Z 2025-27

Joseph Calderwood has requested a 5' rear yard setback variance, in accordance with BCO Section 1113.03 Rear Yards, and a 7.30' side yard setback variance, in accordance with BCO Section 1111.05, Side Yards, for an addition at 23312 Fernwood Drive.

Mr. Joseph Calderwood, Architect, explained the proposed rear addition encroaches on the setback requirements which require approval of two (2) variances.

Mr. Ciuni stated there are no issues.

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

Mr. Smerigan reviewed his staff report. He believes a practical difficulty exists and recommends the Commission grant the variances subject to the stipulations listed in his staff report.

Moved by R. Hecht, seconded by J. Shoykhet, that P&Z 2025-27 be approved with 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 minimum rear yard setback and Code Section 1113.05 with regard to minimum side yard setback; 2) Granting a variance of 5 feet to Section 1113.03 to permit a rear yard building setback of 35 feet in lieu of the Code required 40 feet; 3) Granting a variance of 7.3 feet to Section 1113.05 to permit a side yard building setback of 4.7 feet in lieu of the Code required 12 feet.

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

P&Z 2025-28 Brandon and Jamie Rotsky has requested an 8' right-of-way variance for a fence at 24795 Shaker Blvd., in accordance with BCO Section 1146.02(b)(5) Fences Permitted in U-1 Use Districts.

Mr. Brandon Rotsky, property owner, stated he and his wife recently purchased their residence, are pet owners, and are seeking approval to install a fence twelve (12) feet from the right-of-way.

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

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

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

Moved by R. Hecht, seconded by J. DeLong, that P&Z 2025-28 be approved with 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 1146.02(b)(5) with regard to fence setbacks on corner lots; 2) Granting a variance of 8 feet to Section 1146.02(b)(5) to permit a fence to be located 12 feet from the side street right-of-way in lieu of the Code required 20 feet.

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

P&Z 2025-29

Mordechai Giffin has requested a 4.10' rear yard setback variance, in accordance with BCO Section 1113.03, Rear Yards, a 4' north side yard setback variance and a 3.40' south side yard setback variance, in accordance with BCO Section 1113.05 Side Yards, for new home construction at 2640 Brentwood Road.

Mr. Mordechai Giffin, property owner, stated the property was purchased with the intent of building a new home with an attached garage, which requires setback variances due to the small size of the lot.

Mr. Ciuni has no Engineering comments on this item.

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

Mr. Smerigan reviewed his staff report and commented that this is a reasonable request and has practical difficulty due to the size and shape of the lot. He recommends the Commission grant the variances subject to the stipulations and findings listed in his staff report.

Moved by J. Shoykhet, seconded by E. Silver, that P&Z 2025-29 be approved with 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 minimum rear yard setback and Code Sections 1113.05 and 1113.04(b) with regard to minimum side yard setbacks; 2) Granting a variance of 4.1 feet to Section 1113.03 to permit a rear yard building setback of 33.4 feet in lieu of the Code required 37.5 feet; 3) Granting a variance of 4 feet to Section 1113.05 to permit a side yard building setback of 3 feet in lieu of the Code required 7 feet; 4) Granting a variance of 3.4 feet to Section 1113.04(b) to permit a building setback on a side street of 16.6 feet in lieu of the Code required 20 feet.

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

MOTION APPROVED

P&Z 2025-30

Jessica Drexler has requested a 17' right-of-way variance, in accordance with BCO Section 1146.02(b)(5), Fences Permitted in U-1 Use Districts, and to remove the 25% aggregate opening requirement, in accordance with BCO Section 1146.01(g), Nonconforming Fences and Section 1146.02(d)(9), Prohibited Fences, for a solid privacy fence to be located at 23404 Cedar Road.

Ms. Jessica Drexler, property owner, provided a presentation on the proposed fence and reviewed the available setback options with the Commission.

Mr. Ciuni stated he has no issues with the recommended twelve (12) foot setback.

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

has no issues with the solid privacy fence as this amendment has been proposed with the new ordinance. The Building Department does have an issue with the line of sight and being hazardous to the children walking and/or bicycling on the sidewalk; therefore, is not in favor of the variance.

Mr. Smerigan reviewed his staff report. He is supportive of granting the solid fence variance and the variance to twelve (12) feet but cannot support it going to three (3) feet.

Discussion ensued.

Ms. Drexler decided to request approval for the twelve (12) foot setback.

Moved by R. Hecht, seconded by J. Shoykhet, that P&Z 2025-30 be approved with 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 1146.02(b)(5) with regard to fence setbacks on corner lots and Section 1146.02(d)(9) with regard to prohibition of solid privacy fences; 2) Granting a variance of 8 feet to Section 1146.02(b)(5) to permit a fence to be located 12 feet from the side street right-of-way in lieu of the Code required 20 feet; 3) Granting a variance to Section 1146.02(d)(9) to permit the applicant to install a 6 feet high solid vinyl fence.

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

MOTION APPROVED

P&Z 2025-31 Jeremy Miller has requested a 21.40' rear yard setback variance, in accordance with BCO Section 1113.03, Rear Yards, and a 682.69' total lot hardscape variance, in accordance with BCO Section 1146.03(c), Landscaping of Residential Lots Required, for a deck at 2355 Beachwood Blvd.

Mr. Jeff Miller was present at the meeting and briefly explained the proposed project.

Mr. Ciuni stated Engineering does not have an issue with the hardscaping and recommends approval.

Mr. Roenigk stated Police and Fire Departments had no comments. He had prior discussions with the applicant and concluded he would be okay with the variance if they stayed within the existing square footage of the concrete patio.

Mr. Smerigan commented he does not have an issue with the hardscape as it is relatively modest. He cannot support a setback variance for a deck at ten (10) feet as it is too close to the property line and believes the deck can be reconfigured to make it more reasonable in terms of rear setback.

Discussion ensued.

Chairman Zabell recommended a consensus between the City Planner and Building Department. He advised the applicant to decide to proceed with the motion or table the item.

Moved by E. Silver, seconded by J. Shoykhet, that P&Z 2025-31 be tabled.

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

MOTION APPROVED – TABLED

Adjournment

Moved by J. Shoykhet, seconded by E. Silver, to adjourn the Planning and Zoning Commission Meeting at 8:10 P.M.

Roll Call	Yes:	Mayor Berns, 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, August 28, 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.