

Beachwood Planning and Zoning Commission Meeting Agenda
Thursday, July 27, 2023, 6:30 PM
at Beachwood City Hall, Council Chambers,
25325 Fairmount Boulevard, Beachwood, Ohio 44122

Agenda Items

1. Roll Call
2. Approval of Minutes of the April 27, 2023 Planning and Zoning Commission Meeting.
3. Council Report
4. Citizen's Remarks
5. Planning and Zoning Commission
2023-13 Bryan Lever, property owner, is requesting approval for lot consolidation of PPN 741-02-035 and PPN 741-02-036 to allow construction of additional garage space at 23515 East Baintree Road.



25325 Fairmount Blvd • Beachwood, Ohio 44122

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

PLANNING & ZONING APPLICATION

Form must be completed or will not be processed

APPLICATION DATE: 5/31/2023

OWNER OF BUILDING: Bryan Lever & Ruth Kass PHONE: 216 291 5532

STREET ADDRESS: 23515 E. Baintree Rd.

CITY/STATE/ZIP: Beachwood Ohio 44122

APPLICANT: Bryan Lever & Ruth Kass PHONE: 216 291 5532

COMPANY OR FIRM: _____

EMAIL: blever@n2net.net rk999@juno.com

STREET ADDRESS: 23515 E. Baintree Rd

CITY/STATE/ZIP: Beachwood Ohio 44122

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

Bryan Lever blever@n2net.net

DESCRIPTION OF THE PROPERTY:

ADDRESS: 23515 E. Baintree Rd. Beachwood Ohio 44122 SUITE # _____

TENANT NAME: _____

PERMANENT PARCEL # 741 -02 -035 PRESENT USE: residential PROPOSED USE: residential

PURPOSE OF APPLICATION: Consolidation of PPN 741-02-035 and PPN 741-02-036 to allow construction of additional garage space

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. _____

***** (OVER) CONTINUED ON BACK*****

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

Bryan Lever

PRINTED NAME

5/31/2023

DATE

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

PLANNING & ZONING COMMISSION - P&Z No. 2023-13 MEETING DATE: 7/27/2023

FEE: RECEIPT # 2023-03696 AMOUNT \$ 1,535 DATE PAID 6/1/2023

Preliminary Approval: _____
Date

Final Approval: _____
Date

Recommendation to Council: YES NO Meeting Date: _____

Building Department
William Griswold, Building Commissioner
Phone (216) 292-1914 • Fax (216) 292-1917

**LEGAL DESCRIPTION
OF
PARCEL "A"
23515 EAST BAINTREE ROAD
P.P.N. 741-02-035 AND -036**

Situated in the City of Beachwood, County of Cuyahoga and State of Ohio and known as being all of Sublot Nos. 129 and 130 and part of Sublot 131 in the Rapid Transit Land Sales Company's Subdivision No. 31 of part of the Original Warrensville Township Lot Nos. 7 and 8 as shown by the plat recorded in Volume 94, Page 24 of Cuyahoga County Map Records and further bounded and described as follows:

Beginning at a 3/4" iron pin in a monument box found on the centerline of East Baintree Road (50 feet wide), said point being North 90°00'00" West, 366.89 feet from the centerline of Lyndway Road (50 feet wide);

Thence North 00°00'00" West, 25.00 feet to a point on the northerly right of way of East Baintree Road and the southerly line of land conveyed to John L. Weil and Wendy R. Weil (P.P.N. 741-02-037) by the deed dated November 18, 1988 and recorded in Volume 88-6054, Page 2 of Cuyahoga County Deed Records;

Thence North 90°00'00" East along the northerly right of way of East Baintree Road, 22.14 feet to a 5/8" iron pin found and bent (0.28 feet north and 0.12 feet west) to the **Principal Place of Beginning** of the premises herein described;

Thence North 00°00'00" West along the easterly line of land so conveyed to John L. Weil and Wendy R. Weil, 209.71 feet to a 5/8" iron pin set at the southwesterly corner of land conveyed to Lanny S. Yelsky, Adrienne Yelsky and Julie Yelsky Cummings (P.P.N. 741-02-064) by the deed dated June 27, 2016 and recorded in AFN. 201606270696 of Cuyahoga County Deed Records,

Thence North 73°02'37" East along the southerly line of land so conveyed to Lanny S. Yelsky, Adrienne Yelsky and Julie Yelsky Cummings, 47.05 feet to a 3/4" iron pin found at the northwesterly corner of land conveyed to Mitchel E. Luxenburg (P.P.N. 741-02-065) by the deed dated October 11, 2007 and recorded in AFN. 200710111016 of Cuyahoga County Deed Records;



Thence South 00°00'00" East along the westerly line of land so conveyed to Mitchel E. Luxenburg and the westerly lines of land conveyed to Andrew Cohen and Anne Cohen (P.P.N. 741-02-066) by the deed dated December 24, 2015 and recorded in AFN. 201512240286 of Cuyahoga County Deed Records and Stephen Bruce Spaller and Lara Joan Spaller (P.P.N. 741-02-067) by the deed dated May 25, 2017 and recorded in AFN. 201705250878 of Cuyahoga County Deed Records, 96.45 feet to a 5/8" iron pin set at a southwesterly corner thereof;

Thence North 90°00'00" East along the southerly line of land so conveyed to Stephen Bruce Spaller and Lara Joan Spaller, 60.00 feet to a 5/8" iron pin set at the northwesterly corner of land conveyed to Zhe Piao and Meiying Quan (P.P.N. 741-02-034) by the deed dated September 22, 2006 and recorded in AFN. 200609220762 of Cuyahoga County Deed Records;

Thence South 00°00'00" East along the westerly line of land so conveyed to Zhe Piao and Meiying Quan, 126.98 feet to a 1/2" iron pin found (0.04 feet south and 0.07 feet west) on the northerly right of way of said East Baintree Road;

Thence North 90°00'00" West along the northerly right of way of East Baintree Road, 105.00 feet to the **Principal Place of Beginning**, containing 0.3986 acres as surveyed and described by Brian Siebenthal, P.S. No. 8740 of The Riverstone Company in May of 2023 and subject to all legal highways, restrictions, reservations and easements.

Note: All 5/8"x30" iron pins set and capped "Riverstone Company PS6747-PS8646"

Basis of Bearings: The centerline of East Baintree Road as North 90°00'00" East as shown in the Rapid Transit Land Sales Company's Subdivision No. 31 as shown by the plat recorded in Volume 94, Page 24 of Cuyahoga County Map Records.

Deed of Reference: Land conveyed to Bryan F. Lever and Ruth I. Kass (P.P.N. 741-02-035 and -036) by the deed dated September 30, 1999 and recorded in AFN. 1999093001712 of Cuyahoga County Map Records.

PRELIMINARY FOR REVIEW

May 24, 2023

Brian Siebenthal

P.S. No. 8740

Date



CURVE TABLE

Curve #	Length	Radius	Tan	Delta	Chord	Bearing
C1	305.89'	422.44'	160.00'	041° 29' 17"	299.25'	N 20° 44' 38" W
C2	55.00'	397.44'	27.55'	007° 55' 46"	54.96'	N 17° 07' 08" W
C3	52.50'	397.44'	26.29'	007° 34' 07"	52.46'	N 09° 22' 11" W
C4	38.74'	397.44'	19.39'	005° 35' 08"	38.73'	N 02° 47' 34" W
C5	39.27'	25.00'	25.00'	090° 00' 00"	35.36'	N 45° 00' 00" E
C6	22.86'	683.35'	11.43'	001° 55' 01"	22.86'	S 89° 02' 29" W

PLEASE NOTE

This Plat of Consolidation Survey was prepared without the benefit of a current title commitment. Therefore, the Riverstone Company cannot determine if any easements, restrictions and reservations affect the subject property. If the Riverstone Company is provided with the title commitment, a revised survey map will be provided at Riverstone's hourly fee schedule.

BASIS OF BEARINGS

The centerline of East Baintree Road as North 90°00'00" East as shown in the Rapid Transit Land Sales Company's Subdivision No. 31 as shown by the plat recorded in Volume 94, Page 24 of Cuyahoga County Map Records.

The Rapid Transit Land Sales Company's Subdivision No. 31
Volume 94, Page 24
Cuyahoga County Map Records

PLAT OF CONSOLIDATION
OF
23515 EAST BAINTREE ROAD
P.P.N. 741-02-035 & -036
CREATING
PARCEL "A"
CITY OF BEACHWOOD, OHIO

Situated in the City of Beachwood, County of Cuyahoga and State of Ohio and known as being all of Sublot Nos. 129 and 130 and part of Sublot No. 131 in the Rapid Transit Land Sales Company's Subdivision No. 31 of part of the Original Warrensville Township Lot Nos. 7 and 8 as shown by the plat recorded in Volume 94, Page 24 of Cuyahoga County Map Records.

OWNERS ACCEPTANCE

I, (We) the undersigned owner(s) of the land shown hereon, do hereby accept this Plat of Lot Split of the same.

Bryan F. Lever _____ Ruth I. Kass _____

NOTARY

State of _____ }
County of _____ }

Before me a Notary Public in and for said County and State, personally appeared the above named Owner(s) who acknowledged that he did sign the foregoing instrument and that it was his own free act and deed.

In witness whereof, I have hereunto set my hand and official seal at _____, this _____ day of _____, 20__.

Notary Public

My commission expires

APPROVALS

This Plat of Consolidation is accepted and approved by the Planning Commission of the City of Beachwood, Ohio this _____ day of _____, 20__.

Chairman of Planning Commission _____ Secretary of Planning Commission _____

Print Name _____ Print Name _____

This Plat of Consolidation is accepted and approved by the Engineer of the City of Beachwood, Ohio this _____ day of _____, 20__.

City Engineer - Joseph R. Ciuni

CERTIFICATION

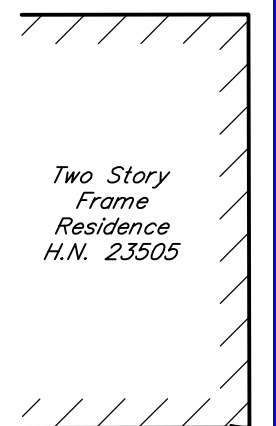
This plat was prepared from a field survey, analysis of recorded plats, recorded deeds, and city survey records. Bearings shown hereon are to an assumed meridian and are intended to indicate angles only. Distances are given in feet and decimal parts thereof. All of which I certify to be correct to the best of my knowledge. I hereby certify I have surveyed the subject premises and prepared this drawing in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code.

Brian Siebenthal
Brian Siebenthal P.S. No. 8740 May 24, 2023 Date

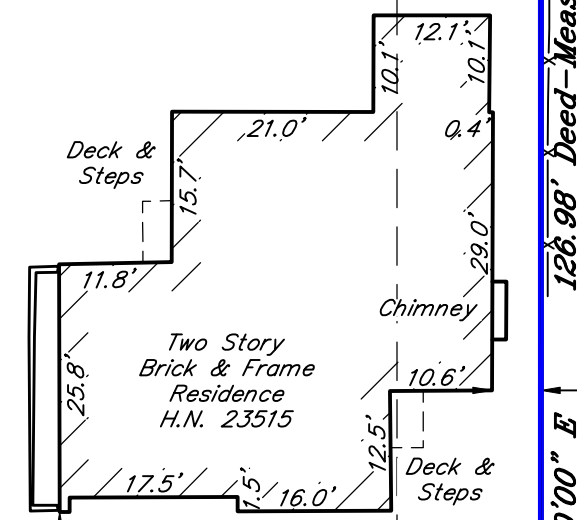
LYNDWAY ROAD 50'
(A PUBLIC RIGHT-OF-WAY)

Parcel "A"
0.3986 Acres
17,364 Sq.Ft.

Sublot 128
P.P.N. 741-02-037
John L. Weil
Wendy R. Weil
November 18, 1988
Volume 88-6054, Page 2



Sublot 130
P.P.N. 741-02-035
Bryan F. Lever
Ruth I. Kass
September 30, 1999
AFN. 199909301712



Sublot 131
P.P.N. 741-02-034
Zhe Piao
Meiyang Quan
September 22, 2006
AFN. 200609220762

Sublot 134
P.P.N. 741-02-032
Shannon R. Simpson
September 14, 2021
AFN. 202109140055

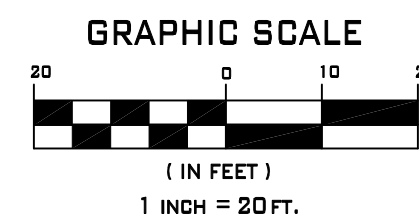
Sublot 138
P.P.N. 741-02-064
Lanny S. Yelsky
Adrienne Yelsky
Julie Yelsky Cummings
June 27, 2016
AFN. 201606270696

Sublot 137
P.P.N. 741-02-065
Mitchel E. Luxenburg
October 11, 2007
AFN. 200710111016

Sublot 136
P.P.N. 741-02-066
Andrew Cohen
Anne Cohen
December 24, 2015
AFN. 201512240286

Sublot 135
P.P.N. 741-02-067
Stephen Bruce Spaller
Lara Joan Spaller
May 25, 2017
AFN. 201705250878

Principal Place of Beginning



EAST BAINTREE ROAD 50'
(A PUBLIC RIGHT-OF-WAY)

LEGEND

- = Monument Box Found
- = Iron Pin Found
- = Iron Pipe Found
- = 5/8"x30" Iron Pin Set
- ⊙ = Drill Hole Set / Found
- ⊕ = Mag Nail Set / Found
- ⊖ = Centerline

Note: ● Denotes 5/8"x30" iron pins set and capped "Riverstone Company-PS6747-PS8646"

DRAWN BY

BOK, BS

APPROVED

BS PS NO. 8740



RIVERSTONE

LAND SURVEYING - ENGINEERING - DESIGN
3800 LAKESIDE AVENUE - SUITE 100
CLEVELAND - OHIO - 44114
PHONE: (216) 491-2000 FAX: (216) 491-9640
WWW.RIVERSTONESURVEY.COM

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: July 10, 2023

RE: **P&Z 2023-13** **Bryan Lever**
23515 East Baintree Road
Lot Consolidation Plat



This request is for approval of a lot consolidation plat. The applicant owns two (2) abutting lots and wishes to consolidate the two parcels into a single parcel in order to construct an addition onto the existing dwelling. The resulting consolidated parcel would contain 17,364 square feet and have 105 feet of frontage on East Baintree Road.

It is recommended that the Commission grant approval of the lot consolidation plat subject to any comments or recommendations of the City Engineer.



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

Cleveland Office

5595 Transportation Blvd
Suite 100
Cleveland, OH 44125

tel 216.518.5544
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www.gpdgroup.com

MEMORANDUM
CITY OF BEACHWOOD
PLANNING AND ZONING COMMISSION MEETING

Meeting Date: July 27, 2023

Report Date: July 5, 2023

2023120.01

To: Mr. William B. Griswold
Building Commissioner

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

AGENDA ITEM NO. 5

P & Z 2023-13 **Bryan Lever, property owner, is requesting approval for lot Consolidation of PPN 741-02-035 and PPN 741-02-036 to allow construction of additional garage space at 23515 East Baintree Road.**

We hereby recommend approval of the Lot Consolidation. It meets all City and County Standards.