

BEACHWOOD PLANNING & ZONING COMMISSION MINUTES OF THE MEETING HELD AT BEACHWOOD CITY HALL, COUNCIL CHAMBERS, 25325 FAIRMOUNT BOULEVARD, ON THURSDAY, AUGUST 31, 2023 AT 6:30 P.M.

The meeting was called to order at 6:30 P.M. by Chairman Orry Jacobs.

ROLL CALL: Present: Mayor Berns, I. Dhillon, O. Jacobs, B. Janovitz,
E. Tannenbaum, B. Zabell
Absent: R. Hecht
Also Present: M. Kurz, G. Smerigan

APPROVAL OF THE MINUTES

Moved by B. Zabell, seconded by E. Tannenbaum, that the minutes of the Planning and Zoning Commission Meeting held on July 27, 2023 be approved.

ROLL CALL Yes: Mayor Berns, O. Jacobs, B. Janovitz,
E. Tannenbaum, B. Zabell
No: None.
Abstain: I. Dhillon
Not Voting: None.
MOTION – MINUTES APPROVED

COUNCIL REPORT

None.

CITIZEN’S REMARKS

None.

AGENDA ITEMS

P&Z 2023-14 Leon Sampat, LS Architects, Inc., on behalf of Brenda and Gail Atkins, property owners, is requesting preliminary site plan approval for a new dental office to be located at 21515 Chagrin Blvd.

Mr. Leon Sampat, LS Architects, reviewed the proposed project which includes demolition of the current building which is in poor condition and building of a new structure.

Mr. Smerigan stated Fire, Building, and Engineering have no issues. He commented the applicant has worked with Administration to try to do this in the most effective way. He noted eliminating the second curb cut on Chagrin Boulevard is a safety improvement. After reviewing his staff report, preliminary site development plan approval subject to the seven (7) stipulations listed in his staff report was recommended.

Moved by E. Tannenbaum, seconded by B. Zabell, that P&Z 2023-14 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 1127.03(b) with regard to the

required side yard setback, with Code Section 1127.03(c) with regard to required parking setbacks, and with Code Section 1144.07 with regard to required off-street parking; 2) Granting a variance of 6.5 feet to Section 1127.03(b) to permit the western side yard setback to be 7.25 feet in lieu of the required 13.75 feet; 3) Granting a variance of 9 feet to Section 1127.03(c) to permit the eastern side yard setback to be 1 foot in lieu of the required 10 feet; 4) Granting a variance of 5 feet to Section 1127.03(c) to permit the western side yard setback to be 5 feet in lieu of the required 10 feet; 5) Granting a variance of 20 feet to Section 1127.03(c) to permit the rear yard setback to be 10 feet in lieu of the required 30 feet; 6) Granting a variance of 4 parking spaces to Section 1144.07 to permit there to be 23 parking spaces in lieu of the required 27 spaces; 7) That a screen fence 6 feet in height along with landscaping be installed along the entire length of the rear property line. The design of the fence and landscaping to be as approved by the Commission as part of the final site development plan approval.

ROLL CALL Yes: Mayor Berns, I. Dhillon, O. Jacobs, B. Janovitz, E. Tannenbaum, B. Zabell
 No: None.
 Abstain: None.
 Not Voting: None.
 MOTION APPROVED –
 RECOMMENDATION TO COUNCIL
 (Monday, September 18, 2023)

P&Z 2023-15 Jeff Mantel, Prudent Painting, on behalf of Dena Platschek, property owner, is requesting preliminary and final site plan approval for a new house located at 23620 Ranch Road.

Mr. Jeff Mantel, Prudent Painting, reviewed the proposed new residential structure and explained the reasons for the requested approval of variances.

Mr. Smerigan stated Fire, Building, and Engineering have no comments. He reviewed his staff report and noted there is no practical difficulty, topographic or lot irregularity to prohibit them from meeting the current code setbacks other than the desire to build a bigger structure. He does not see how the Commission can grant a variance because there is no practical difficulty.

Chairman Jacobs asked the applicant what is the practical difficulty other than wanting a larger house.

Mr. Mantel replied the shape of the lot did prove to be an issue based on what they wanted in the house design. He will work with the architect on the redesign.

Discussion ensued.

Chairman Jacobs questioned is there a way to meet the requirements of the owners within this parcel without needing any variances if they redesign.

Mr. Mantel replied the only thing that might cause an issue is the height and square footage but not sure about the rear yard.

Mr. Smerigan commented there is some way to accommodate what they are looking for and make it work but it may need to be a small adjustment.

Mayor Berns commented on his concerns with the project and has an issue with the rear yard

variance as well.

Moved by B. Zabell, seconded by E. Tannenbaum, that P&Z 2023-15 be approved.

ROLL CALL	Yes:	None.
	No:	Mayor Berns, I. Dhillon, O. Jacobs, B. Janovitz, E. Tannenbaum, B. Zabell
	Abstain:	None.
	Not Voting:	None.
MOTION DENIED		

ADJOURNMENT

Moved by E. Tannenbaum, seconded by I. Dhillon, to adjourn the Planning and Zoning Commission Meeting at 7:07 P.M. to the next scheduled Planning and Zoning Commission Meeting.

ROLL CALL	Yes:	Mayor Berns, I. Dhillon, O. Jacobs, B. Janovitz, E. Tannenbaum, B. Zabell
	No:	None.
	Abstain:	None.
	Not Voting:	None.
MOTION APPROVED		

Approved:

Chairman

Secretary

Clerk of Council

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.