



SHAKER HEIGHTS

Board of Zoning Appeals & City Planning Commission Agenda City Hall Council Chambers Tuesday, January 6, 2026, 7PM

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This meeting will be held in-person at City Hall, Council Chambers, with an option to attend virtually, pursuant to Chapters 113 and 115 of the Codified Ordinances and Resolution 22-29.

1. Roll Call.
2. Approval of Minutes from the December 2, 2025 meeting.

Documents:

[BZACPC M 2025 1202 DRAFT.PDF](#)

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Board of Zoning Appeals & City Planning Commission Minutes
Tuesday, December 2, 2025
7 P.M.
City Hall Council Chambers

Members Present: David E. Weiss, Mayor
Sean P. Malone, Council
Joanna Ganning, Member
Russell Lamb, Member
Jason Russell, Member

Others Present: Joyce G. Braverman, Director of Planning
William M. Gruber, Director of Law
Daniel Feinstein, Senior Planner

The meeting was called to order by Mayor Weiss at 6:00 p.m.

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Approval of the November 5, 2025 Meeting Minutes

It was moved by Mr. Lamb and seconded by Mr. Malone to approve the minutes.

Roll Call: Ayes: Weiss, Malone, Ganning, Lamb
Nays: None

Motion Carried

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#2322. YRM CORPORATION – 3540 HILDANA ROAD:

A Public Hearing was held on the request of Ishmael Martin, YRM Corp., 3540 Hildana Road, to the Board of Zoning Appeals and City Planning Commission for site plan review and a variance to the tree replacement requirements for a new single family house. The applicant proposes to construct a new three-bedroom house on this vacant lot, with a two-car detached garage located in the rear yard. The house will have an open floor plan and a basement. There are four trees along the north property line that will be removed, but three of them are not required to be replaced. One new front yard tree is proposed. All location and setback requirements are code conforming. Site plan review is required for all new houses.

Mr. Feinstein showed pictures of the site. He stated this is a request for site plan review and tree preservation variances for one of eight new houses on Hildana Road. There are two house design with

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one being a two story colonial and the other a one story design. Four of them are spread out and four are together on adjacent lots. All the lots and houses are code conforming in the SF-3 Single Family Residential zoning district. The sheet at your seat outlines the staff recommendation for each house. The house at 3540 does not need a tree preservation variance as advertised due to other trees being planted on site and some of the removed trees are compromised. The house at 3550 is acceptable as proposed. The house at 3589 should have the house moved two to three feet north. The house at 3606 will need a tree preservation variance and removal of a compromised tree. The house at 3658 should have the garage moved two feet to the south. The house at 3662 is acceptable as proposed. The house at 3666 needs to have the garage moved two to three feet and a dead tree removed. The house at 3670 is acceptable as proposed. All surveys need to show a 40 foot front yard setback to match the site plan and tree preservation fencing needs to be installed to protect the existing trees. The Architectural Board of Review approved 3 of the 8 house designs with some comments about shutters on the rest. We will discuss the houses jointly but each site plan must be voted on separately. Staff recommends approval with various conditions as listed in the sheet at the members seats.

Mr. Martin explained this request is for 8 new houses on Hildana Road. There are both single and two story homes. He has heard from elderly residents in the neighborhood that they want single level living and want to stay in Shaker Heights. The one story design is a new product in the city. Two of these homes may be pre-sold. Two of the Pennington Road houses he has built have sold. He is about to release the other six (6) houses for sale. All of his new Sudbury homes sold. Planting more trees is expensive and impacts the construction cost of the home.

Dr. Ganning asked about the landscape plan and tree variances. Could a back yard tree be planted to make up for the tree loss? Are the plants native or not?

Mr. Martin said the landscape plan is the same as other homes he has built in the city. There are boxwoods, tall grass, daylilies, and trees. Additional trees are too expensive and impact the project's cost of construction.

Mr. Malone said the City Forester might be able to help suggesting appropriate new trees or sources for donated trees to reduce costs.

Mr. Gruber said there is a separate contractual agreement with the city requiring saving existing trees. This would need to be waived by the city administration for the applicant's proposal if a variance is granted.

Sharra Thomas, Neighborhood Development Specialist, said the removal of trees would require a waiver of that section of the Development and Use Agreement. The City is prepared to move toward with that request if a variance is granted.

Mr. Lamb said he supports the tree preservation variance based on the location of the house and that the volunteer trees along the fence are being removed. The applicant has done a nice job of adding trees on other lots.

Mr. Malone said the obstacle seems to be cost. There may be alternative, less costly trees.

Mayor Weiss asked if the City Planning Commission is involved in the waiver for contracts.

Mr. Gruber said the Board is not involved and would not vote on it.

Mr. Feinstein explained the precedent of tree preservation variances as it relates to this request. This request is differentiated by the planting of eight (8) trees at other new homes in the neighborhood this year.

Ms. Braverman suggested the private group Heights Tree People could donate and plant trees.

Mayor Weiss opened the Public Hearing. No comments were received in regard to these new home applications.

Dr. Ganning said the existing trees are not the best quality and there are constants of development. This does create some precedent.

Mr. Lamb suggested the requirement to remove the south property line tree and that a new shade tree be planted to replace it in the rear yard.

Dr. Ganning said that is acceptable and goes from the loss of 12 trees to adding one.

Mr. Martin said he would rather it be stipulated to have the Heights Tree People plant a tree. He needs to build more homes to increase sales values as construction costs are too high.

Mayor Weiss suggested he might be able to plant a smaller caliper/size tree so it is less expensive. Staff can work with the applicant on options.

It was moved by Dr. Ganning and seconded by Mr. Lamb to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. Submit a revised survey to indicate a 40 foot front yard setback to match the site plan; and
2. Install tree protection fencing to protect the existing trees in the front yard and the street tree.

Roll Call: Ayes: Weiss, Malone, Ganning, Lamb
 Nays: None

Motion Carried

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#2323. YRM CORPORATION – 3550 HILDANA ROAD:

A Public Hearing was held on the request of Ishmael Martin, YRM Corp., 3550 Hildana Road, to the City Planning Commission for site plan review for a new single family house. The applicant proposes to construct a new three-bedroom house on this vacant lot, with a two-car detached garage located in the rear yard. The house will have an open floor plan and a basement. All location and setback requirements are code conforming. Site plan review is required for all new houses.

See the conversation under 3540 Hildana Road.

1. Submit a revised survey to indicate a 40 foot front yard setback to match the site plan; and
2. Install tree protection fencing to protect the existing trees in the front yard and the street tree.

Motion Carried

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A Public Hearing was held on the request of Ishmael Martin, YRM Corp., 3589 Hildana Road, to the City Planning Commission for site plan review for a new single family house. The applicant proposes to construct a new three-bedroom, one story house on this vacant lot, with a two-car detached garage located in the rear yard. The one story house will have a front stoop entry and a basement. All location and setback requirements are code conforming. Site plan review is required for all new houses.

It was moved by Mr. Lamb and seconded by Mr. Malone to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. Move the house 2 to 3 feet north to provide room toward the neighbor's driveway.
2. Submit a revised survey to indicate a 40 foot front yard setback to match the site plan.
3. Install tree protection fencing to protect the existing street tree.

Motion Carried

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A Public Hearing was held on the request of Ishmael Martin, YRM Corp., 3606 Hildana Road, to the Board of Zoning Appeals and City Planning Commission for site plan review and a variance to the tree preservation requirements for a new single family house. The applicant proposes to construct a new three-bedroom house, on this vacant lot, with a two-car detached garage located in the rear yard. The one story house will have a front porch and a basement. A dozen trees are

proposed to be removed along the north property line. Code requires trees to be maintained or be replaced. A variance is requested to not replace the trees. Three other existing trees will be maintained on the property. All location and setback requirements are code conforming. Site plan review is required for all new houses.

See the conversation under 3540 Hildana Road.

It was moved by Mayor Weiss and seconded by Mr. Malone to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. Remove the south property line rear yard tree near the corner of the proposed garage;
2. Plant a new tree in the rear yard with the comment to work with the Heights Tree People organization or work with staff on the size of tree to plant;
3. Submit a revised survey to indicate a 40 foot front yard setback to match the site plan; and
4. Install tree protection fencing to protect the existing trees in the front yard and the street tree.

Roll Call: Ayes: Weiss, Malone, Ganning, Lamb
 Abstain: Russell

Motion Carried

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#2326. YRM CORPORATION – 3658 HILDANA ROAD:

A Public Hearing was held on the request of Ishmael Martin, YRM Corp., 3658 Hildana Road, to the City Planning Commission for site plan review for a new single family house. The applicant proposes to construct a new three-bedroom house on this vacant lot, with a two-car detached garage located in the rear yard. The house will have an open floor plan with a basement. All location and setback requirements are code conforming. Site plan review is required for all new houses.

See the conversation under 3540 Hildana Road.

It was moved by Dr. Ganning and seconded by Mr. Lamb to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet.

Approved with the following conditions:

1. The garage must be moved two feet south to avoid the existing trees along the north property line.
2. Submit a revised survey to indicate a 40 foot front yard setback to match the site plan.
3. Install tree protection fencing to protect the existing trees in the front yard and the street tree.

Roll Call: Ayes: Weiss, Malone, Ganning, Lamb
 Abstain: Russell

Motion Carried

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#2327. YRM CORPORATION – 3662 HILDANA ROAD:

A Public Hearing was held on the request of Ishmael Martin, YRM Corp., 3662 Hildana Road, to the City Planning Commission for site plan review for a new single family house. The applicant proposes to construct a new three-bedroom house on this vacant lot, with a two-car detached garage located in the rear yard. The house will have an open floor plan with a basement. All location and setback requirements are code conforming. Site plan review is required for all new houses.

See the conversation under 3540 Hildana Road.

It was moved by Mr. Lamb and seconded by Mr. Malone to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. Submit a revised survey to indicate a 40 foot front yard setback to match the site plan.
2. Install tree protection fencing to protect the existing trees in the front yard and the street tree.

Roll Call: Ayes: Weiss, Malone, Ganning, Lamb
 Abstain: Russell

Motion Carried

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#2328. YRM CORPORATION – 3666 HILDANA ROAD:

A Public Hearing was held on the request of Ishmael Martin, YRM Corp., 3666 Hildana Road, to the City Planning Commission for site plan review for a new single family house. The applicant proposes to construct a new three-bedroom house on this vacant lot, with a two-car detached garage located in the rear yard. The one story house will have a front porch and basement. All location and setback requirements are code conforming. Site plan review is required for all new houses.

See the conversation under 3540 Hildana Road.

It was moved by Dr. Ganning and seconded by Mr. Malone to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. Submit a revised survey to indicate a 40 foot front yard setback to match the site plan.
2. Remove the further back existing tree on the north property line.
3. Move the garage 2 to 3 feet to the south to avoid an existing tree.
4. Install tree protection fencing to protect the existing trees in the front yard and the street tree.

Roll Call: Ayes: Weiss, Malone, Ganning, Lamb
 Abstain: Russell

Motion Carried

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#2329. YRM CORPORATION – 3670 HILDANA ROAD:

A Public Hearing was held on the request of Ishmael Martin, YRM Corp., 3670 Hildana Road, to the City Planning Commission for site plan review for a new single family house. The applicant proposes to construct a new three-bedroom house on this vacant lot, with a two-car detached garage located in the rear yard. The one story house will have a front stoop and a basement. All location and setback requirements are code conforming. Site plan review is required for all new houses.

See the conversation under 3540 Hildana Road.

It was moved by Mr. Malone and seconded by Dr. Ganning to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. Submit a revised survey to indicate a 40 foot front yard setback to match the site plan.
2. Install tree protection fencing to protect the existing trees in the front yard and the street tree.

Roll Call: Ayes: Weiss, Malone, Ganning, Lamb
 Abstain: Russell

Motion Carried

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#2330. FIVE IRON GOLF – 20040 VAN AKEN BOULEVARD:

Public Hearing on the request of Lauren Fedor, HSB Architects, representing Five Iron Golf, 20040 Van Aken Boulevard, to the Board of Zoning Appeals and City Planning Commission for a modification to a conditional use permit for an outdoor putting course and variances to parking, fencing and lighting regulations in order to expand a recreational facility into the north end of the Shaker Plaza shopping center parking lot. A similar request was approved in 2022 but never constructed. The applicant has submitted a detailed layout of the putting course that extends the course over 14 existing parking spaces. This proposal covers an additional 3 parking spaces than was approved in 2022. A variance is required to the total number of parking spaces in the overall shopping center. The shopping center is proposed to have 182 parking spaces after 14 spaces are eliminated for the outdoor putting course. The entire shopping center requires 215 parking spaces. A 3-foot tall black ornamental aluminum fence is proposed around the putting course with a 2 to 3 foot setback from the Farnsleigh Road sidewalk. Code requires a fence to be set back 5 feet from the Farnsleigh Road property line and softened with landscaping that is 8 inches tall. A landscape plan in front of the fence has been proposed. The lighting plan indicates light crossing the property line. Code allows no more than one foot candle of light to cross a property line. Council confirmation is required for the conditional use permit.

Mr. Feinstein showed pictures of the site. He stated this is a request for a modification to the conditional use permit for a recreation facility and variances to parking, fencing and lighting in order to construct an outdoor putting course. The applicant proposes an outdoor putting course to operate as part of the interior golf recreation facility. A similar proposal was approved in 2022 for 1899 Golf, but was never constructed. This proposal covers three additional parking spaces so another parking variance is needed.

Code requires 215 parking spaces for the whole shopping center is being reduced 14 spaces to 181 overall spaces. The 3 foot tall ornamental aluminum fence is between two and three feet off the Farnsleigh Road sidewalk. Code requires a fence to have a five foot setback. The proposed lighting does project more than 1 foot candle of light onto the Farnsleigh Road sidewalk. Revised landscaping along Farnsleigh Road includes specific species of a mix of ornamental grasses and shrubs planted to soften the fence. The lighting photometrics have been submitted. Staff suggests approval with the conditions that the putting course will not operate past 10 p.m. and the lights are turned off after it closes.

Lauren Fedor, HSB Architects, added that 80 to 90 percent of other businesses nearby have 9:00 a.m. to 5:00 p.m. hours. The peak hours for Five Iron Golf will be between 6:00 and 8:00 pm. Jesse Rathner, owner's representative, is on the call supporting the request.

Dr. Ganning asked who is the audience for the outdoor putting course.

Nora Dunnan, Five Iron Golf, said the audience is kids and families, mostly on the weekends. They also target corporate events and young adult entertainment in the evening.

Dr. Ganning said she is concerned with keeping the golf balls off the street. Maybe the fence should be higher and more solid.

Mr. Feinstein suggested a mesh could be installed on the ornamental aluminum fence to help contain the golf balls.

Dr. Ganning said she would like to see a mesh material on the inside of the fence.

Ms. Fedor said they want visibility of the course from the street so they prefer an open fence plus mesh if required.

Mr. Malone said he agrees with the mesh on the fence and suggests a 4 foot tall fence makes sense.

Mr. Rathner said he agrees with the idea of mesh behind the fence.

Mr. Lamb asked about entry and exit.

Ms. Fedor said the only way to start the course is from inside the building.

Mayor Weiss asked if there will be music on the course.

Ms. Dunnan said they anticipate light background music will play.

Mayor Weiss said there are residents directly across the street.

Dr. Ganning said she would not be supportive of outdoor music.

Mr. Rathner said the live music in the Van Aken District is louder music. Background music would be much quieter than the live music series.

Mr. Gruber said the letter submitted with the application stipulates no outdoor music.

Ms. Dunnan said would really like to have the background music. They envision low ground speakers, which would be shut off at 10 p.m.

Dr. Ganning said neighbors did not get notification of any outdoor music. She does not feel comfortable approving something not included in the application materials.

Mr. Russell said the documents submitted state there will be no music. He agrees it is not appropriate to consider music without further public notice.

Ms. Dunnan said they would like to move forward now and maybe apply for outdoor music at a later date.

Mr. Malone said once the use generates good vibes, it may be appropriate to apply for music after maybe a year.

Mayor Weiss asked if construction removes the existing asphalt.

Ms. Fedor said no. The asphalt will remain under the course.

Mayor Weiss asked about the artwork. He questioned how they chose the artwork. Some of the statues are somewhat disturbing. How tall are they?

Ms. Fedor said most of the sculptures are about 4 to 5 feet tall.

Ms. Dunnan said the art is theoretical pop art. They will work with artists for an exact design. Part of their brand is working with artists to elevate the feel of family entertainment. The artwork is meant to be fun, colorful, and family friendly.

Ms. Braverman said public art should be reviewed by the Public Art Task Force for their input.

Dr. Ganning said there has been some engagement on the art in other places.

Mayor Weiss said he understands the bright colors, but the heights are too tall in his opinion.

Ms. Fedor said only the tree form is taller. The others are around 4 feet tall. The shorter ones could be in front and the taller one could be back closer to the building.

Mr. Russell said the art statues are not significantly related to the rest of the use. The Public Art Task Force should give input but he supports the conditional use permit.

Ms. Braverman said the Board could limit the height as a condition of approval and then refer the design to the Public Art Task Force.

Mr. Malone said that makes sense to him

Mayor Weiss said the general idea of the art feels better if it is lower and the Public Art Task Force reviews it.

Mayor Weiss opened the Public Hearing. No comments were received in regard to this application.

Dr. Ganning asked about the parking variance. There has been some grumbling about the parking at this end of the Shaker Plaza shopping center.

Mr. Feinstein explained the location of additional parking spaces in the lower public parking on Van Aken and in the Van Aken District.

Mr. Russell said they approved 1899 Golf conditional use permit without that much parking. The applicant could to identify the other parking areas for their customers like the RTA parking on Van Aken Boulevard.

Mr. Malone said there are enough parking spaces in the general area.

Mayor Weiss said the applicant should be able to provide some parking guidance to their customers.

Mr. Russell asked the height of the light fixtures. One statue could be a signature height and the others lower.

Ms. Fedor agreed to that approach. The tree statue is 8 feet tall and the others are 5 feet and under.

Dr. Ganning said one 8 foot tall tree is acceptable. The others should be lower at 4 to 5 feet tall at the most.

Ms. Braverman said the one taller piece should be near the building. It is appropriate to refer the design of the art pieces to the Public Art Task Force for the final artwork.

Mr. Russell said there should be no outdoor music. The 4 foot tall fence should have mesh on the inside.

It was moved by Mr. Russell and seconded by Dr. Ganning to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. The putting course will not operate past 10:00 p.m. and the lights will turn off when it closes.
2. There will be no outside speakers or music.
3. The fence is to be 4 feet tall with mesh applied to the inside to keep golf balls from passing through the fence.
4. The statuary art pieces are limited in height to one larger piece at a maximum of 6 feet tall, located closer to the building, with the rest being 4 feet tall or less.
5. Submit the statuary art pieces for review to the Public Art Task Force.

Roll Call: Ayes: Weiss, Malone, Ganning, Lamb, Russell
 Nays: None

Motion Carried

Council confirmation required.

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WORK SESSION

1. Zoning Map and Text Amendments.

Discussion held.

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There being no further business, the meeting was adjourned at 9:15 p.m. The next meeting will be January 5, 2026.

David E. Weiss, Chair
Board of Zoning Appeals
City Planning Commission

Daniel Feinstein, Secretary
Board of Zoning Appeals
City Planning Commission