



**Board of Zoning Appeals & City Planning Commission Minutes
Tuesday, September 5, 2023
7 P.M.
City Hall Council Chambers**

Members Present: David E. Weiss, Mayor
Sean P. Malone, Council
John J. Boyle III, Member
Joanna Ganning, Member
Jason Russell, Member

Others Present: Joyce G. Braverman, Director of Planning
Lisa Gold-Scott, Assistant Director of Law
Daniel Feinstein, Senior Planner

The meeting was called to order by Mayor Weiss at 7:00 p.m.

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Approval of the July 5, 2023 Meeting Minutes

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

Roll Call: Ayes: Malone, Boyle, Ganning, Russell
Nays: None
Abstain: Weiss

Motion Carried

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Approval of the August 1, 2023 Meeting Minutes

It was moved by Mr. Russell and seconded by Dr. Ganning to approve the minutes.

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

Motion Carried

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CITY OF SHAKER HEIGHTS

#2222. ARCADIA – 3393 WARRENSVILLE CENTER ROAD:

A Public Hearing was held on the request of Kevin Dreyfuss-Wells, RDL Architects, on behalf of Metropolitan Holdings LLC, 3393 Warrensville Center Road, to the Board of Zoning Appeals for a variance to the design standards prohibiting vinyl siding in order to construct a mixed-use building at the corners of Warrensville Center, Farnsleigh and Helen Roads. The Commercial Mixed-Use zoning district design standards prohibit the use of vinyl siding. The vinyl lap siding on the Arcadia building is proposed on the interior courtyard walls only. The exterior walls are brick, stone and cement board lap siding. The project was approved for site plan and variances in March 2023.

Mr. Feinstein showed pictures of the site. He stated this is a request for a variance to the design standards of the CM Commercial Mixed-Use zoning district in order to allow vinyl siding. The applicant proposes a mixed-use building that has been approved for site plan by the City Planning Commission. The interior courtyard exterior walls are proposed to be vinyl sided. The double 4 inch regular lap siding is only on the courtyard elevations. The CM District Design Standards require stone, brick, wood, or cement board siding as exterior materials. These materials are proposed on the portions of the building visible to the street view. The Architectural Board of Review approved the design and vinyl material locations. Staff supports the request.

Jamie Oberschlake, Metropolitan Holdings, said vinyl siding is the more sustainable material option for this part of the building. It will make maintenance and replacement of the siding when needed possible in the confined courtyard space. The interior courtyard is only viewed by the residents and employees.

Mr. Russell asked what can be seen from the Helen Road homes and the southern view.

Mr. Oberschlake said the vinyl material can only be viewed at 35 feet above the top of the townhomes and that is over 100 feet back from the townhomes and not visible from street level. The church blocks the view from the south.

Mayor Weiss asked if the Architectural Board of Review approved of the design and materials.

Mr. Feinstein said yes, the materials and design were approved by the Architectural Board of Review.

Mr. Malone said this application does not compare to the normal exterior of a building facing a street or neighbor. He understands the reason for the request due to access for maintenance. This is a unique set of circumstances. He is supportive of the request.

Mr. Boyle said the driving force seems to be future maintenance and not initial cost.

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

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.

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

Motion Carried

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#2225. FERRANTE RESIDENCE – 14412 LARCHMERE BOULEVARD:

A Public Hearing was held on the request of Jim McCaskey, McCaskey Landscape & Design, representing Donna and Jim Ferrante, 14412 Larchmere Boulevard, to the Board of Zoning Appeals for a variance to the fence location and height regulations on a corner lot. The applicant proposes a 4-foot tall black aluminum ornamental fence at the corner of Larchmere Boulevard and Wicklow Road. The fence is proposed to extend from the Wicklow Road side of the house, across the driveway and be located 35 feet off the Wicklow Road sidewalk. Code requires that fences located in corner side yards not extend in front of the setback line of the principal building on the adjacent lot. The adjacent house on Wicklow Road is set back 60 feet. Code allows a fence height of 3 feet tall in a corner front yard. The fence is proposed to be screened from the street view by extensive proposed landscaping including Norway spruce trees and giant arborvitae bushes. The fence is proposed to enclose a proposed in-ground pool and contain the applicant's dogs.

Mr. Feinstein showed pictures of the site. He stated this is a request for a variance for the location and height of a fence in a corner yard at the corner of Larchmere Boulevard and Wicklow Road. The applicant proposes a 4-foot tall black ornamental aluminum fence set back 35 feet from Wicklow Road. The zoning ordinances do not allow a fence closer to the street than the front wall of the adjacent house. The adjacent house is set back 60 feet from Wicklow Road. A front yard fence is limited to 3 feet tall. The applicant wants the fence in order to enclose a proposed pool and their dogs. An extensive landscape plan is proposed to screen the fence from the street view. Staff supports the request

Jim McCaskey, McCaskey Landscape and Design, explained the site plan, along with where the pool and fence locations are proposed. He said there is no other place for the location of the pool. That is also the reasoning of the fence location request. A 4 foot tall fence is required around a pool. The fence does not extend in front of their house.

Mayor Weiss said the graphic plans of the site help him understand and show the proposed project and landscape screening well.

Mr. Boyle said the fence is not closer to the street than the house itself and does not block the view down the street. He supports the request.

Mayor Weiss opened the Public Hearing.

Dr. Joseph Sopko, 2791 Wicklow Road, said he is supportive of the project. It will enhance neighborhood and enhance the property which has been left in disrepair.

Dr. Ganning said there is nowhere else to put a pool if not here. She supports the request.

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.

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

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Mayor Weiss recused himself and left the room.

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CITY PLANNING COMMISSION

#2226. LAKESIDE LINEN – 16500 CHAGRIN BOULEVARD:

A Public Hearing was held on the request of Ellen Seguin, Lakeside Linen Supply, 16500 Chagrin Boulevard, to the City Planning Commission for a conditional use permit for a limited production and processing business in order to operate a linen processing and delivery company. The business is proposed to occupy an area of the building facing Lee Road. The business processes bed and bath linens and towels for vacation homes, college and universities, retreats and camps with a pickup and delivery service. The linens are stored and assembled on site. The CM Commercial Mixed-Use zoning district requires a conditional use permit for limited production and processing uses. City Council confirmation is required for conditional use permits.

Mr. Feinstein showed pictures of the site. He stated this is a request for a conditional use permit for a limited production and processing business of a linen service. The applicant proposes a business that picks up and delivers bedding, bathroom linens, and towels to vacation homes, colleges, and camps. Linens are stored, assembled and delivered from this commercial space. A limited production and processing use requires a conditional use permit in the CM Commercial Mixed-Use district. Staff supports the request with the following conditions: 1) loading and unloading happens adjacent to the building; 2) no parking or loading adjacent to the south property line. Council confirmation of a conditional use permit is required.

Ellen Seguin, Lakeside Linen Supply, apologized for the late request. They are already in business. She did not know about a commercial occupancy permit, which is new to her. The business began to serve Lakeside, Ohio vacation homes. It was run out of Marblehead and now relocated to Shaker Heights. She hires high school students. The site has easy access via the opportunity corridor which helps with laundry service access. She described that they store sheets, towels, comforters, etc., then assemble them for customers. Busy time is May to September for colleges, universities and camps. It is a good fit for this location. They do not create odor or noise nor a lot of traffic. The laundry merchant uses a 15-foot box truck 2 to 3 times a week. One time a summer, a large truck arrives for a college customer. They donate used linens to Loving Cup daycare and to refugee relief organizations.

Mr. Malone asked how long they have been in the space. Are employee’s vehicles used for delivery?

Ms. Seguin said they have been in the space since March. Employee vehicles are used now. They may rent a van in the future.

Mr. Malone asked how traffic flows on the site and to their doors.

Ms. Seguin said employees usually go out right onto Lee Road or to the Walgreen's exit as Lee Road is difficult to access. Trucks pull in and unload from Lee Road and usually continue through the site and exit by Walgreens on Chagrin Boulevard.

Ms. Braverman asked the peak number of employees.

Ms. Seguin said three cars and maybe three employees is peak.

Mr. Russell asked what happens once the linens are assembled.

Ms. Seguin said a laundry merchant has drop-off and pick-up about 2 – 3 times per week.

Mr. Malone asked about growth of the business making laundry service more frequent.

Ms. Seguin said it is possible but they try to consolidate deliveries. Never more than one per day.

Mayor Weiss opened the Public Hearing.

Mr. Feinstein outlined the two letters received prior to the meeting.

Mr. Fedor, Shaker Heights Development Corp., supports the business in this space. Mr. Lewis of Lewis Electronics is concerned with access and visibility to Lee Road.

David Lewis. Lewis Electronics, 3536 Lee Road is excited for the Lee Road Action Plan. This property is different than an industrial park. The area is not really set up for the postal repair facility or this business. He showed that the existing driveway blocks the view of Lee Road from his property. The postal service operation is already dangerous and these new box trucks are adding to that safety issue. There needs to be a dedicated space to load and unload.

Mr. Malone asked staff to address the postal services conditional use permit approval in relation to the driveway concerns.

Ms. Braverman said the only condition of approval for the postal service is to not exit to Chelton Road. There was discussion of a traffic study and concern about traffic to Lee and Chelton Roads. She listed conditions of the postal service use from 1993. The traffic study was referred to the traffic committee. The postal service plans were modified to include two exit lanes onto Lee Road. There was a lot of discussion that happened around the traffic study, which Mr. Lewis is remembering.

Mr. Malone asked the consequences of the business operating without an occupancy permit and zoning approval.

Ms. Braverman said there is no obligation to approve this request due to the situation. A double fee for the occupancy permit is added.

Dr. Ganning asked if there was a new traffic study.

Ms. Braverman said the Lee Road Action Plan does include a traffic study to implement a road diet on Lee Road, which will calm traffic. She said the Board can make conditions about exit and parking part of this approval.

Dr. Ganning said there is not much traffic generated by this business.

Mr. Russell said the business is in 2,300 square feet now with two to three deliveries per week. If the business expands deliveries could increase. He expects it would need to re-apply for review if it expands.

Ms. Seguin said currently the laundry loading takes place along the southern property line in the driveway.

Mr. Malone asked what happens with loading for that truck and for their deliveries to customers.

Ms. Seguin said the laundry truck exits to the Chagrin Boulevard driveway to avoid turning around.

Mr. Malone said loading or unloading should not conflict with access to the site or visibility to neighboring sites.

Mr. Russell said to make sure to state that the driveway aisle is not to be blocked by a delivery vehicle.

Mr. Boyle asked if the only parking spaces that are part of the lease are in front of their doors.

Ms. Seguin said yes, officially these are their only parking spaces.

Mr. Boyle said if employees are parked in front of the garage doors, then they would need to move for loading and unloading.

Ms. Gold-Scott said if employees are parking elsewhere on site, then they need to clear that with their landlord.

Dr. Ganning said it should be the intent to keep the Lee Road driveway clear and open, and encourage employees to park elsewhere on the site.

Mr. Malone said it was important to hear from Mr. Lewis. The applicant needs to understand not to create further issues for their neighbor. He would encourage employees to park elsewhere on site so as not to block access or egress.

It was moved by Dr. Ganning and seconded by Mr. Russell 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. Loading and unloading occurs on the north side of the parking lot so as not to block the driveway.
- 2. No parking or loading is allowed along the south property line.
- 3. Employees are encouraged to park elsewhere on the site.
- 4. Delivery vehicles are encouraged to exit using the Chagrin Boulevard driveway.

Roll Call:	Ayes:	Malone, Boyle, Ganning, Russell
	Nays:	None

Motion Carried

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Mayor Weiss returned to the meeting.

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#2223. BEACHY-OSUWU RESIDENCE – 3662 HILDANA ROAD:

A Public Hearing was held on the request of Dan Bickerstaff, Ubiquitous Design, 3662 Hildana Road, on behalf of Marita Beachy and Kojo Beachy Osuwu, to the Board of Zoning Appeals and City Planning Commission for site plan review, subdivision of land, and variances to the garage regulations for a new single family house. The applicant proposes to construct a new three-bedroom house on two vacant lots, with an attached garage located in the side yard. Another house is proposed on the adjacent two lots. The two homes are proposed to share one driveway and turnaround. Two vacant lots are proposed to be combined into one lot for each house, measuring 80 by 165 feet for a total of 12,800 square feet. The garage is proposed to be attached at the side of the home. A detached garage is required on this block as the majority of existing garages are detached. A variance is required as garages are only allowed in the rear yard. 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, subdivision of land, and garage variances for a new single family house. There are two homes proposed with a shared driveway. The three bedroom house is proposed on combined lots (735-21-132 and 735-21-133), currently owned by the city. The attached garage is proposed in the side yard facing the shared driveway. Code requires a detached garage in the rear yard. The house setbacks meet code. The Architectural Board of Review approved the overall design and reviewed the plans this morning and suggested the following: 1) symmetrical placement of the windows over the garage doors; 2) one window stacked over the kitchen window for the primary bedroom; 3) study the size/placement of fenestration on the non-driveway side. Staff supports the request with the following conditions: 1) final approval by the Architectural Board of Review; 2) tree protection fencing; 3) retention of both street trees; 4) submission of a revised survey coordinated with the landscape plan; 5) completion of an access and maintenance easement; 6) final zoning approval of the HVAC location, play set, and fire pit locations; and 7) submission of a final plat to the city and recorded with the county.

Rochele Beachy explained her family’s history on the street and the current project is a combined family affair with her daughter’s family. The combined driveway helps open up more yard. They have talked to neighbors and received approving comments from them.

Kojo Beachy-Osuwu said he is from Texas and moving to Cleveland. They want to raise their children in Shaker Heights. This an opportunity to age in place for his in-laws and be near them. The attached garage is a big help for exposure to the cold. They strive to be environmentally sensitive by having solar panels.

Marita Beachy said the side-facing garages allow a view to the side and rear play areas from the house.

Dan Bickerstaff, architect, said he is excited to design a residential development for this family. He took design cues from other modern homes in the city. The project combines four lots to two lots. There is a central 16-foot wide driveway with side facing garages. He understands the landscape plan

need to be coordinated. The Architectural Board of Review has reviewed the design and it is approved. The building width is too narrow due to the width of the combined lot.

Ms. Deru explained the landscape plan. There is a rain garden in the front. The plant species focus on color and texture and are drought resistant. The plants have seasonal interest for the family. Existing trees on the tree lawn will be maintained. One of the large shade trees in the rear is not well per the arborist, and will be removed.

Mr. Bickerstaff explained he is using robust vinyl siding colors plus stone accents in the design. He described the bedroom on the first floor is designed for ADA accessibility for a sister and a primary bedroom. The northern house design was described. They propose a lively space outside. The house has somewhat different colors. A textured stone is used at the base with robust foundation planting. They utilize offset gable roofs and contemporary windows on the front façade design.

Mr. Russell said the design is well executed. It is a beautiful family project. It is good to confirm large tree in northern, front, yard will be maintained.

Mayor Weiss asked if native plants are part of the landscape plan.

Ms. Deru said both native and adaptive plant species are proposed with no invasive species.

Mr. Boyle said this is a terrific project and will be a good addition to the community. He supports the site plan and variances.

Mr. Malone asked how the neighbors have been notified.

Mr. Feinstein said code required notification by mail to all homes within 200 feet of the properties and there is a notice placed in the newspaper.

Mr. Malone said combining two lots into one is not out of character for the neighborhood.

Dr. Ganning said when the houses do eventually change hands, it will still work well together.

Mayor Weiss said the concept for the two homes is eloquent.

Mayor Weiss opened the Public Hearing.

Vicki Elder, 3557 Hildana Road, said she excited for this new development on the street. Is there a specific level of vinyl siding required?

Mr. Feinstein said there is no specific width requirement, but the quality of vinyl siding is reviewed by the Architectural Board of Review along with required installation specifications to replicate appropriate trim details.

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. Final Architectural Board of Review approval that includes color differentiation between the two houses.


3. A final plat is submitted to the city and recorded at the county.
4. An access and maintenance plan and easement for joint use of the driveway and turnaround is submitted for staff review and recorded with the county.
5. Submit revised survey coordinating trees to be preserved with the landscape plan.
6. Submit for approval from staff for a code conforming air conditioning condensing unit with required screening.

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

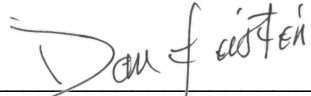
Motion Carried

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There being no further business, the meeting was adjourned at 9:00 p.m. The next meeting will be October 3, 2023.



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



Daniel Feinstein, Secretary
 Board of Zoning Appeals
 City Planning Commission