



## SHAKER HEIGHTS

### Board of Zoning Appeals & City Planning Commission Agenda Via Conference - Zoom Tuesday, February 1, 2022, 7PM

This virtual meeting is being held pursuant to Ordinance 22-02, AND RESOLUTION 22-03, enacted by City Council on January 10, 2022.

Join the Zoom meeting from a PC, Mac, iPad, iPhone or Android device. Join online to listen and watch at <https://zoom.us/j/99656786876?pwd=OU3V016QnNpeVFYR1k0aHQxc0pMQT09>, Password: 33553400; or join by phone to listen at 833-548-0282 (toll free); Webinar ID: 996 5678 6876, Password: 33553400.

Public comment will be taken during the meeting and residents may submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Daniel Feinstein at [daniel.feinstein@shakeronline.com](mailto:daniel.feinstein@shakeronline.com); or by calling (216) 491-1435. Any comments or questions received before the meeting will be read into the record at the meeting. The audio of the meeting will be available the following day on the City's [website](#).

1. Roll Call.
2. Approval of Minutes from the January 4, 2022 meeting.

Documents:

[DRAFT 2022 0104 BZA MINUTES.PDF](#)

#### BOARD OF ZONING APPEALS

##### **#2151. BEVILAQUA/GILTINAN RESIDENCE – 3020 COURTLAND BOULEVARD:**

Public Hearing on the request of Melissa Fliegel, Van Aukin Akins, representing Eric Bevilaqua and Elizabeth Giltinan, 3020 Courtland Boulevard, to the Board of Zoning Appeals for a variance to the front yard setback requirements in order to construct a new enclosed front entry. The applicant proposes to build a front entry 2 feet 8 inches beyond the required 75-foot front yard building setback. The front wall of the enclosed entry is proposed to be set back 72 feet 4 inches from Courtland Boulevard. The front entry is 12 feet 2 inches in width and includes a stoop and steps.

Documents:

[2151 3020 COURTLAND - COMPLETE PACKET.PDF](#)

#### CITY PLANNING COMMISSION

##### **#2149. CHIPOTLE RESTAURANT – 3530 WARRENSVILLE CENTER ROAD:**

Continuation of a Public Hearing on the request of Fred Margulies, Onyx Creative, representing Dan Carducci, Shaker FV Holdings, 3530 Warrensville Center Road, to the Board of Zoning Appeals and City Planning Commission for a Conditional Use Permit, site plan review, a shared parking agreement, variances and subdivision of land in order to construct a new Chipotle Restaurant on Warrensville Center Road, south of Chagrin Boulevard. The review was continued at the January meeting with several outstanding issues including drive-through and on site traffic circulation. A Conditional Use Permit is required for the drive-through pick-up window. Site plan review is required to construct a new restaurant building on this vacant lot. Variances are requested to the requirements regarding the rear buffer, front and side yard maximum building setbacks, parking and lighting. The rear landscape buffer is 7 feet 10 inches at one point at the southern end of the property while code requires a 20-foot wide landscape buffer bordering a residential zoning district. The front building setback is 15 feet with a patio facing Warrensville Center Road. The maximum front yard setback allowed is 10 feet. The side yard setbacks are 56 feet 6 inches to the south and 38 feet 8 inches to the north. Code allows a maximum setback of 1/3 the building height, which is 6 feet 8 inches. There are 27 parking spaces, code requires 31 parking spaces. A shared parking agreement is proposed with the Wendy's restaurant property at 3516 Warrensville Center Road next door with internal access provided by a driveway between the two properties. The lighting plan shows light encroachment over the southern property line of greater than the 1 foot candle of light trespass allowed by code. A Commercial Mixed Use district design standard variance is requested to the requirement for 60 percent clear first floor windows facing the street. Windows are proposed for 49 percent of the first floor building façade facing Warrensville Center Road. There are 20 outdoor seats on a front patio and 42 interior seats. A variance is required as code allows outdoor seating to only be 30% of the interior seating total. Subdivision of land is required to combine parcel numbers 736-29-045 and 046 into one parcel. The Conditional Use Permit requires Council confirmation.

Documents:

[2149 3530 WARRENSVILLE - COMPLETE PACKET.PDF](#)

**#2150. VAN AKEN MEWS – 3212-3246 VAN AKEN BOULEVARD:**

Public Hearing on the request of Ken Lurie, Shaker Sutton, LLC, 3212-3246 Van Aken Boulevard, to the Board of Zoning Appeals and City Planning Commission for approval of a Conditional Use Permit for a revised Planned Unit Development (PUD), variances, subdivision of land and site plan review. The applicant proposes to continue development of the single-family attached townhouse development on this vacant property at the corner of Van Aken Boulevard and Sutton Road that was approved in 2016. The applicant proposes to construct the three remaining buildings on the southern half of the site as a revision to the original PUD. Code requires a Conditional Use Permit for a revised Planned Unit Development. The applicant requests site plan review for this new construction. The basic three building layout remains similar with three (3) fewer units for a total of 18 new units. Thirteen of these units have one-car garages. Code requires a 2-car garage. Nine on-site outdoor parking spaces are proposed. Four of those parking spaces are set back

4 feet from Milverton Road. Code requires a 20 foot setback for a parking lot across from a residential zoning district. Two foot tall evergreen bushes are proposed to screen the parking spaces. A minimum front yard setback on Van Aken Boulevard of 8.4 feet was previously approved where code requires a minimum 10-foot front yard setback. The corner unit of Building D is now proposed to be 7.6 feet from Van Aken Boulevard. The air conditioning condenser units are located behind each unit but lack any solid screening. Code requires an air conditioning condenser unit to be screened from view of the side neighbors by solid fencing or evergreen landscaping. A revised landscape plan has been submitted. Subdivision of land is required as the applicant proposes each unit to have an individual parcel of land and common area governed by a homeowners association. The City Planning Commission makes a recommendation to City Council regarding a PUD plan review. City Council confirmation is required.

Documents:

[2150 VAN AKEN MEWS - COMPLETE PACKET.PDF](#)

*To request an accommodation for a person with disability, call the City's ADA Coordinator at 216-491-1440, or Ohio Relay Service at 711 for TTY users.*