

AVON BOARD OF ZONING & BUILDING APPEALS
REGULAR MEETING AGENDA
JUNE 5, 2024, 7:00 P.M.

ROLL CALL

Michael Bulger
Bill Hricovec
Mark Ladegaard
Chauncey Miller
Kurt Schatschneider

Jill Clements, Zoning Enforcement Officer
Pam Fechter, Econ. Dev./Planning Coordinator
John Gasior, Law Director
Duane Streater, Safety Director
Susan Pintz, Planning and Zoning Secretary

REVIEW & CORRECTION OF MINUTES

Motion to dispense with the reading of the minutes of the regular meeting held on May 1, 2024, and to approve the minutes as published.

REPORTS & CORRESPONDENCE

ADDITIONS & DELETIONS

Motion to add or delete items from the agenda.

Motion to approve the amended agenda.

APPEALS & REQUESTS

1. James Valderrama, 36498 Gosford Drive, 33-24

Proposal consists of a single-family addition.

The following variance is requested:

1. 14 ft. rear yard setback variance. Code requires 50 ft.; applicant proposes 36 ft. Section C.O. 1262.04(d)(4) Lot and Yard Requirements-Rear Yard.

Motion to approve.

2. Chris and Susan Howard, 3295 Lenox Oval, 35-24

Proposal consists of a family room addition with basement.

The following variance is requested:

1. 5 ft.9 in. rear yard setback variance. Code requires 50 ft.; applicant proposes 44 ft.3 in. Section C.O. 1262.04(d)(4) Lot and Yard Requirements; Rear Yards.

Motion to approve.

3. **Matthew Kudla, 2342 Stonewood Street, 25-24**

Proposal consists of a driveway extension.

The following variance is requested:

1. 10 ft. variance. Code requires 20 ft.; applicant proposes 10 ft. Section C.O. 1262.08(c)(2) Minimum Yard Requirements for Accessory Structures-Supplemental spaced area for parking or outdoor storage of vehicles.

Motion to approve.

4. **Paul and Karen Campbell, 33131 Saint James Trail, 30-24**

Proposal consists of an aluminum awning over an existing deck.

The following variance is requested:

1. 9 ft.10 in. rear yard setback variance. Code requires 50 ft.; applicant proposes 40 ft.2 in. Section C.O. 1262.04(d)(4) Lot and Yard Requirements; Rear Yards.

Motion to approve.

5. **Scott Wiles, 3086 Jaycox Road, 26-24**

Proposal consists of a detached barn.

The following variance is requested:

1. 11 ft. variance. Code requires 44 ft.; applicant proposes 33 ft. Section C.O. 1262.08(b)(2)(B) Maximum Area and Number of Accessory Buildings-Side Setback.

Motion to approve.

6. **Kody Urig, 36725, Kinzel Road, 36-24**

Proposal consists of an accessory structure.

The following variance is requested:

1. 118 sq. ft. variance. Code allows 541 sq. ft. applicant proposes 659 sq. ft. Section C.O. 1262.08(a)(2) Maximum Area and Number of Accessory Buildings

Motion to approve.

7. **Aaron and Lyndsay Moore, 4563 Center Road, 31-24**

Proposal consists of a new single-family home.

The following variance is requested:

1. Variance to not install sidewalks at time of new construction. Section C.O. 1246.05(a)(1) Sidewalks, Walking Path, Trails, and Bicycle Paths.

Motion to approve.

8. Paul and Angela Minnillo, 4380 Stoney Ridge Road, 37-24

Proposal consists of a new single-family home.

The following variance is requested:

1. Variance to not install sidewalks at time of new construction. Section C.O. 1246.05(a)(1) Sidewalks, Walking Path, Trails, and Bicycle Paths.

Motion to approve.

9. Wilbert and Martha Kreis, 38841 Detroit Road, 39-24

Proposal consists of a Lot Split.

The following variance is requested:

1. 12 ft. side yard setback variance. Code requires 40 ft. (length of adjacent wall); applicant proposes 28 ft. Section C.O. 1262.08(b)(2)(B) Maximum Area and Number of Accessory Buildings-Side setback.

Motion to approve.

10. Matt Worthley on behalf of University Hospital, 36320 Detroit Road, 27-24

Proposal consists of additional wall signage for new Urgent Care Center.

The following variance is requested:

1. 36 sq. ft. variance. Code allows 36 sq. ft. variance. Section C.O. 1290.05 Schedule of Maximum Sign Area-Wall Sign 1 sq. ft./linear ft. of building frontage.

Motion to approve.

11. Avon Local Schools on behalf of Kimberly Ditto, 2758 Center Road, 29-24

Proposal consists of a Lot Split to make the property compliant.

The following variance is requested:

Square Footage and Side Yard setback variances; Section C.O. 1262.08 and C.O. 1262.04.

$3.4754 \times 43560 = 151388 \times 2\% = 3028$ allowed.

Existing structures 1173 sq. ft.; 1640 sq. ft.; 864 sq. ft. = 3677

1. 649 sq. ft. variance. Code allows 2% of lot size. Section C.O. 1262.08(a)(2) Maximum Area and Number of Accessory Buildings.

Motion to approve.

2. 13 ft. 8 in. side yard setback bldg.1. Code requires length of wall adjacent to property line. Section C.O. 1262.08(b)(2)(B) Maximum Setback Requirements for Detached Accessory Building.

Motion to approve.

3. 14 ft. 9 in. side yard setback bldg. 2. Code requires length of wall adjacent to property line. Section C.O. 1262.08(b)(2)(B) Maximum Setback Requirements for Detached Accessory Building.

Motion to approve.

12. Avon Local Schools on behalf of Kimberly Ditto, 2740 Center Road, 28-24

Proposal consists of a Lot Split to make the property compliant.

The following variance is requested:

Square Footage and Side Yard setback variances; Section C.O. 1262.08 and C.O. 1262.04.

$1.0917 \times 43560 = 47554 \times 2\% = 951$ allowed

Existing barn 19+50 sq. ft.

1. 999 sq. ft. variance. Code allows 2% of lot size. Section C.O. 1262.08(a)(2) Maximum Area and Number of Accessory Buildings.

Motion to approve.

2. 3 ft. 9 in. side yard setback for barn. Code requires 5 ft. Section C.O. 1262.08(b)(2)(B) Maximum Setback Requirements for Detached Accessory Building.

Motion to approve.

3. 3 ft. 7 in. side yard setback for house. Code requires 12 ft. Section C.O. 1262.04(d)(3) Lot and Yard Requirements-Side Yard.

Motion to approve.

13. Whitney Callahan, Inn the Doghouse, 37525 Colorado Avenue, 32-24

Proposal consists of a new dog daycare facility.

The following variance is requested:

1. 15 ft. parking setback variance. Code requires 35 ft.; applicant proposes 20 ft. Section C.O. 1270.06(a) Off- Street Parking, Loading and Access Drives.

Motion to approve.

14. Millenium Holdings, 34654 Mills Road, 12-24

Proposal consists of (2) 5 ft. x 3 ft. Double face non-illuminated directional sign.

Motion to un-table.

The following variance is requested:

1. 9 sq. ft. variance. Code allows 4 sq. ft.; applicant proposes 15 sq. ft. Section C.O. 1290.05(f) Schedule of Maximum Sign Area-Directional Signs.

Motion to approve.

2. 2 ft. height variance. Code allows 3 ft.; applicant proposes 5 ft. Section C.O. 1290.07(f) Maximum Height of Freestanding Signs-Directional Signs.

Motion to approve.

15. The Vinnce Group, LLC, 37399 French Creek Road, 38-24

Proposal consists of a new commercial building.

The following variance is requested:

1. 31 parking space variance. Code requires 44; applicant proposes 13. Section C.O. 1292.04(d)(6) Required Off-Street Parking Spaces-Personal Services.

Motion to approve.

16. Nick Rak, 38335 Detroit Road, 40-24

Proposal consists of installation of a windmill, fences, barn addition and falconry pen.

The following variance is requested:

Square footage variance for accessory structure; height variance for 2 separate fences; height variance for windmill; Section C.O. 1262.08(a) and C.O. 1294.08(a) and C.O. 1294.08(b) and C.O. 1262.06

1. Windmill 26 ft. tall:
1 ft. height variance. Code allows 15 ft. or height of the principal building whichever is greater. Code allows 25 ft. 3 in.; proposing 1 ft. Section C.O. 1262.06 Height Regulations.

Motion to approve.

2. Wire Fence in front yard:
2 ft. height variance portion of fence in front yard. Code allows 4 ft.; proposing 5 ft. 5 in. no taller than 6 ft. Section C.O. 1294.08(a) Fence Location, Height and Opacity.

Motion to approve.

3. Privacy Fence inside yard:
4 ft. height variance. Code allows 6 ft.; proposing 10 ft. Section C.O. 1294.08(b)(1)
Fence Location, Height and Opacity.

Motion to approve.

4. Barn Addition:
 $1.36 \times 43560 = 59241.6 \times 2\% = 1185$ allowed

Existing barn 1188 sq. ft.; existing chicken coop 100 sq. ft.

Falconry Pen: 640 sq. ft.; 12 ft. x 20 ft. pen 100 sq. ft.; North Pergola 10 ft. x 10 ft. 100 sq. South Pergola 15 ft. x 20 ft. 300 sq. ft.

Barn Addition: 1135 sq. ft.; covered patio 12 ft. x 55 ft. 660 sq. ft.; storage 20 ft. x 19 ft. 380 sq. ft.; covered walkway 5 ft. x 19 ft. 95 sq. ft.

All proposed barn additions and falconry pen to be connected.

1878 sq. ft. variance. Code allows 1185 sq. ft.; proposing 3063 sq. ft. Section C.O. 1292.08(a) Maximum Area and Number of Accessory Buildings.

Motion to approve.

COMMENTS

ADJOURN