

**AVON BOARD OF ZONING & BUILDING APPEALS
REGULAR MEETING AGENDA
AUGUST 7, 2024, 7:00 P.M.-COUNCIL CHAMBERS**

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 Streator, 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 July 3, 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. Brian and Rachel Langemo, 2517 Deerfield Drive, 51-24

Proposal consists of construction of a 3rd single car garage.

The following variance is requested:

1. 7 ft. side yard setback; code requires 12 ft., applicant proposing 5 ft. C.O. 1262.04(d)(3) Lot and Yard Requirements-Side Yard.

Motion to approve.

2. Jeffrey Marlowe, 34966 Mills Road, 52-24

Proposal consists of a driveway extension.

The following variance is requested:

1. 15 ft. 6 in. front yard setback; code requires 20 ft., applicant proposing 0 ft., existing is at 15 ft. 6 in. C.O. 1262.08(c)(2) Accessory Use Regulations-Minimum Yard Requirements for Accessory Structures.

Motion to approve.

3. **Alex and Laura Cote, 33482 Vineyard Park, 53-24**

Proposal consists of a roof addition over a rear patio with a gas fireplace.

The following variance is requested:

1. 13 ft. rear yard setback; code requires 50 ft., applicant proposing 37 ft. C.O. 1262.04(d)(4) Lot and Yard Requirements Rear Yard.

Motion to approve.

4. **Christoper and Kelly Kutsko, 2428 Deerfield Drive, 54-24**

Proposal consists of a 20 ft. x 36 ft. swimming pool with a patio.

The following variance is requested:

1. 4 ft. side yard setback; code requires 5 ft., applicant proposing 1 ft. concrete around the pool. C.O. 1262.08(c)(1) Accessory Use Regulations-Minimum Yard and Requirements for Accessory Structures-Patio.

Motion to approve.

2. 2 ft. 3 in. side yard setback; code requires 10 ft., applicant proposing 7 ft. 9 in. for swimming pool. C.O. 1478.03 Swimming Pools-Location.

Motion to approve.

3. 4 ft. 10 in. setback from building; code requires 15 ft., applicant proposing 10 ft. 2 in. from corner of covered patio. C.O. 1478.03 Swimming Pools- Location.

Motion to approve.

5. **Nicole Kristy, 3183 Woodstone Lane, 55-24**

Proposal consists of installation of a fence within a drainage easement.

The following variance is requested:

1. Allow installation of a fence to cross over a portion of the drainage easement. C.O. 1248.19 Structures and Improvements within Utility Easement of Right of Way.

Motion to approve.

6. **Duncan Todd, Jr, 35442 Keller Drive, 56-24**

Proposal consists of a 20 ft. x 14 ft. addition to the north side of the house.

The following variance is requested:

1. 5 ft. side yard setback; code requires 12 ft., existing nonconforming is at 7 ft. C.O. 1282.03 (c) Nonconforming Use of Lot.

Motion to approve.

7. **Robert Uszak, 2590 Jaycox Road, 57-24**

Proposal consists of construction of a 16 ft. x 24 ft. shed.

The following variance is requested:

1. 5 ft. side yard setback; code requires 5 ft.; applicant proposing 0 ft. C.O. 1262.08(b)(2)(B) Accessory Use Regulation-Accessory Building Setback Requirement.

Motion to approve.

8. **Randy and Donna Fratianne, 37942 French Creek Road, 58-24**

Proposal consists of construction of an accessory structure.

The following variance is requested:

1. 598 sq. ft.; code allows 1402 sq. ft, applicant proposing 2000 sq. ft. C.O. 1262.08(a)(2) Accessory Use Regulation-Maximum Area and Number of Accessory Building.

Motion to approve.

2. Accessory building with no primary dwelling. C.O. 1262.08 Accessory Use Regulation.

Motion to approve.

9. **Avon JV LLC, 36320 Detroit Road, 59-24**

Proposal consists of a freestanding monument sign.

The following variance is requested:

1. 4 ft. height; code allows 6 ft., applicant proposing 10 ft. C.O. 1290.07(d) Maximum Height Freestanding Sign.

Motion to approve.

10. **Insite Real Estate Investment Properties, LLC, Miller Road, PPN 04-00-004-102-011**

Proposal consists of driveway crossing.

The following is requested:

Under code section 1464 – Flood Damage Protection, (1464.36), Insite is requesting relief from 1464.13(b)(C) to allow InSite to obtain Building Permits while in the process of receiving their LOMAR-F through FEMA for their driveway crossing on Permanent Parcel Number 04-00-004-102-011.

Motion to approve.

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

Proposal consists of a new commercial building.

Tabled on June 5, 2024, and July 3, 2024.

Motion to un-table

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.

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

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

Tabled on April 3, 2024, May 1, 2024, June 3, 2024, and July 3, 2024.

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. C.O. 1290.07 (f) Maximum Height of Freestanding Signs-Directional Signs.

Motion to approve.

COMMENTS

ADJOURN