

MINUTES OF THE AVON BOARD OF ZONING AND BUILDING APPEALS SPECIAL MEETING HELD WEDNESDAY, MAY 18, 2022 IN COUNCIL CHAMBERS OF CITY HALL

The meeting was opened by Chairman Mark Ladegaard at 6:30 p.m.

Present: Michael Bulger; Bill Hricovec; Bruce Klingshirn; Mark Ladegaard; Chauncey Miller; Jill Clements, Zoning Enforcement Officer; Pam Fechter, Planning Coordinator; John Gasior, Law Director; Duane Streater, Safety Director; Nicole Rambo-Ackerman, Planning Clerk

BERKHEIMER APPEAL

Dan Berkheimer is requesting a variance from C.O. 1262.08(b)(1) and C.O. 1262.08(b)(2)(A) Accessory Building Setback Requirements to allow the construction of a 16-foot by 24-foot barn to be in the front yard, 25 feet from the existing sidewalk at 36120 Kinzel Road.

Dan Berkheimer, 36120 Kinzel Road, thanked the Board for having a special meeting to hear his case. Mr. Berkheimer explained that the area where he proposes to put the barn is considered the front yard even though it is used as the back yard due to the layout of the property. He would like the structure to be accessible from his driveway and garage without being in the middle of the back yard. He thought there are some structures on Kinzel Road already that are within 25 feet of the right-of-way. Mr. Klingshirn asked if the six-foot wide porch shown on the plans was included in the building dimensions. Mr. Berkheimer said it would be 30 feet wide with the porch but he did not think the porch was included in the square footage. He already has to remove one tree to install the structure and he does not want to take down more to move its location. Mr. Klingshirn asked where the 25 foot setback would be measured from since the sidewalk is not straight to accommodate some trees on the property. Mr. Berkheimer measured 25 feet from the southwest corner of his property to determine the location and asked where the right-of-way ends so he knows where to measure 25 feet from. Mr. Gasior said the sidewalk is typically installed one foot inside the right-of-way. Mr. Ladegaard was concerned about measuring from the sidewalk because of its layout. Mr. Gasior suggested measuring 55 feet from the center of the road because the right-of-way is typically 60 feet wide which would be 30 feet plus 25 feet for the setback requirement. Ms. Clements offered to help measure the distance when the applicant is ready for construction.

Mr. Miller moved, seconded by Mr. Hricovec, to approve the variance from C.O. 1262.08(b)(2)(A) for constructing a 16-foot by 24-foot barn 55 feet from the centerline of the right-of-way at 36120 Kinzel Road. The vote was: "AYES" all. The Chair declared the motion passed.

Mr. Hricovec moved, seconded by Mr. Klingshirn, to approve the variance from C.O. 1262.08(b)(1) for constructing a 16-foot by 24-foot barn in the front yard at 36120 Kinzel Road. The vote was: "AYES" all. The Chair declared the motion passed.

COMMENTS

ADJOURN

Mr. Bulger moved, seconded by Mr. Klingshirn, to adjourn the meeting at 6:40 p.m. The vote was: "AYES" all. The Chair declared the motion passed.

Mark Ladegaard, Chair

Nicole Rambo-Ackerman, Clerk

Date