

**REGULAR MEETING MINUTES
AVON BOARD OF ZONING & BUILDING APPEALS
NOVEMBER 6, 2024, 7:00 P.M.
CITY HALL COUNCIL CHAMBERS**

ROLL CALL

The meeting was called to order by Chair Ladegaard at 7:00 p.m. in Council Chambers.

Present: 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 Commission & ZBA Secretary

REVIEW & CORRECTION OF MINUTES

Mr. Miller moved, seconded by Mr. Schatschneider, to approve the minutes of the regular meeting held on October 2, 2024, and to approve the minutes as published. The vote was: “AYES” all. The Chair declared the motion passed.

REPORTS & CORRESPONDENCE

None

ADDITIONS & DELETIONS

None

APPEALS & REQUESTS

1. Myron Pakush, 33475 Streamview Drive, 67-24

Proposal consists of removal and replacement of patio and walkway.

The following variance is requested:

1. 1 ft. 11 in. setback for concrete walkway; code requires 3 ft.; applicant proposing 1 ft. 11 in. C.O. 1266.05 Clusters-Setback and Spacing Requirements.

Myron Pakush, 33475 Streamview Drive, Avon, Ohio 44011 was sworn in. Mr. Pakush hired Green Impressions to construct a new patio at the rear of their home and to install a sidewalk. He lives in a cluster home subdivision that has a Homeowners Association. The sidewalk will be installed as close to the side of the house as it can be. He said there is an air conditioning unit at the rear of the house and the construction of the patio needs to be around the unit which is the reason for the variance request for the setback.

Chair Ladegaard stated the request is reasonable.

There were no other questions or comments.

Mr. Miller moved, seconded by Mr. Schatschneider, to approve the 1 ft. 11 in. setback for concrete walkway; code requires 3 ft.; applicant requested 1 ft. 11 in. The vote was: “AYES” all. The Chair declared the motion passed.

2. **Derek Thomas, 35344 Saddle Creek, 68-24**

Proposal consists of a setback from a covered patio.

The following variance is requested:

1. 7 ft. variance; code requires 15 ft.; applicant proposing 8 ft. for an inground swimming pool from a covered patio. C.O. 1478.03 Swimming Pools Location.

Derek Thomas, 35344 Saddle Creek, Avon, Ohio 44011 was sworn in. Mr. Thomas had an inground pool installed with an automatic cover and a fence. He would like to construct a cover over the patio with an outdoor kitchen and therefore requests a 7-foot variance. He needs the extra room as his backyard is “tight”. He asked the HOA if he could obtain an easement in the backyard, but the request was denied. The HOA has approved his current request before the board and the HOA approval letter has been provided. Mr. Thomas said the roofline will be closer to the pool because the area is small.

Ms. Clements stated this project is an open covered patio.

Mr. Bulger asked if the pool is already installed.

Mr. Thomas replied yes.

Mr. Bulger asked in which direction the pitch of the roof would face.

Mr. Thomas responded that the pitch is in the opposite direction of the pool.

Mr. Hricovec stated to clarify, the gable end of the roof is facing the pool.

Mr. Thomas responded yes.

There were no other questions or comments.

Mr. Miller moved, seconded by Mr. Hricovec, to approve the 7 ft. variance; code requires 15 ft.; applicant proposing 8 ft. for an inground swimming pool from a covered patio. The vote was: “AYES” all. The Chair declared the motion passed.

3. **Chucka Onyenek, 2861 Center Road, 69-24**

Proposal consists of a future Lot Split to create a Flag Lot.

The following variance is requested:

1. 20 ft. variance; code requires 60 ft.; applicant proposing 40 ft. C.O. 1280.06(l)(1) Special Use Regulations for Certain Uses- Flag lots.

Ms. Clements requested this item be tabled for the December 4, 2024, meeting. She stated after talking with the Chair Ladegaard and Valore Builders (contractor for the applicant), Valore Builders are going to revise the drawing and will submit 2 variances requests for the December 4th meeting. There will be a variance for the Flag Lot width and the side yard setback.

Mr. Miller moved, seconded by Mr. Hricovec, to table the Chucka Onyenek appeal to the December 4, 2024, meeting. The vote was: “AYES” all. The Chair declared the motion passed.

COMMENTS

Mr. Bulger had no comment.
Mr. Hricovec had no comment.
Mr. Miller had no comment.
Mr. Schatschneider had no comment.
Mrs. Clements had no comment.
Ms. Fechter had no comment.
Mr. Gasior had no comment.
Mr. Streater had no comment.
Chair Ladegaard had no comment.

ADJOURN

Mr. Miller moved, seconded by Mr. Bulger, to adjourn. The vote was: “AYES” all. The Chair declared the motion passed. The meeting was adjourned at 7:08 p.m.

Mark Ladegaard, Chair, Board of Zoning
and Building Appeals

Susan Pintz, Planning Commission &
BZA Secretary

Date