

**MINUTES OF A MEETING OF THE  
AVON LAKE ZONING BOARD OF APPEALS  
HELD MAY 24, 2023**

A regular meeting of the Avon Lake Zoning Board of Appeals was called to order on May 24, 2023 at 7:00 P.M. in Council Chambers with Chairman Heine presiding.

**ROLL CALL**

Present for roll call were Mr. Heine, Ms. Merlone, Mr. Shook, Ms. Slivinski, Mr. Updegraff, Assistant Director of Law Graves, and Planning & Zoning Manager Page.

**APPROVAL OF MINUTES**

The minutes of April, 2023 were approved as presented.

**READING OF GENERAL COORESPONDENCE**

None

**COMMENTS FROM THE ASSISTANT DIRECTOR OF LAW**

Assistant Law Director Graves described the procedures to be followed in the conduct of the meeting. He noted that it is the applicant's burden to establish what is called "practical difficulty" and that they are legally bound by any representations, in word or print, made to the Board.

**OATH ADMINISTERED**

As provided in Article IV (5)(a)(4) of the Zoning Board Rules, an oath was administered by the Assistant Director of Law to all members of the audience speaking at this meeting.

**CASE 23-10**

**REQUEST FOR A VARIANCE AT 238 WESTWIND DRIVE DENIED**

Code Section 1226.01 (e)(11)(B) *Lot and Principal Building Regulations* (Table 1226-5) requires a minimum rear yard setback of 35 feet in an R-1A district. The applicant wants to construct a 37.5' x 39' 3-car garage addition to the southwestern corner of the existing home that would reduce the rear setback from 35 feet to 26 feet.

Donald Hilsernroth, applicant and property owner, explained that he has a collection of vintage cars and motorcycles that he wishes to keep at his home instead of storing them at off-site storage facilities. He stated that the addition will complement the house and will only protrude as far as the existing deck. Mr. Hilsernroth added that he also needs extra room for storage of other items, hence the need for the large size of the addition. When asked, Mr. Hilsernroth stated that there was not any practical difficulty and also nothing unique about his lot.

Several adjoining property owners voiced their objections to the proposed garage addition because it would detrimentally change the nature of the neighborhood.

Ms. Slivinski moved to deny the variance. Ms. Merlone seconded the motion.

Ms. Slivinski stated that the applicant himself said there is no practical difficulty which is the standard for evaluating a variance request.

Ms. Merlone noted that wanting more storage space does not equate to a practical difficulty.

Mr. Heine added that this property is not unique and the change of views for adjoining properties does change the nature of the neighborhood.

AYES: Merlone, Shook, Updegraff, Heine, Slivinski

NAYES: None

**COMMENTS FROM THE AUDIENCE**

None

**COMMENTS FROM BOARD MEMBERS**

All members plan on attending the June meeting.

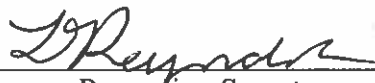
**ADJOURN**

Mr. Updegraff moved to adjourn the meeting at 7:45 P.M. Mr. Shook seconded the motion.

AYES: Merlone, Shook, Updegraff, Heine, Slivinski

NAYES: None

  
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Zoning Board of Appeals  
Chairman Heine

  
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Recording Secretary  
Diane Reynolds