

**MINUTES OF A MEETING OF THE
AVON LAKE ZONING BOARD OF APPEALS
HELD SEPTEMBER 27, 2023**

A regular meeting of the Avon Lake Zoning Board of Appeals was called to order on September 27, 2023 at 7:00 P.M. in Council Chambers with Pro Tem Chair Shook presiding.

ROLL CALL

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

APPROVAL OF MINUTES

The minutes of August 23, 2023 were approved as presented.

READING OF GENERAL COORESPONDENCE

At the request of the applicant, Cases 23-15 and 23-16 were tabled until the October 25, 2023 meeting.

Ms. Slivinski moved to table the cases and Mr. Updegraff seconded.

AYES: Slivinski, Shook, Merlone, Updegraff

NAYES: None

ABSENT: Heine

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 23-18

REQUEST FOR A VARIANCE AT 149 CENTENNIAL DRIVE GRANTED

Joseph and Erika Gross request an area variance to Code Section 1224.01 (e) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* at 149 Centennial Drive.

The applicant proposes to install a shed in the front yard along Electric Boulevard. The subject property is a corner lot with two frontages. The primary frontage is along Centennial Drive with the secondary frontage along Electric Boulevard.

Mr. Page provided an overview of the property showing the placement of the proposed shed.

Joseph Gross, property owner, explained that this lot has two frontages leaving little room for the shed. The rear of the property is a wooded area. With three children, the family is running out of

room in the garage. Mr. Gross presented photographs showing that the shed would not be highly visible from either Centennial Drive or Electric Blvd.

Responding to Ms. Slivinski's and Mr. Shook's inquiries, Mr. Gross stated that the shed will be south of an existing wood pile, will be constructed of material comparable to the house, and he intends to install landscaping around the shed.

Ms. Slivinski moved to grant the variance. Mr. Updegraff seconded the motion.

Ms. Slivinski stated that a practical difficulty exists due to the two front yards which results in a very small rear yard. She added that the proposed location of the shed will have the least impact on the area.

AYES: Slivinski, Shook, Merlone, Updegraff

NAYES: None

ABSENT: Heine

CASE 23-19

REQUEST FOR A VARIANCE AT PPN 04-00-029-110-077 GRANTED

Joelle Magyar requests an area variance to Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations* at the northeast corner of the Lear Road and Krebs Road intersection, identified as parcel number 04-00-029-110-077.

The applicant proposes to construct a single-family home with a reduced front setback along Krebs Road from the required 50 feet to 25 feet. The subject property is a corner lot with two frontages. The proposed home placement creates the primary frontage along Lear Road with the secondary frontage along Krebs Road.

Ms. Magyar explained that if the setback requirements were met it would only leave a 31 foot plot to position a house. She added that the parcel is very long and narrow creating a difficulty in positioning a house that is suitable in Avon Lake.

Mr. Updegraff moved to grant the variance. Ms. Merlone seconded the motion.

Mr. Shook stated that the practical difficulty standard had been met.

AYES: Shook, Merlone, Updegraff

NAYES: None

ABSENT: Heine

ABSTAINED: Slivinski

CASE 23-20

REQUEST FOR A VARIANCE AT 55 COVELAND DRIVE GRANTED

Karen Stry and Bart Schasfoort request an area variance to Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations* at 55 Coveland Drive.

The applicant proposes to construct a garage addition to the house that will continue the existing legally nonconforming front setback of 25 feet.

Mr. Page provided an overview of the property showing the placement of the proposed addition.

Mr. Schasfoort explained that the home does not have a basement and there is a need for more storage space. In addition, the lot is surrounded by the lake on two sides which limits the options for expanding and they need a third garage space. Mr. Schasfoort stated that the addition will actually be set back more than the existing structure to have the front more aesthetically pleasing.

In response to Ms. Slivinski's inquiry, Mr. Schasfoort explained that the property has been on the market and feedback from prospective buyers is that the house is too small, hence, this addition will make the property more attractive.

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

Mr. Shook stated that the unusual lot presents a practical difficulty and the request is minimal.

AYES: Slivinski, Shook, Merlone, Updegraff

NAYES: None

ABSENT: Heine

CASE 23-21

REQUEST FOR A VARIANCE AT 286 PARKVIEW DRIVE GRANTED

Jeffrey Granger requests an area variance to Code Section 1226.03 (d)(2) *General Development Standards – Fences and Walls* at 286 Parkview Drive.

The applicant proposes installing a 6 foot tall fence in the secondary front yard along Redwood Blvd. The subject property is a corner lot with two frontages. The primary frontage is along Parkview Drive with the secondary frontage along Redwood Boulevard.

Mr. Page provided an overview of the property showing the placement of the proposed fence.

Mr. Granger explained that the fence is needed to contain their puppy who will be a large dog and the couple's future children. The fence will be similar to others in the neighborhood, i.e. made of wood, and he plans on installing landscaping. With the approval of the two adjacent neighbors, the Granger's fence will connect with their fences.

Mr. Updegraff moved to grant the variance. Ms. Merlone seconded the motion.

Mr. Updegraff stated that the request is reasonable based on the configuration of the lot. Ms. Merlone agreed. Mr. Shook added that practical difficulty was established, albeit borderline.

AYES: Slivinski, Shook, Merlone, Updegraff

NAYES: None

ABSENT: Heine

COMMENTS FROM THE AUDIENCE – None

COMMENTS FROM BOARD MEMBERS

All in attendance anticipate being present at the October meeting.

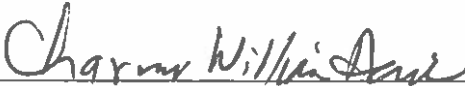
ADJOURN

Mr. Updegraff moved to adjourn the meeting at 7:40 P.M. Ms. Slivinski seconded the motion.

AYES: Slivinski, Shook, Merlone, Updegraff

NAYES: None

ABSENT: Heine


Zoning Board of Appeals
Chairman Heine


Recording Secretary
Diane Reynolds