



CITY OF AVON

36600 Detroit Road · Avon, OH 44011 · Phone (440) 937-7800 · Fax (440) 937-7824 · www.cityofavon.com

**REGULAR MEETING MINUTES
AVON BOARD OF ZONING AND BUILDING APPEALS
JUNE 3, 2026, 7:00 P.M.
CITY HALL COUNCIL CHAMBERS**

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

ROLL CALL

Present: Michael Bulger, Bill Hricovec, Mark Ladegaard, Chauncey Miller, Kurt Schatschneider, Jill Clements, Zoning Enforcement Officer, Pam Fechter, Econ. Dev./Planning Coordinator Thomas Stringer (Acting Law Director), Duane Streater, Safety Director, Susan Pintz, Planning and BZA Secretary.

REVIEW & CORRECTION OF MINUTES

Mr. Miller moved, seconded by Mr. Hricovec, to approve the minutes of the regular meeting held on May 6, 2026, and to approve of the minutes as published. The vote was: "AYES" all. The Chair declared the motion passed.

REPORTS & CORRESPONDENCE

None

ADDITIONS & DELETIONS

None

APPEALS & REQUESTS

1. Colin and Madalyn Marshall, 4146 St. Gregory Way, 24-26

Proposal consists of a driveway extension to the street.

The following variance is requested.

1. Driveway extension to allow concrete to extend through the right of way to the street. C.O.1262.08(c) Minimum Yard Requirement for Accessory Structures.

Colin and Madalyn Marshall, 4146 St. Gregory Way, Avon, Ohio 44011 were sworn in.

Mr. Marshall presented a revised proposal, explaining with reference to a topographic diagram that the existing driveway curves toward the third-car garage in a configuration that creates an awkward situation when backing out. He stated that cars tend to run over the curved edge of the driveway when accessing the third-car garage, and that the intent of the project is to fill in the curved area with concrete and extend the driveway all the way down to the apron to allow easier access. He noted that he had initially been uncertain whether this type of work was permitted, having received conflicting information, but that observing other neighbors who appeared to have done the same prompted him to pursue the variance (Exhibit 1-drawing).

Chair Ladegaard remarked favorably on the proposal, noting that the revised plan was an improvement over an earlier configuration and that the applicants would likely be more satisfied with the result.

No questions were raised by Board members, and no comments were offered from the audience.

Mr. Bulger moved, seconded by Mr. Schatschneider, to approve a driveway extension to allow concrete to extend to the apron. The vote was: "AYES" all. The Chair declared the motion passed.

2. Nathan and Trisha Murray, 4166 St. Gregory Way, 26-26

Proposal consists of a driveway extension.

The following variance is requested.

1. Driveway extension to allow concrete to go to the street. C.O.1262.08(c)(3) Minimum Yard Requirement for Accessory Structures.

Chair Ladegaard called for the applicants. No representative appeared on behalf of Nathan and Trisha Murray. The record shows that no one was present for this application. The item was tabled.

Mr. Miller moved, seconded by Mr. Bulger, to table the Nathan and Trisha Murry appeal. The vote was: "AYES" all. The Chair declared the motion passed.

3. Harrison and Laura Dearth, 3491 Williams Court, 25-26

Proposal consists of a driveway extension.

The following variance is requested.

1. 2 ft. side yard setback variance; code requires 5 ft.; applicant proposing 3 ft. C.O.1262.08(c) Minimum Yard Requirements for Accessory Structures-Driveway Extension.

Harrison Dearth, 3491 Williams Court, Avon, Ohio 44011 was sworn in.

Mr. Dearth explained that he wished to extend the driveway beyond the parking space that had been installed during the original construction of the home. He noted that the builder had already applied for a 2-foot extension for the side-load garage during that process and that had he understood the approval process at the time, he would have requested the driveway be extended to a pillar supporting an overhanging deck on the property (Exhibit 1 drawing).

Mr. Dearth described the practical problem: when vehicles are parked, all cars must be pulled out to access the driveway, and there is no safe play area away from the road. He stated that he has a 5-year-old and a 3-year-old and that the primary purpose of the extension is to create a continuous, safe surface for his children to rollerblade, play basketball, play hockey, and engage in other activities. He characterized the request as an extension of the already-approved driveway footprint, proposing a uniform 22-foot surface for that purpose.

No questions were raised by Board members, and no comments were offered from the audience.

Mr. Schatschneider moved, seconded by Mr. Miller, to approve a 2 ft. side yard setback variance; code requires 5 ft.; applicant proposing 3 ft. The vote was: "AYES" all. The Chair declared the motion passed.

4. Gabriel Bruno, 36262 Ravinia Lane, 27-26

Proposal consists of a new single-family home.

The following variance is requested.

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

Nick Matuch, Old World Custom Homes, 7056 Mears Gate Drive, North Canton, Ohio 44720 was sworn in.

Chris Bruno, 1879 West 57th Street, Cleveland, Ohio 44111 was sworn in.

Chair Ladegaard indicated the Board would address each variance separately.

Mr. Matuch explained that the variance pertained to a portion of the garage that extends approximately 10 inches over the required setback line, constituting less than a full foot of encroachment (Exhibit 1 drawing).

Chair Ladegaard characterized the request as minor.

No questions were raised by Board members.

Mr. Hricovec moved, seconded by Mr. Bulger, to approve a 1 ft. side yard setback; code requires 12 ft.; applicant proposing 1 ft. The vote was: "AYES" all. The Chair declared the motion passed.

2. 1 ft. rear yard setback; code requires 50 ft.; applicant proposing 49 ft. C.O. 1262.04 (d)(4) Lot and Yard Requirements-Rear Yard.

Mr. Matuch explained that this variance similarly involved a minor encroachment of approximately 2.5 inches — also less than a full foot — into the required 50-foot rear yard setback, with the applicant proposing 49 feet. He noted that the variance had previously been approved under a different floor plan, but that the approval had lapsed beyond the one-year period, necessitating a new application.

No questions were raised by Board members, and no comments were offered from the audience.

Mr. Schatschneider moved, seconded by Mr. Miller, to approve a 1 ft. rear yard setback; code requires 50 ft.; applicant proposing 49 ft. The vote was: "AYES" all. The Chair declared the motion passed.

5. Dale and Melina Phillips, 1881 Center Road, 28-26

Proposal consists of construction of a patio enclosure.

The following variance is requested.

1. 15 ft rear yard setback; code requires 50 ft.; applicant proposing 35 ft. C.O. 1262.04(d)(4) Lot and Yard Requirements-Rear Yard.

Dale Phillips, 1881 Center Road, Avon, Ohio 44011 was sworn in.

Bob Brown, American Patio Room, 1690 E. Waterloo Road, Akron, Ohio 44306.

Mr. Phillips explained that they are requesting a 15-foot variance in order to construct a sun porch on the rear of the house at 1881 Center Road. He noted that the rear of the property abuts a commercial area — specifically, it backs up against the fencing of the Avon Commons shopping center, confirmed by Chair Ladegaard to be in the vicinity of Home Depot. Mr. Phillips stated that the commercial property's

fence essentially runs along the rear property boundary, making the rear yard context different from a typical residential situation (Exhibit 1 drawing).

No questions were raised by Board members, and no comments were offered from the audience.

Mr. Hricovec moved, seconded by Mr. Miller, to approve of a 15 ft rear yard setback; code requires 50 ft.; applicant proposing 35 ft. The vote was: "AYES" all. The Chair declared the motion passed.

6. Todd and Kristen Kestranek, 3173 Woodstone Lane, 29-26

Proposal consists of installation of a fence within an easement.

The following variance is requested:

1. Allow a portion of a fence to be installed within a drainage easement. C.O. 1248.19 Improvements-Structures and Improvement within Utility Easement or Right of Way.

Todd and Kristen Kestranek, 3173 Woodstone Lane, Avon, Ohio 44011 were sworn in.

Mrs. Kestranek explained that they are seeking to install a fence around the perimeter of their yard in connection with a planned swimming pool installation, and that doing so requires encroachment into a drainage easement (Exhibit 1 drawing).

Chair Ladegaard advised the applicants that, consistent with the Board's standard practice in easement variance cases, any approval would come with the understanding that if construction or access work is ever required within the drainage easement, the homeowners would bear full responsibility for the costs of removal and reinstallation of the fence. The applicants acknowledged this condition.

No questions were raised by Board members, and no comments were offered from the audience.

Mr. Bulger moved, seconded by Mr. Miller, to approve of allowing a portion of a fence to be installed within a drainage easement. The vote was: "AYES" all. The Chair declared the motion passed.

7. Stephen and Madison Moore, 4307 S. Fall Lake Drive, 31-26

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

The following variance is requested.

1. Allow a portion of a fence to be installed within a drainage easement. C.O. 1248.19 Improvements-Structures and Improvement within Utility Easement or Right of Way.

Chair Ladegaard called for the applicants. No representative appeared on behalf of Stephen and Madison Moore. The record shows that no one was present for this application. The item was tabled.

Mr. Schatschneider moved, seconded by Mr. Hricovec, to table the Stephen and Madison Moore appeal. The vote was: "AYES" all. The Chair declared the motion passed.

8. Theresa Gregg, 3492 Mass Drive, 30-26

Proposal consists of installation of a fence within an easement.

The following variance is requested.

1. Allow a fence to be installed within a storm drain and stormwater management access easement. C.O. 1248.19 Improvements-Structures and Improvement within Utility Easement or Right of Way.

Theresa Gregg, 3492 Mass Drive, Avon, Ohio 44011 was sworn in.

Ms. Gregg explained that there is an easement on her property providing access to a reservoir located behind the house. She informed the Board that her husband had recently passed away, that she has two dogs, and that she needs a fence installed for practical reasons related to her changed circumstances. She further explained that complying with the applicable zoning rules without a variance would result in a fence configuration that would not be practical or functional for her property. Mrs. Gregg therefore requested the variance to allow the fence to be positioned in a manner that makes sense given the layout of the lot and the easement (Exhibit 1 drawing).

Chair Ladegaard advised Mrs. Gregg of the Board's standard condition for easement variances, noting that she would be responsible for any costs associated with the removal or reconstruction of the fence should access to the easement ever be required. Ms. Gregg acknowledged this.

No questions were raised by Board members, and no comments were offered from the audience.

Mr. Schatschneider moved, seconded by Mr. Hricovec, to approve of allowing a fence to be installed within a storm drain and stormwater management access easement. The vote was: "AYES" all. The Chair declared the motion passed.

9. Steven and Margaret Mabe, Trustee, 2223 Holly Lane, 32-26

Proposal consists of construction of a shed.

The following variance is requested.

1. Allow a shed to be located within a drainage easement. C.O. 1248.19 Improvements-Structures and Improvement within Utility Easement or Right of Way.

Steven Mabe, 2223 Holly Lane, Avon, Ohio 44011 was sworn in.

Mr. Mabe explained that he is requesting permission to place a shed on a concrete pad within a 20-foot-wide drainage easement at the rear of his property. He offered the following context in support of his request: he is the original owner of the home and has lived there for 36 years; in that time, there has never been any standing water, water flow, or flooding within the easement. He expressed confidence that the shed would not impede drainage, noting that the structure would be set on either 4×4 or 4×6-dimensional lumber — consistent with standard shed construction on a gravel base — and would thus not create an impervious blockage in the event of a significant rain event (Exhibit 1 drawing).

Chair Ladegaard advised Mr. Mabe of the Board's standard easement conditions, noting that should anyone ever need to access or perform work within the easement, the homeowner would bear responsibility for any costs related to the fence or shed removal and reinstallation. Mr. Mabe confirmed his understanding.

Ms. Clements, Zoning Enforcement Officer, added a note for the record that, according to Mr. Mabe's plot plan and site plan, the drainage easement is not depicted on those documents, as is common with many lots in the area. She clarified that the easement does, however, appear on the recorded plat, which is why Mr. Mabe's application was brought before the Board.

No questions were raised by Board members, and no comments were offered from the audience.

Mr. Miller moved, seconded by Mr. Hricovec, to approve of allowing a shed to be located within a drainage easement. 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.

Ms. Clements had no comment.

Ms. Fechter had no comment.

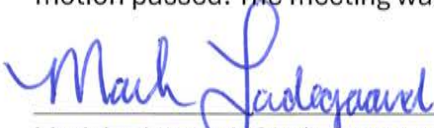
Mr. Streater had no comment.

Mr. Stringer had no comment.

Chair Ladegaard wished Ms. Fechter and Mr. Hricovec a Happy Birthday this month.

ADJOURN

Mr. Bulger moved, seconded by Mr. Hricovec, to adjourn. The vote was: "AYES" all. The Chair declared the motion passed. The meeting was adjourned at 7:20 p.m.



Mark Ladegaard, Chair, Board of Zoning
and Building Appeals



Susan Pintz, Planning and BZA Secretary



Date

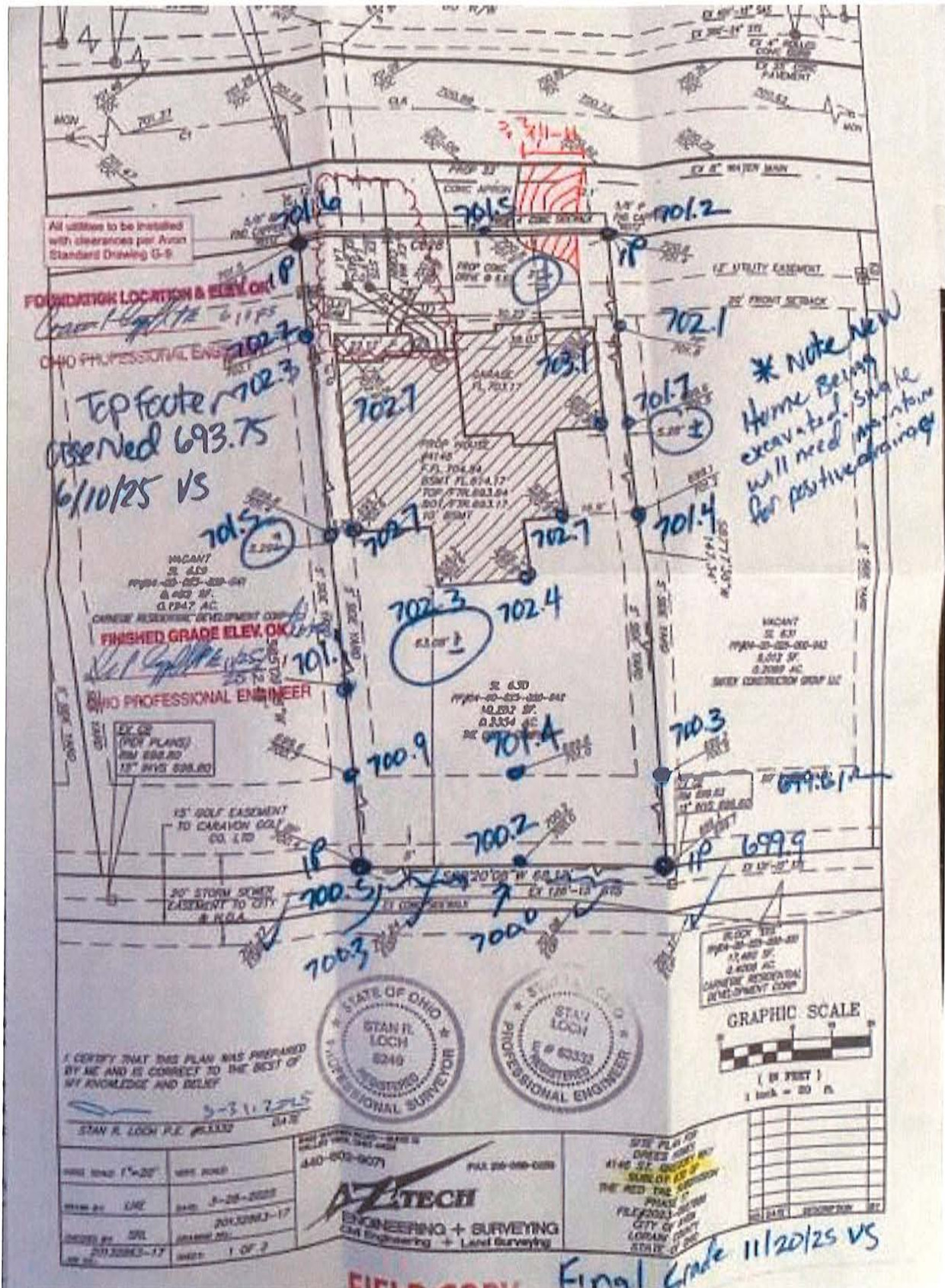
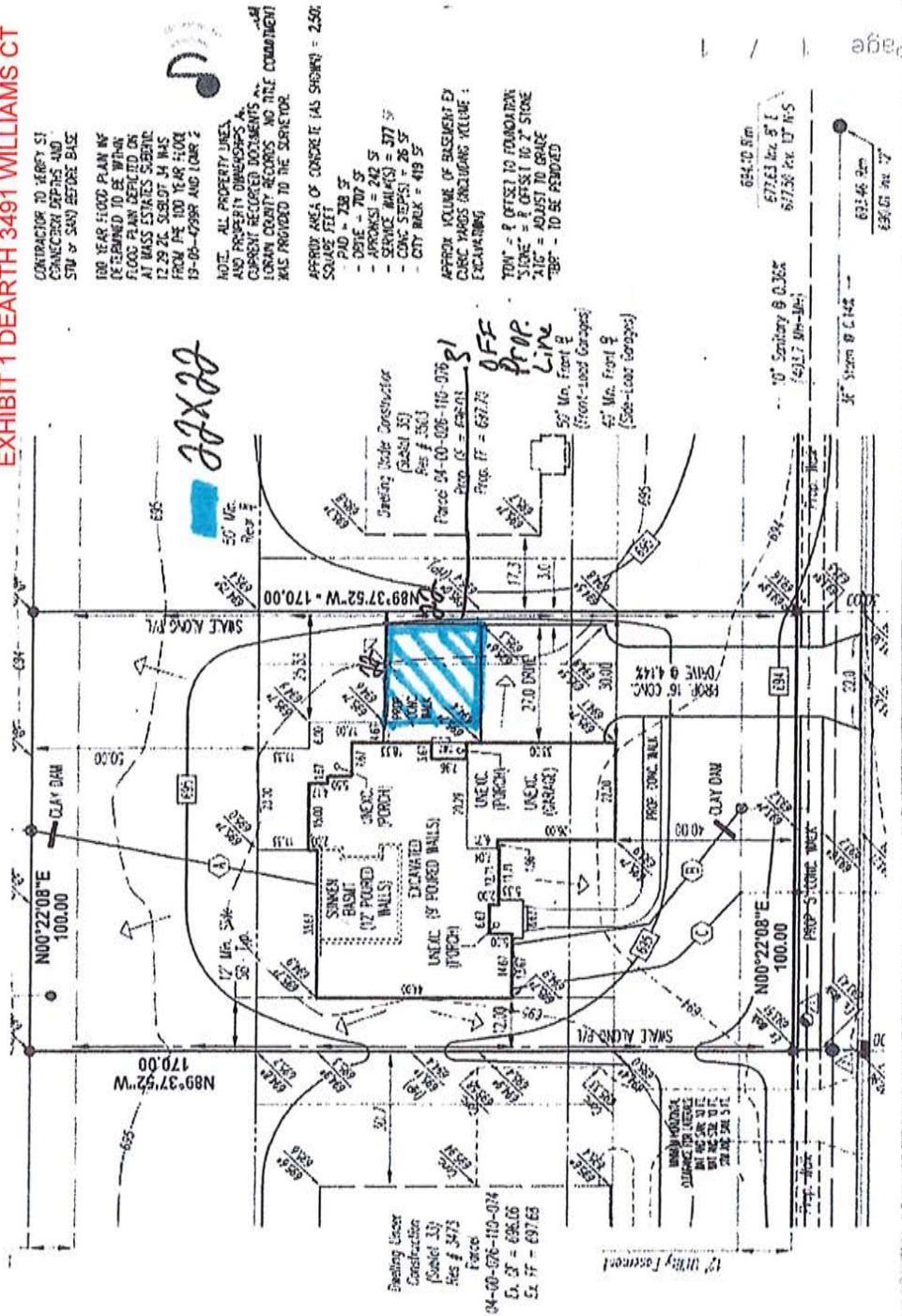


EXHIBIT 1 DEARTH 3491 WILLIAMS CT



REVISED

PLOT PLAN
FOR

BOB ALLEN

SITUATED IN THE CITY OF AVON,
COUNTY OF LORAIN, & STATE OF OHIO & KNOWN
AS BEING PART OF ORIGINAL SECTION NO. 15.

PPN: 04-00-015-102-038

SCALE 1" = 30'
FILE COPY

FILE COPY

DATE: MARCH 30, 1999
REVISED: APRIL 6, 1999
FLIPPED HOUSE
REVISED: APRIL 28, 1999
RETOPO

RESIDENTIAL ELEVATIONS

FIN GR: 680.00
FIN FL: 681.67
BSM'T: 673.00
TOP FTR: 672.67
GAR FL: 680.33

NOTE: PRIOR TO CONSTRUCTION, BSM'T. & FOOTER ELEV. ARE TO BE VERIFIED BY THE BLDG/CONTRACTOR & IF A DISCREPANCY EXISTS BETWEEN THE HSE PLANS & THIS PLOT PLAN, THE CITY ENG. DEPT. & J.A.R. ENG. SHALL BE NOTIFIED.

NOTES PER CITY:
-PROVIDE INDEPENDANT 6" LINE FOR YARD DRAIN
-NO DOWNSPOUTS OR SUMP PUMPS TO TEE INTO DRAIN LINE
-DOWNSPOUTS ARE TO TEE INTO LATERAL WITHIN 5' OF FOUNDATION

APPROVED

BY THE CITY ENGINEER OF AVON, OHIO

BRAMHALL ENGRG. & SURV. CO.

THIS APPROVAL IS FOR GENERAL PLAN & SCOPE ONLY AND DOES NOT RELIEVE THE AUTHOR OF THESE DOCUMENTS FROM PROFESSIONAL RESPONSIBILITY FOR ACCURACY OF DESIGN, CONSTRUCTION TO APPLICABLE ORDINANCES AND EDITIONS OF OHSAS 14001.

04-00-015-102-037
MICHAEL D. RATTI
1865 CENTER RD.

04-00-015-102-011
RICHARD J. LUKOTCH
1911 CENTER RD.

PROP. LEACH FIELD

10" HIGH*
MUST HOLD FINAL GRADES

INSTALL 4' CURB & SOUTH EDGE OF TOWARD RD

FOUNDATION LOCATION & ELEV. OK

10/25/99

B.M. T.T.N.
ON HYD.
ELEV. 682.47

5/24/99

OPEN CUT NOT PERMITTED

LEGEND
PROP. GRADE
EXT'G. ELEV.

SURFACE WATER FLOW

J.A.R. Engineering & Surveying, Inc.
24629 DETROIT ROAD WESTLAKE, OHIO 44145
Phone: (440)-871-8345

Hand-drawn site plan of a property. The overall dimensions are 91' wide and 103' deep. The plan includes a large hatched area labeled "HOUSE" with dimensions 18'-4 1/4" and 23". To the right of the house is a hatched area labeled "GAR." with dimensions 14' and 22'. Below the house is another hatched area labeled "GAR." with dimensions 24' and 24'. Above the house is a hatched area labeled "EXIST. RAMPED DECK" with dimensions 14' and 8". To the left of the deck is a hatched area labeled "EXIST. GARAGE TO BE REMOVED" with dimensions 15'-4 3/4" and 23". A small hatched area labeled "CENTER E. REAR" is located between the deck and the house. A small hatched area labeled "GAR." with dimensions 10' and 10' is located in the top right corner. The plan is bounded by "CENTER RD." on the top and bottom. Arrows indicate the 91' and 103' dimensions. A north arrow is located in the top right corner.

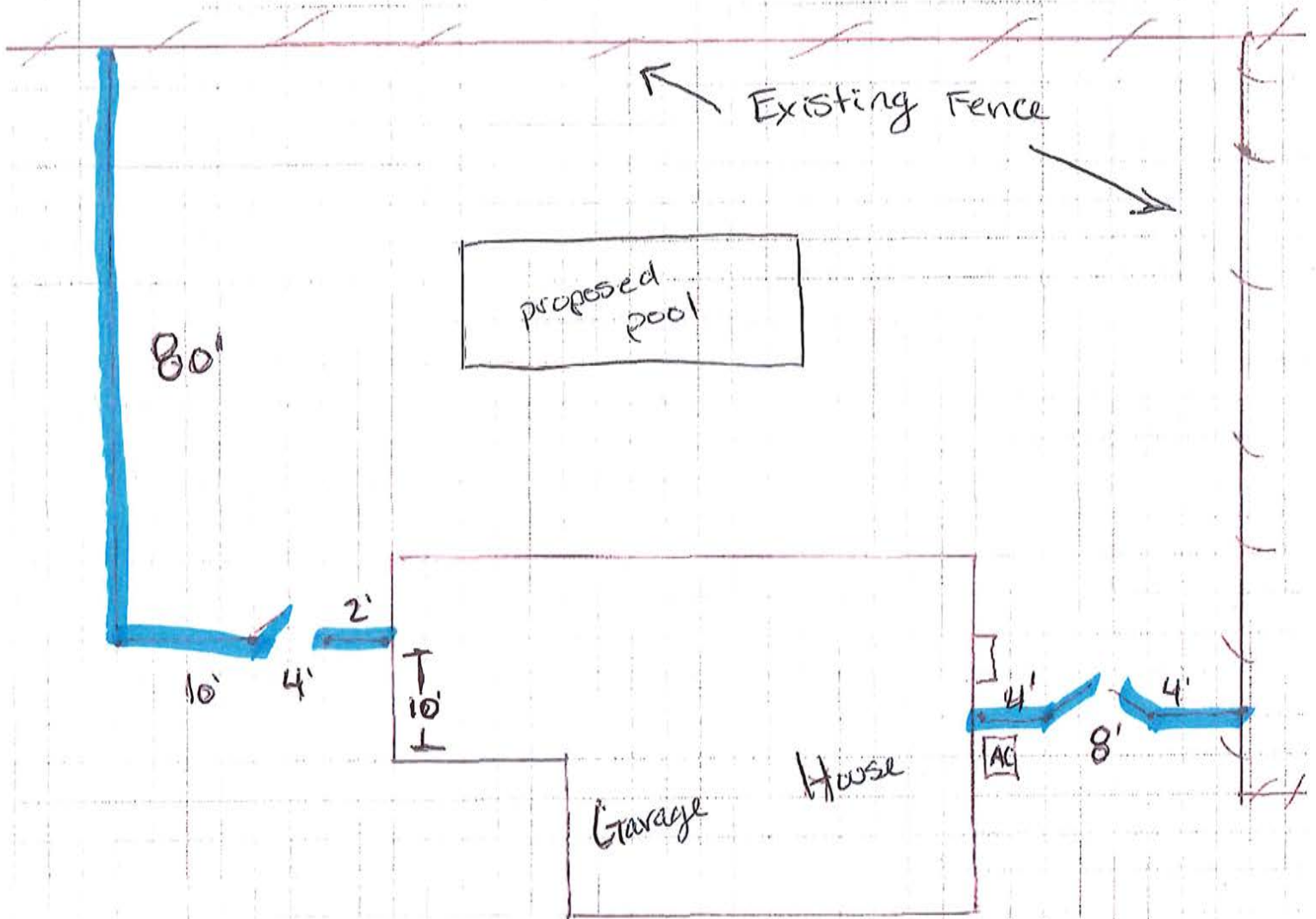
$1'' = 20'0''$

Melvin & Dale Phillips
1881 Center Road
Avon, OH 44011
440-415-8981

AMERICAN PATROL KONG
1490 EAST WATERLOO RD
AKRON, OH 44306
330-733-7561

#1

EXHIBIT 1 KESTRANSEK 3173 WOODSTONE



3173 WOODSTONE LN.

RECEIVED

MAY 19 2026

BLDG. DEPT.

SITE AND GRADING PLAN for PETROS HOMES

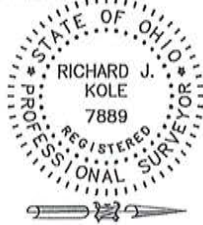
Situated in the City of Avon, County of Lorain and State of Ohio and known as being Sublot No. 25 in The Reserve at Mass Estates Subdivision of part of Original Avon Township Lot No. 26, as shown by the Plat recorded by Document No. 2022-0860078 (Plat Volume 111, Pages 30-31) of Lorain County Map Records.

Based on field survey performed October 1, 2021.

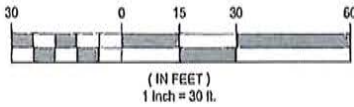
Monuments were found or set as indicated hereon. Dimensions are expressed in feet and decimal parts thereof. Bearings are to an assumed meridian and are used to describe the relative angular value between lines only, all of which I certify to be correct to the best of my professional knowledge and belief.

Richard J. Kole

Richard J. Kole, P.S. 7889



GRAPHIC SCALE



NOTES:

- DOWNPOUS SHALL TIE INTO LATERAL WITHIN 5 FEET OF FOUNDATION.
- HOUSE SHALL REQUIRE A SLUMP PUMP.
- DRIVEWAY THROUGHTS: 6" MIN. (6" MIN. AT DRIVE APRON)
- DRIVEWAY THROUGHTS: 6" MIN.
- ANY & ALL UTILITY CONNECTIONS MUST BE LOCATED OUTSIDE OF DRIVE OR ACCORDANCE WITH CITY STANDARDS.
- THIS PLAN INTENDED FOR LOCATION AND GRADING PURPOSES ONLY. REFER TO HOUSE PLANS FOR FOUNDATION DETAILS AND DIMENSIONS.
- GRADIENT/LANDSCAPE TO MAINTAIN POSITIVE DRAINAGE AWAY FROM HOUSE.
- UTILITY DEPARTMENT REPRESENTATIVE MUST BE PRESENT WHEN PHYSICAL CONNECTION TO HOME LATERALS ARE MADE. A MINIMUM OF 24-HOUR NOTICE MUST BE PROVIDED TO THE UTILITY DEPARTMENT PRIOR TO SUCH CONNECTION.
- SITE GRADING SHALL CONFORM TO EIC 1604.4

LEGEND:

XXXXX PROPOSED GRADE
XXXXX EXISTING ELEVATION
◁ INDICATES DIRECTION OF SURFACE WATER FLOW AFTER FINAL GRADING
---XXX--- EXISTING CONTOUR
---XXX--- PROPOSED CONTOUR

● IRON PIN TO BE SET
○ IRON PIN FOUND

BD IRON PIN MONUMENT FOUND & USED

□ EMPTY MONUMENT BOX

SCALE: 1" = 30'

DATE: OCTOBER 28, 2021

REVISION: APRIL 3, 2023 (DRIVE MODIFIED)

① TBM: TOP OF HYD. @ SUBLOT 25, ELEV. 697.22

CONTRACTOR MUST CHECK DESIGN MARK WITH PAVEMENT GRADE BEFORE ANY EXCAVATION OR WORK IS STARTED.

PROPOSED FLOOR ELEVATIONS: 6" POURED WALL, BASMT; 20" GAR FLR TO 1st FLR

698.20 1ST FLOOR ELEV.
697.20 TOP OF BASMT FOUNDATION
696.53 GARAGE FLOOR ELEV.
696.53 BASEMENT FLOOR ELEV.
698.20 TOP OF FOOTER ELEV.
696.53 BOT. FOOTER ELEV.

ESTIMATED HYD. OF STORM CONCL. @ C.O. = 690.92"
ESTIMATED HYD. OF SANITARY CONCL. @ C.O. = 681.92"

*SLUMP PUMP REQUIRED FOR FOOTER DRAIN

***CONTRACTOR TO VERIFY HOUSE DIMENSIONS (HORIZONTAL & VERTICAL) BEFORE CONSTRUCTION. IF A DISCREPANCY EXISTS, R.M. KOLE & ASSOC. CORP., AND PETROS HOMES SHALL BE NOTIFIED AT ONCE.

HOUSE FOOTPRINT SHOWN IS BASED ON ARCHITECTURAL PLANS BY PETROS HOMES, DATED OCTOBER 6, 2021.

CONTRACTOR TO VERIFY STORM AND SANITARY CONNECTION DEPTHS AND TYPE OF CONNECTION (I.E. SIM OR SAW) BEFORE BASEMENT EXCAVATION.

100 YEAR FLOOD PLAIN INFO: SUBLOT 25 WAS DETERMINED TO BE WITHIN THE EFFECTIVE 100-YEAR FLOOD PLAIN DEPICTED ON THE APPROVED RESERVE AT MASS ESTATES SUBDIVISION PLANS DATED 12/29/20. SUBLOT 25 WAS SUBSEQUENTLY REMOVED FROM THE 100 YEAR FLOOD PLAIN VIA CLEAR 19-05-4299R AND LCMR 21-05-4631P.

NOTE: ALL PROPERTY LINES, RIGHT-OF-WAY LINES AND PROPERTY OWNERSHIP ARE SHOWN FROM CURRENTLY RECORDED DOCUMENTS AVAILABLE FROM LORAIN COUNTY RECORDS. NO TITLE COMMITMENT WAS PROVIDED TO THE SURVEYOR.

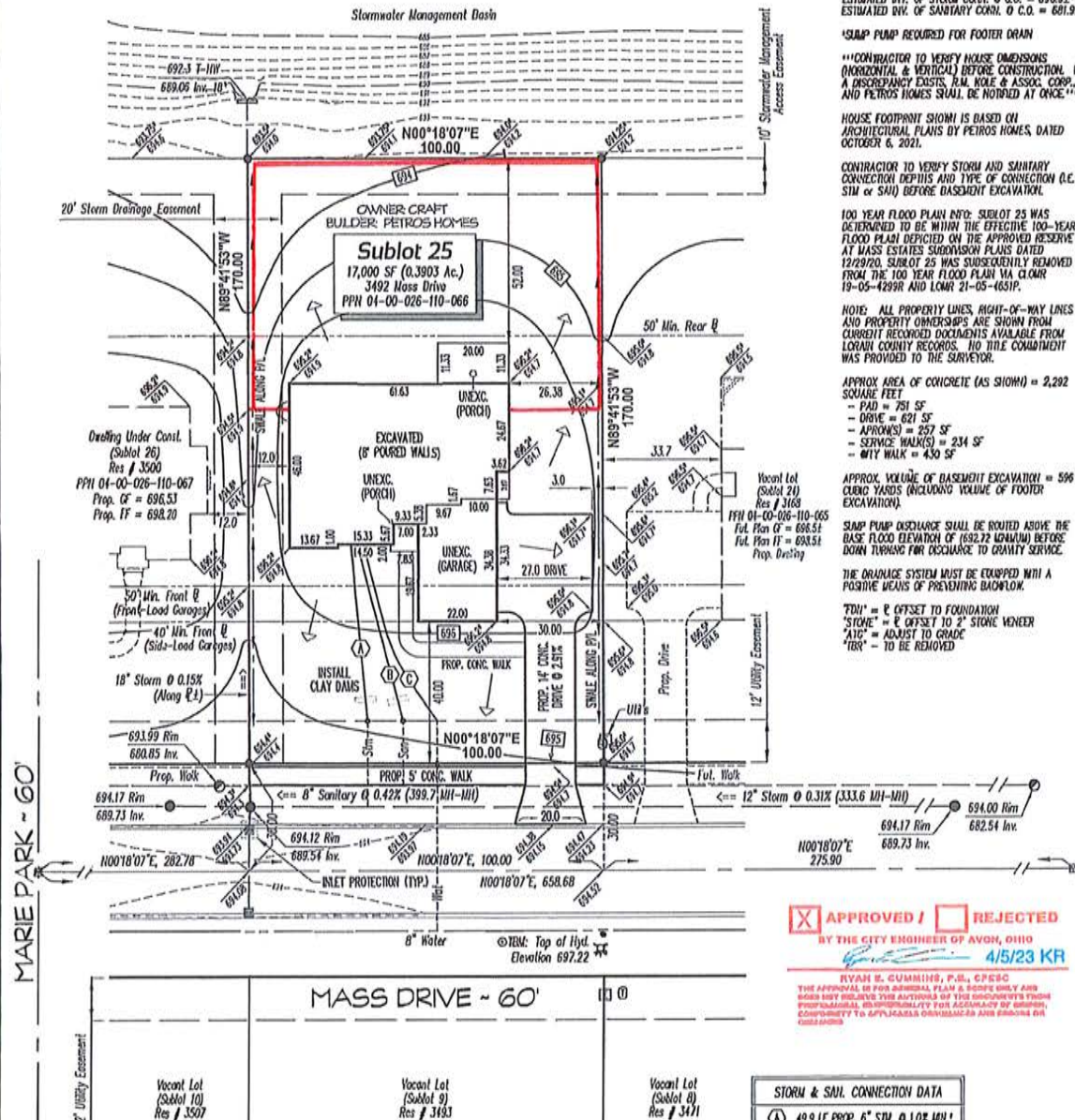
APPROX AREA OF CONCRETE (AS SHOWN) = 2,282 SQUARE FEET
- PAD = 751 SF
- DRIVE = 621 SF
- APPROX(S) = 257 SF
- SERVICE WALK(S) = 234 SF
- CITY WALK = 430 SF

APPROX. VOLUME OF BASEMENT EXCAVATION = 596 CUBIC YARDS (INCLUDING VOLUME OF FOOTER EXCAVATION).

SLUMP PUMP DISCHARGE SHALL BE ROUTED ABOVE THE BASE FLOOR ELEVATION OF (692.72 MINIMUM) BEFORE DOWN TURNING FOR DISCHARGE TO GRAVITY SERVICE.

THE DRAINAGE SYSTEM MUST BE EQUIPPED WITH A POSITIVE MEANS OF PREVENTING BACKFLOW.

70N" = R OFFSET TO FOUNDATION
STORE" = R OFFSET TO 2" STONE VENEER
412" = ADJUST TO GRADE
10R" = TO BE REMOVED



☒ APPROVED / ☐ REJECTED
BY THE CITY ENGINEER OF AVON, OHIO
4/5/23 KR

RYAN E. CUMMINS, P.S., CPESC
THE APPROVAL IS FOR GENERAL PLAN & INFO ONLY AND DOES NOT RELIEVE THE AUTHORITY OF THE ENGINEER'S FROM PROFESSIONAL RESPONSIBILITY FOR ACCURACY OF SURVEY CONFORMITY TO APPLICABLE ORDINANCES AND ENGINEERING CODES.

STORM & SANI. CONNECTION DATA

- (A) 49.9 LF PROP. 6" STR. @ 1.0% MIN.
- (B) 51.3 LF PROP. 6" SANI. @ 1.0% MIN.
- (C) 54.4 LF PROP. WATER CONN.

KOLESURVEY.COM
FILE NO. 2108 (025)



5316 RIDGE ROAD - CLEVELAND, OHIO 44129
PHONE 440.885.7137 - FAX 440.885.7139

Petros Homes
2223 BRECKSVILLE ROAD - RICHFIELD, OHIO 44126
PHONE 440.546.0000 - FAX 440.546.0001

