



# CITY OF AVON LAKE ZONING BOARD OF APPEALS

JUNE 26, 2024  
COUNCIL CHAMBERS – 150 AVON BELDEN ROAD  
7:00 PM

**VOTING ORDER:**

Ms. Merlone  
Mr. Updegraff  
Mr. Renacci  
Ms. Slivinski  
Mr. Shook

## AGENDA

### A. ROLL CALL

Ms. Merlone, Mr. Updegraff, Mr. Renacci, Ms. Slivinski, Mr. Shook, Assistant Law Director Graves, and Planning & Zoning Manager Page.

### B. APPROVAL OF THE MAY 22, 2024, MEETING MINUTES.

1. The May 22, 2024, minutes will be on the July 24, 2024, Meeting Agenda.

### C. GENERAL CORRESPONDENCE/ANNOUNCEMENTS

### D. COMMENTS FROM THE ASSISTANT LAW DIRECTOR

1. At the beginning of the meeting, the Assistant Law Director shall swear in anyone who has business before this board and will be giving testimony regarding any of the items on the agenda.
2. Please state your name and address before addressing the board.
3. All questions or comments must be addressed to the Chairman.

### E. ADMINISTRATION OF OATH

### F. NEW CASES

#### 1. CAV 24-21

John School on behalf of Jean Zahurancik, requests an area variance to Planning & Zoning Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations* at 116 Mull Avenue (Single-family residence).

AREA VARIANCE

WARD II

R-1D

*The applicant requests a home addition to encroach both side yard setbacks.*

**2. CAV 24-22**

Istvan Soltay on behalf of Jeremy Cole, requests an area variance to Planning & Zoning Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations* at 208 Williamsburg Drive (Single-family residence).

AREA VARIANCE    WARD II    R-1A

*The applicant requests a home addition to encroach the rear yard setback.*

**3. CAV 24-23**

Dominick Kaple requests two area variances to Planning & Zoning Code Section 1224.01 (b)(12)(D) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* and one area variance to Section 1224.01 (b)(11)(C) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* at 32673 Belmont Drive (Single-family residence).

AREA VARIANCE    WARD II    R-1B

*The applicant requests an in-ground pool in the rear yard.*

**4. CAV 24-25**

George Adams and Yvonne Adams request an area variance to Planning & Zoning Code Section 1224.01 (e) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* at 32680 Lake Road (Single-family residence).

AREA VARIANCE    WARD III    R-1A

*The applicant requests a detached garage in the front yard.*

**5. CAV 24-26**

Justin Heller requests an area variance to Planning & Zoning Code Section 1226.03 (d)(2) *General Development Standards – Fences and Walls in Residential Districts* at 375 Creekside Drive (Single-family residence).

AREA VARIANCE    WARD II    R-1A

*The applicant requests a 6’ tall fence in the secondary front yard along Creekside Drive.*

**G. COMMENTS FROM THE AUDIENCE**

**H. COMMENTS FROM BOARD MEMBERS**

**I. DISCUSSION**

**J. ADJOURN**

The next regular meeting of the Zoning Board of Appeals will be on July 24, 2024.

# REPORT – ZBA CASE 24-21



**TO:** Avon Lake Zoning Board of Appeals  
**FROM:** Austin Page, Planning & Zoning Manager  
**SUBJECT:** CAV 24-21 (AREA VARIANCE – 116 Mull Ave)  
**MEETING:** June 26, 2024

John School on behalf of Jean Zahurancik, requests an area variance to Planning & Zoning Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations* at 116 Mull Ave (Single-family residence).

**PROPERTY DESCRIPTION:**

116 Mull Ave is a single-family residence located in the Eagle Point on the Lake subdivision, northeast of the Lear Road and Electric Blvd intersection.

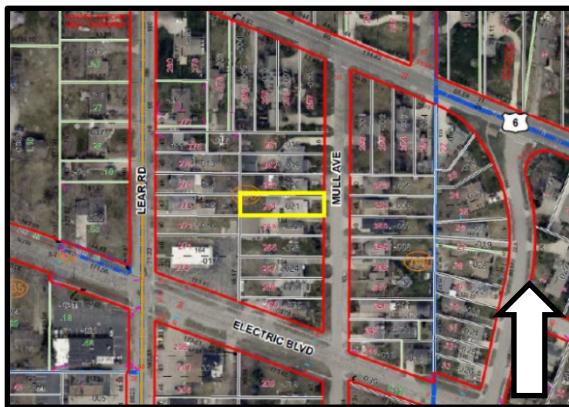


Figure 1: Lorain County Auditor GIS – Spring 2024 Aerial

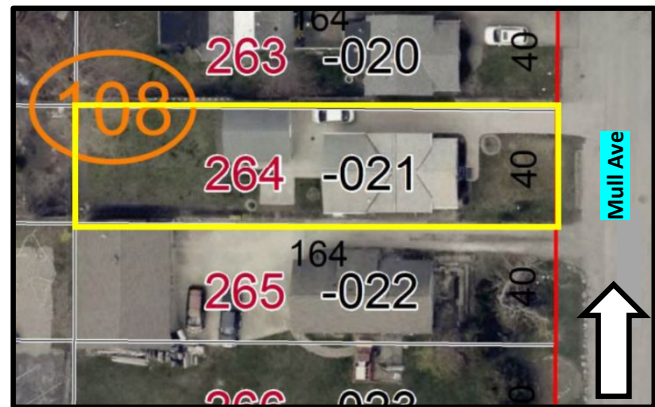


Figure 2: Lorain County Auditor GIS – Spring 2024 Aerial

The property is zoned R-1D, Cottage district. All surrounding properties share the same zoning classification. The property was platted in 1910 and constructed in 1930.

**VARIANCE REQUESTED:**

The applicant requests one area variance to Planning & Zoning Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations* at 116 Mull Ave (Single-Family Residence). The request would permit an addition to the rear of the home that would encroach 2.6’ into the northern 4’ side yard setback and 8” into the southern 4’ side yard setback.

**ANAYLSIS & DISCUSSION:**

As previously stated, the property is zoned R-1D, Cottage District. This zoning classification contains all single-family residences and is the smallest single-family district in relation to lot sizes and widths. As it currently exists, the lot is 40’ wide and the home complies

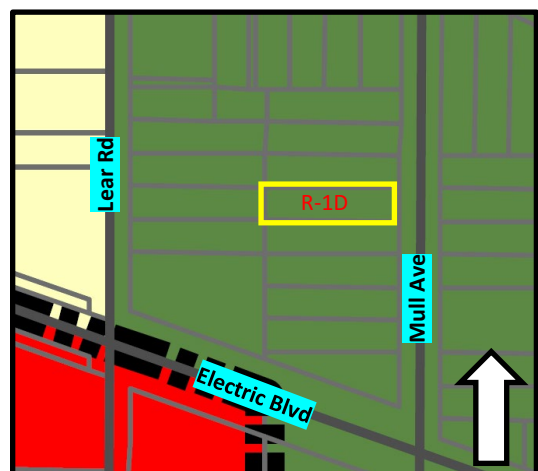


Figure 3: City of Avon Lake Zoning Map - 2022

to all current setback requirements except for the southernmost side yard setback. The current code requires a 4' side yard setback and the existing southern setback is 3.2', which is legally nonconforming.

There is an existing detached garage that meets all setbacks except for the northernmost side yard setback. Detached structures are required to be 3' from the side property line and the existing setback is 1.8' (1.2' encroachment). This too is legally nonconforming.

The applicant is proposing an addition to the rear of the home. This is a horizontal addition and not a vertical one. As part of the addition, the detached garage is to be removed and the garage is to be attached. This makes it part of the primary structure for setback purposes.

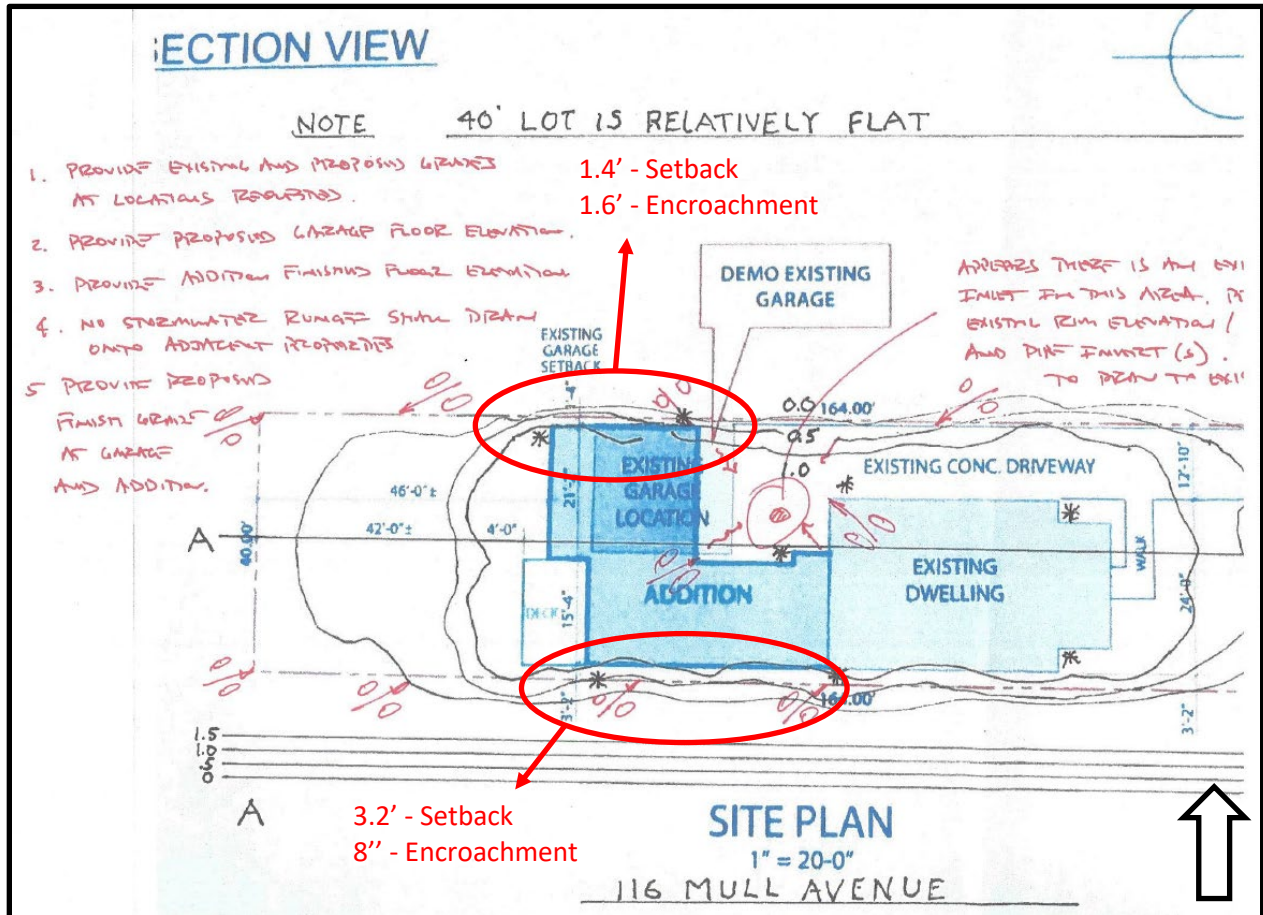


Figure 4: Applicant Provided Site Plan

The proposed addition is to encroach into the southern side yard setback, matching the existing encroachment of 8". The addition would also encroach into the northern side yard setback, planning to match the encroachment of the detached garage, 1.8' from the property line or 2.2' into the required 4' setback. Legal nonconformities are allowed to exist but any type of addition that further increases the nonconformity requires a variance.

The addition is to match the existing height of the home and does not impact the front yard or rear yard setback. If the area variance is granted, and prior to any construction, the applicant shall submit a Residential Building Permit application to the Building Department for review and approval. The Community Development Department is a step in the approval process and is responsible for confirming consistency with ZBA approval, structure(s) location, setbacks, building height(s), façade materials, etc.

**REVIEW AND RECOMMENDATION BY THE ZONING BOARD OF APPEALS (ZBA):**

The ZBA shall review the application, findings, testimony, etc. In reviewing the application, the ZBA shall at a minimum consider the review criteria of Planning & Zoning Code Section 1214.09 (c)(1) *Review Procedures – Variances*. The ZBA may request that the applicant supply additional information that the Board deems necessary to review and evaluate the request for a variance.

In making its decision, the ZBA may approve, approve modifications or supplementary conditions, or deny the application. Additionally, the ZBA shall make specific findings of fact based directly on the evidence presented that the reasons set forth in the application and as presented by the applicant during the public hearing. The ZBA shall justify the approval, approval with modifications or supplementary conditions, or denial of the variance application that will make possible a reasonable use of the land, building, or structure.

**POTENTIAL MOTION:**

The language set forth below is provided as a guide, with no intent to suggest specific action on the part of the Zoning Board of Appeals.

I move to approve/deny ZBA Application, CAV 24-21, an area variance to Planning & Zoning Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations*, permitting an addition to encroach into the side yard setbacks, as depicted in the application.

Please state any conditions.

**ADDITIONAL INFORMATION:**

The applicant has supplied written responses to the Area Variance Review Criteria and a site plan. All of which can be found in the packet.

The Community Development Department sent notice of this request to all property owners within 300' of the subject property.

**ATTACHMENTS:**

1. Copy of Code Section(s)
2. Aerial Views of the Property
3. Street Views of the Property
4. Copy of ZBA Application
5. Copy of Site Plan

**(11) Minimum Setback Requirements**

- A. Setbacks required for accessory uses are established in Section [1224.01: Accessory Uses and Structures](#).
- B. Tables [Table 1226-5](#), [Table 1226-6](#), and [Table 1226-7](#) establish the minimum setback requirements for principal buildings in the residential zoning districts.

<b>TABLE 1226-5: MINIMUM SETBACK REQUIREMENTS FOR RESIDENTIAL DISTRICTS</b>					
Required Setback	Minimum Setback in Feet				
	R-1A	R-1B	R-1C	R-1D	R-2 and R-3
Front Yard Setback	50	50 [1] [2]	20 [3]	20[3]	30
Side Yard Setback	10	10 [4]	4	4	35 [5]
Rear Yard Setback	35	35	20	20	35 [5]

NOTES:

[1] For corner lots in the R-1B District, the minimum front yard setback from the street to the side of the principal structure may be reduced to 15 feet provided it does not reduce the buildable width of the lot to less than 25 feet.

[2] The minimum front yard setback shall be as established in this table unless the lot is located on designated streets within a subdivision identified in [Table 1226-6](#), in which case, the minimum front yard setback established in [Table 1226-6](#) shall apply unless the prevailing front yard setbacks are larger than the minimum required according to [Table 1226-6](#). then the minimum front yard setback shall not be less than the average of the four nearest lots on the same block face. See [Figure 1226-A](#).

[3] The front yard setback for lots fronting on Lake Road, Walker Road, Avon-Belden Road, Lear Road, Jaycox Road, Moor Road, Miller Road, and Electric Avenue shall be increased to 30 feet.

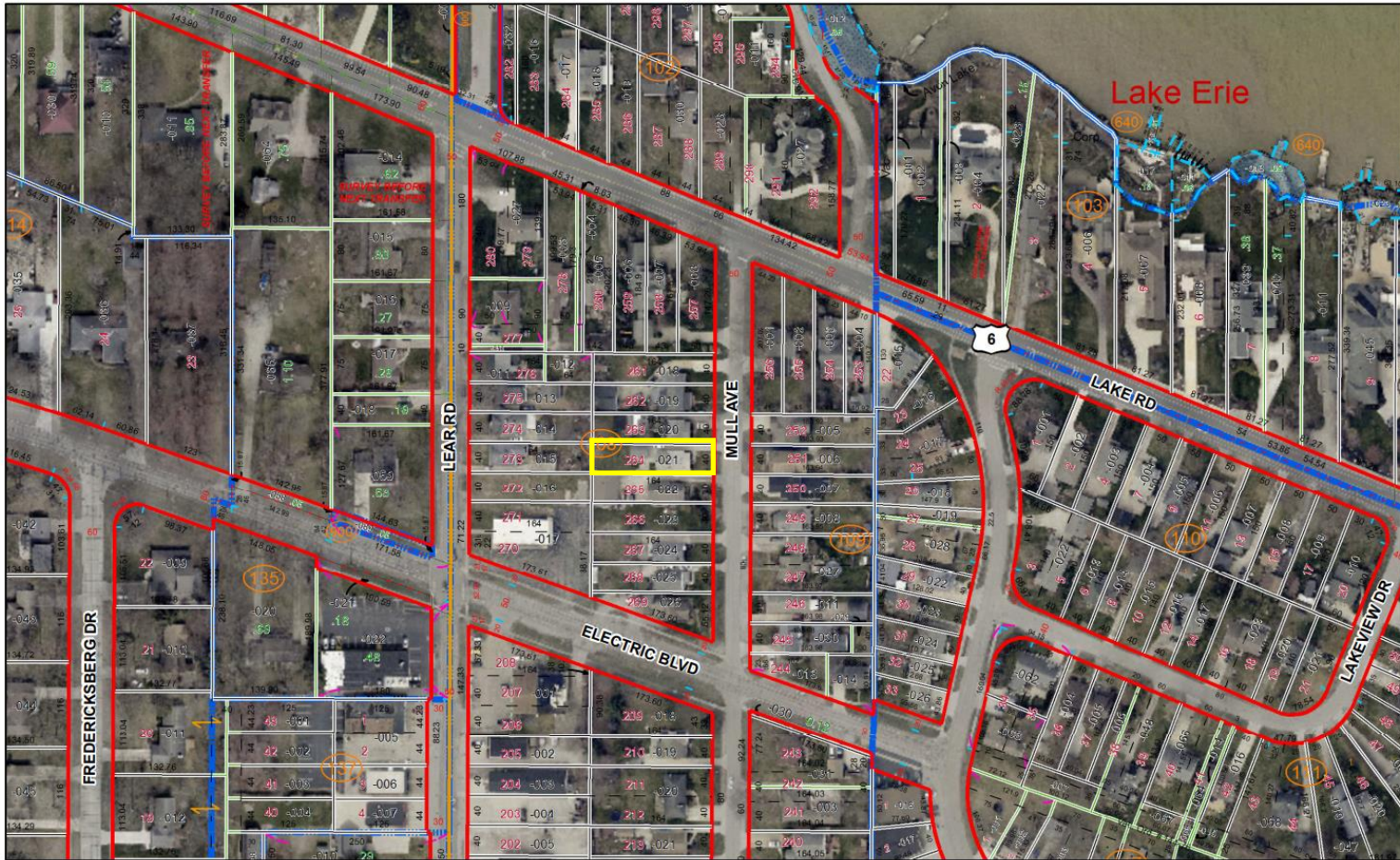
[4] In areas where the prevailing side yard setbacks are smaller than the minimum required according to this table, then the minimum side yard setback shall not be less than the average of the four nearest lots on the same block face. See [Figure 1226-A](#).

[5] Where the R-2 or R-3 District is adjacent to any other R-2 or R-3 District, or any nonresidential zoning district, the side and rear yard setbacks may be reduced to 20 feet.



**J. Craig Snodgrass, CPA, CGFM**  
**Lorain County Auditor**

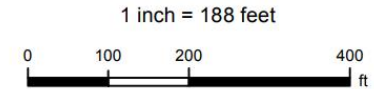
116 MULL AVE



May 28, 2024 11:25:13 AM

**Legend**

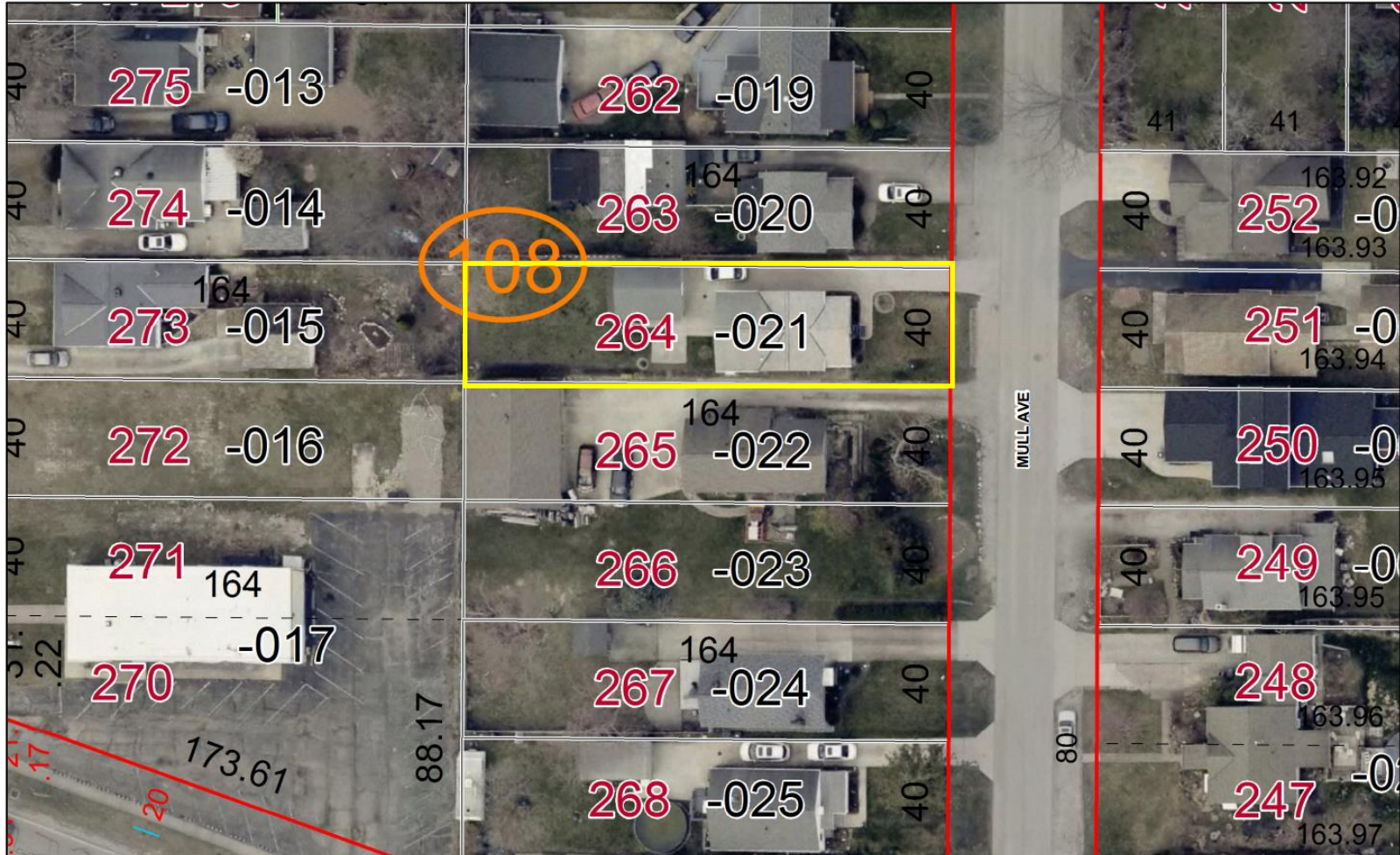
- |                            |                          |                                |                                |                      |                   |
|----------------------------|--------------------------|--------------------------------|--------------------------------|----------------------|-------------------|
| <b>Boundaries</b>          | - - - Dashed Parcel Line | - - - Parcel Line              | - - - Right-of-way Parcel Line | ▬▬▬ Road Centerlines | ▬▬▬ Waterways     |
| - - - Submerged Land Lease | - - - Hydro Line         | - - - Right-of-way Dashed Line | ▬▬▬ PLSS Boundaries            | ▬▬▬ Subdivisions/... | ▬▬▬ Parcels_Black |
| - - - Dashed Lot Line      | - - - Sublot Line        | - - - Right-of-way Line        | ▬▬▬ Original Lot Lines         | ▬▬▬ Right of Ways    |                   |





**J. Craig Snodgrass, CPA, CGFM**  
**Lorain County Auditor**

116 MULL AVE



May 28, 2024 11:19:56 AM

**Legend**

**Boundaries**

- - - Dashed Lot Line  
 Parcel Line

Sublot Line  
 Right-of-way Line

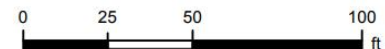
Subdivisions/...

Road Centerlines

Right of Ways  
 Parcels\_Black



1 inch = 47 feet



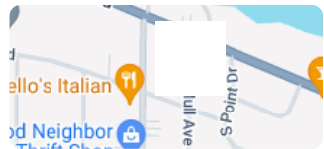


Google Maps 114 Mull Ave

Avon Lake, Ohio  
Google Street View  
Jul 2023 See more dates



Image capture: Jul 2023 © 2024 Google





### CAV-24-21

Area Variance Application  
(ZBA)

Status: Active

Submitted On: 5/19/2024

### Primary Location

116 MULL AVE  
AVON LAKE, OH 44012

### Owner

ZAHURANCIK JEAN M  
116 MULL DR AVON LAKE, OH  
44012

### Applicant

john school  
 216-403-7372  
 @ trainmen2000@yahoo.com  
 7344 Greenlawn Drive  
NORTH RIDGEVILLE, oh  
44039

## Applicant Information

**Applicant Role\***

Contractor

**Name\***

West Erie Building & Construction, Inc.

**Address\***

7344 Greenlawn Drive

**City\***

NORTH RIDGEVILLE

**State\***

Ohio

**Zip\***

44039

**Telephone\***

2164037372

**Email Address\***

trainmen2000@yahoo.com

## Property Owner Information

**Same as Applicant**

**Name\***

Mrs. Jean M. Zahorancik

**Address\***

116 Mull Ave

**City\***

Avon Lake

**State\***

Ohio

**Zip\***

44012

**Telephone\***

4404766534

**Email Address\***

jnz51@juno.com

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## Request Information

 **Code Section(s)**

 **# of Variance Requested**

—


### Specific Details of Variance Request\*

Requesting building encroachment of 1'-8" on North side of property to align with existing concrete drive.

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## Signature

**Applicant Signature\***

 John G. School  
May 17, 2024

## Authorization for Property Access

Would you like to grant access to the city to enter your property?\*

Grant

Signature\*

John G. School

May 17, 2024

Any dog(s) on property?\*

No

Daytime Phone Number\*

2164037372

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## Factors Used to Determine Practical Difficulty of an Area Variance

**A. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or proximity to non-conforming and inharmonious uses, structures or conditions;\***

Narrowness between existng garage and neighbors fence to the North

**B. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;\***

It will allow position of replacement garage structure to facilitate driveway access

**C. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures;\***

Larger Existing garage replacement for today's car sizes

**D. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;\***

Change would have minimal impact on neighbor due to neighbor's existing six foot high wood fence

**E. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup;\***

No need for services between fence and garage structure

**F. Whether special conditions or circumstances exist as a result of actions of the applicant (actions of the applicant shall not include the purchase or acquisition of the property);\***

There are no special conditions

**G. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;\***

Due to the narrowness of the 40" lot, any other conditions would not remedy the problem

**H. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance;\***

The hardship to the current owner would be tremendously alleviated.

**I. Whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district; and\***

Previous variance was granted to a contractor on a project across the street

**J. Whether a literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this code.\***

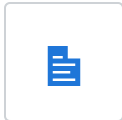
Previous variance was granted to a contractor on a project across the street

**Is there anything else you would like the Community Development team to know?**

Replacing existing garage along with new room addition will be a marked improvement

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## Attachments



**Plot Plan Drawn to Scale**

**REQUIRED**

116 Mull Ave\_ADDITION\_FINAL\_S1\_rev.pdf

Uploaded by john school on May 19, 2024 at 3:31 PM



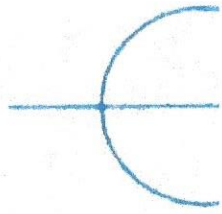
**Photographs of the Property and the Area Affected by the Variance**

IMG\_1816.heic

Uploaded by john school on May 19, 2024 at 3:27 PM

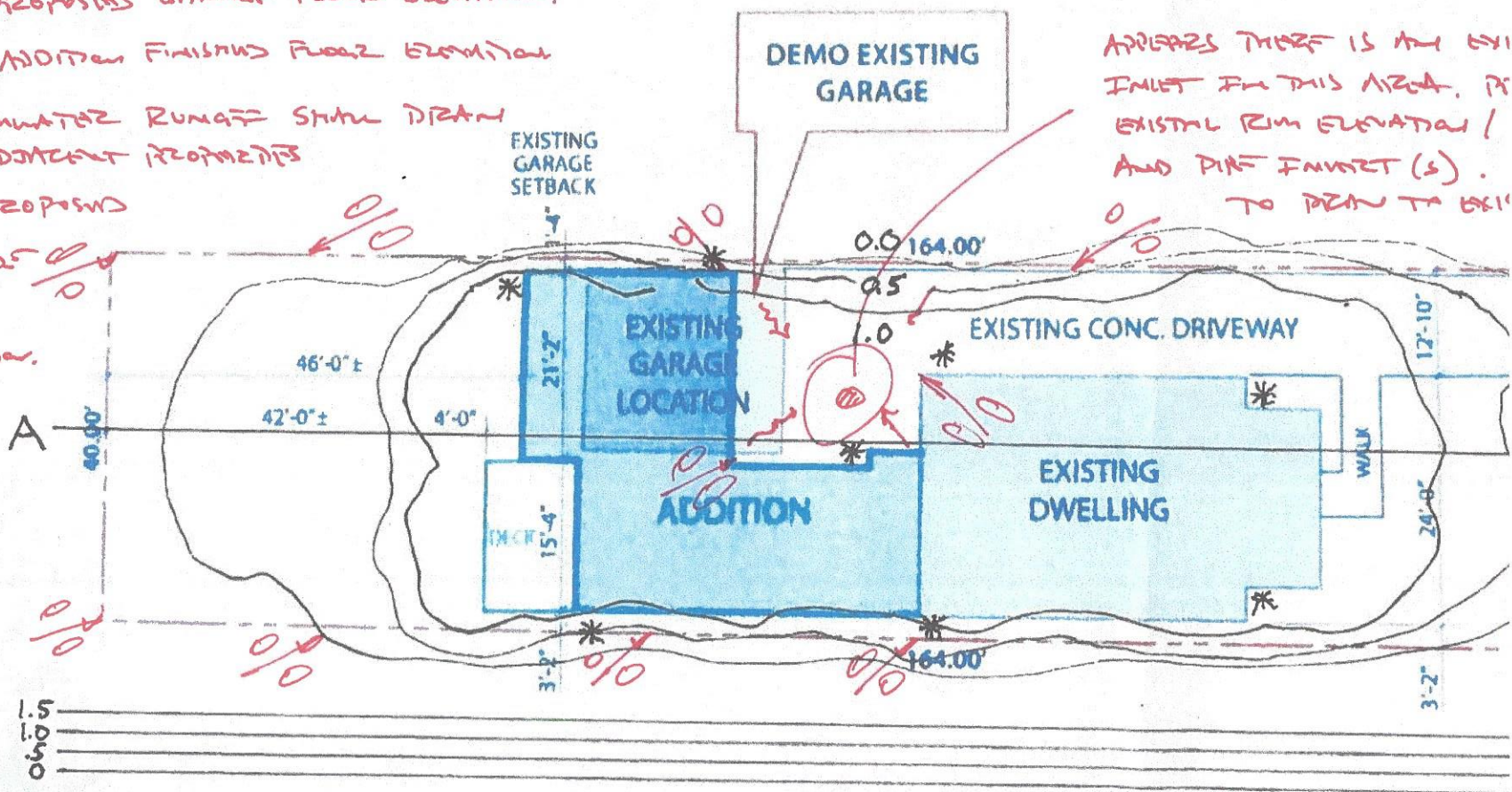
\* DOWN SPOUTS

# SECTION VIEW



NOTE 40' LOT IS RELATIVELY FLAT

1. PROVIDE EXISTING AND PROPOSED GRADES AT LOCATIONS REQUESTED.
2. PROVIDE PROPOSED GARAGE FLOOR ELEVATION.
3. PROVIDE ADDITION FINISHED FLOOR ELEVATION.
4. NO STORMWATER RUNOFF SHALL DRAIN ONTO ADJACENT PROPERTIES.
5. PROVIDE PROPOSED FINISH GRADES AT GARAGE AND ADDITION.

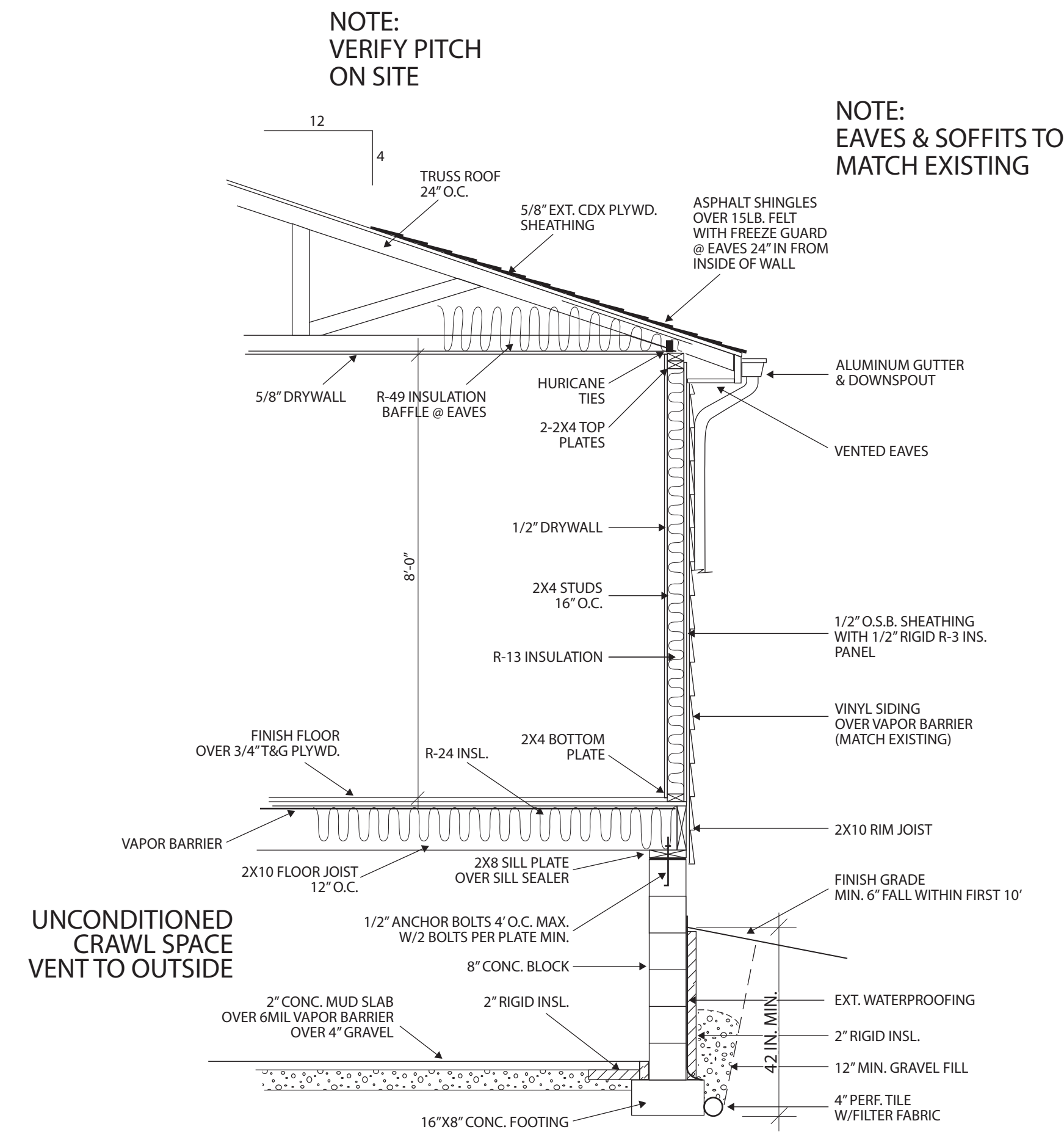


APPEARS THERE IS AN EXISTING INLET IN THIS AREA. IS EXISTING RIM ELEVATION / AND PIPE INVERT (S). TO DRAIN TO EXISTING

## SITE PLAN

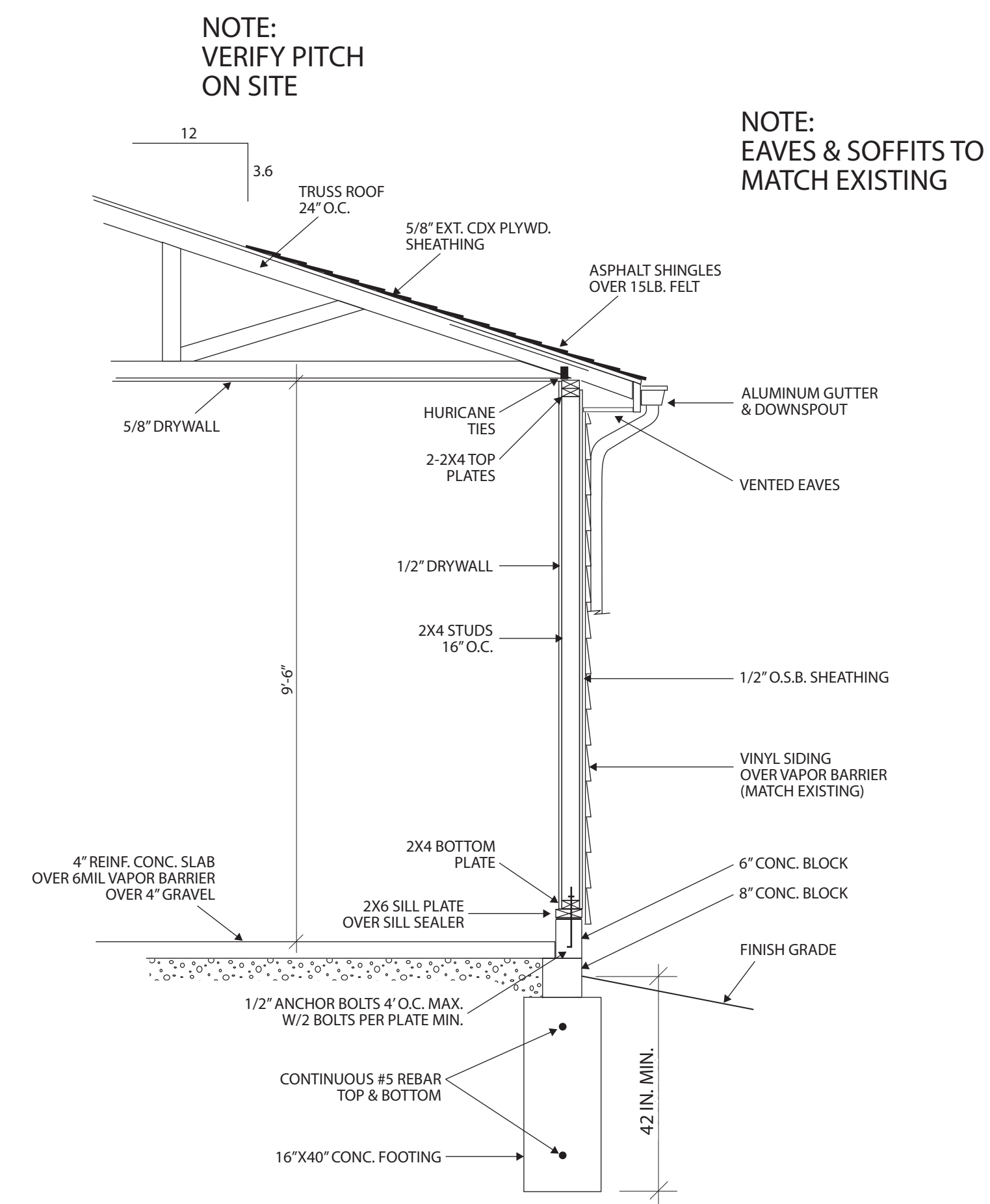
1" = 20'-0"

116 MULL AVENUE

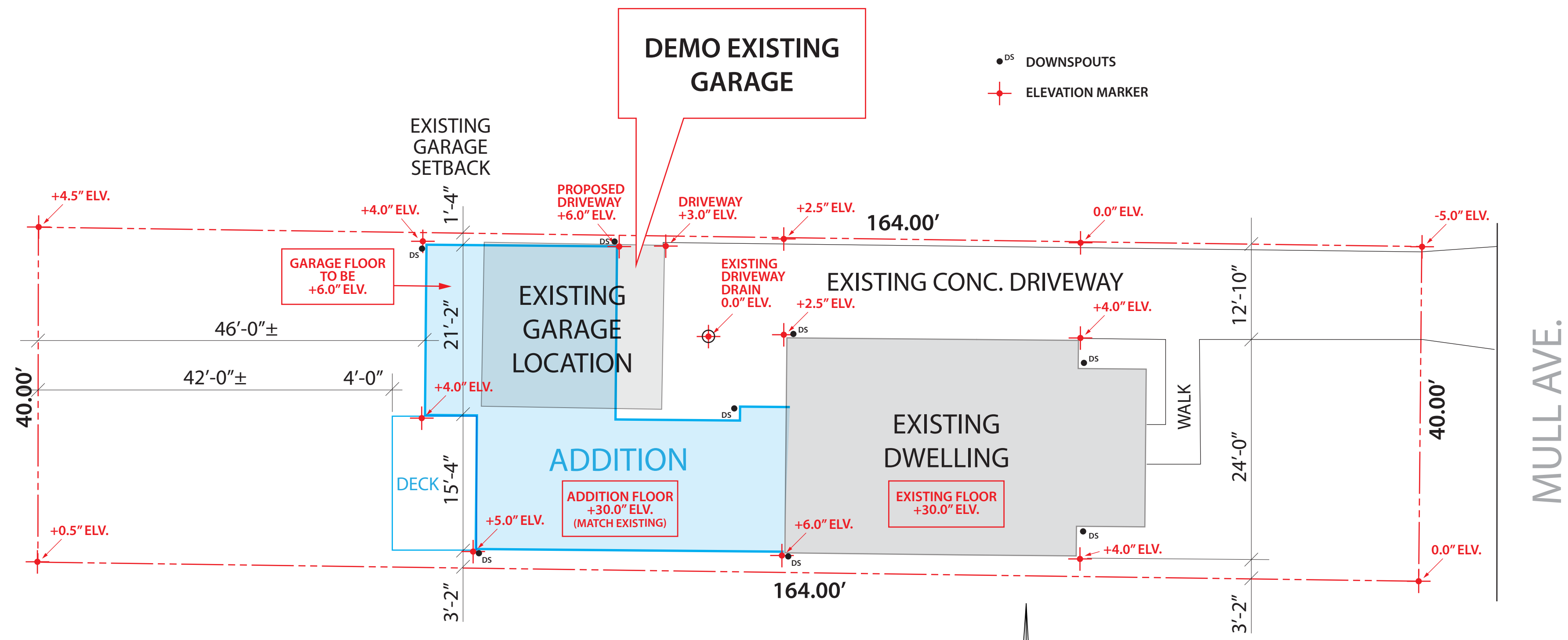


**CRAWL SECTION VIEW**  
1/2" = 1'-0"

**NOTE:**  
TRUSSES TO BE ENGINEERED BY  
MANF. TO CONFORM TO ALL STATE  
AND LOCAL CODES



**GARAGE SECTION VIEW**  
1/2" = 1'-0"



**SITE PLAN**  
1" = 10'-0"

**REVISED**  
4-29-2024

**DISCLAIMER:**  
DeskPrep is not responsible for the construction specifications and details or any other matter relating to the design, development or construction of the project. DeskPrep assumes no responsibility for any damage, including structural failures, due to any deficiencies, omissions or errors in the design of these plans. Each contractor must review the plans and are responsible for his or her own services and are to conform with all national, state and local codes. DeskPrep makes no warranties, express or implied, under this agreement or otherwise, in connection with these services. DeskPrep's liability, if any, is strictly limited to the amount paid for drawings under this agreement and no other damages, whether in the contract or in tort, in law or in equity are available to you. By using or submitting these drawings to a municipality for construction permits, in whole or in part, constitutes your agreement with the contents of this disclaimer.

**ADDITION PLANS FOR:**  
RESIDENCE  
116 MULL AVE.  
AVON LAKE, OHIO 44012



# REPORT – ZBA CASE 24-22



**TO:** Avon Lake Zoning Board of Appeals  
**FROM:** Austin Page, Planning & Zoning Manager  
**SUBJECT:** CAV 24-22 (AREA VARIANCE – 208 Williamsburg Drive)  
**MEETING:** June 26, 2024

Istvan Soltay on behalf of Jeremy Cole, requests an area variance to Planning & Zoning Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations* at 208 Williamsburg Drive (Single-family residence).

**PROPERTY DESCRIPTION:**

208 Williamsburg Drive is a single-family residence located in James Realty No. 2 subdivision, southeast of Lear Road and Electric Blvd.

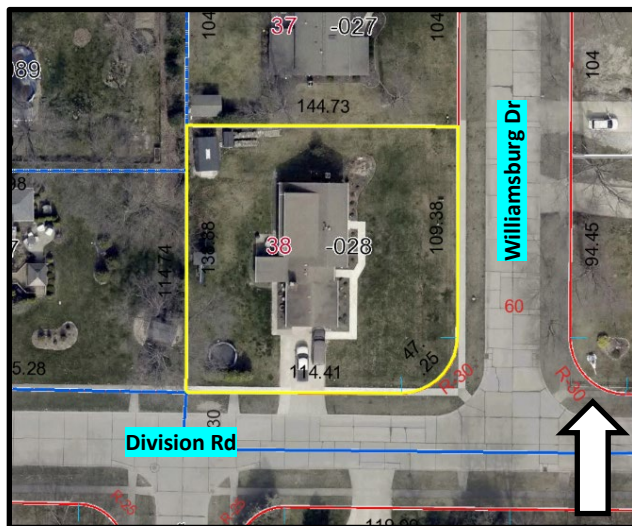


Figure 1: Lorain County Auditor GIS – Spring 2024 Aerial

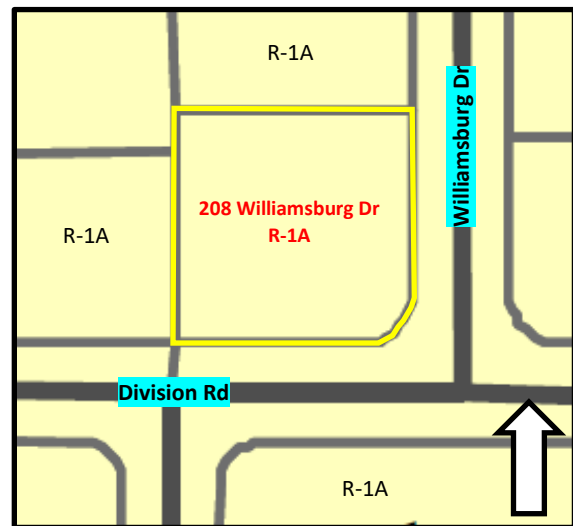


Figure 2: City of Avon Lake Zoning Map – 2022

The property is zoned R-1A, Single-Family Residence. All surrounding properties share the same zoning. The property was platted in 1979 and constructed in 1980.

**VARIANCE REQUESTED:**

The applicant requests one area variance to Planning & Zoning Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations* at 208 Williamsburg Drive (Single-Family Residence). The request would permit an addition to the rear of the home, reducing the rear setback to 27.5'. Code requires a 35' rear setback.

**ANALYSIS & DISCUSSION:**

As it currently exists, the lot complies to all current setback requirements. The property is a corner lot with two frontages. The primary frontage is on Williamsburg Drive and the secondary frontage is on Division Road. There is an existing three season room at the back of the home that is ± 37' from the rear property line. The applicant is proposing to demolish this room and construct a 22'x22' addition in its place. This reduces the property line to 27.5'. Code requires a 35' rear setback and the variance would permit a 7.5' encroachment.

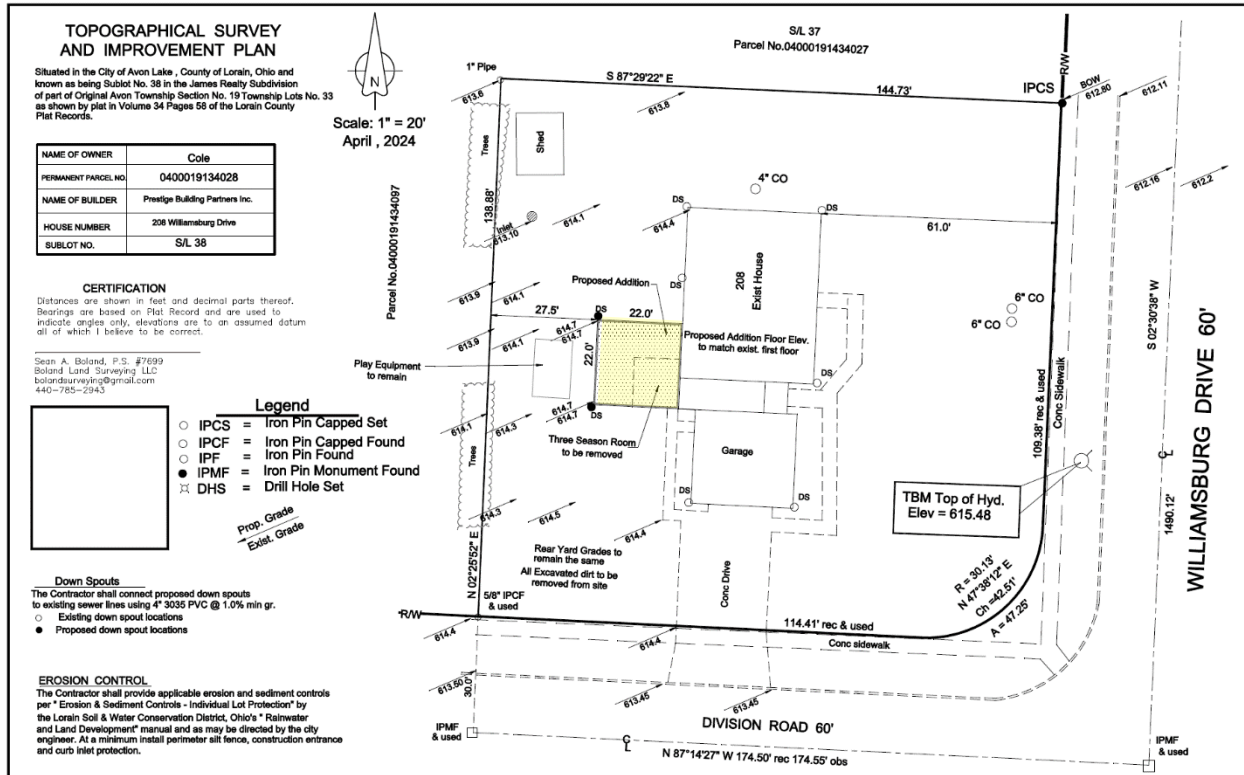


Figure 3: Site Plan – Applicant Provided (CAV 24-22)

The addition is located entirely in the rear yard, does not encroach into any other yards, and is height compliant. If the area variance is granted, and prior to any construction, the applicant shall submit a Residential Building Permit application to the Building Department for review and approval. The Community Development Department is a step in the approval process and is responsible for confirming consistency with ZBA approval, structure(s) location, setbacks, building height(s), façade materials, etc.

**REVIEW AND RECOMMENDATION BY THE ZONING BOARD OF APPEALS (ZBA):**

The ZBA shall review the application, findings, testimony, etc. In reviewing the application, the ZBA shall at a minimum consider the review criteria of Planning & Zoning Code Section 1214.09 (c)(1) *Review Procedures – Variances*. The ZBA may request that the applicant supply additional information that the Board deems necessary to review and evaluate the request for a variance.

In making its decision, the ZBA may approve, approve modifications or supplementary conditions, or deny the application. Additionally, the ZBA shall make specific findings of fact based directly on the evidence

presented that the reasons set forth in the application and as presented by the applicant during the public hearing. The ZBA shall justify the approval, approval with modifications or supplementary conditions, or denial of the variance application that will make possible a reasonable use of the land, building, or structure.

**POTENTIAL MOTION:**

The language set forth below is provided as a guide, with no intent to suggest specific action on the part of the Zoning Board of Appeals.

I move to approve/deny ZBA Application, CAV 24-22, an area variance to Planning & Zoning Code Section 1226.01 (e)(11)(B) *General Development Standards – Lot and Principal Building Regulations*, permitting an addition to encroach 7.5’ into the rear yard setback, at 208 Williamsburg Drive.

Please state any conditions.

**ADDITIONAL INFORMATION:**

The applicant has supplied written responses to the Area Variance Review Criteria and a site plan. All of which can be found in the packet.

The Community Development Department sent notice of this request to all property owners within 300’ of the subject property.

**ATTACHMENTS:**

1. Copy of Code Section(s)
2. Aerial Views of the Property
3. Copy of ZBA Application
4. Copy of Site Plan

**(11) Minimum Setback Requirements**

- A. Setbacks required for accessory uses are established in Section [1224.01: Accessory Uses and Structures](#).
- B. Tables [Table 1226-5](#), [Table 1226-6](#), and [Table 1226-7](#) establish the minimum setback requirements for principal buildings in the residential zoning districts.

<b>TABLE 1226-5: MINIMUM SETBACK REQUIREMENTS FOR RESIDENTIAL DISTRICTS</b>					
Required Setback	Minimum Setback in Feet				
	R-1A	R-1B	R-1C	R-1D	R-2 and R-3
Front Yard Setback	50	50 [1] [2]	20 [3]	20[3]	30
Side Yard Setback	10	10 [4]	4	4	35 [5]
Rear Yard Setback	35	35	20	20	35 [5]

NOTES:

[1] For corner lots in the R-1B District, the minimum front yard setback from the street to the side of the principal structure may be reduced to 15 feet provided it does not reduce the buildable width of the lot to less than 25 feet.

[2] The minimum front yard setback shall be as established in this table unless the lot is located on designated streets within a subdivision identified in [Table 1226-6](#), in which case, the minimum front yard setback established in [Table 1226-6](#) shall apply unless the prevailing front yard setbacks are larger than the minimum required according to [Table 1226-6](#). then the minimum front yard setback shall not be less than the average of the four nearest lots on the same block face. See [Figure 1226-A](#).

[3] The front yard setback for lots fronting on Lake Road, Walker Road, Avon-Belden Road, Lear Road, Jaycox Road, Moor Road, Miller Road, and Electric Avenue shall be increased to 30 feet.

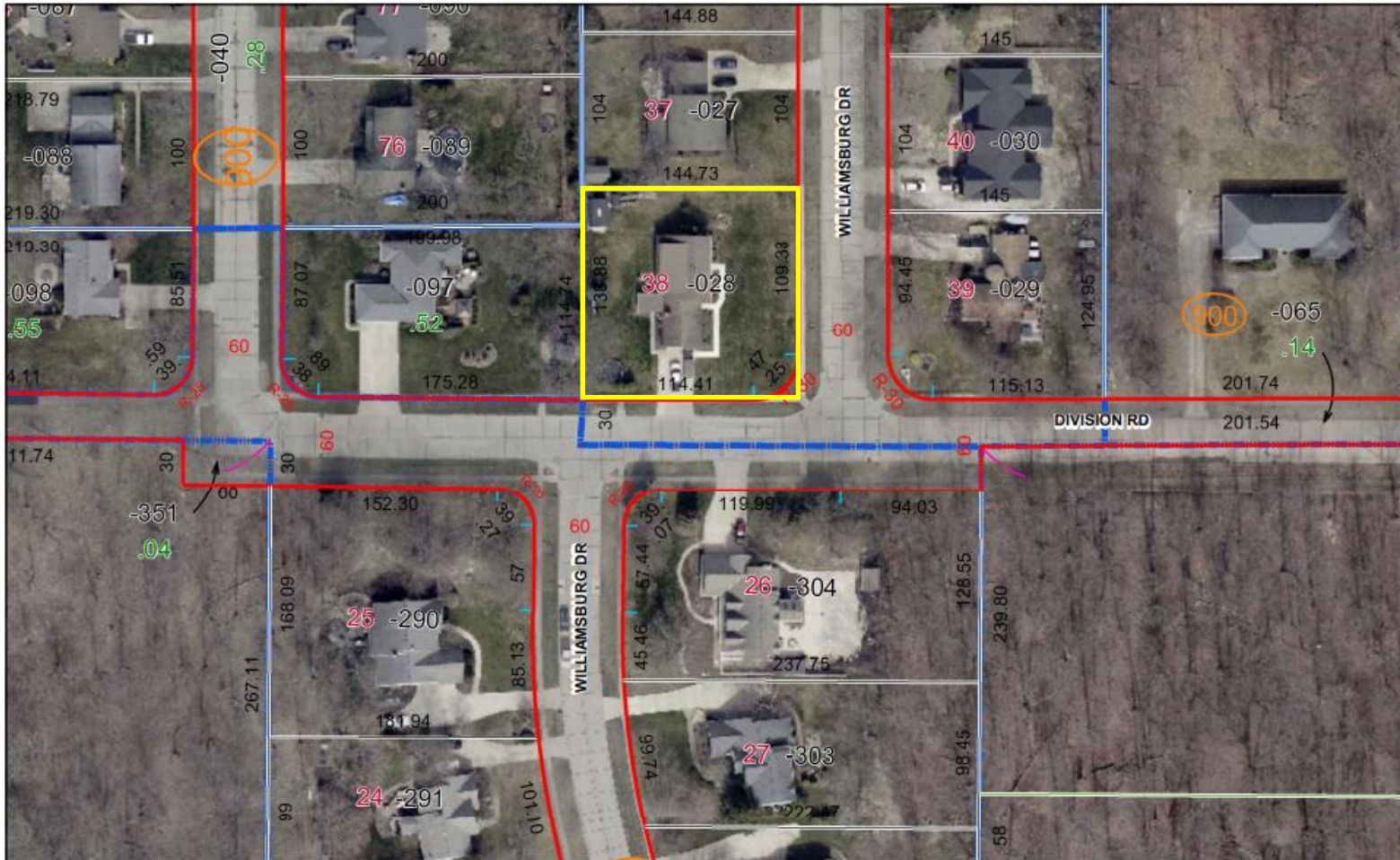
[4] In areas where the prevailing side yard setbacks are smaller than the minimum required according to this table, then the minimum side yard setback shall not be less than the average of the four nearest lots on the same block face. See [Figure 1226-A](#).

[5] Where the R-2 or R-3 District is adjacent to any other R-2 or R-3 District, or any nonresidential zoning district, the side and rear yard setbacks may be reduced to 20 feet.



**J. Craig Snodgrass, CPA, CGFM**  
**Lorain County Auditor**

**208 WILLIAMSBURG DR**



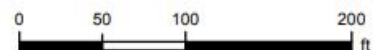
June 13, 2024 2:45:29 PM

**Legend**

- |             |                          |                  |               |
|-------------|--------------------------|------------------|---------------|
| Parcel Line | Right-of-way Parcel Line | Road Centerlines | Right of Ways |
| Sublot Line | Right-of-way Line        | Subdivisions/... | Parcels_Black |



1 inch = 94 feet





### CAV-24-22

Area Variance Application  
(ZBA)

Status: Active

Submitted On: 6/5/2024

### Primary Location

208 WILLIAMSBURG DR  
AVON LAKE, OH 44012

### Owner

COLE JEREMY  
208 WILLIAMSBURG DR  
AVON LAKE, OH 44012

### Applicant

Istvan Soltay  
 440-674-7966  
 ishsoltay@pbpoh.com  
 PO Box 127  
Seville, Oh 44273

## Applicant Information

**Applicant Role\***

GC

**Name\***

Prestige Building Partners

**Address\***

PO Box 127

**City\***

Seville

**State\***

Ohio

**Zip\***

44273

**Telephone\***

440.674.7966

**Email Address\***

ishsoltay@pbpoh.com

## Property Owner Information

Same as Applicant

**Name\***

Jeremy Cole

Address\*

208 Williamsburg

City\*

Avon Lake

State\*

Ohio

Zip\*

44012

Telephone\*

910.581.7156

Email Address\*

Jeremycole0311@gmail.com

---

## Request Information

 Code Section(s)

 # of Variance Requested

—


Specific Details of Variance Request\*

Request variance to rear boundary set back of approximately 7'6" for addition

---

## Signature

Applicant Signature\*

 Istvan Soltay  
Jun 5, 2024


---

## Authorization for Property Access

Would you like to grant access to the city to enter  
your property?\*

Grant

Signature\*

 Istvan Soltay  
Jun 5, 2024

Any dog(s) on property?\*

No

Daytime Phone Number\*

440.674.7966

---

## Factors Used to Determine Practical Difficulty of an Area Variance

**A. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or proximity to non-conforming and inharmonious uses, structures or conditions;\***

The proposed structure has passed the ARB and will have a value-added benefit to the home and surrounding area.

**B. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;\***

The proposed addition will absolutely yield a reasonable return but without the variance it will be impossible to complete the project.

**C. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures;\***

We are asking for approximately 7'6" variance to the required 35' set back. The rear neighbor's home is more than 75' from the proposed addition.

**D. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;\***

The proposed addition would actually add the aesthetics and no adjoining properties would be affected negatively.



**E. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup;\***

There would be no adverse effects to any government services.

**F. Whether special conditions or circumstances exist as a result of actions of the applicant (actions of the applicant shall not include the purchase or acquisition of the property);\***

There are no special conditions or circumstances as a result of this application.

**G. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;\***

There is no other feasible option other than the approval of the variance without a complete re-design of the approved drawings.

**H. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance;\***

If intent of the zoning requirement is to provide adequate distance to protect from fire to neighboring properties, it is felt that the approved variance would still provide adequate protection and therefor maintain the spirit of the zoning requirement.

**I. Whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district; and\***

There would be no special privileges gained.

**J. Whether a literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this code.\***

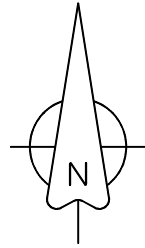
We feel that the request for the variance falls we within other approved variances to similar projects in the area.

**Is there anything else you would like the Community Development team to know?**

We feel approval the variance would add great value to the home as well as be aesthetically pleasing to the overall appearance of the home. The ARB and Engineering Departments have already approved the design and layout. We feel the minor request of approximately 7'6" is in line with prior requests that have been previously approved by this body.

# TOPOGRAPHICAL SURVEY AND IMPROVEMENT PLAN

Situated in the City of Avon Lake, County of Lorain, Ohio and known as being Sublot No. 38 in the James Realty Subdivision of part of Original Avon Township Section No. 19 Township Lots No. 33 as shown by plat in Volume 34 Pages 58 of the Lorain County Plat Records.



Scale: 1" = 20'  
April, 2024

NAME OF OWNER	Cole
PERMANENT PARCEL NO.	0400019134028
NAME OF BUILDER	Prestige Building Partners Inc.
HOUSE NUMBER	208 Williamsburg Drive
SUBLOT NO.	S/L 38

## CERTIFICATION

Distances are shown in feet and decimal parts thereof. Bearings are based on Plat Record and are used to indicate angles only, elevations are to an assumed datum all of which I believe to be correct.

Sean A. Boland, P.S. #7699  
Boland Land Surveying LLC  
bolandsurveying@gmail.com  
440-785-2943

## Legend

- IPCS = Iron Pin Capped Set
- IPCF = Iron Pin Capped Found
- IPF = Iron Pin Found
- IPMF = Iron Pin Monument Found
- ⊗ DHS = Drill Hole Set

Prop. Grade  
Exist. Grade

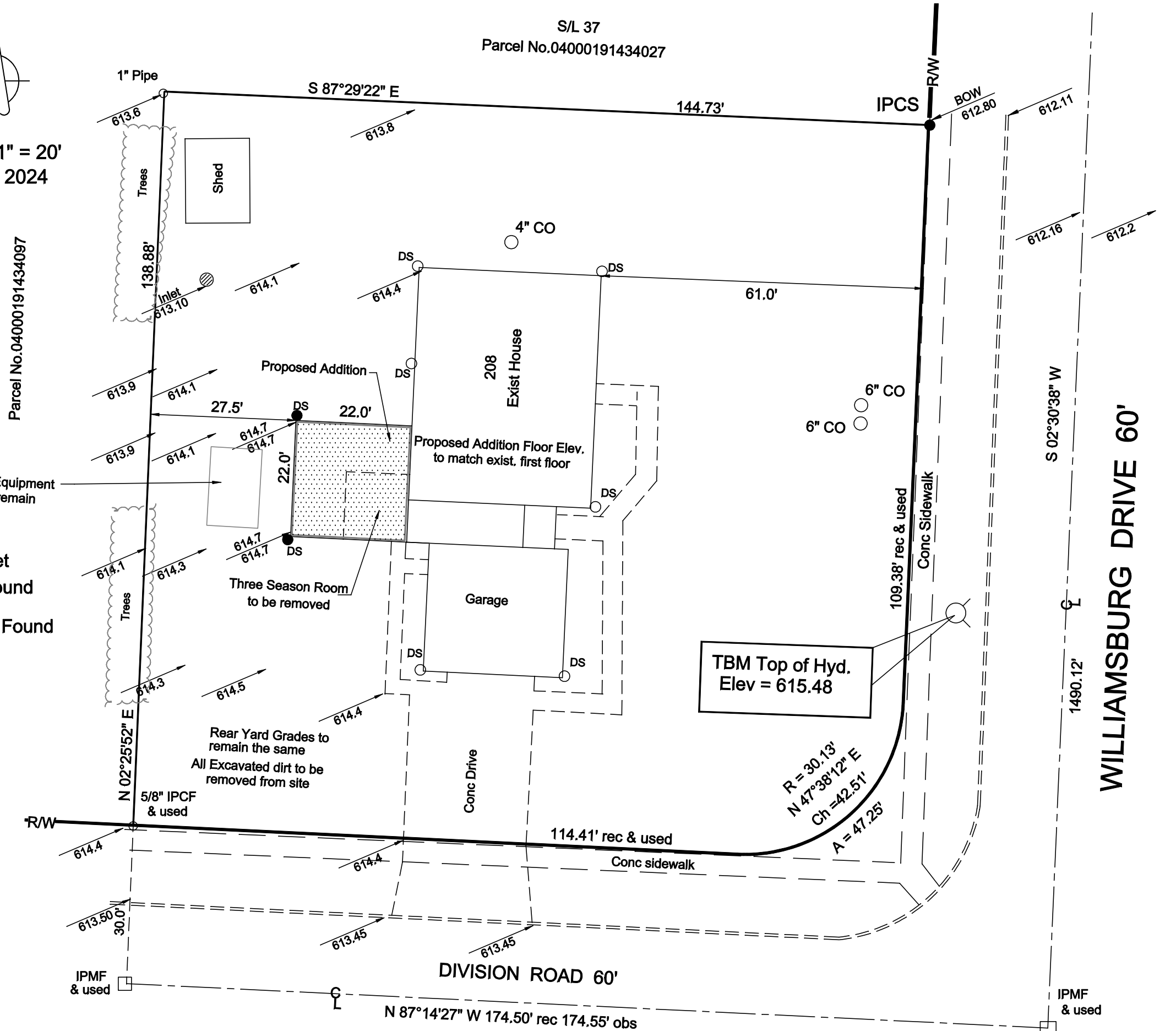
## Down Spouts

The Contractor shall connect proposed down spouts to existing sewer lines using 4" 3035 PVC @ 1.0% min gr.

- Existing down spout locations
- Proposed down spout locations

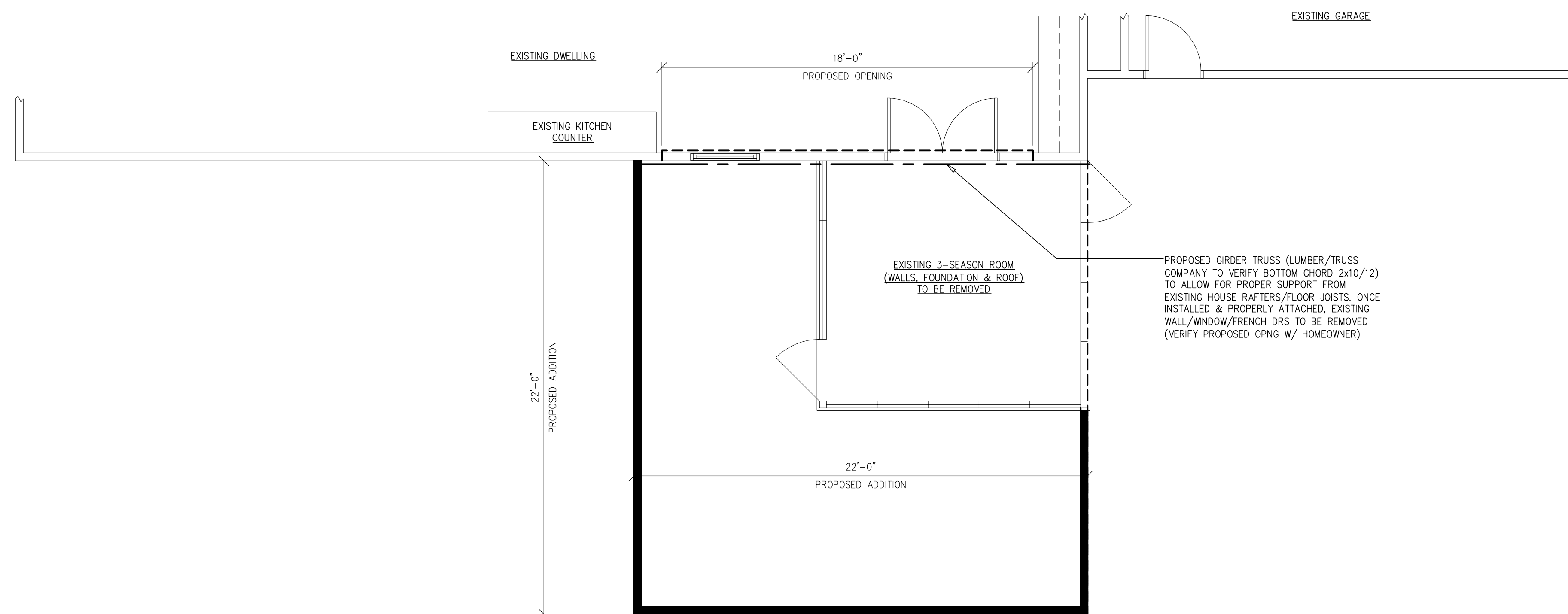
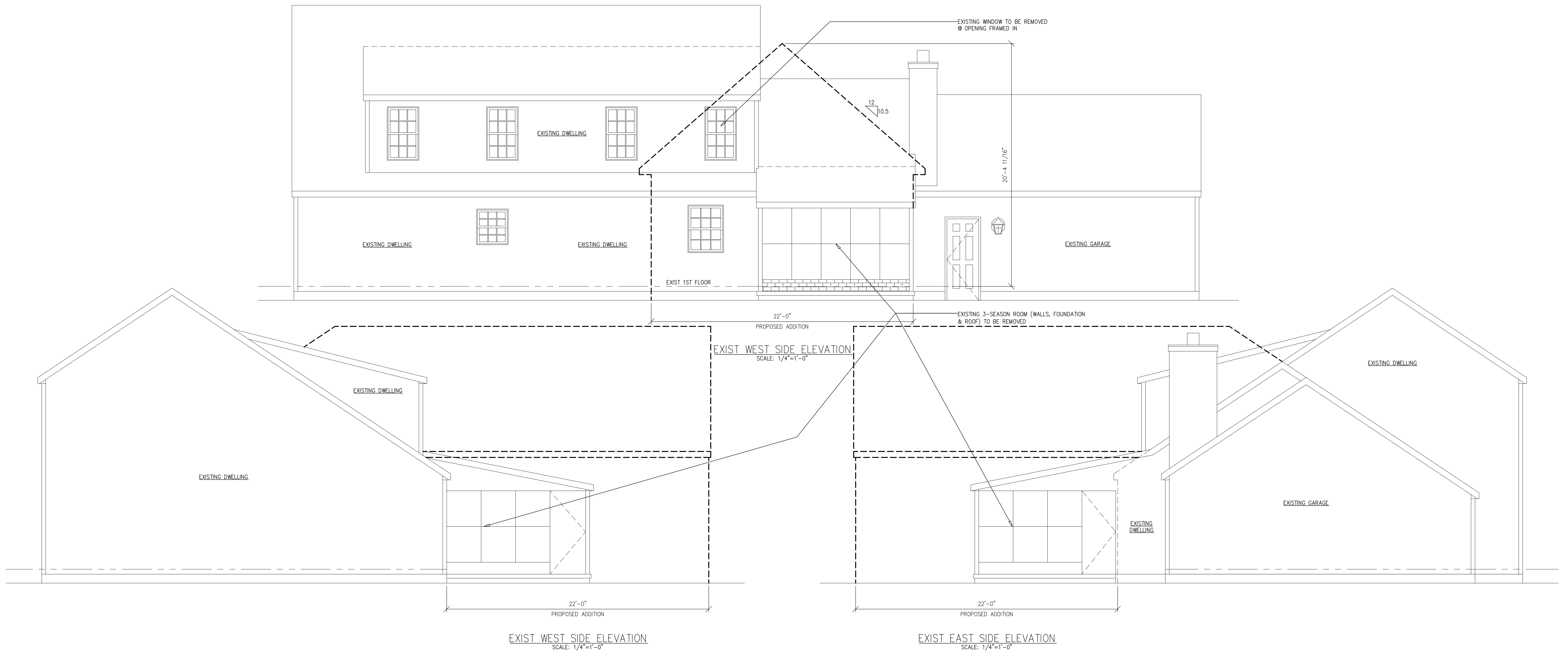
## EROSION CONTROL

The Contractor shall provide applicable erosion and sediment controls per "Erosion & Sediment Controls - Individual Lot Protection" by the Lorain Soil & Water Conservation District, Ohio's "Rainwater and Land Development" manual and as may be directed by the city engineer. At a minimum install perimeter silt fence, construction entrance and curb inlet protection.



WILLIAMSBURG DRIVE 60'

DIVISION ROAD 60'



NOTE: THE DESIGNER IS NOT A LICENSED ARCHITECT, ENGINEER OR A MEMBER OF A DESIGN CERTIFICATION ORGANIZATION.

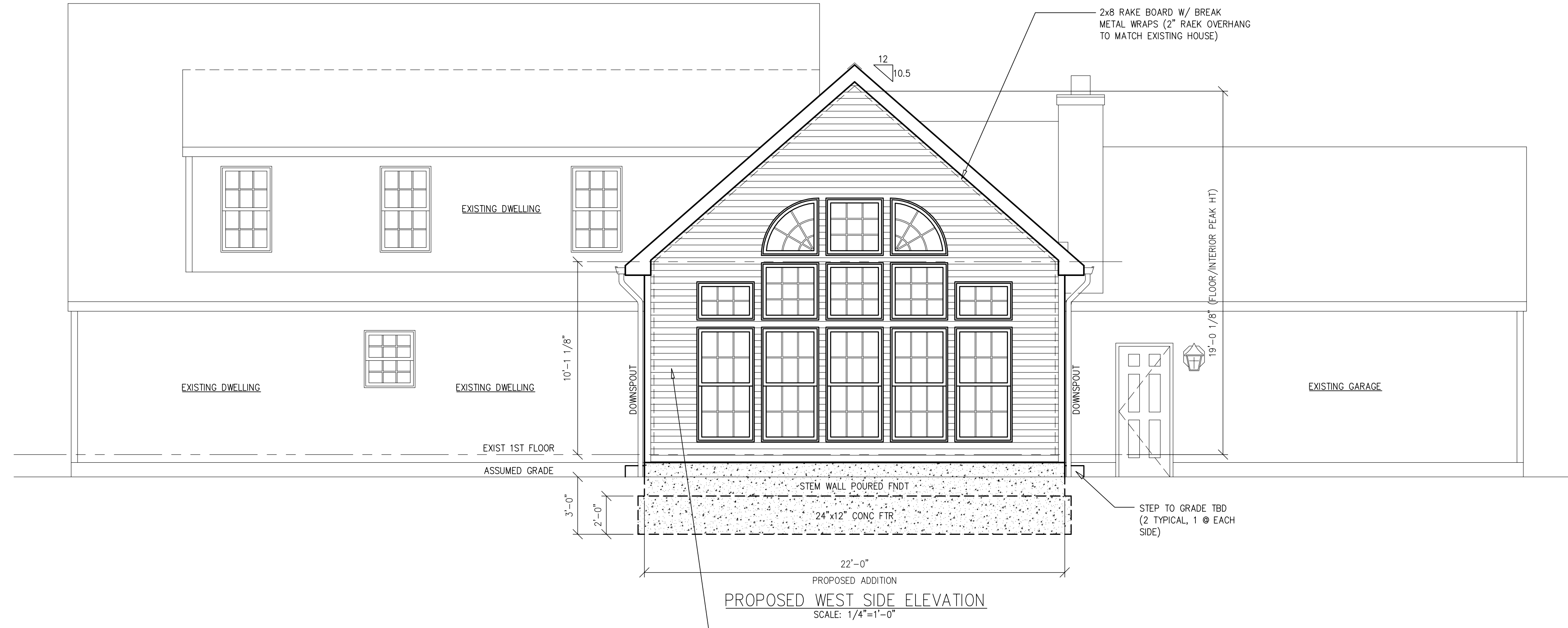
\*ALL CONSTRUCTION TO BE PER PRINT OR MUNICIPALITY/STATE CODES, WHICHEVER IS MORE STRICT.

DRAWN BY:	HOUSE ADDITION	
BY:	SCALE: AS NOTED	208 WILLIAMSBURG DRIVE, AVON LAKE, OH 44012
CHECKED BY:	DATE: 9.27.23	
	EXISTING HOUSE PLANS	
	COLE RESIDENCE	

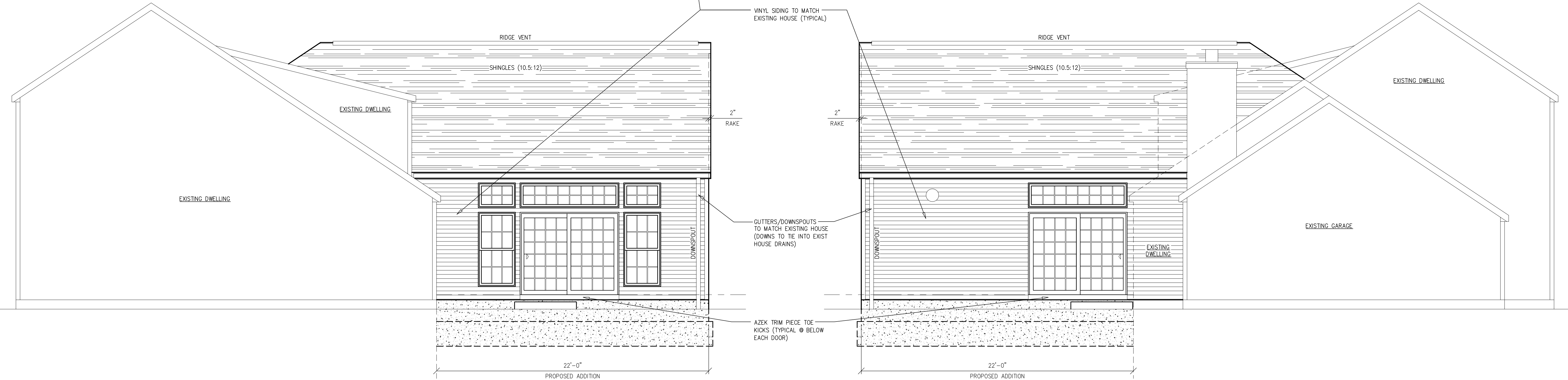
REV. No.	DESCRIPTION	DATE	BY
2	CHANGED TO PROVED STEEL WALL FOUNDATION IN LIEU OF BLOCK	3.8.24	BTY
1	ROOF PITCH CHANGED FROM 8/12 TO 10.5/12	2.13.23	BTY

REVISION SCHEDULE

SHEET 1/3



PROPOSED WEST SIDE ELEVATION  
SCALE: 1/4"=1'-0"



PROPOSED NORTH SIDE ELEVATION  
SCALE: 1/4"=1'-0"

PROPOSED SOUTH SIDE ELEVATION  
SCALE: 1/4"=1'-0"

REV. No.	DESCRIPTION	DATE	BY
2	CHANGED TO POURED STEM WALL FOUNDATION IN LIEU OF BLOCK	3.8.24	BTY
1	ROOF PITCH CHANGED FROM 8:12 TO 10.5:12	2.15.23	BTY

REVISION SCHEDULE

\*ALL CONSTRUCTION TO BE PER PRINT OR MUNICIPALITY/STATE CODES, WHICHEVER IS MORE STRICT.

NOTE: THE DESIGNER IS NOT A LICENSED ARCHITECT, ENGINEER OR A MEMBER OF A DESIGN CERTIFICATION ORGANIZATION.

DRAWN BY: BTY	HOUSE ADDITION 208 WILLIAMSBURG DRIVE, AVON LAKE, OH 44012
CHECKED BY:	SCALE: AS NOTED DATE: 9.27.23
PROPOSED ADDITION PLANS	
COLE RESIDENCE	

SHEET 2/3

ROOF DESIGN LOADS	LIVE LOAD	DEAD LOAD	TOTAL LOAD
ROOF	20 PSF	10 PSF	30 PSF
BEDROOMS	30 PSF	10 PSF	40 PSF
LIVING AREAS	40 PSF	10 PSF	50 PSF
BALCONIES			
STAIRS			

WIND SPEED - 115 MPH  
EXPOSURE CATEGORY - B  
SEISMIC CATEGORY - A

- NOTES:
1. ALL FRAMING LUMBER SHALL HAVE A MINIMUM ALLOWABLE BENDING STRESS (FB) OF 1200 PSI
  2. ALL FOOTINGS TO BEAR ON VIRGIN SOIL, MINIMUM 3'-6" BELOW GRADE. ALLOWABLE SOIL DESIGN LOAD = 1500 PSF
  3. CONCRETE FOR FOUNDATIONS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3500 PSI

- GENERAL NOTES:
1. ALL EXTERIOR WALLS ARE 6" U.O.N.
  2. ALL INTERIOR WALLS ARE 3-1/2" U.O.N.
  3. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS. NOTIFY ARCHITECT OF ANY DISCREPANCIES.
  4. CONTRACTOR TO VERIFY ALL MEASUREMENTS ON THE JOB SITE.
  5. ALL WINDOWS ARE INDICATED BY GLASS SIZE.
  6. ALL PRE-FABRICATED FIREPLACES & FLUES SHALL BE U.L. APPROVED.
  7. PROVIDE 22"x30" MIN. ACCESS W/ LIGHT.
  8. PROVIDE 1-3/4" INSULATED METAL DOOR (C LABEL) TO GARAGE. DOOR MUST BE FIRE RATED A MIN. OF 20 MINUTES & SELF-CLOSING.
  9. SMOKE DETECTORS SHALL BE HARD WIRED & INTERCONNECTED.
  10. SUMP PUMPS SHALL HAVE AN INLINE CHECK VALVE.
  11. STAIRWELLS WILL HAVE A WALL, RAIL OR HANDRAIL & SPINDLES INSTALLED PER LOCAL CODE.

- INSULATION:
1. 2x4 WALLS: 3-1/2" BATTS (R15 MIN.)
  - 2x6 WALLS: 5-1/2" BATTS (R19 MIN.)
  2. FLAT CEILINGS: 9-1/2" BATTS (R49 MIN.) OR BLOWN-IN.
  3. VAULTED CEILINGS: 6-1/4" BATTS (R19 MIN.)
  4. BOX ENDS: 9-1/2" (R30 MIN.)
  5. SLAB EDGES: 1-1/2" RIGID EXTRUDED POLYSTYRENE (R7.5 MIN.)
  6. PROVIDE VENTILATION BAFFLES @ ALL RAFTER SPACES.
  7. CAULK ALL OPENINGS IN EXTERIOR WALLS.
  8. SEAL ALL OPENINGS IN TOP PLATES.

- GYPSON BOARD:
1. PROVIDE 1/2" REGULAR GYPSON BOARD THROUGHOUT ENTIRE STRUCTURE EXCEPT AS NOTED.
  2. PROVIDE WATER RESISTANT GYPSON BOARD IN ALL BATH & TOILET AREAS.
  3. USE 5/8" GYPSON BOARD ON CEILINGS WHEN SUPPORTING MEMBERS MEET OR EXCEED 24"OC.

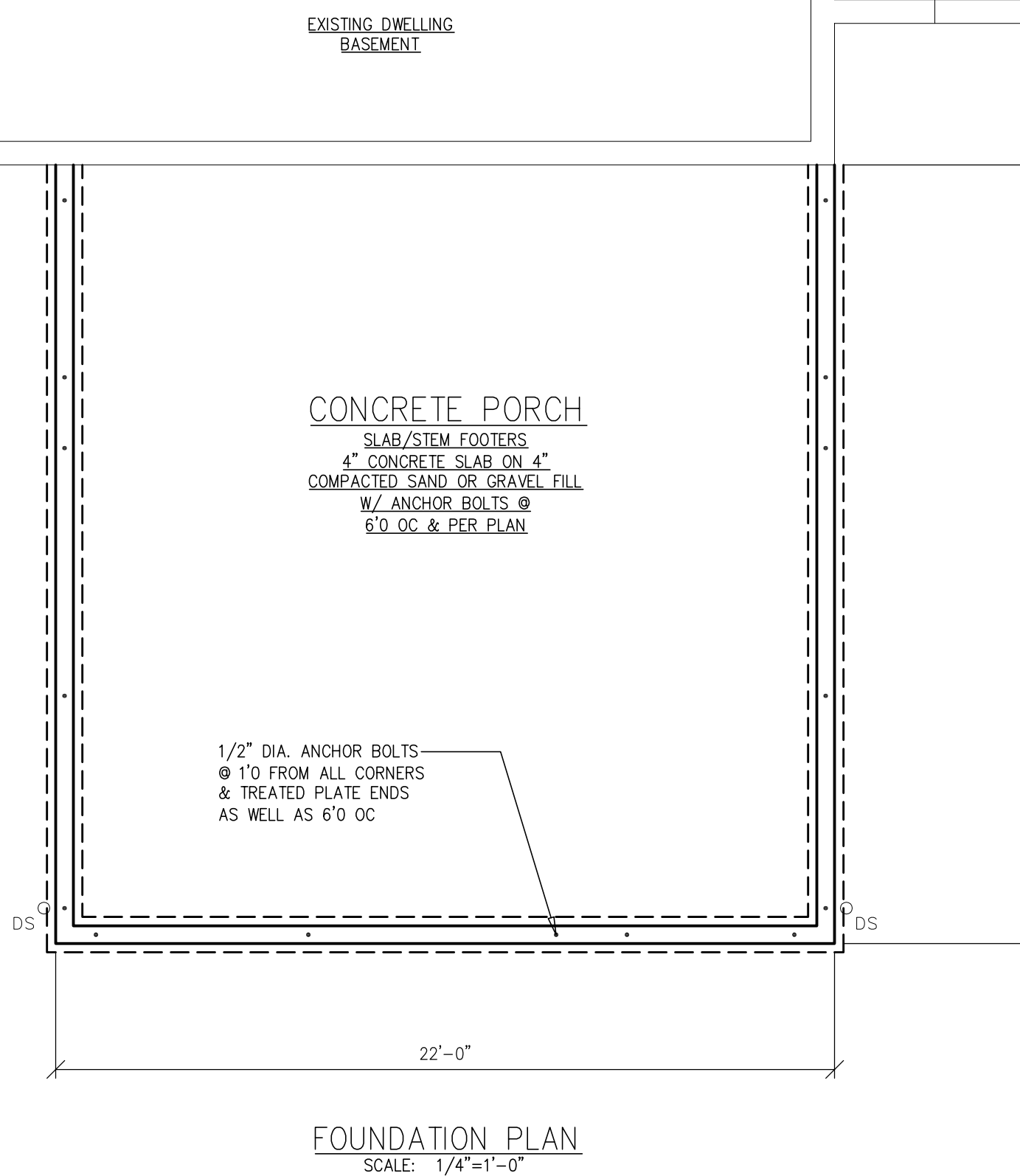
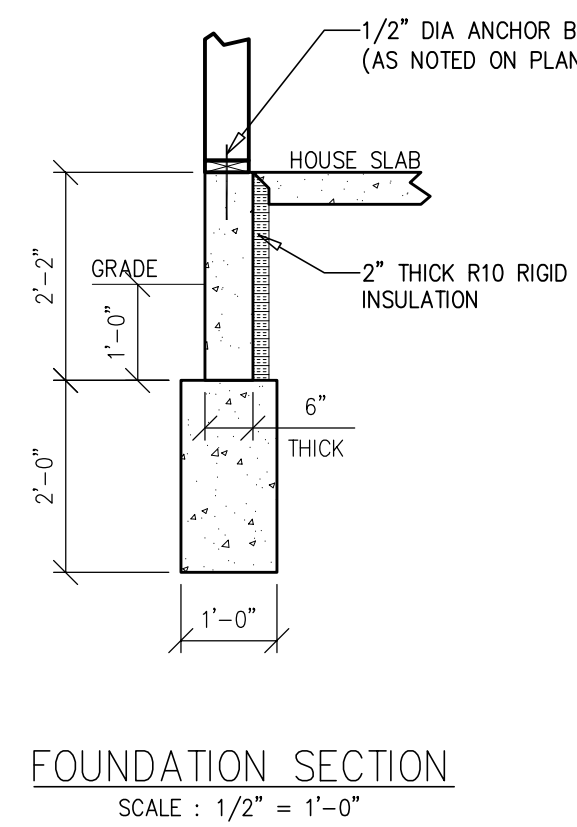
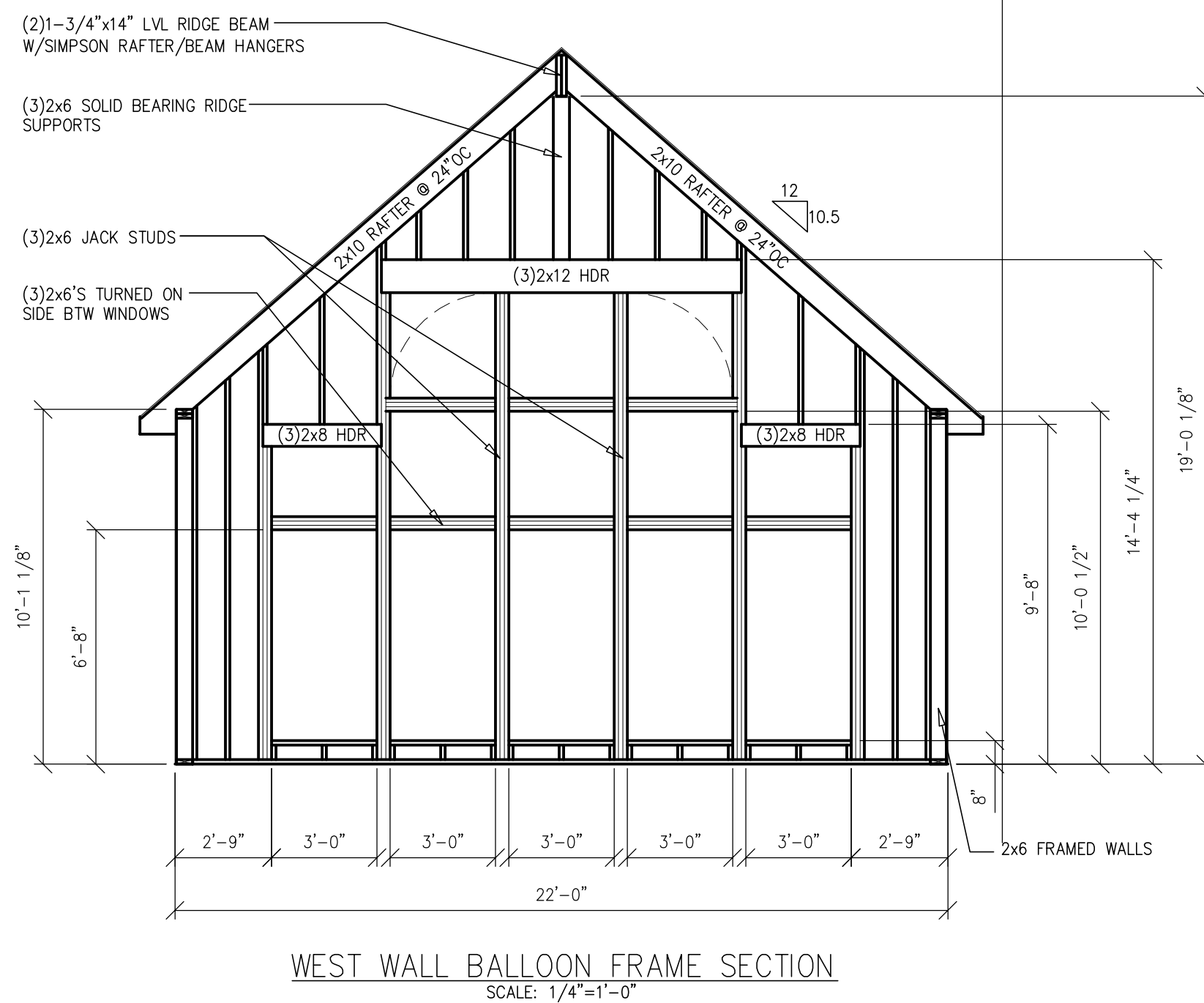
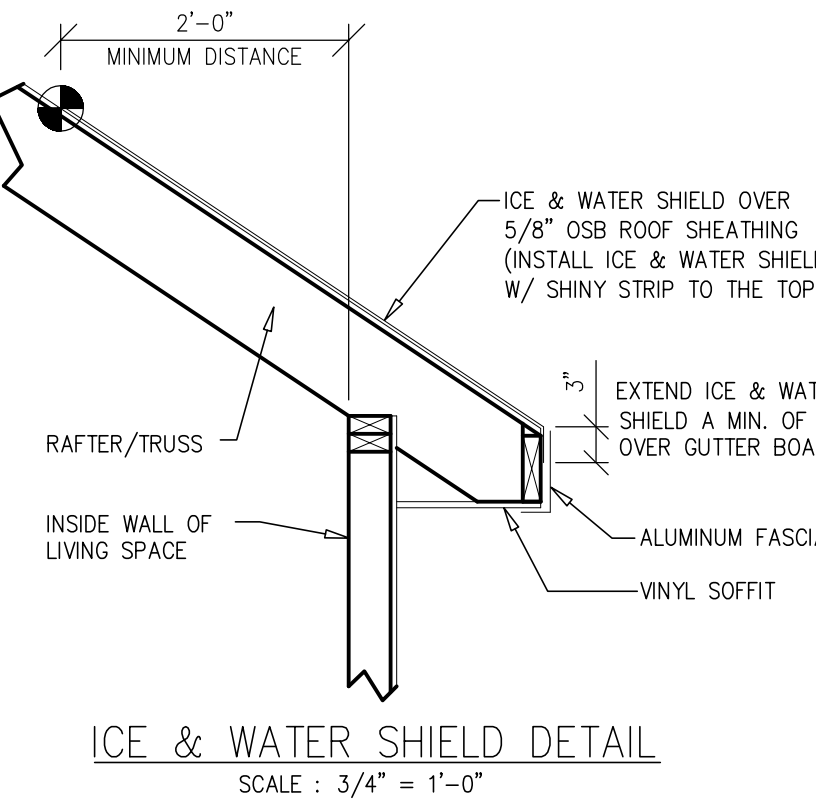
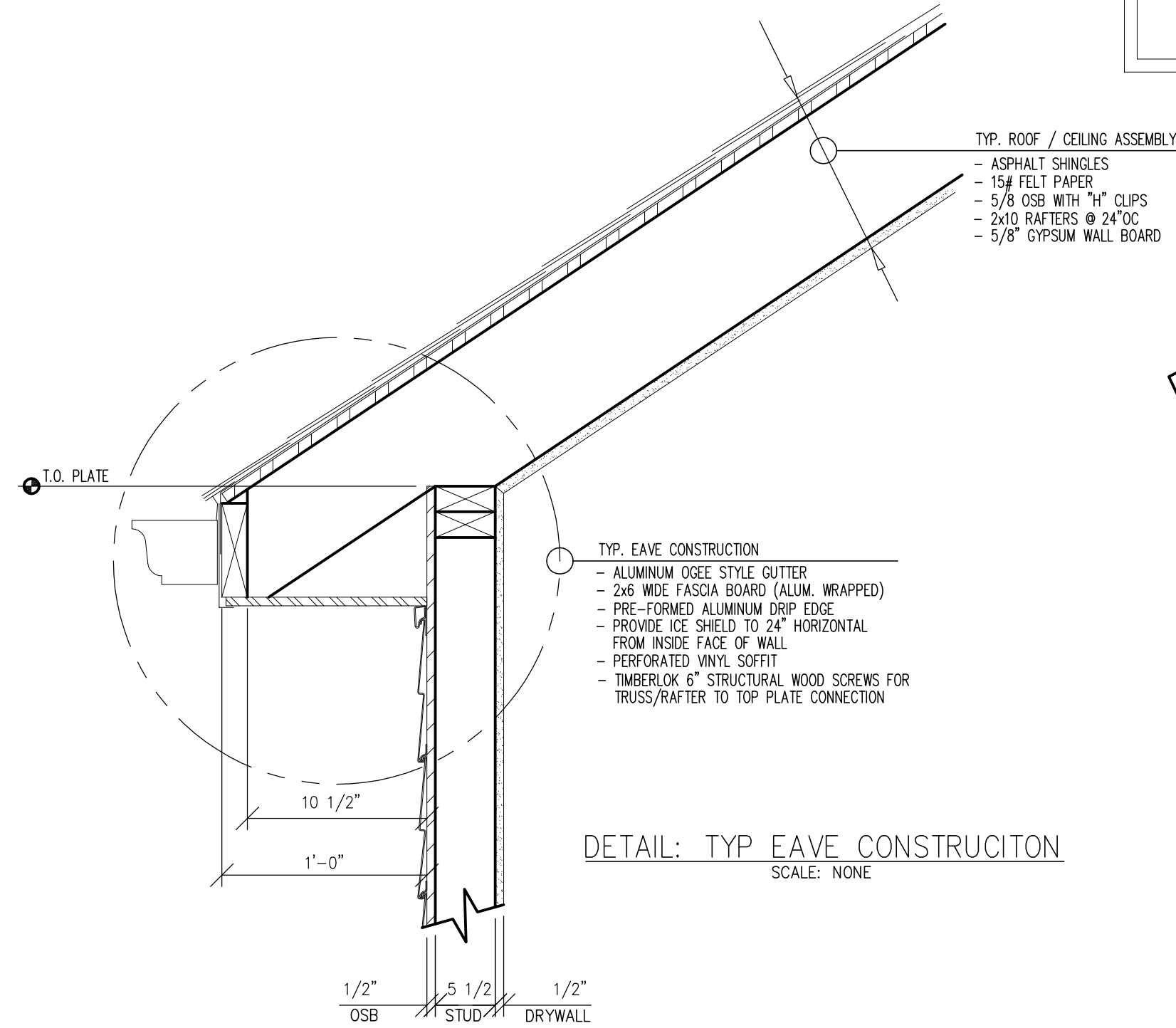
- ELECTRICAL:
1. ARC FAULT PROTECTION & GFCI PROTECTION TO NEC CODE.
  2. ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE W/ THE 2017 NATIONAL ELECTRICAL CODE. INSTALL CARBON MONOXIDE DETECTORS PER MANUFACTURER RECOMMENDATION & LOCAL CODES.

- WOOD FRAMING NOTES:
1. FRAMING MEMBER SHALL BE SPRUCE PINE FIR CONSTRUCTION GRADE OR EQUAL.
  2. BEAMS, HEADERS, & FLOOR JOISTS SHALL HAVE AN ALLOWANCE BENDING STRESS OF 1200 PSI (CROWN ALL FLOOR JOISTS).
  3. ALL LUMBER SHALL BE STAMPED W/ THE GRADE MARK OF AN APPROVED TESTING AGENCY.
  4. ALL WINDOW & DOOR HEADERS TO BE (2)2x10'S W/ 1/2" SHIM.
  5. ALL PARTITIONS OVER 12'0" HT SHALL BE FRAMED @ 12"OC.
  6. PROVIDE 3" OR 4" (AS NOTED) STEEL COLUMNS @ STEEL BEAM BEARING POINTS.
  7. PROVIDE 2x6 TOP PLATE OF ALL STEEL BEAMS.
  8. PROVIDE GALVANIZED JOIST HANGERS @ ALL FLUSH BEAMS.
  9. PROVIDE FIRESTOPPING @ ALL SPOUTS & FLURRED OFF SPACES.
  10. PROVIDE 2x4 STIFFBACKS @ 10'0" OC FOR ALL CEILING JOISTS.
  11. PROVIDE 2x6 COLLAR TIES @ 4'0" OC FOR ALL RAFTERS.
  12. ALL HEADERS SHALL BE FREE FROM SPLITS, CHECKS, & SHAKES.
  13. PROVIDE DBL HEADER JOIST & TRIMMER @ ALL FLOOR OPENINGS.
  14. 1x3 "X" BRIDGING @ 10'0" OC MAX.
  15. ALL ANGLED WALLS ARE 45 DEGREES U.O.N.
  16. ADJUST OVERHANGS OF DIFFERENT PITCHES TO MAINTAIN CONSISTENT LEVEL.
  17. ANY HIP OR VALLEY RAFTER EXCEEDING 28'0" LONG TO BE AN LVL.
  18. TRUSS LAYOUT IS SCHEMATIC ONLY. TRUSS DESIGN & SPACING SHALL BE THE RESPONSIBILITY OF THE TRUSS MANUFACTURER.
  19. DBL ALL JOISTS @ CANTILEVERS.
  20. REPAIR/REPLACE ALL FRAMING DAMAGED BY MECHANICAL SYSTEMS.
  21. ALL EXTERIOR WALLS SHALL BE BRACED IN ACCORDANCE W/ SECTION R602.10 OF THE 2013 RESIDENTIAL CODE OF OHIO.
  22. ALL EXTERIOR WALLS SHALL BE CONTINUOUS STRUCTURAL PANEL SHEATHING INSTALLED IN ACCORDANCE W/ SECTION R602.10.5 OF THE 2013 RESIDENTIAL CODE OF OHIO.

- CONCRETE NOTES:
1. PROVIDE CONTROL JOINT @ MIDPOINT OF GARAGE IN BOTH DIRECTIONS.
  2. PROVIDE SAWN OR HAND TROWELED CONTROL JOINTS @ 10'0" OC EACH WAY IN DRIVEWAYS.
  3. PROVIDE CONTROL JOINTS IN ALL WALKS EQUAL TO THE WIDTH OF THE WALK.

- MASONRY NOTES:
1. PROVIDE CMU "LOOKOUTS" @ 4'0" OC WHERE SHELVES ARE NOT PROVIDED.
  2. PROVIDE 1/2"x15" ANCHOR BOLTS OR TIE STRAPS @ 6'0" & ALL CORNERS (MAX. 1'0").
  3. PROVIDE SOLID MASONRY @ ALL BEAM BEARING LOCATIONS. SOLID MASONRY TO EXTEND DOWN TO FOOTINGS.
  4. PROVIDE GALVANIZED CORRUGATED METAL TIES @ 16"OC HORIZONTALLY & VERTICALLY FOR ALL MASONRY VENEERS.
  5. PROVIDE 8" SOLDIER & 4" ROWLOCK @ ALL WINDOW & DOOR OPENINGS, PROJECTED 1/2" PROVIDE WEEP HOLES @ 4'0" OC ON 1ST COURSE EXPOSED ABOVE GRADE.

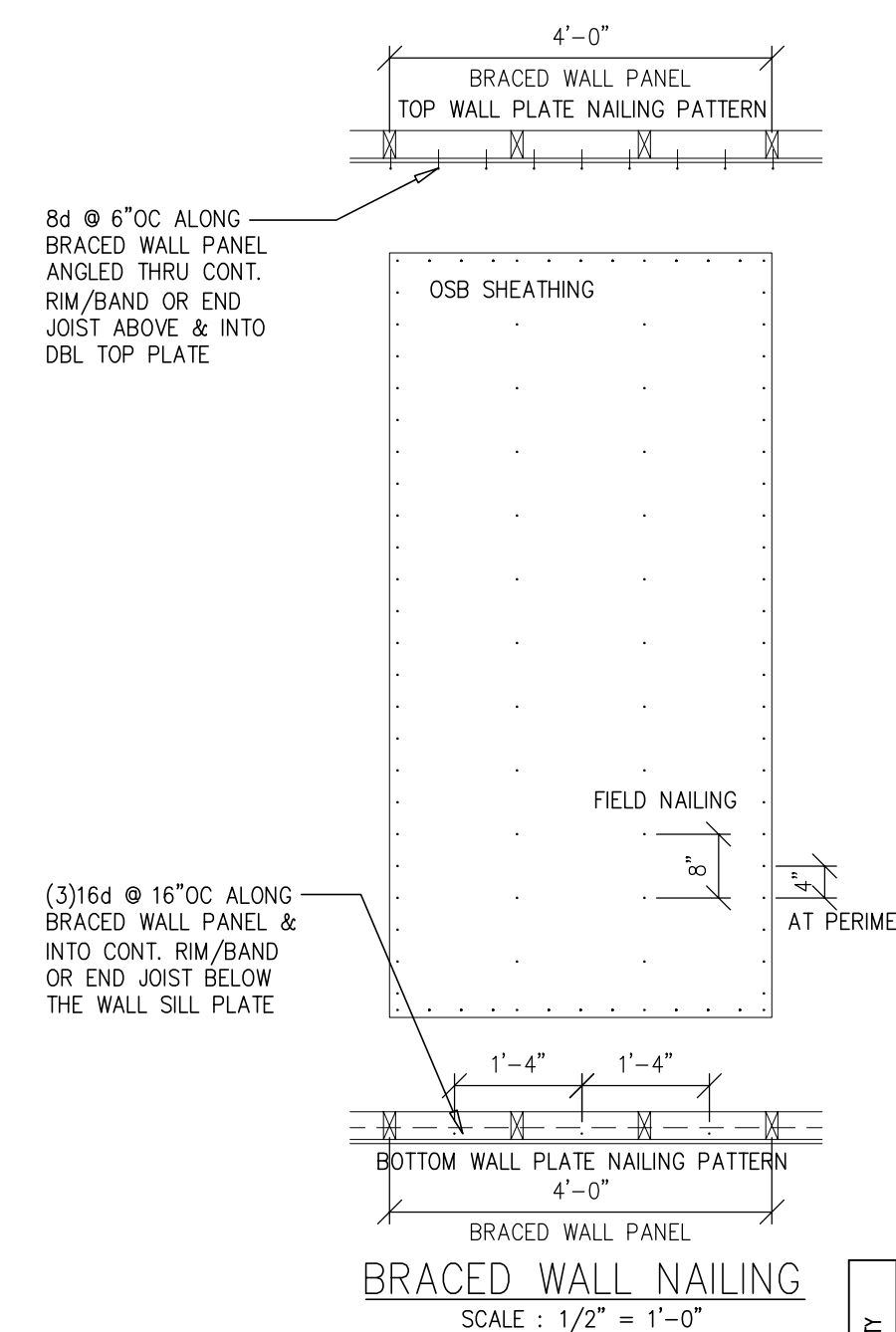
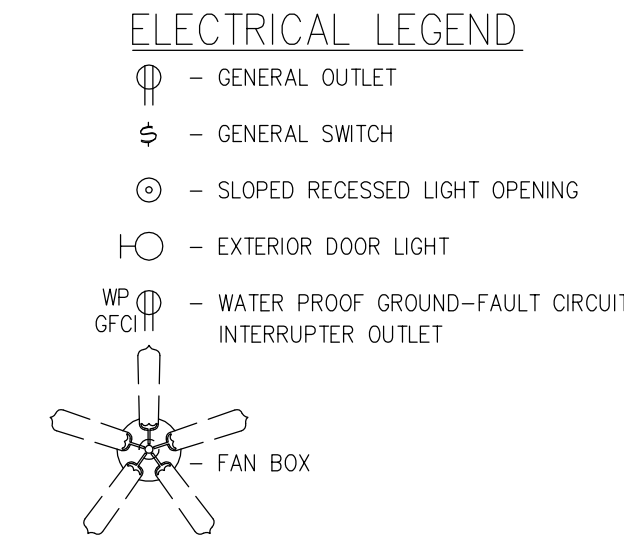
- FOOTING NOTES:
1. ALL FOOTINGS TO BE 8" WIDER THAN THE WALL THEY SUPPORT.
  2. ALL FOOTINGS SHALL BE A MIN. OF 42" BELOW FINISHED GRADE.
  3. GRADE W/ FULL HT BASEMENT SHALL BE:
    - 16" BELOW TOP OF FOUNDATION ON ALL WALLS EXCLUDING FRONT OF HOUSE.
    - 12" BELOW TOP OF FOUNDATION ON ALL WALLS @ FRONT OF HOUSE
 SUBJECT TO GRADE CHANGES (VERIFY W/ ENGINEER TOPO)
  4. GRADE W/ SLAB FOUNDATION SHALL BE:
    - 8" BELOW TOP OF FOUNDATION ON ALL WALLS.
 SUBJECT TO GRADE CHANGES (VERIFY W/ ENGINEER TOPO)
  5. ALL BASEMENT & CRAWL SPACE WALLS TO BE WATERPROOFED PER BUILDERS STANDARDS OR MUNICIPAL STANDARDS, WHICHEVER IS GREATER.
  6. ALL WATERPROOFING TO BEGIN @ GRADE & CONTINUE TO FOOTINGS.
  7. PORCH WALL TO BE WATERPROOFED ONLY @ INTERIOR WALLS.
  8. WALL BETWEEN GARAGE & HOUSE TO BE WATERPROOFED.
  9. WALL DIVIDING FULL BASEMENT & CRAWL SPACE (IF NECESSARY) TO BE WATERPROOFED TO THE FULL HT OF THE WALL.



\*\*\*NOTE\*\*\*  
BRACED WALL PANELS SHOWN ARE ONLY SHOWN AT A MINIMUM PANEL LENGTH (PER CODE) ANY MORE ADDED ARE @ THE BUILDERS/FRAMERS DISCRETION

WINDOW SCHEDULE				
MANUFACTURER TBD				
LOCATION	MANUFACTURER NUMBER	ROUGH OPENING SIZE	VENTING	WALL SIZE
1	3020 SH (4 TYP)	36" x 24"		4" x 6"
2	3060 SH (7 TYP)	36" x 24"		4" x 6"
3	8020 PW (2 TYP)	96" x 24"		6"
4	8068 SPD (2 TYP)	96" x 80"		6"
5	3030 QTR RND (2 TYP)	36" x 36"		6"
6	3030 PW (4 TYP)	36" x 36"		6"

\* NOTE WINDOW GRID PATTERNS @ THE ELEVATIONS  
\* VERIFY ALL WINDOW & DOOR ROUGH OPENINGS W/ ASSOCIATED MFG SPECS



REV. No.	DATE	DESCRIPTION	REVISION SCHEDULE		
			BY	BY	BY
2	3.8.24	CHANGED TO PROVED STEEL WALL FOUNDATION IN LIEU OF BLOCK			
1	2.15.25	ROOF PITCH CHANGED FROM 8/12 TO 10/12			

\*ALL CONSTRUCTION TO BE PER PERM OR MUNICIPALITY/STATE CODES, WHICHEVER IS MORE STRICT.

NOTE: THE DESIGNER IS NOT A LICENSED ARCHITECT, ENGINEER OR A MEMBER OF A DESIGN CERTIFICATION ORGANIZATION.

DRAWN BY:	HOUSE ADDITION	
BY:	SCALE: AS NOTED	208 WILLIAMSBURG DRIVE, AVON LAKE, OH 44012
CHECKED BY:	DATE: 9.27.23	
	PLANS/NOTES/DETAILS	
	COLE RESIDENCE	

# REPORT – ZBA CASE 24-23



**TO:** Avon Lake Zoning Board of Appeals  
**FROM:** Austin Page, Planning & Zoning Manager  
**SUBJECT:** CAV 24-23 (AREA VARIANCE – 32673 Belmont Drive)  
**MEETING:** June 26, 2024

Dominick Kaple requests two area variances to Planning & Zoning Code Section 1224.01 (b)(12)(D) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* and one area variance to Section 1224.01 (b)(11)(C) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* at 32673 Belmont Drive (Single-family residence).

**PROPERTY DESCRIPTION:**

32673 Belmont Drive is a single-family residence located in the Legacy Pointe Subdivision, directly west of Avon Belden Road. Unlike the rest of the Legacy development (zoned PUD), this property is zoned R-1B, Single-Family Residence. These lots were previously plotted and recorded as Avon Center Estates No. 2 (1926). Cottage district. All surrounding properties share the same R-1B zoning.

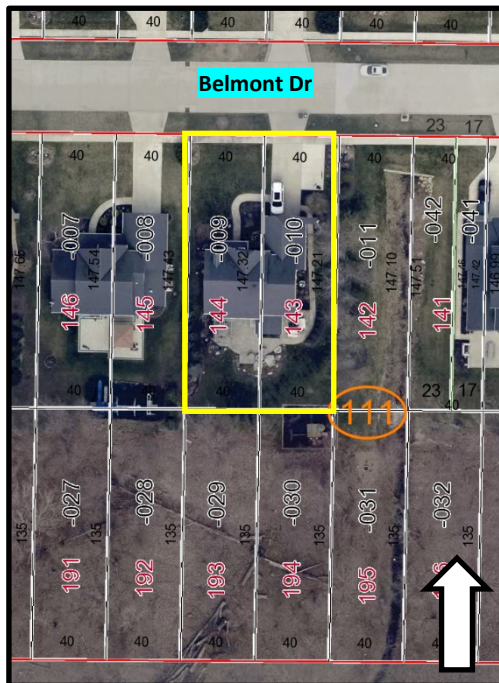


Figure 1: Lorain County Auditor GIS – Spring 2024 Aerial

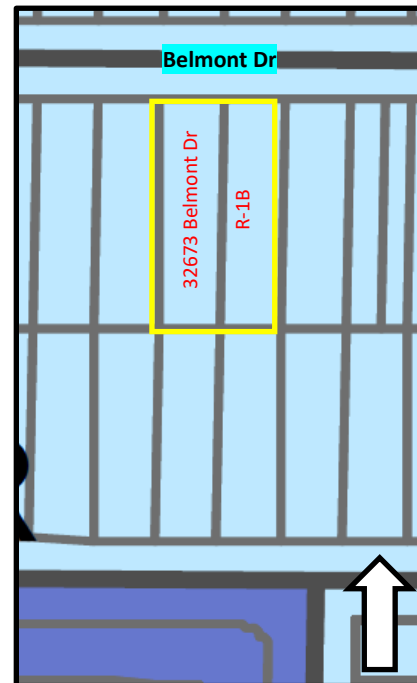


Figure 2: Avon Lake Zoning Map - 2022

**VARIANCE REQUESTED:**

The applicant is requesting the construction of an 18'x36' in-ground swimming pool in the rear yard. The proposed placement of the pool and its size requires three area variances.

1. Area variance to Planning & Zoning Code Section 1224.01 (b)(12)(D) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* to reduce the minimum rear yard setback for swimming pools from 10' to 7'.
2. Area variance to Planning & Zoning Code Section 1224.01 (b)(12)(D) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* to reduce the minimum rear yard setback for the concrete pool deck from 2' to 8"
3. Area variance to Planning & Zoning Code Section 1224.01 (b)(11)(C) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* to increase the maximum lot coverage of rear yard accessory structures from 45% to ± 60%.

The three area variance requests would permit the proposed in-ground swimming pool in the rear yard at 32673 Belmont Drive, as depicted on the applicant provided plans.

**ANALYSIS & DISCUSSION:**

As previously stated, the property is zoned R-1B and encompasses two 40'x147' parcels. The home itself is built across the shared property line between the two parcels (permitted). All setbacks comply with the current code requirements. As it exists, the home is 41'8" from the rear property line. There is an existing sandstone stamped patio that extends ± 11' off the rear of the home. This leaves ± 30'8" from the southern edge of the patio to the rear property line.

The applicant is proposing an 18'x36' in ground swimming pool in the rear yard. Code requires the pool (pool walls) to be a minimum of 10' off the property lines and the primary structure. The pool adheres to all those setbacks except for the rear property line, where the variance is being sought to reduce the setback distance to 7'.

The proposed pool is surrounded by a concrete decking. Additional concrete is permitted but is required to be 2' off the rear property line. As depicted, the applicant is proposing the concrete to extend within 8" of the rear property line.

For R-1B zoned properties, there is a maximum allowed lot coverage of all rear yard accessory structures at 45%. This coverage includes all types of accessory structures such as patios, sheds, swimming pools, etc. As it currently exists, the rear yard coverage is ± 21%. With the proposed addition of the pool and surrounding concrete, the coverage is increased to ± 60%.

The applicant has not identified any pool equipment on their site plan and the equipment is not included

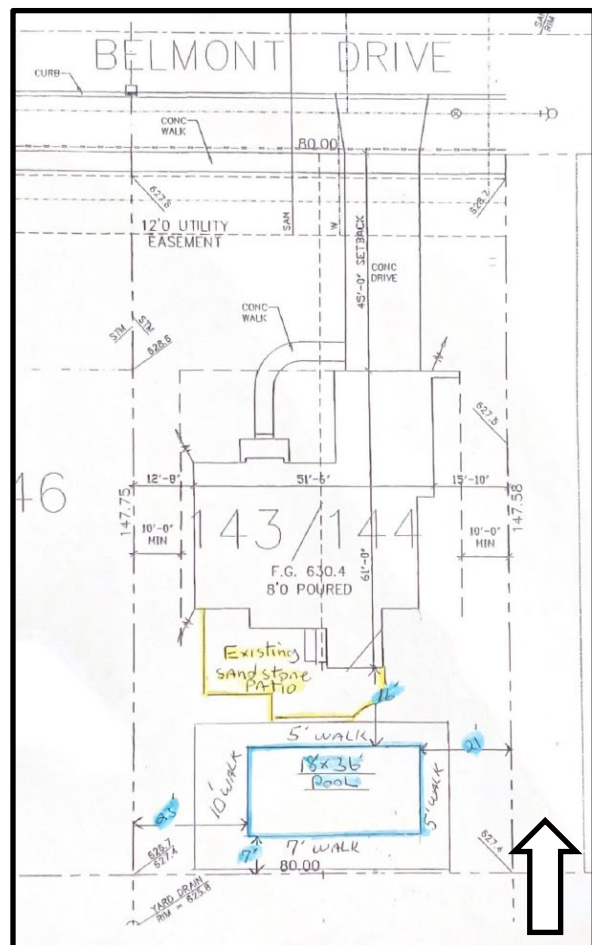


Figure 3: Site Plan – Applicant Provided (CAV 24-23)



as part of the variance requests. All equipment shall be in the rear yard only. Any wavering of the pool equipment location would require an additional area variance application.

A minimum height fence of 4' is required to enclose the pool. If the area variances are granted, and prior to any construction, the applicant shall submit a Residential Building Permit application to the Building Department for review and approval. The Community Development Department is a step in the approval process and is responsible for confirming consistency with ZBA approval, structure(s) location, setbacks, building height(s), façade materials, etc.

There are concerns with storm water management as the proposed concrete is only 8" from the rear property line. Each property is responsible for their own stormwater and water runoff and is not permitted to shed their water onto any other properties. If the variances are approved, this review shall also occur at the time of a Building Permit application by the City Engineer.

#### **REVIEW AND RECOMMENDATION BY THE ZONING BOARD OF APPEALS (ZBA):**

The ZBA shall review the application, findings, testimony, etc. In reviewing the application, the ZBA shall at a minimum consider the review criteria of Planning & Zoning Code Section 1214.09 (c)(1) *Review Procedures – Variances*. The ZBA may request that the applicant supply additional information that the Board deems necessary to review and evaluate the request for a variance.

In making its decision, the ZBA may approve, approve modifications or supplementary conditions, or deny the application. Additionally, the ZBA shall make specific findings of fact based directly on the evidence presented that the reasons set forth in the application and as presented by the applicant during the public hearing. The ZBA shall justify the approval, approval with modifications or supplementary conditions, or denial of the variance application that will make possible a reasonable use of the land, building, or structure.

#### **POTENTIAL MOTION:**

The language set forth below is provided as a guide, with no intent to suggest specific action on the part of the Zoning Board of Appeals.

I move to approve/deny ZBA Application, CAV 24-23, two area variances to Planning & Zoning Code Section 1224.01 (b)(12)(D) *Accessory and Temporary Use Regulations – Accessory Uses and Structures*, and one area variance to Planning & Zoning Code Section 1224.01 (b)(11)(C) *Accessory and Temporary Use Regulations – Accessory Uses and Structures*. The requests would permit an in-ground swimming pool to encroach the required setback, concrete decking to encroach the required setback and an increase to the maximum allowed rear yard coverage by accessory structures, as depicted in the application.

Please state any conditions.

#### **ADDITIONAL INFORMATION:**

The applicant has supplied written responses to the Area Variance Review Criteria and a site plan. All of which can be found in the packet.

The Community Development Department sent notice of this request to all property owners within 300' of the subject property.

**ATTACHMENTS:**

1. Copy of Code Section(s)
2. Aerial Views of the Property
3. Copy of ZBA Application
4. Copy of Site Plan

- B. Unless otherwise stated, the height of a detached accessory building in nonresidential zoning districts shall not exceed the height of the principal building.
- C. In no case shall any accessory structure exceed the height of the principal building in a residential zoning district.

**(11) Number and Size Requirements**

- A. There shall be no more than two accessory buildings located on a single zoning lot in a single-family residential district (R-1A, R-1B, R-1C, and R-1D).
- B. For the purposes of this code, accessory buildings shall include detached garages and carports, detached storage/utility sheds, and other detached accessory buildings that are completely enclosed by a roof and walls constructed of permanent materials (including screened-in porches where the majority of materials is permanent), as determined by the Code Administrator.
- C. [Table 1224-1](#) establishes the maximum gross floor area of accessory buildings as well as the maximum lot coverage, of the rear yard, of all accessory structures (including accessory buildings) for single-family residential districts. [Table 1224-2](#) includes a column that identifies what accessory buildings and structures count toward this lot coverage.

**TABLE 1224-1: MAXIMUM FLOOR AREA AND REAR YARD COVERAGE FOR ACCESSORY STRUCTURES**

Zoning District	Lot Containing a Dwelling with an Attached Garage		Lot Containing a Dwelling without an Attached Garage		Maximum Lot Coverage of Rear Yard by All Accessory Structures
	Maximum Sq. Ft. of Any One Accessory Building	Maximum Sq. Ft. of All Accessory Buildings	Maximum Sq. Ft. of Any One Accessory Building	Maximum Sq. Ft. of All Accessory Buildings	
R-1A	500	1,000	1,250	1,400	40%
R-1B	500	1,000	1,250	1,400	45%
R-1C	250	500	500	650	65%
R-1D	250	500	500	500	65%

NOTE: Sq. Ft. = Square feet

**D. Accessory Buildings on Large Lots**

In any residential district on lots of 1.5 acres or greater, an accessory building larger than permitted by the regulations set forth in [Table 1224-1](#) may be permitted in compliance with the following:

- i. The accessory building shall have an area not to exceed 4 percent of the area of the rear yard, or 3,000 square feet, whichever is lesser.
- ii. On lots with an area of three acres or more, such accessory building shall be permitted in the side or rear yard.
- iii. Such accessory building shall be located no less than 150 feet from a public right-of-way and no less than 50 feet from a side or rear lot line.
- iv. Such accessory building shall not exceed 24 feet in height but in no case shall the height of the accessory building exceed the height of the principal building.

**(12) Setback and Location Requirements**

- A. Accessory structures shall be located in the yards established in [Table 1224-3](#).
- B. Accessory structures in residential districts shall be setback a minimum distance as established in [Table 1224-2](#) below.

- C. Accessory structures in nonresidential districts shall be setback a minimum of 10 feet from the side and rear lot lines unless such lot lines share a boundary with a residential district in which case, the accessory structures shall be set back a minimum of 25 feet from the adjacent residential zoning district.
- D. [Table 1224-2](#) also establishes the minimum setback for all paved surfaces, including driveways in residential districts.

<b>TABLE 1224-2: MINIMUM SETBACKS FOR ACCESSORY STRUCTURES AND USES IN RESIDENTIAL DISTRICTS</b>					
Accessory Structure or Use	R-1A and R-1B Districts		R-1C and R-1D Districts		R-2 and R-3 Districts
	Side Yard Setback	Rear Yard Setback	Side Yard Setback	Rear Yard Setback	Side and Rear Yard Setback
Accessory Buildings	3	3	3	3	10
Swimming Pool	6	10	3	5	10
Driveways [1] [2]	0	0	0	0	0
Other Paved Surfaces	0	2	0	0	0
Fences	See Section <a href="#">1226.03</a> .				
All Other Accessory Structures	3	3	3	3	10

NOTE:  
 All setback numbers are in feet.  
 [1] On lots where there is a side-loading garage or access to a garage where a vehicle backs out of the garage toward an adjacent lot line instead of a street and where a zero-foot setback is proposed, a curb shall be installed along the entire driveway to prevent the overhang of any vehicles across lot lines and to direct drainage to approved drainage systems.  
 [2] See additional driveway standards in Section [0](#) and [1234.06](#).

- E. Accessory buildings that are permitted in the rear yard only, as established in [Table 1224-3](#), may be permitted in the side yard if there is a 50-foot setback from the side lot line.
  - F. Additional setbacks may be required from the principal building, adjacent structures, or streets based on the applicable building or fire code regulations.
  - G. Accessory structures shall be separated from the principal building a minimum of ten feet or the distance required by the fire code, whichever is greater. If the separation of the accessory and main structure is less than required, the accessory structure shall be protected with a fire-resistant material and shall conform to the same yard requirements as the principal building.
- (c) Prohibited Structures for Accessory Uses**
- (1) Unless approved as a temporary use pursuant to this code, accessory structures that are constructed with fabric, canvas, tarpaulin, or other similar materials shall be prohibited. Inflatable garages or storage structures shall also be prohibited
  - (2) Portable containers, shipping containers, and semi-tractor trailers used for storage (with or without wheels) shall not be used as permanent accessory structures in any zoning district.
- (d) Accessory Uses in the Residential Planned Developments**
- (1) The types of accessory uses allowed in a RPD shall be considered as part of the PRD review. Generally:
    - A. Accessory uses for single-family residential dwellings shall be those allowed in the R-1A District.

**TABLE 1224-3: PERMITTED ACCESSORY USES AND STRUCTURES**

Use Category and Use Type P = Permitted Use PS = Permitted Use with Standards C = Conditional Use	R-1A, R-1B, R-1C, and R-1D	R-2 and R-3	MUO	B-1, B-2, and B-3	I-1, and I-2	P-1	Yards Permitted F = Front S = Side R = Rear	Yard Coverage Calculation	Zoning Permit Required	Use-Specific Standards in Section:
Accessibility Ramps	PS	PS	PS	PS	PS	PS	F, S, or R	Not Included	Yes	<a href="#">1224.01(f)(1)</a>
Amateur Radio Towers and Antennae	PS	PS	PS	PS	PS	PS	S or R	Not Included	Yes	<a href="#">1224.01(f)(2)</a>
Basketball Hoops	PS	PS	PS	PS	PS	PS	F, S, or R	Not Included	No	<a href="#">1224.01(f)(3)</a>
Bike and Skateboard Ramps	PS	PS		PS		PS	R	Included	Yes	<a href="#">1224.01(f)(4)</a>
Detached Garages and Carports	PS	PS	PS	PS	PS	PS	R	Included	Yes	<a href="#">1224.01(f)(5)</a>
Detached Storage/Utility Sheds and other Detached Buildings	PS	PS	PS	PS	PS	PS	R	Included	Yes	<a href="#">1224.01(f)(6)</a>
Drive-Through Facility				PS	PS		See Section <a href="#">1224.01(f)(7)</a>	Not Included	Yes	<a href="#">1224.01(f)(7)</a>
Gazebos and Pergolas	P	P	P	P	P	P	R	Included	Yes	
Generators and HVAC Equipment	PS	PS	PS	PS	PS	PS	F, S, or R	Not Included	Yes	<a href="#">1224.01(f)(8)</a>
Home Occupations	PS	PS	PS				Not Applicable	Not Included	Yes	<a href="#">1224.01(f)(9)</a>
Nursery Schools or Day Care Centers (Children or Adults)	PS	PS	PS	PS	PS	PS	Not Applicable	Not Included	Yes	<a href="#">1224.01(f)(10)</a>
Outdoor Dining			PS	PS	PS		F, S, or R	Not Included	Yes	<a href="#">1224.01(f)(11)</a>
Outdoor Displays and Sales			PS	PS	PS		F, S, or R	Not Included	Yes	<a href="#">1224.01(f)(12)</a>
Outdoor Storage and Bulk Sales				PS	PS		R	Not Included	Yes	<a href="#">1224.01(f)(13)</a>
Outdoor Vending Machines and Drop-Off Boxes	PS	PS	PS	PS	PS	PS	F, S, or R	Not Included	No	<a href="#">1224.01(f)(14)</a>
Patios, Porches, and Decks	PS	PS	PS	PS	PS	PS	F, S, or R	Included	Yes	<a href="#">1224.01(f)(15)</a>
Playsets, Treehouses, and Trampolines	PS	PS	PS			PS	R	See Section <a href="#">1224.01(f)(16)</a> .	No	<a href="#">1224.01(f)(16)</a>
Renewable Energy Systems	See <a href="#">Chapter 1240: Renewable Energy Systems</a> .									
Retail Commercial Uses			PS	PS	PS		Not Applicable	Not Included	No	<a href="#">1224.01(f)(17)</a>
Satellite Dishes	PS	PS	PS	PS	PS	PS	Not Applicable	Not Included	No	<a href="#">1224.01(f)(18)</a>
Swimming Pools	PS	PS	PS	PS		PS	R	Included	Yes	<a href="#">1224.01(f)(19)</a>

**(19) Swimming Pools**

- A. Any constructed or manufactured pool, both permanent and temporary, not located within an enclosed building and which is used or intended to be used as a swimming pool in connection with residential dwellings and is available only to the residents and their private guests shall be classified as a private swimming pool and shall be regulated by this subsection. This includes community pools that are restricted to use by residents of a subdivision or residential development and their guests as well as outdoor pools that serve guests of a hotel or similar nonresidential use.
- B. For the purposes of this subsection, swimming pool shall include pools, spas and hot tubs and shall be defined as any in-ground, on-ground, or above-ground pool intended for swimming, wading or recreational bathing capable of containing in excess of two feet of water at its deepest point as determined by manufacturer's specifications.
- C. A swimming pool shall not exceed 54 inches in height, above ground, and shall comply with the setback requirements set forth in [Table 1224-2](#). Slides associated with pools shall be exempt from this height requirement.
- D. Usual and customary pool equipment and accessories (such as a pool deck a diving board or a filtration house), not exceeding five feet in height, shall only be located in the rear yard and shall be set back a minimum of three feet from all lot lines.
- E. All swimming pool construction and operation shall be in accordance with standards and regulations established by the Board of Health having jurisdiction within the City, the Building Code and any other governmental regulations governing the construction and operation of such facilities.
- F. Any outdoor swimming pool, as defined in this subsection, shall be surrounded by a barrier which shall comply with the following:
  - i. Every swimming pool shall be completely enclosed by a fence and/or structure of sturdy construction at least 48 inches in height, measured from the ground level at each point along the boundary of such enclosure. The enclosure may surround the pool area or the entire yard. The enclosure shall be of such design as to prevent young children from crawling or otherwise passing through, under or over such enclosure without the use of a ladder or other implement. Openings in the barrier shall not allow passage of a four-inch diameter sphere.
  - ii. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
  - iii. Access gates into such enclosure shall be self-closing and have a self-latching device. The fence/barrier shall be equipped with at least one such access gate.
  - iv. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then the ladder or steps shall be capable of being secured, locked or removed to prevent access.
  - v. The required barrier must be installed prior to filling the pool with water.
  - vi. Automatic pool covers are permitted but the barrier requirements of this section shall still apply.
  - vii. A spa or hot tub with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.
- G. A zoning permit application for a pool shall contain either information that demonstrates a barrier is already in place or shall include the simultaneous application for fencing or barrier construction.

- H. If the proposed barrier utilizes fencing on the property line that is owned by the neighboring property owner, the pool owner shall be required to build or replace that length of the barrier if it is ever removed by the neighboring property owner.
- I. Proper drainage shall be provided to ensure that pool overflow does not affect adjacent properties.
- J. Lighting shall be shaded so as not to be a disturbance to adjacent properties.
- K. Any sound of motor or pumps in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants shall be shielded to prevent such disturbances.

**(20) Tennis and Other Recreational Courts**

Outdoor tennis courts and courts for other sports, including basketball and racquetball, that are accessory to a residential or nonresidential use shall comply with the following requirements:

- A. Tennis courts or other full-size recreational courts shall only be permitted on lots with a minimum lot area of one acre.
- B. The court shall be set back a minimum of 10 feet from all lot lines.
- C. All fencing shall be subject to the fence regulations in Section [1226.03: Fences and Walls](#) except that fencing that surrounds a tennis or recreational court may exceed the maximum fence height of this code provided that the fencing is located adjacent to the edge of the court.
- D. Any lighting for the court shall not exceed 20 feet in height and shall be directed downward and only illuminate the court. All outdoor lighting shall comply with Section [1226.04: Outdoor Lighting](#).

**(21) Type B Family Day Care Home (1-6 Children)**

Type B family day care homes are permitted when accessory to any residential dwelling unit, regardless of the applicable residential zoning district.

**(22) Type A Family Day Care Home**

Type A family day care homes may only be considered for a conditional use on lots with a minimum lot size of 20,000 square feet.

**(23) Utility Structures**

- A. Utility structures shall be located to the rear of the lot, to the maximum extent feasible, or otherwise located to create the least amount of visibility.
- B. If the applicant demonstrates to the Code Administrator that the utility structure can only be located in a front yard, the structure shall be landscaped in a manner that will allow access to the unit but otherwise buffer the view of the structure. The applicant shall be required to provide a landscaping plan as part of the subject application.
- C. Utility structures in the I-1 and I-2 districts shall not be subject to this screening requirement.

**1224.02 Temporary Uses and Structures**

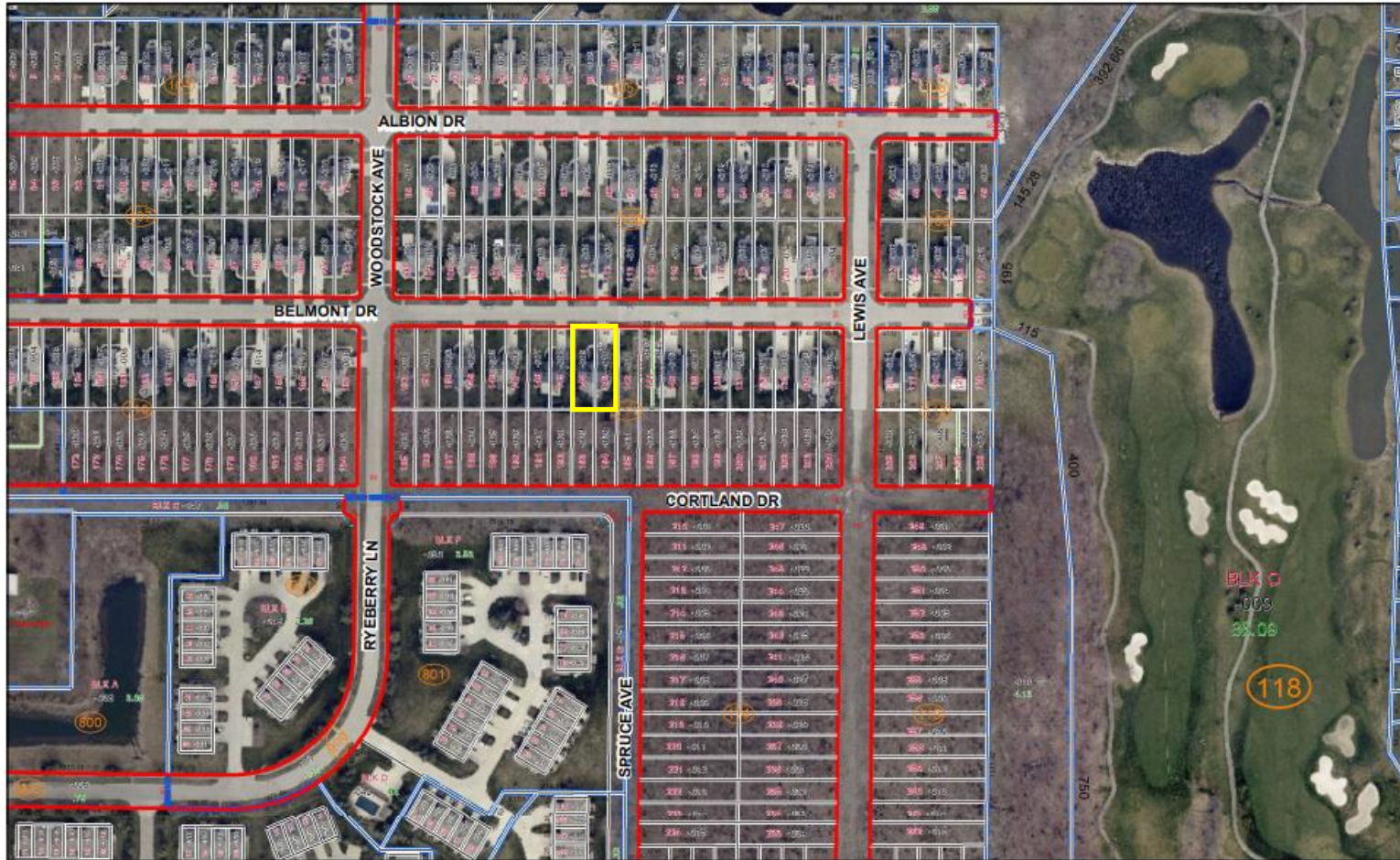
**(a) Purpose**

This section allows for the establishment of certain temporary uses and structures of limited duration, provided that such uses or structures do not negatively affect adjacent properties, and provided that such uses or events are discontinued upon the expiration of a set time period. Temporary uses and structures shall not involve the construction or alteration of any permanent building or structure.



**J. Craig Snodgrass, CPA, CGFM**  
**Lorain County Auditor**

32673 BELMONT DR



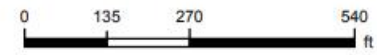
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**Legend**

- |                    |                          |                  |               |
|--------------------|--------------------------|------------------|---------------|
| Dashed Parcel Line | Right-of-way Line        | Road Centerlines | Parcels_Black |
| Condominium Line   | Sublot Line              | Subdivisions/... |               |
| Dashed Lot Line    | Right-of-way Parcel Line | Right of Ways    |               |
| Parcel Line        |                          |                  |               |



1 inch = 251 feet







### CAV-24-23

Area Variance Application  
(ZBA)

Status: Active

Submitted On: 6/5/2024

### Primary Location

32673 BELMONT DR  
AVON LAKE, OH 44012

### Owner

KAPLE DOMINICK A & KAPLE  
AMANDA N  
BELMONT DR 32673 AVON  
LAKE, OH 44012

### Applicant

Dominick Kaple

419-569-4771

@ dominickkaple@yahoo.com

32673 Belmont Dr.  
Avon Lake, OH 44012

## Applicant Information

**Applicant Role\***

Owner

**Name\***

Dominick Kaple

**Address\***

32673 Belmont Dr

**City\***

Avon Lake

**State\***

Ohio

**Zip\***

44012

**Telephone\***

419-569-4771

**Email Address\***

dominickkaple@yahoo.com


## Property Owner Information

Same as Applicant



# Request Information

 Code Section(s)

 # of Variance Requested

—

## Specific Details of Variance Request\*

Requesting a 3' rear variance for a pool installation. Would like the pool to be 7' off the property line vs. 10'.

---

## Signature

### Applicant Signature\*

 Dominick Kaple  
Jun 4, 2024

---

## Authorization for Property Access

Would you like to grant access to the city to enter your property?\*

Grant

Signature\*

 Dominick Kaple  
Jun 4, 2024

Any dog(s) on property?\*

Yes

Daytime Phone Number\*

419-569-4771

---

# Factors Used to Determine Practical Difficulty of an Area Variance

**A. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or proximity to non-conforming and inharmonious uses, structures or conditions;\***

The backyard is simply small and I have a finished patio. The three feet variance will allow me to put in a pool by Deca Pools and meet all requirements by code.

**B. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;\***

The property will yield a reasonable return with the addition of a pool, which will enhance the value and enjoyment of the property.

**C. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures;\***

The 3' variance requested is minimal and necessary to accommodate the installation of a pool in the small backyard.

**D. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;\***

The granting of the variance will not alter the essential character of the neighborhood or cause any substantial detriment to adjoining properties.

**E. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup;\***

No, it's in the back yard.

**F. Whether special conditions or circumstances exist as a result of actions of the applicant (actions of the applicant shall not include the purchase or acquisition of the property);\***

The 3' variance requested is necessary to accommodate

**G. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;\***

The pool will not fit based on my current patio finished with sand stone and concrete.

**H. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance;\***

Granting the variance would allow for the reasonable use of the land while still upholding the spirit and intent of the zoning requirement.

**I. Whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district; and\***

The granting of the variance would not confer any special privilege, as it is a minor adjustment to allow for the installation of a pool.

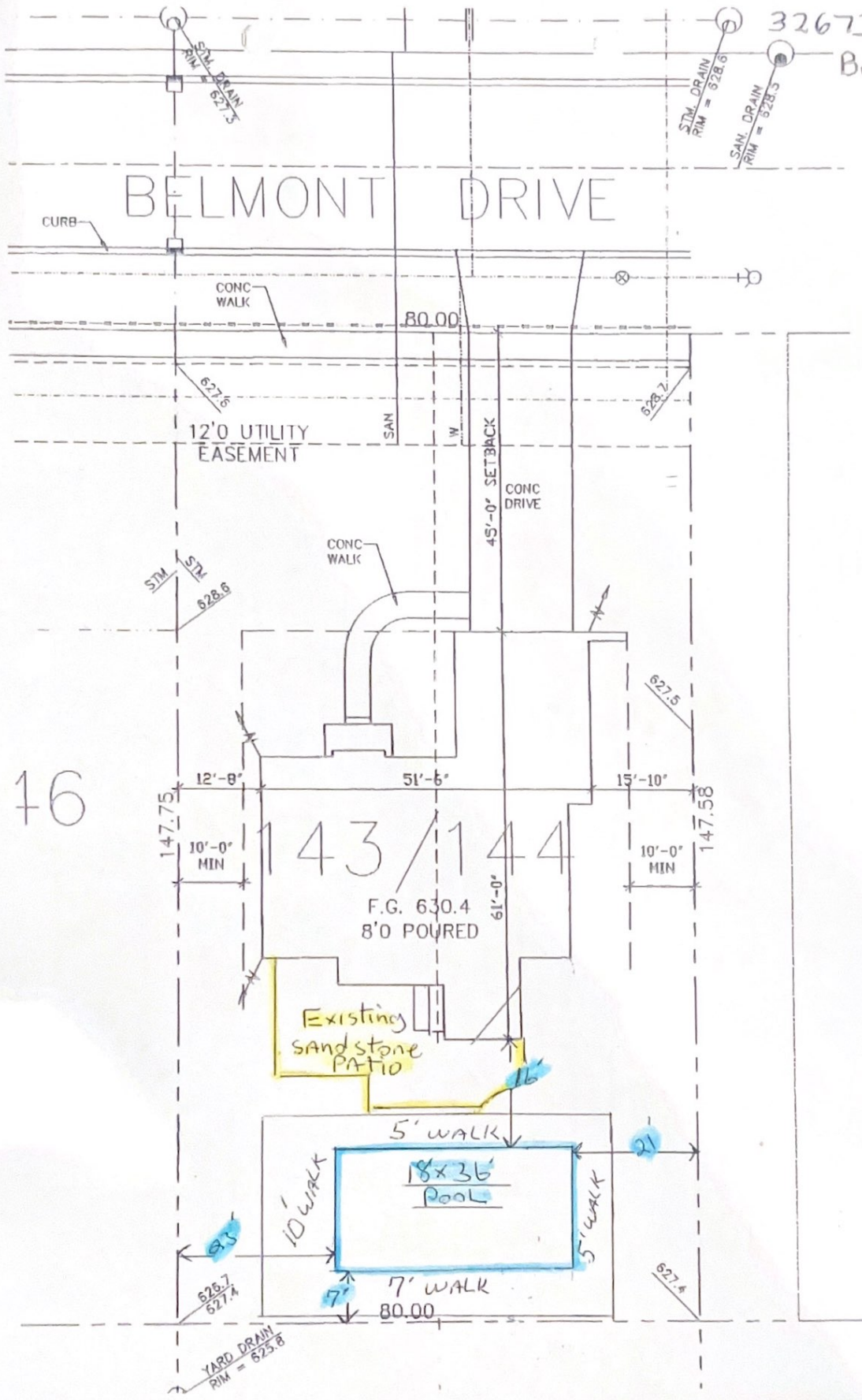
**J. Whether a literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this code.\***

A literal interpretation of the code would deprive the applicant of the right to enjoy a pool on their property, which is a common feature in many properties in the same district.

**Is there anything else you would like the Community Development team to know?**

32673  
Belmont

# BELMONT DRIVE



16

43 / 144

F.G. 630.4  
8'0" POURED

Existing  
sandstone  
PATIO

18 x 36'  
POOL

YARD DRAIN  
RIM = 625.8

# REPORT – ZBA CASE 24-25



**TO:** Avon Lake Zoning Board of Appeals  
**FROM:** Austin Page, Planning & Zoning Manager  
**SUBJECT:** CAV 24-25 (AREA VARIANCE – 32680 Lake Road)  
**MEETING:** June 26, 2024

George Adams and Yvonne Adams request an area variance to Planning & Zoning Code Section 1224.01 (e) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* at 32680 Lake Road (Single-family residence).

## PROPERTY DESCRIPTION:

32680 Lake Road is a single-family residence located on the northside of Lake Road, located ± 850' east of the Avon Belden Road and Lake Road intersection.



Figure 1: Lorain County Auditor GIS – Spring 2024 Aerial

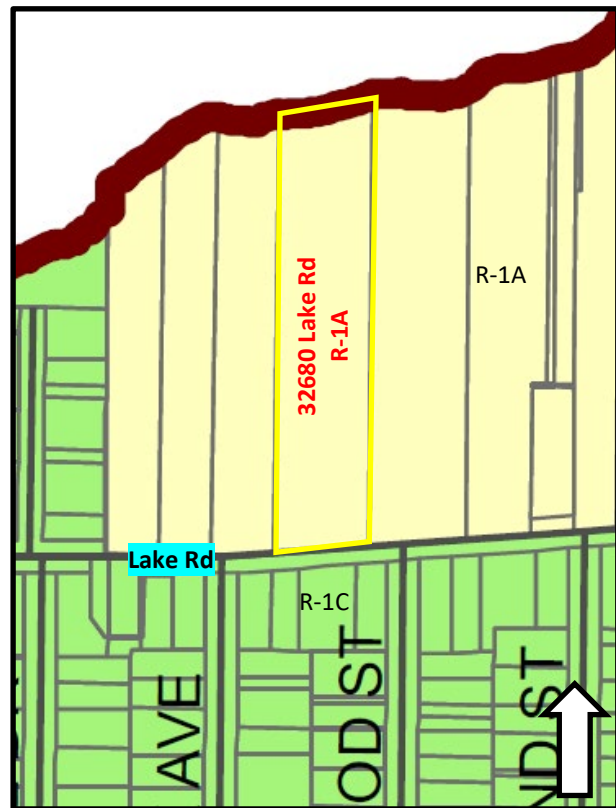


Figure 2: Lorain County Auditor GIS – Spring 2024 Aerial

The property is zoned R-1A, Single-Family Residence and all surrounding properties share the same zoning except for the properties to the south which are zoned R-1C, Single-Family Residence.

**VARIANCE REQUESTED:**

The applicant requests one area variance to Planning & Zoning Code Section 1224.01 (e) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* at 32680 Lake Road (Single-family residence). The request would permit a 20'x24' detached garage in the front yard 3' off the eastern side property line and more than 450' from the front property line on Lake Road.

**ANAYLSIS & DISCUSSION:**

This is a large single-family property that contains 2.56 acres. The property is 161.23' wide and 690' deep. There is a large single-family residence on the property that is located ± 525' from Lake Road and has a rear setback of ± 75' (at its closest point). All setbacks are conforming, and an area variance was issued in August of 1964', reducing the easternmost side yard setback from 10' to 6.5' for a garage addition. There are two existing accessory structures on the property. There is a ± 14'x20' covered structure in the rear yard and a 144-sf shed/cottage located southwest of the home, in the front yard of the property. This shed is considered legally nonconforming as accessory structures are not permitted in the front yard.

For all residentially zoned properties, there are no more than two accessory structures/building permitted on a sole property. For larger properties, there are exceptions for larger than code permitted structures but nothing that would permit additional structures. The applicant is proposing a third structure on the property, a 20'x24' detached garage south of the existing shed. The garage is proposed 3' off the property line and more than 450' from the front property line on Lake Road. The eastern property line is currently lined with an existing row of mature vegetation that helps to shield the property.

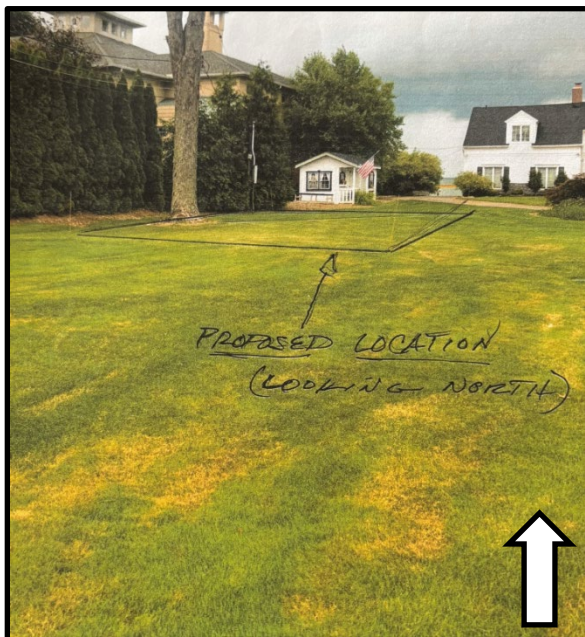


Figure 3: Location – Applicant Provided (CAV 24-25)

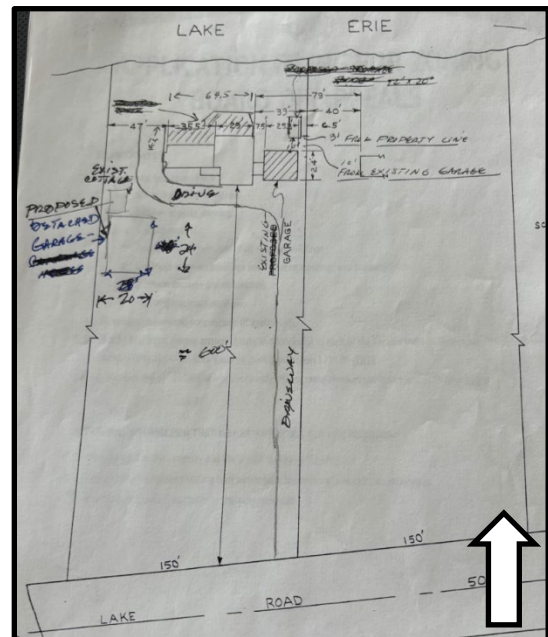


Figure 3: Site Plan – Applicant Provided (CAV 24-25)

The applicant has not expressed the proposed height of the garage but shall not be permitted to exceed 24'. If the area variance is granted, and prior to any construction, the applicant shall submit a Residential Building Permit application to the Building Department for review and approval. The Community

Development Department is a step in the approval process and is responsible for confirming consistency with ZBA approval, structure(s) location, setbacks, building height(s), façade materials, etc.

**REVIEW AND RECOMMENDATION BY THE ZONING BOARD OF APPEALS (ZBA):**

The ZBA shall review the application, findings, testimony, etc. In reviewing the application, the ZBA shall at a minimum consider the review criteria of Planning & Zoning Code Section 1214.09 (c)(1) *Review Procedures – Variances*. The ZBA may request that the applicant supply additional information that the Board deems necessary to review and evaluate the request for a variance.

In making its decision, the ZBA may approve, approve modifications or supplementary conditions, or deny the application. Additionally, the ZBA shall make specific findings of fact based directly on the evidence presented that the reasons set forth in the application and as presented by the applicant during the public hearing. The ZBA shall justify the approval, approval with modifications or supplementary conditions, or denial of the variance application that will make possible a reasonable use of the land, building, or structure.

**POTENTIAL MOTION:**

The language set forth below is provided as a guide, with no intent to suggest specific action on the part of the Zoning Board of Appeals.

I move to approve/deny ZBA Application, CAV 24-25, an area variance to Planning & Zoning Code Section 1224.01 (e) *Accessory and Temporary Use Regulations – Accessory Uses and Structures* at 32680 Lake Road (Single-family residence), permitting a 20’x24’ detached garage in the front yard, as depicted.

Please state any conditions.

**ADDITIONAL INFORMATION:**

The applicant has supplied written responses to the Area Variance Review Criteria and a site plan. All of which can be found in the packet.

The Community Development Department sent notice of this request to all property owners within 300’ of the subject property.

**ATTACHMENTS:**

1. Copy of Code Section(s)
2. Aerial Views of the Property
3. Copy of ZBA Application
4. Copy of Site Plan



- B. Unless otherwise stated, the height of a detached accessory building in nonresidential zoning districts shall not exceed the height of the principal building.
- C. In no case shall any accessory structure exceed the height of the principal building in a residential zoning district.

**(11) Number and Size Requirements**

- A. There shall be no more than two accessory buildings located on a single zoning lot in a single-family residential district (R-1A, R-1B, R-1C, and R-1D).
- B. For the purposes of this code, accessory buildings shall include detached garages and carports, detached storage/utility sheds, and other detached accessory buildings that are completely enclosed by a roof and walls constructed of permanent materials (including screened-in porches where the majority of materials is permanent), as determined by the Code Administrator.
- C. [Table 1224-1](#) establishes the maximum gross floor area of accessory buildings as well as the maximum lot coverage, of the rear yard, of all accessory structures (including accessory buildings) for single-family residential districts. [Table 1224-2](#) includes a column that identifies what accessory buildings and structures count toward this lot coverage.

**TABLE 1224-1: MAXIMUM FLOOR AREA AND REAR YARD COVERAGE FOR ACCESSORY STRUCTURES**

Zoning District	Lot Containing a Dwelling with an Attached Garage		Lot Containing a Dwelling without an Attached Garage		Maximum Lot Coverage of Rear Yard by All Accessory Structures
	Maximum Sq. Ft. of Any One Accessory Building	Maximum Sq. Ft. of All Accessory Buildings	Maximum Sq. Ft. of Any One Accessory Building	Maximum Sq. Ft. of All Accessory Buildings	
R-1A	500	1,000	1,250	1,400	40%
R-1B	500	1,000	1,250	1,400	45%
R-1C	250	500	500	650	65%
R-1D	250	500	500	500	65%

NOTE: Sq. Ft. = Square feet

**D. Accessory Buildings on Large Lots**

In any residential district on lots of 1.5 acres or greater, an accessory building larger than permitted by the regulations set forth in [Table 1224-1](#) may be permitted in compliance with the following:

- i. The accessory building shall have an area not to exceed 4 percent of the area of the rear yard, or 3,000 square feet, whichever is lesser.
- ii. On lots with an area of three acres or more, such accessory building shall be permitted in the side or rear yard.
- iii. Such accessory building shall be located no less than 150 feet from a public right-of-way and no less than 50 feet from a side or rear lot line.
- iv. Such accessory building shall not exceed 24 feet in height but in no case shall the height of the accessory building exceed the height of the principal building.

**(12) Setback and Location Requirements**

- A. Accessory structures shall be located in the yards established in [Table 1224-3](#).
- B. Accessory structures in residential districts shall be setback a minimum distance as established in [Table 1224-2](#) below.

**Chapter 1224: Accessory and Temporary Use Regulations**  
 Section 1224.01: Accessory Uses and Structures

**TABLE 1224-3: PERMITTED ACCESSORY USES AND STRUCTURES**

Use Category and Use Type P = Permitted Use PS = Permitted Use with Standards C = Conditional Use	R-1A, R-1B, R-1C, and R-1D	R-2 and R-3	MUO	B-1, B-2, and B-3	I-1, and I-2	P-1	Yards Permitted F = Front S = Side R = Rear	Yard Coverage Calculation	Zoning Permit Required	Use-Specific Standards in Section:
Accessibility Ramps	PS	PS	PS	PS	PS	PS	F, S, or R	Not Included	Yes	<a href="#">1224.01(f)(1)</a>
Amateur Radio Towers and Antennae	PS	PS	PS	PS	PS	PS	S or R	Not Included	Yes	<a href="#">1224.01(f)(2)</a>
Basketball Hoops	PS	PS	PS	PS	PS	PS	F, S, or R	Not Included	No	<a href="#">1224.01(f)(3)</a>
Bike and Skateboard Ramps	PS	PS		PS		PS	R	Included	Yes	<a href="#">1224.01(f)(4)</a>
Detached Garages and Carports	PS	PS	PS	PS	PS	PS	R	Included	Yes	<a href="#">1224.01(f)(5)</a>
Detached Storage/Utility Sheds and other Detached Buildings	PS	PS	PS	PS	PS	PS	R	Included	Yes	<a href="#">1224.01(f)(6)</a>
Drive-Through Facility				PS	PS		See Section <a href="#">1224.01(f)(7)</a>	Not Included	Yes	<a href="#">1224.01(f)(7)</a>
Gazebos and Pergolas	P	P	P	P	P	P	R	Included	Yes	
Generators and HVAC Equipment	PS	PS	PS	PS	PS	PS	F, S, or R	Not Included	Yes	<a href="#">1224.01(f)(8)</a>
Home Occupations	PS	PS	PS				Not Applicable	Not Included	Yes	<a href="#">1224.01(f)(9)</a>
Nursery Schools or Day Care Centers (Children or Adults)	PS	PS	PS	PS	PS	PS	Not Applicable	Not Included	Yes	<a href="#">1224.01(f)(10)</a>
Outdoor Dining			PS	PS	PS		F, S, or R	Not Included	Yes	<a href="#">1224.01(f)(11)</a>
Outdoor Displays and Sales			PS	PS	PS		F, S, or R	Not Included	Yes	<a href="#">1224.01(f)(12)</a>
Outdoor Storage and Bulk Sales				PS	PS		R	Not Included	Yes	<a href="#">1224.01(f)(13)</a>
Outdoor Vending Machines and Drop-Off Boxes	PS	PS	PS	PS	PS	PS	F, S, or R	Not Included	No	<a href="#">1224.01(f)(14)</a>
Patios, Porches, and Decks	PS	PS	PS	PS	PS	PS	F, S, or R	Included	Yes	<a href="#">1224.01(f)(15)</a>
Playsets, Treehouses, and Trampolines	PS	PS	PS			PS	R	See Section <a href="#">1224.01(f)(16)</a> .	No	<a href="#">1224.01(f)(16)</a>
Renewable Energy Systems	See <a href="#">Chapter 1240: Renewable Energy Systems</a> .									
Retail Commercial Uses			PS	PS	PS		Not Applicable	Not Included	No	<a href="#">1224.01(f)(17)</a>
Satellite Dishes	PS	PS	PS	PS	PS	PS	Not Applicable	Not Included	No	<a href="#">1224.01(f)(18)</a>
Swimming Pools	PS	PS	PS	PS		PS	R	Included	Yes	<a href="#">1224.01(f)(19)</a>

**TABLE 1224-3: PERMITTED ACCESSORY USES AND STRUCTURES**

Use Category and Use Type P = Permitted Use PS = Permitted Use with Standards C = Conditional Use	R-1A, R-1B, R-1C, and R-1D	R-2 and R-3	MUO	B-1, B-2, and B-3	I-1, and I-2	P-1	Yards Permitted F = Front S = Side R = Rear	Yard Coverage Calculation	Zoning Permit Required	Use-Specific Standards in Section:
Tennis and Other Recreational Courts	PS	PS	PS	PS	PS	PS	R	Included	Yes	<a href="#">1224.01(f)(20)</a>
Type-B Day Care Home	PS	PS	PS	PS		PS	Not Applicable	Not Included	No	<a href="#">1224.01(f)(21)</a>
Type A Day Care Homes	C						NA	Not Included	Yes	<a href="#">1224.01(f)(22)</a>
Utility Structures	PS	PS	PS	PS	PS	PS	See Section <a href="#">1224.01(f)(23)</a> .			

**(6) Detached Storage/Utility Sheds, and other Detached Buildings**

Detached storage/utility sheds, and other detached buildings that exceed 100 square feet in floor area shall not be constructed with metal or plastic facades.

**(7) Drive-Through Facilities**

The following standards shall apply to businesses that contain a drive-through facility regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

**A. General Standards**

- i. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be located within 250 feet of any residential dwelling unit.
- ii. All drive-through areas, including but not limited to drive-through signs, waiting lanes, trash receptacles, audio equipment, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.
- iii. If the drive-through window, drive-through signage, or any audio equipment are located in the front yard, they shall be screened with an opaque, landscaped screen of with a height that will fully screen the window, signage, or audio equipment. Such screening shall not be required for waiting spaces that are located in a front yard.

**B. Waiting Space and Lane Requirements**

Drive-through facilities shall be required to include vehicle waiting spaces as established in Section [1234.18](#).

**(8) Generators and HVAC Equipment**

- A. All generators must be located on a paved surface and shall be set back a minimum of three feet from all lot lines. HVAC equipment may be located on a paved surface or attached to the principal building.
- B. Generators and HVAC equipment shall be located in the rear yard, to the maximum extent feasible and shall be set back a minimum of three feet from all lot lines.
- C. If generators or HVAC equipment are located in the side yard, such equipment shall be screened from view of adjacent properties along the side lot line at a minimum distance of three feet.
- D. Generators or HVAC equipment may be permitted in the front yard if approved as a conditional use with the following considerations:
  - i. The generators or HVAC equipment must be screened by a solid wall that is architecturally compatible with the principal building in color and materials, that is connect to the principal building, and that does not exceed four feet in height.
  - ii. The generators or HVAC equipment shall not extend more than six feet from the front façade of the principal building and the screening wall shall not be located more than seven feet from the front façade.
  - iii. The wall shall not be wider than six feet and shall screen the entirety of the equipment.
- E. Such screening requirements shall not apply when the HVAC system is to be located in a side yard adjacent to a lot in a nonresidential zoning district.



**J. Craig Snodgrass, CPA, CGFM**  
**Lorain County Auditor**

32680 LAKE RD



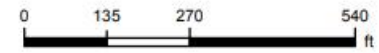
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**Legend**

- |                          |                        |                 |                              |                      |                   |                   |
|--------------------------|------------------------|-----------------|------------------------------|----------------------|-------------------|-------------------|
| --- Dashed Lot Line      | --- Hydro Line         | --- Parcel Line | --- Right-of-way Parcel Line | --- Road Centerlines | --- Right of Ways | --- Parcels_Black |
| --- Submerged Land Lease | --- Dashed Parcel Line | --- Sublot Line | --- Right-of-way Line        | --- Subdivisions...  | --- Waterways     |                   |



1 inch = 251 feet





### CAV-24-25

Area Variance Application  
(ZBA)

Status: Active

Submitted On: 6/10/2024

### Primary Location

32680 LAKE RD  
AVON LAKE, OH 44012

### Owner

Yvonne J Adams  
32680 LAKE RD 32680 LAKE  
RD AVON LAKE, OH 44012

### Applicant

George Adams  
 216-789-0785  
 gdoc41@gmail.com  
 32680 LAKE RD  
AVON LAKE, OH 44012

## Applicant Information

**Applicant Role\***

Spouse

**Name\***

George K Adams

**Address\***

32680 Lake Rd

**City\***

Avon Lake

**State\***

Ohio

**Zip\***

44012

**Telephone\***

216 789 0785

**Email Address\***

gdoc41@gmail.com

## Property Owner Information

Same as Applicant



# Request Information

 Code Section(s)

 # of Variance Requested

—

## Specific Details of Variance Request\*

Detached garage front yard of property (2.56 Acre Lakefront)

---

## Signature

### Applicant Signature\*

 George K Adams  
Jun 10, 2024

---

## Authorization for Property Access

Would you like to grant access to the city to enter your property?\*

Grant

Signature\*

 George K Adams  
Jun 10, 2024

Any dog(s) on property?\*

No

Daytime Phone Number\*

216 789 0785

---

# Factors Used to Determine Practical Difficulty of an Area Variance

**A. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or proximity to non-conforming and inharmonious uses, structures or conditions;\***

2.56 acre property with large frontyard, 600' setback from Lake Rd. Small backyard adjacent to Lake Erie not suitable for construction

**B. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;\***

Expect proposed structure will add value to property and neighborhood

**C. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures;\***

Variance is substantial and is the minimum necessary to make possible use of the land and proposed structure  
(See A above)

**D. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;\***

No, would be consistent with many other lakefront properties and an enhancement to the neighborhood. Similar structures exist on multiple lake front properties

**E. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup;\***

Would not impact any of the above governmental services



**F. Whether special conditions or circumstances exist as a result of actions of the applicant (actions of the applicant shall not include the purchase or acquisition of the property);\***

No other special conditions or circumstances exist as a result of requested action (Variance)  
Property is owned by applicant/spouse. There will be no purchase or acquisition of property .

**G. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;\***

No other method could obviate the predicament

**H. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance;\***

Yes, the spirit and intent of the zoning requirement will be observed and justice done by granting the variance

**I. Whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district; and\***

No special privilege is expected by the applicant and not aware that similar variances have been denied to other lands, structures or buildings in the same district under similar circumstances.  
Similar structures exist on many lakefront properties

**J. Whether a literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this code.\***

Yes, as noted above, many similar structures exist on comparable lakefront properties in Avon Lake

**Is there anything else you would like the Community Development team to know?**

We appreciate the time and effort the Community Development Team puts into considering these variances and looking out for our community. I feel our anticipated project will definitely enhance not only, the value and character of our property, but the neighborhood as well.

Thank you,  
George & Yvonne Adams

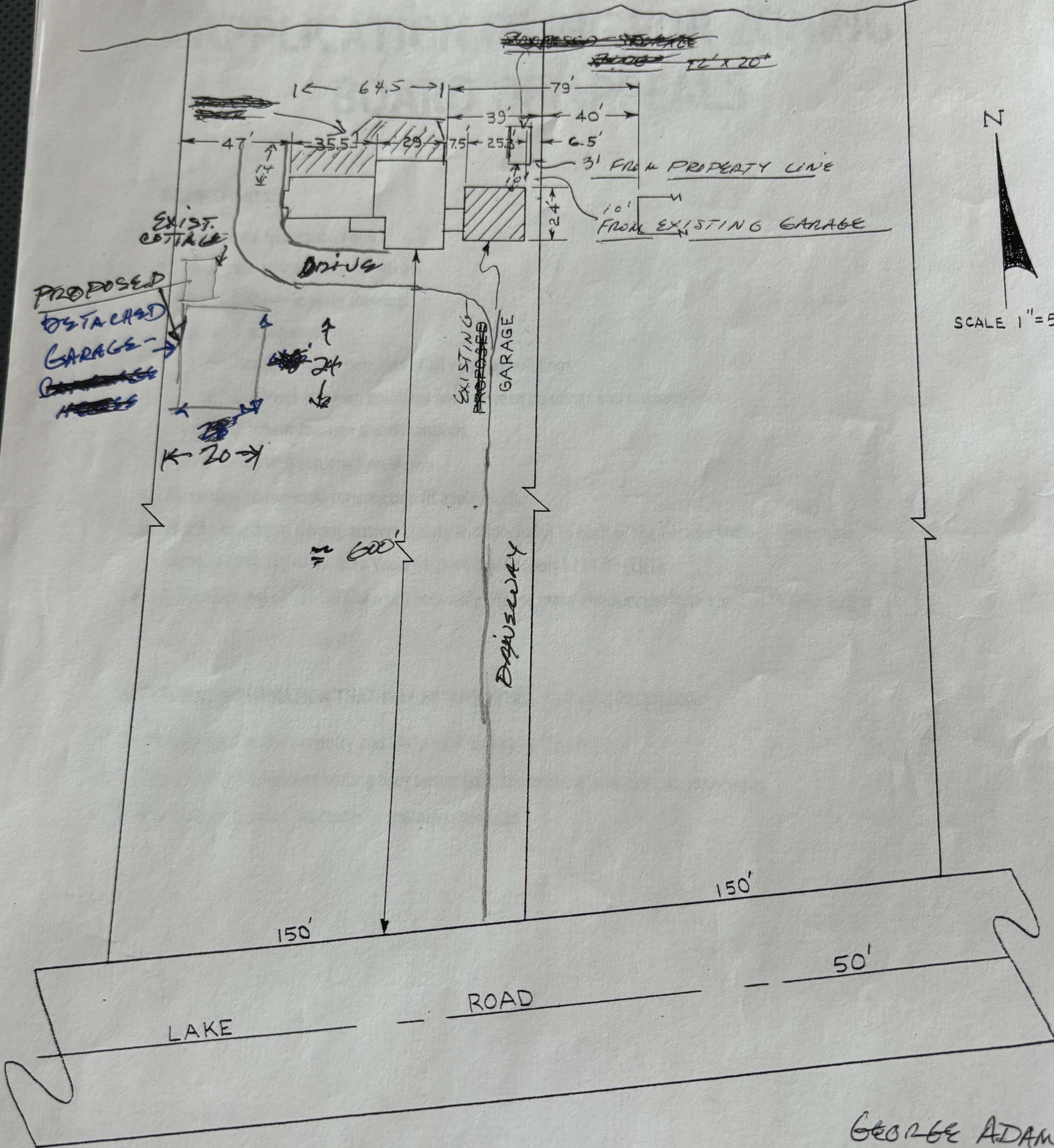


PROPOSED LOCATION  
(LOOKING NORTH)



LAKE

ERIE



N

SCALE 1"=5

I.L.P. 667 N.A. 401

GEORGE ADAMS  
 ROBERT BURKHARD  
 32680 LAKE RD.  
 7-21-64 *He*



# REPORT – ZBA CASE 24-26



**TO:** Avon Lake Zoning Board of Appeals  
**FROM:** Austin Page, Planning & Zoning Manager  
**SUBJECT:** CAV 24-26 (AREA VARIANCE – 375 Creekside Drive)  
**MEETING:** June 26, 2024

Jackson Heller requests an area variance to Planning & Zoning Code Section 1226.03 (d)(2) *General Development Standards – Fences and Walls in Residential Districts* at 375 Creekside Drive (single-family residence).

**PROPERTY DESCRIPTION:**

375 Creekside Drive is a single-family residence located in the Lear West Estates subdivision, northwest of Lear Road and Walker Road. The property is a corner lot with two frontages. The property is Phase 3 of the development, platted in 1980, and constructed in 1986.

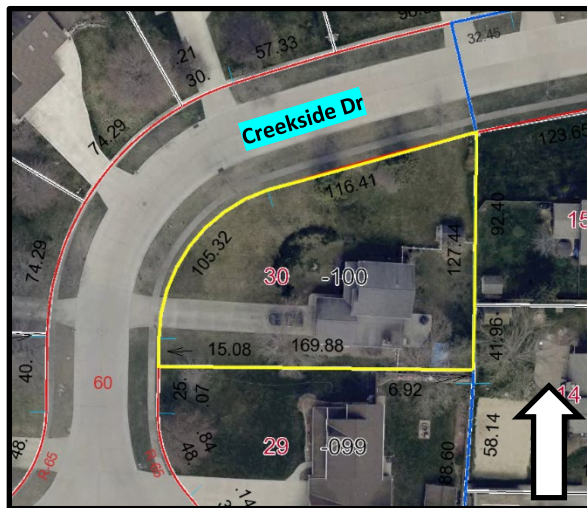


Figure 1: Lorain County Auditor GIS – Spring 2024 Aerial

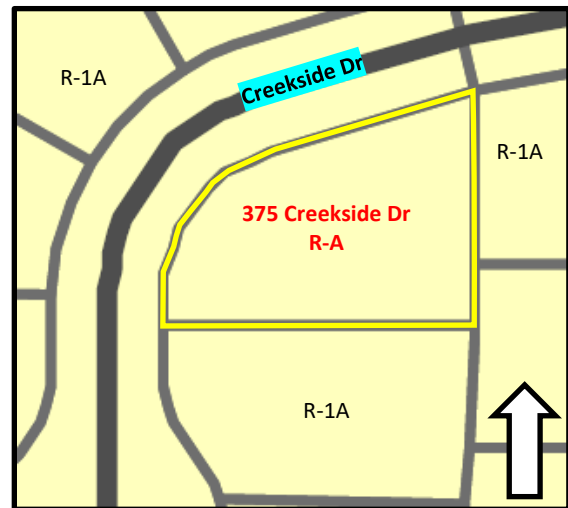


Figure 2: Avon Lake Zoning Map - 2022

The property is zoned R-1A, Single-Family Residence and all surrounding properties share the same zoning classification.

**VARIANCE REQUESTED:**

The applicant requests one area variance to Planning & Zoning Code Section 1226.03 (d)(2) *General Development Standards – Fences and Walls in Residential Districts* at 375 Creekside Drive (Single-Family Residence). The request would permit a 6’ tall wooden privacy in the secondary front yard along Creekside Drive. The proposed fencing in the rear yard is not included in the request and is considered code compliant.

**ANALYSIS & DISCUSSION:**

As previously stated, the property is zoned R-1A, Single-Family Residence and is a corner lot with two frontages. This is unique property as both frontages are on the same city street. The home faces west where it has its primary front yard, and the secondary front yard faces north. There is an existing 6' tall fence in the secondary front yard (north) and an 8'x10' shed. The existing fence extends  $\pm 12'$  into this front yard and is considered legally nonconforming as it was installed years prior. The shed received a variance in 2006.

The northern front yard abuts the rear yard of the eastern neighbor. Because of the road, the homes are off center to one another. The applicant is proposing to extend the 6' tall fencing another  $\pm 20'$ , matching the fence line of the eastern neighbor. Overall, this would put the fencing  $\pm 32'$  deep (33' wide) into the secondary front yard.



Figure 3: Fence Plan – Applicant Provided (CAV 24-26)

**REVIEW AND RECOMMENDATION BY THE ZONING BOARD OF APPEALS (ZBA):**

The ZBA shall review the application, findings, testimony, etc. In reviewing the application, the ZBA shall at a minimum consider the review criteria of Planning & Zoning Code Section 1214.09 (c)(1) *Review Procedures – Variances*. The ZBA may request that the applicant supply additional information that the Board deems necessary to review and evaluate the request for a variance.

In making its decision, the ZBA may approve, approve modifications or supplementary conditions, or deny the application. Additionally, the ZBA shall make specific findings of fact based directly on the evidence presented that the reasons set forth in the application and as presented by the applicant during the public hearing. The ZBA shall justify the approval, approval with modifications or supplementary conditions, or denial of the variance application that will make possible a reasonable use of the land, building, or structure.

**POTENTIAL MOTION:**

The language set forth below is provided as a guide, with no intent to suggest specific action on the part of the Zoning Board of Appeals.

I move to approve/deny ZBA Application, CAV 24-26, an area variance to Planning & Zoning Code Section 1226.03 (d)(2) *General Development Standards – Fences and Walls in Residential Districts* to permit a 6' tall wooden fence in the front yard, as depicted, at 375 Creekside Drive.

Please state any conditions.

**ADDITIONAL INFORMATION:**

The applicant has supplied written responses to the Area Variance Review Criteria and a site plan. All of which can be found in the packet.

The Community Development Department sent notice of this request to all property owners within 300' of the subject property.

If the area variances are granted, and prior to any construction, the applicant shall submit a Residential Building Permit application to the Building Department for review and approval. The Community Development Department is a step in the approval process and is responsible for confirming consistency with ZBA approval, structure(s) location, setbacks, building height(s), façade materials, etc.

**ATTACHMENTS:**

1. Copy of Code Section(s)
2. Aerial Views of the Property
3. Copy of ZBA Application
4. Copy of Site Plan



<b>TABLE 1226-9: FENCES AND WALLS IN RESIDENTIAL DISTRICTS</b>		
Type of Fence or Wall	Yard in Which Permitted	Maximum Height Permitted
Vinyl Coated Chain Link Fence	Side and Rear	4 Feet
Open Fence	Front	3 Feet [1]
	Side	4 Feet
	Rear	6 Feet [2]
Solid Fence or Wall	Side	4 Feet
	Rear	6 Feet
<p>NOTES:</p> <p>[1] A four-foot open fence may be constructed in front of a dwelling provided that the length of such fence does not extend past the side walls of the house or across a driveway and provided it is set back from the right-of-way line a minimum of 75% of the minimum front building setback for the district.</p> <p>[2] Trellises up to 16 feet in total length may exceed the maximum permitted height when located in the rear yard adjacent to, and between the side walls, of the dwelling.</p>		

**(e) Fences and Walls in Nonresidential Districts**

The following standards apply to fences and walls in nonresidential districts.

- (1) No fence or wall shall be, in any way, electrified or topped with any sharp-edged materials with the exception of fences in the I-1 and I-2 Districts where fences may be topped with barbed wire. Such barbed-wire shall be placed on a 45-degree angle- arm away from the side of the fence that fronts a property or right-of-way line. Such barbed wire shall only be located along the top of a fence and shall not extend below the top of the fence more than 12-inches.
- (2) No fence shall exceed 8 feet in height in any rear or side yard, or exceed 3 feet in height in any front yard. In the I-1 and I-2 Districts, any fence in a front yard that is set back a minimum of 60 feet shall be permitted to have a maximum height of eight feet.
- (3) Any proposed fence shall be approved as part of the site plan review in accordance with this code.

**(f) Temporary Fences**

Fences erected for a specific function and limited time duration, including deer, snow, or construction fencing, are permitted as follows and in compliance with the following requirements.

- (1) Temporary fences shall be maintained in good condition and shall not require a zoning permit.
- (2) No temporary fencing material shall be used for permanent fencing.
- (3) **Snow Fencing**
  - A. Snow fencing shall be permitted between November 1 of any year and April 1 of the following year.
  - B. Snow fencing shall not exceed four feet in height.
  - C. Fencing materials shall be limited to burlap, plastic mesh fabric of a neutral or dark color, any clear plastic material or wood slat fencing (traditional snow fence) with wood or metal supports.



**J. Craig Snodgrass, CPA, CGFM**  
**Lorain County Auditor**

**375 CREEKSIDE DR**



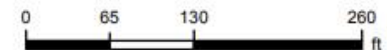
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**Legend**

- |                 |                          |                    |                  |               |
|-----------------|--------------------------|--------------------|------------------|---------------|
| Parcel Line     | Right-of-way Parcel Line | PLSS Boundaries    | Road Centerlines | Parcels_Black |
| Dashed Lot Line | Right-of-way Line        | Original Lot Lines | Subdivisions/... |               |
| Sublot Line     |                          |                    | Right of Ways    |               |



1 inch = 125 feet





### CAV-24-26

Area Variance Application  
(ZBA)

Status: Active

Submitted On: 6/12/2024

### Primary Location

375 CREEKSIDE DR  
AVON LAKE, OH 44012

### Owner

HELLER JACKSON T &  
HELLER KALEIGH A  
375 CREEKSIDE DR AVON  
LAKE, OH 44012

### Applicant

Jackson Heller  
 440-263-0670  
 jackson.heller@yahoo.com  
 375 Creekside Drive  
Avon Lake, OH 44012

## Applicant Information

**Applicant Role\***

Owner

**Name\***

Jackson Heller

**Address\***

375 Creekside Drive

**City\***

Avon Lake

**State\***

OH

**Zip\***

44012

**Telephone\***

440-263-0670

**Email Address\***

jackson.heller@yahoo.com

## Property Owner Information

Same as Applicant



## Request Information

 Code Section(s)

1226.03(d)(2) - Fences

 # of Variance Requested

1


### Specific Details of Variance Request\*

Putting a 6' fence along my backyard, outside of the shed.

---

## Signature

Applicant Signature\*

 Jackson Heller  
Jun 12, 2024


---

## Authorization for Property Access

Would you like to grant access to the city to enter your property?\*

Grant

Signature\*

 Jackson Heller  
Jun 12, 2024

Any dog(s) on property?\*

Yes

Daytime Phone Number\*

440-263-0670

---

## Factors Used to Determine Practical Difficulty of an Area Variance

**A. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or proximity to non-conforming and inharmonious uses, structures or conditions;\***

- Home being built offset/not parallel with Creekside Dr. - Unique property
- Neighbors rear yard abuts with our side yard.
- Shed is not enclosed on side of the house.

**B. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;\***

- New fence will enclose shed that stores all tools and tractor for yard.
- Will match neighbors fence line and be the same fence for both properties.
- Dog and newborn baby - fence will protect all from intrusion.

**C. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures;\***

- Nothing substantial, new fence to match neighbors fence line and enhance the property as well as protect dogs, shed and child.

**D. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;\***

- Neighborhood will not be altered at all. It will enhance adjoining property behind us because it will match their fence and they are getting their fence done by the same contractor (same fence). It will also match their fence line.

**E. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup;\***

- No.

**F. Whether special conditions or circumstances exist as a result of actions of the applicant (actions of the applicant shall not include the purchase or acquisition of the property);\***

- No.

**G. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;\***

- It can not.

**H. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance;\***

- This would allow property fence lines to match. It would clean up the property as it would hide the shed in the side yard and define a true backyard for our unique property.

**I. Whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district; and\***

- No.

**J. Whether a literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this code.\***

- Yes

Is there anything else you would like the Community Development team to know?

N/A

**CITY OF AVON LAKE**  
**APPLICATION FOR RESIDENTIAL**  
**ZONING AND/OR BUILDING PERMITS**  
(Please print legibly)

Applicant to complete all items marked with a ♦

RECEIVED:

♦Application Date 6/11/24  
♦Address 375 CREEKSIDE DR.  
♦Building Project: Fence  
♦ Estimated Value of Project: \$ 7,000.-

ADDITIONAL INFO FOR NEW DWELLING PERMIT  
Sublot: \_\_\_\_\_  
Subdivision: \_\_\_\_\_  
PPN: 04-00-019-144-100

♦Property Owner: Jackson Heller  
♦Phone: 440-263-0670  
♦Email: jackson.heller@yahoo.com

♦Contractor: Patriot Fence and Deck  
♦ Phone: 440-241-7827  
♦ Email: patriotfenceanddeckco@gmail.com

♦Application is hereby made for:  
 Zoning Permit                       Building Permit                       Electrical Permit  
 Plumbing Permit                       HVAC Permit                       Demo Permit  
**(ALL CONTRACTORS AND SUBCONTRACTORS MUST BE REGISTERED WITH THE CITY OF AVON LAKE)**

I hereby certify that I am the owner of the premises or acting representative for which permits are being applied for herein. If applicable, the said acting representative previously named is authorized to act for the owner in all matters relating to the work for which permits are issued pursuant to this application. I do hereby agree that the work done under this application and accompanying drawings, which are a part of this application, shall conform to the Avon Lake Building and Zoning Codes, and all other rules and regulations governing such work. Permits shall include only such work as detailed in this application.

♦Owners Signature: [Signature]                      ♦Applicant's Signature: [Signature]

- SUBMISSION REQUIREMENTS**  
Plans and drawings sufficient to show compliance to Building and Zoning Codes shall accompany this application. Two (2) sets of plans required, and shall include; without limitation:
1. Plot plan showing complete lot with dimensions, all buildings and proposed construction with setback dimensions.
  2. Drawings or plan showing length, width and height of proposed construction.
  3. Floor plans, cross sections, structural details and elevations necessary to describe the construction.
  4. Electrical, plumbing and HVAC plans as necessary to describe work being done.
  5. Topographical plans as required for Grading Permit.

<b>OCCUPANCY PERMIT or CERTIFICATE OF COMPLETION REQUIRED for all Building Permits</b>		Building Permit No.: _____
	<b>ISSUE DATE</b>	Issue Date: _____
CONDITIONAL OCCUPANCY:		Zoning Permit No.: _____
FULL OCCUPANCY:		Issue Date: _____
CERTIFICATE OF COMPLETION:		



FOOTINGS (size) \_\_\_\_\_

CHIMNEYS (size & material) \_\_\_\_\_

FOUNDATION (size & material) \_\_\_\_\_

BEAMS (size, material, span) \_\_\_\_\_

STRUCTURE (material) \_\_\_\_\_

STUDS (size & spacing) \_\_\_\_\_

BEAM SUPPORT (size & material) \_\_\_\_\_

WALL SHEATHING (material, size, thickness) \_\_\_\_\_

FLOOR JOIST (size - span) \_\_\_\_\_

CEILING JOISTS (size & spacing) \_\_\_\_\_

FLOOR JOIST (size - span) \_\_\_\_\_

ROOF PITCH \_\_\_\_\_

FLOORING (type, size, thickness) \_\_\_\_\_

ROOF RAFTERS (size & spacing) \_\_\_\_\_

HEATING (type & fuel) \_\_\_\_\_

ROOF RAFTERS (size & spacing) \_\_\_\_\_

AIR CONDITION (type) \_\_\_\_\_

ROOF SHEATHING (material, size thickness) \_\_\_\_\_

INSULATION: WALLS R-\_\_\_\_\_ ATTIC R-\_\_\_\_\_

PERIMETER R-\_\_\_\_\_

TO BE BUILT AND OCCUPIED AS A:

\_\_\_\_\_ One-Family Dwelling

\_\_\_\_\_ Attached Garage

\_\_\_\_\_ Two-Family Dwelling

\_\_\_\_\_ Detached Garage

\_\_\_\_\_ Addition to One-Family Dwelling

\_\_\_\_\_ Addition to Garage

\_\_\_\_\_ Other (describe) \_\_\_\_\_

DIMENSIONS OF STRUCTURE: \_\_\_\_\_

SINGLE FAMILY DWELLING PERMIT APPLICATIONS — PROVIDE SQUARE FOOTAGES

FIRST FLOOR: \_\_\_\_\_

BASEMENT: \_\_\_\_\_

BASEMENT - FINISHED AREA: \_\_\_\_\_

SECOND FLOOR: \_\_\_\_\_

GARAGE: \_\_\_\_\_

SIDE WALKS: \_\_\_\_\_

PLEASE LIST THE FOLLOWING:

GENERAL CONTRACTOR: \_\_\_\_\_ REG NO. \_\_\_\_\_ PHONE: \_\_\_\_\_

ROOFING CONTRACTOR: \_\_\_\_\_ REG NO. \_\_\_\_\_ PHONE: \_\_\_\_\_

MASON CONTRACTOR: \_\_\_\_\_ REG NO. \_\_\_\_\_ PHONE: \_\_\_\_\_

CARPENTER CONTRACTOR: \_\_\_\_\_ REG NO. \_\_\_\_\_ PHONE: \_\_\_\_\_

PLUMBING CONTRACTOR: \_\_\_\_\_ REG NO. \_\_\_\_\_ PHONE: \_\_\_\_\_

ELECTRICAL CONTRACTOR: \_\_\_\_\_ REG NO. \_\_\_\_\_ PHONE: \_\_\_\_\_

HVAC CONTRACTOR: \_\_\_\_\_ REG NO. \_\_\_\_\_ PHONE: \_\_\_\_\_

SEE ATTACHED SATELITE IMAGE

**PLOT PLAN TO BE DRAWN TO SCALE IN INK:** Give distances from building to lot and street lines, and other buildings on the same lot. Show all lot lines and all lot dimensions. Show all easements and restrictions. Fences show placement and dimensions to lot lines and fence heights. Fences on lot lines must be finished side out.

**NOTICE ( For Dwellings):** A drainage and site plan must be submitted to Engineering Department to obtain a grading permit before a building permit will be issued.

