



# City of Avon

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**REGULAR MEETING MINUTES  
AVON BOARD OF ZONING AND BUILDING APPEALS  
AUGUST 5, 2026, 7:00 P.M.  
CITY HALL COUNCIL CHAMBERS  
36080 CHESTER ROAD, AVON, OHIO 44011**

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

## **ROLL CALL**

Present: Michael Bulger, Mark Ladegaard, Kurt Schatschneider, Jill Clements, Zoning Enforcement Officer, Pam Fechter, Planning Coordinator/Econ. Dev., Thomas Stringer, Acting Law Director, Susan Pintz, Planning and BZA Secretary.

Absent: Bill Hricovec, Chauncey Miller, Duane Streator,

## **REVIEW & CORRECTION OF MINUTES**

Mr. Schatschneider moved, seconded by Mr. Bulger, to approve the minutes of the regular meeting held on July 1, 2026, and to approve of the minutes as published. The vote was: "AYES" all. The Chair declared the motion passed.

## **REPORTS & CORRESPONDENCE**

## **ADDITIONS & DELETIONS**

None

## **APPEALS & REQUESTS**

### **1. Zachary and Kayla Heigelmann, 35927 Hanamar Drive, 46-26**

Proposal consists of construction of a new deck with covered roof.

The following variance is requested.

1. 6 ft. rear yard setback variance; code requires 50 ft.; applicant proposing 44 ft. C.O.1262.04(d)(4) Lot and Yard Requirements- Rear Yard.

### **Rob Stipe, ETF Restoration, 1627 Esat 28<sup>th</sup> Street, Lorain, Ohio 44055 was sworn in.**

Mr. Stipe appeared before the Board as the project manager representing applicants Zachary and Kayla Heigelmann. He presented the proposal and explained that the project consists of building a 16-by-32-foot deck on the rear of the property. The covered portion would measure 24 feet wide by 16 feet in depth, with the outside portion left open to allow space for a grill area that would remain uncovered (Exhibit 1 drawing).

Board members had no questions. No comments were received from the audience.

**Mr. Bulger moved, seconded by Mr. Schatschneider, to allow a 6 ft. rear yard setback variance; code requires 50 ft.; applicant proposing 44 ft. The vote was: "AYES" all. The Chair declared the motion passed.**

**2. Kory and Erin Witt, 2490 Berkshire Avenue, 43-26**

Proposal consists of a driveway extension.

The following variance is requested.

1. Driveway extension through the right of way - concrete to the street. C.O.1262.08(c)(3) Minimum Yard Requirement for Accessory Structures.

**Erin Witt, 2490 Berkshire Avenue, Avon, Ohio 44011 was sworn in.**

Mrs. Witt explained that the request was for a driveway extension and that the work would need to extend into the apron to reach the street (Exhibit 1 drawing).

Board members had no questions. No comments were received from the audience.

**Mr. Bulger moved, seconded by Mr. Schatschneider, to allow a driveway extension through the right of way - concrete to the street. The vote was: "AYES" all. The Chair declared the motion passed.**

**3. Timothy and Stefanie Beckner, 39152 Woodland Trail, 44-26**

Proposal consists of a driveway extension.

The following variance is requested.

1. Driveway extension through the right of way - concrete to the street. C.O.1262.08(c)(3) Minimum Yard Requirement for Accessory Structures.

**Timothy Beckner, 39152 Woodland Trail, Avon, Ohio 44011 was sworn in.**

Mr. Beckner explained that he was looking to extend the driveway 8 feet outward, and that the extension would also require going into the apron (Exhibit 1 drawing).

Board members had no questions. No comments were received from the audience.

**Mr. Schatschneider moved, seconded by Mr. Bulger, to allow a driveway extension through the right of way - concrete to the street. The vote was: "AYES" all. The Chair declared the motion passed.**

**4. Vincent and Kathryn Variglotti, 32815 St. Anthonys Way, 45-26**

Proposal consists of a driveway extension.

The following variance is requested.

1. Driveway extension through the right of way - concrete to the street. C.O.1262.08(c)(3) Minimum Yard Requirement for Accessory Structures.

**Vincent and Kathryn Variglotti, 32815 St. Anthonys Way, Avon, Ohio 44011 were sworn in.**

Mrs. Variglotti explained that the request was to extend the driveway by 4 feet in width, running the full length down through the apron to the street (Exhibit 1 drawing).

Board members had no questions. No comments were received from the audience.

**Mr. Bulger moved, seconded by Mr. Schatschneider, to allow a driveway extension through the right of way - concrete to the street. The vote was: "AYES" all. The Chair declared the motion passed.**

**5. Rustom and Jacqueline Khouri, III, 4627 St. Joseph Way, 47-26**

Proposal consists of installation of a generator.

The following variance is requested.

1. 2 ft. 6 in. side yard setback variance; code requires 3 ft.; applicant proposes 6 ft. C.O.1266.05 Setback and Spacing.

**Rustom Khouri, III, 4627 St. Joseph Way, Avon, Ohio 44011 was sworn in.**

Mr. Khouri explained the rationale for the proposed generator location, stating that the side yard between his property and his southern neighbors was the only area on the lot that made practical sense. He noted that the outer edge of the generator pad would be aligned with existing equipment already in that corridor between the two properties. He further noted that both properties have rear fences that essentially close off that corridor, making it a low-traffic, functionally isolated area. Mr. Khouri also indicated that the same company performing the work had completed an identical installation for a neighbor across the street who had sought the same variance (Exhibit 1 drawing).

Chair Ladegaard asked whether the generator itself would also sit at 6 inches from the lot line, or only the pad.

Mr. Khouri clarified that the 6-inch setback applied to the outer edge of the pad, with the generator itself positioned slightly inward from that.

Chair Ladegaard raised a concern regarding future access for generator maintenance, specifically whether a neighboring fence installed directly on the property line could obstruct access to the front of the unit for servicing.

Mr. Khouri explained that both he and his neighbor have fences in the backyard that effectively close off the corridor between the properties, making it a low-traffic, functionally isolated area.

Chair Ladegaard inquired if the neighbor wanted to install a fence between the houses if there would be sufficient space to access the generator.

Mr. Khouri acknowledged he could not answer definitively. He suggested that the generator's access panel likely features slider-style opening mechanisms that would not require significant clearance should a fence be installed. He also noted that any fence installed by the neighbor could not encroach onto his property line.

Chair Ladegaard expressing concerns over whether such a capacity for maintenance could be assured in the event of fence installations by the neighbor.

Mr. Bulger also raised concern about the code requirement that the generator be placed at a minimum of 18 inches from the home, noting that a fence erected on the shared property line might reduce the effective clearance available around the unit.

Mr. Khouri responded to these concerns, indicating that he was unsure if a fence could even be installed in that side yard due to the Homeowners Association Architectural Review Board (ARB) restrictions at Redtail. Such restrictions would likely disapprove of any fence extending into the visible side yard area.

Ms. Fechter, Planning Coordinator, contributed additional context, stating that the adjacent neighbor had been contacted and had no objection. The neighbor also intends to install a generator as well.

Mr. Khouri indicated he also contacted the neighbor and noted they are also planning to install a generator in the same side yard corridor. This information indicated a collaborative effort on the part of Mr. Khouri and his neighbor to coordinate their installations, thereby minimizing potential conflicts such as those raised by Chair Ladegaard concerning future access.

Mr. Khouri assured that the proposed location aligns with existing equipment already situated in the side yard. He mentioned that a neighboring resident across the street had obtained a similar variance for their generator placement, suggesting a precedent set for such arrangements in the community.

Mr. Schatschneider had no questions. No further audience comments were received

**Mr. Schatschneider moved, seconded by Mr. Bulger, to allow a 2 ft. 6 in. side yard setback variance; code requires 3 ft.; applicant proposes 6 ft. The vote was: "AYES" all. The Chair declared the motion passed.**

**6. James and Laura Firment, 2535 Deerfield Drive, 49-26**

Proposal consists of an addition to the house and garage.

The following variance is requested.

1. 5 ft. side yard setback; code requires 12 ft.; applicant proposing 7 ft. C.O.1262.04(d)(3) Lot and Yard Requirements- Side Yard.

**James Firment, 2535 Deerfield Drive, Ohio 44011 was sworn in.**

Mr. Firment explained that he has a collection of motorcycles and that the proposed addition would be a three-car garage, allowing him to park vehicles inside. He also stated that he and his wife intend to remain in the home permanently, and that the addition includes a bedroom at the rear of the garage at ground level to improve accessibility for older visitors, as the existing home's steps are steep (Exhibit 1 drawing).

Mr. Bulger indicated he had no questions.

Mr. Schatschneider asked whether the addition would be a single-story structure.

Mr. Firment confirmed that it would be one story only.



No audience comments were received.

**Mr. Bulger moved, seconded by Mr. Schatschneider, to allow a 5 ft. side yard setback; code requires 12 ft.; applicant proposing 7 ft. The vote was: "AYES" all. The Chair declared the motion passed.**

#### **COMMENTS**

Mr. Bulger had no comment.

Mr. Schatschneider had no comment.

Ms. Clements wished Mr. Ladegaard a Happy belated Birthday.

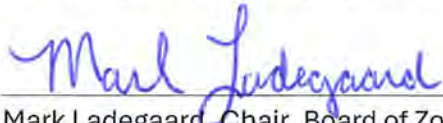
Mr. Stringer had no comment.

Ms. Fechter had no comment

Chair Ladegaard had no comment.

#### **ADJOURN**

Mr. Schatschneider moved, seconded by Bulger, to adjourn. The vote was: "AYES" all. The Chair declared the motion passed. The meeting was adjourned at 7:13 p.m.



Mark Ladegaard, Chair, Board of Zoning  
and Building Appeals

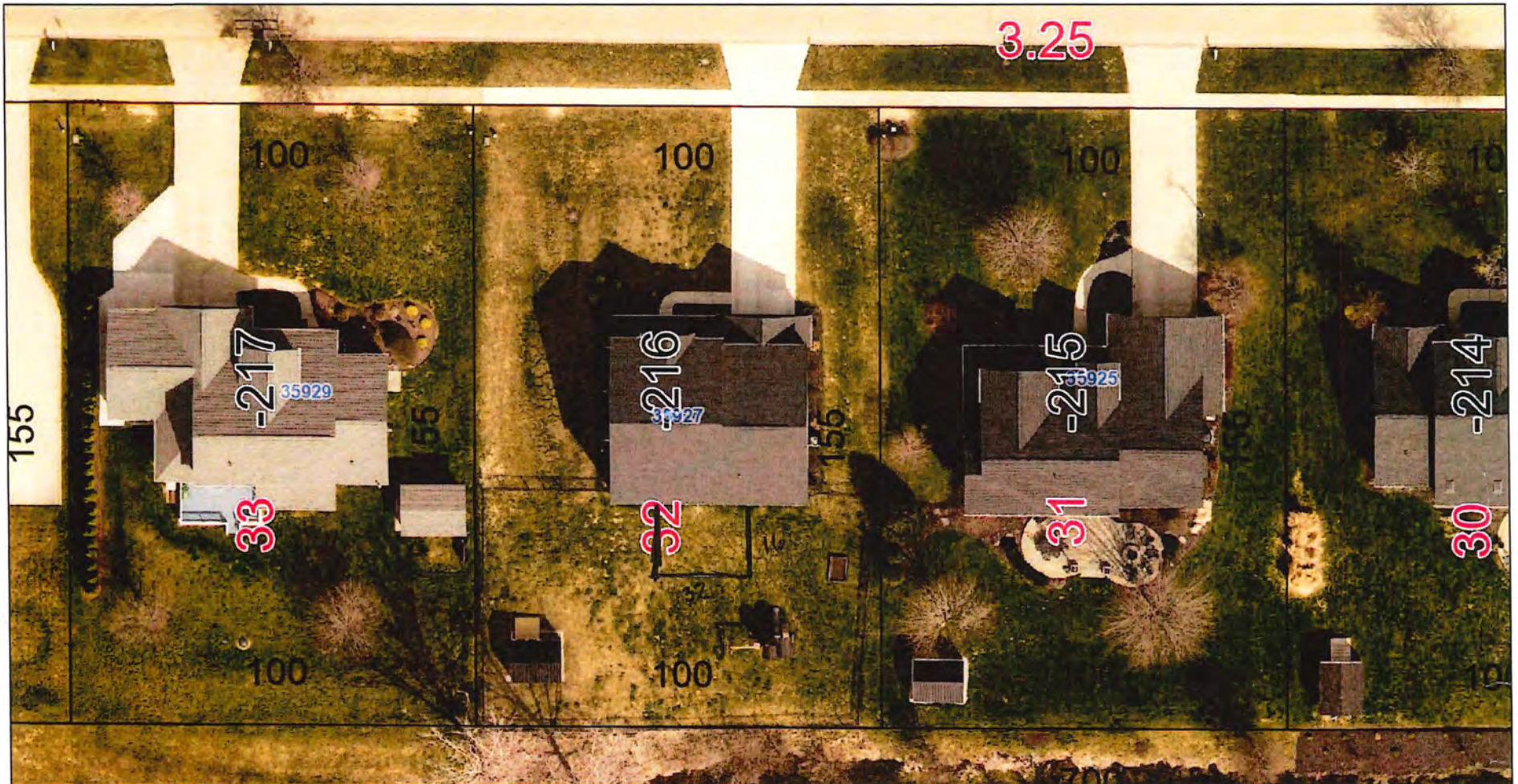


Susan Pintz, Planning and BZA Secretary



Date

ArcGIS Web Map

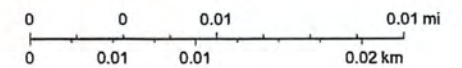


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- Ownership Parcels
- Address Points
- Subdivisions\_Condominiums
- COGO
- COGO
- COGO

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1:376



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



2490 Berkshire

SCANNED

EXHIBIT 1 WITT 2490 BERKSHIRE AVE

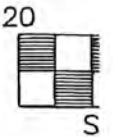
DATE 4/29/13 BY SM

**LEGEND**

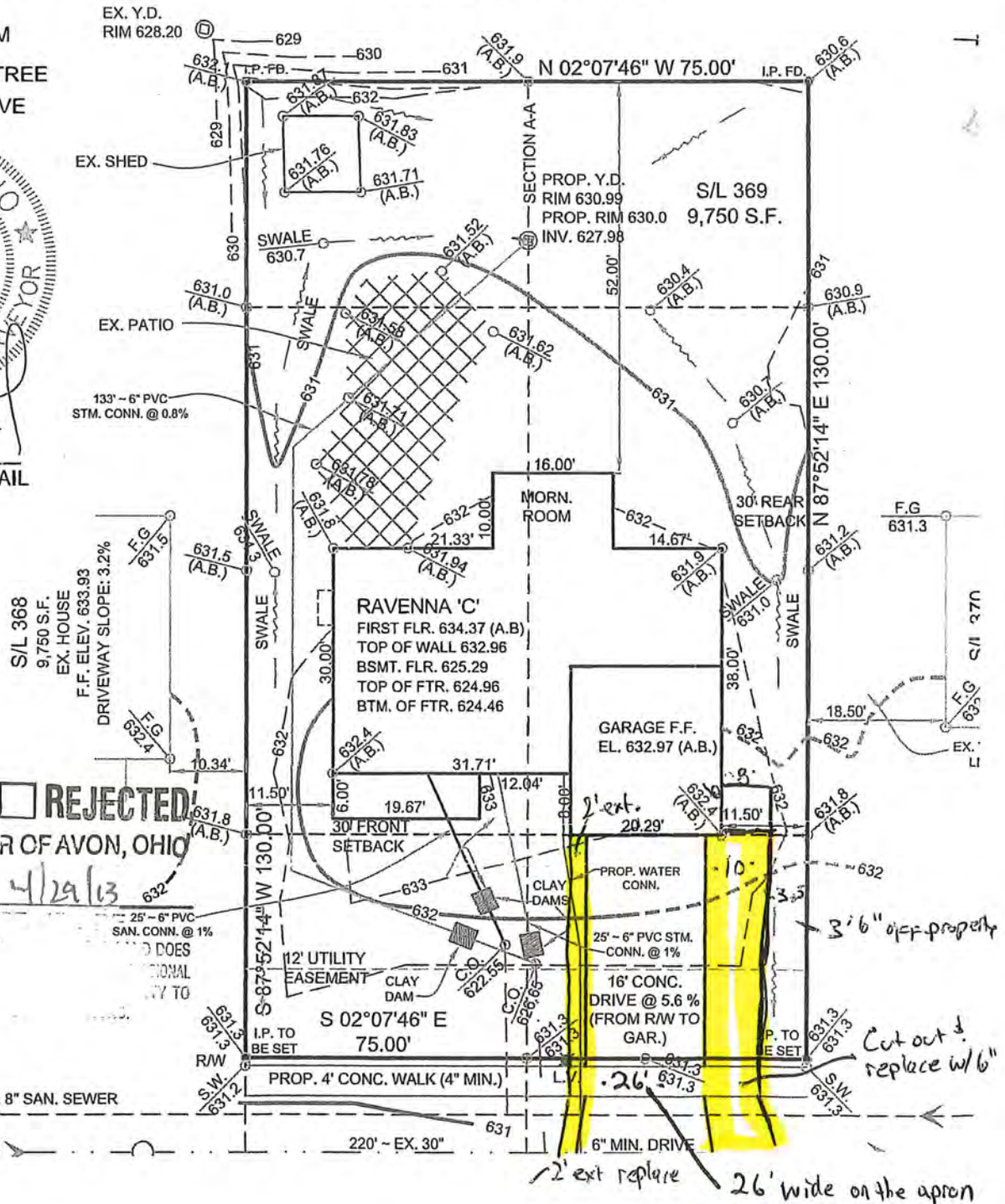
- SURFACE DRAINAGE
- EX. M.H.
- EX. HYD.
- ⊕ PROPOSED SPOT ELEVATIONS
- ⊕ EX. MONUMENT
- IRON PIN TO BE SET (CAPPED 'SUHAIL 7806')
- IRON PIN FOUND
- ⊙ EX. YD
- CLAY DAM
- STREET TREE
- LINE VALVE

| REVISIONS : | DATE     | DESCRIPTION                                        |
|-------------|----------|----------------------------------------------------|
|             | 06-27-11 | REVISED AS PER CITY ENGINEER'S COMMENT DATED 06-27 |
|             | 04-25-13 | REVISED GRADING IN REAR AND LOWERED EX. YARD DRAIN |
|             |          |                                                    |
|             |          |                                                    |
|             |          |                                                    |

P.P.N. 04-00-003-107-011  
STONEBRIDGE VILLAGE OF  
KJ RESIDENTIAL, LLC.  
INSTR. # 20020840321  
( 22.0056 AC. REMAINDER )



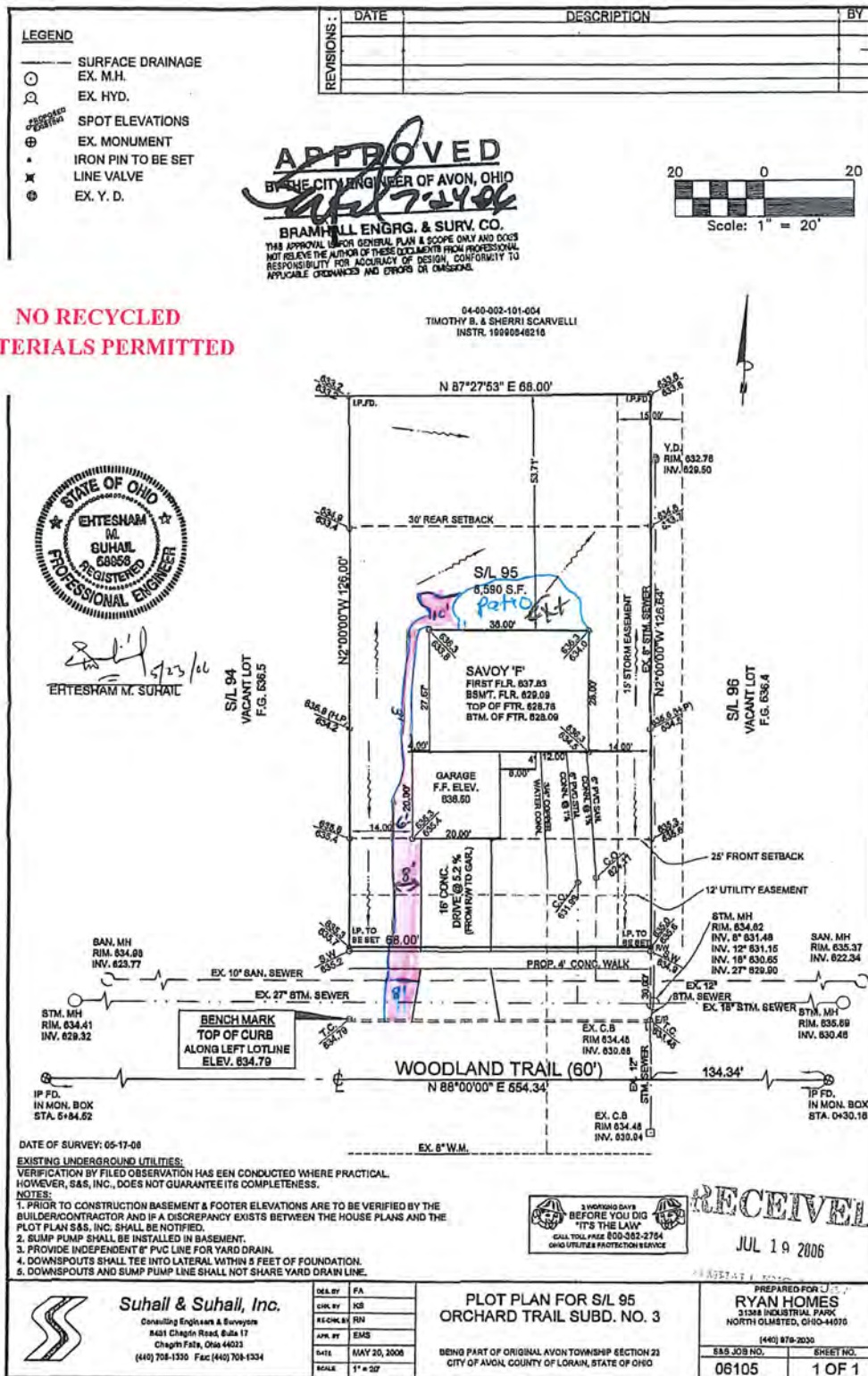
EHTESHAM M SUHAIL



☒ APPROVED / ☐ REJECTED  
BY THE CITY ENGINEER OF AVON, OHIO

ROBERT J. [Signature]  
THE APPROVAL IS FOR THE CITY ENGINEER OF AVON, OHIO  
NOT RELIEVE THE SURVEYOR OF HIS RESPONSIBILITY  
APPLICABLE ORDINANCES

SAN. M.H.  
RIM 631.70  
INV. 620.87

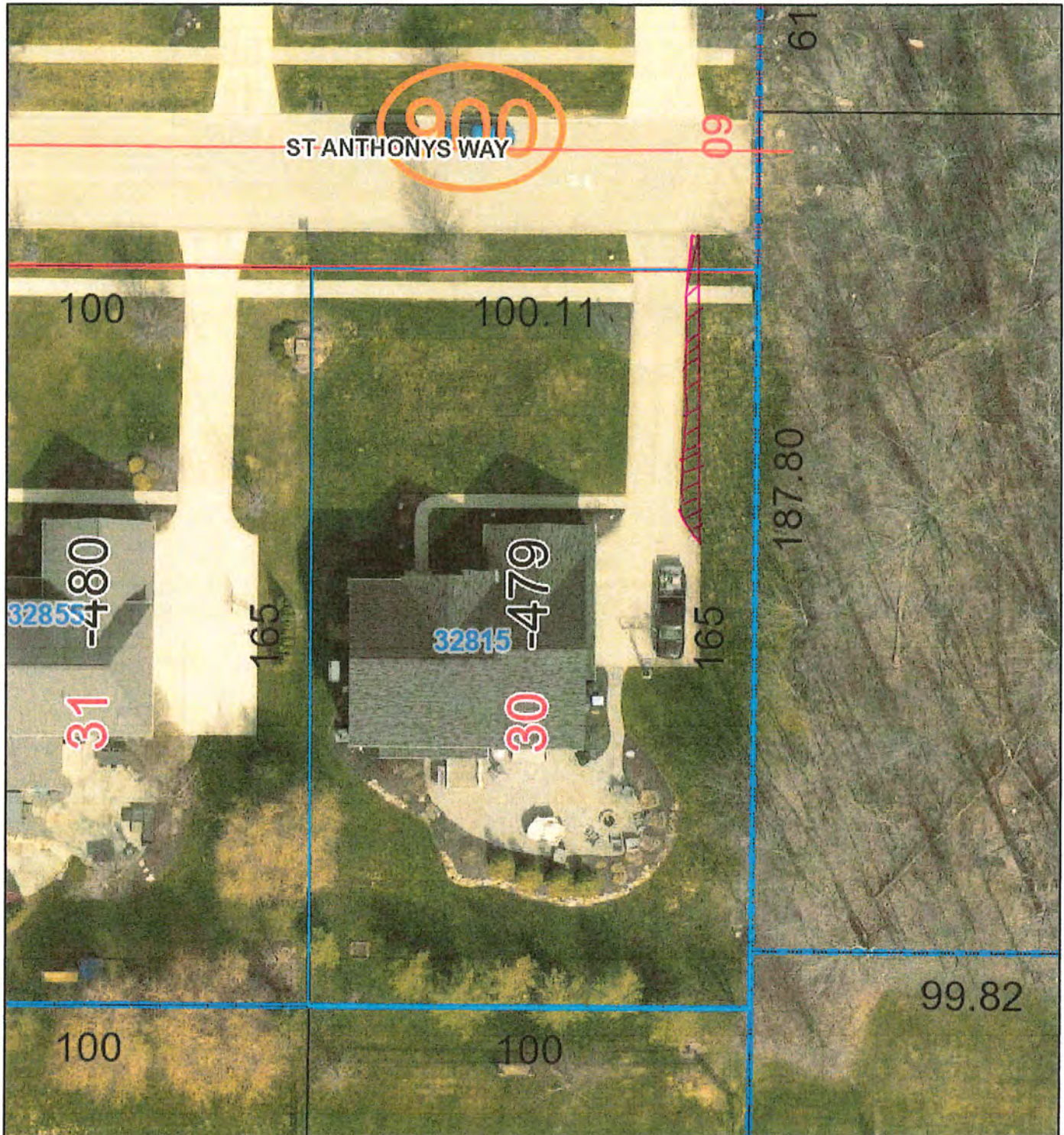


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EXHIBIT 1 VARIGLOTTI 32815 ST ANTHONYS WAY  
ArcGIS Web Map

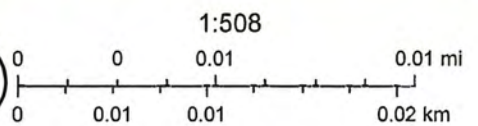


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- Centerlines LBRS
- Ownership Parcels
- Address Points
- Subdivisions\_Condominiums
- COGO

- COGO
- COGO

Blank Basemap



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

*proposed improvement area*



