

April 10, 2012

ZONING BOARD OF APPEALS MEETING

Present: Timothy Morgan, Chairman  
Roberta Lobur  
C. Douglas Whelan  
Ralph Migliaccio, Code Enforcement Officer

The Zoning Board of Appeals met on this date at 7:10 P.M. to hear the application of:

Mr. and Mrs. Phillip Sokolofsky for a variance of the side yard requirements of Chapter 165 of the code of the Village of Akron to allow construction of an addition on the premises commonly known as 51 Buell Street in the Village of Akron.

The Secretary read the proof of publication and the applicant submitted the required signatures from the surrounding neighbors within 200' from the property. Chairman Morgan asked the Sokolofskys to explain their project to the Board. Mrs. Sokolofsky stated that the project consisted of an addition to the first floor of the home including a master bedroom/bath and a family room.

Code Enforcement Officer Migliaccio stated that the Village Code requests the variance applicant to provide certain criteria of the project to enable the Board to grant the variance such as special circumstances, hardship, and that the project is not injurious or detrimental to the neighborhood. Chairman Morgan further explained the criteria of a special circumstance such as unique lot shape or size, hardship such as other layout options for the project. Mrs. Sokolofsky stated that the reason for the layout was due to a 28' pool and a large

play set located in backyard which one or both would have to be moved if the addition was placed in the rear of the home. The bedroom would be handicap assessable for her parents who would reside in the home and the family room would be off the kitchen/eating area. Code Enforcement Officer Migliaccio asked the applicants if their architect informed them of the code violations and why a site plan was not presented first before a full set of stamped plans were submitted.

Also present was Mr. Robert Whiting the Sokolofsky neighbor who would be directly affected by this addition. Chairman Morgan asked Mr. Whiting if he wished to speak. Mr. Whiting stated his disapproval of the project. He would not want the addition to be within 5.5 feet of his property line.

After further discussion the Board agreed that the layout of the addition could be altered to accommodate the side yard variance and took into account the disapproval of the most affected neighbor.

Chairman Morgan asked for a motion:

RESOLUTION duly moved by C Douglas Whelan and seconded by Roberta Lobur to deny the application of Mr. and Mrs. Phillip Sokolofsky for a variance of the side yard requirements of Chapter 165 of the Code of the Village of Akron to allow construction of an addition on the premises commonly known as 51 Buell Street in the Village of Akron. Carried Unanimously.

Adopted	Timothy Morgan	-Aye
	C. Douglas Whelan	-Aye
	Roberta Lobur	-Aye

On motion of C. Douglas Whelan and seconded by Roberta Lobur at 8:04 P.M. this meeting was ADJOURNED.