

September 27, 2012

ZONING BOARD OF APPEALS MEETING

Present: Timothy Morgan, Chairman  
David Pann  
Roberta Lobur  
C. Douglas Whelan  
Richard Hegmann

The Zoning Board of Appeals met on this date at 7:03 P.M. to hear the application of:

1) Michael Rodgers for the renewal of a Special Use Permit under Chapter 165.8 D (2) of the Code of the Village of Akron to use the premises commonly known as 26 Mechanic Street as a registered automobile repair shop within the Central Business District Zone.

2) Jason Cory for the renewal of a Special Use Permit under Chapter 165 of the Code of the Village of Akron for outside use on the premises commonly known as 15 Cedar Street

Chairman Morgan called the first variance application to the table.

The Secretary read the proof of publication and requested the fee and the required signatures of the neighbors within 200 feet of 26 Mechanic Street.

Chairman Morgan asked if anyone wished to speak. Discussion was held regarding the need for the special use permit and the length

of time for renewal. After hearing of no complaints regarding the shop Chairman Morgan asked for a motion.

RESOLUTION duly moved by Roberta Lobur and seconded by David Pann to approve the application of Michael Rodgers for the renewal of a Special Use Permit under Chapter 165.8 D (2) of the Code of the Village of Akron to use the premises commonly known as 26 Mechanic Street as a registered automobile repair shop within the Central Business Zone, with a renewal required in eight (8) years subject to review based on any complaints brought forth.

Adopted:	Timothy Morgan	- Aye
	Roberta Lobur	- Aye
	David Pann	- Aye
	Richard Hegmann	- Aye
	C. Douglas Whelan	- Aye

Chairman Morgan called the second variance application to the table.

The Secretary read the proof of publication and the applicant submitted the required signatures from the surrounding neighbors within 200 feet from the property.

Mr. Jason Cory gave the Board an overview of the patio activity from the last two years. The past year due to the extremely warm weather his business was slow for the outside patio. He stated that people would come in later after the sun went down and the temperature dropped a little which meant they were finishing up after the 10 pm curfew. Mr. Cory asked the Board if they could extend the outside dining hours until 11 pm. so he didn't have to ask customers to finish their meal inside or leave the patio. Neighbors Anthony and Mary Jo Schumacher from 10 Cedar Street stated that the noise is still an issue for them and they also requested that the front gate to the patio remain closed at all times. Mr. Cory stated that he is vigilant in policing the patio as well as locking the patio up at 10 pm. Further discussion was held regarding the closing time period, the front gate use and the length of the renewal. Zoning Member Roberta Lobur suggested having the outside patio close at 10:30 pm and see how that goes for now.

Chairman Morgan asked for a motion.

RESOLUTION duly moved by David Pann and seconded by Roberta Lobur to approve the application of Jason Cory for the renewal of a Special Use Permit under Chapter 165 of the Code of the Village of Akron to use the premises commonly known as 15 Cedar Street (The Village Inn) with regard to outside use facilities be renewed for three (3) years, with the exception that the patio door can be used as a dining room entrance and the patio will be closed by 10:30 pm.

Adopted:	Timothy Morgan	- Aye
	Roberta Lobur	- Aye
	David Pann	- Aye
	Richard Hegmann	- Nay
	C. Douglas Whelan	- Nay

On motion of Richard Hegmann and seconded by C. Douglas Whelan at 7:50 P.M. this meeting was ADJOURNED.