

March 25, 2105

ZONING BOARD OF APPEALS MEETING

Present: Timothy Morgan, Chairman
Roberta Lobur
Richard Hegmann
C. Douglas Whelan
Daniel D. Shonn, Village Attorney
Michael Borth, Code Enforcement Officer

The Zoning Board of Appeals met on this date at 7:06 P.M. to hear the application of:

Elaine Webster for a variance of the front yard fence height requirements of Chapter 165 of the Code of the Village of Akron to allow her to install a 3' fence in the front yard of her property located at 33 Cedar Street.

Chairman Morgan called Ms. Webster to the table

The Secretary read the proof of publication and requested the proof of required signatures and notifications of the neighbors within 200 feet of 33 Cedar Street. Signatures were submitted.

Chairman Morgan asked Code Enforcement Officer Borth to explain the Code. He said the code book stated a wall; fence or hedge not over 18" high may be erected within the limits of any front yard or side front yard in such a manner that the maintenance shall not be impaired. Ms. Webster currently has a hedge row surrounding her front yard and would like to replace it with a 3' black chain linked fence to keep people out of her yard and from stealing her yard ornaments

and Christmas decorations. She feels that an 18" fence would be more dangerous due to kids falling over it. She would like to remove the hedges because she has a bad back and maintaining them is becoming more and more difficult. She cited many properties in the Village that currently have fences over 18" in their front or side front yards. Village Attorney Shonn stated the Code is in place due to the fence becoming a barrier for egress as well as the small frontage from the house to the street associated with most properties in the Village. Code Enforcement Officer Borth recommended not allowing the variance because it would set a precedent that the Village would prefer not to establish. After discussion the Board agreed to deny the request.

RESOLUTION duly moved by Richard Hegmann and seconded by C. Douglas Whelan to deny the application of Elaine Webster to erect a 3' black chain linked fence in the front yard of her property located at 33 Cedar Street be and hereby is approved.

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

David Glian for a Special Use Permit required under Chapter 165 of the Code of the Village of Akron to allow operation of a Vehicle Repair Shop and or Vehicle Storage at the property located at 27 Jackson Street.

Chairman Morgan called Mr. Glian to the table

The Secretary read the proof of publication and requested the proof of required signatures and notifications of the neighbors within 200 feet of 27 Jackson Street. The Board accepted 3 out of 5 signatures required. Mr. Glian stated he will provide the last 2 in the next few days.

Chairman Morgan asked Code Enforcement Officer Borth to explain the Special Use Permit. Mr. Borth reported that the Village Code states a new business located in the Limited Industrial Zone (I-1) shall obtain a Special Use Permit. The property at 27 Jackson Street is located in a Limited Industrial Zone. Mr. Glian explained that there are nine bays in the front and one in the back of the building open for rent. He is also thinking of bringing his vehicle wholesale shop over to this

location where he would bring in used cars, clean them up and move them out.

Discussion was held regarding how many vehicles would be outside and if the property needed a storm water permit. Code Enforcement Officer Borth stated that after checking with the State, a storm water permit was not needed at this time. After the discussion all members agreed to approve the Special Use Permit for David Glian with the following conditions: the outside area be maintained in a clean and orderly fashion, an oil separator be installed and inspected yearly, building permits submitted for each new tenant, permit expires September 30, 2016 and that the last 2 signatures still outstanding are submitted.

RESOLUTION duly moved by Hegmann and seconded by Lobur to approve the Special Use Permit to David Glian to operate a vehicle repair shop and or vehicle storage with the expiration date of September 30, 2016 with the following conditions: outside area maintained in a clean and orderly manner, an oil separator be installed and inspected yearly, building permits submitted for each new tenant; and proof of the two outstanding signatures be and hereby is approved.

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

On motion of C. Douglas Whelan and seconded by Richard Hegmann at 8:02 P.M. this meeting was ADJOURNED.