

Jackson Township Board of Zoning Appeals

Meeting Minutes

January 14, 2016

Members present: Leon Vitale
Edward McDonnell
Daniel Creighton
Charles Rohr
Richard Lutz-Alternate
Jared Singer-Alternate
Zoning Inspector: Joni Poindexter
Absent Member: Patrick Snyder

Mr. Vitale stated that the first matter of business is to elect a Chairman and Vice Chairman for 2016.

Mr. Creighton nominated Mr. Vitale as Chairman for 2016 and Mr. Rohr seconded the nomination.

There were no other nominations.

The vote was: Mr. Rohr-yes, Mr. Lutz-yes, Mr. Creighton-yes, Mr. McDonnell-yes, and Mr. Vitale-abstained.

Mr. McDonnell nominated Mr. Creighton as Vice Chairman for 2016 and Mr. Rohr seconded the nomination.

There were no other nominations.

The vote was: Mr. Rohr-yes, Mr. Lutz-yes, Mr. Creighton-abstained, Mr. McDonnell-yes, and Mr. Vitale-yes.

5:30 PM Appeal #2310 - Mission BBQ Canton, OH LLC, 7750 Ritchie Highway, Glen Burnie, MD 21061 agent for DeVille Developments, LLC, property owner, 3951 convenience Circle NW, Canton, OH 44718 requests a variance for a 6'4" east side yard setback for storage area and a 15.6 ft. east side yard setback for principal building where 16 ft. is required per Art. IV Sect. 411.12, 411.5 and to allow 52 parking spaces where 60 parking spaces are required per Art. VI Sect. 601.2 of the zoning resolution. Property located at 4490 Everhard NW, Sect. 24NE Jackson Twp. Zoned B-3.

This appeal was continued from the November 11, 2015 meeting.

Mr. Vitale read an email sent to Ms. Poindexter on 1/14/16 from Steven Overholt requesting that the appeal be withdrawn.

Mr. Vitale stated per the request by the applicant the appeal has been withdrawn.

5:35 PM Appeal #2312-Westridge Apartments LLC, 1201 South Main St. North Canton, Ohio 44720 agent for Russell & Linda Lebo, property owner, 7449 Hills & Dales Rd. NW, Massillon, Ohio 44646 requests a conditional use permit for a group dwelling development where a conditional use permit is required per Sect. 401.3 of the zoning resolution effective 12/10/14 thru 6/10/15.

Mr. Vitale read the application and contents of the file into the record.

Mr. Vitale swore in John Elsieg 565 White Pond, Akron Ohio. Mr. Elsieg stated that the property is zoned R-4 and the site plan meets all the requirements per the conditional use permit. The reason they are in front of the board is because they are doing multiple buildings on the property which requires a conditional use permit. They do not need any variances. One building will have 20 units and two buildings will have 6 units. All the buildings are two stories. They have a loop around the building for fire and safety reasons. There will be garages on the property as well as outside parking. The units will be between 800 sq. ft and 1,400 sq. ft. with various styles.

Mr. Elsieg stated that the Lebo's will continue to live in their house which is to the south. There are other apartments to the west and to the north are the soccer fields. The existing billboards will be removed. The property is surrounded by R-4 properties except north which is where the soccer fields are located.

Mr. Vitale reviewed the criteria for the conditional use permit and stated that it appears per what was submitted that everything is covered.

Mr. Elsieg responded to all the criteria per the conditional use permit and they will provide a dog park at the southwest corner of the property for those that want to have an area on the property for their dogs.

Mr. McDonnell stated that it was mentioned during the reviewing of the criteria that they will comply with the entrance and exit setbacks and asked how far the entrance is from Stuhldreher.

Mr. Elsieg stated it is at least 200 plus feet.

Mr. McDonnell asked how the property would be paved.

Mr. Elsieg stated it would probably have a concrete approach and then asphalt pavement. There is one dumpster that is designed for easy access for a truck. They will have a 20 buffer and the screening will be some sort of pine trees or mounding with landscaping. They do not have a parking area that has greater than 50 parking spaces. The bufferyard next to soccer fields will have a 20 ft. buffer and a 35 ft. setback to the building deck.

Mr. Vitale swore in Mr. Lebo, 7449 Hills & Dales, Massillon, Ohio 44646. Mr. Lebo stated that he is in favor of the request. It is a nice project and will improve the neighborhood and the billboards will be gone.

No one else spoke in favor of the appeal and no one spoke in opposition to the appeal.

Mr. Elsieg stated he feels it is a proper project and good use of the land and asked for an approval.

Mr. Vitale closed the appeal to public input.

Mr. McDonnell stated basically the trustees have listed conditions and if they are met it is typical that the board approves the conditional use permit. The applicant has demonstrated that they meet the conditions. He has no problem with the appeal and plans to vote in favor of the request.

Mr. Vitale stated he looked at the property and thinks it is a practical use for the property. He thinks the plan has been presented well and the design criteria have been met. He has no problem in granting the conditional use permit.

Mr. McDonnell made a motion to approve appeal #2312 as requested.

Mr. Creighton seconded the motion.

The vote was: Mr. Rohr-yes, Mr. Lutz,-yes, Mr. Creighton-yes, Mr. McDonnell-yes, and Mr. Vitale-yes.

Mr. Vitale made a motion to approve the meeting minutes from the October 22, 2015 meeting and Mr. Rohr seconded the motion.

The vote was: Mr. Lutz-yes, Mr. Rohr-yes, Mr. Snyder-yes, Mr. McDonnell-yes, and Mr. Vitale-yes.

Mr. Rohr made a motion to approve the meeting minutes from the November 12, 2015 meeting and Mr. Lutz seconded the motion.

The vote was: Mr. Lutz-yes, Mr. Rohr-yes, Mr. McDonnell-yes and Mr. Vitale-yes.

Mr. Rohr made a motion to adjourn the meeting and Mr. Lutz seconded the motion.

The vote was: Mr. Lutz-yes, Mr. Rohr-yes, Mr. Snyder-yes, Mr. McDonnell-yes and Mr. Vitale-yes.

Respectfully submitted,

Joni Poindexter
Zoning Inspector