

Jackson Township Board of Zoning Appeals

Meeting Minutes

December 8, 2016

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

Mr. McDonnell recused and Mr. Lutz participated in appeal #2326.

5:30 PM Appeal #2326 – Floyd Gayazak, 417-18<sup>th</sup> St. NW, Canton, Ohio 44709 agent for Rebekah Stephens 3707 Piperglen Ave. NW, Massillon, Ohio 44646 requests a variance for a 7 ft. north side yard setback for principal dwelling where 10 ft. is required per Art. IV Sect. 401.6 of the zoning resolution. Property located at 3707 Piperglen NW, Sect. 33NE Jackson Twp. Zoned R-1.

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

Mr. Vitale swore in Floyd Gayazak, 417-18<sup>th</sup> St. NW, Canton.

Mr. Gayazak stated they want to build a carport on the side of the home to keep their car out of the weather. It will be an open carport.

Mr. Gayazak presented exhibit #1 which was a photo showing the carport.

Mr. Gayazak stated the proposed carport will have a hip roof and no walls.

Mr. Vitale stated that it appears the neighbor home on the right seems to be far away from the proposed addition.

Mr. Gayazak stated the carport will be 11 x 15 ft. and there is an existing driveway to the proposed carport. It the roof will match the existing home.

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

Mr. Vitale closed the hearing to public input.

Mr. Snyder stated it is just 3 ft. and he doesn't have any concerns.

Mr. Creighton agreed with Mr. Snyder.

Mr. Vitale stated he doesn't see a problem with it and it appears the neighbor to the right is at least 15 ft. away from the property line and it is an open structure.

Mr. Rohr made a motion to approve appeal #2326 as requested.

Mr. Lutz seconded the motion.

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

Mr. McDonnell recused and Mr. Singer participated in appeal #2327.

5:45 PM Appeal #2327 – Tim Almas, property owner, 600 Stuart NW, Massillon, Ohio 44646 requests a variance for an 8 ft. east side yard setback for principal structure where 10 ft. is required per Art. IV Sect. 401.6 of the zoning resolution. Property located at 600 Stuart NW, Sect. 32 SW Jackson Twp. Zoned R-1.

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

Mr. Vitale swore in Tim Almas, 600 Stuart NW, Massillon, Ohio.

Mr. Almas stated he wants to put an addition onto the existing single car garage. The requirement is 10 ft. and the proposed addition would be 8 ft. from the property line. There is an existing patio that would tie into the addition. The sketch in the file shows that it is a hip style roof.

Mr. Vitale asked why the garage couldn't go behind the house.

Mr. Almas stated that there is a raised garden and he would have to cut down a few trees and remove the shed. He is just looking to store his car in the garage and not misc. items. The back of the lot is fenced in.

Mr. Vitale stated he thinks there is a practical difficulty with the back yard in having to move the shed and the raised garden.

Mr. Almas stated there is also a slope on the property.

Mr. Snyder asked what the width is based on.

Mr. Almas stated there is a concrete driveway so it would tie into the existing driveway.

Mr. Singer asked if the garage would connect with a man door.

Mr. Almas stated there is a breezeway that has a man door to the garage.

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

Mr. Vitale closed the appeal to public input.

Mr. Rohr stated the house on the east side is pretty tight and there isn't a lot of room but there is no one in attendance that disagrees with him doing this so he doesn't see a problem. It makes the most sense where he wants to put it.

Mr. Creighton stated he walked the property and seen the raised garden and trees and this is the best place for the addition.

Mr. Singer stated he thinks 2 ft. isn't a big deal and the existing driveway is there. He sees no issue with the variance.

Mr. Vitale stated he noticed while driving the neighborhood that it appears there may have been other variances granted in the area and he doesn't have problem. It appears the back yard is a practical difficulty.

Mr. Creighton made a motion to approve appeal #2327 as requested.

Mr. Snyder seconded the motion.

The vote was: Mr. Rohr-yes, Mr. Snyder-yes, Mr. Singer-yes, Mr. Creighton-yes, and Mr. Vitale-yes.

Mrs. Poindexter stated those in attendance for the October 27, 2016 meeting were Mr. McDonnell, Mr. Snyder, Mr. Rohr, Mr. Lutz and Mr. Singer.

Mr. Rohr made motion to approve the meeting minutes from the October 27, 2016 meeting.

Mr. Snyder seconded the motion.

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

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

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

Respectfully submitted,

Joni Poindexter  
Zoning Inspector