

Jackson Township Board of Zoning Appeals

Meeting Minutes

September 8, 2016

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

5:30 PM Appeal #2320 – Rea Building Corp. 8230 Lutz Ave. NW, Massillon, Ohio 44646 agent for Regina Rokosky, 7114 Blue Thistle Circle NW, Massillon, Ohio 44646 requests a variance for a 21 ft. front yard setback for principal dwelling where a 40 ft. front yard setback is required per Art. IV Sect. 401.6 of the zoning resolution. Property located at 9276 Broadland NW, Sect. 7SE Jackson Twp. Zoned R-R.

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

Mr. Vitale swore in those in favor of the appeal.

Mr. Skip Rae, 8230 Lutz Ave. NW, Massillon, Ohio stated he is the developer of Hunters Chase. When the allotment was laid out the cul-de-sac was not put in because of the retention pond. Although the cul-de-sac was platted the 50 ft. section will never be built. If they go back 40 ft. it puts the house so far back that it would be over the hill. They want to move it forward so it will be on flat land. The houses on either side would be in line with the new house. The house would be 78 ft. from the curb even with the granting of the variance.

Mr. Vitale stated he believes there is a storm inlet in the middle of the lot.

Mr. Rae stated that they would address this with the township regarding putting in a catch basin and there is plenty of room for a driveway.

Mr. Snyder asked who would own the property where the cul-de-sac was going to be.

Mr. Rae stated that it would continue to be owned by the township.

Mr. McDonnell asked if a line was drawn from 9294 Broadland to the northeast corner of 7034 Wild Fox the line of the front of the house is where.

Mr. Rae stated that it would be in line.

Mr. McDonnell asked why not re-plat the cul-de-sac.

Ms. Poindexter stated it would have to be vacated.

Mr. Dan Funk, 7034 Wild Fox run stated he is in favor and it would be impossible to build it further back because of the hill. He prefers the house not be built further back because it would be in view of his back yard.

Mr. Lawrence, 7041 Wild Fox Run stated in general restrictions are good and should be abided by but in this case he has no problem with the variance and the house will in line with the other houses and 78 ft. back from the road.

No one else spoke in favor of the appeal.

No one spoke in opposition to the appeal.

Mr. Vitale closed the appeal to public input.

Mr. Vitale stated he thinks the appeal is almost silly but they have to ask for it. Nothing will change because all utilities and the road are there. He has no problem with the appeal and it makes sense.

Mr. Creighton agreed with Mr. Vitale

Mr. Rohr stated he agrees with the other board members but thinks the right of way should have been changed. To him it is a no brainer.

Mr. McDonnell stated in looking at 803.5B he thinks the practical difficulty has been met to justify the variance.

Mr. Snyder made a motion to approve appeal #2320 for a 21 ft. front yard setback for the principal dwelling where 40 ft. is required.

Mr. Creighton seconded the motion.

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

Ms. Poindexter asked for a motion for approval of the June 23, 2016 meeting minutes. Absent for the June 23, 2016 meeting was Mr. Snyder and Mr. Singer.

Mr. Vitale made a motion to approve the meeting minutes from the June 23, 2016 meeting.

Mr. Creighton seconded the motion.

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

Mr. Vitale made a motion to adjourn the meeting and Mr. Creighton seconded the motion.

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

Respectfully submitted,

Joni Poindexter
Jackson Township Zoning Inspector