

Jackson Township Board of Zoning Appeals
April 23, 2026

Members Present: Patrick Snyder
Jared Singer
Randy Alexander
Alex McArthur
Steven Gosney-Alternate
Nick Young-Alternate
Zoning Inspector: Joni Poindexter

Absent Members: Debbie Busby

5:00 AM Appeal #20260212 - DeWayne Hein, 601 Shelby Rd Detroit MI 48226 agent for Belden Park Delaware LLC, property owner, 1350 W. Third St., Cleveland, Ohio 44113 request a variance for a 35 ft. rear (west) building setback from a residential district for a truck dock and trash compactor (although it will be 85 ft. from the west property line where the actual residential uses are located) and a 10 ft. rear (west) parking setback from a residential district (although it will be 60 ft. from the west property where the actual residential uses are located) where a 75 building setback and a 20 ft. parking setback is required from a residential district per Schedule 411.5 and 411.8 of the zoning resolution. Property located at 5577 Dressler NW, North Canton, Ohio 44720. Split zoned R-R and B-3.

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

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

Mr. Keith Fitz, 6340 Harwig Way, Akron, Ohio stated the box is vacant and they want to divide it into two different businesses. The new business will be a retailer, but he is not able to say who it is because the lease has not been finalized. The business needs to be able to load and unload their product at their own business. The dock door will be 4 ft. off the ground, and they need to massage the curb a little bit for traffic flow. They will not affect any easements, gas or sanitary lines.

Mr. Singer asked if the variance is for 35 ft. where 75 is required for the building and 10 ft. where 20 ft. is required for the parking from the residential district although it is actually 85 ft. from the property line for the building and 60 ft. from the property line for the parking.

Mr. Fitz stated yes. Mr. Fitz stated DeWayne Hein responded to the practical difficulty requirements.

Mr. Singer asked why the variances were required.

Mr. Fitz stated to allow for the truck dock. It would be hard for the tenant to utilize another truck dock that is not part of their business.

Mr. Singer stated that it appears there is existing truck dock on the south side of building and the new dock would be on the west side for access to the new tenant space.

Mr. Fitz stated that is correct.

Mr. Singer asked what the hours would be for access of the dock.

Mr. Fitz stated they could talk to the tenant and give them restrictions if needed. They also need to extend the parking setback to accommodate fire access.

Mr. Alexander asked if the fire hydrants would have to be moved.

Mr. Fitz stated the dock, and the compactor would be going in between them.

Mr. Alexander asked where the dock is compared to the delivery doors.

Mr. Fitz stated that the delivery doors are for Barns and Noble.

Mr. Fitz stated if the tenant doesn't get the variance for the truck dock and compactor they won't come to Jackson.

No one else spoke in favor of the appeal

Mr. Singer asked for anyone who wanted to speak in opposition to the variances.

Mr. Singer swore in the following:

Sandra Theis 5435 Echohill NW, Canton, stated she is not opposed to it. She wants to make sure the people who live in the area will be protected. It won't affect her because she lives on Fulton. She is worried about the lights. When this was originally built it was to be maintained and mowed. She stated that the property does not get mowed and gets overgrown. They mow it maybe once a year.

Ms. Poindexter explained the mowing resolution and steps that can be taken if a property falls under the weed legislation.

Ms. Carol Thatcher 4710 Echovalley NW stated her property is across the street from the shopping center. She has never had a problem with the lights, and it doesn't sound like what he wants to do has anything to do with them. Her only issue would be if there is noise with the trucks and compactor. The variance isn't going to do anything to affect her. She doesn't know why the previous person that spoke said the grass doesn't get mowed because it does. The grass gets mowed more than once a year and this isn't a problem. Ms. Theis stated the statement that it doesn't get mowed is not correct.

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

Mr. Fitz stated he will look into any grass issues and the lights will be a down lighting. He will talk to the tenant to see when loading and unloading will take place. This shopping center will not have any vacancies if the proposed tenant is able to move in.

Mr. Singer closed the appeal to public input.

Mr. Snyder stated the dock and compactor are being built in the space behind the building and the road is being extended. He thinks the practical difficulty has been met and this does not substantially change the neighborhood. He has no issue with it.

Mr. McArthur asked Ms. Poindexter who dictated when the deliveries are received.

Ms. Poindexter stated she believes it would be the business owners.

Mr. Singer stated the request before the board is the setbacks. It is a minimal request, and he thinks everyone would like to see the shopping center full. He doesn't see anything that would negatively impact the area. He stated doesn't have an issue with the request and he thinks there is a practical difficulty.

Mr. Gosney made a motion to approve appeal 20260212 as requested.

Mr. Alexander seconded the motion.

The vote was: Mr. Snyder-yes, Mr. Singer-yes, Mr. Alexander-yes, Mr. McArthur-yes, and Mr. Gosney-yes.

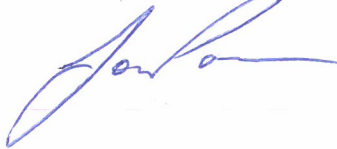
Mr. Snyder made a motion to approve the meeting minutes of the March 12, 2026 meeting.

Mr. McArthur seconded the motion.

The vote was: Mr. Snyder-yes, Mr. Singer-yes, Mr. McArthur-yes, and Mr. Young-yes.

Being no further business the meeting was adjourned.

Respectfully submitted



Joni Poindexter

Jackson Township Zoning Inspector

**JACKSON TOWNSHIP BOARD OF ZONING APPEALS
CONCLUSIONS OF FACT
APPEAL #20260212**

Upon the hearing, the Board determined that the variance would allow for a 35 ft. rear (west) building setback from a residential district for a truck dock and trash compactor (although it will be 85 ft. from the west property line where the actual residential uses are located) and a 10 ft. rear (west) parking setback from a residential district (although it will be 60 ft. from the west property where the actual residential uses are located) where a 75 building setback and a 20 ft. parking setback is required from a residential district per Schedule 411.5 and 411.8 of the zoning resolution. Property located at 5577 Dressler NW, North Canton, Ohio 44720. Split zoned R-R and B-3.

Whereas, upon the Board determined:

 The addition will actually be 85 ft. from the west property line and the parking setback will actually be 60 ft. from the west property line. The practical difficulty is that a 50 ft. wide portion of the property was left as residential. The residential portion cannot be built residential or commercial due to the gas and sewer easement that runs through the residential portion of the property. The variances are not substantial.

Whereas, the Board further:

Denied _____

Approved X

 The 35 ft. rear (west) setback from a residential district where 75 ft. is required and a 10 ft. rear (west) parking setback where 20 ft. is required from a residential district.

Mr. Gosney motioned to approve the variance as requested.

Mr. Alexander seconded the motion.

The vote was: Mr. Snyder-Yes
 Mr. McArthur-Yes
 Mr. Singer-Yes
 Mr. Gosney-Yes
 Mr. Alexander-Yes



Chairman



Zoning Inspector, Joni Poindexter