

Jackson Township Board of Zoning Appeals

April 28, 2022

Members Present:

Jared Singer
Steven Gosney-Alternate
Randy Alexander-Alternate

Zoning Inspector:

Joni Poindexter

Absent Member:

Patrick Snyder
Debbie Busby
Edward McDonnell
Charles Rohr

5:00 PM Appeal #2439 - Michael & Dawn Danner, 7768 Oakdale NW, Massillon, Ohio 44646, property owner, requests a variance for a 10 ft. east side yard setback for existing garage and addition to the existing garage where 25 ft. is required per Art. IV Sect. 401.11 of the zoning resolution. Property located at 7768 Oakdale NW, Sect. 28SW Jackson Twp. Zoned R-1A.

In the absence of Mr. Snyder, Chairman, Mr. Singer read the file application and contents of the file into the record.

Mr. Singer swore in Michael Danner, 7768 Oakdale NW, Massillon, Ohio 44646.

Mr. Danner stated he is requesting a variance to add onto the existing garage to the south. There was no road there when the house and garage were built in the late 1980's. Dartmouth Circle was put in sometime in 1998. He wants to add on to the existing garage and make it look nice with the addition being in line with the existing garage. Upon completion, the garage will be resided to match the house and he will pipe the ditch for the drive access. He has owned the property since 1992.

Mr. Alexander asked if the existing barn beside the garage would be removed.

Mr. Danner stated yes. The rooflines for the addition and existing garage will match.

Mr. Alexander asked how much space is between the new garage and the neighbor with the fence.

Mr. Danner stated 24 ft.

Mr. Singer asked if he looked at any other locations.

Mr. Danner stated he did not want to add on to the west side of the garage because he would lose most of his yard and because of the roofline. In order to get the height of the garage he would have to remove the existing roof and the wall to the west. He would not have enough room to go to the west.

Mr. Singer asked Ms. Poindexter if the road were not there, would a variance not be required.

Ms. Poindexter stated that is correct.

Mr. Danner presented exhibit A and B, which is the drawing of the addition and old photos of the property.

Mr. Singer asked why it is not feasible to put the garage somewhere else as a freestanding structure.

Mr. Danner explained if he tore the existing garage down, he could not go to the existing 10 ft. setback.

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

Mr. Singer closed the appeal to public input.

Mr. Singer stated based off the testimony, he understands this cannot go anywhere else on the property. Since it is flush with the existing garage there is no issue and the road was installed after he purchased the property. He has no issue with the request.

Mr. Alexander agreed with Mr. Singers comments and stated he understands why he cannot put it on the west side and with the way roofline is. He is in favor of the variance.

Mr. Gosney agreed with the other members. He thinks there would be other issues if the structure were moved to a different location.

Mr. Gosney made a motion to approve appeal #2439 as requested.

Mr. Alexander seconded the motion.

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

Being no further business the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joni Poindexter".

Joni Poindexter

Jackson Township Zoning Inspector

JACKSON TOWNSHIP BOARD OF ZONING APPEALS
CONCLUSIONS OF FACT
APPEAL #2439

Upon the hearing, the Board determined that the variance would allow for a 10 ft. east side yard setback for existing garage and addition to existing garage where 25 ft. is required per Art. IV Sec. 401.11 the zoning resolution. Property located at 7768 Oakdale NW, Massillon, Ohio 44646.

Whereas, upon the Board determined:

The variance will bring the existing garage into compliance with zoning and the addition will not go any closer to the road right of way than the existing garage. When garage was built the road did not exist.

Whereas, the Board further:

Denied _____

Approved X

The variance for a 10 ft. east side yard setback for existing garage and addition to existing garage where 25 ft is required per Art. IV Sect. 401.11 of the Zoning Resolution.


Mr. Gosney made a motion to approve appeal #2439 as requested.

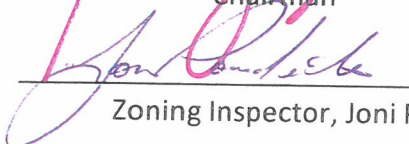
Mr. Alexander seconded the motion.

The vote was: Mr. Alexander-Yes

Mr. Singer-Yes

Mr. Gosney-Yes


Chairman


Zoning Inspector, Joni Poindexter