

Jackson Township Board of Zoning Appeals
September 8, 2022

Members Present: Jared Singer-Recused
Patrick Snyder
Edward McDonnell
Debbie Busby
Randy Alexander-Alternate
Zoning Inspector: Joni Poindexter
Absent Member: Steven Gosney

5:00 PM Appeal #2022525 – McKinley Development Co. LTD, property owner, 8230 Pittsburg NW, North Canton, OH 44720 requests a conditional use permit for a Multi-Family Dwelling with more than 6 units per acre where a conditional use permit is required per the R-4 regulations effective prior to 6/11/2015. Property located at 7439 Hills & Dales NW, Sect. 33SE Jackson Twp. Zoned R-4.

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

Ms. Poindexter gave a summary on the property and explained the property was zoned R-4 prior to a change in the regulations on 6/11/2015 that eliminated future simple R-4 areas. Therefore any use on the property falls under the R-4 regulations effective prior to 6/11/2015. There was a conditional use permit granted on 1/14/2016 for an apartment complex on the property; however, because the permit was not picked up within one year of the approval the permit expired.

Mr. Snyder swore in John Walsh, 565 White Pond Dr, Akron, OH 44320 and Tony Perez. 8230 Pittsburg NW, North Canton, OH.

Mr. Walsh stated they are proposing a 30-unit 3-story apartment building. Each unit will have a parking space in the parking lot and an enclosed parking spot in the garage. The site plan conforms to the zoning requirements for the conditional use and if approved by the BZA it will go through RPC. The difference between the original site plan that was submitted for this appeal and the revised site plan is due to access management and the county engineer had a concern about the distance between the driveway access and Stuhldreher and Hills and Dales. They moved the drive therefore flipping the site to receive a favorable approval for the site.

Mr. Perez stated they are trying to keep the trees and buffers and will be removing the old barn on the property and house. The billboards will also be taken down. The apartments will rent between \$1,100 to \$1,500 a month. They will also have a dog park on the property.

Mr. Walsh stated they are only constructing one apartment building so they can preserve more green space. There are apartment buildings in the area that have about 12 units per acre so they feel their building will fit in with the surrounding area.

Mr. Walsh stated that they were previously granted a CUP for less units. The answers to the criteria have been submitted for the conditional use and they feel all the criteria is being met.

Mr. Busby asked if the previous plan in 2016 had additional units.

Mr. Perez stated yes. The previous plan had 32 units. They removed two units and are asking for 30 units.

Mr. McDonnell asked Mr. Walsh to explain the site plan and where the buildings are located.

Mr. Walsh explained the site plan and showed the board a copy of the elevation drawing for the building.

Mr. McDonnell asked if the entrance would be more than 50 ft. from Stuhldreher and Quail Hollow.

Mr. Walsh stated yes.

Mr. Alexander stated the driveway was moved an additional 130 ft. away from the intersection of Stuhldreher and Perry Dr. and asked how far the garages are from the existing home to the south.

Mr. Walsh stated it is about 75 ft.

Mr. Alexander asked if the garages are actually a garage or carport.

Mr. Walsh stated they are garages with doors.

Mr. Perez stated the soccer fields are about 150 ft. away from the property line.

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

Mr. McDonnell asked Ms. Poindexter if the plan meets the requirements and if they are responsible for the answers to the CUP criteria submitted prior to the hearing and in the file.

Ms. Poindexter stated yes.

Mr. Snyder closed the appeal to public input.

Mr. Snyder stated since this was approved in 2016. The only difference is the placement of the driveway and two fewer units he has no issue with the approval. It fits in the neighbor.

Mr. Alexander stated this is 3.3 acres and is the same as the last time. He had no issues with request.

Mr. Snyder made a motion to approve appeal # 2022525.

Mr. Alexander seconded the motion.

The vote was: Mr. McDonnell-yes, Mr. Snyder-yes, Mr. Alexander-yes, Ms. Busby-yes and Mr. Singer-yes.

Ms. Poindexter stated the meeting minutes from April 28th cannot be approved due to a quorum of those present at the meeting on April 28th are not in attendance.

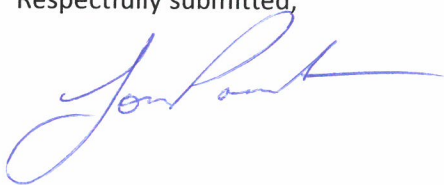
Ms. Poindexter stated the meeting minutes from the June 23, 2002 meeting needed approval and those present for the meeting were Mr. Singer, Mr. McDonnell, Ms. Busby, and Mr. Alexander.

Mr. Busby made a motion to approve the meeting minutes from the June 23, 202 meeting and Mr. Alexander seconded the motion.

The vote was: Mr. Singer-yes, Mr. McDonnell-yes, Mr. Alexander-yes, and Ms. Busby-yes.

Being no further business the meeting was adjourned.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Joni Poindexter", with a long horizontal flourish extending to the right.

Joni Poindexter

Jackson Township Zoning Inspector

JACKSON TOWNSHIP BOARD OF ZONING APPEALS
CONCLUSIONS OF FACT
APPEAL #2022525

Upon the hearing, the Board determined that the approval would allow for a conditional use permit for a Multi-Family Dwelling with more than six units per acre where a conditional use permit is required per the R-4 regulations effective prior to 6/11/2015. Property located at 7439 Hills & Dales NW, Sect. 33SE Jackson Twp. Zoned R-4.

Whereas, upon the Board determined:

The criteria for the conditional use permit had been met therefore allowing for the permit to be issued. The request is for less units and buildings than the previous request that was granted in 2016.

Whereas, the Board further:

Denied _____

Approved X

The conditional use permit for a Multi-Family Dwelling with more than six units per acre where a conditional use permit is required .

Mr. Snyder made a motion to approve appeal #2022525 as requested.

Mr. Alexander seconded the motion.

The vote was: Mr. Alexander–Yes
Mr. McDonnell-Yes
Mr. Snyder-Yes
Ms. Busby-Yes



Chairman


Zoning Inspector, Joni Poindexter