

Jackson Township Board of Zoning Appeals

September 14, 2023

Members Present: Patrick Snyder
Steven Gosney
Jared Singer
Debbie Busby
Alyssa Bettis-Alternate

Zoning Inspector: Joni Poindexter

Absent Members: Edward McDonnell
Randy Alexander-Alternate

Appeal # 2023714 – Nicholas and Melodie Lare, property owner, 6415 El Mar Dr. NW, North Canton, Ohio 44720 requests a variance for a replacement accessory building in the front yard area where accessory buildings are permitted in the rear or side yard per Art. IV, Sect. 401.11 of the zoning resolution. Property located at 6415 El Mar Dr. NW, Sect. 15 NW Jackson Twp.

Mr. Singer swore in Nicholas and Melodie Lare, 6415 El Mar Dr. NW.

Ms. Lare stated there was a barn on the property when they purchased it that was in bad shape. They tore down the building and want to replace it with another building in the same spot, except rotated. There are trees, septic and standing water in the back of the property that prevents the structure from being moved to a different location so they are requesting the variance to put the new shed in the approximate same location.

Mr. Lare stated the old structure was 28'x38'. The new barn will be 14'x24'. It will not be any closer to the property line than the previous structure and will actually be further away from the property line. The old structure was 20 ft. from the property line and the new one will be about 30 ft. from the property line.

Mr. Singer asked who wrote the responses that are in the file per section 803.5 (B).

Ms. Lare stated her and her husband wrote them together but she typed them up.

Mr. Lare stated the left side of the property is wet. The right side has the septic tank and the ground slopes. The back also has the leach field and septic.

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

Mr. Singer closed the appeal to public input.

Mr. Snyder asked Ms. Poindexter if there was a previous variance for the old structure.

Ms. Poindexter stated not that she is aware of. It appears the structure has been there for a long time.

Ms. Busby stated she has no problem with the variance. The new shed will be smaller and further from the lot line than the old one.

Mr. Gosney agreed with Ms. Busby and stated that he does not have a problem with the variance.

Mr. Snyder stated there is a practical difficulty with putting it in the rear because it is not possible. They are replacing an existing structure with a smaller one so he has no problem with the variance.

Mr. Singer agreed with the other members. The barn was not usable and it is being replaced. It is smaller in size and further from the property line so he supports the request.

Ms. Busby made a motion to approve appeal # 2023714 as requested.

Mr. Gosney seconded the motion.

The vote was: Mr. Singer-yes, Mr. Snyder-yes, Mr. Gosney-yes, Ms. Busby-yes, and Ms. Bettis-yes.

Mr. Gosney made a motion to approve the meeting minutes from the July 13, 2023 meeting.

Ms. Bettis seconded the motion.

The vote was: Mr. Snyder-yes, Mr. Gosney-yes, and Ms. Bettis-yes.

Mr. Gosney made a motion to approve the meeting minutes from the August 10, 2023 meeting.

Ms. Busby seconded the motion.

The vote was: Mr. Gosney-yes, Mr. Singer-yes, and Ms. Busby-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 #2023714**

Upon the hearing, the Board determined that the variance would allow for an accessory building in the front yard area where accessory buildings are permitted in the rear or side yard per Sect. 401.11 of the zoning resolution. Property located at 6415 El Mar Dr. NW, Sect. 15NW Jackson Twp. Zoned R-R.

Whereas, upon the Board determined:

 They are replacing an old building that was in disrepair and needed to be torn with a new building in the same location. There are existing trees, wet grounds, septic tank and slopped grounds on the property that prevents the structure from being moved to a different location.

Whereas, the Board further:

Denied _____


Approved X

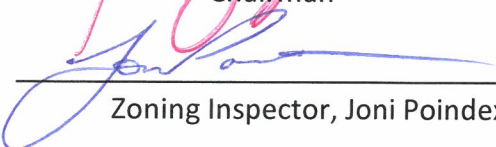
The variance to allow an accessory building in the front yard area where permitted in the rear or side yard. Per Art. IV Sect. 401.11 of the zoning resolution.

Ms. Busby made a motion to approve appeal #2023714as requested.

Mr. Gosney seconded the motion.

The vote was: Mr. Gosney-Yes
 Mr. Singer-Yes
 Mr. Snyder-Yes
 Ms. Busby-Yes
 Ms. Bettis-Yes



Chairman


Zoning Inspector, Joni Poindexter