

Jackson Township Board of Zoning Appeals  
January 23, 2025

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

Ms. Poindexter stated the first order of business is selecting a Chairman and Vice Chairman.

Mr. Snyder nominated Mr. McDonnell for Chairman of the BZA for 2025.

Mr. Alexander seconded the nomination.

Being no further nominations the vote was as follows:

Mr. Alexander-yes, Mr. McDonnell-abstain, Mr. Singer-yes, Mr. Snyder-yes, and Ms. Busby-yes.

Mr. Singer nominated Mr. Snyder for Vice Chairman of the BZA for 2025.

Mr. Alexander seconded the nomination.

Being no further nominations the vote was as follows:

Mr. Alexander-yes, Mr. McDonnell-yes, Mr. Singer-yes, Mr. Snyder-abstain, and Ms. Busby-yes.

**5:00 PM Appeal # 20241109-** Louie DeSarro & Tiffany Lorenz, property owner, 7392 Strausser NW, North Canton, OH 44720 requests a variance for a 17.67 ft. south (rear) yard setback for dwelling addition where 25 ft. is required per Art. IV Sect. 401.6 of the zoning resolution. Property located at 7392 Strausser NW, Sect. 9NE Jackson Twp. Zoned R-R.

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

Mr. McDonnell swore Louis DeSarro, 7392 Strausser NW, North Canton, Ohio and Kerry Freeman, 4775 Munson NW, Canton, Ohio that wanted to speak regarding the appeal.

Mr. McDonnell asked for those to speak in favor of the appeal.

Louie DeSarro, 7392 Strausser NW, North Canton, Ohio stated they want to add an addition on the west side of the house with a bedroom and bathroom and a porch/all season room at the rear of the addition. The bedroom and bathroom addition will comply with the 25 ft. rear setback. The porch/all season room portion will be 17.67 ft. from the south property line and this is the portion that will need the variance.

Mr. McDonnell asked if the entire structure is enclosed.

Mr. DeSarro stated yes.

Mr. McDonnell asked why the porch addition needed to extend into the setback because the current house is 30 ft. from the property line.

Mr. DeSarro explained that the all season room is 12 x 25. He is not the owner but he lives there. Tiffany is the owner and he is engaged to her.

Mr. McDonnell asked who LFL Contractors is.

Mr. DeSarro stated that is Tiffany's son.

Mr. McDonnell asked if there are easements on the property and asked who owns the property to the rear.

Mr. DeSarro stated whoever owns the pharmaceutical building. He did not build the house so he doesn't know why they put the house back so far on the lot. If he would have built it he would have put it in the middle of the property.

Mr. DeSarro gave the board a copy of the plans showing what the building would look like that was marked as Exhibit #1 and consisted of seven pages.

Mr. Singer asked why the porch needed to be placed at the proposed location and why it couldn't be on the west side of the property.

Mr. DeSarro stated he wanted it in the rear because of the view. The west and south side of the entire porch/all season room will have all windows and the door will be on the east side.

Ms. Busby stated there is 41 ft. to the west property line from the proposed addition for the bath and bedroom so if they added the sunroom to the west side of the house they wouldn't need a variance.

Mr. DeSarro stated it would be better on the south side.

Mr. Singer asked if he is aware of any easements on the west side of property.

Mr. DeSarro stated he doesn't know if there are easements but there is a gas well to the west.

No one else spoke in favor of the appeal.

Mr. McDonnell asked if anyone wanted to speak in opposition to the appeal.

Ms. Karri Freeman, 4775 Munson NW stated she is an attorney and is attending the meeting on behalf of the property owner to the south. Ms. Freeman gave the board a summary copy of her presentation and stated under 401.6 it states the setback must be 25 ft. from the rear. When granting a variance the board must find a practical difficulty.

Mr. McDonnell marked the summary presentation as exhibit 0 that consisted of four pages.

Ms. Freeman reviewed the summary and factors submitted for a practical difficulty and stated based on the practical difficulty factors she respectfully requests the variance be denied.

Mr. McDonnell asked if Ms. Freeman if she is aware if the rear lot area is buildable or if they plan on building on it.

Ms. Freeman stated she is not aware that they intend to build there but there is a walking path that is about 30 ft. from the property line. She believes the intent of the variance is to be a last resort.

No one else spoke in opposition to the appeal.

Mr. DeSarro stated the walking path is 100 ft. minimum from the property line. It is nowhere near 30 ft. and is in the middle of the field.

Mr. Snyder asked if the trees shown on the aerial view are on Mr. DeSarros property or the property to the south.

Mr. DeSarro state the trees are probably 25 ft. to 30 ft. from the property line, but the walking path is in the middle of the field.

Mr. McDonnell stated they have ample space to the west of the property and there is 5 ft. to play with in the rear yard. He asked Mr. DeSarro why he couldn't add the addition to the west and get more windows on the south side for the view.

Mr. DeSarro stated he is already coming out 20 ft. to the west and then 25 ft. south and then tying back into the existing house. His septic tank is on the other side of his driveway and is 8 ft. north of the driveway. The addition without the porch is 20 x 25.

Mr. McDonnell asked how far the gas well drive is from his proposed addition.

Mr. DeSarro stated about 60 or 50 ft. if he was to guess.

Mr. McDonnell asked if it is possible, and he is not saying practical, but is it possible to put that sunroom to extend to the west and not need the variance.

Mr. DeSarro stated he would say it is possible as long as he is within the setback because the side setbacks is 10 ft. So if he is already coming out 20 and then if he went another 12 that would be 32 ft.

Mr. Alexander stated if he is reading the site plan correctly, the distance between the new addition and the property line, he sees a distance is 41.26.

Mr. DeSarro stated yes, that's correct.

Mr. Alexander stated so if the distance is 41.26 ft., when they build the new addition they still have 41 ft. to play with on the west side.

Mr. DeSarro stated that is correct.

Mr. Snyder asked Ms. Poindexter if there is any other variances in this area.

Ms. Poindexter stated not that she is aware of.

Mr. McDonnell closed the appeal to public input.

Mr. Snyder stated there may be a practical difficulty with a potential the gas line to the west and is wondering due to the location of the house if that is a practical difficulty and he can't go north due to the septic tank. It's not over building the lot. I don't know how much the potential gas line on the west side affects him, if it's there.

Ms. Busby stated since they don't know if there is a gas line or not they can't really put it into play. Based on the information they have confirmed in front of them, he has 31 ft. to work with on the west side without a variance. Based on the information she doesn't see a practical difficulty.

Mr. Singer agreed with Ms. Busby and he hasn't heard any testimony this evening that would prove or substantiate any practical difficulty per section 803.5(B). As pointed out by Ms. Freeman in opposition he has not heard anything that substantiates a practical difficulty. Assuming that there is available space to the west side of the existing house the addition would fit on the west side of the house without requiring a variance. He doesn't see a reason to support this appeal.

Mr. Snyder made a motion to approve appeal # 20241109 as requested.

Mr. Alexander seconded the motion.

The vote was: Mr. Alexander-no, Mr. Snyder-no, Mr. McDonnell-no, Mr. Singer-no, and Ms. Busby-no.

Ms. Poindexter asked for a motion to approve the meeting minutes from August 29, 2024.

Mr. Alexander made a motion to approve the meeting minutes from the August 29, 2024 meeting.

Mr. Singer seconded the motion.

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

Mr. McDonnell motioned to approve of the meeting minutes from October 24, 2024.

Mr. Snyder seconded the motion.

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

Ms. Poindexter stated that Mr. McDonnell has suggested some modifications to the rules of procedure for the BZA. Everyone should have received a copy via email and asked if there are any comments on the changes.

Mr. McDonnell explained that the changes basically say if someone wants to modify their variance that is in greater conflict with the Zoning Resolution, the meeting will be continued and the adjoining property owners notified of the changes per the request.

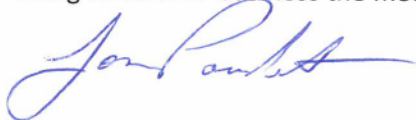
Mr. Singer stated that he has not reviewed the changes and would like to postpone voting on them until the next meeting. Mr. Singer asked if Mr. Vaccaro has reviewed the proposed changes.

Mr. Poindexter stated that Mr. Vaccaro was aware of the proposal but she was out sick so she did not have a chance to get them to him for review.

Mr. McDonnell stated that he would like to table a vote on the proposed changes until the next meeting so Mr. Vaccaro can review them before the board votes on them.

The other board members agreed.

Being no further business the meeting was adjourned.



Joni Poindexter

Jackson Township Zoning inspector

**JACKSON TOWNSHIP BOARD OF ZONING APPEALS**  
**CONCLUSIONS OF FACT**  
**APPEAL #20241109**

Upon the hearing, the Board determined that the variance would allow for a 17.67 ft. south (rear) yard setback for dwelling addition where 25 ft. is required per Art. IV Sect. 401.6 of the zoning resolution. Property located at 7392 Strausser NW, North Canton, Ohio 44720.

Whereas, upon the Board determined:

There was no practical difficulty to allow for the variance and it could be built on the West side of property without a variance.

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Whereas, the Board further:

Denied   X  

Approved       


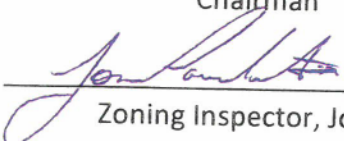
The variance would allow for a 17.67 ft. south (rear) yard setback where 25 ft. is required per Art. IV Sect. 401.6 of the zoning resolution.

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Mr. Snyder motioned to approve the variance as requested.

Mr. Alexander seconded the motion.

The vote was: Mr. Snyder-No  
                  Mr. McDonnell-No  
                  Mr. Singer-No  
                  Mr. Alexander-No  
                  Ms. Busby-No

  
Chairman  
  
Zoning Inspector, Joni Poindexter