

3111 Hilton St. NW  
Massillon, Ohio 44646  
Phone: (330) 833-2141  
Fax: (330) 833-2153

www.perrytwp.com  
office@perrytwp.com



BOARD OF TRUSTEES  
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### Notice of Hearing

This is to inform you that the Perry Township Board of Zoning Appeals will hold a Regular Meeting at the Perry Township Administration Office located at 3111 Hilton St N.W., Massillon, Ohio 44646 on Monday April 7, 2025 at 6:00 PM.

#### **The following appeal cases will be heard:**

Case 04-25A Marc & Stephanie Blough 4900 Beth Ave SW Canton, OH 44706  
Parcel #4310445

The applicant is seeking a height variance for a proposed residential fence. Section 602.9 Fences, Wall and Hedges, paragraphs one and three.

Case 04-25B Charles Golliher 2844 Southway St SW Massillon, OH 44646  
Parcel #4315573

The applicant is seeking a use variance to install a mother-in-law suite as a second residential structure on the parcel. Section 702 (B) Conditionally Permitted Uses (12), Group Dwellings; Article XI Conditional Zoning Certificates, Section 1102, Subsections: 105, 107, 109, 118, 127, 129, 130, and 148.

The maps and proposed applications will be available for examination starting Thursday March 27, 2025, at [www.perrytwp.com](http://www.perrytwp.com) and/or by appointment at the Perry Township Zoning Department located at 3111 Hilton St N.W., Massillon, Ohio 44646 during the office hours of 8:00 AM to 4:00 PM Monday through Friday.

Jeff Whytsell, Township Zoning Inspector has prepared this notice to be published one time only, on or before March 27, 2025.



# APPEAL FROM ORDER, REQUIREMENT, DECISION OR DETERMINATION OF ZONING INSPECTOR

Cal.No. \_\_\_\_\_ A

Filed March 13, 20 25

BOARD OF ZONING APPEALS  
PERRY TOWNSHIP  
3111 HILTON ST. N.W.  
MASSILLON, OHIO 44646

NOTICE: This Appeal must be typewritten and filed within twenty (20) days of the date of the order, requirement, decision or determination, accompanied by necessary data.

## Names and Addresses

Applicant Charles Gollher Address 2844 Southway St. SW

Phone Number 234-410-4429 City Massillon State OH Zip 44646

Owner of premises affected Charles Gollher Address 2844 Southway St. SW

Lessee of premises affected \_\_\_\_\_ Address \_\_\_\_\_

To the Board of Appeals:

I hereby appeal from the order, requirement, decision or determination of the Zoning Inspector, dated: March 3<sup>rd</sup>, 20 25.

Premises affected are situated on the West side of 2844 Southway St. SW, and

Known as house number 2844, Parcel number 4315573, Lot number \_\_\_\_\_.

Attached hereto is a copy of the order, requirement, decision or determination rendered by the Zoning Inspector.

Notice of this appeal was filed with the Zoning Inspector on March 13, 20 25.

Description of Case (Specify the grounds of the appeal.) Attach additional sheet if required.

I would like to add a separate home on my property / "Mother IN Law Suite". The minimum land requirement for this is 4.0 Acres. I have 2.89 acres. I am appealing for a permit to build with my current Lot size.

## QUESTIONNAIRE

- (1) Has any previous application or appeal been filed with this board on these premises?

Yes \_\_\_\_\_ No X. If yes, When \_\_\_\_\_

- (2) How long has the present owner held title to property under appeal? July 2023.

- (3) Is there a school, church, or hospital in the same street-block, or within 200 feet of the premises in question? Yes \_\_\_\_\_ No X.

- (4) Has court summons been served relative to this matter? Yes \_\_\_\_\_ No X.

- (5) Is there any case pending in court involving the use of the premises or the ownership thereof?

Yes \_\_\_\_\_ No X. If Yes, Explain \_\_\_\_\_.

- (6) Have you inquired of the secretary of the Zoning Commission whether there was any petition pending to change the use of district regulations affecting the block on which these premises are Located? Yes \_\_\_\_\_ No X. Is there a petition pending? Yes \_\_\_\_\_ No X.

- (7) If petition is pending, indicate nature of proposed change.

\_\_\_\_\_.

- (8) What is the approximate cost of the work involved by this application? \$

\$120,000.

- (9) Are there any restrictions of record by deed or otherwise which would prevent the proposed use of the premises? Yes \_\_\_\_\_ No X. If so, what are they? \_\_\_\_\_.

- (10) Are you to be represented by an attorney in this matter? Yes \_\_\_\_\_ No X. If Yes, give his name and address. \_\_\_\_\_.

- (11) The following are all the individuals, firms or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the premises which are the subject of this appeal: (Check from tax records in County Courthouse if not known, add additional sheet if required)

Name	Address
A. <u>Hopton Cory D. + Kate Lynn</u>	<u>2882 Southway St. SW Massillon OH 44646</u>
B. <u>Fortman Edward JR. and Duffy Bridgette M.</u>	<u>2920 Southway St. SW Massillon OH 44646</u>
C. <u>Mays Michael L.</u>	<u>707 27th St. SE Massillon OH 44646</u>
D. <u>Hunsinger Jeremy M.</u>	<u>2845 Southway St. SW Massillon OH 44646</u>
E. _____	_____
F. _____	_____
G. _____	_____
H. _____	_____
I. _____	_____
J. _____	_____

(Note: These papers must be submitted with the appeal.)

Attached hereto and made part of this appeal, I submit the following:

- (a) Copy of decision of the Zoning Inspector on which appeal is based.
- (b) Copy of notice to the zoning inspector that I have appealed.

STATE OF OHIO }  
 STARK COUNTY } SS.


I hereby depose and say that all of the above statements and the statements contained in the papers submitted herewith are true.

*[Signature]*  
 Applicant to sign here

Sworn to before me this 13 day of March, 2025, at Perry Spoo Library

### AFFIDAVIT OF OWNERSHIP

STATE OF OHIO }  
 STARK COUNTY } SS. Charles W. Grollier II being duly sworn, deposes and says that

  
 Madison Rachel Murray  
 Notary Public, State of Ohio  
 My Commission Expires 08-07-2027

He resides at 2844 Southway St SW in the City of Massillon, in the County of Stark, in the State of Ohio, that he is the owner in fee of all that Certain lot, piece or parcel of land situated, lying and being in the Township of Perry, Stark County,

Ohio aforesaid and know and designated as \_\_\_\_\_ and that he hereby Authorizes \_\_\_\_\_ to make the annexed application in his behalf and that the statements of fact contained are true.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_  
 Notary Public









60ft

-81.482135 40.784121 Degrees



2844 Southway St Sw

Show search results for 2844 S...



Click to restore the map extent and layers visibility where you left off.

200ft

[jwhytsell@perrytwp.com](mailto:jwhytsell@perrytwp.com)



**From:** charles golliher <[charlesgolliher@gmail.com](mailto:charlesgolliher@gmail.com)>  
**Sent:** Monday, March 3, 2025 9:48 AM  
**To:** Jeff Whytsell <[jwhytsell@perrytwp.com](mailto:jwhytsell@perrytwp.com)>  
**Subject:** Re: Mother-In-Law Suite

Thank you Jeff I'll wait to hear from you and I'll call about the creek

On Friday, February 28, 2025, Jeff Whytsell <[jwhytsell@perrytwp.com](mailto:jwhytsell@perrytwp.com)> wrote:

Hello,

Local township zoning regulations state only one principal building shall be permitted on any lot in and district unless otherwise stated or permitted in district regulations – Section 603.1 PRINCIPAL BUILDING

Your home is in an R2 Residential District which conditionally permits a multifamily Development subject to review by the Board of Zoning Appeals and a series of specific conditional regulations which must be met for that final approval by the BZA. A part of said multiunit development is a minimum lot size of 4 acres. Your lot is 2.89 acres so would not meet this first criteria.

Your possible option would be to add the suite onto your house. I am consulting our township law director to determine if adding an independent living area with separate entrance, bath, and kitchen in any way changes the current designation of the single family home and if so, does that create any potential problems with any county entity.

In the meantime, I reviewed aerial images of your property and the stream which runs through your property. It seems reasonable for you to attempt to a deterrent to flooding by using either earth and landscaping or man made materials. I mentioned during our conversation that it would be important that such action would not alter natural water flow which might result in a change of water activity on neighboring properties.

I recommended reaching out the Stark Soil & Water Conservation District to request a free inspection of your property as they may make recommendations for you. They are not a legal enforcement agency may only make recommendations to you but they have been very helpful in other instances where residents have concerns about water runoff.

Their number is 330.451.7645.

I will contact you once I've spoken with our law director about the suite.

Regards,



Jeff Whytsell

Perry Township Zoning Inspector

3111 Hilton Street NW

Massillon, Ohio 44646

Office (330) 833-2141

Fax(330)833-2153

jwhytsell@perrytwp.com



Hello,

Yes you may seek a Use Variance through the Board of Zoning Appeals. I have attached an application form which you will need to complete and submit to my office with a nonrefundable check of \$350 made payable to Perry Township. Be certain the last page is signed in the presence of a Notary. The BZA meets the first Monday of the month, so you will want to mark your calendar to come to the township hall Monday April 7<sup>th</sup>, at 6:00PM. I will also send you a written or email notice the previous week as a reminder.

Let me know if you have any additional questions.

Jeff Whytsell

Perry Township Zoning Inspector  
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Massillon, Ohio 44646  
Office (330) 833-2141  
Fax(330)833-2153  
jwhytsell@perrytwp.com



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**From:** charles golliher <[charlesgolliher@gmail.com](mailto:charlesgolliher@gmail.com)>  
**Sent:** Tuesday, March 4, 2025 8:43 AM  
**To:** Jeff Whytsell <[jwhytsell@perrytwp.com](mailto:jwhytsell@perrytwp.com)>  
**Subject:** Re: Mother-In-Law Suite

We had talked about being able to request a variance. Is this still a possibility? And if so who should I contact? And what must I do?

On Monday, March 3, 2025, Jeff Whytsell <[jwhytsell@perrytwp.com](mailto:jwhytsell@perrytwp.com)> wrote:

Charles,

I just got out of a meeting with our township law director. Even as an attached structure to the existing single family home this would be considered a dual (primary) use of a single family structure. As such, it would not be a permitted option for the residential district. Let me know if you have any additional questions.

Regards,

Jeff Whytsell

Perry Township Zoning Inspector  
3111 Hilton Street NW  
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Fax(330)833-2153

----- Forwarded message -----

**From:** Jeff Whytsell <[jwhytsell@perrytwp.com](mailto:jwhytsell@perrytwp.com)>  
**Date:** Wednesday, March 5, 2025  
**Subject:** Mother-In-Law Suite  
**To:** charles golliher <[charlesgolliher@gmail.com](mailto:charlesgolliher@gmail.com)>

If you were able to meet the four acres this would be a conditionally approved multifamily development action which would also need to be reviewed by additional county agencies such as Regional Planning and the County Building Department.

Upon approval of these entities the BZA may consider approving the proposed use.

Regards,

Jeff Whytsell

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[jwhytsell@perrytwp.com](mailto:jwhytsell@perrytwp.com)



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**From:** charles golliher <[charlesgolliher@gmail.com](mailto:charlesgolliher@gmail.com)>  
**Sent:** Wednesday, March 5, 2025 7:25 AM  
**To:** Jeff Whytsell <[jwhytsell@perrytwp.com](mailto:jwhytsell@perrytwp.com)>  
**Subject:** Re: Mother-In-Law Suite

Hi Again,

I had another thought and wondered what you thought of this.

What if I offered to buy a section of my neighbors property to meet the minimum 4 acres? Would that then make it possible to build on my property? And if so, would it matter what section of my neighbors property I owned? Like the front half, middle or back.

On Tuesday, March 4, 2025, charles golliher <[charlesgolliher@gmail.com](mailto:charlesgolliher@gmail.com)> wrote:

Great, thanks again for all your help

On Tuesday, March 4, 2025, Jeff Whytsell <[jwhytsell@perrytwp.com](mailto:jwhytsell@perrytwp.com)> wrote: