

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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February 16, 2023

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 March 6, 2023, at 6:00 PM.

The following appeal cases will be heard:

CASE 3-23A David Wheeler, 7041 Navarre Rd SW Massillon, Ohio 44646

Parcel #4303372

Mr. Wheeler is seeking two variances; one for an overage in total allowed square feet of 368 square feet. The second is for an overage in allowed height of a detached garage of 1' 8". Section 602.4 Accessory Building, Uses and Structures, paragraphs 2 and 3.

CASE 3-23B Michael Gonzales, 4658 Stevie Ave SW Massillon, Ohio 44646

Parcel #4319299

Mr. Gonzales is applying for a Home Occupation to sell and provide limited service for firearms by appointment only. Article XI Conditional Zoning Certificates Section 1102, (116), subpoints A through H.

The maps and proposed applications will be available for examination starting Friday February 17, 2023, at 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 February 16, 2023. You are receiving this notice as a courtesy since your neighbor is applying for a project which may or may not affect your property. You are welcome to attend this meeting.

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

Application for Conditional Use Permit

Application Number: _____ A

Date Filed: _____

The undersigned requests a Conditional Use Permit for the use specified below. Should this application be approved, it is understood that it shall only authorize that particular use described in this application and any conditions or safeguards required by the Board. If this use is discontinued for a period of more than one (1) year, this permit shall automatically expire.

Applicant MICHAEL GONZALES Phone (360) 204-6127

Mailing Address 4658 STEVIE AVE SW, MASSILLON, OH 44646

Owner of premises affected MICHAEL GONZALES Phone (360) 204-6127

Mailing Address of Owner 4658 STEVIE AVE SW, MASSILLON, OH 44646

Location of Conditional Use (address) 4658 STEVIE AVE SW, MASSILLON, OH 44646

Zoning Classification for above address R2

Existing Use ONE FAMILY RESIDENTIAL

Description of Conditional Use HOME OCCUPATION - SALES AND SERVICE-BY APPOINTMENT ONLY.

Supporting Information: Attach a site plan for the proposed use showing the location of the building, parking and loading areas, traffic access and circulation drives, open space, landscaping, and signs.

QUESTIONNAIRE

- (1) Has any previous application or appeal been filed with this board on these premises?
Yes _____ No . If yes, When _____.
- (2) How long has the present owner held title to property under appeal? 6 months.
- (3) Is there a school, church, or hospital in the same street-block, or within 200 feet of the premises in question? Yes _____ No .
- (4) Has court summons been served relative to this matter? Yes _____ No .
- (5) Is there any case pending in court involving the use of the premises or the ownership thereof?
Yes _____ No . 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 . Is there a petition pending? Yes _____ No _____.
- (7) If petition is pending, indicate nature of proposed change.
_____.
- (8) What is the approximate cost of the work involved by this application? \$
UNKNOWN (\$1?).
- (9) Are there any restrictions of record by deed or otherwise which would prevent the proposed use of the premises? Yes _____ No . If so, what are they? _____.
- (10) Are you to be represented by an attorney in this matter? Yes _____ No . 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. TWL INVESTMENTS LLC	4657 STEVIE AVE SW, MASSILLON, OH 44646
B. DOUGLAS & KATHRYN BALTZER	4640 STEVIE AVE SW, MASSILLON, OH 44646
C. BEN & AMANDA HUGHES	4674 STEVIE AVE SW, MASSILLON, OH 44646
D. PERRY DEVELOPMENT INC	PARCEL NUMBER 43192-19
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.



Sworn to before me this 30 day of FEBRUARY, 20 23, at CANTON, OHIO
 Notary Public, State of Ohio
 My Commission Expires
 May 19, 2024
 AFFIDAVIT OF OWNERSHIP

[Signature]
 Applicant to sign here
[Signature] Bryan Worley
 Notary Public

STATE OF OHIO }
 STARK COUNTY } SS. MICHAEL GONZALES being duly sworn, deposes and says that

He resides at 4658 STEVIE AVE 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,

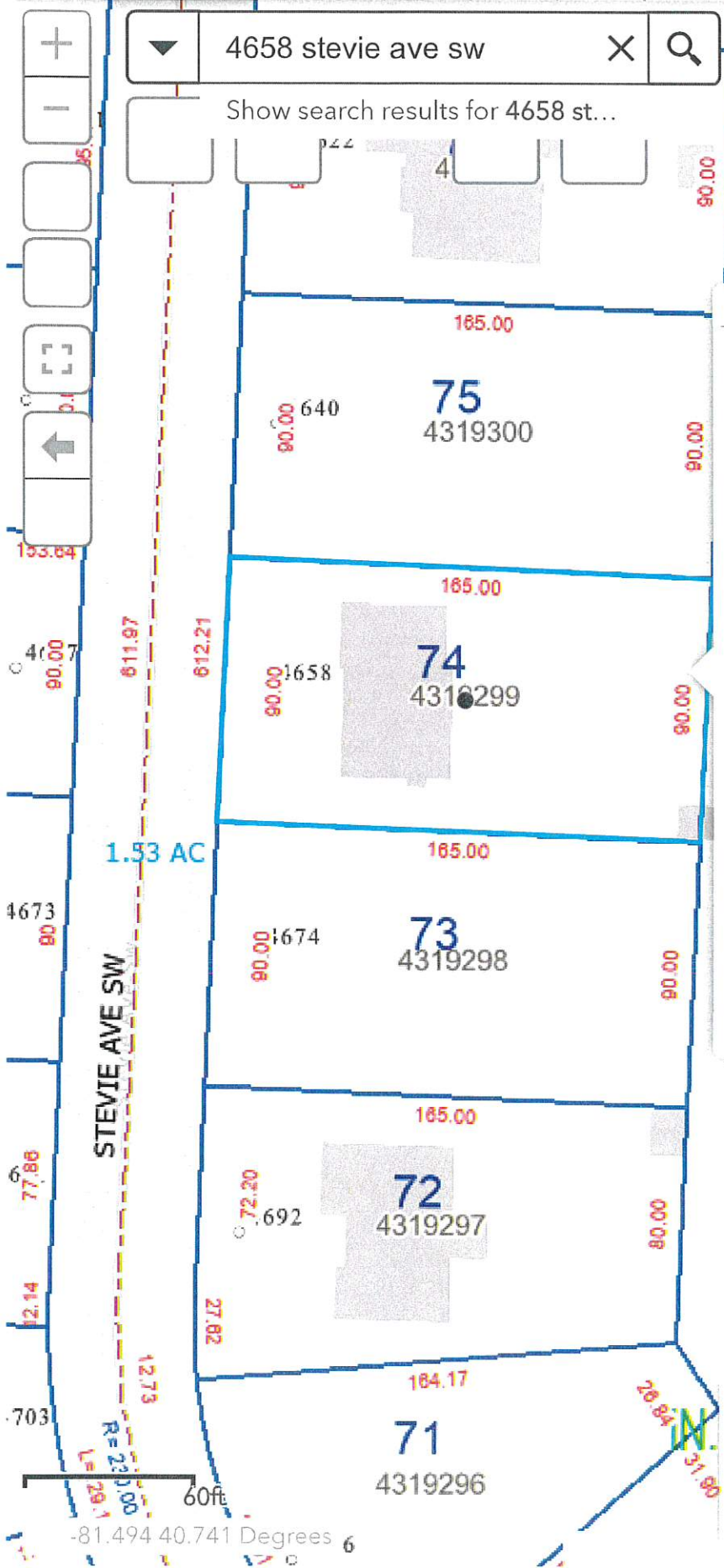
Ohio aforesaid and know and designated as _____ and that he hereby Authorizes _____ to make the annexed application in his behalf and that the statements of fact contained are true.

Sworn to before me this _____ day of _____, 20____ at _____

 Notary Public



Stark County Auditor's Advanced



NO 8
0083202 LOT
TY AUD ORI: 201605020

4658 STEVIE AVE SW MASSILLON OH 44646

[Full Property Details](#)

Parcel

Parcel Number: 4319299
 Routing Number: 43033NE071900
 Classification: RESIDENTIAL
 Land Use Code: 510 - R - 1-FAMILY DWELLING
 Legal Description: 74 WH SAL-LEE ACRES 8 (.34A)
 Neighborhood ID: 43030406
 Acres: 0.34
 Taxing District Code: 00400
 Taxing District Name: PERRY TOWNSHIP - PERRY LSD
 Gross Tax Rate: 81.19
 Effective Tax Rate: 56.00

[Zoom to](#)

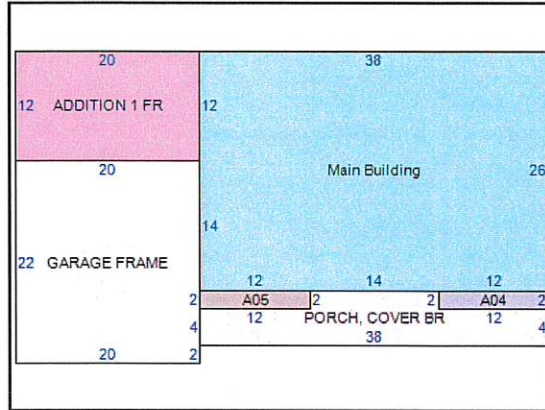
SAL-LEE ACRES N

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

- Profile
- Values
- Values History
- Appeal Tracking
- Sales
- Tax Summary
- Tax Detail
- Tax Distribution
- Special Assessments
- Tax Estimator
- Land
- CAUV Application
- Residential
- Commercial
- Outbuildings
- Manufactured Homes
- Sketch
- Tax Map
- Aerial Map
- Pictometry

Parcel: 4319299
GONZALES MICHAEL J & JESSICA B 4658 STEVIE AVE SW

1 of 1



- Actions**
- Printable Summary
 - Printable Version

- Reports**
- Printable Tax Bill
- Go

- Additional Information**
- Printable Tax Bill Instructions

Options

Type	Line #	Item	Area
Dwelling	0	Main Building	988
Dwelling	1	ADDITION 1 FR - 1AF:ADDITION 1ST FRAME	240
Dwelling	2	GARAGE FRAME - GF:GARAGE FRAME	440
Dwelling	3	PORCH, COVER BR - PB:PORCH, COVERED BRICK	180
Dwelling	4	PORCH, COVER FR/ADDITION 2 FR - PF/2AF:PORCH, COVERED FRAME/ADDITION 2ND FRAME	24
Dwelling	5	PORCH, COVER FR/ADDITION 2 FR - PF/2AF:PORCH, COVERED FRAME/ADDITION 2ND FRAME	24
Outbuilding	1	PERSONAL P - 920:PERSONAL PROPERTY BLDG	140

Click on an item to display it independently.

4658 STEVIE



stevie ra sw



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- c. Operations on Sundays and legal holidays will be prohibited. All work shall be conducted only during the hours of 7:00 a.m. to 5:00 p.m.
 - d. Reclamation must be progressive to prevent erosion.
 - e. The storage of topsoil from other sites shall be permitted only in an Industrial District.
- 112 Conformance with State Requirements:
- a. A copy of the state surface or strip-mining permit, as approved by the Division of Reclamation, and any revisions thereafter approved, shall be submitted to the Board of Appeals.
 - b. Reclamation shall meet the requirements of the Division of Reclamation. All reclamation shall be completed within one (1) year of expiration of the Conditional Use Permit or at the abandonment of the operation.
- 113 Truck routes shall be established for movement in and out of the development in such a way that it will minimize the wear on public streets and prevent hazards and damage to other properties in the community.
- 114 All permitted installations shall be maintained to a neat, orderly condition so as to prevent injury to any single property, any individual, or to the community in general; the Zoning Board of Appeals may require a bond liability to ensure that this provision will be met.
- 115 The area of use shall be completely enclosed by a six (6) foot fence (open or closed) and appropriately landscaped to be harmonious with surrounding properties.
- 116 Such uses shall be permitted subject to the following conditions:
- a. Such use shall be conducted entirely within the dwelling unit, and no use of any accessory building or yard space shall be permitted.
 - b. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes.
 - c. Such use shall be conducted only by persons residing in the dwelling unit.
 - d. There shall be no display nor stock in trade nor commodities sold except those, which are produced on the premises.
 - e. No newspaper, radio, or television service shall be used to advertise such home occupation.
 - f. One (1) unlighted nameplate not more than three (3) square feet in area announcing the name and home occupation shall be permitted.

- g. Such uses shall not create a nuisance by reason of noise, odor, dust, vibration, fumes, smoke, electric interference, or other causes.
 - h. Parking spaces shall be provided off-street for any traffic generated by such use. Such parking shall be limited to six (6) vehicles.
- 117 Surface mining and strip-mining operations shall be regulated by the following requirements in addition to state regulations:
- a. Processing equipment shall be located on the site at a location, which will minimize noise impact on surrounding dwellings.
 - b. Haul roads shall be hard surfaced for dust control and shall have a safe access to state, county, or township streets.
 - c. Stakes shall be maintained at 100' intervals or less along the perimeter of the area designated under the Conditional Use Certificate.
 - d. Storage of minerals, coal, or peat from other mining operations shall be permitted only in Industrial Districts.
- 118 Special provisions for group dwellings:
- a. A minimum area of four (4) contiguous acres is required and the total density of the site shall be no more than permitted under the district in which it is located for dwellings on individual lots. Each building shall be limited in the number of dwelling units per building equal to the number of dwelling units permitted per building in the area as zoned. For example; no more than a single family dwelling per building in an R-1 Single Family Low Density Residential District; no more than a two (2) family dwelling per building in a R-2 Single and Two Family Residential District; no more than a three (3) family triplex and four (4) family dwelling per building in an R-3 Single family, Duplex and Four Family Residential District. (Amended 2002)
 - b. The entire group dwelling development shall be considered as one for the purposes of yard setback requirements, the entire group as a unit requiring (1) one front, (1) one rear, and (2) two side yards as specified for dwellings in the district in which the development is located. Each separate principal or accessory building shall be located a minimum of twenty (20) feet from another and twenty-five (25) feet from any contiguous residential property.