

3111 Hilton St. NW  
Massillon, Ohio 44646

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BOARD OF TRUSTEES  
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May 15, 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 June 5, 2023, at 6:00 PM.

#### The following appeal case will be heard:

CASE 6-23 Sherry Garland 1229 Miles Ave NW Canton, OH 44708

Parcel #4303734

Ms. Garland is seeking a Conditional Use Certificate for a Home Occupation. Section 1102 Regulations Pertaining to Conditionally Permissible Uses. Subsection 116 (a-h).

The maps and proposed application will be available for examination starting Friday May 26, 2023, 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 May 19, 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.

received 5/4  
paid cash 5/4

**PERRY TOWNSHIP  
BOARD OF ZONING APPEALS**

3111 HILTON ST. N.W.  
MASSILLON, OHIO 44646

**Application for Conditional Use Permit**

Application Number: 6-23 A

Date Filed: May 4th 2023

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 Sherry GARLAND Phone 330 904 4030

Mailing Address 1229 Miles Ave NW

Owner of premises affected Sherry GARLAND Phone 330 904 4030

Mailing Address of Owner 1229 Miles Ave NW

Location of Conditional Use (address) 1229 Miles Ave NW

Zoning Classification for above address \_\_\_\_\_

Existing Use home

Description of Conditional Use A 1 chair hair Station in

my lower eprase. We have a 2 car garage already  
Seperated by a wall. We have a bathroom in  
this location already. I am only going to work  
a couple years untill I retire (2023) I have a small

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. write

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? 5 months

JAN 10th 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  .

(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.

NO

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

1000.

(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.	JAMES + MARYLEE	4656 13 <sup>th</sup> NW
B.	Michael Chovan	4712 13 <sup>th</sup> NW
C.	STEPHEN + ERIKA WARTHA	4705 12 <sup>th</sup> ST NW
D.	Lavera Hoffman	1313 Miles Ave NW
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.

*Stephen Hartel*  
 Applicant to sign here



Sworn to before me this 4 day of May, 2023, at Massillon Ohio  
 JENNA M GORDON  
 Notary Public  
 State of Ohio  
 My Comm. Expires July 18, 2026  
*Jenna M Gordon*  
 Notary Public

AFFIDAVIT OF OWNERSHIP

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

He resides at \_\_\_\_\_ in the City of \_\_\_\_\_, in the County of \_\_\_\_\_, in the State of \_\_\_\_\_, 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

# Conditional Use

## Property Information

Search properties:

x

## Contractor(s)

Search contractors:

x

\* Indicates Required Field

## Applicant Information

\* Applicant Name:

Sherry L Garland

\* Applicant Address:

1229 Miles Ave NW

\* Applicant City, State, ZIP:

Canton, Ohio 44708

\* Applicant Phone Number:

330-904-4030

\* Applicant Email:

odat4sherry@gmail.com

## Owner Information

Owner Name:

Sherry L Garland

Address:

1229 Miles Ave NW

City, State, Zip:

Canton, Ohio 44708

Phone Number:

330-904-4030

Email:

odat4sherry@gmail.com

## Project Information

Location of Conditional Use (Address):

1229 Miles Ave NW

\* Are you represented by an attorney in this matter?:

No



If Yes, give their name and address?:

The following are all the individuals, firms or corporations owning property adjacent to both sides and rear, and the property in the 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: James and Mary Lee

Address: 4656 13th St NW

Name: Michael Chovan

Address: 4712 13th St NW

Name: Stephen and Erika Warth

Address: 4705 12th St NW

Name: Lavera Huffman

Address: 1313 Miles Ave NW

Name:

Address:

Name:

Address:

Name:

Address:

Name:

Address:

City, State, Zip: Canton Ohio 44708

Parcel Number: 43-03734

Subdivision: Whipple Heights Allotment

Lot Number: 77

\* Description of Conditional Use: A one chair station in my lower garage to cut my clients h

## Questionare

\* Has any previous application or appeal been filed with this board on these premises?:

No

If yes, When?:

\* How long has the present owner held title to property under appeal?:

Jan. 10th 2023

\* Is there a school, church, or hospital in the same street-block, or within 200 feet of the premises in question?:

No

\* Has court summons been served relative to this matter?:

No

\* Is there any case pending in court involving the use of the premises or the ownership thereof?:

No

If Yes, Explain:

\* 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?:

No

\* Is there a petition pending?:

No

If petition is pending, indicate nature of proposed change.:

\* What is the approximate cost of the work involved by this application?:

1000

\* Are there any restrictions of record by deed or otherwise which would prevent the proposed use of the premises?:

No

If so, what are they?:

## Required Papers to be Submitted with the Appeal

(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.

## Signature

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

\* Signature:

Sherry L Garland

## Upload Files:

Files  Floor Plan.pdf

[Accessibility](#)



- 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.

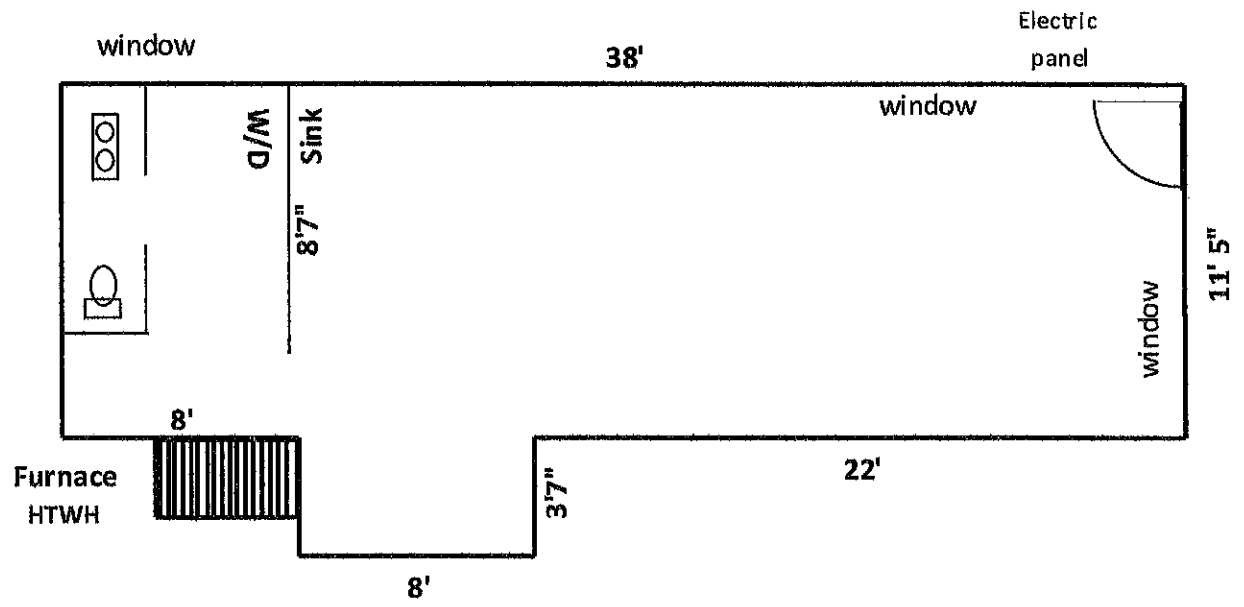
h. Parking spaces shall be provided off-street for any traffic generated by such use. Such parking shall be limited to six (6) vehicles.

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.



**488 Square Feet**

**Profile**

**Parcel: 4303734**

**Values**

**HARRIS ELIZABETH L & GARLAND  
SHERRY L**

**1227 MILES AVE NW**

10

**Values History**

Land Summary

**Appeal Tracking**

**Sales**

Line #	Land Type	Land Code	Square Feet	Acres	Rate	Market Land Value
1	F-FRONT FOOT	01 - HOUSE LOT	17,370	.40	330	\$31,600
Total:			17,370	.40		\$31,600

**Tax Summary**

**Tax Detail**

Land

**Tax Distribution**

**Special Assessments**

**Tax Estimator**

**Land**

**CAUV Application**

**Residential**

**Commercial**

**Outbuildings**

**Manufactured Homes**

**Sketch**

**Tax Map**

**Aerial Map**

**Pictometry**

Line #	1
Land Type	F - FRONT FOOT
Land Condition	2 - AVERAGE
Land Code	01 - HOUSE LOT
Square Feet	17,370
Acres	.40
Land Units	
Actual Frontage	193.0
Effective Frontage	193.0
Override Size	
Actual Depth	90
Table Rate	330.00
Override Rate	
Depth Factor	.65
Influence Factor 1	-30
Influence Code 1	01 EXCESS FRONTAGE
Influence Factor 2	
Influence Code 2	
NBHD Factor	1.08924
Value	\$31,600
Exemption %	
Homesite Value	\$31,600

**Actions**

Printable 5

Printable 5

**Reports**

Printable Tax

**Additional Info**

Printable Ta:  
Instructions





# 1229 Miles photo





# 1229 miles photo 1



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