

3111 Hilton St. NW  
Massillon, Ohio 44646

Phone: (330) 833-2141  
Fax: (330) 833-2153

www.perrytwp.com  
office@perrytwp.com



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July 18, 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 August 7, 2023, at 6:00 PM.

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

CASE 8-23A Matthew A Nemeth, residing at 124 Saratoga Ave NW Canton, OH 44708

Parcel #4308116

Mr. Nemeth is seeking a 6 foot side setback variance for a detached garage. Article VI General Standards and Special Provisions Section 602.4, Accessory Structures.

CASE 8-23B Cheri Whitaker, residing at 1655 Miles Ave NW Canton, OH 44708

Parcel #4300693

Mrs. Whitaker is seeking a variance for a shed placed within 30 feet of the side street on a corner lot. Article VI General Standards and Special Provisions Section 602.6, Corner Lots.

The maps and proposed application will be available for examination starting Thursday July 20, 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 July 18, 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.

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

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

Filed \_\_\_\_\_, 20 \_\_\_\_

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 Cheri Whitaker Address 11655 Miles Ave NW

Phone Number 330-933-0076 City Canton State OH Zip 44708

Owner of premises affected Same as above Address Same

Lessee of premises affected n/a Address n/a

To the Board of Appeals:

I hereby appeal from the order, requirement, decision or determination of the Zoning Inspector, dated: June 30, 20 23.

Premises affected are situated on the NW side of 11655 Miles Ave NW, and

Known as house number 1655, Parcel number 4300693, Lot number n/a.

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 \_\_\_\_\_, 20 \_\_\_\_.

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

*see attached*

JUL 12 2023

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? 2 1/2 yrs.
- (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.  
n/a
- (8) What is the approximate cost of the work involved by this application? \$  
\_\_\_\_\_.
- (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. <u>Benee Ledger</u>	<u>41675 17th St NW Canton, OH 44708</u>
B. <u>Mary Pawlyk</u>	<u>4779 17th St NW Canton, OH 44708</u>
C. <u>Janet Dale</u>	<u>4705 17th St NW Canton OH 44708</u>
D. <u>Clifford + Shannon Blackburn</u>	<u>1660 Miles Ave NW Canton, OH 44708</u>
E. <u>Thomas + Martha Wachunas</u>	<u>1652 Miles Ave NW Canton OH 44708</u>
F. <u>Mary + Dale Studer</u>	<u>1645 Miles Ave NW Canton, OH 44708</u>
G. <u>Timothy Beck</u>	<u>4742 17th St NW Canton, OH 44708</u>
H. _____	_____
I. _____	_____
J. _____	_____

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

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

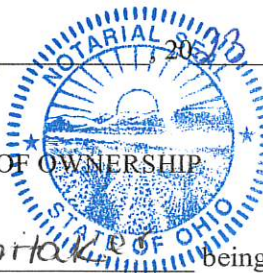
- (a) Copy of decision of the Zoning Inspector on which appeal is based.
- (b) Copy of notice to the zoning inspector that I have appealed.

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.

Eric Whitaker  
 Applicant to sign here

Sworn to before me this 7<sup>th</sup> day of July, 2023, at \_\_\_\_\_



Christine Grandal Potwora  
 CHRISTINE GRANDAL POTWORA  
 NOTARY PUBLIC, STATE OF OHIO  
 MY COMMISSION EXPIRES  
 9/23/23

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

He resides at 1655 Miles Ave NW in the City of Canton, 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 Cheri Whitaker and that he hereby Authorizes n/a to make the annexed application in his behalf and that the statements of fact contained are true.

Christine Grandal Potwora

Sworn to before me this 7<sup>th</sup>, 2023 at \_\_\_\_\_



CHRISTINE GRANDAL POTWORA  
 NOTARY PUBLIC, STATE OF OHIO  
 MY COMMISSION EXPIRES  
 9/23/23

Notary Public

Cheri Whitaker

1655 Miles Ave NW

Canton, OH 44708

330-933-0076

Case# 23260

Property ID#4300693

Description of Case (specify the grounds of the appeal)

We had a new shed delivered on 6/19/23. Prior to my husband preparing the spot for the shed, I looked up online the Perry Twp, Stark County, zoning rules. It said that no permit was required if the building was under 125 sq ft. The unit we put on our property is a 12x10, therefore, 120 sq. ft. It also said it must be at least 10 ft from the primary residence. We met that. It said it must be 30 ft from the front and 10 ft from the side and 5 ft from the back. I found nowhere that it said that anything different due to our house being on a corner lot. We met all of those requirements, or so we thought. We have a large carport attached to our house. It is not enclosed. We store our boat and vehicles in the carport. After looking up the zoning rules, it was decided to put the shed against the carport with the door opening into the carport. We thought we did everything right. On 6/26/23. We received a Notice of Violation, stating that someone had called and reported a complaint about our shed not meeting code and that no permit was pulled. We proceeded to call Jeff Whystell. It appears that the information I found online was incorrect and/or outdated. Jeff was nice enough to explain our options. We have chosen to pay the fee and ask for a variance for the reasons below.

1. I have a disability. I had major surgery on my left foot and am unable to walk on uneven, wet or soggy ground. My foot was fused and will not turn side to side anymore. This one of the primary reasons for placing the shed where it currently stands.
2. My husband has vision problems due to his diabetes. He has lost vision a couple times due to blood pooling in his eyes.
3. I did my due diligence prior to placing the shed where it currently stands. The information that I found, was either incorrect or out of date.
4. We use the shed for storage for our fishing/boating/crafts/tools.
5. Once the shed was installed, we found it offered us some additional privacy from 17<sup>th</sup> Street.
6. We spoke to the majority of our neighbors, across the street and beside us, and no one voiced any opposition to the shed being placed where it is. It is new and is in way and eyesore.

We would greatly appreciate approving the variance and allowing us to maintain the shed in its current placement.

*Cheri R Whitaker*  
7/12/23



## Notice of Violation

### Perry Township

3111 Hilton Street NW

Massillon, OH 44646

330-833-2141

**Case Number: 23260**



06/26/2023

Name withheld by request.

1655 MILES AVE NW

CANTON OH 44708,

Subject Property: 1655 MILES AVE NW, CANTON, OH 44708-2727,

Property ID Number: 4300693

Dear Property Owner:

An inspection by our Division has determined the property listed above is in violation of following Ordinance(s):

#### **SECTION 1301.5 ZONING CERTIFICATES REQUIRED**

BEFORE CONSTRUCTION OR ALTERING ANY SIGN, STRUCTURE, OR BUILDING INCLUDING ACCESSORY BUILDINGS, APPLICATION SHALL BE MADE TO THE ZONING INSPECTOR FOR A CERTIFICATE.

#### **SECTION 602.4 REQUIRED SETBACKS**

ACCESSORY BUILDINGS, OTHER THAN GARAGES WHETHER A STRUCTURE OR PERSONAL PROPERTY, AND USES WHICH ARE NOT PART OF THE MAIN BUILDING SHALL NOT BE LOCATED CLOSER THAN TEN FEET FROM THE MAIN BUILDING, MAY BE BUILT WITHIN 5 FEET OF THE REAR LOT LINE, AND MUST CONFORM TO FRONT YARD BUILDING SETBACK LINE AND SIDE YARD SETBACK.

The following action must be taken to correct the above stated violation(s):

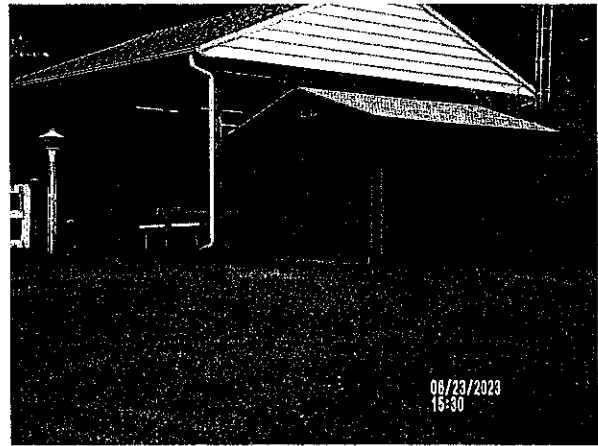
Our office received a complaint regarding this shed recently installed on your property. Our records indicate no permit was pulled for this accessory structure. You will need to obtain a permit and follow guidelines for placement of the shed or remove it immediately. Corner lots require a 30 foot setback off the side right of way, 10 feet from the house, 10 feet from the opposite side property line and 5 feet from the rear property line. A follow up inspection will take place on the date below. Please contact the office about the zoning regulations.

**The correspondence will serve as official notification that the above stated violations must be corrected before 07/03/2023. Fines, liens or special assessments may be placed on the property for noncompliance and/or the costs of abatement, repair or demolition by the City.**

For further information, you may contact me at 330-833-2141.

Sincerely,

Jeff Whystell  
Zoning Inspector





# Stark County Auditor's Advanced Parcel Viewer



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



<b>Profile</b>	<b>Parcel: 4300693</b>				<b>1655 MILES AVE NW</b>	
<b>Values</b>	<b>Name withheld by request.</b>					
<b>Values History</b>	Land Summary					
<b>Appeal Tracking</b>	<b>Line #</b>	<b>Land Type</b>	<b>Land Code</b>	<b>Square Feet</b>	<b>Acres</b>	<b>Rate</b>
<b>Sales</b>	1	F-FRONT FOOT	01 - HOUSE LOT	24,325	.56	330
<b>Tax Summary</b>	<b>Total:</b>			24,325	.56	\$38,000
<b>Tax Detail</b>	Land					
<b>Tax Distribution</b>	<b>Line #</b>	1				
<b>Special Assessments</b>	<b>Land Type</b>	F - FRONT FOOT				
<b>Tax Estimator</b>	<b>Location Rating</b>	2 - AVERAGE				
<b>Land</b>	<b>Land Code</b>	01 - HOUSE LOT				
<b>CAUV Application</b>	<b>Square Feet</b>	24,325				
<b>Residential</b>	<b>Acres</b>	.56				
<b>Commercial</b>	<b>Land Units</b>					
<b>Outbuildings</b>	<b>Actual Frontage</b>	139.0				
<b>Manufactured Homes</b>	<b>Effective Frontage</b>	139.0				
<b>Sketch</b>	<b>Override Size</b>					
<b>Tax Map</b>	<b>Actual Depth</b>	175				
<b>Aerial Map</b>	<b>Table Rate</b>	330.00				
<b>Pictometry</b>	<b>Override Rate</b>					
	<b>Depth Factor</b>	.95				
	<b>Influence Factor 1</b>	-20				
	<b>Influence Code 1</b>	01 EXCESS FRONTAGE				
	<b>Influence Code 2</b>					
	<b>NBHD Factor</b>	1.08924				
	<b>Value</b>	\$38,000				
	<b>Exemption %</b>					
	<b>Homesite Value</b>	\$38,000				

1 of 1

- Actions**
- Printable Summary
  - Printable Version

- Reports**
- Printable Tax Bill
- 

**Additional Information**

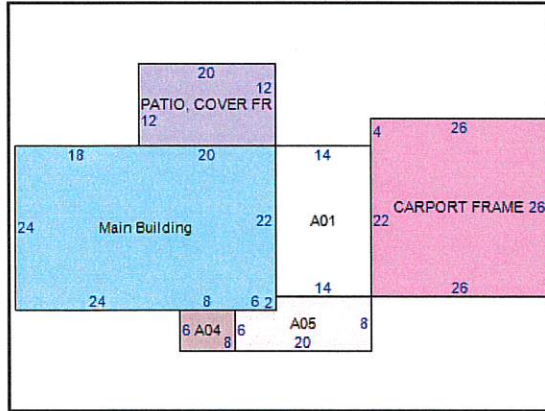
Printable Tax Bill Instructions

- 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: 4300693  
Name withheld by request.

1655 MILES AVE NW

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	912
Dwelling	1	CARPORT FRAME - CF:CARPORT FRAME	676
Dwelling	2	GARAGE BRICK - GB:GARAGE BRICK	308
Dwelling	3	PATIO, COVER BR - OB:PATIO, COVERED BRICK	148
Dwelling	4	PATIO, COVER FR - OF:PATIO, COVERED FRAME	240
Dwelling	5	PORCH, COVER BR - PB:PORCH, COVERED BRICK	48

Click on an item to display it independently.

# 1655 Miles Ave NW 1





# 1655 Miles Ave 2





# 1655 Miles Ave 3

