

3111 Hilton St. NW
Massillon, Ohio 44646

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December 12, 2023

NOTICE OF HEARING

This is to inform you that the Perry Township Board of Trustees will meet in a Regular Session to consider the following Zoning Commission recommendations for a zoning amendment to the zoning resolution on Tuesday, January 2, 2024 at 6:00 p.m. This meeting will be conducted at the Perry Township Administration Office located at 3111 Hilton Street, N.W., Massillon, OH 44646.

Case Numbers: PE #3, 2023; PE #4, 2023; PE #5, 2023

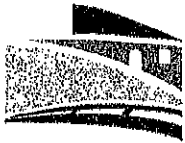
Applicant and Owner: Michael J. Moorhead/4325 Lincoln Way Realty
4325 Lincoln Way E
Massillon, OH 44646

Location of the properties to be rezoned:

1. Parcel 4315829, on the north side of 13th, east of Zern in the SE ¼ Section 11, 1.37 acres. Currently zoned R3 Single Family, Duplex and Four Family Residential
2. Parcel 4313985, on the north side of Lincoln Way/SR 172, east of Belle in the SW ¼ Section 11, 3.44 acres. Currently zoned R3 Single Family, Duplex and Four Family Residential.
3. Parcel 4309335, located on the west side of Harding, north of Lincoln Way/SR 172 in the SW ¼ Section 11, 0.35 acres. Currently zoned R3 Single Family, Duplex and Four Family Residential.

Proposed Zoning: B2 Commercial

The maps of the proposed application will be available for examination starting November 20, 2023 at the Perry Township Zoning Department located at 3111 Hilton St, N.W., Massillon, OH 44646 during the office hours of 8:00 a.m. to 4:30 p.m. Jeff Whytsell, Zoning Inspector, has prepared this notice to be published one time only, on or before December 8, 2023.



**STARK COUNTY
REGIONAL PLANNING
COMMISSION**

201 3RD ST. NE, STE. 201, CANTON, OH 44702-1211

NOV 13 2023

www.rpc.starkcountyohio.gov

t 330 451 7389 f 330 451 7990

TO: Perry Township Zoning Commission

Zoning Amendment No.

ATTN: Scott Marino, Chairperson

PE #3, 2023

The following amendment was reviewed by the Regional Planning Commission on November 7, 2023.

Amendment requested by: Michael J. Moorhead

Reclassification of land **FROM: R-3 Single Family, Duplex and Four-Family Residential**
TO: B-2 Commerical

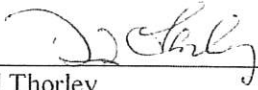
DESCRIPTION OF PROPERTY: One tract, approximately 1.37 acres, located on the north side of 13th, east of Zern in the SE ¼ Section 11, Perry Township. (legal description on file with Township).

RPC RECOMMENDATION: Approval with Modifications

The Regional Planning Commission recommends **approval with modifications** of the proposed rezoning to R-5 High Density Multifamily and Limited Service Business District. The following facts were considered by the Commission in its decision:

1. The land use of the area consists of business uses to the north and east. To the south is classified as public service and is land owned by Perry Local Schools. To the west are single-family residential dwellings.
2. The zoning generally follows the land use as the B-2 Commercial District exists to the north and east. To the south is the R-2 Single and Two Family Residential District and to the west is the R-3 Single Family, Duplex, and Four-Family Residential District. The subject tract appears to have been zoned in a residential related manner since the 1960s.
3. According to the application, the purpose of the zone change request is to provide additional parking for the auto sales lot to the north and east. The owner appears to currently be utilizing the tract for business purposes.
4. The Stark County 2040 Comprehensive Plan designates the future land use of the area as Developed Urban.
5. In 1987, a Commercial "strip" district along SR 172 was created. The "strip" extended one parcel deep both north and south of SR 172. Due to the inconsistency in parcel depth, the commercial district appeared to protrude deeply into the existing residential areas in various places along the SR 172 corridor, as shown to the east of the subject tract. Immediately west of the subject tract is an established neighborhood with relatively shallow lots.
6. RPC has reviewed several zone change requests for properties in close proximity to the subject tract and along the commercial corridor over the years.
7. When considering a zone change, the most intensive uses permitted in that district must be considered. The permitted uses allowed in the B-2 district, which include uses such as a transportation terminal, vehicle service and storage, and printing shop could have a detrimental effect on the surrounding neighborhood and adjacent school property.

8. According to the Township Zoning Resolution, it appears that off-street parking is a permitted use in the R-5 High Density Multifamily and Limited Service Business District. In addition to allowing off-street parking, the R-5 district also allows limited business uses that are more compatible with residential development and would provide a more gradual transition between the residential and business districts.



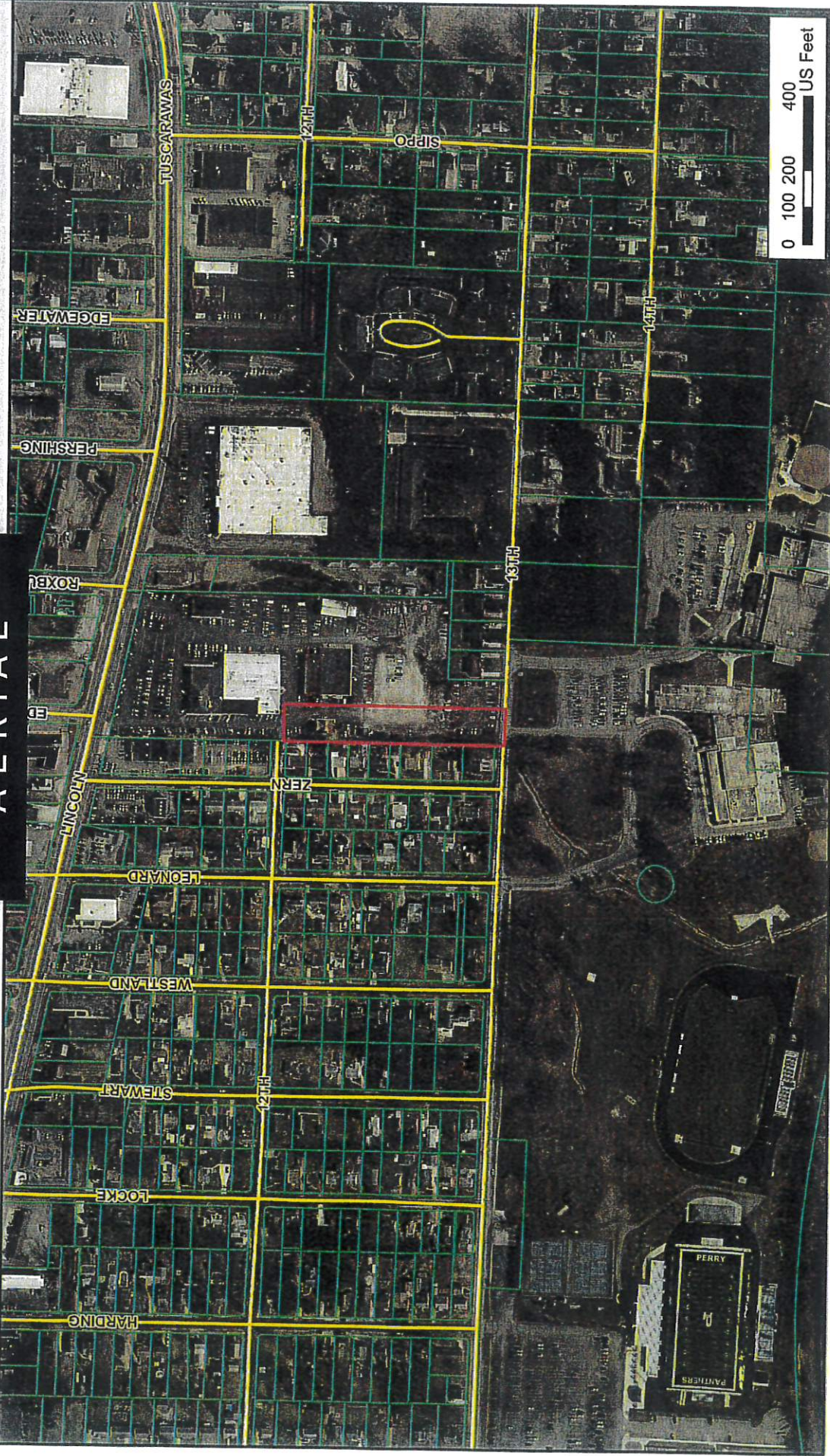
David Thorley
RPC Secretary

cc: Board of Trustees, c/o Fiscal Officer, Zoning Inspector

Proposed Zone change from R3 to B2

AERIAL

Zoning Change ID - PE 3 2023



Proposed Zone change from R3 to B2

ZONING

Zoning Change ID - PE 3 2023



SCRPC Zoning Districts

- Perry Township - B2 Commercial
- Perry Township - ID Industrial
- Perry Township - MD Multi-Use Overlay
- Perry Township - R2 One & Two-Family Residential
- Perry Township - R3 Single Family, Duplex & Four-Family Residential
- Perry Township - R5 High-Density Multi-Family & Limited Service Business
- No Zoning

Cities, Villages, Townships

Stark County Parcels selection

Proposed Zone change from R3 to B2

Zoning Change ID - PE 3 2023

LAND USE





**STARK COUNTY
REGIONAL PLANNING
COMMISSION**

201 3RD ST. NE, STE. 201, CANTON, OH 44702-1211

NOV 13 2023

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t 330 451 7389 f 330 451 7990

TO: Perry Township Zoning Commission

Zoning Amendment No.

ATTN: Scott Marino, Chairperson

PE #4, 2023

The following amendment was reviewed by the Regional Planning Commission on November 7, 2023.

Amendment requested by: Michael J. Moorhead

Reclassification of land **FROM: R-3 Single Family, Duplex and Four-Family Residential**
TO: B-2 Commerical

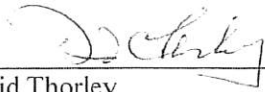
DESCRIPTION OF PROPERTY: One tract, approximately 3.44 acres, located north of Lincoln Way/SR 172, east of Belle in the SW ¼ Section 11, Perry Township (legal description on file with Township)

RPC RECOMMENDATION: Approval with Modifications

The Regional Planning Commission recommends **approval with modifications** of the proposed rezoning to R-5 High Density Multifamily and Limited Service Business District. The following facts were considered by the Commission in its decision:

1. The land use of the area consists of single-family residential dwellings and vacant land to the north and west. To the south and east are tracts of business, which operates as an auto sales lot.
2. The zoning generally follows the land use as the R-3 Single Family, Duplex and Four-Family Residential District exists to the north and east. To the south and west is the B-2 Commercial District. The subject tract appears to have been zoned in a residential related manner since the 1960s.
3. According to the application, the applicant will use the area for vehicle storage and employee parking for the business which operates to the south. Currently, the parcel is vacant land that is wooded and has wetlands within.
4. The Stark County 2040 Comprehensive Plan indicates this area will progress as commercial land use along the Lincoln Way corridor, with developed urban area extending to the north.
5. In 1987, a Commercial "strip" district along SR 172 was created. The "strip" extended one parcel deep both north and south of SR 172. Due to the inconsistency in parcel depth, the commercial district appeared to protrude deeply into the existing residential areas in various places along the SR 172 corridor, as shown to the east of the subject tract. Immediately west of the subject tract is an established neighborhood with relatively shallow lots.
6. RPC has not reviewed any zone change requests for subject property, but has received several zone change requests for property abutting the commercial corridor along SR 172 over the years.
7. When considering a zone change, the most intensive uses permitted in that district must be considered. The permitted uses allowed in the B-2 District, which include uses such as a transportation terminal, vehicle service and storage, and printing shop could have a detrimental effect on the surrounding area.

8. According to the Township Zoning Resolution, it appears that off-street parking is a permitted use in the R-5 High Density Multifamily and Limited Service Business District. In addition to allowing off-street parking, the R-5 district also allows limited business uses that are more compatible with residential development and would provide a more gradual transition between the residential and business districts.



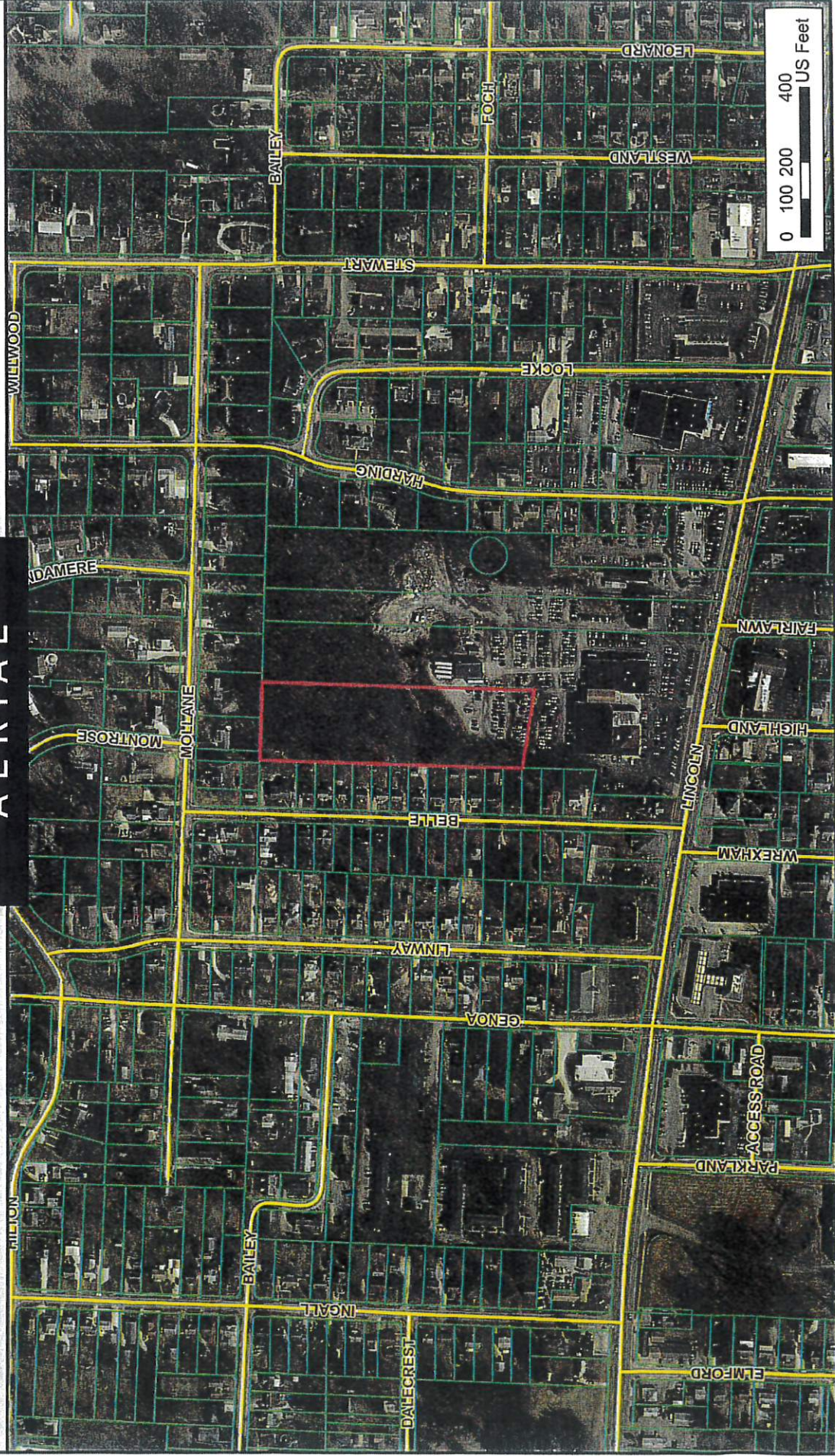
David Thorley
RPC Secretary

cc: Board of Trustees, c/o Fiscal Officer, Zoning Inspector

Proposed Zone change from R3 to B2

AERIAL

Zoning Change ID - PE 4 2023



Proposed Zone change from R3 to B2

ZONING

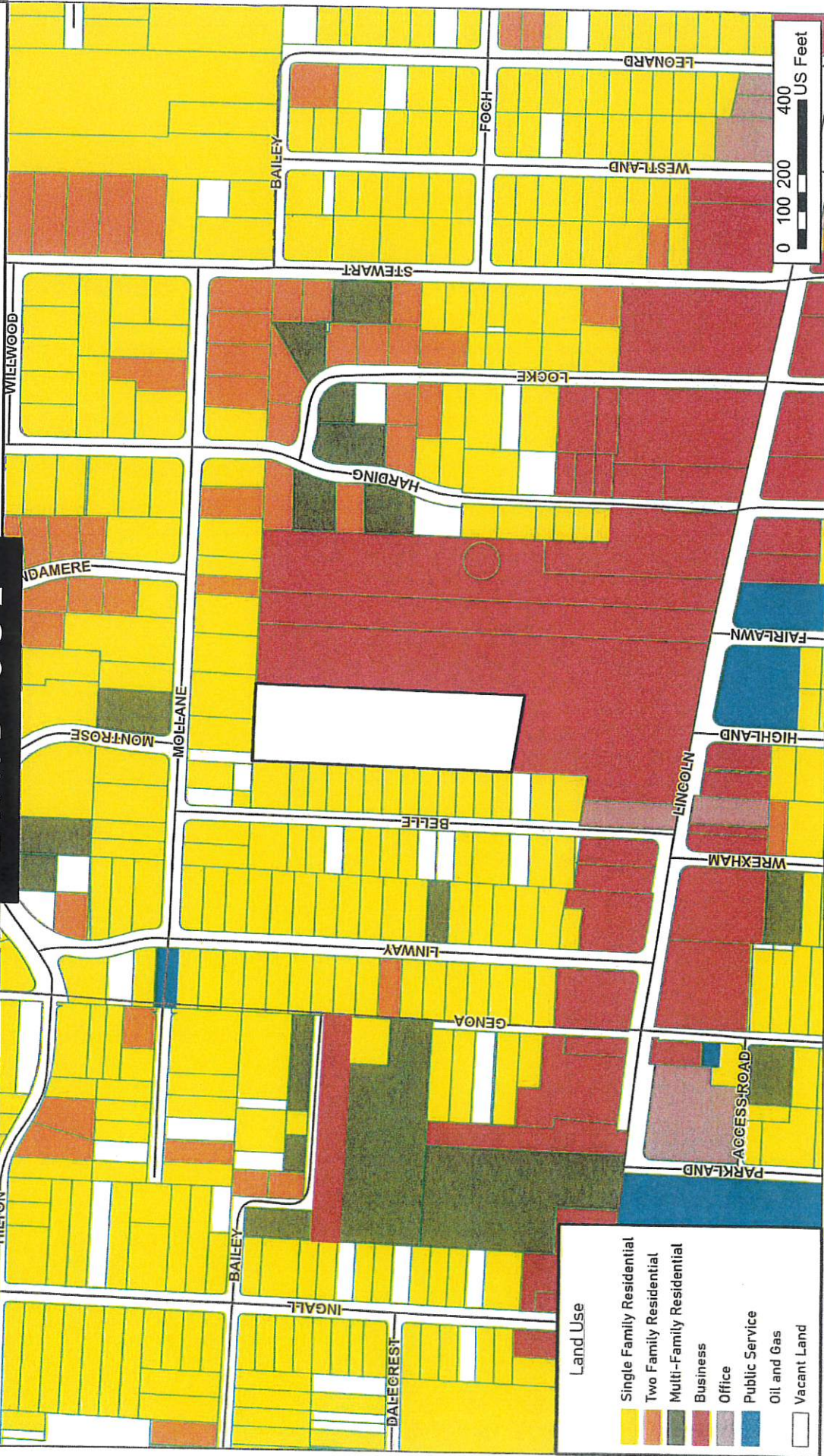
Zoning Change ID - PE 4 2023



Proposed Zone change from R3 to B2

LAND USE

Zoning Change ID - PE 4 2023



- Land Use
- Single Family Residential
 - Two Family Residential
 - Multi-Family Residential
 - Business
 - Office
 - Public Service
 - Oil and Gas
 - Vacant Land



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NOV 13 2023

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TO: Perry Township Zoning Commission

Zoning Amendment No.

ATTN: Scott Marino, Chairperson

PE #5, 2023

The following amendment was reviewed by the Regional Planning Commission on November 7, 2023.

Amendment requested by: Michael J. Moorhead

Reclassification of land **FROM: R-3 Single Family, Duplex and Four-Family Residential**
TO: B-2 Commerical

DESCRIPTION OF PROPERTY: One tract, approximately 0.35 acres, lot 5 in Chateau Deville Allotment, located on the west side of Harding, north of Lincoln Way/SR 172 in the SW ¼ Section 11, Perry Township. (legal description on file with Township).

RPC RECOMMENDATION: Denial

The Regional Planning Commission recommends **denial** of the proposed rezoning to B-2 Commerical. The following facts were considered by the Commission in its decision:

1. The land use of the area consists of multi-family residential dwellings to the north. To the south and east are tracts of single-family residential. To the west are tracts classified as business and is operating as an auto sales lot.
2. The zoning generally follows the land use as the R-3 Single Family, Duplex, and Four-Family Residential District exists to the north, south and east. There is a B-2 Commercial District to the west. The subject tract appears to have been zoned in a residential related manner since the 1960s.
3. According to the application, the applicant will use the area for vehicle storage and employee parking for the business which operates to the south. Currently, the parcel is vacant land that is wooded and appears to have some wetlands within.
4. The Stark County 2040 Comprehensive Plan designates the future land use of the area as Developed Urban.
5. In 1987, a Commercial "strip" district along SR 172 was created. The "strip" extended one parcel deep both north and south of SR 172. Due to the inconsistency in parcel depth, the commercial district appeared to protrude deeply into the existing residential areas in various places along the SR 172 corridor, as shown to the west of the subject tract.
6. Although adjacent to a business district to the west, the subject tract is located within a residentially platted subdivision that is established with residential dwellings. Additionally, the B-2 district has a minimum lot size of 20,000 square feet; the subject tract is approximately 15,200 square feet. The B-2 district would also require greater setbacks when adjacent to a residential district. The subject tract would not meet the minimum lot size of the B-2 district and would have a reduced buildable area due to setback requirements.
7. When considering a zone change, the most intensive uses permitted in that district must be considered. The permitted uses allowed in the B-2 district, which include uses such as a transportation terminal, vehicle service and storage, and printing shop could have a detrimental effect on the surrounding area.

PE #5, 2023

Page 2

A handwritten signature in dark ink, appearing to read 'D. Thorley', is written above a horizontal line.

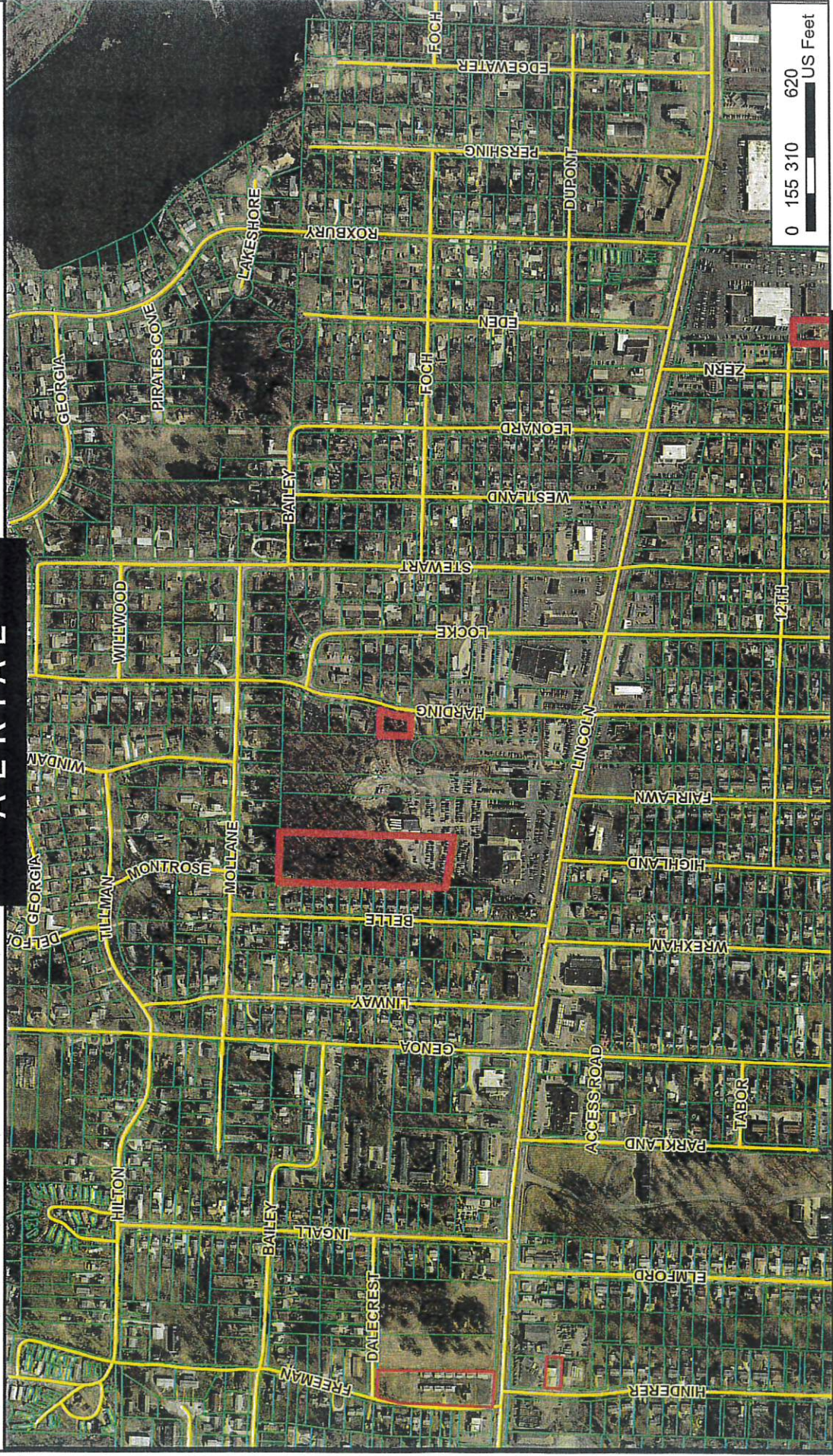
David Thorley
RPC Secretary

cc: Board of Trustees, c/o Fiscal Officer, Zoning Inspector

Proposed Zone change from R3 to B2

AERIAL

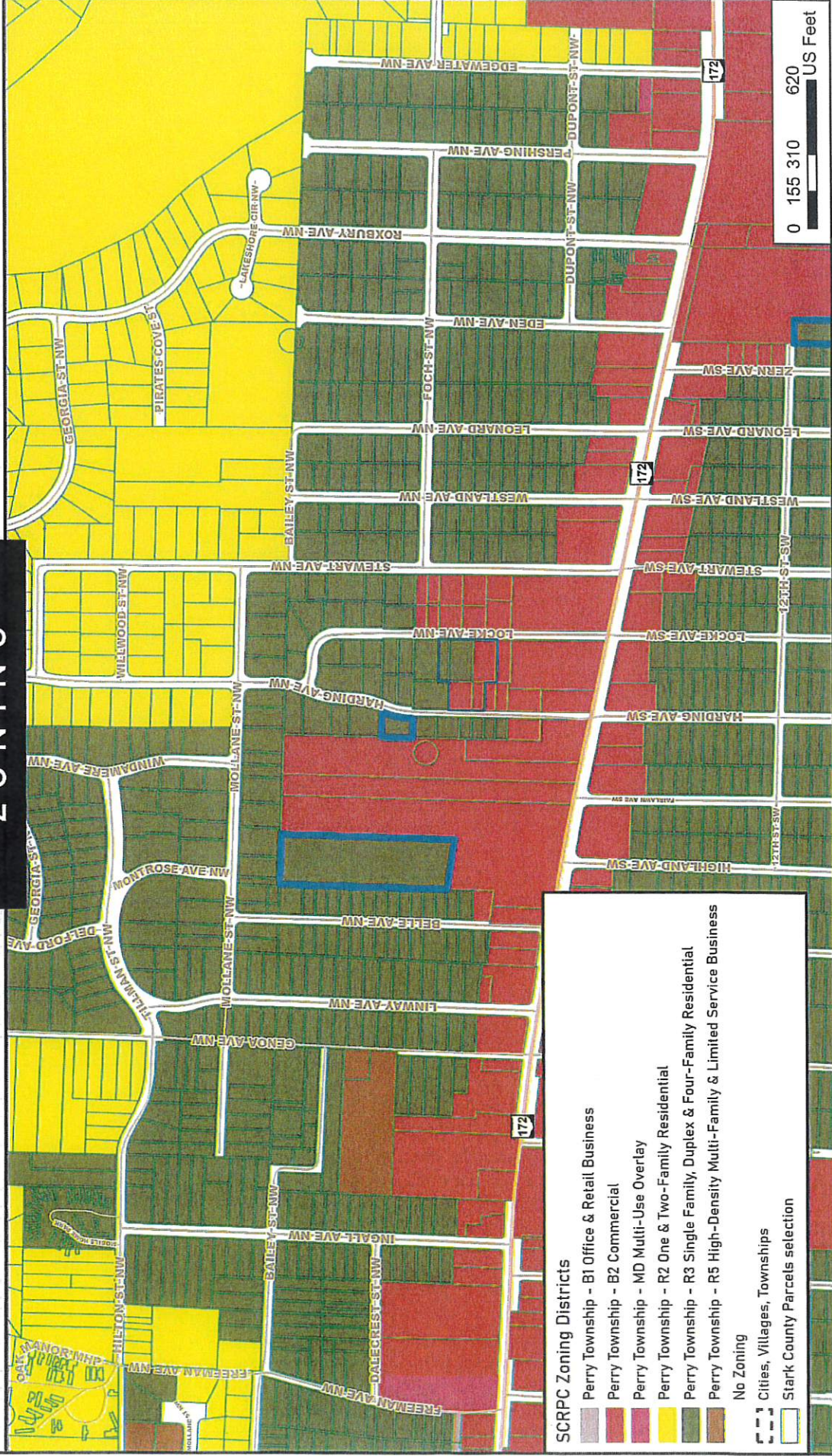
Zoning Change ID - PE 5 2023



Proposed Zone change from R3 to B2

ZONING

Zoning Change ID - PE 5 2023



Proposed Zone change from R3 to B2

Zoning Change ID - PE 5 2023

LAND USE

