MINUTES OF THE PUBLIC MEETING OF
THE CANTON TOWNSHIP BOARD OF TRUSTEES
HELD TUESDAY, NOVEMBER 9, 2021

The Canton Township Board of Trustees met in a Special Session at 6:00 p.m. on Tuesday, November 9, 2021 with William G. Mittas and Christopher B. Nichols present. Also in attendance: Fiscal Officer, John Ring, Zoning Director, Michael Hanshaw, Public Works Director Christopher Neisel and Fire Chief Christopher Smith.

Public Hearing
Called to Order at 6:07 p.m.

Application Number: CA-5-21
Applicant: Stephen McDonald
Present Zoning Classification: RR- Rural Residential
Proposed Zoning Classification: B3- Commercial Business

Description of Property and Location: Parcel 1313400 located in the Southwest Quarter of section 12 at 215 Trump Ave NE.

Brief Outline of Proceedings, as follows:
Zone Change Specifications read from the Canton Township Zoning Resolution.

Swearing in of applicant.

Mr. McDonald stated he currently has a lease, with intent to own, contract with William "Buster" Richardson owner of BHR. Mr. Richardson operates a trucking company on the property. Prior to BHR operations, the property was leased to Renegade Well Service. Mr. McDonald has upgraded the property with city water and a sanitary pump station. He owns both properties surrounding the McDonald's Restaurant/ truck parking lot property.

Discussion with the applicant/ lessee, Board of Trustees, and Zoning Director regarding the applicant's needs for land use, truck use, noise level, future property development plans, and operation hours.

Roll Call from notification letters sent to property owners and/ or residents within a 500-foot radius. Mr. Nichols made a motion to waive the reading of the 16 addresses, mark the document containing the addresses as Exhibit A and make it part of the records, motion seconded by Mr. Mittas and voting YES – Mr. Mittas and Mr. Nichols.
(See Exhibit A)

No residents addressed the Board.

Stark County Regional Planning Recommendation- Approval. (See Exhibit B)

Canton Township Zoning Commission Recommendation- 5-0 vote to approve the Stark County Regional Planning recommendation of approval of reclassification of property from RR- Rural Residential to B3- Commercial Business. (See Exhibit C)

Motion to Vote: Mr. Nichols made a motion to approve the Zoning Commission and Stark County Regional Planning recommendation for a reclassification of property and approve the reclassification of Parcel #1313400 at 215 Trump Rd NE from a RR- Rural Residential to a B3- Commercial Business District, motion seconded by Mr. Mittas.

ROLL CALL VOTE:	Mr. Mittas	YES
	Mr. Shaffer	ABSENT
	Mr. Nichols	YES

Mr. Nichols made a motion to adjourn the hearing at 6:24 p.m., seconded by Mr. Mittas and voting YES- Mr. Mittas and Mr. Nichols.

John Ring, Fiscal Officer

William G. Mittas, Member

Mark R. Shaffer, Vice President (Absent)

Christopher B. Nichols, President

Exhibit A

CA-5-21 Resident Mailing

Owner Name	RESIDENT	ADDRESS	ZIP
STARK COUNTY COMMISSIONERS	/OR CURRENT RESIDENT	110 CENTRAL PLZ S SUITE 240	CANTON, OH 44702-2202
STATE OF OHIO	/OR CURRENT RESIDENT	2088 S ARLINGTON RD	AKRON, OH 44306
HILL CHRISTINE L	/OR CURRENT RESIDENT	329 TRUMP AVE NE	EAST CANTON, OH 44730-1629
FEDEVICH JOSEPH J & JOANNE A	/OR CURRENT RESIDENT	725 CHARLDON AVE SW	MASSILLON, OH 44646
MCDONALD STEPHEN P & CHRISTINE A	/OR CURRENT RESIDENT	215 TRUMP AVE NE	EAST CANTON, OH 44730
MCDONALD STEPHEN P & CHRISTINE A	/OR CURRENT RESIDENT	4234 IDLEBROOK	AKRON, OH 44333
BARTH MICHAEL D	/OR CURRENT RESIDENT	3915 LINCOLN ST E	CANTON, OH 44704
LIVING HOPE CHURCH OF THE CHRISTIAN MISSIONARY ALLIANCE	/OR CURRENT RESIDENT	327 TRUMP AVE NE	CANTON, OH 44730-1629
SHANOWER DELLA M & CORLIN M	/OR CURRENT RESIDENT	322 TRUMP AVE NE	EAST CANTON, OH 44730-1630
MUSISCA PAGAN MARIE	/OR CURRENT RESIDENT	3925 LINCOLN ST E	CANTON, OH 44704
SIMCIC MELISSA N	/OR CURRENT RESIDENT	3802 MANCHESTER AVE NW	NORTH LAWRENCE, OH 44666
OHIO POWER COMPANY	/OR CURRENT RESIDENT	PO BOX 16428	COLUMBUS, OH 43216
MCDONALDS REAL ESTATE COMPANY	/OR CURRENT RESIDENT	4025 LINCOLN ST E	CANTON, OH 44704
BEVINGTON CAROLINE	/OR CURRENT RESIDENT	3811 LINCOLN ST E	CANTON, OH 44707
WADDY & SON OILFIELD SERVICES	/OR CURRENT RESIDENT	320 GRANADA RD NW	DEEROY, OH 44620
MUSISCA PAGAN MARIE	/OR CURRENT RESIDENT	1050 KNOLLWOOD AVE NW	CANTON, OH 44708

Exhibit B

STARK COUNTY
REGIONAL PLANNING
COMMISSION

www.rpc.starkcountyohio.gov

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

t 330 451 7389 f 330 451 7990

TO: Canton Township Zoning Commission

ATTN: Kevin Heim, Chairman

Zoning Amendment No.

CA #5, 2021

The following amendment was reviewed by the Regional Planning Commission on October 5, 2021.

Amendment requested by: Stephen McDonald

Reclassification of land **FROM: R-R Rural Residential**
TO: B-3 Commercial Business

DESCRIPTION OF PROPERTY: : One tract, approximately 3.82 acres, located on the west side of Trump, north of Lincoln/SR 172/US 30 in the SW ¼ Section 12, Canton Township (legal description on file with Township)

RPC RECOMMENDATION: Approval

The Regional Planning Commission recommends **approval** of the proposed rezoning to B-3 Commercial Business. The following facts were considered by the Commission in its decision:

1. The area surrounding the tract proposed for rezoning consists of business uses to the south at the Trump & Lincoln/SR 172/US 30 intersection. To the north is a church shown as public service. East and west of the subject tract are tracts of vacant land. There is a sliver of public service shown to the east along Trump, which is a section of roadway owned by the Commissioners from a road widening.

2. The existing zoning consists of the R-R Rural Residential District to the north and west. To the east is the B-2 Neighborhood Business District. The B-3 Commercial Business District is located to the south.

3. The tract proposed for rezoning is approximately 3.82 acres. Currently, the tract is being utilized for truck storage and according to the application, the owner is looking to rezone the area to commercial to match the adjacent properties.

4. The Stark County 2040 Comprehensive Plan designates the future land use of this area as developed suburban.

5. In 1997, RPC reviewed a zone change request for the adjacent tract to the south, encompassing approximately 5 acres, to be rezoned from the R-R and B-2 districts to B-3. This application was submitted after 2 similar applications for the area were submitted and reviewed by RPC in 1995 and 1996. The zone change requests from 1995 and 1996 were withdrawn from consideration at the township level. When RPC reviewed the zone change requests for all 3 applications, staff recommended denial, taking into consideration the county's comprehensive future land use map, changes in the township's zoning resolution and the creation of spot zoning. In the recommendations for the zone change requests, RPC suggested an overall rezoning and land use study for the intersection of Lincoln/US 30 and Trump. Although RPC recommended denial, the township approved a modification of the 1997 zone change amendment request to

rezone approximately 2 acres at the Trump/Lincoln/US 30 intersection to B-3 and the approximately 3 acres further north to B-2.

6. In June 1999, RPC conducted a land use and zoning study for various areas of the township, including the Trump/Lincoln/US 30 intersection. An overall rezoning layout was provided to the township in conjunction with the study. Later in 1999, a zone change request was submitted by the Zoning Commission to rezone the area following the proposed layout provided by RPC. This included a B-3 corridor along Lincoln and south of Lincoln along Trump to the US 30 interchange. The B-3 district also extended approximately 500' north of Lincoln on Trump, and then transitioned to the B-2 district, which included the subject tract under consideration today. RPC recommended approval of the request. The township modified the amendment reducing the B-3 district on the southwest corner of Lincoln and Trump. Based on this information it appears as though the subject tract's zoning district should be B-2 and not R-R.

7. Since the 1999 rezoning, RPC has not reviewed any additional zone change requests for this area.

8. Rezoning the area to a B-3 district would be in keeping with the existing surrounding zoning. Staff believes this change would not have a detrimental effect to the surrounding areas. If the zone change is not approved or the application is withdrawn, the township should verify the zoning in this area and make appropriate corrections.

Joseph P. Skubiak
RPC Secretary

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

Exhibit C

Minutes of Meeting
October 18, 2021
Zoning Commission
CA-5-21 Stephen McDonald

Zoning Commission Members present: Kevin Heim, Ken Mount, Craig Kendrick, Jason Cramer and Ronald Baughman. Also present: Zoning Director Michael Hanshaw, Assistant Zoning Director Laura Datkuliak.

The meeting was called to order at 6:00 p.m. CA-5-21 by Mr. Heim.

Mr. Heim read the application request for reclassification on Parcel 1313400 located in the Southwest Quarter of section 12 at 215 Trump Ave NE. The proposed zoning classification is B-3 Commercial Business.

Present Zoning Classification: The present zoning classification is RR-Rural Residential. Mr. Kendrick read the zoning description for RR and B3.

Stark County Regional Planning Commission reviewed the application October 5, 2021. Mr. Mount read through the SCRP (8) facts and recommendation of approval.

Applicant was sworn in by the stenographer.

Statement from Applicant:
Mr. McDonald stated that the property was previously leased by Renegade Well Service. They had a temporary office and truck storage on the property. He currently leases the property, with the option to buy, to Buster Richardson of BHR Trucking Company. The property is used for truck storage with plans to add a small office for 1-2 people. He also owns the adjacent property that fronts Lincoln Way creating a (L) shape around the truck lot of the McDonald's property. The adjacent property is zoned as B3. There is already a gravel and fenced in area on the property, with a drainage retention area of the NW side.

Resident Statements/ Questions:

Mailed notification letters to (16) property owners within 500 feet. No residents were present.

Board questions:

Q: Is there access to water/ sewer?
A: Yes, both. They are ready to be hooked up. The electric service on the property has also been upgraded.

Mr. Baughman made a motion to approve the recommendation from Stark County Regional Planning and approve the zone change request by Stephen McDonald from RR- Rural Residential to a B3- Commercial Business. Motion seconded by Mr. Cramer.

ROLL CALL:

Kevin Heim	YES
Craig Kendrick	YES
Ronald Baughman	YES
Ken Mount	YES
Jason Cramer	YES

5-0 to approve the recommendations from Stark County Regional Planning Commission and approve the reclassification of property from a RR to B3.

Mr. Heim made a motion to adjourn at 6:20 p.m., seconded by Mr. Kendrick.