

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON PUBLIC HEARING Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, April 4 7:00 p.m. 20 11

CALL TO ORDER:

The public hearing was called to order Monday, April 4, 2011 at 7:02 p.m. by President of Council Jon Snyder.

ROLL CALL:

Council Members present for the public hearing: Council Members Davies, DeOrio, Foltz, Kiesling, Peters, and Snyder.

Also present were: Mayor Held, Director of Administration Grimes, City Engineer Benekos, Director of Finance Loretto and Director of Economic Development Bowles, Director of Law Nilges was not present for the public hearing.

Notice is hereby given that a public hearing will be held by the Council of the City of North Canton on Monday, April 4, 2011 at 6:45 p.m. in the Council Chamber at North Canton City Hall.

A request for an amendment to the North Canton Zoning Ordinance was submitted by Ronald S. & William P. Postiy for properties with frontage on Applegrove Street NW. The premises are presently zoned R-2F, Residential Two-Family District and it is requested that the premises be rezoned to GB-A, General Business District.

The North Canton Planning Commission, at their February 9, 2011 meeting, by a voice vote 0-yes and 5-no, has recommended that the property not be rezoned from R-2F to GB-A.

Final action thereon, according to law, will be taken by the Council of the City of North Canton subsequent to the date of said public hearing.

Mr. Snyder: At this time I'd like to call to order a public hearing in the City of North Canton Council in regard to a request for an amendment to the Zoning Ordinance submitted by Ronald and William Postiy, for properties with frontage on Applegrove Street NW. The property is presently zoned R-2F, Residential Two-Family and it was requested it go to GB-A, General Business District A. The Planning Commission at its meeting denied the request and by law we are obligated to hold a public hearing. At this time is there anybody in the audience wishing to speak in favor of it, proponents to the zone change? Seeing none, are there any opponents wishing to address the Council tonight relative to the zone change? Wait, Mr. Osborne, this gentleman raised his hand first please. Thank you, I'll come right back to you. Sir, will you step forward, state your name and address for the record.

Tom Zucal: My name is Tom Zucal and 1110 Browning Avenue is my address. I've been there for 25 years. And it's a little selfish of me but I like the way it is. Wish the Council would vote against it too. Thank you.

Mr. Snyder: You're welcome, sir. One moment Mr. Osborne. Sir - Mrs. Welch, have you something to say?

Miriam Welch: Hi, my name is Miriam Welch and I live at 800 Applegrove Street NW. My property is zoned R-70 and it abuts the land in question, the land wanting to be rezoned. And I request that you don't do the rezoning. It will definitely decrease my property in value and my quality of life. Also, Mr. Postiy bought the land and they knew the zoning, but when they bought it if they wanted to change it, they should've gone for it before they bought the land. Now they can't change a horse in midstream. Thank you.

Mr. Snyder: Thank you. Mr. Osborne?

Chuck Osborne: 307 Fairview Street SE, North Canton, Ohio. I don't have any feelings one way or the other at the moment. But I wish when you would present something like this, you would frame it and explain the parameters a little bit more. I think it would just be helpful to the general audience.

Mr. Snyder: Procedurally speaking of....

Mr. Osborne: Pardon?

Mr. Snyder: Procedurally how it works or I'm sorry - I...

Mr. Osborne: Or identify the location a little more closely. Generally I am pretty well up on things but I haven't looked at this. But I just think, as a general rule, if you would detail a little bit more Council's understanding of what is being requested and what you know about it behind the scenes or whatever.

Mr. Snyder: That's fine. That's an honest request.

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DAYTON LEGAL BLANK INC. FORM NO. 1014R

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Mr. Osborne: Thank you.

Mr. Snyder: The particular property as you know is on Applegrove to the west of Mrs. Welch's property behind the new CVC. It was requested that the Planning Commission change I believe two pieces of property to which they held a public hearing approximately six weeks ago. It was denied at that level. According to the Zoning Ordinances, an affirmative vote is only required from the Planning Commission of four members – three members voting yes sent to the Council. Four members of Council can uphold it. Five members can deny it. And it was denied. It came over as a negative request which would require five members of the Council to overturn that particular zone change request. Historically we defer to the Council member who represents that Ward. He or she is a little more in tune with the neighbors, knows exactly the pulse of the neighborhood and usually the wishes of that particular Councilman are held up by this Council or normally the Council body, but that's the property. And it was requested that – it's right now zoned to - for multi-family, there are I think one single family home that's rented and one vacant – isn't one of them vacant? There's a lady – one of those houses – there's a house on there that's rented isn't it?

Ms. Welch (speaking from audience): Where?

Mr. Snyder: On that – on the way along there. They own that and then the one right immediately to the west of them

Ms. Welch (speaking from audience): I think all the way down through they are either owned or rented.

Mr. Snyder: Yeah. And then...

Ms. Welch (speaking from audience): But isn't there also two family just – just...

Mr. Snyder: Right - it's also two family there...

Ms. Welch (speaking from audience): ...inaudible....

Mr. Snyder: All the way down to the Girl Scouts which is zoned Park and Institutions. And this I think this has come up two or three times ...

Mr. Foltz: Right.

Mr. Snyder: in the past.

Ms. Kiesling: Just once in the past.

Mr. Foltz: Once in the past. I had a few calls, when I got home today. They couldn't make the public hearing and we weren't quite sure if it was today or next week. But as Council – as a Council member that represents that Ward, I am against changing the zoning. I've talked to the residents previous times in the past about anything similar to this. So that's for the record.

Mr. Snyder: Okay. Is there any...

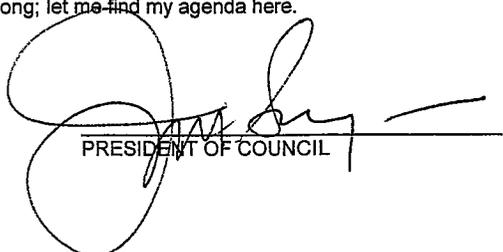
Mr. Osborne (speaking from audience): Thank you for clarifying that.

Mr. Snyder: Any members of Council, anything we wish to address?

Mr. Peters: I'd defer to the Ward Councilman.

Mr. Snyder: Okay, procedurally we'll place this on the agenda next week. It will be for a full vote of the Council, which will be next Monday night, it'll go on the Committee for Mrs. Kiesling's Committee of Economic Development and at that particular time the vote of the Council will be taken next Monday night. Okay. Alright, moving along; let me find my agenda here.

The public hearing ended at 7:09 p.m.



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL

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