

RECORD OF PROCEEDINGS

COUNCIL OF THE CITY OF NORTH CANTON

PUBLIC HEARING

Meeting

Minutes of

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, May 2 6:20 p.m. 20 05

CALL TO ORDER:

The public hearing was called to order Monday, May 2, 2005 at 6:20 p.m. by President of Council Jon Snyder.

The following members of Council were present for the public hearing: Foltz, Lane, Lindower, Peters, Sarbach and Snyder. Also present were: Mayor Rice, Director of Administration Miller, Director of Law Pusateri, Director of Finance Herr, City Engineer Benekos and Superintendent of Permits and Inspection Hemminger.

Notice is hereby given that a public hearing will be held by the Council of the City of North Canton on Monday, May 2, 2005 at 6:20 p.m. in the Council Chamber at North Canton City Hall.

The hearing is with regard to a request for a zoning amendment initiated by the North Canton City Council for properties situated in the general area as bounded or abutting Harmon Street SW to the south; Charlotte Street NW to the north; Hillcrest Avenue Northwest/Southwest to the west; and Ream Avenue NW to the east and known as House No. 215, 221, 227, 231, 309 and Parcel No. 5602281 and 5602280 Charlotte Street NW; 225, 231, 237, 243, 303, 309, 315, 325, 335, 345, 405, 509 and 510 Harmon Street SW; 107, 134, 210 and 341 Hillcrest Avenue NW; and 312, 315, 316, 319, 322, 325, 328, 331, 332, 337, 338, 343, 344, 403, 407, 413, 507, 511, 517, 523, 531 and 535 West Maple Street; 402, 406, 410, 416, and 422 Portage Street NW; and 118, 119, 124, 125, 129, 130, 135, 202, 315 and Parcel No. 5605260 and 5603036 Royer Avenue NW. These premises are presently zoned RMF-B, Residential Multi-Family-B. It is requested that these premises be rezoned R-50, Residential Single-Family.

The hearing is also with regard to a request for a zoning amendment initiated by the North Canton City Council for properties situated in the general area as bounded or abutting Harmon Street SW to the south; Charlotte Street NW to the north; Hillcrest Avenue Northwest/Southwest to the west; and Ream Avenue NW to the east and known as House No. 115, 119, 125, 129, 135, 203, 209, 211 and 219 Hillcrest Avenue NW; 123 Hillcrest Avenue SW; 408, 414, 504, 508 and 514 West Maple Street; 119 Mohler Court NW; 116 and Parcel No. 5603408 Pleasant Court NW; and 220, 228, 232, 238, 300, 309, 310, 320, 328, 329, 332, 336, 500, 512, 514 and Parcel No. 5680682 Portage Street NW. These premises are presently zoned RMF-B, Residential Multi-Family-B. It is requested that these premises be rezoned R-2F, Residential Two-Family.

The hearing is also with regard to a request for a zoning amendment initiated by the North Canton City Council for properties situated in the general area as bounded or abutting Harmon Street SW to the south; Charlotte Street NW to the north; Hillcrest Avenue Northwest/Southwest to the west; and Ream Avenue NW to the east and known as House No. 237 and Parcel No. 5680233 and 5680234 West Maple Street. These premises are presently zoned GB-A, General Business-A. It is requested that these premises be rezoned P&I, Parks and Institutional.

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The hearing is also with regard to a request for a zoning amendment initiated by the North Canton City Council for properties situated in the general area as bounded or abutting Harmon Street SW to the south; Charlotte Street NW to the north; Hillcrest Avenue Northwest/Southwest to the west; and Ream Avenue NW to the east and known as House No. 307 West Maple Street. The premises is currently zoned RMF-B, Residential Multi-Family. It is requested that the premises be rezoned P&I, Parks and Institutional.

Mr. Snyder: The purpose of this hearing is to have a public hearing relative to changing the existing zoning which is behind City Hall bordered by, I believe, Harmon/Hillcrest. That complete quadrant. The present zoning is Multi-Family. Isn't it RF-2? And the requested change, and this request came from the Council itself to change it to Single-Family and RMF-, I believe, A.

Mr. Hemminger: R2-F.

Mr. Snyder: R2-F? Residential Multi-Family to Two-Family. It has been zoned since sometime pre-sixties. The purpose of the initiation of both Member Foltz and myself as the representative to that Ward 1 and 4, we felt that the integrity of the neighborhood would remain stronger as Single-Family homes rather than Multi-Family homes. Historically, cities of our size and smaller and even larger, when you change the interior of the city to Multi-Family, taking existing small one family homes turning it into duplex or sometimes triplexes, it puts a strain not only on the neighborhood, it puts a strain on the city services. It put a strain on the integrity of the neighborhood because there's not

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due ownership as there is with Single-Family. And again, we encourage Single-Family housing. We do not want the stock of the housing in the City to reach much higher than what it presently is. Somewhere in between twenty and twenty-five percent of our housing is rental. So that was the actual rationale behind our suggestion to keep it and change it back to Single-Family. Most of the homes in that area are between \$100-150,000. And even though it's a little higher than starter homes, it does encourage young families to move in to the area. So I'll turn it over now to Chairman Lane. You got anything to put into that, sir?

Mr. Lane: Uh no. You folks have initiated this and I know we went through the Planning. Sat down and chatted with those folks. And I know you had the one hearing and I guess that's what the purpose of this one is. To find out, it's very detailed as far as addresses and lot numbers and what the zoning is going to be. So I guess we should open it up and get some pros and cons here.

Mr. Snyder: We'll first hear from anyone in the audience wishing to speak in favor of the actual change. Sir, would you step forward and state your name and address for the record?

Mr. Braucher: Yes, my name is Randall Braucher. I live at 119 Royer. I have no objections to rental property in my neighborhood but I strongly feel that multi residences is not going to help me at all. My wife and I love the City, love our home and just want to try to keep down the multi residences. Thanks.

Mr. Snyder: Thank you sir. I appreciate that. Sir, would you step forward, state your name and address for the record?

Mr. Stahler: My name is Logan Stahler. I live at 315 Royer Avenue, North. I have a duplex. The house is two complete apartments. We don't use the upstairs one at all. And I just assume have the option if the economics ever come the time that I have to rent the upstairs apartment that I'll have it available to me rather than being anchored down by the City Council. So I propose to just leave it alone as is. I'm not bothering anybody and nobody bothers me. Just leave the darn thing alone. Right now it's multiple zoning. But I have no foreseeable future, I don't want, I'm just using it for storage more than anything for my kids. That's what I propose. Just leave it alone.

Mr. Snyder: Thank you sir. Gene what's the situation on the existing homes that have been converted to duplex, the existing Single-Family, do they stay as a nonconforming or do they have to re-remove that?

Mr. Hemminger: No, they can exist as a nonconforming for eternity, basically, as long as they don't become a nuisance.

Mr. Snyder: That gentleman's house now it's been duplexed is a nonconforming use in single family, R-50. Is that correct?

Mr. Hemminger: In a R-50 it would be a nonconforming use. That's correct.

Mr. Snyder: Right. Do you understand that sir? Do you understand what I say. In your particular case, yours, I'm speaking of yours only...

Mr. Stahler: Yes.

Mr. Snyder: ...your home will stay as a Multi-Family home because it's pre zone change. If the zone change went through. It would be done as a nonconforming use. However, there are contingencies to that. Should you encounter more than twenty-five percent damage to your property or something would or something, some peril would remove your property more than twenty-five percent of it, that will go away. But you are currently grandfathered to leave it as a duplex. Even if the zone change would go through.

Mr. Stahler: Just leave it as a duplex. That's fine.

Mr. Snyder: Right. Is there anybody else wishing to speak to the Council? Sir?

Unidentified: Inaudible.

Mr. Snyder: Would you step forward and state your name and address?

Mr. Doerschuk: Ray Doerschuk. My father, Lloyd, we own 402 Portage. Right down the street, that's his retirement, my future retirement. I am totally against it. I think this is nonsense. You talk about the day care next door. It was rented out to the National Guard. Who's to say you're not going to do that tomorrow. Build another new school and then that be vacant again. The track record of the City has already done that once. So you're trying to tie the people into a box but you're not tying yourself into a box. The other thing I noticed was the City tore down two houses over here for parking. If we're going to start changing zoning in the area then those should go back to Single-

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Family and there should be two houses built over there. It's hard to stop progress is my point. You guys only have one way to go for parking so there's no way that, you know, you could turn those back into housing and let people build on it, is my point. And I don't have a problem you guys going that way because that's the only choice we have for the City but you're proposing one thing for my property and the City's doing another thing. And I don't even understand how you can propose this with the track record we have here. Being we're tearing down single houses, the City's making them into parking. We took the school over here, built a new school because it had to have more room. We rented out that National Guard. What are we going to do if the day care wants a new, everything on one floor because all the schools are going to one floor because of the steps, liability. If we go to one floor, liability, what are we going to do with that building over there? So if you kind of see my point, I would like to see it stay as it is. If we're going to start changing things then we need to start at home with the City. And if we're going to make that all Single-Family then we need to take the new parking lot over there and make that Single-Family too. If it's fair for the individual, then it's also fair for the City. So that's my, that's what I have to say. Thank you very much for listening to me.

Mr. Snyder: Appreciate that sir. Anyone else wishing to speak? Sir?

Unidentified: I'm with a company called Parkview Apartments and our concern is we did not buy a property and convert it into a duplex. We own a couple properties that were originally built as a three unit and they been there for forty years. So it wasn't converted, we didn't convert a single to a double or a triple. We were actually built as two triplexes. And these buildings are located on Pleasant Court, if anybody knows where Pleasant Court is. Not too many people do. But it is directly behind here. It's in between the streets. It's way back in off of an alley. But we're concerned about, we didn't change the building. That's the way it was built. Also, there's a grandfather clause but sometimes in some cities if an apartment has been vacant for x number of days or months then you lose that grandfather. Is anybody familiar with that? It's now in addition to the twenty-five percent damage, if it's vacant for a certain number of period of time, then you lose that grandfather clause. Anybody know what the period of time is for that if you lose it?

Mr. Hemminger: If the use is discontinued for more than two years....

Unidentified: Oh, it's a two year period?

Mr. Hemminger: Yes sir.

Unidentified: You have a vacancy and you're reconditioning it for a month or two, repainting and so forth and that doesn't affect it?

Mr. Hemminger: That would go for the property in total. If you just had one unit vacant, it would not have...

Unidentified: So our major concern is our two triplexes that were built that way. Even if someone had a fire or something we would like, after forty years of owning it or having it, we would like to be able to bring that back up to three unit. So it is on Pleasant Court for the record. Ok?

Mr. Snyder: Alright sir. Thank you very much for that sir. Anyone else wishing to speak? Mam?

Ms. Zimmerman: My name is Linda Zimmerman. I live at 407 W Maple. We have a lovely little house down here and we have rental property on both sides of us. We're lucky. We have really good landlords that try to take care of things really well. And the only concern I think that we have is, we've seen a lot of people coming and going. Coming and going, not even fulfilling leases. And I think until last year, we didn't, we had a real unnerving person living there that, I have a small daughter, and for her safety we were actually nervous about it and really contemplated maybe this isn't the best place, we would move to a subdivision so we'd be more in a housing. So I think that's our only concern we'll kind of go more for the Single-Family because I'd like to know my neighbors and feel really comfortable. And, you know, I think it's just such a lovely little town that we want it to stay that way and the only thing we noticed is lately that a lot of the rental property up and down here has gone in to disrepair. And so if that could be corrected, if you have rental property that you need to keep it, you know, looking good from the street along with everyone else. I think that would be good thing. I think those are our biggest concerns. We don't want to see too much so that things stay as nice, you know, as they are. Ok, thank you.

Mr. Snyder: I appreciate that. Thank you. Anyone else wishing to speak. Sir?

Mr. Biss: I'm at 523 W Maple presently zoned Multi-Family and I'm encouraging you to make the right choice. My name is Marc Biss. I believe if you look at statistically the integrity, as you mentioned, but also the ramifications of the Multi-Family as opposed to Single-Family that we as a community would want to grow as a Single-Family residential area. And I encourage you to do that. And also I'd like to be, or made it known that if there is a rezoning done if we could, as residents, receive some sort of information that this is done via mail. That would be greatly appreciated. And I

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think that's the progress. The progress is effected if you're a resident then this Single-Family residential zoning is a positive thing. Thank you.

Mr. Snyder: Thank you sir. Anyone else wishing to speak?

Ms. Roll: My name is Melanie Roll and I live at 308 Portage. I'm in favor of it being zoned Single and Double-Family. And the reasons are I think the ratio of rentals in this core area and maybe a little off. There are a lot of rentals. A lot of rental signs. I think we have to think about owner occupied dwellings for a lot of reasons. For upkeep, knowing your neighbors. I would like to see this area be attractive to young families so that they want to move in and that it's advantageous for them to move in. And I think that if it's Single and Double-Family that that would be more inviting to families and of course property values. I think that if you have less rentals, more Single-Family, that the property values would stabilize. I've been talking to residents in this area for some time. There are some that have signed a petition that I would like to present to you. It's about forty people and they are requesting that this core area, I'll refer to, be zoned Single and Two-Family. I don't know if you want to see it or...

Mr. Snyder: Yes please. We'll enter it into the record. We'll give it to the Clerk and we'll enter it into the record. Thank you.

Ms. Roll: And I have a second proposal and that is from residents in the 300 Block of Portage of which my dwelling is one and that would be from Mohler Drive west to Royer and that be zoned Single-Family. Five of the persons that own those houses have also signed and I'd like to submit that to Council. They are requesting that that block, the 300 Block be zoned Single-Family. I believe all of the houses on the north side are currently Single-Family and that would somewhat mirror that from Mohler Drive to Hillcrest. I'd like to submit this to Council as well.

Mr. Snyder: Thank you. Anyone else? Mam?

Ms. Biss: Ginger Biss. I'm this handsome gentleman's wife. I have a few additional names for that petition that Melanie brought forward. I just wanted to reiterate what Ms. Zimmerman said. I do applaud you for taking a step in the right direction. Particularly after putting together this whole campaign to market our City as a great place to live, work and play. Lovely banners by the way. And I think it's important to try and keep this City in the midst of, a number of things that have gone on politically, a number of issues that have taken a blow economically to our City, that we protect the families. And I agree with Ms. Zimmerman to with, I'm not opposed to rentals. That was definitely a part in my life as a young person. That's something that needs to be available and accessible to people. However, it's also very important to keep these properties up. And I think that there needs to be a balance so again I applaud you for taking the initiative to handle the rezoning. Thank you.

Mr. Snyder: Thank you. Thank you very much. Sir, you wanted to speak?

Mr. Meyer: Good evening, my name is Mason Meyer. I'm at 320 Portage Street. I am one of those young families that moved here that everyone keeps talking about, about eighteen months ago. My wife and I made the decision to move to North Canton basically for five reasons. One, the aesthetic reasons. It's a beautiful, small city. Number two, the low crime rate. Three, the household and the population control compared to like Jackson Township and Green. Number four, the quality of schools for my two children. And number five, the return on investment for my property value. Which is a big deal for me. You know, I've lived in Multi-Family homes. I've rented. I'm not against rental properties but the bottom line is that Multi-Family homes really don't promise to help any of the reasons why I moved here and made that decision. I mean, you said yourself that basically neighborhoods are stronger. It's the Single-Family homes living on the south side of Portage in the 300 Block. I considered the homes across the street from mine just as much in my neighborhood as the people next to me and behind me. So I have a lot of concern that on one side of my street, it's one way and the opposite side, it's the other. And I truly believe it will encourage people like me to leave and find other places to live where I have a better opportunity for property value. You know, in the midst of the Hoover Plant situation, which I took gamble moving here in lieu of that, this is significantly a concern for me. Thank you.

Mr. Snyder: Thank you. Anybody else wishing to speak to us? Sir?

Mr. Holl: My name is Jim Holl. I live at 509 Pershing, SE. I'm here tonight to speak a little bit about, in my capacity as the Vice President of the North Canton Heritage Society. The Society does not take a position one way or the other for or against this zone change at this time. However, we are an interested party. And one of the elements of our mission statement is to educate the public about the importance of preservation of our historic and architectural resources. So we are very much concerned and very much interested in development or redevelopment of any kind that takes place in this area and that does take into account those particular architectural situations which may warrant preservation in the area. So thank you very much.

Mr. Snyder: Thank you sir. Anybody else wishing to speak to us? Any comments from the Council?

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Mr. Sarbach: The triplex the gentleman spoke of, it's been a, I guess I'm addressing this to Gene, it's been a triplex for forty years and if this change were to take place, would they be able to rebuild that as a triplex? If that's what it's always been.

Mr. Hemminger: It could be utilized as a three unit as long as it exists. If it were actually destroyed more than fifty percent of its replacement value, it could not be rebuilt as a nonconforming use. That's something to consider.

Mr. Snyder: Any other questions? You know, I think it's important and to let you know some of the thought process that went behind this. As some of the people mentioned, you know, economically, money cities in the State of Ohio have suffered greatly. The City of North Canton is very fortunate. And if you, most people don't realize that statewide the economy has survived only solely because of the housing. Housing in the State of Ohio has grown approximately twelve percent. North Canton exceeds that figure as we're very fortunate in the northeast quadrant to soon have an additional two hundred and some new homes. So we must encourage local home ownership and young families because what drives the city services is the tax base of income tax and property taxes. And those are done basically by single families and people with children encouraged. So that was basically our thought process behind it. The other thing and it's unfortunately not used much, and I know some people are not encouraged by it, but the City does have a community reinvestment act. Where we, a portion of your, that you do to fix up your home, a portion of the property taxes can be abated. In fact, I think it's automatic for ten years on the portion that's done. And I know the Administration has encouraged us to look at lowering the thresh hold. I believe it's right now 25,000 and we're thinking about lowering that figure down. So that if you do something to your home to enhance its either aesthetic or actual structure value, that those portions of the taxes can be abated up to ten years to encourage, again, people to come in to our City with young families or young, early first time buyers, second time buyers. That's what we're really after. And at no time were we really trying to discourage rental property, per say, but taking existing Single-Family units and converting them as basically, we don't think that that's what we're after. So that's, that was our actual thought process, Mr. Foltz and myself.

Mr. Foltz: Yea, and Jon I agree with you on a lot of comments made tonight. This isn't anti-rental philosophy up here. It's just, I've seen it happen to other cities. Where you take large homes and you triplex them out and there's no yard for the kids. There's no garage facilities and as you know we have an ordinance that you can't park on the street. So the cars have to go on a property. And that's not aesthetically what we want either. Then that means the kids don't have a place to play. So that's one reason. Second reason is, I'm not blaming all rental property owners or renters. I think everyone along the line had to rent some where and you know there's different levels of who takes care of property and who doesn't. But the majority of my calls, if I do have problems, it involves rental properties for some reason. The grass isn't cut there, the house isn't kept up. It's transient type of living situation that we're trying to avoid. I think everyone that came up here and spoke, I'm very happy that they did. It's public involvement. It helps us make decisions up here. But those who own rental properties here, I think as Gene indicated, you're more or less grandfathered here. As long as you're using it, those units are being rented. Or there's not a fifty percent disrepair or damage to your property. So we're not trying to chase you out we just want to try to regulate this and make our City more welcoming to younger families to move in. So I want to thank everybody for coming up and stating whether you're for this or against this. That's it Jon.

Mr. Snyder: Mr. Lane?

Mr. Lane: Jon, and this might be a better question addressed to Gene and I don't want to put you on the spot on it but out of all these addresses that are on this legislation, how many would you say would be nonconforming on each one of these areas? Maybe ten percent? Twenty percent? And I guess the reason I'm asking is, you've got a couple of triplexes. You've got a gentleman here that's got some investment property and some other things as you mentioned, if we have a fire, they're down to square one. Maybe there's a way and I don't know if legally we can do this so I've got a question for Paul, is there a way that some of these that are nonconforming could be rebuilt as a duplex or a triplex under existing law?

Mr. Snyder: Not under the existing zoning.

Mr. Lane: Ok, it's just a thought because...

Mr. Snyder: You have to understand....

Mr. Lane: ...if we've only got a handful we're dealing with...

Mr. Snyder: A thumbnail estimate, our stock in the City of North Canton runs about twenty-two percent rental. That's the complete City. Which you know is a little higher than I personally would like to see. I think we should be down in the seventeen and eighteen percentile. And, you know, that includes any type of new structure because...

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Mr. Lane: I'm just saying if we have a good owner and a good renter...

Mr. Snyder: Oh yea.

Mr. Lane: ...I don't want to penalize them but at the same time I understand where you're coming from. I just didn't know if we have just a handful that would qualify for something like that. Maybe we could look in to that.

Mr. Snyder: Well, at that point you'd be disenfranchising the rest of the residents...

Mr. Lane: That's why I asked Paul.

Mr. Snyder: Yea, we'd get in a little trouble there.

Mr. Pusateri: Inaudible.

Unidentified: Would anybody in Council know how many triplexes are in this area? Most of them are Single-Family homes that were converted to duplexes. Does anybody have a record as to how many triplexes would be involved besides our two. I don't think there's too many.

Mr. Snyder: No, probably the Fire Department would be best to give you that information. I would say there's very few that have been built that way.

Unidentified: Inaudible.

Mr. Foltz: Jon, I had another comment. Ms. Roll brought up a mixed Single-Family, 300 Block of Portage. I believe that's the south side of Portage. Is that correct? Gene is there a problem is we introduce that tonight?

Mr. Hemminger: I don't see any.

Mr. Foltz: Do we have to go back to the Planning Commission at all?

Mr. Hemminger: You can amend though.

Mr. Foltz: You have that zoned what now, R-2 Family for new zoning?

Mr. Hemminger: It's proposed as R-2F from the Planning Commission.

Mr. Foltz: R-2F yea. R-2 Family.

Mr. Hemminger: You can amend the recommendation from the Planning Commission without going back to them unless it's, you know, wholesale. Then you may want to bounce it back off of them.

Mr. Foltz: We'll have a first reading tonight anyway and then we'll make sure there is no legal ramifications.

Mr. Pusateri: Not a first reading tonight, we'll just have, it's just...

Mr. Foltz: It'll go through Committee for first reading next week.

Mr. Pusateri: Yea.

Mr. Foltz: Excuse me.

Mr. Snyder: Yea. I would say probably maybe we should ask if there's anybody else that's in favor of it want to speak about changing that side there, you can most assuredly speak now or anybody opposes most assuredly permitted to speak.

Mr. Foltz: Anybody else in the 300 Block that's here that hasn't spoken or be in favor of that?

Ms. Miller: Well I'm Sally Miller, I live at 312 W Maple.

Mr. Foltz: West Maple.

Ms. Miller: Although I got a letter that said I was in it and I got a letter that said I wasn't in it. So I didn't know whether I should speak or not.

Mr. Snyder: No, please step up and speak at the microphone.

Mr. Foltz: Feel free to speak.

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Ms. Miller: Yea, I like, I like the idea of changing it because I live next door to a rental and it's been great for years but now I got two kids living in one upstairs and one downstairs, you know. They're fine kids but they don't keep the property up to well, you know. But I've lived there for fifty some years and it's been duplexes all around me. Across the street and up the street and I've never had a problem but you know. So in the foreseeable future, it'd be great if we kept it single.

Mr. Foltz: What was your name again mam?

Ms. Miller: Sally Miller, Sarah Miller.

Mr. Snyder: Thanks Ms. Miller. Sir, please step forward state your name and address for the record.

Mr. Vicencio: My name is John Vicencio and I live at 300 W Maple. And mine is a General Business and I'm for having it changed to R2-F because I had a problem getting a loan before because of that.

Mr. Snyder: I appreciate that. Thank you. Anybody else wishing to speak? Any other comment from the Council? Superintendent Hemminger you have any input at all sir? Inaudible.

Mr. Hemminger: I just agree with Council's position of trying to preserve the integrity of the Single-Family residential areas. I think there may be some concern for the gentleman on Mohler Court/Pleasant Court with the three units. We may want to talk about that. He does have an investment there and if he were to, unfortunately, suffer a catastrophic loss, it could not be rebuilt as a three unit under the R-2F or R-50 zoning so.

Mr. Snyder: Is there a way that we can carve that little piece out of there?

Mr. Hemminger: Well I don't know why not. If..

Unidentified: Our property at Pleasant Court, nobody knows where it is. You can't even see it.

Mr. Foltz: Mohler Court.

Unidentified: It's in between the ...inaudible.

Mr. Foltz: Right.

Unidentified: It's in the middle...inaudible.

Mr. Foltz: You have brick structures there.

Unidentified: And if anybody has ever been down there to see any of our properties, it's maintained at better than majority of individual homes. Because we maintain our properties. We have a lot of rental properties in North Canton. I, myself, am against taking a single family home and making a duplex out of it even though we own a lot of them. I'm against that because I always look at myself as though if I lived in that neighborhood, I wouldn't want bunch of duplexes with nice Single Family homes. So even though we're in the rental business, I approve of what you're doing with the exception of our area there that is very well maintained. It's been there for forty years. And I would like anybody of Council to go down and look at our property and see how well maintained it is.

Mr. Foltz: Those are brick structures correct?

Unidentified: Two brick triplexes.

Mr. Foltz: Yea, when were those built, the late fifties?

Unidentified: Probably in the sixties.

Mr. Foltz: Early sixties. Alright.

Unidentified: I'd like Council to go down and just take a ...

Mr. Foltz: I know where you're at.

Unidentified: ...we have a lot of rental properties in North Canton and all of ours are superbly well maintained.

Mr. Snyder: Mr. Foltz, do you have a problem if we take that little section out of the...

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COUNCIL OF THE CITY OF NORTH CANTON

PUBLIC HEARING Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, May 2 6:20 p.m. 20 05

Mr. Foltz: No. I mean I have to see what other property owners are near there. Jim, you didn't find it on the map?

Mr. Benekos: I believe it's these parcels right here.

Mr. Foltz: Right here with the longer roofs.

Unidentified: We have no road frontage. There's no road frontage...inaudible.

Mr. Foltz: Yea, there's nothing...

Mr. Lane: Are you on Pleasant Court or Mohler?

Mr. Foltz: Mohler.

Mr. Lane: You're on Pleasant Court right?

Mr. Foltz: Mohler and Pleasant.

Mr. Lane: Both?

Unidentified: Yea.

Mr. Lane: Ok.

Unidentified: That's what I'm saying. Very few people know it's there.

Mr. Snyder: Sir?

Mr. Stahler: Phil Stahler. I live at 319 W Maple. The back corner of my lot is down there to the lower right of those apartments. I can see my Airstream sitting back there behind my house. They have not been any problem but far as keeping up the ground goes, I think I mow more grass than they do on just a single property. I lived there for sixty-two years and I can walk out in my front yard at 67 or so I can only throw a ball so far. But I can throw my ball into three neighbor's yards that were there sixty-two years. In other words there's four families of us there within a peg of a ball from our house. And I wouldn't change a thing if I could help it. I'm very satisfied with the way things are handled. I hope I haven't been too much of a nuisance in the neighborhood.

Mr. Snyder: No sir, you haven't.

Mr. Foltz: Thank you for your comments.

Mr. Snyder: It's a pleasure to hear from you.

Unidentified: Get the heck out of my seat.

Mr. Pusateri: What he'd say, get the hell out of my seat? That's great. That's great.

Mr. Snyder: He's going to give you a fast end there.

Mr. Lane: Jim's here for the second feature so he can't, Jim can't sit down yet. Jim, it's not seven.

Mr. Snyder: Is there anybody else who would like to speak before we close the hearing?

Unidentified: Are you speaking about Hillcrest too, or just Portage?

Mr. Snyder: Are you talking about change, our existing change?

Unidentified: Right.

Mr. Snyder: It does involve part of Hillcrest, yes. It involves the lots, Hillcrest Avenue, northwest and southwest to the west and Hillcrest Avenue, 123 Hillcrest, 408, 414, 504, 508. Those are all on there also.

Unidentified: Can I approach?

Mr. Snyder: Sure, please.

Unidentified: Thank you. My father and me also own 129, 131 Hillcrest. Which is a three unit also. This is a big concern to me because I'm....

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Mr. Snyder: I don't think those two are in there. I think you're...

Unidentified: But it's existing right around there though right?

Mr. Snyder: Yea. But yours would be staying, your Hillcrest property would not be affected by this.

Mr. Lane: No, they would become residential Two-Family. They're on there listed under that second paragraph.

Mr. Snyder: Are they?

Mr. Lane: Yea, 129 Hillcrest. I didn't see the other one but...

Mr. Snyder: Yea.

Mr. Peters: There it is.

Unidentified: Yea, 129, 131 Hillcrest and a half...

Mr. Snyder: Yea, 129 becomes Two-Family.

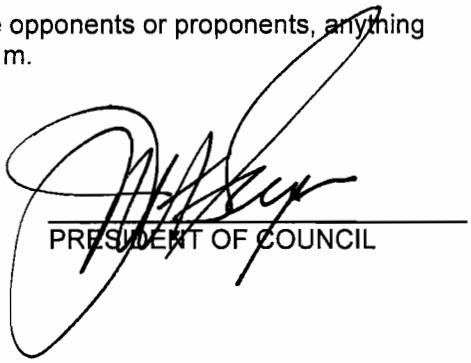
Unidentified: Yea, it's see that's a, that's a three unit now and I have a very, very small business. I have no IRAs, no nothing. That's my retirement and if that would burn that would put a hardship on me later on in life. Like I say, I have a very small business, that's what equity that I have down in those properties, that my dad and me have. And you're threatening my retirement if that make sense. Not personally...

Mr. Snyder: No.

Unidentified: ...you know what I'm saying but I mean it's a big concern to me because, like I say, that, that is my retirement down there and if it would burn, I'm going to be hurting, you know. We do try to keep our properties up. We get good tenants. We get bad tenants. I'll admit that. We get rid of bad tenants as fast as we can. I have tenants down there right now that, that move into this area because they want their kids in a nice school. You know, if you look at it that way, is it fair for just the people that can afford a home to have their kids in a nice school or is it nice to let some lower income mothers in which I have right now that want their kids in a good environment and a good school. And they're very thankful to be there and it's actual a pleasure as a landlord to rent to a single mother that wants their kids in a decent school. That wants their kids in a decent neighborhood and you know it's the good, the bad part is to get rid of the bad ones and the good part is to see somebody come along and just about beg you that, hey I'd really like to rent here because of the environment of my kids. And I have kids so, you know, I understand that. My wish is to leave it, not change the zoning at all. The other problem is on Hillcrest is across the street I have a electronic shop which is over there. That will probably always be there I would imagine or another business that is in business. And then on Portage, it's also facing the back of my property so it's, I understand where the homeowners are coming from and I also understand is those have all been duplex and everything for years and years and years. They moved into this area knowing that they are Single-Family and duplex property and hopefully they took that into consideration when they bought their property not after they moved in and realized what they were getting in to. The other problem is, those buildings and there is some older people here, the houses are so big, young families can't afford the heat on those big, big buildings. Even if you insulate them and even if you put all new windows in, it's still an enormous fee. And as far as income, my water bill's a lot higher than a regular home and my taxes and things. So there is, it does generate some extra income which the City needs I'm sure. Thank you.

Mr. Snyder: Thank you sir. There being no other seem to be opponents or proponents, anything else from the Council, I will close the public hearing at 7:00 p.m.

The public hearing was adjourned at 7:00 p.m.


PRESIDENT OF COUNCIL

ATTEST:

FINANCE DIRECTOR