

**AKRON CITY PLANNING COMMISSION**

**MEETING OF OCTOBER 20, 2023 - 9:00 A.M.**

**COUNCIL CHAMBERS, THIRD FLOOR, MUNICIPAL BUILDING, 166 SOUTH HIGH ST.**

**(1) CORRECTION and APPROVAL of Minutes of September 22, 2023.**

**(2) PUBLIC HEARINGS:**

A. Approval of sales of property and/or development plans in Urban Renewal and Community Development projects and assorted matters necessary to promote the Urban Renewal and Community Development Plans.

**(1) NO NEW BUSINESS**

B. **PC-2023-45-CU** – Petition of Angela Anderson for a Conditional Use to establish a child day care business center at 493 Canton Road.

C. **PC-2023-53-CU** – Petition of Jason Butterworth for a Conditional Use to construct an oversized detached garage with a home office at 2280 Tinkham Road.

**WITHDRAWN** D. **PC-2023-54-CU** – Petition of King Environmental Services for a Conditional Use to construct a waste transfer station at 279 N. Forge Street.







E. **PC-2023-55-CU**– Petition of Carol K. Vargo, for a Conditional Use to vary the required side yard setback to construct a dwelling addition at 2259 Cross Creek Trail.

**(3) RENEWALS**

TT/emd

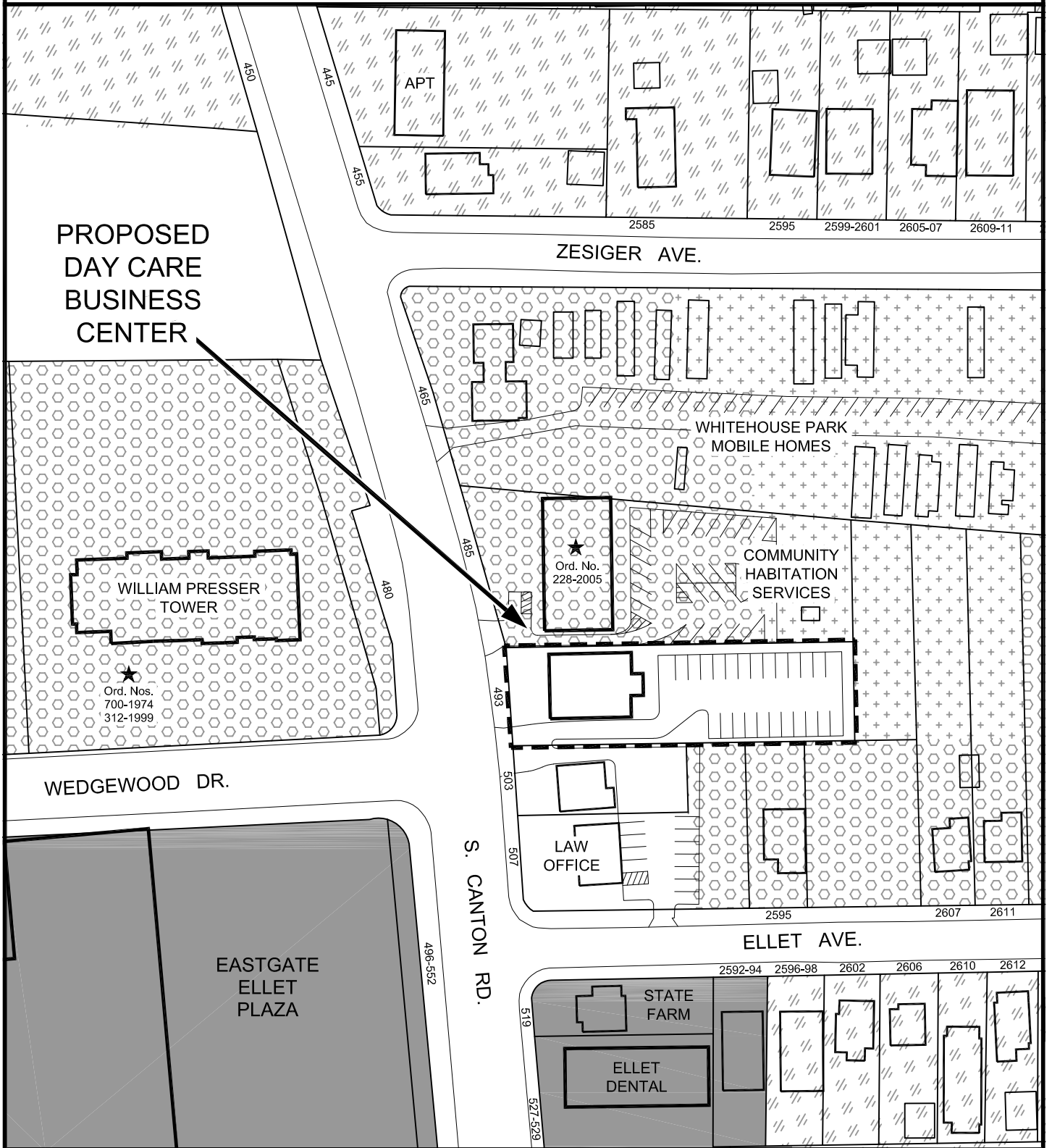
# PC-2023-45-CU

Petition of Angela Anderson for a Conditional Use to establish a child day care business center at 493 S. Canton Road

-  U1 Single Family Residential
-  U1 Two Family Residential
-  U2 Apartment House
-  Conditional Use
-  ULB Limited Business
-  U3 Retail Business



0 100'  
Created 08/23/2023 jwh  
Revised 08/30/2023 jwh



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION      **ITEM # 2B**  
**PC-2023-45-CU**

**FROM:** DEPARTMENT OF PLANNING AND  
URBAN DEVELOPMENT

**DATE:** OCTOBER 20, 2023      **WARD: 6**  
**COUNCILPERSON:** McKitrick

**SUBJECT:** **PC-2023-45-CU** – Petition of Angela Anderson for a Conditional Use to establish a child day care business center at 493 Canton Road.

**GENERAL LOCATION:** East side of S. Canton Road, north of Ellet Avenue.

**LAND USE OF THIS PROPERTY:** Limited Business

**LAND USE IN THE SURROUNDING AREA:**

**NORTH:** Residential  
**SOUTH:** Limited Business  
**EAST:** Residential  
**WEST:** Residential

**ZONED:** Limited Business District (ULB, H2, A4)

**SIZE OF LOT & AREA:** 72 feet wide by 250 feet in depth = 17,670 square feet.

**COMMENTS:**

Angela Anderson is the owner of a property located along the west side of Canton Road east of Wedgewood Drive, addressed as 493 Canton Road. The rectangular shaped parcel measures 72 feet by 250 feet and contains 17,670 square feet of area. The surrounding uses are residential to the north, west, and east, and offices and residential to the south. The property is zoned Limited Business Use District (ULB, H2, A4) in accordance with the Land Use and Development Guide Plan.

The Petitioner is requesting permission to establish a child day care business center at this location. A child day care business center, defined as any place in which childcare is provided for ten or more children, is classified as a Retail (U3) use and as such requires Conditional Use approval in a Limited Business District (ULB).

The proposed day care center would occupy the entire structure of an approximately 2,552 square feet office building with an estimated 50 full-time or part-time children. The lessee intends to hire an estimated eight to ten staff members in total. The site

was formerly used as medical office space until 2021. There will be no overnight stays. An outdoor play area would be situated along the eastern side of the parcel, away from the building by removing some of the parking spaces. The Petitioner intends to fence in the play area and install playground equipment as well as groundcover. The property currently contains an asphalt driveway with 25 off-street parking spaces.

The proposed use should not be intrusive to the neighborhood as the existing building is located along a major arterial and will be at least 113 feet from the nearest dwelling. Outdoor activity will be at the rear of the property. However, a solid fence should be installed on the rear portion of the property line to screen the neighboring properties. The updating and reuse of the former office space should not have a negative impact upon the surrounding neighborhood. Instead, it will reutilize the former office building by providing quality daycare services that are beneficial to the entire City and will continue to serve a need within the community. As such, the Planning Staff supports this request.

**RECOMMENDATION:**

The Planning Staff in accordance with Section 153.426 recommends **APPROVAL** of the petition of Angela Anderson for a Conditional Use to establish a child day care business center in a Limited Business district at 493 Canton Road, subject to the following conditions:

- (1) That a landscape planting and fencing plan which conforms to the "Akron Development Guide" as referred to in Section 153.300-.310 of the Zoning Code be submitted to the Department of Planning and Urban Development for its review of compliance with said guide, and that the landscaping and fencing be installed and maintained as shown on the approved plan.
- (2) That the Petitioner meet all State of Ohio/City of Akron rules, including but not limited to Building Code, Fire Code, and Health Code requirements.

BL/emd

# PC-2023-53-CU

Petition of Jason Butterworth for a Conditional Use to construct an oversized detached garage with a home office at 2280 Tinkham Road

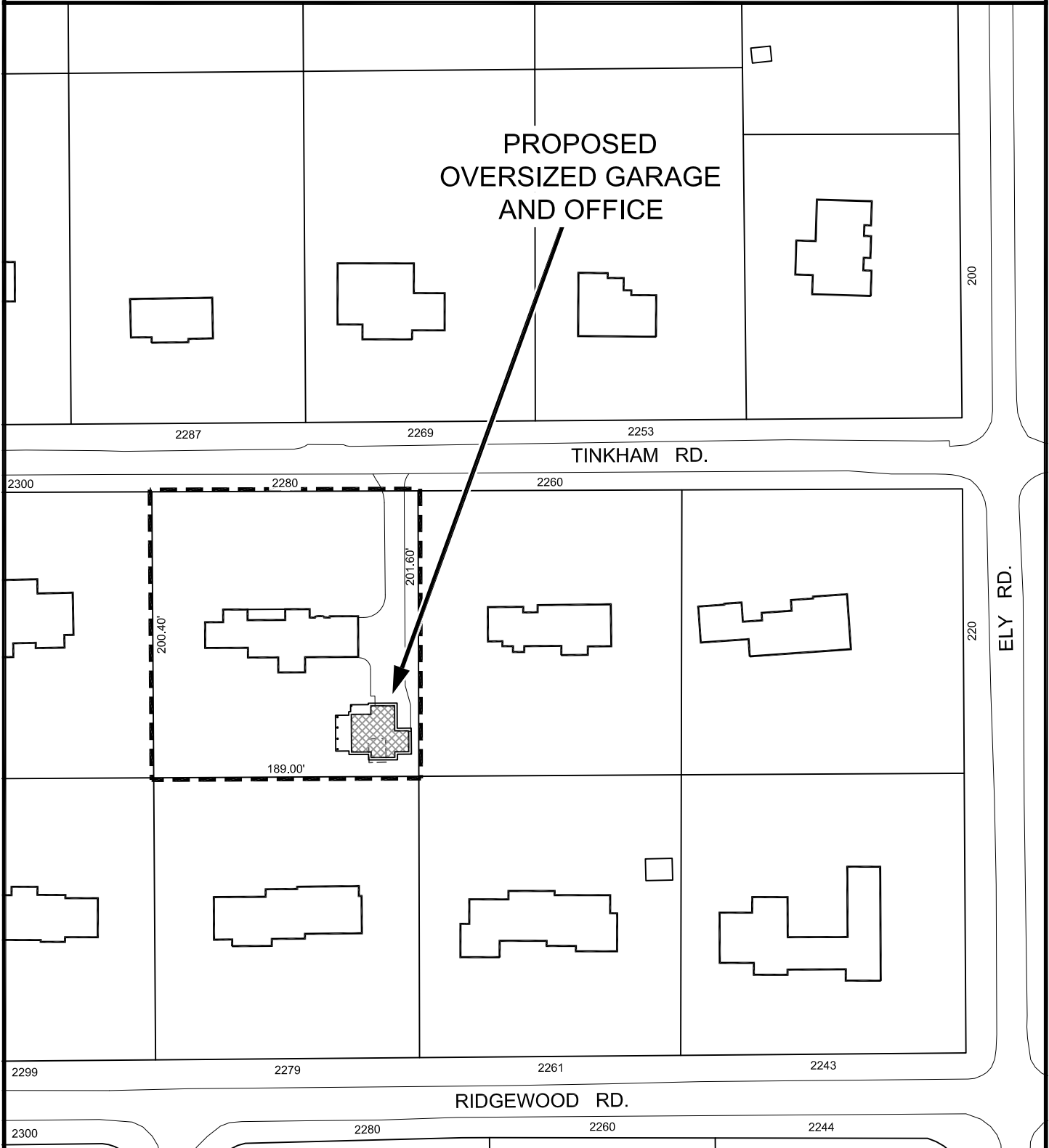
□ U1 Single Family Residential



0 100'  
Created 09/27/2023 jwh  
Revised 09/27/2023 jwh



PROPOSED  
OVERSIZED GARAGE  
AND OFFICE



## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION      **ITEM # 2C**  
**PC-2023-53-CU**

**FROM:** DEPARTMENT OF PLANNING AND  
URBAN DEVELOPMENT

**DATE:** OCTOBER 20, 2023      **WARD: 8**  
**COUNCILPERSON:** Malik

**SUBJECT:** **PC-2023-53-CU** – Petition of Jason Butterworth for a Conditional Use to construct a detached garage with a home office at 2280 Tinkham Road.

**GENERAL LOCATION:** South side of Tinkham Road and west of Ely Road

**LAND USE OF THIS PROPERTY:** Single family residence

**LAND USE IN THE SURROUNDING AREA:** All sides single family residential

**ZONED:** Single Family Residence Use District (U1, H1, A1)

**SIZE OF LOT & AREA:** 190 feet by 200 feet = 38,000 square feet

### **COMMENTS:**

Jason Butterworth is the owner of a single-family dwelling located along the south side of Tinkham Road, west of Ely Road, addressed as 2280 Tinkham Road. The lot contains 38,000 square feet of land. Surrounding land uses include low density single-family dwellings in all directions. The property is zoned Single Family Residence Use District (U1, H1, A1) in accordance with the Land Use and Development Guide Plan.

The Petitioner is requesting permission to construct a detached structure, with a two-car garage, storage area for tools, and a home office. The single-story building is to be constructed to a height over 20 feet and an area that exceeds the maximum allowable 900 square feet thus requiring Conditional Use approval.

The proposed garage/office would roughly measure 42.5 feet in width by 38 feet in depth with a footprint of approximately 1,500 square feet of area. It will have a gabled roof to a height of 21 feet, 4 inches. The structure will be sited behind the dwelling at the end of the driveway with the front elevation of the structure facing north and will be situated at a minimum of seven feet west of the side yard property line and eight feet north of the back property line conforming to required setbacks. A single two-car garage door on the front elevation will measure about nine feet by eight feet while a man door will be set off to the right for access to the lounge and office space along the

western side. An outdoor covered patio will extend further from the western elevation by nine feet, ten inches. Exterior construction materials would consist of a brick veneer on the façade from the ground up to about three feet, and wood siding on the remainder of the façade. The gable roof will have dimensional shingles with a dormer on the front elevation to match the style of the house. Several windows will also be installed on all four elevations for air and light circulation.

The proposed structure would be utilized for vehicle and residential storage and as a home office for the applicant's spouse. They have been made aware and have agreed that the dwelling unit is not to be used as a rental space. The design of the structure is intended to complement the character of the existing house. The proposed size of the detached structure would not significantly increase the building density on the large property, and the height of the structure would not be out of scale with the large, two-story primary dwelling along Tinkham Road. This property is well-maintained, and this proposal will enhance the property. As such, the Planning Staff supports this request.

**RECOMMENDATION:**

The Planning Staff finds the requested Conditional Use is consistent with the standards found in Section 153.474 (A thru H) and the Land Use and Development Guide Plan and recommends **APPROVAL** of the petition of Jason Butterworth for a Conditional Use to construct a detached garage with a home office at 2288 Tinkham Road, in accordance with the submitted plans and subject to the following conditions:

- (1) That the garage shall not exceed 1,500 square feet in area, nor exceed a height of 25 feet.
- (2) That the Petitioners obtain all necessary building permits.
- (3) That the garage shall be used for residential purposes only and to not be used as a rental dwelling unit.

MM/emd

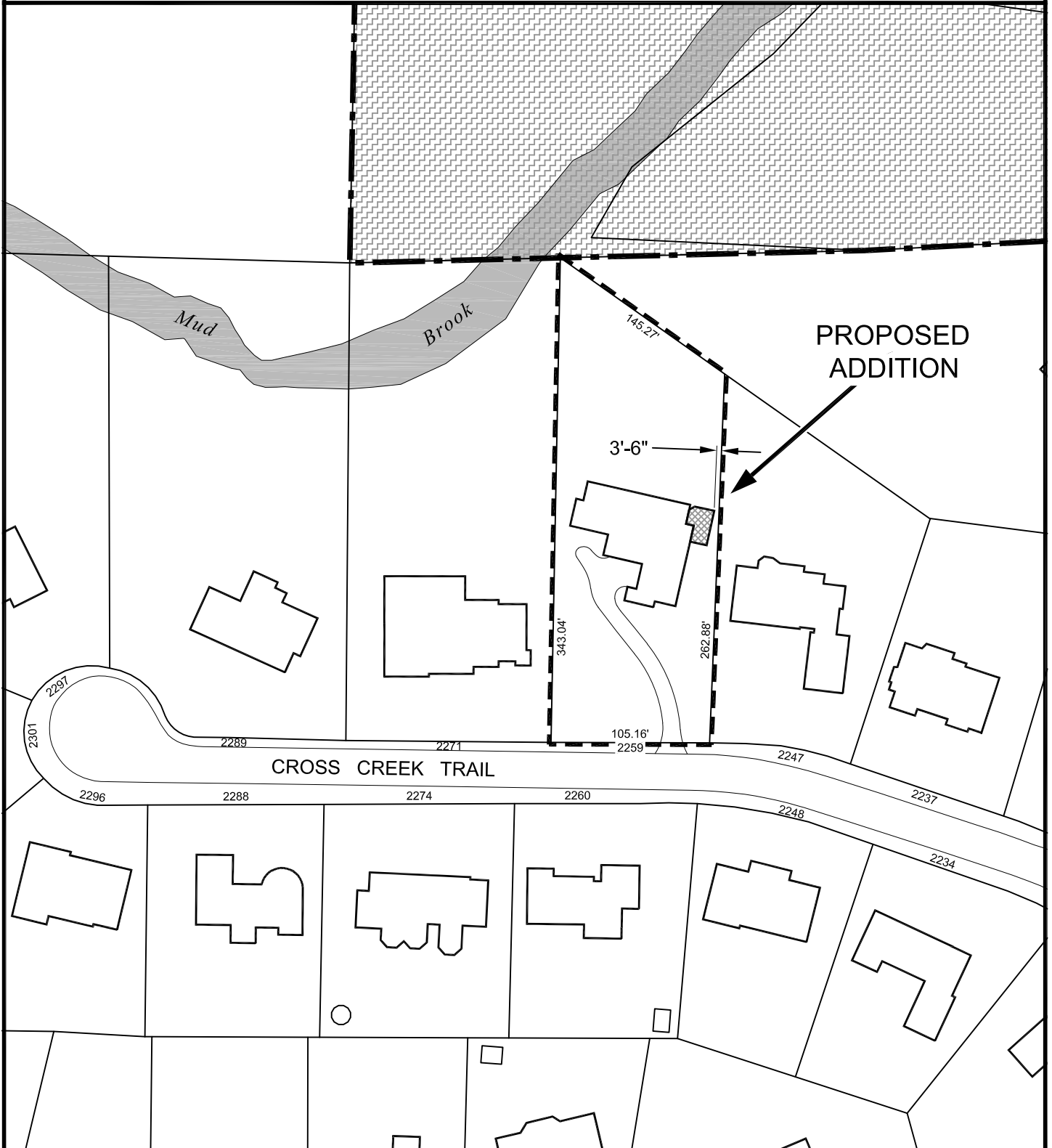
# PC-2023-55-CU

Petition of Carol K. Vargo for a Conditional Use to vary the required side yard setback to construct a dwelling addition at 2259 Cross Creek Trail

-  Unified Planned Development (UPD-31)
-  City of Cuyahoga Falls



0 100'  
Created 09/28/2023 jwh  
Revised 09/29/2023 jwh





## MEMORANDUM

**TO:** AKRON CITY PLANNING COMMISSION    **ITEM # 2E**  
**PC-2023-55-CU**

**FROM:** DEPARTMENT OF PLANNING AND  
URBAN DEVELOPMENT

**DATE:** October 20, 2023                      **WARD: 1**  
**COUNCILPERSON:** Holland

**SUBJECT:** **PC-2023-55-CU** – Petition of Carol K. Vargo for a Conditional Use to vary the required side yard setback to construct a dwelling addition at 2259 Cross Creek Trail.

**GENERAL LOCATION:** North side of Cross Creek Trail, west of Ledge Rock Trail

**LAND USE OF THIS PROPERTY:** Single family residence

**LAND USE IN THE SURROUNDING AREA:** All sides residential

**ZONED:** Single Family Residence Use District (U1, H1, A1)

**SIZE OF LOT & AREA:** Irregularly shaped, containing roughly 35,866 square feet of land

### **COMMENTS:**

Carol K Vargo is the owner of 2259 Cross Creek Trail. Surrounding land uses are residential, and exclusively single family. The property and surrounding area are zoned Single Family Residence Use District (U1, H1, A1) in accordance with the Land Use and Development Guide Plan.

The Petitioner is seeking approval to construct an addition in the side yard of the residence. The variance is necessary as the proposed addition will sit 3.5 feet away from their eastern property line, which is less than the required five feet. The zoning code requires that a primary dwelling unit be built no closer than five feet to a side yard property line. The proposed structure measures 17.58 feet in width, and 25.25 feet in length and will encroach 1.5 feet into the required eastern side property line setback.

The proposed structure would be clad in cedar siding to match the dwelling. There will be a door and four windows on the eastern face, and a matching set of windows on the northern face, as well as two skylights.

No objections to the request have been received from any City department. This

suburban neighborhood on the periphery of Akron is characterized by large homes on typically large, uniform lots. The Petitioner's home sits on a lot that is irregularly shaped, with a steep hill in their back yard and a side yard that creates challenges for putting on an addition. The Petitioner is making a substantial improvement to the property. The Planning staff recognizes the investment the Petitioner has made in improving this neighborhood. The proposed addition will create living space and will add value to this property and neighborhood, without having negative effects on surrounding properties.

**RECOMMENDATION:**

The Planning Staff finds the requested Conditional Use is consistent with the standards found in Section 153.474 (A thru H) and the Land Use and Development Guide Plan and recommends **APPROVAL** of the petition of Carol Vargo for a Conditional Use to construct an addition at 2259 Cross Creek Trail, in accordance with submitted plans and subject to the following conditions:

- (1) That the Petitioner shall obtain all necessary building permits.
- (2) That the structures and layout of the development conform substantially to the approved plans; however, minor changes may be approved by the Department of Planning and Urban Development.

BL/emd