

PC Minutes

Tuesday, April 12, 2016

Chairman Spisak called the meeting to order at 6:04 and took roll call. A quorum was met with Mr. Spisak, Mr. Lada and Mr. Peterman.

After announcing the public hearing on PC Application R2-2016, Chairman Spisak asked the applicant to sign-in, state his name and address, and explain the proposal.

Mr. Michael Palubiak, owner of Perfect Powerwash, wishes to consolidate the lot his business and building currently set upon with a 1.23 acre parcel behind it. The front lot is zoned B-3 and the rear parcel is zoned R-3. With rezoning he could combine the parcels and expand his parking area for employees and service vehicles.

Chairman Spisak pointed out to the commission that this application was for a zoning change only. A Site Plan review would be required in the future if the rezoning passes. The comments from the City's engineer were noted. Also, the back lot is only accessible from the front lot.

Mr. Lada asked if the neighbors were notified and if any concerns were voiced. The list of neighbors contacted was pointed out, plus neither the Commission nor Mr. Palubiak had been contacted by anyone.

Chairman Spisak asked three times if there was anyone who wished to speak for or against the application. There were none.

After further discussion by the Board Members, it was moved by Mr. Peterman and seconded by Mr. Lada to approve R2-2016. Roll call: Mr. Peterman – yea, Mr. Lada – yea, Mr. Spisak – yea.

Chairman Spisak informed Mr. Palubiak that this action moves the rezoning on for City Council's consideration, as only they can authorize a rezoning. Mr. Palubiak was told he would be contacted when it would start to be considered by council and when the public hearing would be scheduled.

Old Business:

All old business was continued to further meetings.

New Business: None

Consideration of Minutes from Tuesday, February 23, 2016: Tabled until next meeting.

Meeting adjourned 6:12 pm.



Planning Commission Chair/Vice-Chairman



Planning Commission Vice-Chair/Member

5/24/16
Date

*** ORIGINAL SIGNED DOCUMENTS ON FILE WITH THE CLERK OF COUNCIL ***

COPY

**CITY OF NORTON
NOTICE OF REQUEST FOR A ZONING AMENDMENT
PLANNING COMMISSION**

1. Property Owner:
Name: ROYAL FOREST PROPERTIES, LLC Phone: 330-523-9123
Address: 3443 SUMMIT RD. NORTON, OH 44205 MICHAEL PALUBIAK

2. Agent or Attorney (if applicable):
Name: _____ Phone: _____
Address: _____

3. Preparer of sketch plat or map:
Name: MICHAEL PALUBIAK Phone: _____
Address: _____

4. Location of property to be rezoned: 3443 SUMMIT RD NORTON, OH 44205

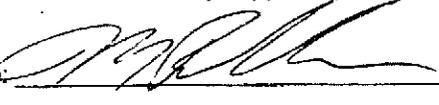
5. Area of tract: 1.23 acres. Are there any buildings on the property to be rezoned? NO

6. This Application is hereby made to amend the Zoning Ordinance by reclassifying property presently zoned R-3 to a new classification of B-3.

7. This request to reclassify property is for the following purpose(s):
LOT CONSOLIDATION
- 4605300 -

8. Checklist of minimum required items to accompany application:
- A. Names and mailing addresses of contiguous property owners and those directly across the street; (Office supplied) confirmed
 - B. Copy of deed or legal description of property to be rezoned; confirmed
 - C. Sketch plat or map depicting area being rezoned and showing current zoning; (Consult with the Director of Planning & Community Development, and Building & Zoning Inspector) confirmed
 - D. If applicant is not owner, original notarized agent's letter; & confirmed
 - E. Other _____ confirmed

9. I hereby certify that all statements contained in my supporting data transmitted herewith are true and accurate to the best of my knowledge.

Applicant's Signature and Date:  3/17/16

FOR OFFICE USE ONLY:

Application No.: R2-2016 Date Filed: 3-21-16 Check Amount: 450⁰⁰ Check No.: 2654 Receipt No.: 10687
Date of Planning Commission Meeting to hear the application: Tuesday, April 12, 2016 - 6pm
IN COUNCIL CHAMBERS

REZONING FEE \$450
{Ord. 22-2002, Eff. 5/9/02}



City of Norton
4060 Columbia Woods Drive
Norton, Ohio 44203
Website: www.cityofnorton.org

Administration - 330 825-7815
Fax - 330-825-3104

PLANNING COMMISSION NOTICE OF PUBLIC MEETING

Notice is hereby given that the Planning Commission of the City of Norton will hold a Public Meeting in Council Chambers located at 4060 Columbia Woods Drive on:

Tuesday, April 12, at 6:00 p.m.

To Consider:

**Application R2-2016 - Rezoning
Perfect Power Wash
3443 Summit Road - Front Parcel # 4605298 - B-3
Michael Palubiak - Owner
Proposing Zoning Consolidation of Front and Rear Properties.
Back Parcel # 4605300 - R-3
[To Allow Rear Property to Conform with Front Property]**

Anyone may appear to speak for or against the Application.

This application is on file in the offices of the Clerk of Council and Superintendent of Building & Zoning at the Safety Administration Building for public reviewing during business hours prior to the public hearing.

Boards & Commissions Staff
Phone: 330-825-7815, x310

EXHIBIT A

Situated in the City of Norton, formerly Norton Township, County of Summit and State of Ohio, and being known as part of original Lot 8, and being more fully described as follows:

Beginning at the centerline intersection of Summit Road (County Highway 52) Station 26+51.26 and centerline tangent Station 215 + 55.54 of Akron-Wadsworth Road (State Route 261) as shown on plans for widening of said roads in SUM 261 (4.10) (4.22) State Highway Plans;

Thence North 51 deg. 52' 14" West along the centerline of Summit Road (County Highway 52) (60 feet) a distance of 397.00 feet to a point;

Thence North 36 deg. 02' 40" East, passing over a capped rebar No. 7202 set 30.02 feet from centerline, a distance of 238.86 feet to a capped rebar No. 7202 set;

Thence South 53 deg. 37' 37" East, along the Westerly line of land as now owned by Paula J. Estright as deeded in Reception No. 54611092 of the Summit County Deed Record, a distance of 70.00 feet to a capped rebar No. 7202 set;

Thence North 43 deg. 38' 39" East, along the Southerly line of aforementioned lands, a distance of 70.00 feet to a capped rebar No. 7202 set and The True Place of Beginning for the following parcel herein described;

Thence North 43 deg. 38' 39" East, a distance of 169.00 feet to a point in the center of Wolf Creek;

Thence South 56 deg. 57' 24" East along the center of Wolf Creek a distance of 399.81 feet to a point;

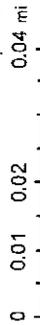
Thence South 73 deg. 00' 52" West, along the Northerly line of lands as now owned by Englefield Oil as deeded in Official Record Volume 816, Page 835 of the Summit County Deed Record, a distance of 243.22 feet to Stone w/ "." chiseled found 1.8 feet deep;

Thence North 52 deg. 43' 59" West a distance of 275.40 feet to the True Place of Beginning and containing 1.3863 acres of land as Surveyed by Edward G. Fay a Professional Surveyor in the State of Ohio No. 7202 in November, 2009, but subject to all legal highways and easements of record.



March 17, 2016

1:1,808



The County of Summit is pleased to provide this map as a public service. The information is provided for informational purposes only. The County of Summit and its GIS staff, while every effort is made to ensure the accuracy of the information, does not warrant the accuracy or completeness of the data. No information on this site is intended to be used as professional information. Information should be sought from a professional licensed to practice such profession in the State of Ohio. Moreover, the County of Summit and its GIS staff do not assume responsibility for any misinterpretation of the data shown on the map, except as stated.



March 18, 2016



Selected Parcel



Attribute Selection

Parcel Labels

Disclaimer:
The data displayed in this map were provided as a public service by the County of Summit and its GIS staff. While every effort was made to ensure the accuracy of the data provided, however, we make no guarantee as to the accuracy or completeness of the data. The data may be used for general informational purposes only. It is not intended for use in legal, medical, university, engineering, or other critical applications. The County of Summit and its GIS staff are not responsible for any errors or omissions in the data. Users of this map should do so at their own risk.



Planning Commission

Memorandum

To: Bill Braman

From: Pam Campbell, Boards and Commissions Staff

Date: 3-22-16

Re: Zoning - Professional Written Comments WJB
PC Application - R2-2016

OK

Please find attached a Rezone Application for Perfect Power Wash located at 3443 Summit Road.

Please email any comments you may have to me by Monday, April 4, 2016, regarding the following application:

**PC Application R2-2016
Perfect Power Wash
3443 Summit Road – Front Parcel # 4605298 - B-3
Michael Palubiak - Owner
Proposing - Zoning Consolidation of Front and Rear Properties.
Back Parcel # 4605300 - R-3
[To Allow Rear Property to Conform with Front Property]**

The original document has been forwarded to and will be on file with the Clerk of Council for the official record.



The City of Norton - Inter Office Memo

TO: Norton Planning Commission
FROM: David White, P.E., Municipal Engineer
DATE: March 28, 2016
SUBJECT: Application R2-2016
3443 Summit Road: Perfect Power Wash
COPY: Valerie Carr, Bill Braman, Michael Palubiak

Most of the rear parcel #4605300 is within the Riparian Setback of Wolf Creek. Maximizing natural riparian features along all portions of Wolf Creek and its tributaries is important for flood control, water quality management and various environmental benefits important to the health, safety and welfare of the general public.

A site visit with the owner on Friday, March 25, 2016, revealed the following observations:

1. The owner intends to add an additional structure behind existing building in support of the existing business
2. It appears that the intended structure will be an encroachment into the Riparian Setback
3. It appears that at least half the width of the Riparian Setback no longer has natural riparian features. It is likely that disturbance of the natural riparian features occurred prior to the Riparian Setback regulations.
4. The original floodplain has been filled significantly above the stream bank. A portion of the Riparian Setback has been regularly mowed.

It is in the best interests of the City of Norton and the general public to grant this request for a zoning change subject to the following conditions:

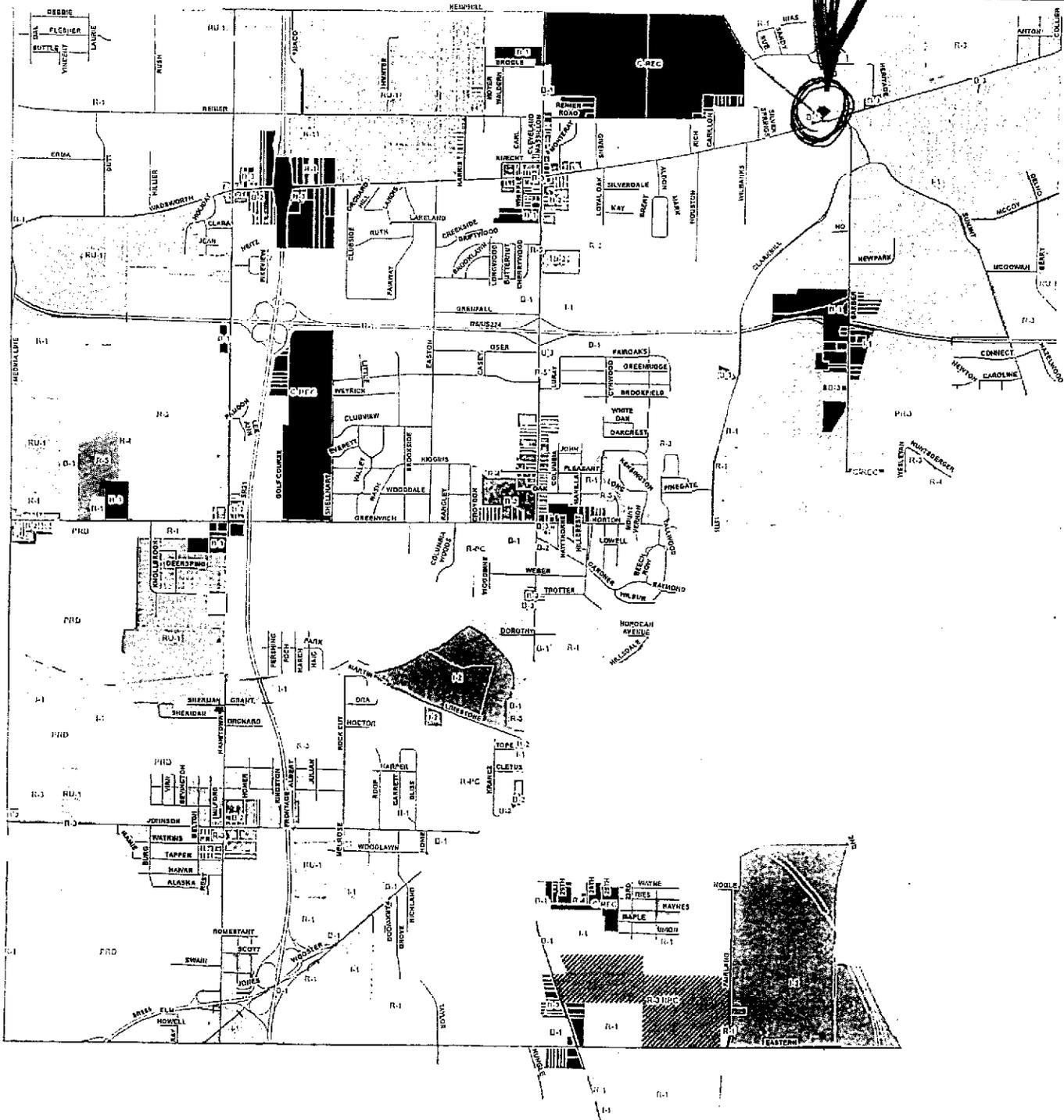
1. Prior to construction of any additional structures on the site, the owner shall submit a site plan showing all existing and proposed contours and other changes to the site, along with request for Riparian Setback Variance
2. Favorable consideration of encroachment into the Riparian Setback will require appropriate partial restoration of a portion of the natural riparian features closer to Wolf Creek.
3. The owner anticipates that fill material will be necessary for leveling the land for the proposed structure. To the extent practical, all fill material shall be obtained by removing fill material previously placed in the natural flood plain of Wolf Creek, with appropriate soil stabilization and planting.

4. At the Friday, March 25, 2016, field meeting, the owner received verbal assurance that we will work with him to achieve a mutually beneficial arrangement.

5. Approval of this request will be in the best interests of the City of Norton and the general public by supporting the economic viability of existing business and by some flood reduction and environmental enhancement through the partial riparian restoration.

City of Norton Zoning

Map produced by the County of Summit Department of Community and Economic Development, Planning & GIS Division
December 15, 2014



Norton Zoning



Print Pay by Phone Pay On-Line

Kristen M. Scalise CPA, CFE

Fiscal Officer, County of Summit

Note: This is a live file and is subject to constant change.

IAS4 - INTEGRATED ASSESSMENT SYSTEM REVIEW DOCUMENT
Summit County Auditor Division, OH - Tax Year 2016

Print

BASIC INFORMATION FOR PARCEL 4605300

PARCEL	4605300	NO CARDS:	
ALT_ID	NO0008702007000	--LISTER--	
OWNER	ROYAL FOREST PROPERTIES LLC	841	01-J
OWNER		VAC/ABAND:	
ADDR.	WADSWORTH RD , BARBERTON 44203-	RENTAL REG:	
DESC.	LOT 8 N OF N OF RD AKRON WADS RD 1.230A	SPEC FLAG:	
DESC.		LUC: 500	
DESC.		R - RESIDENTIAL, VACANT LAND,	
DISTRICT	46 NORTON CITY-NORTON CSD	HOMESTEAD:	
INTER-COUNTY	77-0610	Owner Occupancy Credit:	

LAND FOR PARCEL 4605300

CODE	ACRES	CLASS	EXMP	UNIT	INCR/DECR	INFLUENCE	INF
08	1.3863		4180	4500	4500/4500		

ACRE CODE: 08 = REAR LAND

SUMMARY ALL CARDS FOR PARCEL 4605300

LAND:	5800	BUILDING:	0	TOTA
ASSESSED LAND:	2030	ASSESSED BLDG:	0	ASSESSED TOTA

SALES INFORMATION FOR PARCEL 4605300

DATE	DOC#	GRANTOR	AMTSALE	DESC
12-NOV-10	14879	GAUG JASON K	15000 B	INVESTMENT COMP
10-NOV-10	14850	GAUG JASON K		
04-NOV-09	16988	CW PROPERTY MANAGEMENT ASSOCIA	6500 B	INVESTMENT COMP
11-AUG-04	17291	ESTRIGHT WILLIAM N		
15-MAY-01	9154	SHOLITON J WILLIAM & LOUIS	50000 V	VACANT

[FOR CURRENT TAX INFORMATION \(TAX YEAR 2015\), CLICK HERE!](#)

GENERAL INFORMATION

Kristen M. Scalise CPA, CFE
FISCAL OFFICER, COUNTY OF SUMMIT
175 SOUTH MAIN ST.
AKRON, OHIO 44308

PLEASE DIRECT INQUIRIES CONCERNING PROPERTY VALUES T

(330)-643-2636
(330)-643-2645
(330)-643-2710
(330)-643-2661

GENERAL REAL ESTATE
SPECIAL ASSESSMENTS
APPRAISAL INFORMATION
HOMESTEAD

PLEASE DIRECT INQUIRIES ABOUT YOUR TAX BILL INFORMATION

(330)-643-2867
(330)-643-2600
(330)-643-2587
(330)-643-2598

TREASURER DIVISION PRE-PAYMENT
MONTHLY DELINQUENT CONTRACT I
TAX BILL MAILING INFORMATION
PAYMENT INFORMATION

Click the Following Links to Navigate the Tax Years

[2015](#) [2014](#) [2013](#) [2012](#) [2011](#) [2010](#) [2009](#) [2008](#) [2007](#) [2006](#)

David M. and Daniel T. Delagrang
3624 Woodlawn Drive
Barberton, OH 44203
4602543,4601389,4601388

Norton Duchess, LLC
2257 Wadsworth Road
Barberton, OH 44203
4602973

Englefield FW -BB
Norton Duchess, LLC
447 James Parkway
Newark, OH 43056
4602973

Royal Forest Properties, LLC
3443 Summit Road
Barberton, OH 44203
Michael Palubiak
4605300

Perfect Power Wash
3443 Summit Road
Barberton, OH 44203
Michael Palubiak
4605300

3443 Summit, LLC
3443 Summit Road
Barberton, OH 44203
4605298

Shirly M. Jahasz
2316 Oak Point Drive
Akron, OH 44321
4602926

White Energy, Inc.
15036 Akron Canfield Road
Berlin Center, OH 44401
4608884

William N. Estright
3409 Summit Road
Barberton, OH 44203
4602210

**RESOLUTION
PLANNING COMMISSION**

April 12, 2016

PC RESOLUTION NO.: 2-2016

RE: Application R2-2016 - Rezoning
Perfect Power Wash
3443 Summit Road – Front Parcel # 4605298 - B-3
Michael Palubiak - Owner
Proposed Zoning Consolidation of Front and Rear Properties.
Back Parcel # 4605300 - R-3
[To Allow Rear Property to Conform with Front Property]

The Planning Commission does hereby make the following recommendations on the above:

TO APPROVE

Vote on Motion: FOR 3 AGAINST 0 ABSTAIN 0

Therefore PC Resolution No. 2-2016 has been:

APPROVED X DENIED _____ TABLED _____

This resolution shall be sent to:

Administration for X it's action or for _____ it's information, and
Council for X it's action or for _____ it's information.



Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

4/12/16
Date

AUDIENCE ATTENDANCE

The following individuals were present and wished to speak at the Meeting of the Planning Commission, BZA, Park and/or Civil Service Board held on:

TUESDAY, APRIL 12, 2016
(Date - Year)

PC BZA PARK CIVIL SVC.

PLEASE PRINT:

NAME:

STREET ADDRESS:
(NO P.O. BOX)

CITY & ZIP CODE:

MIKE PACUBIAG

3443 SUMMIT RD

NOETON 44203

* A SIGNED ORIGINAL OF THIS DOCUMENTATION SHALL BE FILED WITH THE CLERK OF COUNCIL *