

**PLAIN TOWNSHIP BOARD OF ZONING APPEALS  
PLAIN TOWNSHIP HALL  
2600 EASTON STREET NE, CANTON, OHIO 44721  
MINUTES OF REGULAR MEETING  
APRIL 2, 2008**

The meeting was called to order by Chairman James McVay, with Bob Stewart, Jeff Sutton, Steve Peroz and Stephanie Metzger present.

Motion was made by Mr. Stewart to approve the minutes of March 5, 2008. Mr. Sutton seconded the motion. All members were in favor.

Mr. Stewart read the statement of duties.

Mr. McVay expressed the fire department comments and read the letter from Mr. Sedon into the record.

The following Appeal was heard:

**APPEAL #1194-08-A**

Applicant/ Imperial Technologies Inc, 7901 Cleveland Avenue NW, North Canton, Ohio 44720 & Owner/ D. L. Murray Enterprises, LLC, 1730 Lancaster Gate, North Canton, Ohio 44709; Requests a Conditional Use Permit for a Planned Commercial Complex on the properties located at 4155 Martindale Road NE, Canton, Ohio 44705 (Parcel #52-18195) and 4165 Martindale Road NE, Canton, Ohio 44705 (Parcel #52-18194) in order to operate the existing mini-storage/mini-warehouse facility and the new Imperial Technologies business.

Article VII, Section 713.2, Conditionally Permitted Uses.

The property is zoned B-2, General Business District and is located in the Northeast Quarter of Section 27.

There were two attendees for and no one against the appeal.

Mr. McVay administered the oath.

Mr. Rob Christian, 7901 Cleveland Avenue NW, stated that he is the President of Imperial Technologies. Imperial has requested this Conditional Use Permit because they have been looking for a number of years, they have a bulk materials handling design sales business. They are currently leasing property which they have been doing for many years in Plain Township and they don't have the facilities and have been looking for the facilities to carry on their business for many years and have not been able to find it. They think they have found it in this combined property that Mr. Murray has. They have now 14 people in their operation, a few of them are pencil pushers/paper shovers, and the bulk of their work is design of materials handling systems that is primarily conveyor systems that are used in all types of industries. In other words handling coal to power plants or mining operations or sugar, wood chips to paper mills, it's the bulk stuff not the palletized materials. They have one employee who is primarily service, he's the hands on person that goes out and assists with start up of the systems. They hear requests from customers, either industrial manufacturers or larger engineering firms who are doing projects. They bid those projects; design what they need for their materials handling system, they do all of the shop details, all of the project management, and they farm out the fabrication work to fabrication shops all around the area here.

(Continued Mr. Christian)

Here's where the problem comes in, because they are doing the project management and providing all of the materials on the systems, we purchase all of the components that go into the conveyor system and the ancillary equipment that goes with it. Because they are using fabrication shops all over the area we need to get different pieces of the components that need to be assembled with the equipment from all of these different locations. It is very difficult for them to half ship/drop ship split orders to all of these different places and track them. Who's got what, where, when, how, whatever. So they have been looking for a place that they can bring everything to one place, they know that they received it, they can track all of the orders and receipts for that. Then they can handle distribution to everywhere instead of having it shipped all over the place. We anticipate having those materials from the fabricators come to them, so that they can do their inspection and whatever final assembly work needs to be done prior to shipment to their customer. So that they know that the customer is getting what they are supposed to be getting out of the shops. They control the shipping. It's really important to their business, and this is what they have been trying to do for a number of years. Because these properties, one of the pieces has a U-Store-It facility on it, the warehouse that Mr. Murray has been using is located on that parcel with the U-Store-It. He had a Conditional Use Permit to use that as warehousing. We will use that same warehouse and as such that requires a Conditional Use Permit. They would like to keep the used storage as part of the business to operate and provide storage for the neighbors in the area and those in the area that are currently using it. At some point there is another building that is permitted, if it is economical to do so they would like to proceed with putting that in at some point in time but still would like to maintain that portion of the facility that is already a warehouse. It's a larger space where they can handle their materials. So that is why they are requesting this. So they can better control their business prior to shipping their materials to their customers. He has provided information to Mr. Peroz earlier in their consideration with this property. He was kind enough to come over and visit them at their current location, and he really appreciates that, to discuss what they are doing and what their intentions are. He was very helpful in explaining what the situation is and what they need to have done to get this handled.

Mr. McVay said that he did not need to swear in Mr. Putman because he is an attorney.

Mr. Timothy Putman, 3978 Fulton Drive NW, stated that he is representing Imperial Technologies and to reiterate that the intended use of this property here and bringing these materials in is really ancillary to the major function of this company. And under the zoning code, and I think Mr. Peroz agreed when he visited is this will be ancillary use and it is the combination of the use of these two properties which Mr. Peroz indicated to me had been permitted in the past and whether or not it had ever been lapsed or not its not clear, but the combined use of these properties for this purpose had been approved by this body at some point in the past. So we ask that you give consideration today to approve this as a Conditional Use permit, it's not a variance, it's a Conditional Use permit. It is permitted under the rules.

Mr. McVay asked Mr. Peroz if the previous owner had done somewhat the same type of business even though we don't know how long ago.

Mr. Peroz said that it was granted before he was here. And then they decided not to do it. So the same type of Conditional Use permit was granted and then after a while they decided not to go that route so it was this same type of Conditional Use was granted at that time.

Mr. McVay said it seems to him like it is a good clean business, and he doesn't have any problem with that, but it seems to him like they are going to have maybe more truck traffic then they would have normally with trucks in and out bringing parts in, taking parts out, maybe forklifts running around outside between the two buildings, and he is looking at Section 135 on page 87 of the Zoning Regulations. It says that the proposed mini-storage facility shall be limited only to rental of storage facilities and not as a transfer and storage business with the use of vehicles as part of such business.

Mr. Peroz said that it's not, that's just sometimes I thought it was. This is mainly an engineering type of business. And then sometimes you have to bring the product to readjust something or re-engineer some things is what.

Mr. Christian said that their projects are generally larger projects, longer term. By the time they quote a system it may be a number of months before the contract is awarded and before the design review can actually be done. By the time they do final design drawings, approve the drawings for the customer and produce fabrication details for the shops and begin ordering any components that goes on the systems, we are talking a time period through there. When we actually gather trusses or the tail frame or the conveyor or head section, before we, by the time we get those all of that major fabrication work has been done, it would come to them for inspection and whatever corrections need to be made to it and whatever final pieces need to go on it so that it's ready to ship. It's a short term, very short time frame in the overall scope of the project, so it's not like we have trucks coming and going all of the time. When we get materials for a project if it's pulley assemblies or something like that they may get a truck in all of those come in that they have on order at one given time. If its idler assemblies that go on a conveyor to carry the conveyor belt we may get all of those all palletized they would all come together at one time. So it's not a piece meal type. We do have UPS delivery truck, and Fed Ex delivery trucks for small materials and correspondence mailings, and things like that. It's not like what you expect as a distribution business where they are shipping and receiving stuff out all of the time. Most of the things which we handle entirely we do with a pickup truck.

Mr. McVay said so there will not be a lot of semis.

Mr. Christian said that is correct. Now when they do ship truss segments, that are larger fabricated pieces, and they may get several of those on a truck load, that would be a flatbed truck that comes in. But the time frame of those is very spread out it's not a regular business, it's just when we happen to have that type of work going on.

Mr. Sutton asked if they typically put together all of the components to make ensure that they have the proper fit and function prior to disassembling and shipping to the customer.

Mr. Christian said actually if the materials are going to be fully assembled and disassembled that is normally for the larger pieces that are done in the fabrication shops because they could not handle materials of that size. As far as if we have a head section to make sure the pulley is mounted and square on there, that the drive of the backstop is mounted appropriately we may mount that or adjust that ourselves in the warehouse it's not a daily business, any of that type of work for us. The one real service person that handles that type of business is normally out on a customer's site somewhere doing service work on site somewhere and not at a local facility. We have used a contractor when we have a number of those things going on at one time, but we have used some local people part time to help out on that and make sure that all of the assembly is proper and adjusted right. If we have to adjust a hole or something like that it's a lot easier to do that where we have everything available and the parts and the people who designed it and are inspecting it right there rather than having to jump around all over the countryside to different shops.

Mr. McVay asked if Mr. Murray was in the crowd and if he could come up and answer questions.

Mr. McVay administered the oath.

Mr. McVay said that there was a tile business operated out of that location.

Mr. Murray said it was a ceramic tile distribution business.

Mr. McVay asked him to explain a little how that operation worked there.

Mr. Murray said they serviced most of Ohio, Pennsylvania, parts of Indiana where they went out and had a salesperson that would call on small floor covering stores, and they would then ship the goods to those stores. So from a truck standpoint we probably had a lot more of the in and out trucks than Imperial would have. Because we did that on a daily basis. We tried to do that in a good way, we had a neighbor who lives across the street from us and when we had originally applied for our Conditional Use I told him at that time that we would be a good neighbor and we have proceeded to do that.

Mr. McVay said that in his opinion, this would not be any more disruptive than the business that you had.

Mr. Murray said probably less actually. They are really a design house where they have draftsman that design these projects and then they have them built, they're not a manufacturer, they have them built somewhere else. And as Mr. Christian stated, they like to second, if you will, one last time before it actually goes to the job. So I think in many ways that it would probably be less disruptive as far as traffic is concerned.

Mr. Stewart asked about the Conditional Use that was passed two months ago for this property doesn't exist any more.

Mr. Murray said that was a different Conditional Use that was a request for outside storage.

Mr. Stewart said so that is still in effect then, you will still be using that.

Mr. Murray said that he would think, but he doesn't for see that they will have much outside storage.

Mr. Stewart said he understands.

Mr. Christian said that he would like to address that for Mr. Stewart. They would not have outside storage to put materials out there and leave them out there for storage. They would bring in materials that they would place outside that we couldn't get in to the warehouse. If they had to mount idlers on there do something like that and inspect it, make sure everything is right before it goes to shipment. It would only be there short term until the shipments are all ready and the customer is ready for the shipments. We bring in the truck load the stuff on it and ship it out. It will not be used for any large continuous storage.

Mr. McVay said Mr. Peroz has visited the present operation; in your opinion as Zoning Director is this a good fit for that area?

Mr. Peroz said he thought it was a good almost white collar type of engineering design business. He thinks it's a good business. He thinks it will fit. It won't be the type of truck traffic or anything because that was something that he thought was a concern. But it's not really shipping/receiving type of business; it's really not like that. It's more of design engineering type of white collar, lot of offices design things going on. So really it's that type of business.

Mr. McVay administered the oath.

Mr. Richard Lyons, 4148 Martindale Road NE, stated that his main question is, is this a day shift job not going to be a night shift, no making noise at night because he lives right across the street. Mr. Murray did a real good job, he has been there since it was a farm. Other than a few trucks, he sees no complaints at all, it's been quite. He is the only neighbor interested and it sounds good to him.

Motion by Mr. Stewart,

WHEREAS, Applicant/ Imperial Technologies Inc, 7901 Cleveland Avenue NW, North Canton, Ohio 44720 & Owner/ D. L. Murray Enterprises, LLC, 1730 Lancaster Gate, North Canton, Ohio 44709; Requests the following on the properties located at 4155 Martindale Road NE, Canton, Ohio 44705 (Parcel #52-18195) and 4165 Martindale Road NE, Canton, Ohio 44705 (Parcel #52-18194) in order to operate the existing mini-storage/mini-warehouse facility and the new Imperial Technologies business:

- **Conditional Use Permit for a Planned Commercial Complex.**

WHEREAS, the applicant or a representative has appeared in person before this Board at an adjudication hearing on said application and the Plain Township Board of Zoning Appeals has duly considered this application pursuant to Ohio Revised Code 519.14; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Plain Township Board of Zoning Appeals to:

  X   grant the following:

- **Conditional Use Permit for a Planned Commercial Complex.**

Seconded by Mr. Sutton,

DISCUSSION:

Mr. McVay said that from all appearances it looks like it's a good fit for the area and he would be willing to vote in favor of it.

Vote: Mr. Sutton, **YES**; Mr. Stewart, **YES**; Mr. McVay, **YES**.

Appeal #1194-08-A is therefore APPROVED.

No further business pending the meeting adjourned at 7:33 pm.

**PLAIN TOWNSHIP BOARD OF ZONING APPEALS**

**STEPHANIE A. METZGER, SECRETARY**