

# Air Pollution Control Division



Canton City Health Department

APC Contractual  
Representative  
Serving All of Stark County

420 Market Avenue North • Canton, Ohio • 44702-1544  
(330) 489-3385 • Fax: (330) 489-3335

Robert E. Pattison, MPA  
Health Commissioner

Daniel J. Aleman  
APCD Administrator

COPY

**CERTIFIED MAIL**

December 5, 2007

Mr. Kevin Pinhard  
3574 Perry DR NW  
Massillon, OH 44646

**Re: OUTDOOR WOOD BURNING FURNACE MAY BE IN VIOLATION OF  
JACKSON TOWNSHIP ZONING REQUIREMENTS**

Dear Mr. Pinhard:

The Canton City Health Department, Air Pollution Control Division (APCD) represents the Ohio EPA in air quality matters within Stark County. As such, APCD employees are charged with the responsibility to investigate and enforce Ohio EPA (OEPA) air pollution regulations. APCD employees are authorized under Ohio Revised Code 3704.03 (L) to enter upon private property to determine if there is noncompliance with OEPA regulations.

An anonymous public nuisance complaint was received on 12/04/07 for improper usage of an outdoor wood furnace at your residence of 3574 Perry DR NW, Massillon, OH 44646. I inspected your residence at 3:15 pm on December 04, 2007 and investigated your clean and organized outdoor wood burner and its fuel. Unfortunately I could not speak with you at the time of my visit because there may not have been anyone home. I found that you may be in violation of Jackson Townships zoning requirements for outdoor wood burning furnaces; more specifically the burner may not be on a lot that is five (5) acres or larger, the stack height may not be 20 feet from the ground at unit base and setback from all property lines by 200 feet.

Per Stark County auditor records, your residence is located in Jackson Township. I would recommend that you contact Joni Poindexter, Zoning Inspector at 5735 Wales Avenue NW, Massillon, OH 44646 (330) 832-8023 for further information and approval for location of furnace is required from fire department at 7383 Fulton Drive NW, Massillon, OH 44646 (330) 834-3950.

Effective as of 7/11/07 per the *Jackson Township Zoning Resolution Book*, an outdoor wood burning furnace may be permitted within the R-R rural residential district on lots that are five (5) acres or greater. An outdoor wood burning furnace shall not be permitted in any other zoning district. All wood burning furnaces shall meet the following requirements.

- 1) *Must be located in the rear yard only.*
- 2) *Must be setback 200 feet from all property lines.*
- 3) *No outdoor wood burning furnace shall be utilized as a waste incinerator.*
- 4) *Fuels are limited to seasoned hardwood, corncobs, or wood chips.*
- 5) *Must comply with Stark County Building Department regulations (building, mechanical, electrical, heating) and Ohio EPA Air Pollution Control Division regulations.*
- 6) *Fire Department approval of furnace location.*
- 7) *Minimum stack height shall be 20 feet from the ground at unit base.*

No person shall cause, allow or maintain the use of an outdoor wood burning furnace without a valid zoning permit.

This Agency would appreciate your cooperation with regard to this matter. Should you have any questions concerning this letter or the open burning regulations, please contact me at (330) 489-3385.

Sincerely,



Denny Tan

Staff Field Inspector II  
Air Pollution Control Division  
Canton City Health Department

Enc:

- 1) Jackson Township Zoning Resolution Book pgs. 49-50 (all available online)
- 2) Ohio EPA Air Pollution Control Division regulations for Outdoor wood burning furnaces

Pc:

- 1) Addressee via certified mail
- 2) Joni Poindexter, Jackson Township Zoning Inspector
- 3) Ted Heck, Jackson Township Fire Department Chief
- 4) OB file
- 5) NOV file

**CANTON CITY AIR POLLUTION CONTROL DIVISION  
REGULATIONS FOR OUTDOOR WOOD BURNING FURNACES**

*From HPBA (Hearth, Patio, & Barbeque Association), Outdoor Furnace Manufactures Caucus, July 2006*

- 1) *Read and follow all operating instructions supplied by the manufacturer.*
- 2) **FUEL USED:** *Only those listed fuels recommended by the manufacturer of your unit. Never use the following: trash, plastics, gasoline, rubber, naphtha, household garbage, material treated with petroleum products (particle board, railroad ties and pressure treated wood), leaves, paper products, and cardboard.*
- 3) **LOADING FUEL:** *For a more efficient burn, pay careful attention to loading times and amounts. Follow manufacturer's written instructions for recommended loading times and amounts.*
- 4) **STARTERS:** *Do not use lighter fluids, gasoline or chemicals.*
- 5) **LOCATION:** *It is recommended that the unit be located with due consideration to the prevailing wind direction.*
  - a) *Furnace should be located no less than 100 feet from any residence not served by the furnace.*
  - b) *If located within 100 feet to 300 feet to any residence not served by the furnace, it is recommended that the stack height be at least 2 feet higher than the peak of that residence.*
- 6) **Always remember to comply with all applicable state and local codes.**

Note: Amendments Effective 10/11/00 in Pink

Amendments Effective 12/12/02 in Red

Amendments Effective 2/12/04 in Blue

Amendments Effective 4/21/04 in Green

Amendments Effective 10/11/00 in Pink

Amendments Effective 10/11/00 in Pink

Amendments Effective 10/11/00 in Pink

Transient Vendor Resolution amended 3-27-06

Amendments Effective 10/11/00 in Pink

Amendments Effective 7/11/07 in light Violet



# JACKSON TOWNSHIP ZONING RESOLUTION BOOK

Amended June 11, 2007

Effective July 11, 2007

\$15.00

Jackson Township Zoning and Planning Department  
5735 Wales Avenue NW  
Massillon, Ohio 44646  
(330) 832-8023 Office  
(330) 832-5936 Fax  
[www.jacksonswp.com](http://www.jacksonswp.com)

Master Copy: This book includes all  
amendments since totally revised  
October 14, 1999.

**Jackson Township Zoning Resolution**

**E. Temporary construction buildings and uses:**

1. Temporary buildings, including tents and construction trailers, for uses incidental to construction work may be erected in any residential zoning district.
2. Temporary buildings shall be removed upon completion or abandonment of construction work.
3. Signs shall be permitted in compliance with Article V, Chapter 501-505.
4. Parking shall be required in compliance with Article VI, Chapter 601.
5. On-street parking shall not be permitted.
6. Temporary uses shall comply with Section 801.16.

**F. Fences:**

1. Fences located in the front yard shall not exceed a height of four (4) feet.
2. Fences located in the side or rear yard shall not exceed a height of six (6) feet.
3. All fences should be constructed in a professional manner and shall be maintained in good condition at all times.
4. A permit shall not be required for a fence.
5. A gate constructed separately or as part of a fence shall be considered a fence for the purpose of these regulations.
6. All fences shall be located at least 5 ft. from any road right of way.

**G.**

**H. Recreational and Community Facilities Located in a Residential Development**

Recreational and community facilities that are accessory to a multi-family development shall be designed and intended for use only by the residents of the development and shall comply with the setback requirements for principal buildings for the district in which the development is located.

**I. Temporary Storage Pod (unit):**

1. One per lot or parcel.
2. Shall be removed immediately upon expiration of permit.
3. Only two permitted within one calendar year.

**J. Outdoor Wood Burning Furnace:**

An outdoor wood burning furnace may be permitted within the R-R Rural Residential District on lots that are five (5) acres or greater. An outdoor wood burning furnace shall not be permitted in any other zoning district. All wood burning furnaces shall meet the following requirements:

- 1) Must be located in the rear yard only.
- 2) Must be setback 200 ft. from all property lines.



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Sent To  
 KEVIN PINARD  
 Street, Apt. No., or PO Box No. 3574 PERRY DR NW  
 City, State, ZIP+4 MASSILLON OH 44646

PS Form 3800, June 2002 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**MR. KEVIN PINARD  
 3574 PERRY DR NW  
 MASSILLON OH 44646**

2. Article Number  
 (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 X *Jeresa Stine*  Addressee

B. Received by (Printed Name) *Jeresa Stine*

C. Date of Delivery *12/10*

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

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