

A G E N D A

MASSILLON PLANNING COMMISSION

May 9, 1984 7:30P.M.
Massillon City Council Chambers

1. Approval of the minutes of the March 14, 1984, Commission meeting.
2. Petitions and Requests

Rezoning Request

Location: Lot No. 9561, a 24' X 54' Lot located on the north side of Lincoln Way, East and the east side of Wales Road, presently zoned R-1 Single Family Residential, to be rezoned B-3 General Business. The request has been submitted by Food Franchises, Inc., for the new Rax Restaurant currently under construction at 1230 Lincoln Way, East. Rax Restaurant plans to utilize the lot being requested for rezoning for the storage of trash receptacles for the restaurant operation.

Proposed Zoning Amendment

Frank Cicchinelli, Chairman of the Community Development Committee of the City Council, has requested that the Planning Commission review and investigate the need for creating a separate Agricultural Zoning District for the City (see attached letter). Farms of not less than 5 acres are presently permitted as a principal use within the R-1 through R-3 Single-Family Residential Districts, according to the City Zoning Code.

3. Other Business

The Massillon Planning Commission met in regular session on March 14, 1984, at 7:30 p.m. in City Council Chambers. The following were present:

Members

Chairman Fred Wilson
Vice Chairman Rev. David Dodson
Mayor Delbert Demmer
Bernie Green
Pearl Gray
Doris Hintz

Staff

Robert Wagoner
Aane Aaby
Marilyn Frazier

Also present was Francis H. Cicchinelli, Jr., At-Large Councilman, and Charles Spielman, 1st Ward Councilman.

The first item of business before the Commission was the minutes, which were approved as prepared.

The second item was approval of the members to reverse the order of business; making the Ameritrust Project first, Lot Split second, and Rezoning Request third, also adding election of officers. Bernie Green moved for approval, seconded by Mrs. Gray, motion carried.

The next item under Old Business was the Ameritrust Project. Location: S.W. corner of Lincoln Way, East and First Street, S.E. Lots No. 255, 256, 257, and 246. The Project involves the rehabilitation of the vacant upper six floors of the Ameritrust Building to accomodate approximately 78 rental apartments and the construction of 18 parking spaces on the vacant lot portion of the project site. Planning Commission approval of this project is being requested pursuant to the Massillon Zoning Code, Paragraph 7, Section 170.93 "Principal Uses Permitted subject to Special Conditions" for the B-2 Central Business District. Mr. Wilson explained the request. He explained that there was a technicality to be corrected. During a previous meeting the Commission had expressed approval of the Project. At that time no action was taken to approve the use under Special Conditions for the B-2 Central Business District. Mrs. Hintz moved for approval, seconded by Pearl Gray, the motion carried.

The next item on the Agenda was a Lot Split. Location: 532 Lori Avenue, N.E. Lots No. 12555 and 12556, the request being to split an irregularly shaped portion of land, 4 feet in the front and 1.92 feet in the rear, from Lot No. 12555 and add this portion to Lot No. 12556. This request has been submitted by Gerald Hartman who wishes to construct an accessory storage building in the rear of Lot No. 12556. Mr. Wagoner presented the request. Mr. Hartman wishes to store a boat in the accessory building. He owns both lots at present, but intends to sell the adjoining lot at a later date. Mr. Wagoner commented that the property is zoned R-3 and is a little substandard for this classification. An older farmhouse sits on a portion of the nearly vacant lot, but is to be razed. Mr. Hartman was present and only stated that approval of the lot split is the only way he can build this building. Rev. Dodson moved for approval, the Mayor seconded, motion carried.

MASSILLON PLANNING COMMISSION
Meeting, March 14, 1984

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The next request was for a rezoning. Location: 1119 Wales Road, N.E. Lots No. 7492, 7493, 7494; to be rezoned from R-3 Single Family Residential to B-1 Local Business. The request has been submitted by Jeanne Steiner who wishes to convert the residence on this property into an Inn. The request was presented by Aane Aaby. Mrs. Steiner had reported that she has an option to purchase the property. She wishes to convert the large residence into an inn. The area is about 1.4 acres and sits on three lots at the corner of Wales Road and Rotch Avenue, N.E. Mrs. Steiner had provided a letter stating that she wants to operate for lunches between the hours of 11:00 am. and 3:00 p.m., weddings and banquets. Mr. Aaby explained further that Mrs. Steiner did not provide a petition, but wished to proceed with the request without it. Mrs. Steiner was present. Mr. Wilson asked her if she had an option on the property. She replied that she thought she did. Rita Cableslio, who was in the audience replied that Mrs. Steiner had a purchase agreement. Mr. Wilson reviewed the rezoning procedure with Mrs. Steiner regarding the property. Mrs. Steiner stated that she had no comments other than those stated in her letter, which had been received by the members. Ralph Ricksecker, 1117 Wales, N.E. was present and presented a petition containing 47 names opposing the request. Gloria Silverthorn, 1114 Rotch Ave., N.E. expressed her comments in opposition. Rita Cableslio, the Real Estate Salesperson representing Mrs. Steiner, stated that presently another individual has an option on the property which is due to expire on April 1, 1984. If he doesn't use his option by that date, Mrs. Steiner will be able to make an offer on the property. Charles Speilman stated that Dr. Daryl Cheyney is the individual holding the option and his intention is to live in the house. Rev. Dodson stated that the Commission has no authorization to act until after April 1. Rev. Dodson moved to table the request until after April 1, Pearl Gray seconded, motion carried.

The final item of business was election of officers. Fred Wilson was re-elected Chairman and Rev. Dodson was re-elected Vice Chairman. Prior to adjournment of the meeting, Mr. Wagoner reported to the Commission that there has been some discussion of recodifying ordinances and some consideration should be given to altering zoning ordinances. After some discussion on the subject, the meeting adjourned at 8:20p.m.

Respectfully submitted:

Marilyn Frazier
Marilyn Frazier, Clerk

Approved:

Fred Wilson, Chairman

The Massillon Planning Commission met in regular session on May 9, 1984, at 7:30 p.m. in City Council Chambers. The following were present:

Rev. David Dodson, Vice Chairman
Mayor Delbert Demmer
Bernie Green
Henry Joiner
Rudy Turkal
Pearl Gray
Doris Hintz

Robert Wagoner
Aane Aaby
Marilyn Frazier
Francis H. Cicchinelli

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The next item was a rezoning request. Location: Lot No. 9561, a 24' X 54' Lot located on the north side of Lincoln Way, East and the east side of Wales Road, presently zoned R-1 Single Family Residential, to be rezoned B-3 General Business. The request has been submitted by Food Franchises, Inc. for the new Rax Restaurant currently under construction at 1230 Lincoln Way, East. Rax Restaurant plans to utilize the lot being requested for rezoning for the storage of trash receptacles for the restaurant operation. Mr. Wagoner presented the request. He stated the piece of property in question was only needed to place a dumpster on. All of the property being used for developing of the restaurant is zoned B-3 General Business except this small parcel at the rear of the site. If this is not approved, the dumpster can be put on the parking lot area without causing inadequate property for parking. There was a representative from Rax present who commented that when the property was purchased, they thought all of the land was in a Business District. Later they found out that was not true, therefore, they are asking for this rezoning. Mr. Aaby stated that the petition did have adequate signatures. After some comments by the members, Mr. Turkal moved for approval, seconded by Mayor Demmer, motion carried unanimously.

The final item on the agenda was a proposed zoning admendment. Frank Cicchinelli, Chairman of the Community Development Committee of the City Council, has requested that the Planning Commission review and investigate the need for creating a separate Agricultural Zoning District for the City. Farms of not less than 5 acres are presently permitted as a principal use within the R-1 through R-3 Single-Family Residential Districts, according to the City Zoning Code. Mr. Cicchinelli explained that his committee is considering some type of agricultural zoning classification for Massillon. Although farming is allowed, it may be necessary to create a specific agricultural zoning. Since there are several agricultural areas adjacent to the City, a zoning of this type may be needed for annexation attempts. Mayor Demmer moved to request that the City Engineer investigate this type zoning and do whatever is necessary to develop an agricultural classification and report back to the Commission. The motion was seconded by Rudy Turkal and carried unanimously.

Robert Wagoner requested permission to add an item under Other Business concerning oil wells in the City. Cleaner Hangers is proposing to drill some oil wells in the City, near Cherry Road but in order to do so they need some park land acreage to meet their requirement. Mr. Wagoner stated

PLANNING COMMISSION Meeting

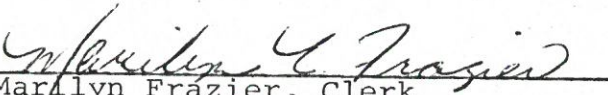
June 8, 1984

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that the Planning Commission, according to the Zoning Code, must give permission if all state requirements have been met. This project has met all state requirements, has 100% signatures, and the necessary 40 acres. Rudy Turkal moved for approval, seconded by Henry Joiner, motion carried.

There being no further business before the Commission, the meeting adjourned at 8:00 p.m.

Respectfully submitted:


Marilyn Frazier, Clerk

Approved:

Fred Wilson, Chairman



Existing Zoning Map
314 Tremont Ave, SE Rezoning Request
RM-1 to B-1
R-1

28 Shriver SE
Rezoning Request
R-1 to RM-1

O. L. 297

PT. 5.00 AC.

U.S.A.

PART O. L. 297

U.S.A.
PT. 11.54 AC.
PT. 5.00 AC.

PT. OF
O. L. 138

U.S.A.

MASS. PAPER CO.

W. & L. E. R. R. CO.

TUSCARAWAS

CORP.

LINE AVE

EDWIN

DWIGHT

ST.

S.

ARCH

ERIE

SHRIVER

AVE. S. E.

AVE. S. E.

PART OF
O. L. 153

G. WAIKEM
046

E. MILLER

PT. 7.66 AC.

PT. OL 156
HY GRADE REALTY
CO.

PEARL
AVE. S. E.

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SEE PAGE 301

U.S.

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B-1

B-1

EDWIN

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RM-1

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R-1

DWIGHT

RM-1

R-1

R-1

AVE, SE.

R-1

R-1

ARCH AVE. S.E.

RM-1

R-1

28 Shriver SE

RM-1

R-1

SHRIVER AVE. S.E.

RM-1

R-1

B-3

RM-1

Rezoning Request

28 Shriver Ave, SE.

R-1 to RM-1

Existing Zoning Map

Massillon City Council

President

Ronald Mang

1st Ward

Charles "Sonny" Spielman

2nd Ward

Tom Seesan

3rd Ward

David Smith

4th Ward

T. Roy Roberson

5th Ward

Mark Van Voorhis

6th Ward

Kirk Albrecht

Council-At-Large

Francis Cicchinelli

Council-At-Large

Tony Eaglowski

Council-At-Large

Helen Maier

Clerk

Mary Ann Coyne

April 11, 1984

Mr. Aane Aaby
Assistant City Planner
Massillon, Ohio 44646

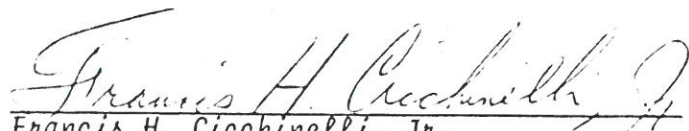
Dear Mr. Aaby:

The City of Massillon does not have an Agricultural Zoning Classification. As you are aware, farming is allowed, with certain restrictions in the City. However, at this time, it might be necessary to legislate a change and create a specific agricultural zoning within our Zoning Code.

Several agricultural areas are adjacent to the City of Massillon especially to the west in Tuscarawas Township. If a specific, protective type of agricultural zoning is adopted, this might provide the necessary impetus for additional annexation in this area.

I am requesting the Planning Commission to begin review of an Agricultural Zoning for Massillon, at its May meeting. I will assist you in any manner possible in this endeavor.

Respectfully,


Francis H. Cicchinelli, Jr.
Chairman Community Development and
Annexation Committee

cc. Fred Wilson
Chairman, Planning Commission

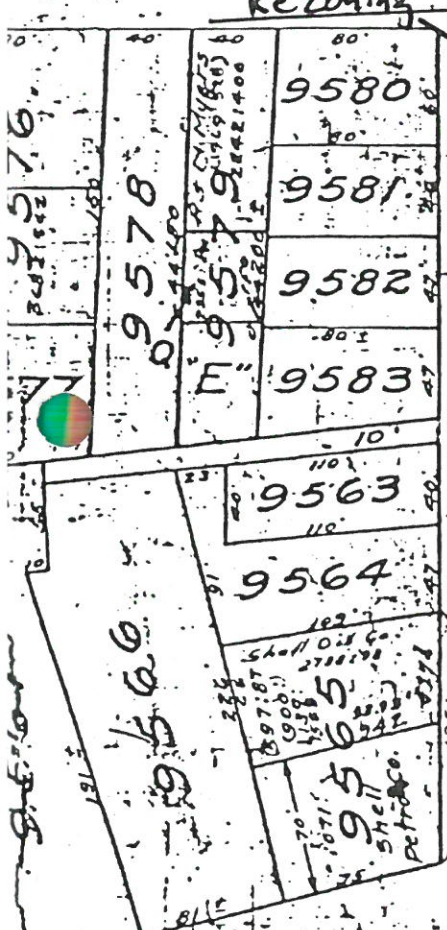
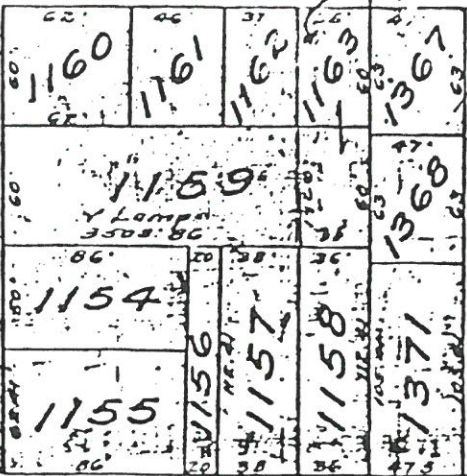
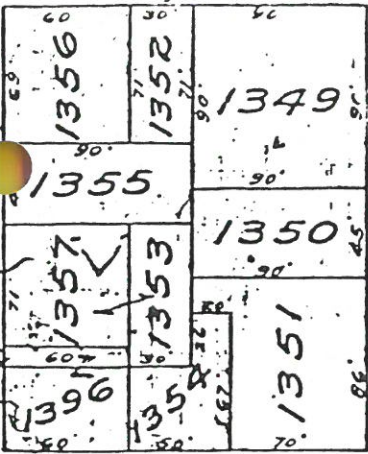
WALS

Rax Restaurant Site
E. LINCOLN WAY

NE 1/4 SEC 8

66 R-1 to B-3
Rezoning Request

Box Restaurant Site



PARK VIEW

R-1

R-1

NORTH AVE, N.E.

WALLES ROAD

R-1

Rezoning Request
R-1 to B-3

R-1

Rax Restaurant Site

B-3

B-1

B-1

B-3

B-3

LINCOLN WAY EAST

B-1

B-1

PHILIP

Existing Zoning