

A G E N D A
MASSILLON PLANNING COMMISSION
MARCH 13, 1991 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. Approval of the Minutes for the Commission Meetings of February 13 and 20, 1991.
2. Petitions and Requests

Re-Plat - Massillon City School District/Lincoln School Property

Location: Northwest corner of 3rd Street, S.E., and South Avenue, S.E.; the request being to re-plat Lot Nos. 1032, 1033, 1034, 1035, 1036, Part of 1022, Part of 1030, Part of 1031, and Part of 1037 into one lot. This request has been submitted by the Massillon City School District Board of Education.

Rezoning Request - Lincoln School

Location: Lincoln School Property (see above re-plat request), located at the northwest corner of 3rd Street, S.E., and South Avenue, S.E., including Lot Nos. 1032, 1033, 1034, 1035, 1036, Part of 1022, Part of 1030, Part of 1031, and Part of 1037, to be rezoned from R-1 Single Family Residential to O-1 Office. This request has been submitted by the Massillon City School District Board of Education, who wish to sell this property to United Way of Western Stark County for use as office facilities for United Way.

Rezoning Request - Valeside Annexation Area

Location: The Valeside Annexation Area, recently annexed from Perry Township, is a 22.045 acre area located on the east side of First Street, N.E., easterly to the intersection of Valeside Avenue, N.E., and Helena Avenue, N.E. The City of Massillon is requesting that this area be rezoned from Perry Township zoning to R-2 Single Family Residential, RM-1 Multiple Family Residential, and B-3 General Business.

Street Vacation Request

Location: Pike Avenue, S.W., a 50 foot wide street lying between Green Avenue, S.W., and Walnut Road, S.W., and running in an east/west direction between 8th Street, S.W., and Euclid Street, S.W.; the request being to vacate that portion from the south right-of-way line of Pike Avenue, S.W., northerly a distance of 10½ feet. This request has been submitted by Robert and Martha Hickey.

Proposed Amendments to City Zoning Code and Subdivision Code

The City of Massillon is proposing to amend the City Zoning Code to establish a new zoning district, R-4 One Family Residential, with a minimum lot size of 1/2 acre and 120 foot frontage. In addition, the City is seeking to amend its subdivision design standards for streets to establish a new standard for single family residential streets of less than 1,500 feet in length to require a minimum right-of-way width of 40 feet and a roadway pavement width of 24 feet.

3. Other Business

The Massillon Planning Commission met in regular session on March 13, 1991. The following were present:

Chairman Fred Wilson
Rev. David Dodson
Thomas Wilson
James Johnson
Bill Hamit

Robert Wagoner
Aane Aaby
Marilyn Frazier

The first item of business before the Commission was the minutes of the February 13, and February 20 meetings. The minutes were approved as prepared.

The next item was a re-plat.

Re-Plat - Massillon City School District/Lincoln School Property

Location: Northwest corner of 3rd Street, S.E., and South Avenue, S.E.; the request being to re-plat Lot Nos. 1032, 1033, 1034, 1035, 1036, Part of 1022, Part of 1030, Part of 1031, and Part of 1037 into one lot. This request has been submitted by the Massillon City School District Board of Education. Mr. Wagoner made the presentation. He commented that the School Board would like to re-plat these lots into one lot. He further commented that the only objection he had concerning this proposal was there were some violations of the building code. Mark Dickerhoff replied that the Board of Education was prepared to correct the violations referred to by Mr. Wagoner. Rev. Dodson moved for approval, seconded by Thomas Wilson, motion carried.

Rezoning request - Lincoln School

Location: Lincoln School Property (see above re-plat request), located at the northwest corner of 3rd Street, S.E., and South Avenue, S.E., including Lot Nos. 1032, 1033, 1034, 1035, 1036, Part of 1022, Part of 1030, Part of 1031, and Part of 1037, to be rezoned from R-1 Single Family Residential to O-1 Office. This request has been submitted by the Massillon City School District Board of Education, who wish to sell this property to United Way of Western Stark County for use as office facilities. Mr. Aaby presented. There is a mixture of several types of zoning in the area. The building is already in existence, which has been used in the past as a traffic generating use. Mr. Dickerhoff spoke and explained what property was a part of the transaction. Thomas Wilson moved to recommend approval, seconded by Jim Johnson, motion carried.

The next item before the Commission was also a rezoning request.

Rezoning Request - Valeside Annexation Area

Location: The Valeside Annexation Area, recently annexed from Perry Township, is a 22.045 acrea area located on the east side of First Street, N.E., easterly to the intersection of Valeside Avenue, N.E., and Helena Avenue, N.E. The City of Massillon is requesting that this area be rezoned from Perry Township zoning to R-2 Single Family Residential, RM-1 Multiple Family Residential, and B-3 General Business. Mr. Aaby made the presentation. The classifications which have been recommended are the ones suited for their present use. After some discussion by the members, Rev. Dodson moved to recommend approval, Bill Hamit seconded, motion carried.

The next item was a street vacation request.

Street Vacation Request

Location: Pike Avenue, S.W., a 50 foot wide street lying between Green Avenue, S.W., and Walnut Road, S.W., and running in an east/west direction between 8th Street, S.W., and Euclid Street, S.W.; the request being to vacate that portion from the south right-of-way line of Pike Avenue, S.W., northerly a distance of 10-1/2 feet. This request has been submitted by Robert and Martha Hickey. This presentation was made by Robert Wagoner. After some discussion, Bill Hamit moved and Rev. Dodson seconded. Motion carried.

The final item was proposed amendments to the City Zoning Code and Subdivision Code.

Proposed Amendments to City Zoning Code and Subdivision Code

The City of Massillon is proposing to amend the City Zoning Code to establish a new zoning district, R-4 One Family Residential, with a minimum lot size of 1/2 acre and 120 foot frontage. In addition, the City is seeking to amend its subdivision design standards for streets to establish a new standard for single family residential streets of less than 1,500 feet in length to require a minimum right-of-way width of 40 feet and a roadway pavement width of 24 feet. After discussing this, it was determined that more investigation was necessary. Rev. Dodson moved to table this item, seconded by Jim Johnson, motion carried.

There being no further business, the meeting adjourned at 8:10 P.M.

Respectfully submitted:



Marilyn E. Frazier
Clerk

Approved:

Fred J. Wilson
Chairman

The Massillon Planning Commission met in special session on Wednesday, February 20, 1991, at 5:30 P.M. in Massillon City Council Chambers. The following were present:

Chairman Fred Wilson
Mayor Francis Cicchinelli, Jr.
Thomas Wilson
Michael Loudiana
James Johnson
Bill Hamit
Dr. Dale E. Hart

Robert Wagoner
Marilyn Frazier

The only item on the agenda for the special meeting was a rezoning request which had been tabled from the February 13, 1991, meeting.

Location: The west side of Wales Road, N.E., approximately 120 feet north of Burd Avenue, N.E., consisting of Out Lot 363 and Lot No. 10170, to be rezoned from R-3 Single Family Residential to B-3 General Business. This request has been submitted by William E. Baucom, President of Evans-Baucom & Associates, Inc., who wishes to utilize this property for general commercial use. This rezoning request was originally considered by the Planning Commission at its January 10, 1990 meeting, at which time it was tabled until a legal opinion concerning "spot zoning" could be obtained from the City Law Director.

Mr. Wagoner made the presentation. He said he and Fred Wilson had gone out to view the site. After reviewing the site, he recommended an alternate proposal:

The east 220 feet to be rezoned B-3 Business. The remaining 440 feet of the parcel to be divided with the north half as B-3 and the southern half R-3 as a buffer.

Attorney Paul Paulson was present representing Evans-Baucom and Associates. He stated that he felt the recommendation was a fair one. He further commented that this business had been in the area for over thirty years and has been a model manufacturer and neighbor. Mayor Cicchinelli commented that if Mr. Baucom intends to remain in the area and his business is not being adversely affected, why does he want to do this. The following residents were present and spoke against the request:

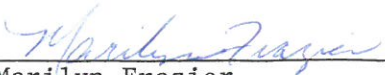
John A. Hodgson - 1354 Burd Avenue, N.E.
Gary Wells - 1333 Burd Avenue, N.E.
Greg Rajsich of the Gallery Studio - 2015 Wales Road, N.E.
Bill McClintock - 1344 Burd Avenue, N.E.
Wilma Maurer - 1366 Burd Avenue, N.E.

After further discussion by the Commission Members, Mayor Cicchinelli recommended denial of the proposal, seconded by Bill Hamit, motion carried unanimously.

There being no further business, the meeting adjourned at 6:10 P.M.

Respectfully submitted:

Approved:


Marilyn Frazier
Clerk

Fred Wilson
Chairman

The Massillon Planning Commission met in regular session on Wednesday, February 13, 1991, at 7:30 P.M. The following were present:

Chairman Fred Wilson

Michael Loudiana

Rev. David Dodson

Jim Johnson

Dr. Dale E. Hart

Mayor Francis Cicchinelli, Jr.

Robert Wagoner

Aane Aaby

Marilyn Frazier

The first item of business was the minutes of the January 9, 1991 meeting, which were approved as prepared.

The agenda was changed to add a request to replat some lots on McCadden Avenue, N.E. Lots to be replatted were: Lot Numbers 2655, 2658, 2660, 2662, 2664, 2666, 2679, 10794, 10795, 10796, 10797, 10798, 10799, 10800, 10801, 10803, 10804. Robert Wagoner made the presentation. The request was to enlarge the lots to conform to zoning requirements for the district. Mayor Cicchinelli, Jr. moved to approve the replat, seconded by Michael Loudiana, motion carried.

The next item was a rezoning request presented by Aane Aaby.

Location: The west side of Wales Road, N.E., approximately 120 feet north of Burd Avenue, N.E., consisting of Out Lot 363 and Lot No. 10170, to be rezoned from R-3 Single Family Residential to B-3 General Business. This request has been submitted by William E. Baucom, President of Evans-Baucom and Associates, Inc., who wishes to utilize this property for general commercial use. This rezoning request was originally considered by the Planning Commission at its January 10, 1990 meeting, at which time it was tabled until a legal opinion concerning "spot zoning" could be obtained from the City Law Director. Attorney Paul Paulson was present representing Evans-Baucom and Associates. He stated that Robert Wagoner and Fred Wilson had been out to look at the site and had recommended a method to make the rezoning more conducive to the neighbors, providing for more of a buffer.

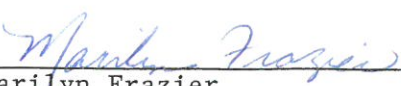
Mayor Cicchinelli commented the notice had not been printed in the newspaper until today, therefore, the neighbors probably weren't aware of the request. He further commented that he felt a special meeting should be held to give the residents the opportunity to be present.

Dr. Hart then moved to table the request until Wednesday, February 20, at 5:30 P.M., seconded by Mayor Cicchinelli, motion carried 5 - 1, with Rev. Dodson opposing the motion.

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

Respectfully submitted:

Approved:


Marilyn Frazier
Clerk

Fred Wilson
Chairman

--- (36') --- Existing Lot Lines & Plot Distance
 --- Existing Property Line
 --- Proposed New Lot Lines
 5/8" = 30' Rebar Set - New Lot Corner
 Property Corner ---
 Existing Lot Number 1037

[illegible]

SOUTH AVE. S. E. 66'

The Basis of Survey taken survey on file in the City Engineer's Office, of Geo Wallace and H.M. Piper for the Board of Education for Washington High School, Lincoln Elem. School, both old Lincoln, and present Lincoln building, which the above survey includes

STARK COUNTY RECORDER

received for record this _____ day of _____, 19 ____.
recorded in Volume _____, Page _____, this _____ day of _____, 19 ____.

TARK COUNTY AUDITOR

Enter for transfer this _____ day of _____, 19 ____.

STARK COUNTY AUDITOR

Copy

CERTIFICATION

hereby certify the adjacent plat to be correct, as surveyed by me this 16th day of February, 19 21.

Charles T. DeBos, Jr.
Orville R. DeBos, Jr.
Reg. Surveyor #5823

PLANNING COMMISSION

Approved by the Massillon Planning Commission at a meeting held _____

HAIRMAN

MASSILLON CITY ENGINEER

of Numbers _____ assigned by Mobilize City Engineer

ACKNOWLEDGEMENT

now all men by these present, that we the undersigned owners of the land delineated hereon, do hereby acknowledge the signing of the same to be our free act and deed, and do hereby replat our land

WITNESS

OWNERS - MEMBERS

Sam. A. Miller

R. H. Egan President

Vice-President

Mr. J. P. Secretary

17 June 4. Gophers.

COUNTY OF STARK

STATE OF OHIO ss.

Therefore me a Notary Public, in and for said county, did personally appear, the above, who acknowledged the signing of the same to be our free act and deed according to law.

witness whereof, I hereunto set my hand and seal this 10 day of

My commission expires

for Washington High School, Lincoln Elem. School, both old Lincoln, and present Lincoln building, which the above survey includes

REPLAT OF LOTS & SURVEY

SCALE: $\tau = 40^\circ$

SCALE. 1" = 40'

DATE: FEB 20 1991



FOR: THE BOARD OF EDUCATION



MASSILLON CITY SCHOOL DISTRICT

LINCOLN SCHOOL PROPERTY

REZONING REQUEST

R-1 TO O-1



APPROVED FOR ANNEXATION BY THE BOARD OF ALDERMEN OF THE CITY OF MASSILLON, OHIO, MAY 1999

ACCEPTED BY CITY COUNCIL OF MASSILLON, OHIO BY ORDINANCE NO. _____ PASSED THIS _____ DAY OF _____ 1999

STARK COUNTY COMMISSIONERS

CLERK _____

PRESIDENT _____

CITY LOT NUMBERS ASSIGNED THIS _____ DAY OF _____ 1999

CITY ENGINEER _____

ENTERED FOR TRANSFER THIS _____ DAY OF _____ 1999

COUNTY AUDITOR _____

RECEIVED FOR RECORD THIS _____ DAY OF _____ 1999

RECORDED IN VOL. _____ PAGE _____ THIS _____ DAY OF _____ 1999

COUNTY RECORDER _____

PARCELS INCLUDED IN ANNEXATION
DEBARR, INC., 197 AC VOL. 354 PG. 100, 2.10 AC VOL. 354 PG. 332, 0.40 KINNESEON, VOL. 307 PG. 205, MITCHELL FIELD INC., VOL. 354 PG. 334 & 355 PG. 335, CAL. BAYFIELD, INC., VOL. 354 PG. 334 & 355 PG. 335, H.E.W. CONTRACTORS, INC., 4.86 AC VOL. 378 PG. 596 & 3.44 AC VOL. 354 PG. 332, R. WEINHART VOL. 378 PG. 596 & 3.44 AC VOL. 354 PG. 332, VALESIDE ST. HELENA AVE., EAST HALF OF E. 2326, 691.99

TOTAL AREA TO BE ANNEXED 22.045 ACRES
STATE HWYS, 1/2 R/W 0.169 MILES
TWP. ROADS 0.250 MILES

CERTIFICATION:
I HEREBY CERTIFY THAT THIS IS A TRUE DESCRIPTION OF A TRACT OF LAND TO BE ANNEXED AS COMPILED FROM DEEDS OF RECORD, SUBDIVISION PLATS OF RECORD, AND PLATS OF RECORD.

REG. SURVEYOR D. 4787

VALESIDE ANNEXATION

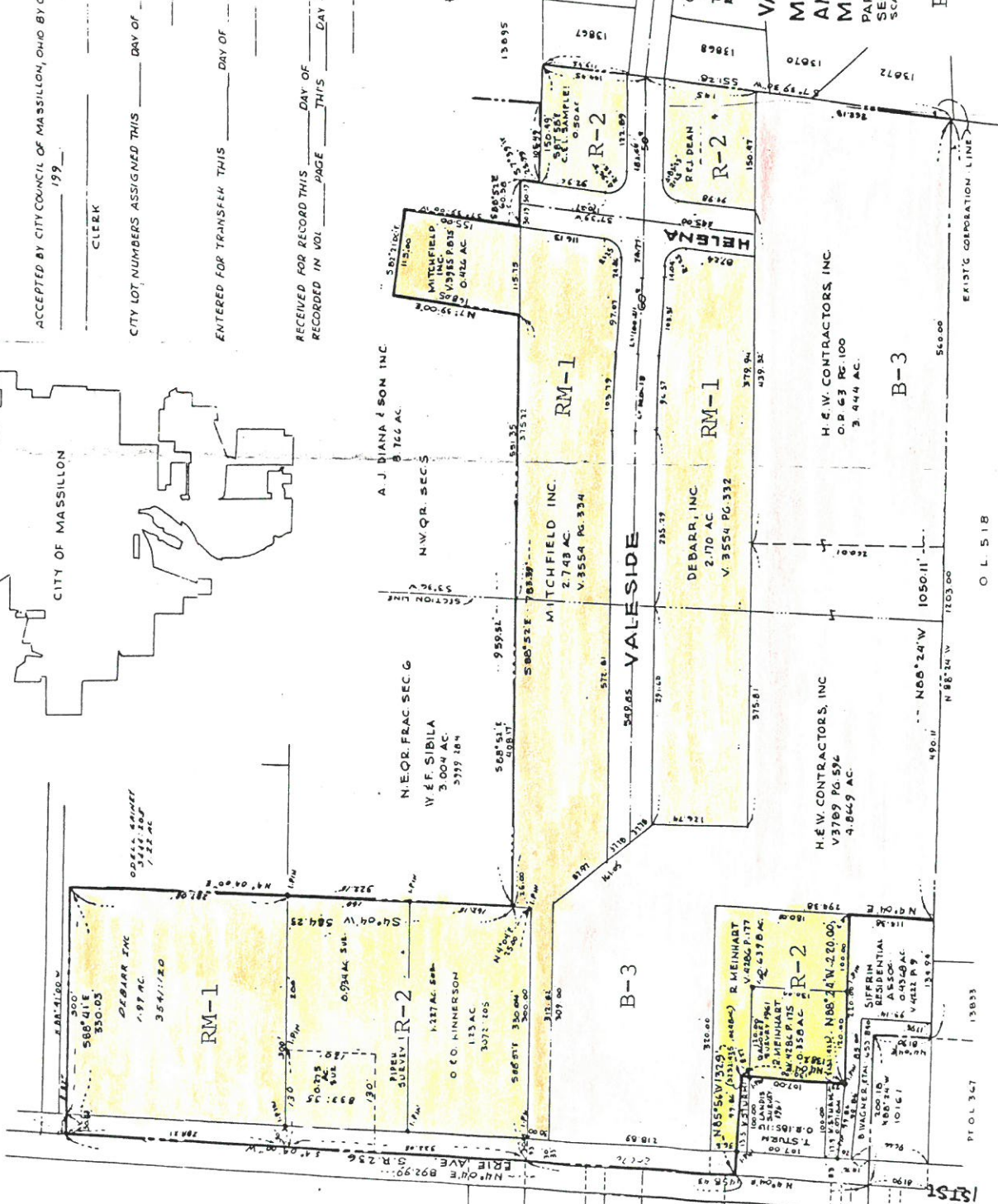
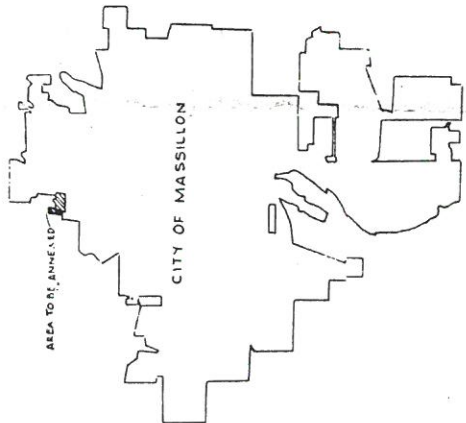
MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF MASSILLON, OHIO

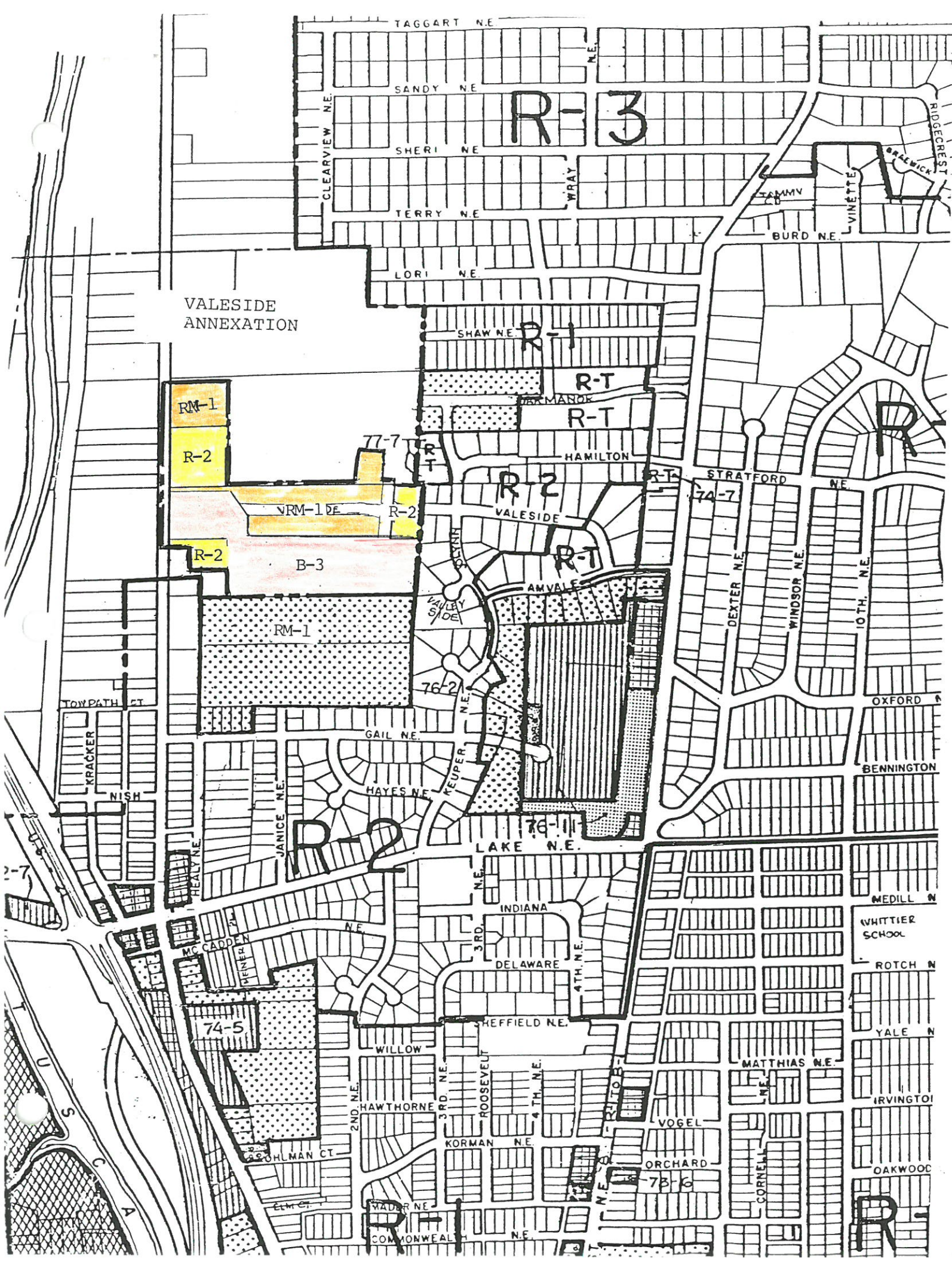
PART OF N.W. OR SECTION 5 & N.E. OR FRAC SECTION 6, PERRY TWP., STARK CO., OHIO
SCALE 1"=100'

PROPOSED REZONING

O. L. S. B.

PTOL 347





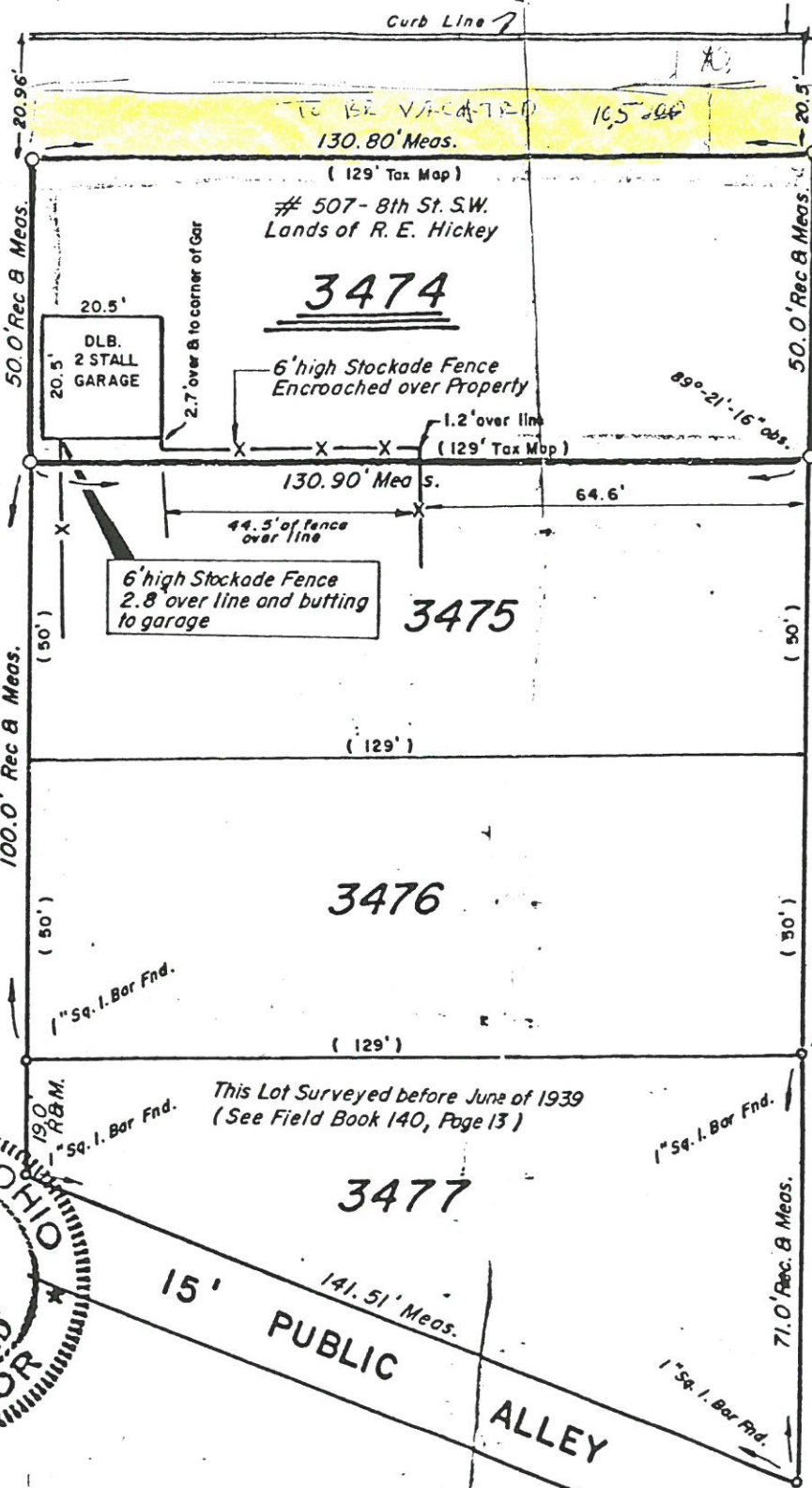
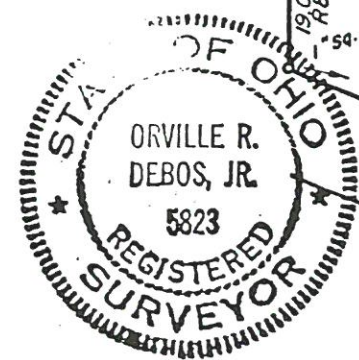
STREET VACATION REQUEST

See Notes Below
on Pike Ave off center

EUCLID AVE. S.W. 50'

8th Street S.W. 45'

Bar Fnd
50' Meas.
or line only



MAP OF SURVEY

Being Lot Number 3474 in the City of Massillon, County of Stark, Ohio.

DATE: OCT. 13, 1990

FOR: HICKEY

832-6471

Orville R. DeBos, Jr.
Dan C. Curren

SCALE: 1" = 30'



Surveyors Note:

1. Rice & Wallace Survey Lot # 3501 on Pike Ave. 7/26/27 showing curb on Pike off center, surveying lot 50' wide w/no surplus F.B. "A", pg 108.
2. Wallace & Shertzer Survey West Side of 8th Street from Green Ave southerly 6/26/39 for the East Ohio Gas Co. an establishing the said West line of 8th St and the N. & S. line of Pike Ave. Again no surplus given, curb shown off. F.B. 140, Pg 13.
3. This survey finds the pins on lot # 3477 as found in 1939 by Wallace and the two pins on the east side of lot # 3474 found honoring the Wallace Survey with no surplus given

PROPOSED AMENDMENTS TO CITY ZONING CODE

ESTABLISHING R-4 SINGLE FAMILY RESIDENTIAL DISTRICT

1. Amend CHAPTER 1153 Title to read "R-1 Through R-4 One-Family Residential Districts"

Amend 1153.01 INTENT to read "The R-1 through R-4 One-Family Residential Districts are designed to be...."

2. Amend 1177.01 HEIGHT, BULK, DENSITY AND AREA REGULATIONS table to add R-4 One-Family Residential District as follows:

Minimum Lot Size Per Unit Area (sq. ft.)	Width (feet)	Structure Maximum Height (stories) (feet)		Minimum Yard Setback (Per Lot in Feet) Front Each Side Rear			Minimum Floor Area Per Unit (sq. ft.)	Maximum of Lot Area Covered (By All Buildings)	Maximum Floor Area Ratio (Per Lot)
(a)	(a)			1 story/2 story					
1/2 Acre	120	2	25	45(b)	14(b) (c)	16(b) (c)	35(b)	1,500	25

3. Amend City Subdivision Regulations, Section 1109.03 "STREET DESIGN", Paragraph (c) Street Right Of Way to add a new Classification as follows:

<u>Classification</u>	<u>Minimum Right Of Way in Feet</u>	<u>Minimum Pavement Width in Feet</u>
Single-Family, Less than 1,500 feet in length	40	24

THE CITY OF MASSILLON, OHIO

Francis H. Cicchinelli, Jr.
Mayor

Phone (216) 830-1700
FAX (216) 830-1776

Director of Public Safety & Service
Bill H. Hamit — 830-1702

Public Service
830-1701

**Personnel/Labor Relations/
Purchasing Director**
Ronald E. Mang — 830-1777

City Engineer/Planning Director
Robert F. Wagoner — 830-1722

Community Development Director
Aane Aaby — 830-1721

Economic Development Director
Steven B. Seaton — 830-1785

Chief Building Official
Starr Surbey — 830-1724

**Fair Housing/
Rehabilitation Director**
Marilyn Frazier — 830-1717

**Wastewater Treatment Department
Manager/Superintendent**
Ronald L. Halter — 833-3304

Collections Department Chief
Linda S. McGill — 830-1705

Chief of Police
Dennis D. Harwig, Sr. — 830-1762

Fire Chief
Tommy R. Matthews — 833-1053

**Equal Employment Opportunity/
Minority Business**
Edward W. Grier — 830-1716

Health Commissioner
Thomas K. Ellis, M.D. — 830-1710

Park Superintendent
Brian E. Gehring — 830-1703

Youth Director
Constance Ledwell — 837-3137

Senior Citizens Director
Nancy A. Johnson — 837-2784

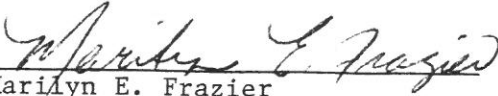
Income Tax Administrator
Richard E. Bordner — 830-1709

Data Center Chief
Keith Wires — 830-3647

April 4, 1991

N O T I C E

The City Planning Commission will not meet on
Wednesday, April 10, 1991, due to a lack of business.
The next regularly scheduled meeting of the Planning
Commission will be Wednesday, May 8, 1991.


Marilyn E. Frazier
Clerk