

A G E N D A
MASSILLON PLANNING COMMISSION
JANUARY 8, 1992 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. Approval of the Minutes for the Commission meeting of December 11, 1991.
2. Petitions and Requests

Rezoning Request

Location: Amberwood Circle, N.E., a proposed 22 lot residential subdivision located on Out Lot 603 and part of Out Lot 428, between Hankins Road, N.E., and Eastwood Avenue, N.E.; presently zoned R-3 Single Family Residential, to be rezoned R-4 Single Family Residential. This rezoning request is being made by the City of Massillon.

3. Old Business

Zoning Amendment

The Health, Welfare, and Building Regulations Committee of Massillon City Council has introduced legislation to amend Chapter 1171 "I-2 General Industrial District" of the City Zoning Code by enacting a new Section 1171.02(e)(7), which would provide as a permitted use within the district oil and natural gas exploration by means of drilling, erection of necessary on site storage and accomodation facilities, and the installation of transmission lines for the commercial transportation of the final product. Consideration of this zoning amendment was tabled at last month's meeting pending a legal opinion from the City Law Director

3. Other Business

Election of Officers for 1992

The Massillon Planning Commission met in regular session on December 11, 1991. The following were present:

Members

Chairman Fred Wilson
Mayor Francis H. Cicchinelli, Jr.
Bill Hamit
Rev. David Dodson
Jeannette Holloway

Staff

Robert Wagoner
Marilyn Frazier

The first item of business was the approval of the minutes for the Commission meeting of October 30, 1991. The Mayor moved for approval, seconded by Jeannette Holloway, motion carried.

The next item under petitions and requests was a rezoning request.

Rezoning Request - West Massillon Annexation Area

Location: A 369.781 acre area located on the north side of Lincoln Way West, west of 32nd Street, N.W. This area was recently annexed from Tuscarawas Township, which has no zoning. The City is proposing the property within the annexed area be zoned A-1 Agricultural, R-2 Single-Family Residential, R-3 Single-Family Residential, R-T Two-Family Residential, O-1 Office, and B-3 General Business, in accordance with the attached map.

Robert Wagoner presented the request. He stated that some changes needed to be made to the proposed request since the Agenda had been prepared. The changes are as follows:

1. Out Lot Nos. 617, 618, 619, 624, 625, 626, 627, 631, 632, 634, 635, 636, and 637 are to be zoned A-1 Agricultural.
2. Out Lot Nos. 620, 621, and 623 are to be zoned R-2 Single Family Residential.
3. Out Lot Nos. 628, 629, and 630 are to be zoned R-3 Single Family Residential.
4. Out Lot Nos. 622 is to be zoned R-T Two Family Residential.
5. Out Lot Nos. 633 is to be zoned O-1 Office.

Jeannette Holloway moved for approval, seconded by Mayor Cicchinelli, motion carried.

The next item was a Zoning Amendment.

Zoning Amendment

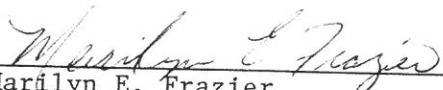
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Robert Wagoner reported to the Commission that he had discussed this item with John Ferrero, who was supposed to have one of the attorneys on his staff investigate this.

As of this date, the Law Department had not gotten back to him. Based on this information, Bill Hamit moved to table the request, seconded by Rev. Dodson, motion carried.

There being no further business before the Commission, the meeting adjourned at 7:45 P.M.

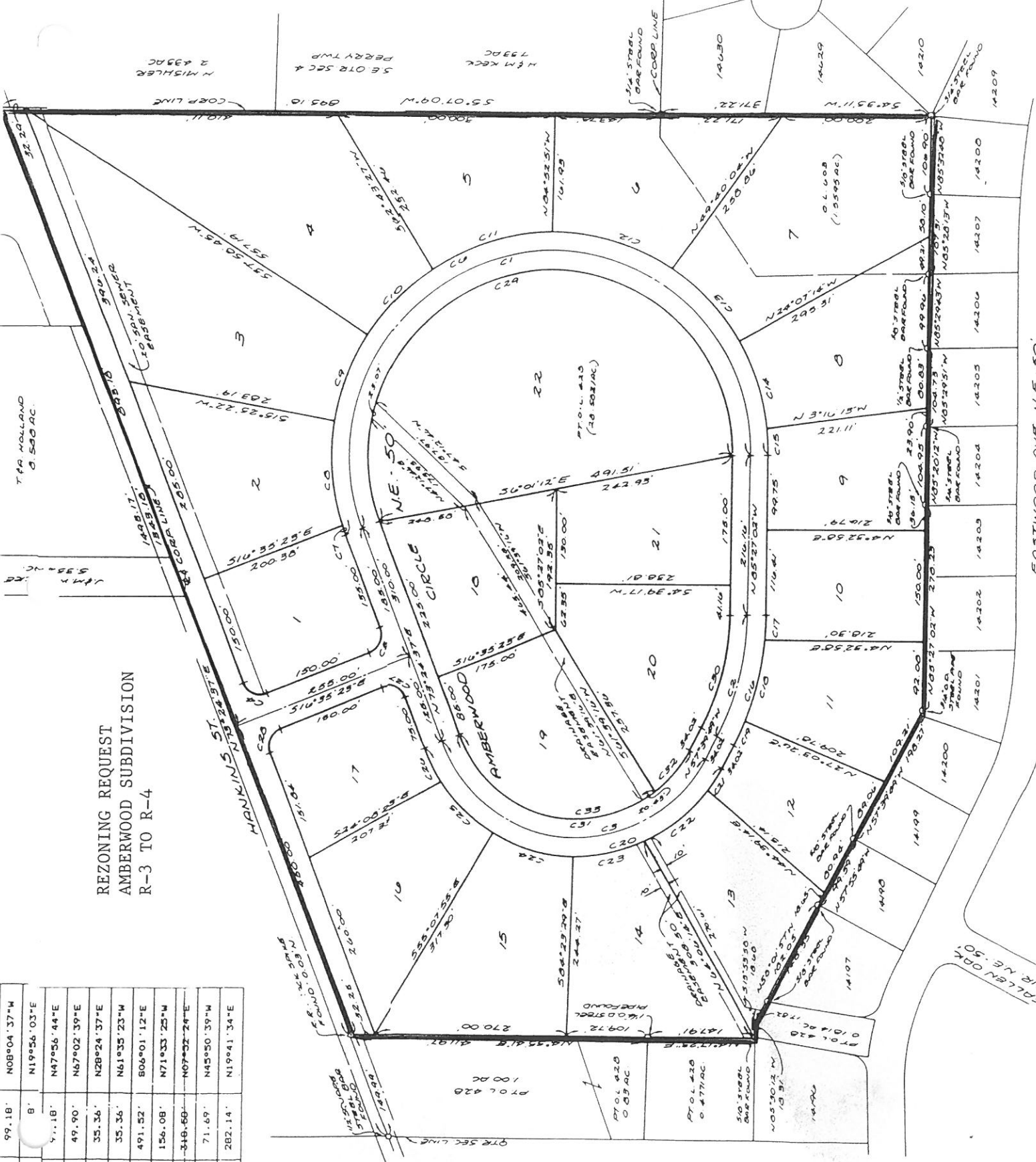
Respectfully submitted:


Marilyn E. Frazier
Clerk

MEF/ky

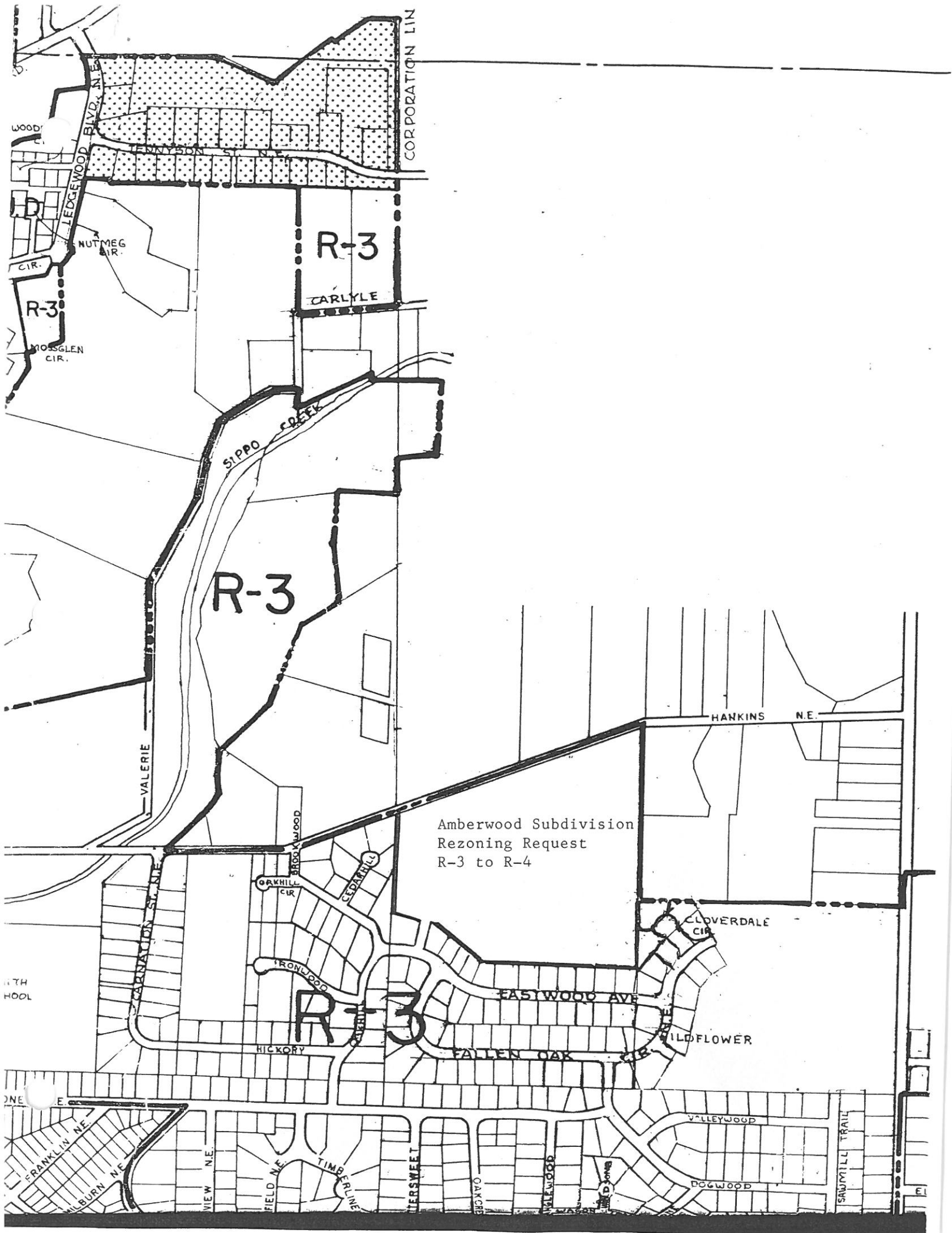
Approved:

REZONING REQUEST AMBERWOOD SUBDIVISION R-3 TO R-4



50.84'	99.18'	N08°04'37"W
61.46'	8'	N19°56'03"E
50.84'	99.18'	N47°56'44"E
25.10'	49.90'	N47°02'39"E
25.00'	35.36'	N28°24'37"E
25.00'	35.36'	N61°35'23"W
491.52'		S06°01'12"E
80.39'	156.08'	N71°33'25"W
34.46'	348.68'	N07°32'24"E
36.62'	71.69'	N45°50'39"W
38.39'	282.14'	N19°41'34"E

100
367
ALL
T



R-3

CARLYLE

R-3

Amberwood Subdivision
Rezoning Request
R-3 to R-4

R-3

HANKINS N.E.

CLOVERDALE CIR

EASTWOOD AVE

FALLEN OAK CIR

WILDFLOWER

VALLEYWOOD

DOGWOOD

SAWMILL TRAIL

FRANKLIN N.E.

MILBURN N.E.

VIEW N.E.

FIELD N.E.

TIMBERLINE

SWEET

OAKCREEK

WILLOW

WILLOW

WILLOW

WILLOW

WILLOW

THE CITY OF MASSILLON, OHIO

INTERNAL CORRESPONDENCE

TO..... John D. Ferrero, City Law Director

DATE December 18, 1991

FROM... Aane Aaby, Community Development Director

SUBJECT REQUEST FOR LEGAL OPINION

At its December 11, 1991 meeting, the City Planning Commission reviewed Ordinance No. 189-1991, which is currently before Council. This Ordinance would amend CHAPTER 1171 "I-2 GENERAL INDUSTRIAL DISTRICT" of the City Zoning Code by enacting a new section 1171.02(e)(7), which would add as a permitted use to this district "oil and natural gas exploration by means of drilling, erection of necessary on site storage and accomodation facilities and the installation of transmission lines for the commercial transportation of the final product".

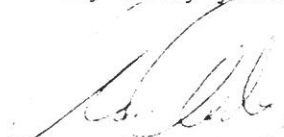
The Planning Commission made no recommendation concerning the proposed Ordinance and tabled further consideration until a legal opinion could be obtained from the Law Director regarding the following questions:

Is it the intent of this Ordinance to restrict oil and gas drilling as a permitted use within the City to only I-2 General Industrial Zoning Districts; and if so, is such a restriction permissable under that section of the Ohio Revised Code that regulates such drilling?

In addition, does the proposed Ordinance conflict in any way with the provisions of CHAPTER 741 "Oil and Gas Wells" of the Massillon City Code?

Thank you for your review and consideration of these questions.

Very truly yours,



Aane Aaby
Community Development Director

AA:aa