

A G E N D A
MASSILLON PLANNING COMMISSION
NOVEMBER 18, 1998 **7:30 P.M.**
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meetings of October 21, 1998.*
2. *Petitions and Requests*

Rezoning - Key Bank / Hills & Dales Road Annexation Area

Location: Out Lot 792, a 1.129 acre located on the northwest corner of Hills & Dales Road and Aaronwood Avenue, N.E. The request is to rezone this property from Perry and Jackson Township zoning to O-1 Office.

Replat - Lots No. 8204 & 8205

Location: 1118 3rd Street, S.E., at the southeast corner of 3rd Street, S.E., and Arch Avenue, S.E. The request is to replat these two lots, now running east-west, into two lots, which will instead run north-south. The property owner is Shiloh Baptist Church.

Plat for Dedicated Utility Right-of-Way: The Condominiums of St. Andrews

Location: Part of Out Lot 738, located on the north side of Nave Road, S.E., between Veterans Boulevard and University Drive, S.E. The total proposed dedicated utility right of way area is 1.7389 acres. The property owner is A. R. Lockhart Development Company. The surveyor is Brett Bedore.

3. *Old Business*

Drainage Easement - Lot No. 15536

Reconsideration of a proposed drainage easement located on Lot 15536, located on the north side of 28th Street, N.W., north of Lincoln Way N.W., in the Lincoln Hills Allotment. The property owner is Earl J. Glick. The surveyor is Dennis Fulk.

4. *New Business*

Westside Master Land Use Plan

This plan, which was prepared by a private consultant at the direction of the City and with the cooperation of the Westside Citizens Committee, is being presented for consideration and review by the Planning Commission. The purpose of this plan is to serve as a reference guide for proposed future development on the west side of Massillon.

The Massillon Planning Commission met in regular session on October 21, 1998, at 7:30 P.M., in Massillon City Council Chambers. The following were present:

MEMBERS

Chairman Fred Wilson
Rev. David Dodson
Mayor Francis H. Cicchinelli, Jr.
Ben Bradley
Attorney Joel Fichter
Sharon Eslich
James Johnson

STAFF

Aane Aaby
Marilyn Frazier
James Benekos

The first item of business was the minutes of the September 9, and September 30, 1998, meeting. Rev. Dodson moved for approval, seconded by Ben Bradley, motion carried.

The next item was a Street and Alley Vacation request.

Street and Alley Vacation Request

(1) 19th Street, S.E., a 50 foot street lying between Connecticut Avenue, S.E., and Rhode Island Avenue, S.E., and running in a north-south direction between Russell Boulevard, S.E., and 20th Street, S.E. The request is to vacate that portion of 19th Street, S.E., from Connecticut Avenue, S.E., southerly to Rhode Island Avenue, S.E., and

(2) An unnamed 10 foot alley lying between Massachusetts Avenue, S.E., and Connecticut Avenue, S.E., and running in a north-south direction between Russell Boulevard, S.E., and 20th Street, S.E. The request is to vacate that portion of the alley from Connecticut Avenue, S.E., northerly to an unnamed 10 foot alley running in an east-west direction between Russell Boulevard, S.E., and 20th Street, S.E. This request has been submitted by Joe Jones, Jr.

Mr. Aaby presented the request. He stated that neither alley has been open. The other affected party has signed the petition. Mr. Jones was present and commented that they are closed and not being used. He maintains the property, therefore is interested in acquiring it. Mayor Cicchinelli moved for approval, seconded by Rev. Dodson, motion carried unanimously.

The next item was an Alley Vacation.

Alley Vacation Request

A 20 foot alley located between 7th Street, N.E., and 8th Street, N.E., and running in an east-west direction between North Avenue, N.E., and Andrew Avenue, N.E. The request is to vacate that portion of the alley as shown on the attached mortgage survey, approximately 3 feet by 14.6 feet in area. This vacation request has been submitted by Attorney James Snively on behalf of the property at 221 8th Street, N.E. The dwelling on this property has been determined to encroach on said unnamed alley. The vacation is being requested due to a pending sale on this property.

Mr. Aaby presented this request also. A plat for this vacation has not been drawn up. A mortgage location survey was prepared which determines a portion of this house encroaches on the alley way. The vacation of this alley will not restrict traffic. An actual survey plat to show any encroachment would be required. Attorney Snively was present and commented that the survey plat was ordered and would be forth coming. Attorney Fichter moved for approval, seconded by Mr. Johnson, motion carried unanimously.

The next item was a replat.

Replat - Lots No. 4403 & 4404

Location: 451 27th Street, N.W. The request is to replat these two lots into one lot. The property owner is Gerald Howell.

Mr. Aaby presented this request. The owner wishes to combine these two lots in order to build a garage. Mayor Cicchinelli moved for approval, Mrs. Eslich seconded, motion carried.

The next item was another replat.

Replat - Lots No. 13926, 13927, & 13928

Location: The southwest corner of Shaw Avenue, N.E., and Wray Street, N.E. The request is to replat these three lots into two lots. The property owner is A. J. Diana and Sons, Inc.

Mr. Aaby presented this request. A. J. Diana would like to develop a residential subdivision in this area. The purpose of this request is to prepare to build two model homes. Mr. Benekos commented on the request. Mayor Cicchinelli asked Mr. Diana what the price range of the homes would be. Mr. Diana replied \$120,000. Mr. Johnson moved for approval, Mayor Cicchinelli seconded, motion carried unanimously.

The next item was another replat.

Replat - Lot No. 630

Location: 318 First Street, N.E. The request is to replat this property into two lots, separating the residence from the business in the rear of the property. The property owners are Donald and Dennis Lemon.

Mr. Aaby commented that Mr. Lemon came in with a dilemma. The Lemons own a commercial building and a rental house which occupy the same lot. They have applied for a loan to rehabilitate the house but the bank won't loan money unless the two are separated. Mr. Lemon was present. Mayor Cicchinelli moved for approval, Mr. Bradley seconded, motion carried unanimously.

The next item under Old Business was a Final Plat.

Final Plat - Lincoln Hills No. 6

Location: a 5.953 acre parcel, consisting of Out Lots 179 and 180, and part of Lot No. 10195, located north of Lincoln Way, N.W., in the Lincoln Hills Allotment. The plat will create a total of 18 lots, zoned R-2 Single Family Residential. In addition, the plat will dedicate Wagoner Street, N.W., and portions of Abraham Avenue, N.W., and Lee Avenue, N.W. The property owner is Earl J. Glick. The engineer is Cooper and Associates.

The owner is requesting a variance from the Planning Commission so as not to install sidewalks in the subdivision. Attached is a letter from Cooper and Associates in support of this request.

Mr. Aaby presented the request. He read the letter from Bryan Ashman regarding the request to not install sidewalks. Mr. Ashman was present and explained the development. Mayor Cicchinelli commented that part of the reason there were no sidewalks was because the original developer ran into financial difficulty and didn't complete them. He added that a number of subdivisions have been built which do have sidewalks. Mayor Cicchinelli then moved to grant the variance to allow the developer to not install sidewalks, however, this is not to be considered a precedent setting action. Rev. Dodson seconded, motion carried unanimously.

The final item under New Business was Westside Master Land Use Plan.

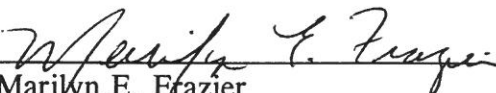
Westside Master Land Use Plan

A presentation will be made on this plan, which was prepared by a private consultant at the direction of the City and with the cooperation of the Westside Citizens Committee. The purpose of this plan is to serve as a reference guide for proposed future development on the west side of Massillon.

Mr. Aaby briefly reviewed the plan after which Rev. Dodson moved that the Commission would thoroughly read the plan and be prepared for an in depth presentation and adoption at the next Commission meeting. Mr. Johnson seconded the motion which carried unanimously.

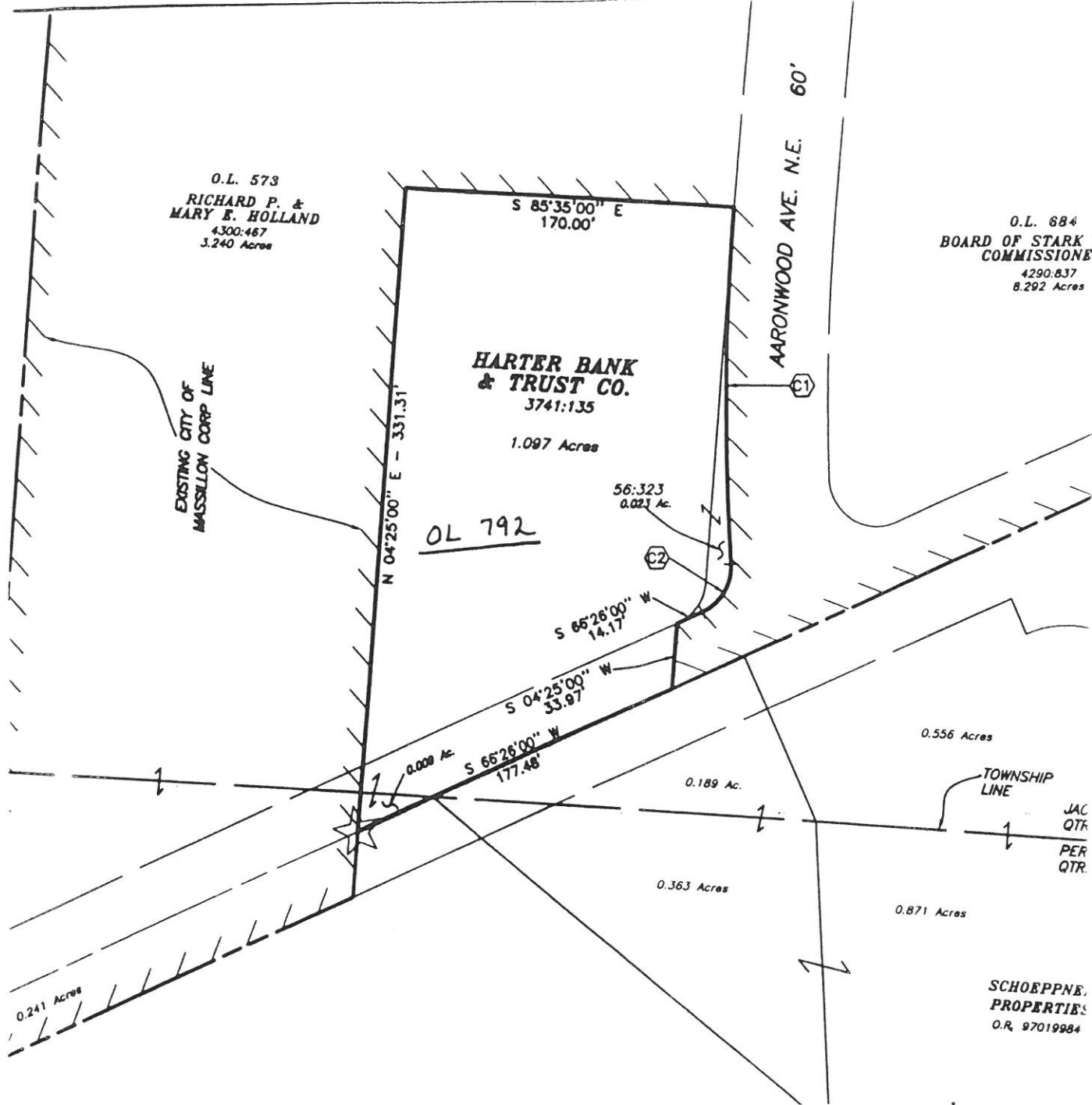
There being no further business before the Commission, the meeting adjourned at 8:25 P.M.

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approval:

MEF/ky



KEY BANK - HILLS & DALES RD AREA ANNEXATION

Pt. S.W. Quarter Section 33, Jackson Township
& Pt. N.W. Quarter Section 4, Perry Township
Stark County, Ohio



Description of that tract to
of record and record plats.

James I. Benekos
REGISTERED SURVEYOR NO. 7663

COUNTY AUDITOR

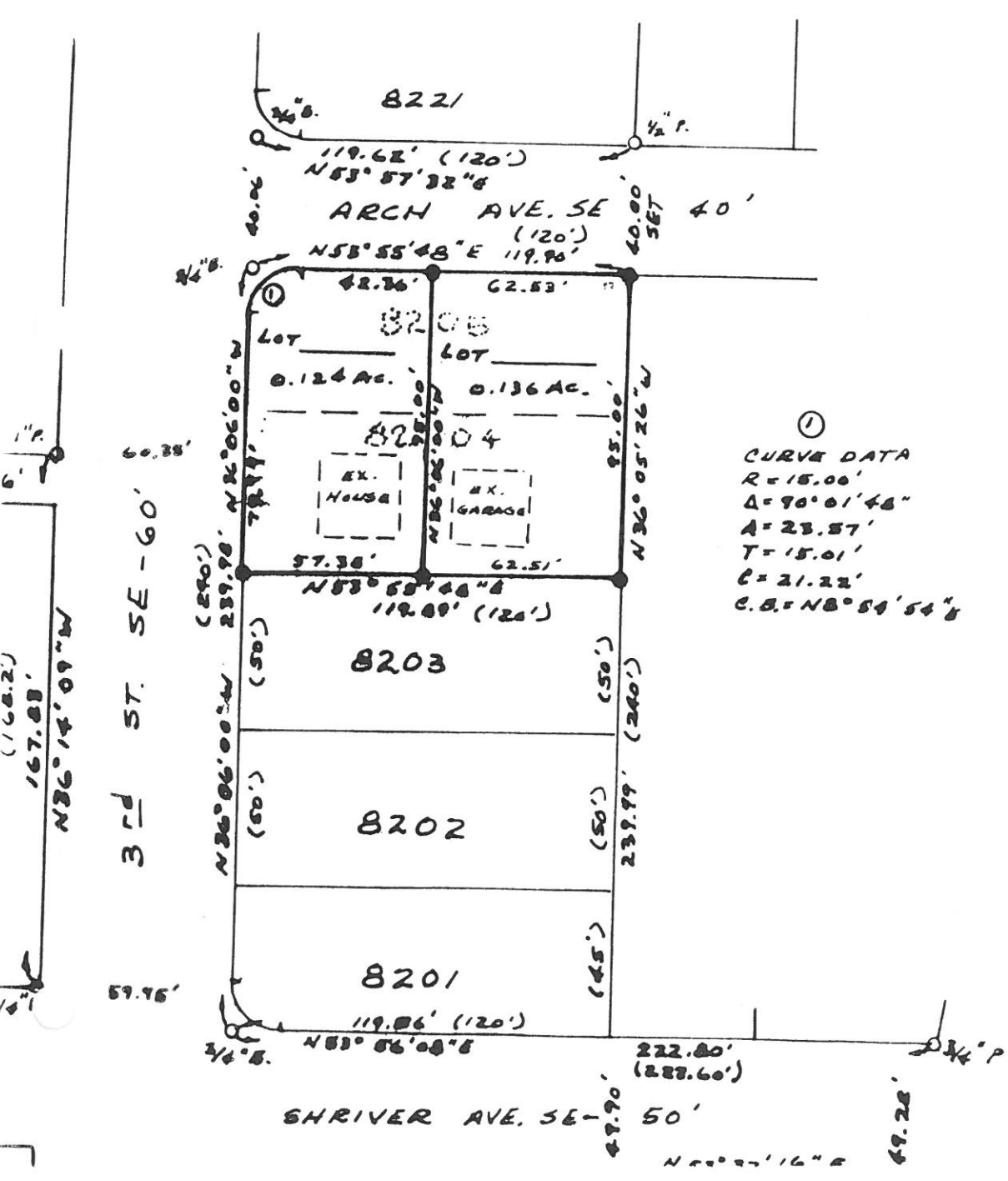
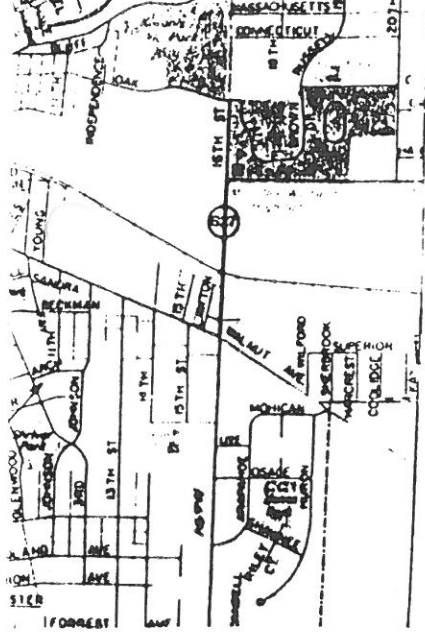
Entered this _____ Day of _____, 199__

10/1
SPR
HOMEOWNER
3677

COUNTY

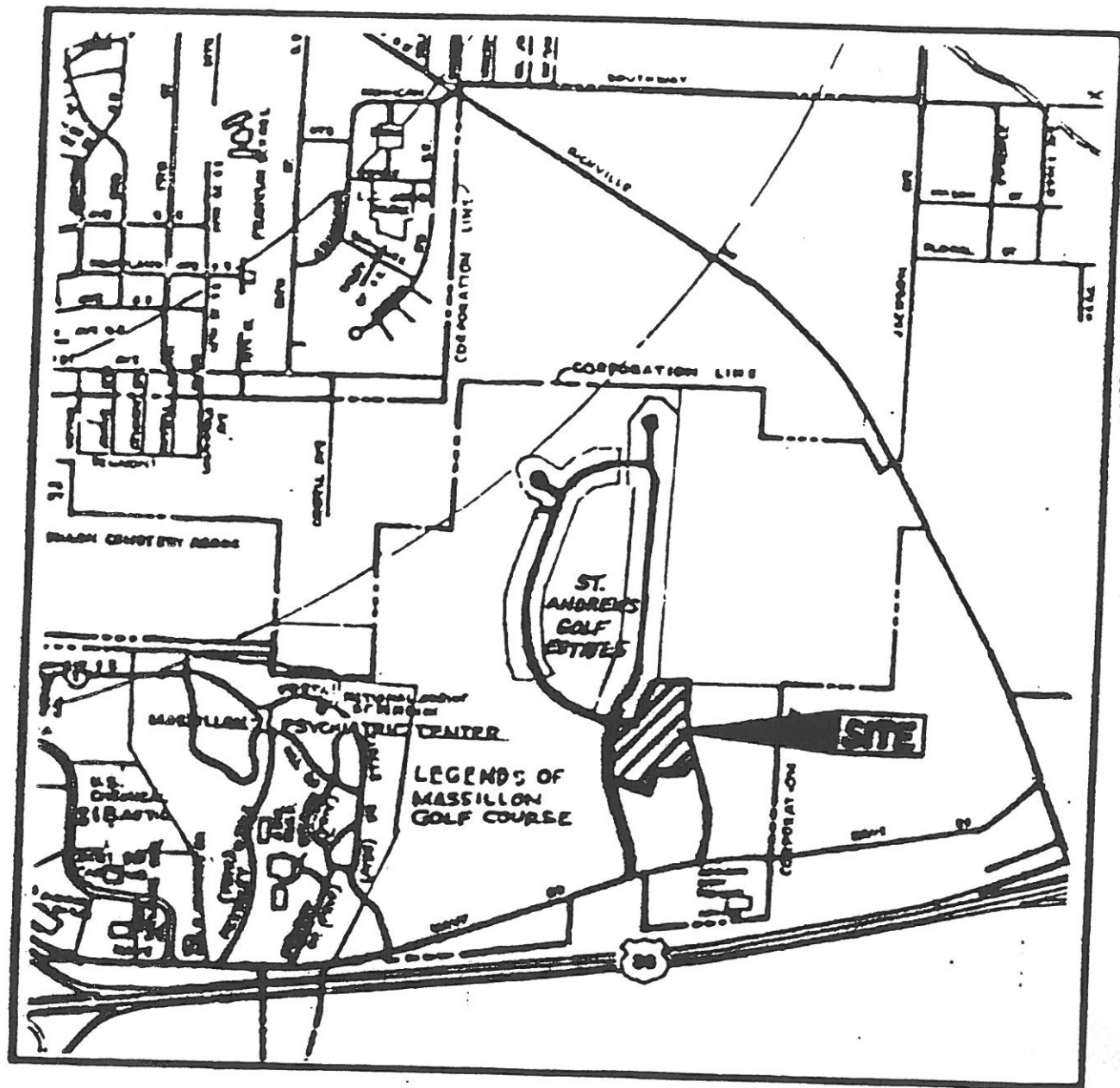
COUNTY RECORDED

REPLAT OF LOTS 8204 & 8205 IN THE CITY OF MASSILLON, STARK COUNTY, OHIO



DEDICATED UTILITY RIGHT-OF-WAY AREA = 1.7389 AC.

OCTOBER, 1998



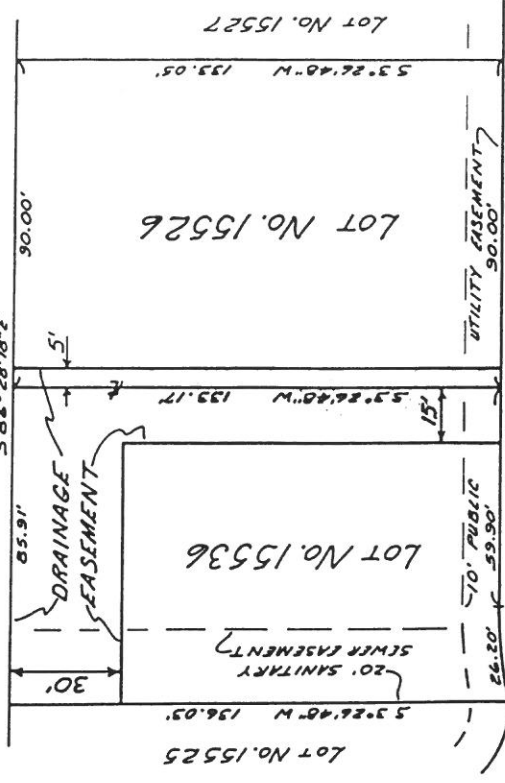
**PLAT FOR DEDICATED
UTILITY RIGHT-OF-WAY
THE CONDOMINIUMS OF ST. ANDREWS**

PART OF OUTLOT 738
(FORMERLY PART OF OUTLOTS 562 & 563)
CITY OF MASSILLON
COUNTY OF STARK
STATE OF OHIO

DRAINAGE EASEMENT DEDICATION PART OF CITY LOT NOS. 15526 & 15536, CITY OF MASSILLON, STARK COUNTY, OHIO.

DENNIS D. FULT, P.S. No. 6176
MASSILLON, OHIO 837-9283
JUNE, 1998
1st = 30'

OUT LOT No. 575



I HEREBY STATE THAT THIS DRAINAGE EASEMENT DEDICATION PLAT A
TRUE AND CORRECT DRAWING MADE BY ME THIS 15TH DAY OF JUNE, 1998, OF
Dennis D. Fult, P.S.
Dennis D. Fult, P.S. 6176

WE, THE UNDERSIGNED, BEING THE OWNERS OF THE LAND AFFECTED, DO
HEREBY DEDICATE THE LANDS SHOWN AS A DRAINAGE EASEMENT TO
PUBLIC USE FOREVER.

WITNESS	OWNER	DATE
Dennis D. Fult	Carl Click E. CLICK NO. 15526	June 16, 1998
Linda M. Fult	Thelma Click T. CLICK NO. 15526	June 16, 1998
Linda M. Fult	Carl Click E. CLICK NO. 15536	June 16, 1998
Dennis D. Fult	Thelma Click T. CLICK NO. 15536	June 16, 1998

STATE OF OHIO S.S.
COUNTY OF STARK
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY
APPEARED THE ABOVE SIGNED OWNERS WHO SWORE THIS AS THEIR FREE ACT & DEED.

Thelma Click
NOTARY PUBLIC
10/18/98
4/16/98

APPROVED THIS _____ DAY OF _____, 1998. MASSILLON PLANNING COMMISSION.

ACCEPTED BY THE COUNCIL OF THE CITY OF MASSILLON BY ORDINANCE _____

COUNCIL SECRETARY _____ COUNCIL PRESIDENT _____ DATE _____
ACCEPTED FOR PUBLIC USE BY THE CITY OF MASSILLON.

RECEIVED FOR RECORD THIS _____ DAY OF _____, 1998.
RECORDED IN PLAT BOOK _____ PAGE _____

STARK COUNTY RECORDER