

A G E N D A
MASSILLON PLANNING COMMISSION
AUGUST 16, 2000 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of July 12, 2000.*
2. *Petitions and Requests*

Alley Vacation Request – Massillon Tiger Football Booster Club, Inc.

The Massillon Tiger Football Booster Club, Inc., is requesting the vacation of the following alleys:

- 1) A 10 foot wide public alley lying between 20th Street SE and 21st Street SE and running in a north-south direction between Harsh Avenue SE and Hartford Avenue SE. The request is to vacate that portion of the alley from a point 40 feet south of Hartford Avenue SE southerly to Harsh Avenue SE.
- 2) A 10 foot wide public alley lying between Hartford Avenue SE and Harsh Avenue SE and running in an east-west direction between 20th Street SE and 21st Street SE. The request is to vacate that portion of the alley from the southwest corner of Lot No. 6742 easterly 120 feet to the southeast corner of Lot No. 6740.

Oil and Gas Well – Great Lakes Energy Partners

Great Lakes Energy Partners L.L.C. has submitted a request for a permit to drill a gas and oil well, which shall be known as the Gerstenslager Unit No. 1, located on a 5.90 acre parcel on the west side of 16th Street SE, south of Oak Avenue SE.

Vacation Plat and Plat of Easement – Massillon Development Foundation

The Massillon Development Foundation has submitted a combined plat requesting the vacation of an existing 20 foot wide waterline and 50 foot wide sanitary sewer easement and the dedication of a new 20 foot wide waterline and 50 foot wide sanitary sewer easement as follows:

Description and Location: Part of Out Lot 753, located on the east side of Sterilite Avenue SE south of Roni Street. *Easement Area to be Vacated:* 0.624 acres.
Easement Area to be Platted: 0.574 acres.

Final Plat – Lincoln Hills No. 6B

Location and Description: Part of Out Lot 180, located west of Wagoner Street NW between Lee Avenue NW and Abraham Avenue NW. *Total Area:* 5.272 acres. *No. of Lots:* 17. *Zoning:* R-2 Single Family Residential. *Streets to Be Dedicated:* Washington Street NW. *Owner/Developer:* Earl J. Glick. *Engineer:* Cooper & Associates.

Re-Plat – Part of Out Lot 57 and Lot No. 9457

Location: The north side of Walnut Road SE between Young Street SE and 14th Street SE. *No. of new lots:* 3, including a 16.465 acre out lot, a 2.210 acre out lot, and a 0.123 acre lot. *Zoning:* RM-1 Multiple Family Residential. *Owner:* Brentom Ltd.

Re-Plat – Lot No. 12192

Location: 814 Thomas Circle NE. *No. of new lots:* 2. *Zoning:* R-3 One Family Residential. *Owner:* Mark Benson. (This request was originally submitted to the Planning Commission on November 28, 1979. However, the plat was never recorded, and due to the time lapse, it is being re-submitted. See the attached minutes.)

3. *Other Business*

The Massillon Planning Commission met in regular session on July 12, 2000, at 7:30 P.M., in Massillon City Council Chambers. The following were present:

MEMBERS

Vice Chairman Rev. David Dodson
Wendell Edwards
Paul Manson
Ben Bradley
James Johnson
Sheila Lloyd

STAFF

Aane Aaby
Marilyn Frazier
James Benekos
Jason Haines

The first item on the agenda was the minutes of the June 14, 2000, meeting. Wendell Edwards commented that his name was omitted from the list of those in attendance and also misspelled in the text of the minutes. He then moved for approval with those corrections. Mr. Manson seconded the motion which carried unanimously.

The next item was a rezoning request.

Rezoning Request – Wales Square Annexation

Location and Description: Out Lots 852 and 853, located on the east side of Wales Road, NE, north of Hills and Dales Road; *Lot Sizes:* Out Lot 852 – 1.188 acres, Out Lot 853 – 8.427 acres; *Zone Change:* From Jackson Township to B-3 General Commercial; *Present Use:* Wales Square Shopping Center;

Mr. Aaby presented this request. This property was recently annexed into the city. Since it is a shopping center, the appropriate zoning is B-3 General Business. Mr. Johnson moved for approval, seconded by Mr. Bradley, motion carried.

The next item was a final plat.

Final Plat – Autumn Ridge Estates Phase 3

Location and Description: Part of Out Lot 502, located between 29th Street, NW and Ford Street NW. *Total Area:* 7.467 acres. *No. of Lots:* 18. *Zoning:* R-2 Single Family Residential. *Owner/Developer:* D.W.P. *Engineer:* Nalex Engineering, Inc.

Mr. Aaby presented this request, which represents the third phase of the subdivision. There are eighteen new lots, most of which exceed the required square footage. Mr. Benekos added that unlike what he had previously reported to the Commission, Ford Street was not being improved. Mr. Haines added the north/south access would be Joshua Street. Mr. Edwards requested clarification regarding access. After a brief discussion, Mr. Manson moved for approval, seconded by Mr. Bradley, motion carried.

The next item was a replat.

Replat – The Legends Golf Course Expansion

Location and Description: Part of Out Lots 707 and 708, located on the south side of Richville Drive, SE. *Total Area:* 36.755 acres. *No. of new lots:* 1. *Zoning:* RM-1 Multiple Family Residential. *Owner:* Bonk's Properties. *Surveyor:* Ronald C. Hinton

Mr. Aaby requested that this item be tabled. Mr. Johnson moved to table this request until sufficient information was available, seconded by Mr. Bradley, motion carried.

The next item was also a replat.

Replat – Lots Nos. 5720 and 5721

Location: 607 Neale Ave., SW. *No. of new lots:* 1. *Zoning:* R-1 One Family Residential. *Owner:* Jim Rubio

Mr. Aaby presented this request. This property is at the southwest corner of Neale and Sixth Street, SW. The replat would create one lot for the house and garage which is a requirement. The owner was present and said they intend to demolish the present carport and build a garage. Mr. Manson moved for approval, seconded by Mr. Bradley, motion carried.

The final item for the evening was also a replat.

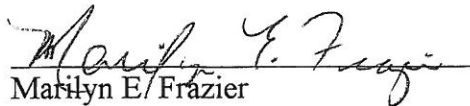
Replat – Lots No. 813 and Part of Lot No. 811

Location: 205 State Ave. NE. *No. of new lots:* 1. *Zoning:* R-1 One Family Residential. *Owner:* Mike Halco

Mr. Aaby presented this request. This property is on the south side of State Street, east of First Street. The owner wishes to build a garage. The owner, Mr. Halco, of 2990 Pigeon Run SW, was present. After a brief discussion, it was determined that the property needed to be surveyed. Based on this information, Mr. Edwards moved for denial, seconded by Mr. Johnson. The Commission will reconsider the request after the required survey has been completed.

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

Respectfully submitted,

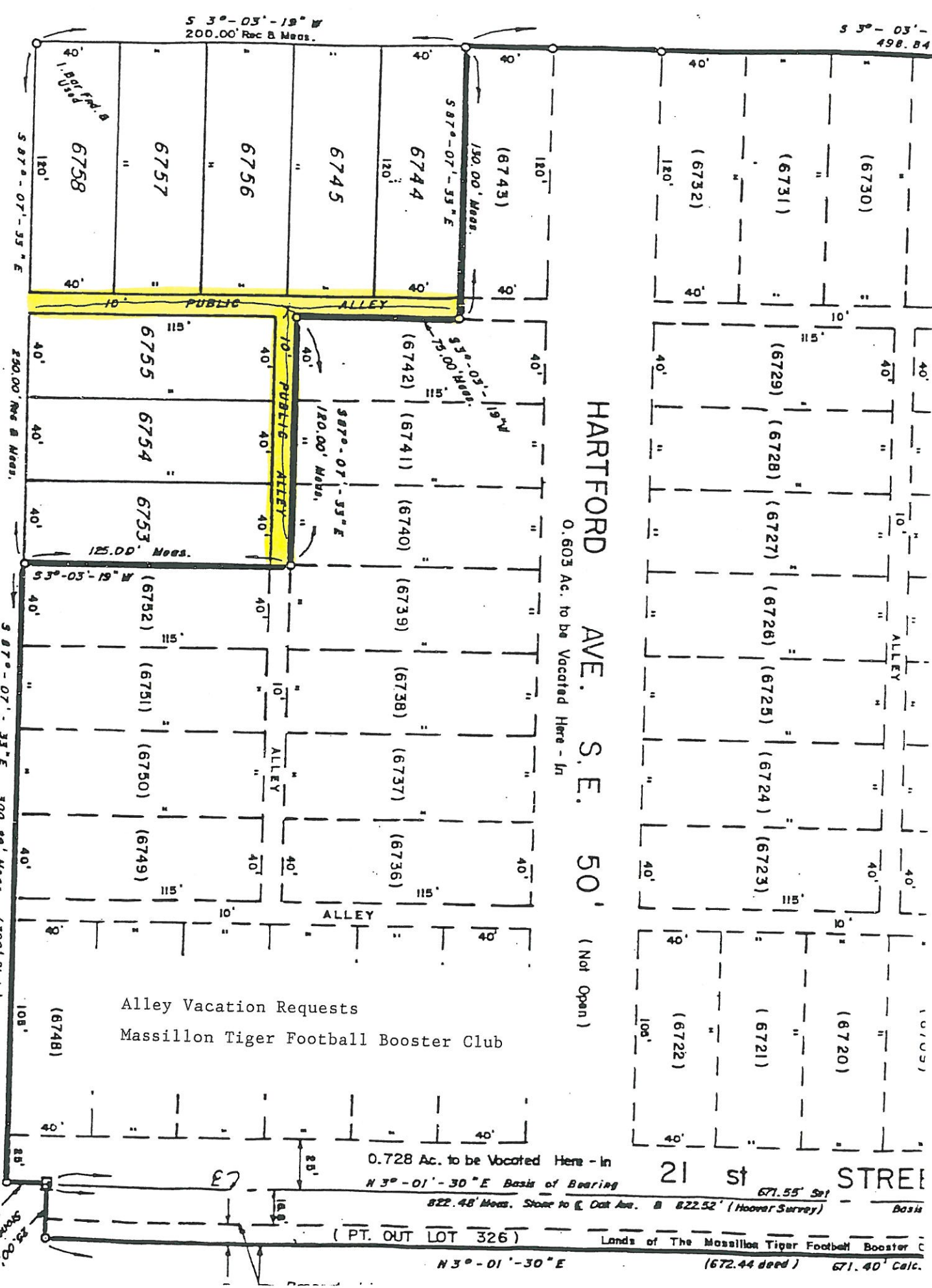

Marilyn E. Frazier
Commission Clerk

Approval date:

MASSILLON TIGER FOOTBALL BOOSTER CLUB

HARSH AVE - S.E. 50'

20th STREET



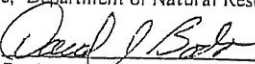
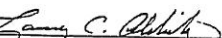
Alley Vacation Requests
Massillon Tiger Football Booster Club

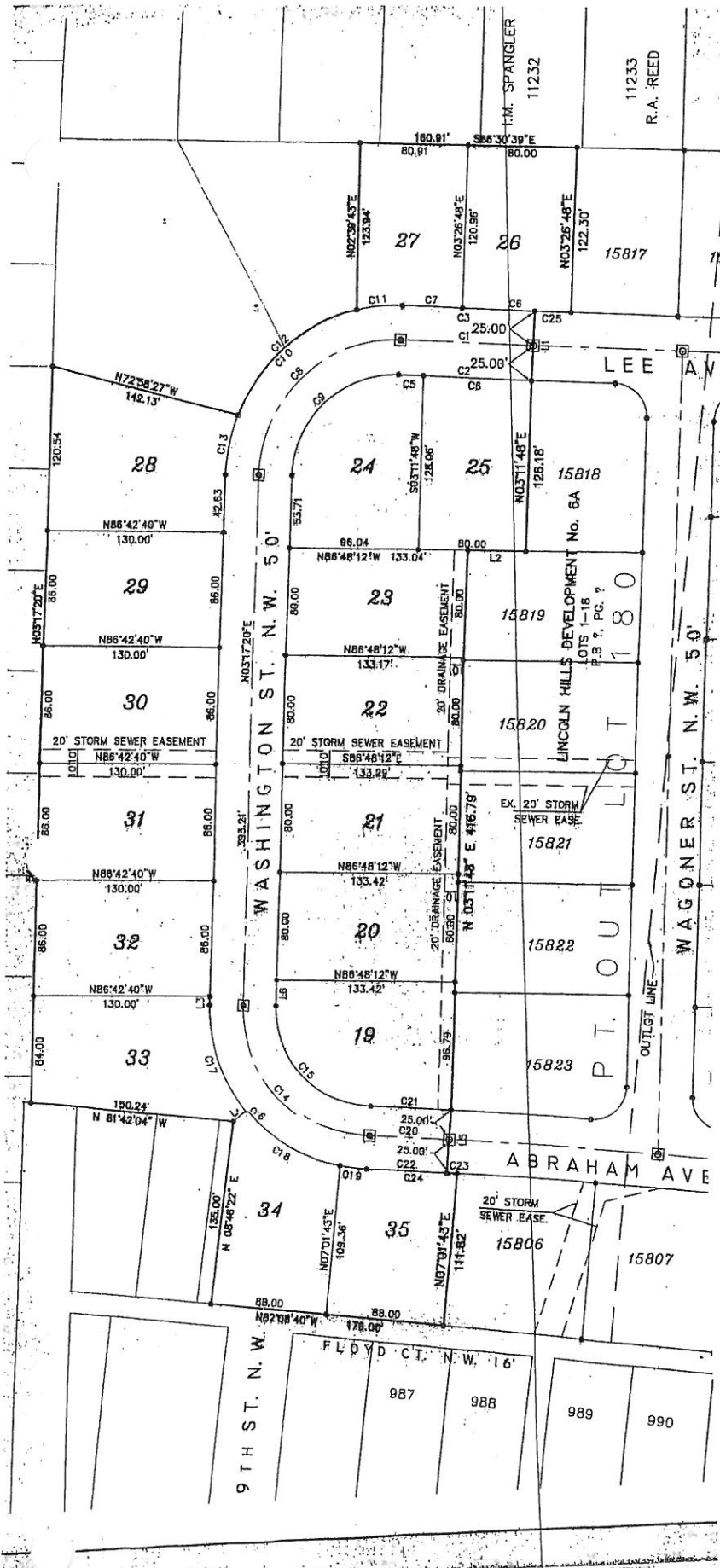
0.728 Ac. to be Vacated Here - In
N 3°-01'-30\" E Basis of Bearing

(PT. OUT LOT 326)

Lands of The Massillon Tiger Football Booster Club
(672.44 deed) 671.40' Calc.



Plat Showing Location of Well	
State of Ohio, Department of Natural Resources — Division of Oil & Gas, Columbus, Ohio.	
XX Oil or Gas XX New Location	Well Name <u>GERSTENSLAGER UNIT No. 1</u>
Scale: 1" = 400'	
I hereby certify that all drilling or producing wells within <u>1000</u> feet and all buildings and streams within <u>150</u> feet have been shown, there are no drilling unit lines nearer than <u>500</u> feet, that this plat is true and correct and was prepared according to the current State of Ohio, Department of Natural Resources, Division of Oil and Gas Regulations.	
 Registered Surveyor Number 6321	Notary  Expiration Date <u>6/17/01</u>
Operator: MB Operating Company, Inc. Address: 104 6 th St., S.W., Canton, Ohio 44702 Landowner: Surface M. F. GERSTENSLAGER Minerals <u>SAME AS SURFACE</u> Well Number <u>1</u> Drilling Unit Acre <u>40</u> County: <u>STARKE</u> Township: <u>PERRY</u> Quadrant: <u>MASSILLON</u> Ohio Plane Coordinates X <u>2,275,100</u> Y <u>411,950</u>	Subdivision Civil Township Township: <u>10 N</u> Range: <u>9 W</u> Quarter Township: <u>-----</u> Section: <u>8</u> Lot: <u>-----</u> Tract: <u>-----</u> Allotment: <u>-----</u> Fraction: <u>-----</u> Other: <u>-----</u> Elevation: <u>1070</u> Date: <u>9/17/98</u>



BRYAN J. ASHMAN JEROLD E. GIBB		DATE: JULY 2000	SHEET: 2
COOPER & ASSOCIATES, LLP ENGINEERS AND SURVEYORS		FIELD BOOK No.	2
1000 MARKET STREET CANTON, OHIO 44704		PHONE (330) 452-5731	FAX (330) 452-8110

RECORD PLAT of LINCOLN HILLS No. 6B

AN ALLOTMENT
BEING PART OF OUTLOT 180
IN THE CITY OF MASSILLON
STARK COUNTY, OHIO

SCALE: 1"=50' JULY 2000

OWNER & DEVELOPER

EARLE J. GLICK
13015 LINCOLN STREET WEST
MASSILLON, OHIO 44832
PHONE: (330) 833-3272
FAX: (330) 833-4868

OF PART OF OUT LOT 57 & LOT 9457 IN THE CITY OF MASSILLON, STARK COUNTY, OHIO

BASIS OF BEARINGS:

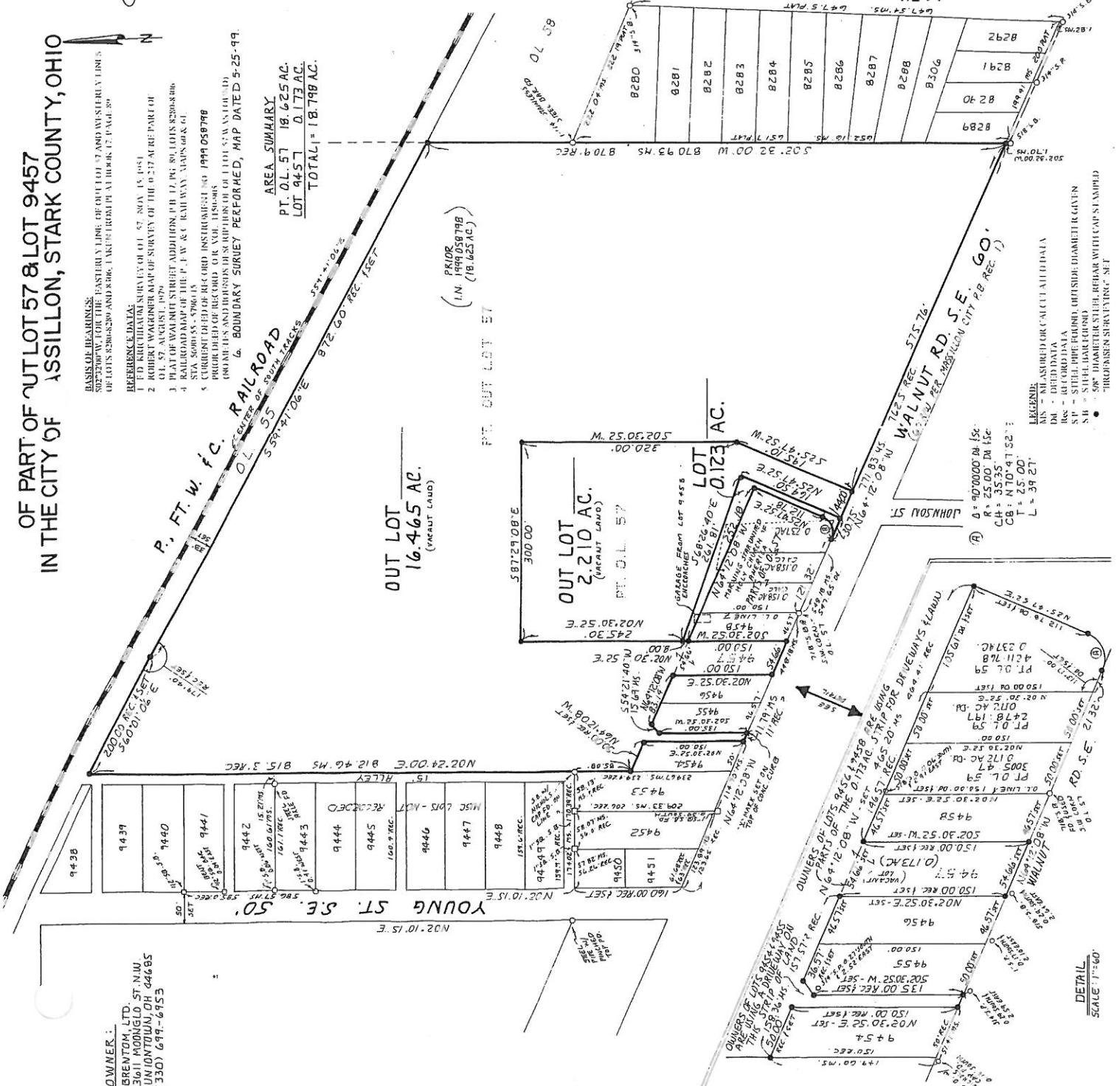
FOR THE EASTERN LINE OF OUT LOT 57 AND WESTERN LINE
OF LOTS 9457 AND 9458, A TRUE MERIDIAN PLAT BOOK 12 P. 361-362

REFERENCE DATA:

1. ED. KATHARINE SURVEY OF LOT 57, 1875, 15, 1875
2. ROBERT WAGNER MAP OF SURVEY OF THE 0.213 ACRE PART OF
LOT 57, AUGUST, 1879
3. PLAT OF WALNUT STREET ADDITION, P.B. 12, PG. 80, LOTS 8296-8306
4. RAILROAD MAP OF THE P. & W. & C. RAILWAY, MAP NO. 64
5. STA. 5000-55, 5780-15
6. CURRENT DEED OF RECORD OR VOL. 118-00-05
7. INITIALS AND DISPOSITION OF THE SURVEY OF LOT 57, 1875, 15, 1875
8. BOUNDARY SURVEY PERFORMED, MAP DATED 5-25-99

AREA SUMMARY

PT. D.L. 57 18.625 AC.
LOT 9457 0.173 AC.
TOTAL 18.798 AC.



OWNER:
BRENTON, LTD.
3011 MOONGLD ST. N.W.
UNIONTOWN, OH 44685
(330) 699-6953

OUT LOT
16.465 AC.
(VACANT LAND)

OUT LOT
2.210 AC.
(VACANT LAND)

DETAIL
SCALE 1"=60'

LEGEND:
MS - MEASURED OR CALCULATED DATA
DL - DEED DATA
REC - RECORD DATA
SPL - SPLIT DATA
S.M. - 50' DIAMETER STEEL REBAR WITH CAP STAMPED
"THOMPSON SURVEYING" SET

(A) 0° 40' 00" 00" N 15c
R = 25.00' 00" 15c
CH = 35.35'
CB = N 10° 47' 52"
T = 25.00'
L = 39.27'

0 100' 200'

PLAT OF

RETRACEMENT OF 18.798 AC.
THE REMINDER OF OUT LOT 57
MASSILLON, STARK C.

BR

BROENSEN

SURVEYING

DRAWN BY P.J.B.

SCALE 1"=100'

DATE JUNE 27, 2000 FIELD BK. 92

ACRES 0.000000
DOCUMENTS
THIS PLAT OF THE SUBDIVISION OF PART OF OUT LOT 57 AND
MASSILLON, STARK COUNTY, OHIO, IS A TRUE AND CORRECT
REPRESENTATION OF THE SURVEY AND THE ADJACENT
STATE OF OHIO, AND THAT ALL THINGS DONE IN
DATE
AUG 1, 1999
DAVID BROENSEN, P.S. AND 6595

KNOW ALL MEN BY THESE PRESENTS THAT THE FOLLOWING
SHOWN ON THIS PLAT DOES TRULY ACKNOWLEDGE THE
TRUTH OF THE MATTER AND THAT HE RECEIVED THE
OWNER BRENTON, LTD.

BY
WITNESS

BY
WITNESS

STATE OF OHIO
COUNTY OF STARK

BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF OHIO, AS
APPEARED THE ABOVE SIGNED WHOSE NAME I HAVE KNOWN FOR
FOR SOME TIME, AND THAT HE IS THE HEIR OF THE
LAW, IN TESTIMONY WHEREOF, I HAVE HEREIN SUBSCRIBED
MY OFFICIAL SEAL AT
MASSILLON, OHIO THIS

PREPARED BY

AND COMMISSION EXPIRES

PLAT APPROVED AND ACCEPTED BY THE PLANNING COMMISSION
MASSILLON, OHIO THIS

CHAIRMAN

SECRETARY

PLAT APPROVED AND GIVEN LOT NUMBER
AND OUT LOT NUMBERS

OF THE CITY OF MASSILLON, OHIO THIS

MASSILLON CITY CLERK

FILED FOR TRANSFER BY THE STARK COUNTY AP
OF

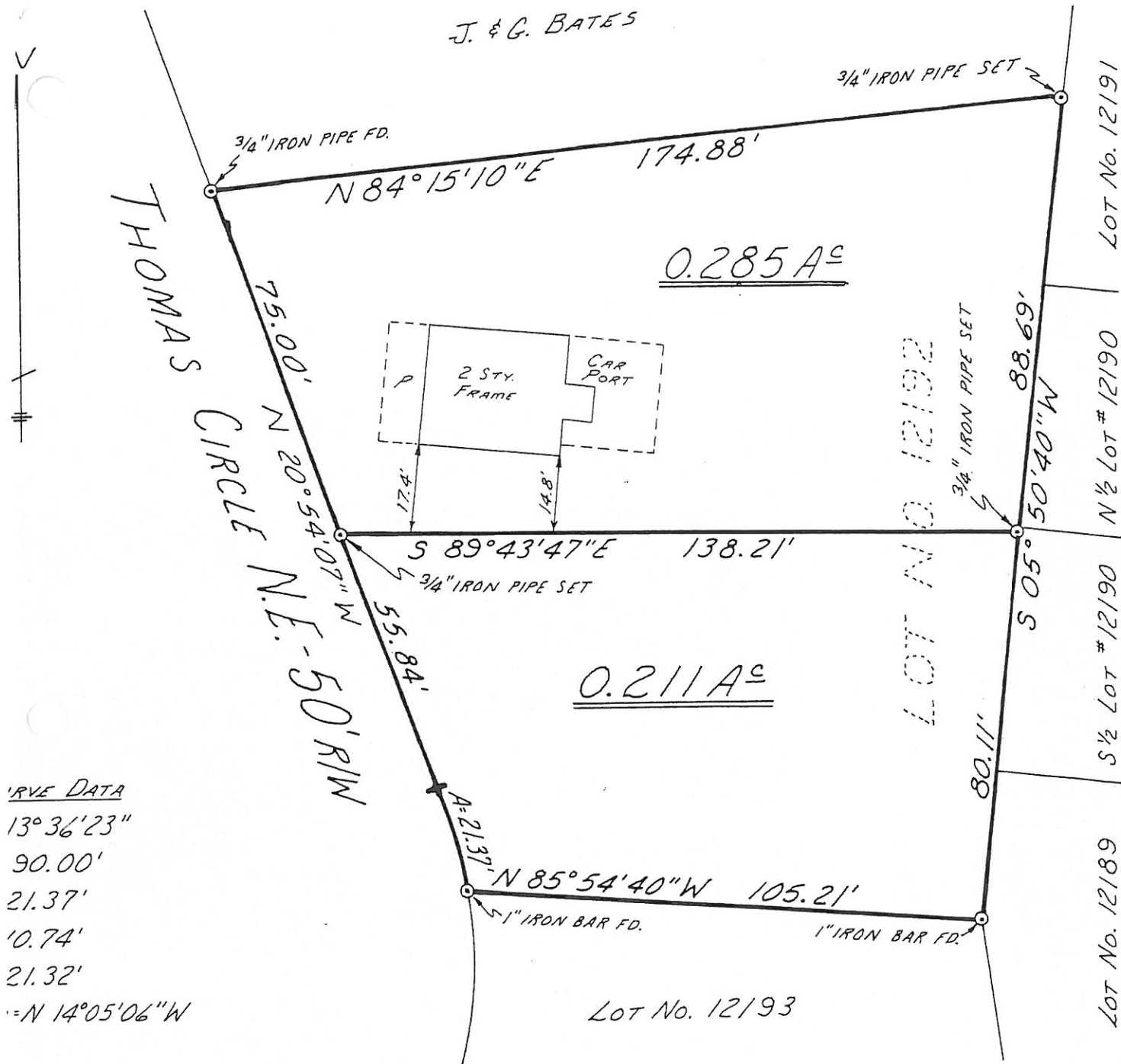
STARK COUNTY CLERK

RECEIVED FOR RECORD BY THE STARK COUNTY CLERK
OF

RECORDED IN PLAT BOOK

PAGE

STARK COUNTY RECORDER



BEARING DATA
 13° 36' 23"
 90.00'
 21.37'
 10.74'
 21.32'
 = N 14° 05' 06" W

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT SURVEY MADE BY ME OF A 0.211 ACRE TRACT AND A 0.285 ACRE TRACT WITH BOTH BEING PART OF CITY LOT No. 12192 OF THE CITY OF MASSILLON, COUNTY OF STARK, STATE OF OHIO, AND I FURTHER CERTIFY THAT NO BUILDINGS ENCROACH UPON EITHER TRACT.

Dennis D. Fulk, P.S.
 Feb. 6, 1980

MAP OF SURVEY OF SPLIT OF CITY LOT No. 12192 INTO PARCEL OF 0.211 ACRES AND 0.285 ACRES, CITY OF MASSILLON, COUNTY OF STARK, STATE OF OHIO

DENNIS D. FULK, P.S. #6176 FEB., 1980

A G E N D A
MASSILLON PLANNING COMMISSION
November 28, 1979, 7:30 P.M.
City Council Chambers

1. Approval of the Minutes for the meetings of September 26, and October 3, 1979.
2. Petitions, Communications & Requests

Lot Split

Request to split Lot No. 12192 located at 814 Thomas Circle, N. E. into two residential lots. The existing lot has dimensions of 150' of frontage along Thomas Circle 177'-105' of depth and 169' along the rear lot line. The split will create two lots, one with the existing residential structure having frontage of 75' and area of 12,500 square feet ±, and the additional lot having frontage of 75' and deficient area of 9,700 square feet ±. Request submitted by Mark Benson, owner.

Alley Vacation

Request to vacate a 12' alley known as Howell Place, N. W. between 24th Street, N. W. and 25th Street, N. W. and running in a north/south direction between Stanton Avenue, N. W. and Wendling Avenue, N. W.; that portion from the north right-of-way line of Wendling Avenue, N. W. northerly a distance of 250' to the north line of Lots No. 3829 and 14086. Requested by abutting property owners James and Leona Hart, Boyd and Carolyn Pittman and Gregory and Brenda Barnhouse.

3. Old Business.
4. New Business
5. Progress Reports.
6. Adjournment.

The Massillon Planning Commission met in regular session at 7:30 P.M. in Massillon City Council Chambers.

Members Present

Fred Wilson, Chairman
Rudy Turkal, Vice Chairman
Bernie Green
Tom Brennan
Henry Joiner

Members Absent

Mayor Mark Ross
Director Blase Sparma
Mary Helen Schrader
Rev. David Dodson

Also present from the Planning Staff were Robert Wagoner, Planning Director; Aane Aaby, Assistant Planning Director, and Darlene Neiss, Commission Clerk.

Chairman Wilson called the meeting to order at 7:30 P.M.

The first order of business was consideration of the minutes of the regular meeting held September 26, 1979, and the special meeting held October 3, 1979. Chairman Wilson commented that he would like added to the minutes for the Special Meeting that no architectural drawing was submitted by the Elum Music Company in support of the requested street vacation. There being no further additions or corrections, the minutes were approved as mailed.

The first item of business was a request to split Lot No. 12191, located at 814 Thomas Circle, N. E., into two residential lots. This lot is irregularly sloped, with 150 foot frontage along Thomas Circle, N. E., and a total area over 22,000 square feet. The owner proposes to create two lots: one with the existing residential structure, 75 foot frontage, and an area of 12,500 square feet; the other lot would be vacant, also with 75 foot frontage, and an area of 9,700 square feet. The request was brought before the Commission because the lot is located in an R-3 Single-Family Residential District, which requires a minimum lot size of 12,000 square feet and 90 foot frontage. The lot split, in effect, would then create a substandard lot.

Robert Wagoner pointed out that the other side of Thomas Circle is zoned R-1 Single-Family Residential, which requires a minimum lot size of 7,800 square feet and 65 foot frontage. Mr. Wagoner reported that the lot in question is part of Colonial Hills #2 Allotment. The lot adjacent to the north has an 80 foot frontage, but is quite deep, at 177 feet. Other lots in the area have been split between adjoining owners, giving each, in effect, 1-1/2 lots. Other lots in the area have typical frontages of 100 feet.

Mark Benson, the owner of the lot in question, was present and stated that his property is much larger than most other lots in the area. He is presently trying to sell the house and is requesting the lot split so that he could retain a portion of this property for himself. He wishes to build a home for himself on this remaining portion of the lot. In his opinion, the lot split would not be detrimental to the area because lots directly across the street have frontages of only 55 feet.

Fred Wilson commented that approval of this lot split would result in a reduction of the minimum lot requirements for this zoning district. Bernie Green felt the lot split would create two lots of adequate size for residential use. Even the smaller lot created would have dimensions of 75' x 105'. No one in the

November 28, 1979

audience spoke in opposition to the request. Bernie Green made a motion to approve the lot. Seconded by Henry Joiner, the motion carried, with Rudy Turkal voting no.

Next on the Agenda was a request to vacate a 12' alley known as Howell Place, N. W., between 24th Street, N. W. and 25th Street, N. W. and running in a north/south direction between Stanton Avenue, N. W. and Wendling Avenue, N. W.; that portion from the north right-of-way line of Wendling Avenue, N. W. northerly a distance of 250' to the north line of Lots No. 3829 and 14086. Requested by abutting property owners, James and Leona Hart, Boyd and Carolyn Pittman, and Gregory and Brenda Barnhouse.

Aane Aaby stated that the alley in question is located northwest of the intersection of Tremont Avenue and Main Street. In this block, Howell Place is presently unopened and is neither gravelled nor used as a driveway, but is grass covered. The original intention was to vacate Howell Place all the way to Stanton; however, a property owner in the middle of the block did not sign the petition because he wanted to retain right of access to the rear of his property. Robert Wagoner pointed out that two sanitary laterals are located in the portion of Howell Place requested for vacation and that easements should be retained for their maintenance by the property owners. No one in the audience spoke in opposition to the proposed vacation. Rudy Turkal made a motion to recommend approval of the alley vacation, provided that the necessary easements are retained. Seconded by Tom Brennan, the motion carried.

A request was then made to add an item to the Agenda. Thomas Halter appeared before the Commission to state that he intends to open a roller skating rink at the former A & D Foorarama Building located at 2310 Lincoln Way, East. However, he was informed by the Building Department that before an occupancy permit could be issued, Planning Commission approval of the land use was required. Indoor recreation centers are permitted land uses in commercial zoning districts subject to approval of the Planning Commission on the condition that such centers are located 100 feet from any residential area. Rudy Turkal moved to add this request to the Agenda; seconded by Tom Brennan, the motion carried.

Mr. Halter stated that the roller skating rink would not stay open past 11:00 P.M. any night and that he would have two policemen on duty at all times. Robert Wagoner stated that the facility would be more than 100 feet from any residential area. Rudy Turkal moved to approve the requested land use; seconded by Tom Brennan, the motion carried.