

A G E N D A
MASSILLON PLANNING COMMISSION
SEPTEMBER 12 2001 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. Approval of the Minutes for the Commission Meeting of August 8, 2001.

2. Petitions and Requests

Rezoning Request – 514 Cherry Road N.E.

Location and Description: Lot No. 857 and Part of Lot No. 858, an approximate 0.46 acre parcel located at 514 Cherry Road NE.

Zone Change Requested: From R-1 Single Family Residential to B-1 Local Business.

Proposed Use: Rezoning an existing legal non-conforming use (Allshouse Do-Rite Auto Service) to permit construction of a storage building on the property.

Applicant: Durwood and Linda Allshouse.

Street Vacation – Penmont Avenue S.E.

Location and Description: A portion of Penmont Avenue SE lying between Forest Avenue SE and Massillon Cemetery and running in an east/west direction between Wayne Street SE and 13th Street SE; the request is to vacate that portion of Penmont from Wayne Street approximately 540 feet easterly to 13th Street SE.

Applicant: Kenneth and Anna Belcher

Re-Plat –12th Street and Penmont Avenue S.E.

Location and Description: Lots No. 15270, 15271, 15272, and 15273, located on the northwest corner of 12th Street SE and Penmont Avenue SE; the request is to replat these parcels into two new lots.

Present Zoning: R-1 Single Family Residential.

Applicant: Kenneth and Anna Belcher.

Surveyor: Ronald C. Hinton

Re-Plat – Walnut Road & Third Street S.E.

Location and Description: Part of Out Lots 49 and 50, all of Lot No. 14293 and Part of Lot No. 10905, located on the south side of Walnut Road SE and the west side of 3rd Street SE; the request is to replat these parcels into two new lots.

Present Zoning: I-1 Light Industrial.

Applicant: Lynn Truck Parts Corporation.

Engineer: Cooper & Associates

Re-Plat –University Village

Location and Description: Part of Out Lot 766, located on the south side of Ohio State Blvd. SE, west of Richville SE in the University Village; the request is to plat a new 4.002 acre Out Lot for the development of a church in the allotment.

Present Zoning: RM-1 Single Family Residential.

Applicant: P.R.M.D.C. Ltd..

Re-Plat –333 and 339 27th Street S.E.

Location and Description: Lots No. 6903 and 6904, located on the west side of 27th Street SE, north of Harold Avenue SE; the request is to replat these lots into two new lots due to the location of the dwelling units on these properties.

Present Zoning: R-1 Single Family Residential.

Applicant: Carol Sargent and John Simler.

Lot Split – 822 32nd Street N.W.

Location and Description: Out Lots 214, a 1.15 acre parcel located on the east side of 32nd Street NW, south of Lincoln Way NW; the request is to split this parcel into two lots so that the northern portion of the property can be sold.

Present Zoning: R-2 Single Family Residential.

Applicant: Dominico Stefanelli.

Lot Split – 1020 13th Street, S.E.

Location and Description: Lot No. 2280, a 0.92 acre parcel located between 13th and 14th Streets SE, south of Walnut Road SE; the request is to split this parcel into two lots, one with frontage on 13th St. SE, the other with frontage on 14th St. SE.

Present Zoning: R-1 Single Family Residential.

Applicant: Velma Johnson.

3. Other Business

The Massillon Planning Commission met in regular session on August 8, 2001, at 7:30 P.M., in Massillon City Council Chambers. The following were present:

Members

Chairman Rev. David Dodson
Vice Chairman James Johnson
Mayor Francis H. Cicchinelli, Jr.
Thomas Seesan
Paul Manson
Sheila Lloyd
Ron Pribich
Vincent Pedro

Staff

Aane Aaby
Marilyn Frazier

The first item of business for the evening was the minutes of the July 11, 2001, meeting. Mr. Johnson commented that the minutes didn't show that the State Avenue motion was passed. Mr. Seesan moved for approval, with the correction that the minutes show the approved motion, seconded by Mr. Johnson, motion carried unanimously.

The next item under Petitions and Requests was a rezoning request.

Rezoning Request – Cherry Road N.W.

Location and Description: Part of Out Lots 91, 93, and 94, an approximate 40 acre parcel located on the south side of Cherry Road NW across from Cable Court NW.

Zone Change Requested: From R-2 and R-1 Single Family Residential and I-1 Light Industrial to R-MH Mobile Home Park.

Proposed Use: Development of a mobile home park

Applicant: Jack Koury

Mr. Aaby presented the request. This site is on Cherry, NW, running toward 17th Street, in the vicinity of Cable Court and the Sippo Valley Trail. It consists of 40 acres. The applicant, Jack Koury, is interested in developing a mobile home park. Mr. Aaby added that the Engineer's office doesn't have any comments because there hasn't been any plans submitted. Mr. Koury was present and commented that he feels this could be a good development. The mobile home park would not front on Cherry.

Several neighbors who objected to the development were present:

Bob Princehorn, 999 Cherry NW, feels this would not be a good use; Denny Highben, 922 Cherry, NW, expressed opposition; Renee Adams, 852 Cherry NW, expressed concern about traffic; Dan Dout, 845 Cherry NW, submitted a petition with approximately 50 signatures opposing the development; Ester Pugh, 849 Cherry NW, Mary Jane Seimetz, 955 Cherry NW, and Julie Borden, 982 Cherry NW, were also present in opposition.

Mayor Cicchinelli moved to reject the request to rezone, seconded by Mr. Johnson, motion carried unanimously.

The next item was an alley vacation presented by Mr. Aaby.

Alley Vacation

Location and Description: An unnamed 10-foot wide alley lying between Cherry Road NE and State Street NE and running in a north/south direction between Danner Street NE and Eighth Street NE; the request is to vacate that portion of the alley approximately 160 feet northerly from Cherry Road NE.

Applicant: Beth (Miller) Boyd

Mr. Aaby commented if this vacation was approved, it wouldn't adversely affect any property owners in the area. Beth Boyd was present and said the alley isn't being maintained. She also claimed that a recent survey shows her property to be in the center of the alley. Mr. Manson asked about a neighbor's ability to get in and out. Mrs. Boyd replied that this alley isn't used for that resident. Mr. Johnson moved for approval, seconded by Mayor Cicchinelli, motion carried unanimously.

The next item was also an alley vacation presented by Mr. Aaby.

Alley Vacation

Location and Description: An unnamed 12-foot wide alley lying between North Avenue NE and Thorne Avenue NE and running in a north/south direction between 6th Street NE and 7th Street NE; the request is to vacate that portion of the alley from North Avenue NE to Thorne Avenue NE.

Applicant: Anthony and Jacqueline Schneider

This is a 12-foot alley between North and Thorne NE, that appears to be used as a cut through. Mr. Schneider, 612 North NE, was present. He commented that there is an excessive amount of traffic and also suspected drug trafficking in the area. A child was nearly hit by a car recently. The people who are causing the problems don't live in the area. Sue Glines of 618 North NE, was also present and expressed similar concerns. Mayor Cicchinelli asked the residents to provide additional information about their concerns to him so he can follow up with the proper authorities. Mayor Cicchinelli then moved for approval, seconded by Mr. Pribich, motion carried unanimously.

The next item was a final plat presented by Mr. Aaby.

Final Plat – Augusta Lakes No. 2

Location and Description: Part of Out Lot 870, located on the west side of Richville Drive SE

Total area: 18.613 acres *No. of Lots:* 45 *Present Zoning:* RM-1 Multiple Family Residential

Streets to be Dedicated: Championship Circle SE, Amen Corner SE, Triple Crown Circle SE, Master Point Circle SE, and Pour Four Circle SE

Owner/Developer: JANDA Development Limited *Engineer:* Hammontree & Associates

Augusta Lakes Phase 2 is in the area of Richville Drive SE. The Engineer's Department has been meeting with the developer and has no objections to the development. Barbara Bennett, of Hammontree & Associates, was present. She commented that the Stark County Builders Association is making this the site of the Parade of Homes. Mayor Cicchinelli commented that the plat shows Championship Circle SW instead of SE.

Mr. Johnson moved for approval, seconded by Mayor Cicchinelli, motion carried unanimously.

The next item was a re-plat.

Re-Plat - Lots No.6788, 6789, and 6790

Location and Description: Lots No, 6788, 6789, and 6790 located on the northeast corner of Lincoln Way East and 11th Street NE; the request is to re-plat these three lots into one lot to allow for the construction of a new Taco Bell Restaurant. *Present Zoning:* B-3 General Business

Applicant: Tricon Global Restaurants, Inc. *Engineer:* GPD Associates

This re-plat was suggested by the Engineer's office.

Carol Analati, a public relations manager with Tricon Global Restaurants, owners of Taco Bell, said the current Taco Bell will be replaced with a larger, nicer building at this location. Mr. Manson moved for approval, seconded by Mr. Seesan, motion carried unanimously.

The next item was a re-plat presented by Mr. Aaby.

Re-Plat - Lots No. 6337 and 6338

Location and Description: Lots No. 6337 and 6338 located on the southeast corner of Massachusetts Avenue SE and 20th Street SE; the request is to re-plat these two lots into one lot.

Present Zoning: R-1 Single Family residential *Applicant:* Pietro Petrucci *Surveyor:* Bruce Conery

The applicant intends to build a house at this location. Mayor Cicchinelli moved for approval, seconded by Mr. Johnson, motion carried unanimously.

The final item on the agenda was a re-plat also.

Re-Plat - City Recreation Center

Location and Description: Lots No. 2524 – 2533, 2567 – 2570, 15417 – 15433, 13475, 13476, and 14 located on the southeast corner of Cherry Road NW and 1st Street NW; the request is to re-plat these parcels into one new lot, 5.934 acres in size for the new City Recreation Center

Present Zoning: B-3 General Business

Applicant: City of Massillon *Surveyor:* Ronald Hinton

Mayor Cicchinelli moved for approval, seconded by Mr. Johnson, motion carried. Mr. Pribich abstained due to his being a member of the Recreation Board.

Under Other Business, Mr. Aaby informed the Commission that the issue of home offices will be reviewed at an upcoming Council Committee meeting and he will report the findings to the Commission.

There being no further business before the Commission, the meeting adjourned at 8:20 P.M.

Respectfully submitted,

Approval:



Marilyn Frazier, Commission Clerk

MEF/ky



Rezoning Request
514 Cherry Road NE
R-1 to B-1

07 06

5TH ST

6TH ST

7TH ST NE

CHERRY RD NE

AMHERST RD NE

GILL CT

DANNER ST



COLONIAL

N.E.

STATE NE

AMHERST

CITY HOSPITAL

STATE NE

R-1

Existing Zoning Map
514 Cherry Road NE
R-1 to B-1

ST. MARY'S

CHERRY NE

DANFORTH

DANFORTH

LONGFELLOW HIGH

CHESTNUT

3 1000 8
3 0900 5
3 0800 2
3 0700 13
3 0600 16
3 0500 73
3 0400 7
3 0300 327
3 0200 954
3 0100 581

06 2300 125 15260 06 0900 125
06 2400 125 15259 06 0800 125
06 2500 125 15258 06 0700 125
06 2600 125 15257 06 0600 125
06 2700 125 15256 06 0500 125
06 2800 125 15255 06 0400 125
06 2900 125 15254 06 0300 125
06 3000 125 15253 06 0200 125
06 3100 125 15252 06 0100 125

05 2300 125 15282 05 0900 125
05 2400 125 15281 05 0800 125
05 2500 125 15280 05 0700 125
05 2600 125 15279 05 0600 125
05 2700 125 15278 05 0500 125
05 2800 125 15277 05 0400 125
05 2900 125 15276 05 0300 125
05 3000 125 15275 05 0200 125
05 3100 125 15274 05 0100 125

04 2000 125 15304 04 0900 125
04 2100 125 15303 04 0800 125
04 2200 125 15302 04 0700 125
04 2300 125 15301 04 0600 125
04 2400 125 15300 04 0500 125
04 2500 125 15299 04 0400 125
04 2600 125 15298 04 0300 125
04 2700 125 15297 04 0200 125
04 2800 125 15296 04 0100 125

PENMONT AVE NE 40

Street Vacation Request

PETITION TO VACATE PENMONT AVENUE SE

Date: May 15, 2001

ty Council, Massillon, Ohio

Gentlepersons:

We, the undersigned, owners of those lots abutting a portion of Penmont Avenue SE lying between Forest Avenue SE and Massillon Cemetery (OL 699), and running in a east/west direction between Wayne Street SE and 13th Street SE, do hereby petition your honorable body to vacate that portion from Wayne Street SE approximately 540' easterly to 13th Street SE.

A fee of \$75.00, payable upon approval of the Planning Commission, is charged for this service; it covers the cost of engineering, advertising and recording involved in the completion of this project.

Owner(s)	Signature(s)	Parcel No.(s) Lot No.(s)
Michael G. Belcher Shelly R. Belcher Site: 1836 – 12 th Street SE Massillon, Ohio 44646	<u>Michael G. Belcher</u> <u>Shelly R. Belcher</u>	06-17571 Lot 15274
Michael G. Belcher Shelly R. Belcher Site: 13 th Street SE Massillon, Ohio 44646	<u>Michael G. Belcher</u> <u>Shelly R. Belcher</u>	06-17578 Lot 15295
Kenneth G. Belcher Anna M. Belcher Site: Wayne Street SE Massillon, Ohio 44646	<u>Kenneth G. Belcher</u> <u>Anna M. Belcher</u>	06-17579 Lot 15252
Kenneth G. Belcher Anna M. Belcher Site: 12 th Street SE Massillon, Ohio 44646	<u>Kenneth G. Belcher</u> <u>Anna M. Belcher</u>	06-17585 Lot 15273

Owner(s)

Signature(s)

Parcel No.(s)

Lot No.(s)

Bishop of Diocese of Youngstown

Site: Erie Street South
Massillon, Ohio 44646

De D. Toling

06-80903
OL 699 22.45 A

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

8/30/01
Date

Kenneth D. Balchen
Applicant

Subscribed and sworn to before me this 17th day of August A.D., 2000.

My commission expires 12-4, 2001.

Kathleen L. Ridgley
Notary Public

KATHLEEN L. RIDGLEY
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES DEC. 4, 2001

REPLAT AND RENUMBERING PLAT

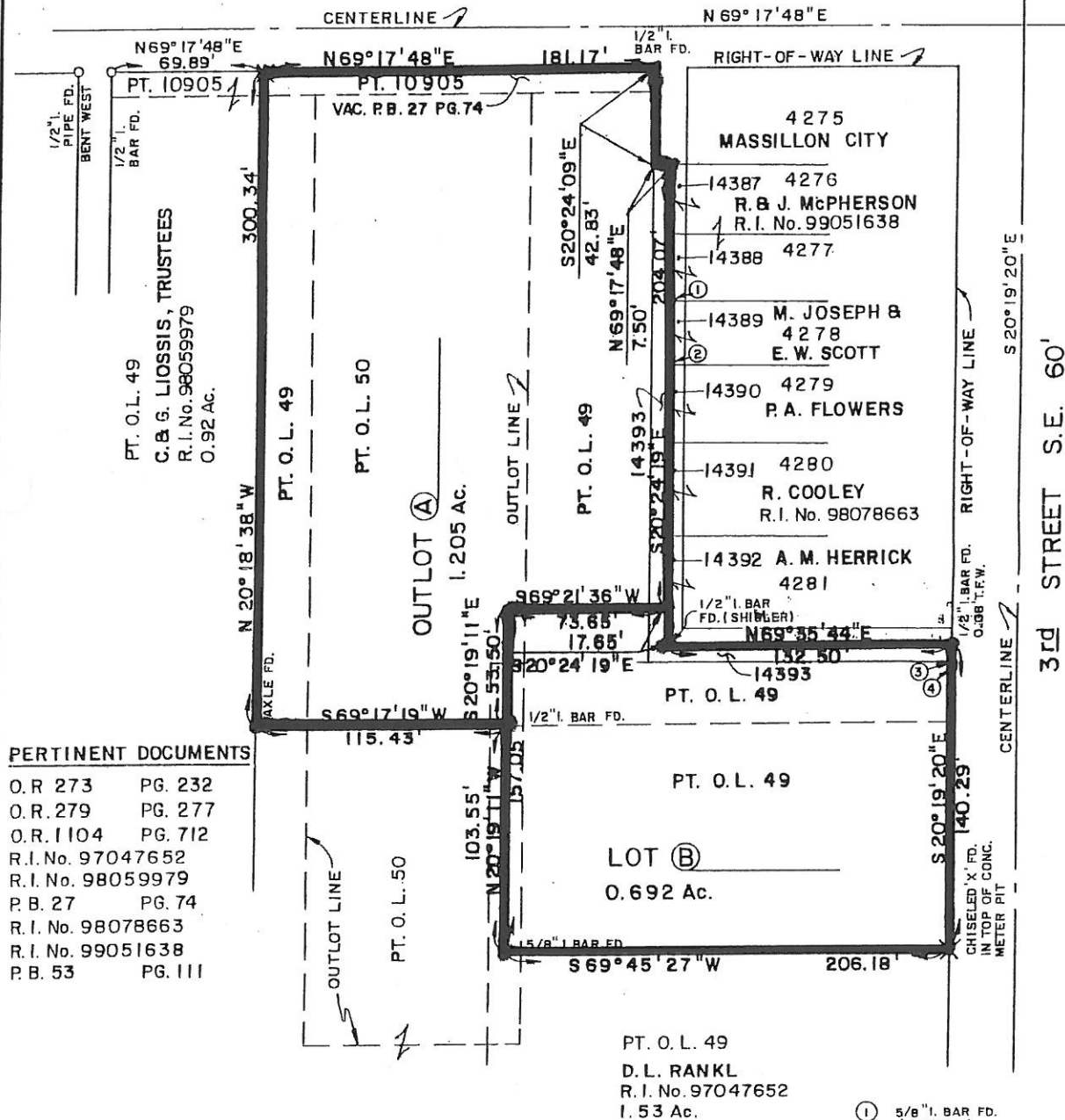
OF PART OF OUTLOTS 49 AND 50, ALL OF LOT 14393 AND PART OF LOT 10905
IN THE CITY OF MASSILLON,

STARK COUNTY, OHIO

SCALE: 1" = 50'

AUGUST, 2001

WALNUT ROAD S.E. 40'



PERTINENT DOCUMENTS

O.R. 273	PG. 232
O.R. 279	PG. 277
O.R. 1104	PG. 712
R.I. No. 97047652	
R.I. No. 98059979	
P.B. 27	PG. 74
R.I. No. 98078663	
R.I. No. 99051638	
P.B. 53	PG. 111

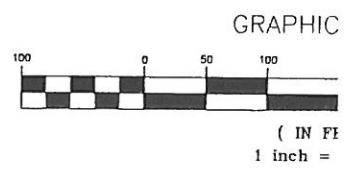
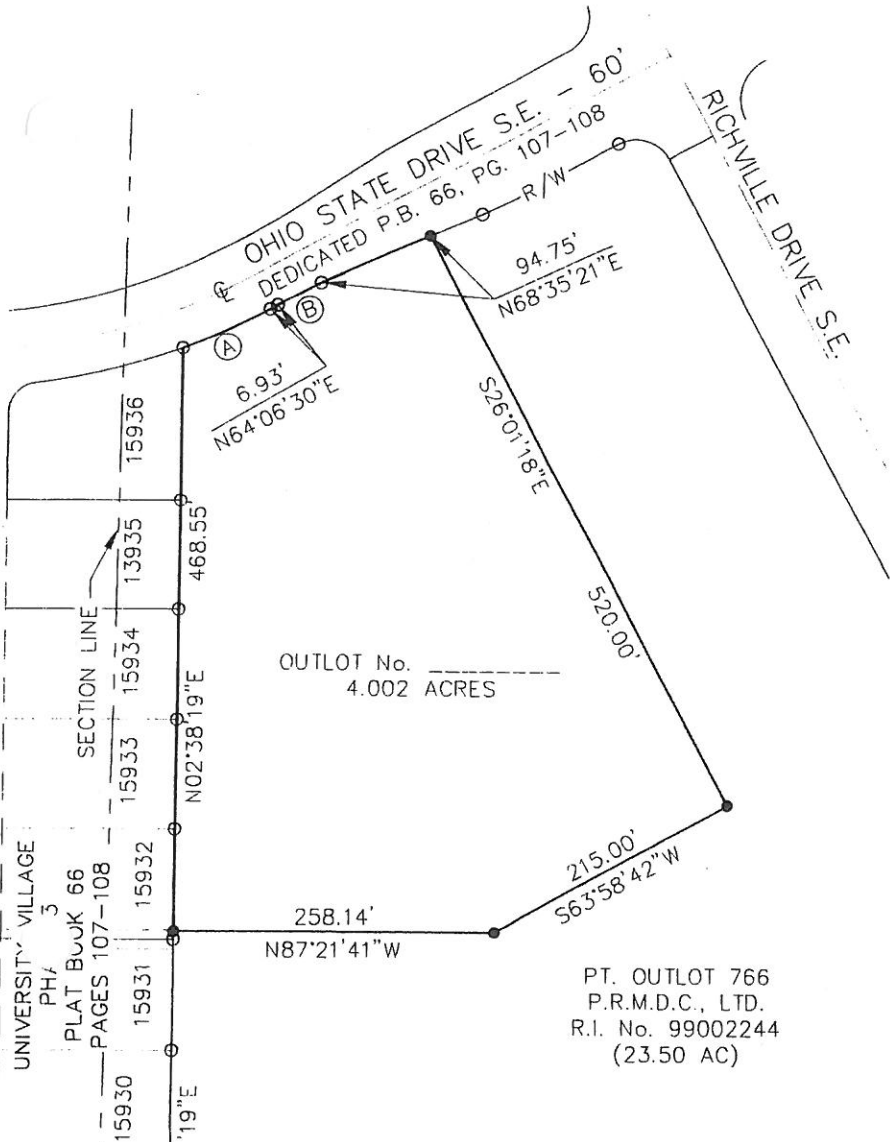
REFERENCE DIRECTION

BEARING SYSTEM ESTABLISHED FROM
OFFICIAL RECORD VOLUME 279 PAGE
277 OF THE STARK COUNTY DEED
RECORDS; USING S 20° 19' 20\"E FOR
THE WEST LINE OF 3rd STREET S.E.

LEGEND

- 1/2" IRON BAR WITH COOPER
AND ASSOC. CAP SET
- IRON BAR OR PIPE FOUND
(AS NOTED)
- x 'x' FOUND IN CONC.

- ① 5/8" I. BAR FD.
(CONERY)
0.63' T.F.E.
- ② 5/8" I. BAR FD.
(CONERY)
0.11' T.F.E.
- ③ 3/4" I. BAR FD.
BENT EAST
0.17' T.F.S.
0.21' T.F.E.
- ④ AXLE FD.
0.97' T.F.S.
0.07' T.F.E.



REPLAT AND RENUMBERING PLAT

OF PART OF OUTLOT 766 IN THE CITY OF MASSILLON,
LOCATED IN THE NORTHWEST QUARTER OF SECTION 22,
TOWNSHIP-10 (PERRY TOWNSHIP), RANGE-9,
STARK COUNTY, OHIO

ACKNOWLEDGMENTS

I HEREBY CERTIFY THAT THIS IS A CORRECT PLAT OF SURVEY MADE BY ME THIS 17TH DAY OF August, 2001 AND THAT THE SURVEY BALANCES AND CLOSES AND THE MONUMENTS SHOWN HEREON ARE SET AS SHOWN OR SHALL BE SET AS SHOWN AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

Jerold E. Geib
JEROLD E. GEIB
STATE OF OHIO - REGISTERED SURVEYOR No. 6725

KNOW ALL MEN BY THESE PRESENTS THAT P.R.M.D.C., LTD., THE OWNER OF THE LAND SHOWN ON THIS PLAT, REPRESENTED BY FRED W. TOBIN AND JACK L. CUSTER, THE DULY AUTHORIZED MEMBERS, DO HEREBY ACKNOWLEDGE THE MAKING AND SIGNING OF THIS PLAT TO BE THEIR FREE ACT AND DEED AND DO HEREBY REPLAT THE OUTLOT AS SHOWN.

IN TESTIMONY THEREOF WE HEREUNTO SET OUR HANDS THIS 17TH DAY OF August, 2001.

OWNER-P.R.M.D.C., LTD
Fred W. Tobin
FRED W. TOBIN - MANAGING MEMBER
Jack L. Custer
JACK L. CUSTER - MEMBER

WITNESS
Martin L. Meckel
MARTIN L. MECKEL
Martin L. Meckel
MARTIN L. MECKEL

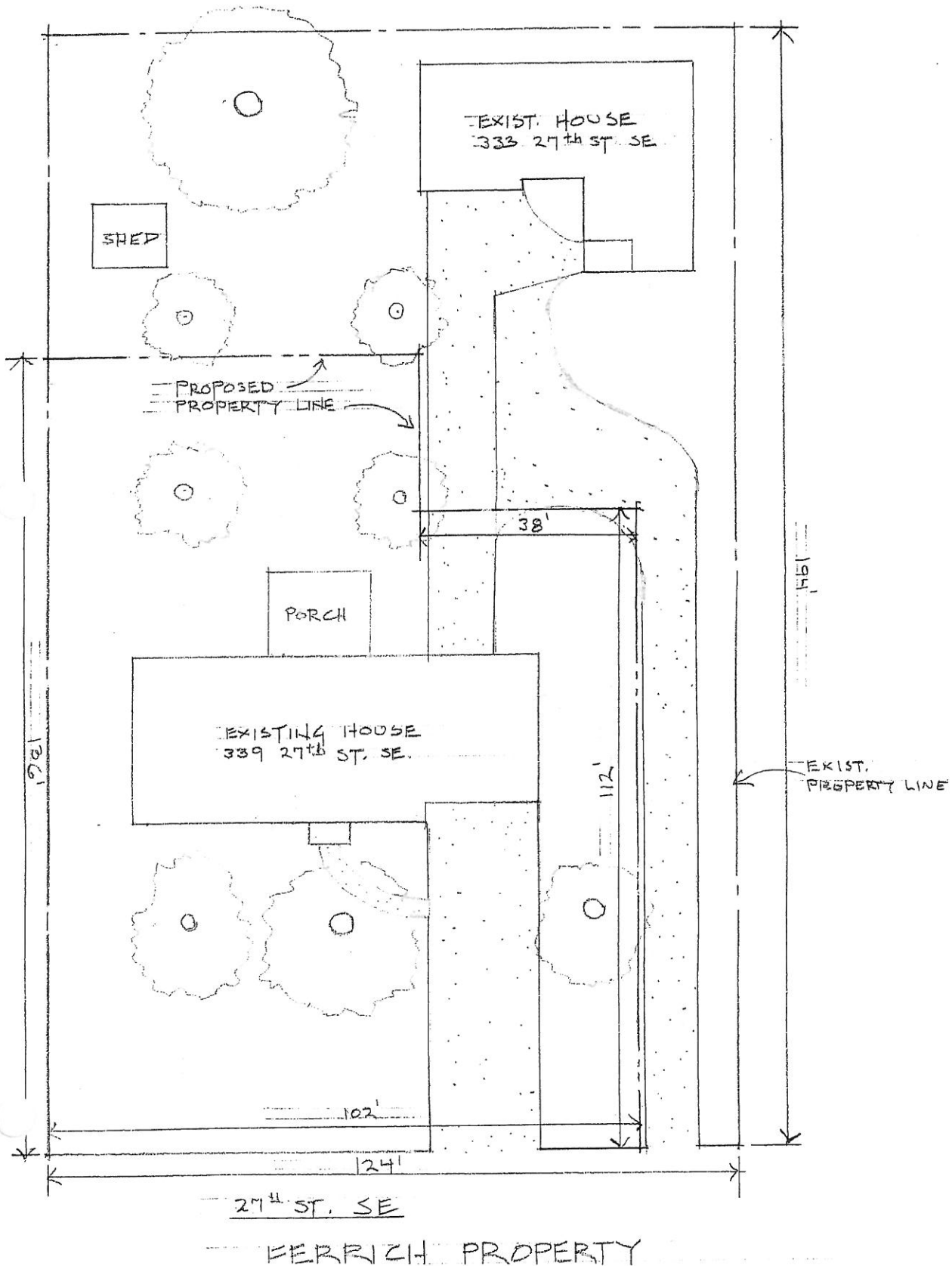
WITNESS
Timothy N. Dingies
TIMOTHY N. DINGIES
Timothy N. Dingies
TIMOTHY N. DINGIES

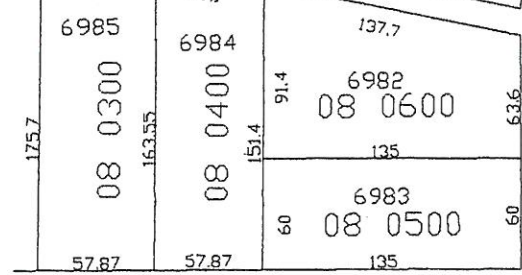
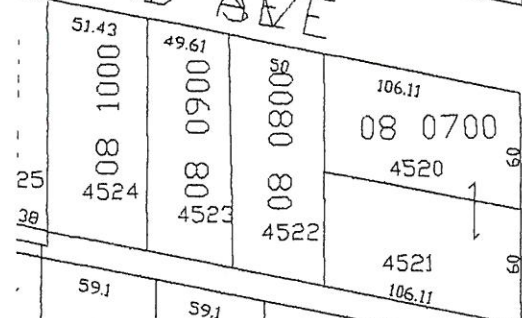
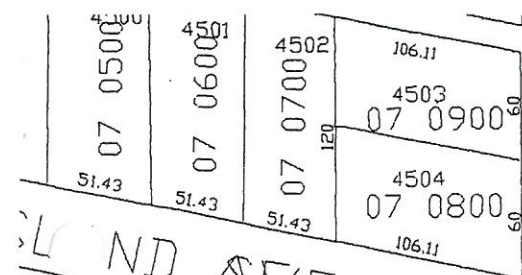


SCALE HOR. 1" = 100' VERT. 1" = 40'	DATE: AUGUST 2001	FIELD BOOK No. N/A	SHEET 1
BRYAN J. ASHMAN		JEROLD E. GEIB	
COOPER & ASSOCIATES, LLP ENGINEERS AND SURVEYORS			
1359 MARKET AVENUE, NORTH CANTON, OHIO			
PHONE (330) 452-5731			

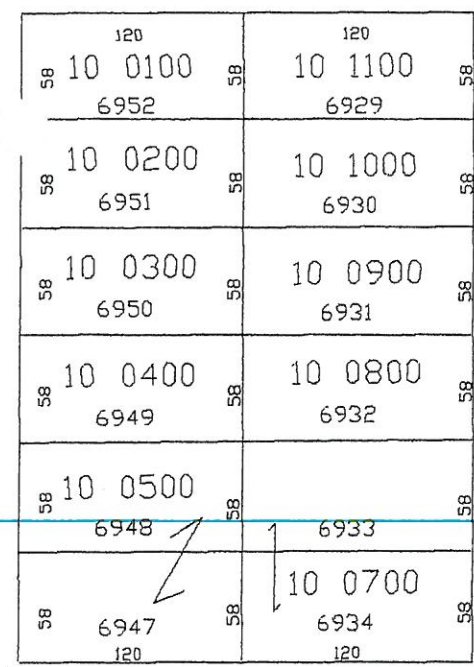
Proposed Replat Lots 6903-6904
333 and 339 27th St SE

JOHN SIMLER
339 27th ST. SE
MASSILLON, OHIO 44646
1-330-936-6194.

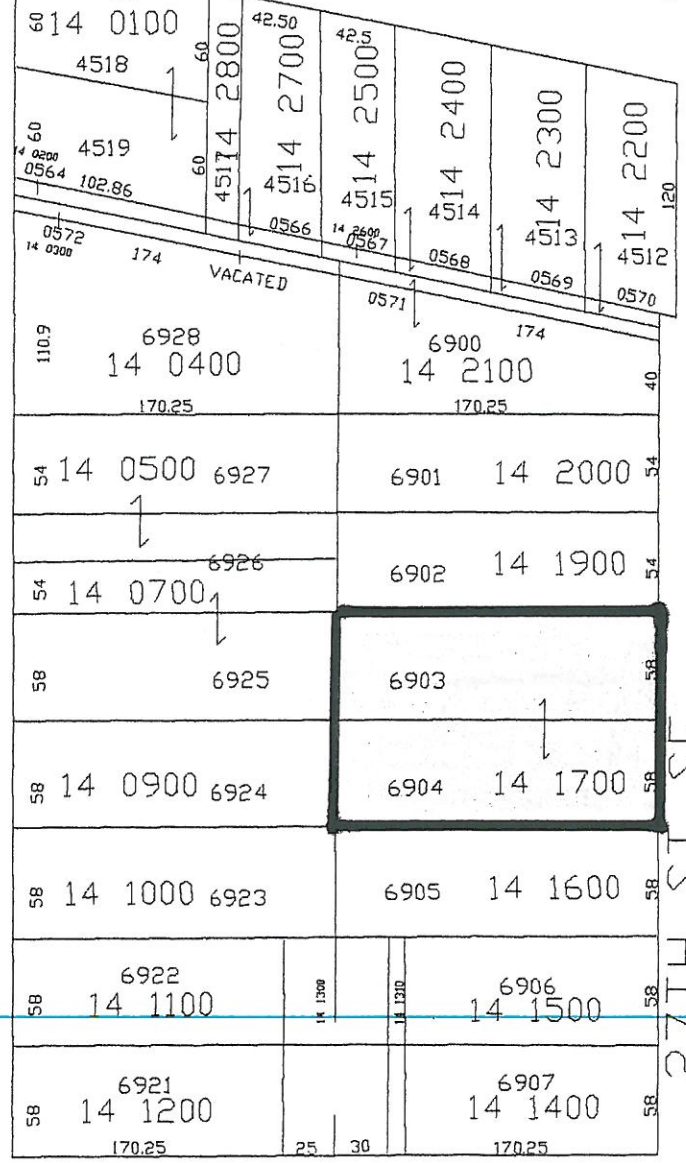
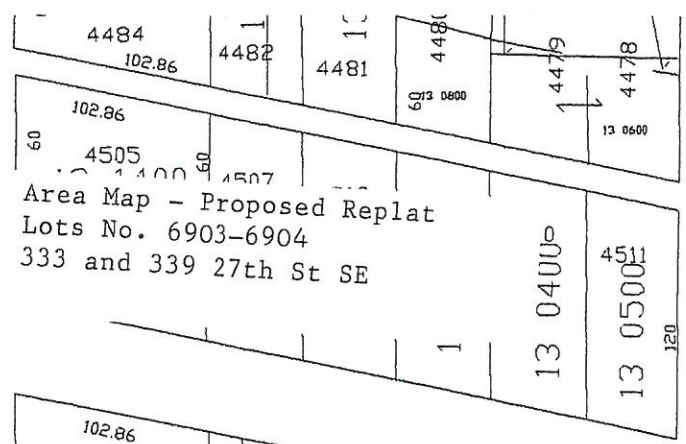
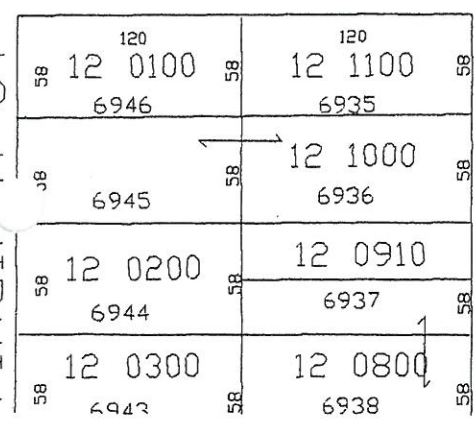




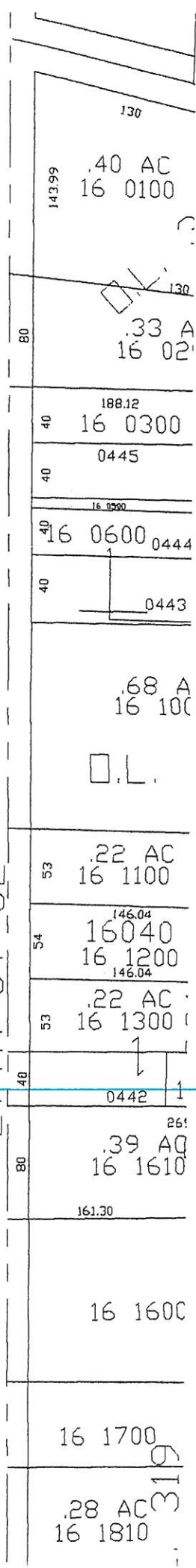
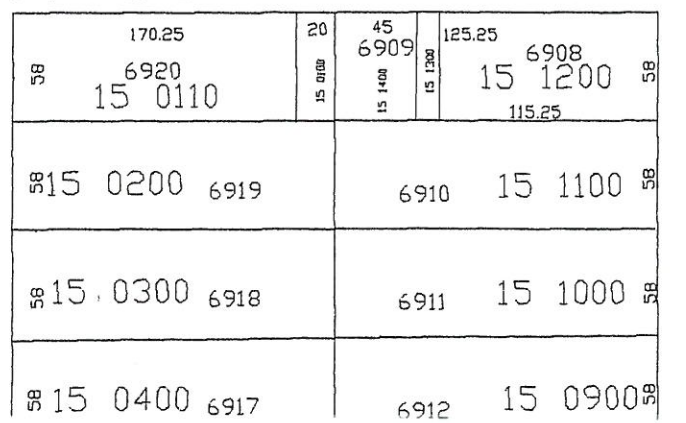
WILSON AVE



VIRGINIA ST SE

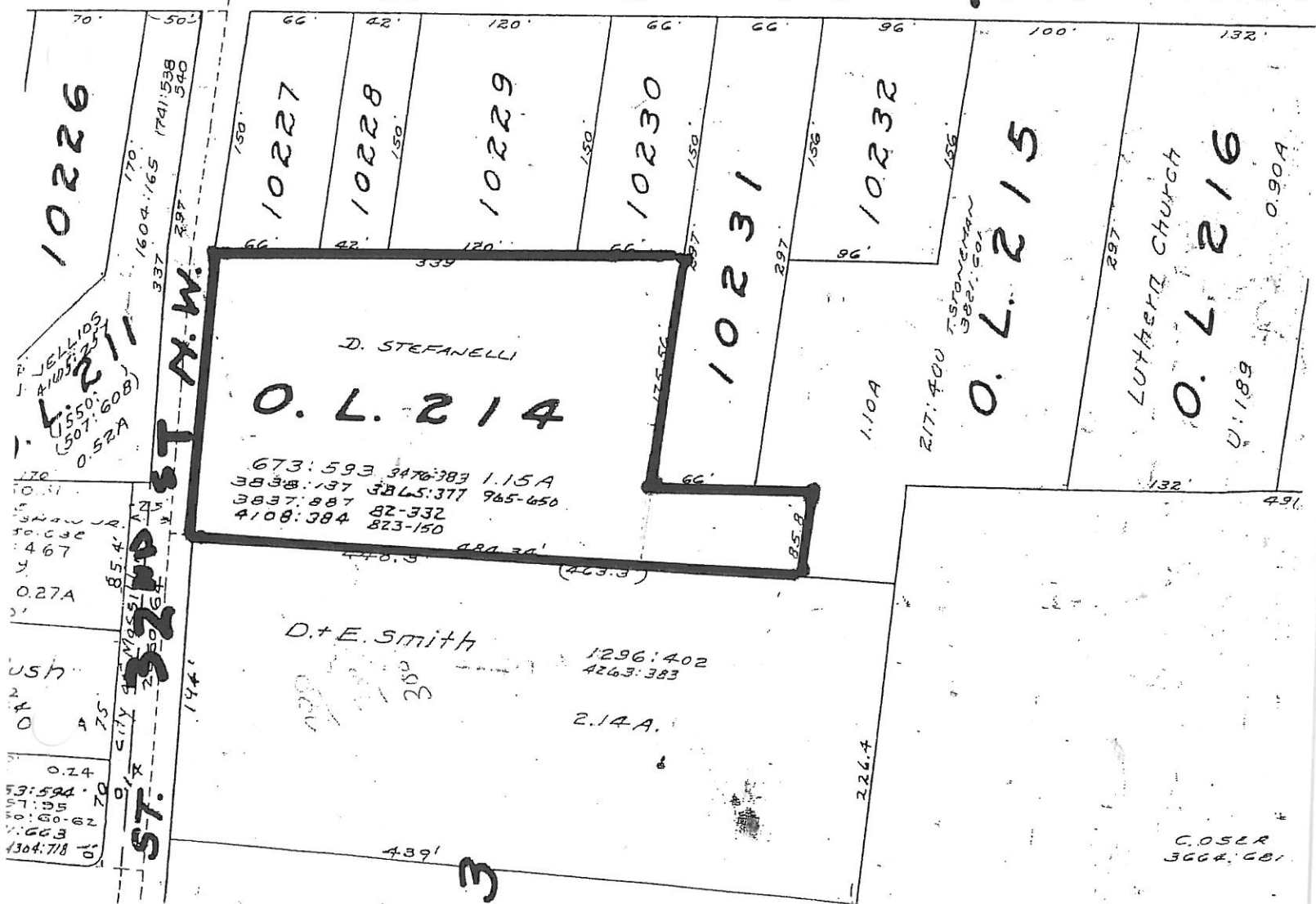


HAROLD AVE SE



Dr. Z. Glead

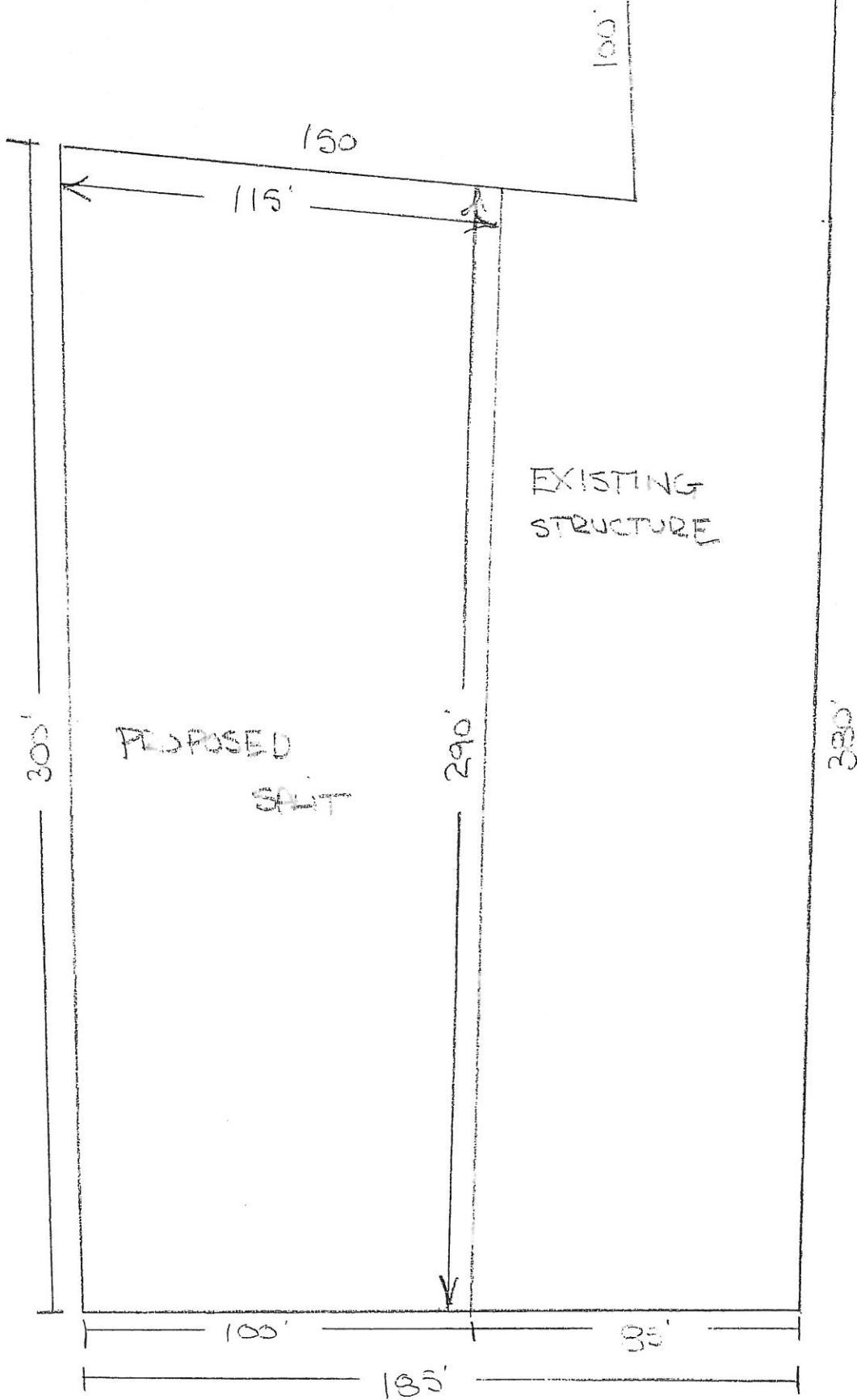
LN LINCOLN WAY NW WAY



822

32ND ST NW

YONKASSILLON ST



SCALE 1" = 40'

1.15 ACRE

13TH ST SE14TH ST SE

The map displays several land parcels with their respective identifiers and measurements:

- Parcel 18 0700:** Located at the top left, measuring 150 by 132.54.
- Parcel 18 0800:** Located below 18 0700, measuring 150 by 93.61.
- Parcel 18 0900:** Located below 18 0800, measuring 150 by 70.44.
- Parcel 18 1000:** Located to the left of 18 0900, measuring 150 by 108.48.
- Parcel 18 1100:** Located to the left of 18 1000, measuring 150 by 121.2.
- Parcel 18 1200:** Located above 18 1300, measuring 150 by 338.08.
- Parcel 18 1300:** Located to the left of 18 1400, measuring 150 by 112.2.
- Parcel 18 1400:** Located below 18 1300, measuring 150 by 340.5.
- Parcel 18 1500:** Located below 18 1400, measuring 150 by 340.6.
- Parcel 18 1600:** Located to the left of 18 1700, measuring 150 by 56.1.
- Parcel 18 1700:** Located below 18 1600, measuring 150 by 340.8.
- Parcel 18 1800:** Located at the bottom, measuring 150 by 340.9.

A north arrow is positioned near the center-right of the map, pointing towards the upper right corner.