

A G E N D A
MASSILLON PLANNING COMMISSION
APRIL 10, 2002 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meetings of March 13, 2002.*
2. *Petitions and Requests*

Preliminary Plat – Castle West Estates No. 3

Location and Description: Part of Out Lot 193, a total 7.30 acre parcel on the east side of 32nd Street NW, south of Castle West Circle NW.

Proposed No. of Lots: 16 lots zoned R-2 One Family Residential.

Owner/Developer: SMJD Properties, Ltd.

Engineer: Dennis Falk, M-E Companies.

Re-Plat – Sterilite Street SE

Location and Description: Part of Out Lots 727 and 753, and all of Lot No. 15505, located on the east side of Sterilite Street SE, south of Navarre Road; the request is to replat these three parcels into two new out lots zoned I-1 Light Industrial.

Applicant: Massillon Development Foundation

Surveyor: Hammontree & Associates, Ltd..

Re-Plat – 956 First Street NE

Location and Description: Lots No. 9667, 9668, and 9669 (zoned O-1 Office), located on the northeast corner of First Street NE and Ohlman Court NE; the request is to replat these three parcels into one new lot to allow the construction of a new office building.

Applicant: Janet Hamel

Re-Plat – 1410 Overlook Avenue SW

Location and Description: Lots No. 4732, 4733, 14772, and 14773 (zoned R-1 One Family Residential), located on the northwest corner of 14th Street SW and Overlook Avenue SW; the request is to replat these four parcels into one new lot.

Applicant: Scott Wentzel

Surveyor: The John David Jones Corporation

Re-Plat – Walnut Road SW

Location and Description: Lots No. 3165 and 3166 (zoned R-1 One Family Residential), located on the north side of Walnut Road SW, between 9th Street SW and Taylor Street SW; the request is to replat these two parcels into one new lot.

Applicant: Kwameshallahu Akbar Bennett

Request for Variance from Subdivision Regulations – Chapter 1109.06

Location and Description: Lots No. 16116 – 16119, located on the east side of 14th Street SE, south of Walnut Road SE. The request is for Planning Commission approval of a variance from Chapter 1109.06 of the City Subdivision Regulations, which require that electric, cable, and telephone lines shall be buried and located in easements at the front property line.

Applicant: Eldon Glick.

3. Other Business

The Massillon Planning Commission met in regular session on March 13, 2002, in Massillon City Council Chambers at 7:30 P.M. The following were present:

Members

Chairman Rev. David Dodson
Vice Chairman James Johnson
Moe Rickett
Thomas Seesan
Sheila Lloyd
Paul Manson

Staff

Aane Aaby
Marilyn Frazier
Jason Haines

The first item of business was the approval of the minutes of the February 13, 2002, Commission meeting. Mr. Rickett moved for approval, seconded by Ms. Lloyd, motion carried unanimously.

The next item was a rezoning request.

Rezoning Request – 937 Wales Road NE

Location and Description: Lot Nos. 9639, 9640, 6792, and 6793, a 0.98 acre parcel located at 937 Wales Road, NE.

Zone Change Request: From 0-1 Office to RM-1 Multiple Family Residential (Lots No. 9639-9640) and to R-U One Family Residential. (Lots No. 6792-6793).

Proposed Use: Maintain existing apartment building and construct four new single family residential homes (see the following re-plat request). *Applicant:* Timothy J. Putman, Attorney at Law.

Mr. Aaby presented the request. The area in question consists of four lots located on the west side of Wales Road, south of Kendall, and next to Fire Station No. 3. This is the former site of the Schumacher Construction Company. The property is for sale and the intended buyer is seeking a rezoning. The request consists of two separate zoning classifications. There is also a request for a re-plat on the agenda:

Re-Plat – 937 Wales Road, NE

Location and Description: Lot Nos. 6792 and 6793, located on the west side of Wales Road, NE, south of Kendall Avenue NE; the request is to re-plat this property into 4 new lots to be zoned R-U One Family Residential (see above). *Applicant:* Timothy J. Putman, Attorney at Law.

This re-plat will allow the prospective buyer to build four houses on this property utilizing the new R-U One Family Zoning classification. Two of the homes would be on Wales and two on Parkview NE, which is a 60-foot wide right-of-way. Mr. Aaby added that the City Engineer is concerned because a portion of Parkview, NE is only a 20-foot alley. If this lot split is to be considered, an area would have to be dedicated to bring it into conformance with subdivision requirements.

Timothy J. Putnam, Attorney and Real Estate Broker, was present. He stated that the lots are currently zoned 0-2. The bank is requesting that the buyer bring the zoning into compliance with the use. The prospective purchaser has been following the newspaper articles about the new R-U Zoning and wishes to develop this property in that manner. Several residents in the area of the requests were present and commented about the proposed use:

Planning Commission – March 13, 2002

Paul Crites of 913 Wales Road, NE, wanted to know if this rezoning was for Section 8 or Habitat for Humanity, or was information available about the value of the homes? The response was “no” in regard to Section 8 or Habitat for Humanity. The value of the homes isn’t definite at this time. He also mentioned other issues such as the light at Kendall, and increased traffic on Wales. Mark Thewes of 944 Wales Road, NE, was also present and was concerned about the type and price of the homes, and traffic problems.

Robert Wade of 908 Parkview, NE, was concerned about the idea of two houses being built on the Parkview site and traffic problems. He also mentioned sewer capacity.

Councilman Timothy Bryan, who lives at 936 – 11th Street, NE, was present and was concerned about having two houses on the Parkview site, especially because of the necessity of widening the street and increased use of sewers.

Mr. Johnson stated that office buildings could be built on these lots under the current zoning, but he felt residential would be a better use. He added that the rezoning would be an improvement, but the re-plat would not be acceptable. Mr. Manson agreed. Mr. Johnson then moved for approval of the rezoning, seconded by Mr. Manson, motion carried unanimously.

Mr. Manson moved to deny the re-plat, seconded by Mr. Johnson, motion carried unanimously.

The final item before the Commission was also a re-plat presented by Mr. Haines.

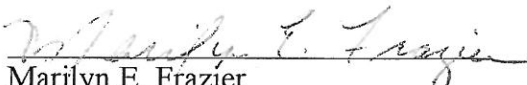
Re-Plat – Water Avenue NW

Location and Description: Lot No. 9280 (434 Water Ave. NW) and 9279 (1159 Water Ave. NW); the request is to re-plat these lots, per the attached sketch. *Applicant:* James Graber and Mark Murphy.

This property is north of Lincoln Way on the corner of Water, NW and Sixth NW near a 20-foot alley known as Edgar Place and consists of two rectangular shaped lots. The owner of Lot No. 9279 is attempting to sell a portion to the owner of 9280. The address (1159 Water Ct.) is incorrect since a letter was sent and it was returned. Mark Murphy of 819 Concord, NW, was present and stated that this is a rental property and he wishes to install a driveway. Mr. Johnson moved for approval, seconded by Mr. Rickett, motion carried unanimously.

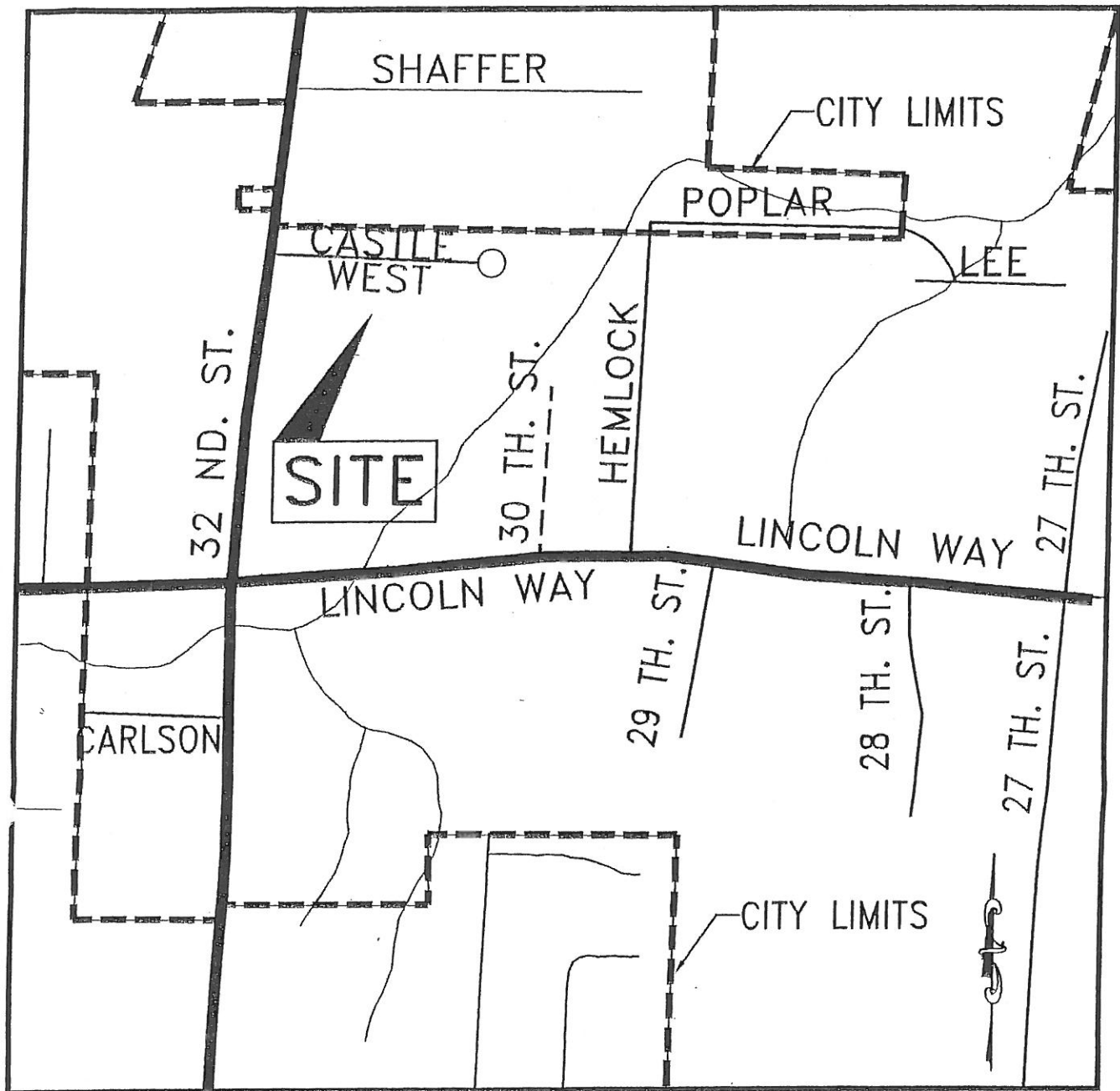
There being no further business before the Commission, the meeting adjourned at 8:15 PM.

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approval:

A detailed topographic map of a site for a proposed stormwater detention pond. The map features contour lines indicating elevation, with labels such as 14736, 14758, 14760, 14761, 14762, 14763, 14764, 14765, 14766, 14767, and 14768. A large rectangular area is outlined in black, representing the proposed detention pond. This area is divided into numbered sections (1 through 16). Key features include Jormay Ave N.W., Castle West Cir. N.W., and 32nd St. N.W. The map also shows existing infrastructure like sewer lines (EX. SAN. SEWER, EX. STORM SEWER) and manholes (MH), as well as proposed structures like a gas well (GAS WELL) and a proposed stormwater retention pond. Elevation points are marked throughout the site, and various bearings and distances are provided for the boundaries and internal divisions. The date 14/54 is noted in the upper left corner.

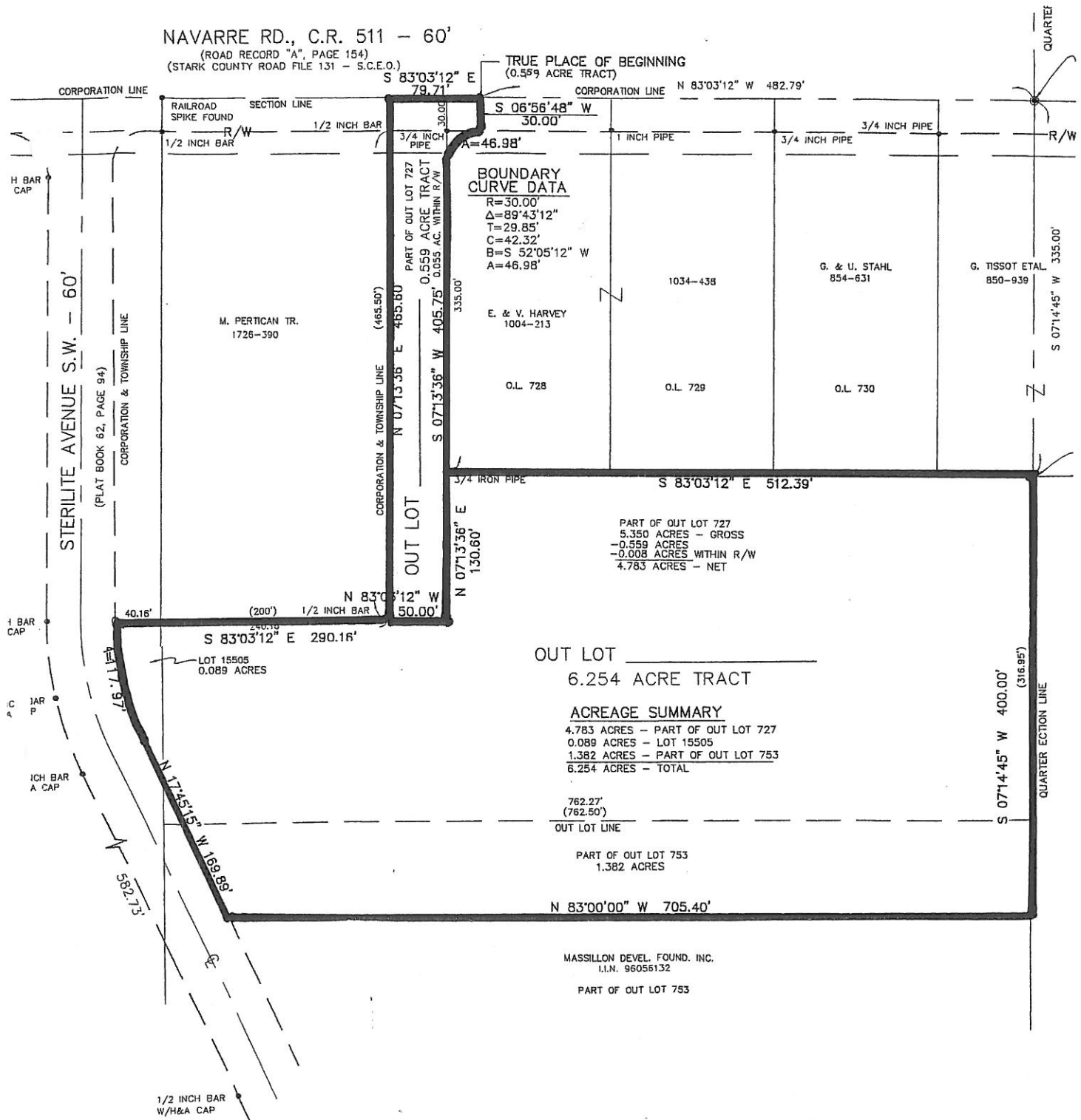


LOCATION MAP

1"=600'

NAVARRE RD., C.R. 511 - 60'

(ROAD RECORD "A", PAGE 154)
(STARK COUNTY ROAD FILE 131 - S.C.E.O.)



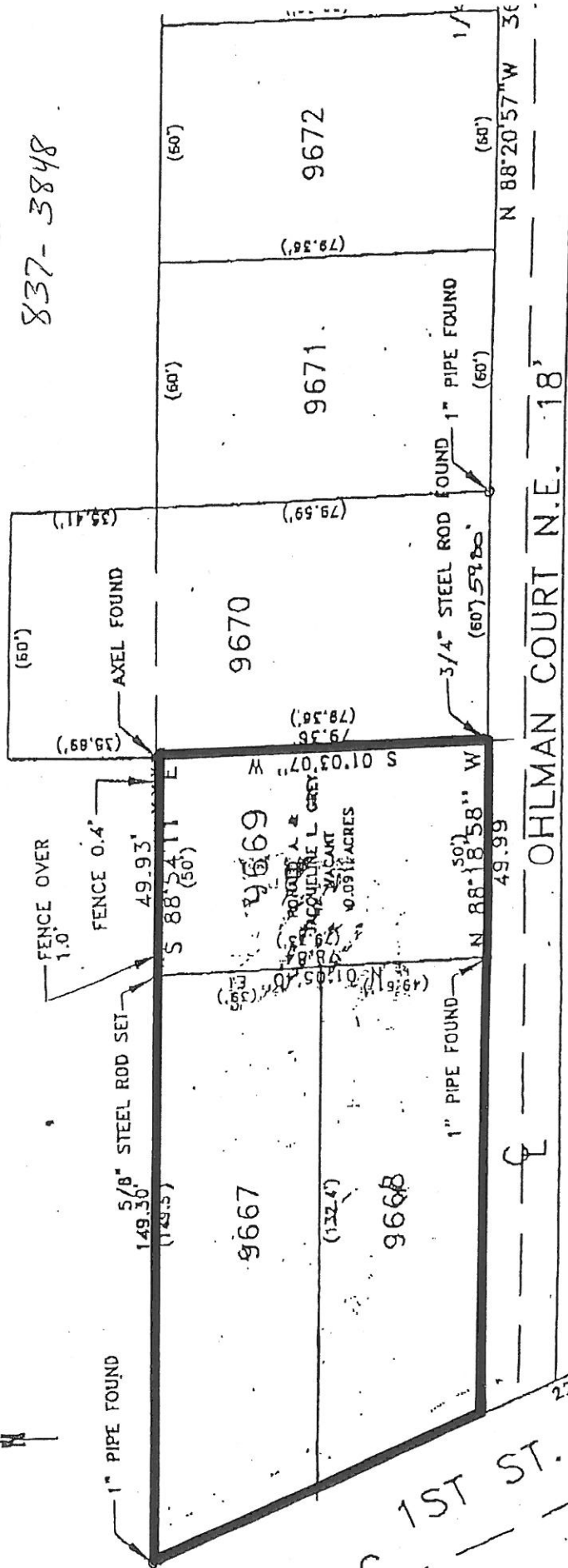
	HAMMONTREE & ASSOCIATES, LTD. ENGINEERS, PLANNERS, SURVEYORS CANTON PITTSBURGH AKRON 5233 STONEHAM ROAD, NORTH CANTON, OHIO 44720 PHONE: CANTON: (330)/499-8817 AKRON: (330)/633-7274 TOLL FREE: 1-800-394-8817 FAX: (330)/499-0149 www.hammontree-engineers.com	REPLAT MASSILLON DEVELOPMENT FOUNDATION SITUATED IN THE CITY OF MASSILLON, COUNTY OF STARK, OHIO ALSO BEING PART OF OUT LOTS 727 753 AND ALL OF OF LOT 15505	SCALE: HORIZ: 1"=60' VERT: 1"=60'

1-4-1

NY 330-477-1983

Janet Hamel
956 1st St. NE
Massillon 44646

837-3848



Replat of Lots No. 9667, 9668, 9669

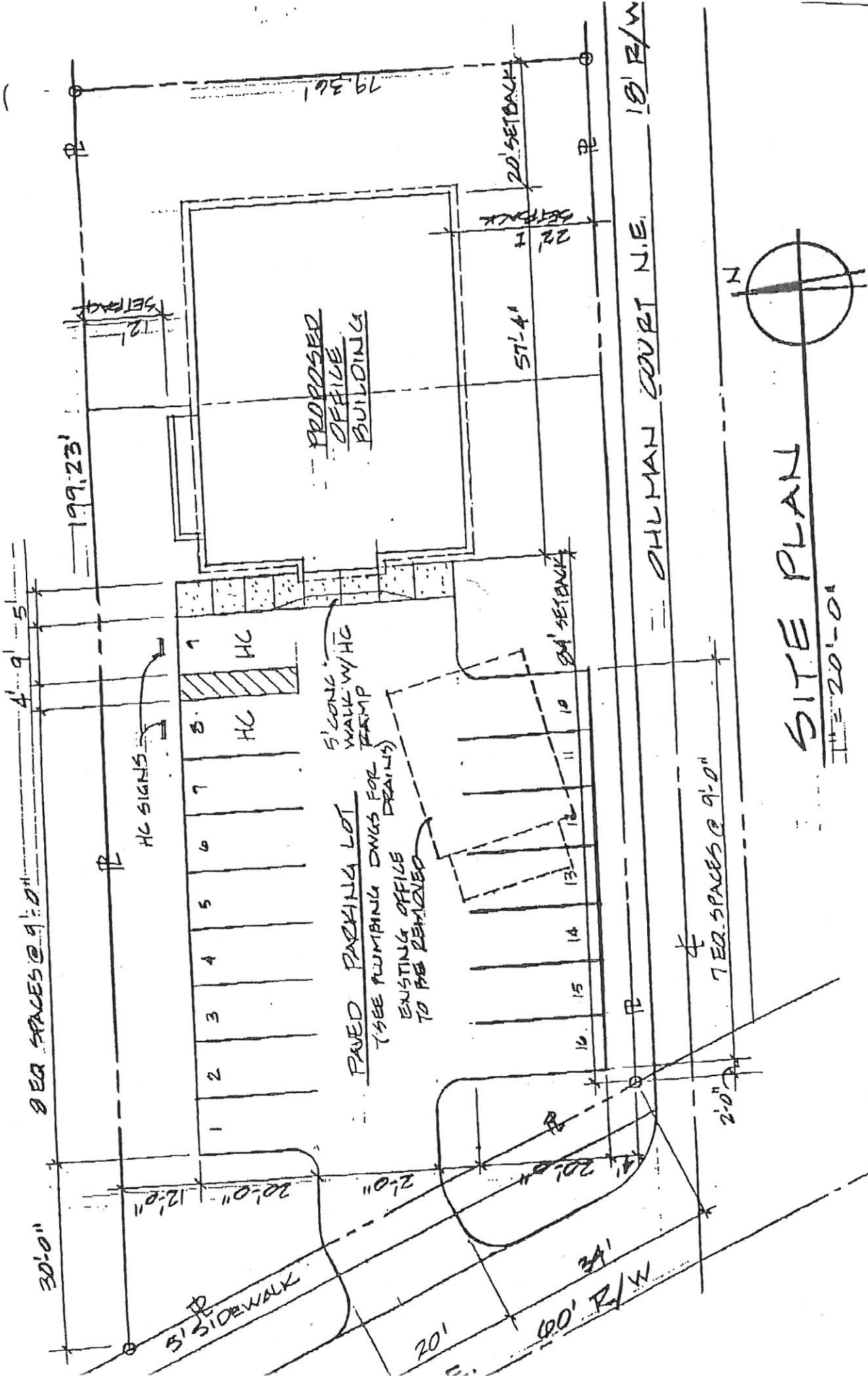
END
STEEL ROD FOUND (UNLESS OTHERWISE NOTED)
STEEL ROD SET (UNLESS OTHERWISE NOTED)
FENCE LINE
RECORD INFORMATION

GENERAL

THESE PLANS ARE PREPARED BY THE GENERAL CONSTRUCTION DIVISION OF THE U.S. ARMY CORP. OF ENGINEERS.

BOUNDARY SURVEY
NO SCALE

B R Q



RIGHT OF WAY

1' BAR IN CONCRETE
SIDE FOUND & USED

FOR: SCOTT A. WENTZEL

BEING KNOWN AS MASSILLON CITY LOTS
4732, 4733, 14772 & 14773 (FORMERLY
IN THE MCCULLOUGH HEIGHTS ADDITION
AND BEING PART OF A VACATED 15' ALLEY

VACATED 15' ALLEY
(P.B. 58 PG. 34)

5/8" REBAR WITH
NICHOLS #734B C
FOUND & USED

14787 -

7.5'

7.5'

S 88°15'33.9"E
150.25' RECORD
150.335 OBSERVED & USED
142.75' REC.

1" PIPE FOUND OFF
(0.1' SOUTH, 0.25' EAST) —
5/8" REBAR SET

LOT 4733
VACANT LOT

LOT _____
0.3204 ACRES

14798-

-14773

64.1'
#1410
SPLIT-LEVEL
FRAME
DWELLING

14799 -

68°12'25.4" -
OBS. & USED

-14772

LOT 4732
VACANT LOT

GRAVEL DRIVE
5" REBAR WITH NICHOLS #7349
CAP FOUND ON LINE 6.0' NORTH OF
THE ACTUAL PROPERTY CORNER

5.8" REBAR WITH 2 INCHES #7349"
CAP FOUND ON LINE 5.0' NORTH OF
THE ACTUAL PROPERTY CORNER

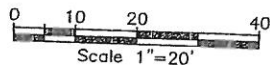
3' ± DIAMETER
TREE AT CORNER

150.25' RECORD & USED
N 88°15'33.9"W

88°16'39.9" —
OBS. & USED

1" PIPE FOUND
BENT (0.8" DEE
FINDING 12.25

OVERLOOK AVE. S.W. 50'



PORATION

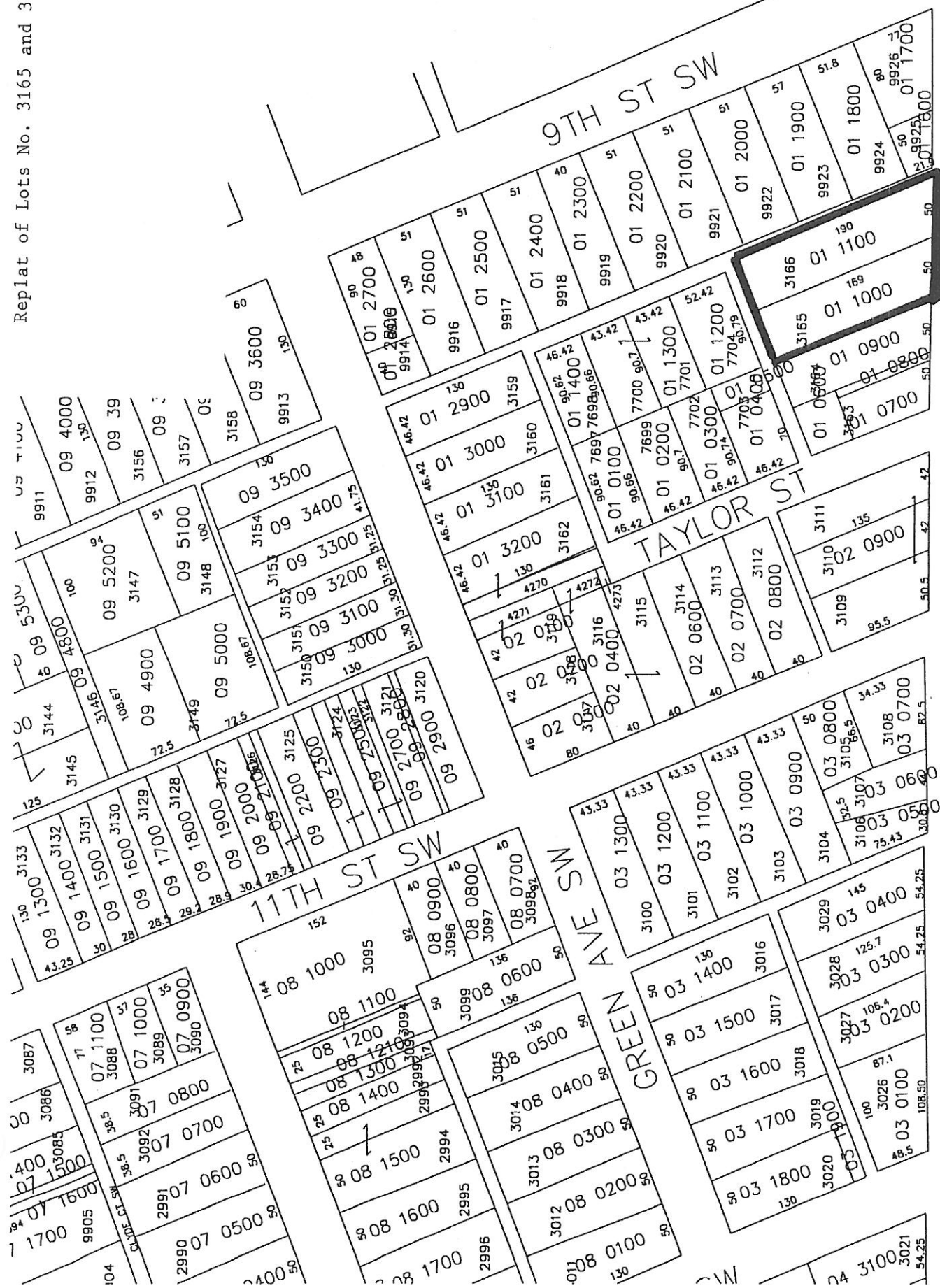
ners
alls, Ohio 44221
(330) 928-2929

NOTE:

PINS MARKED AS SET INDICATE A 5/8" REBAR SET FLUSH AND MARKED WITH A YELLOW PLASTIC CAP STAMPED "THE JDJ CORP OH 4362".

14TH ST. S.W. 50'

MASSILLON M



WALNUT ROAD SW

MASSILLON MAP 51A

Dear Planning Commission,

4/2/02

I need variance to ordinance # 19-2001 dated 2/5/01 or a written definition of "How to bury" Electric cable and telephone lines along the front lines of my property on 14th street S.E.

The utilities are overhead now along 14th St. I contracted Ohio Edison to supply these four lots with overhead electric since all the other lots on 14th street have overhead electric too!

Steve Hamit and Jason declare that a variance is needed even though this replatt was recorded "prior" to this new ordinance's declaration on 2/5/01. (It was approved 8/21/00 and recorded on 8/30/00.)

Why is a variance needed when all these four lots have frontage and house # along 14th Street and the utilities have always been overhead?

I have not created any new lots that do not have existing overhead electric and 14th street frontage.

Thankyou for your response!

Chon Glick

