

A G E N D A
MASSILLON PLANNING COMMISSION
SEPTEMBER 10, 2003 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of August 13, 2003.*

2. *Petitions and Requests*

Re-Plat – 820½ Oak Avenue SE

Location and Description: Lots No. 2192 and 2196, located on the north side of Oak Avenue SE between 8th and 11th Streets SE. The request is to combine these parcels into one new lot to allow for the construction of a garage. The property is zoned R-1 One Family Residential.

Applicant: Floyd Barnhart.

Re-Plat – Forest Avenue SE

Location and Description: Out Lots 951, 952, and 953, located on the south side of Forest Avenue SE west of 16th Street SE. The request is to replat these parcels into three new lots. The property is zoned R-1 One Family Residential.

Applicant: Kirk Braithwaite.

3. *Old Business*

Re-Plat – West Brook Estates West

Location and Description: Lots No. 16595 - 16601, and Part of Out Lot 772, located at the northeast corner off Woodstone Avenue NW and Manchester Avenue NW in West Brook Estates West. The request is to split off an approximate 15 foot by 1100 strip of land from the north end of these lots. The property is zoned R-2 One Family Residential.

Applicant: Jacob & Dorothy Glick.

Engineer: Cooper & Associates

This item was tabled at the August 13 Commission Meeting.

4. *New Business*

Proposed Amendment to Zoning Code – Accessory Buildings

Massillon City Council is considering legislation to amend Chapter 1181 of the zoning code regulating accessory buildings. The proposed amendment would allow for variation in the size of accessory buildings depending on the size of the residential lot. See proposed new paragraph (h) of Chapter 1181 for details.

The Massillon Planning Commission met in regular session on August 13, 2003, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

Members

Vice Chairman James Johnson
Mayor Francis H. Cicchinelli, Jr.
Thomas Seesan
Sheila Lloyd
Ben Bradley
Vincent Pedro

Staff

Aane Aaby
Jason Haines

The first item of business before the Commission was the minutes of the July 9, 2003, meeting. Mr. Bradley moved for approval, seconded by Mr. Seesan, motion carried unanimously.

The next item under Petitions and Requests was a final plat presented by Mr. Haines.

Final Plat – Shaw View Estates No. 2

Location and Description: Out Lot 851, a 2.459 acre parcel located on the west end of Shaw Avenue NE *Proposed No. of Lots:* 7 lots, zoned R-1 Single Family Residential

Streets to be Dedicated: An extension of Shaw Avenue NE

Owner/Developer: A. J. Diana and Sons, Inc. *Surveyor:* Buckeye Surveying Services, Inc.

This sub-division is on Shaw Avenue, NE, which is off of Amherst Road, NE, in the vicinity of Lori Avenue and the A. J. Diana Company. The preliminary plat was before the Commission several months ago and consisted of eight (8) lots. The final plat consists of seven (7) lots due to the necessity of easements. The zoning of the site is R-1. Tim Diana was present representing the developer, A. J. Diana and Sons, Inc. Mayor Cicchinelli moved for approval, seconded by Mr. Seesan, motion carried unanimously.

The next item under Old Business was a re-plat presented by Mr. Haines. This item was tabled at last month's meeting due to a lack of representation.

Re-plat – 843 11th Street SE

Location and Description: Lot No. 10086 and Part of Out Lot 506, located at 843 11th Street SE. The request is to re-plat these parcels into one new lot. The property is zoned R-1 Single Family Residential. *Applicant:* Richard Grewell *Surveyor:* Ronald Hinton
This item was tabled at the July 9 Commission Meeting.

This request consists of Lot No. 10086, on which the applicant resides, and a portion of an out lot. They are planning to purchase a small piece of property from Friendship Baptist Church to be combined with their property to create a larger lot. Linda Osborn was present representing the applicant. They have been trying to acquire the property because part of their driveway sits on it. Their intention is to construct a garage later. Mayor Cicchinelli moved for approval, seconded by Mr. Pedro, motion carried 4 - 0, with Mr. Bradley abstaining.

The final item of business for the evening was a re-plat presented by Mr. Haines

Re-plat – West Brook Estates West

Location and Description: Lots No. 16595 – 16601, and Part of Out Lot 772, located at the northeast corner of Woodstone Avenue NW and Manchester Avenue NW in the West Brook Estates West. The request is to split off an approximate 15 foot by 1100 strip of land from the north end of these lots. The property is zoned R-2 One Family Residential.

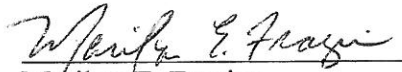
Applicant: Jacob and Dorothy Glick *Engineer:* Cooper and Associates

This item was tabled at the July 9 Commission Meeting.

This is a small strip of land in the West Brook Estates allotment, which borders the corporation line. The transfer of this property from Mr. Glick to Mr. Campian, the owner of the adjoining park, would alleviate an encroachment. Russ Doyle was present. After a lengthy discussion, Mayor Cicchinelli moved to table the item again until the September meeting. Mr. Glick and Mr. Campian both would be invited to attend the meeting. Mr. Bradley seconded the motion which carried unanimously.

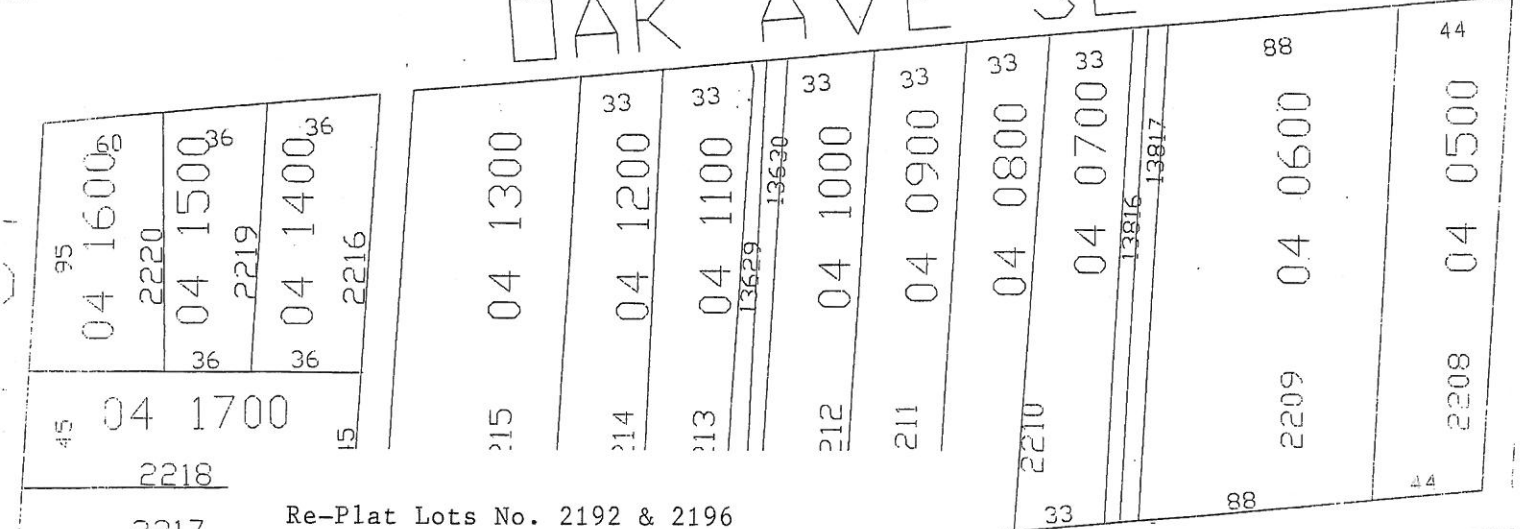
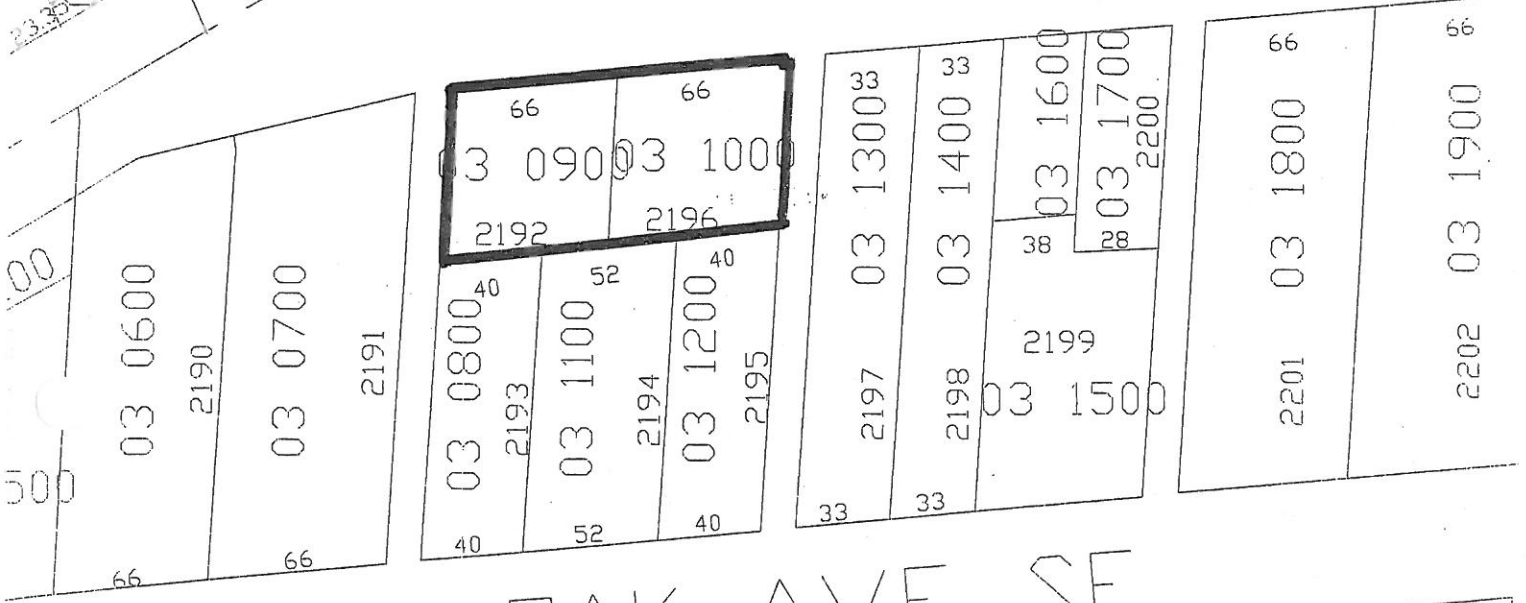
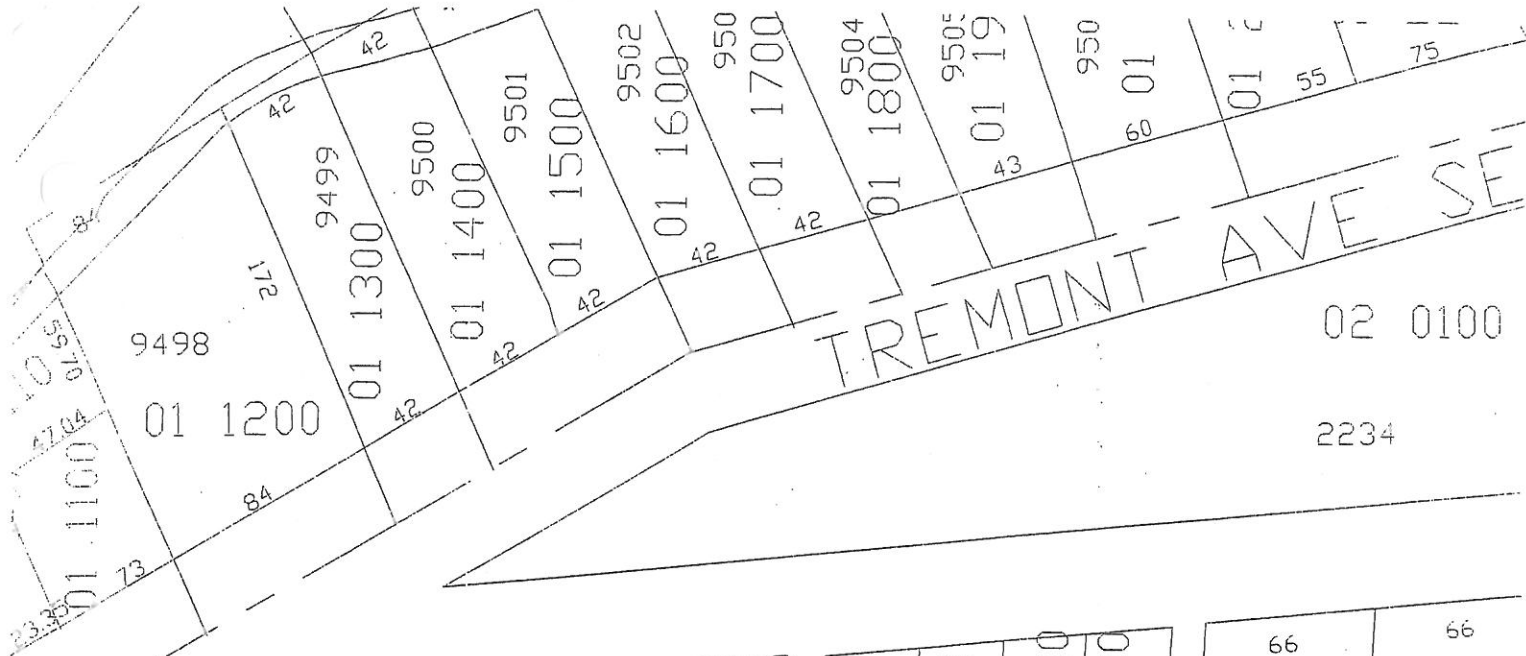
There being no further business before the Commission, Mr. Pedro moved for adjournment, seconded by Mr. Seesan, motion carried unanimously.

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approval:

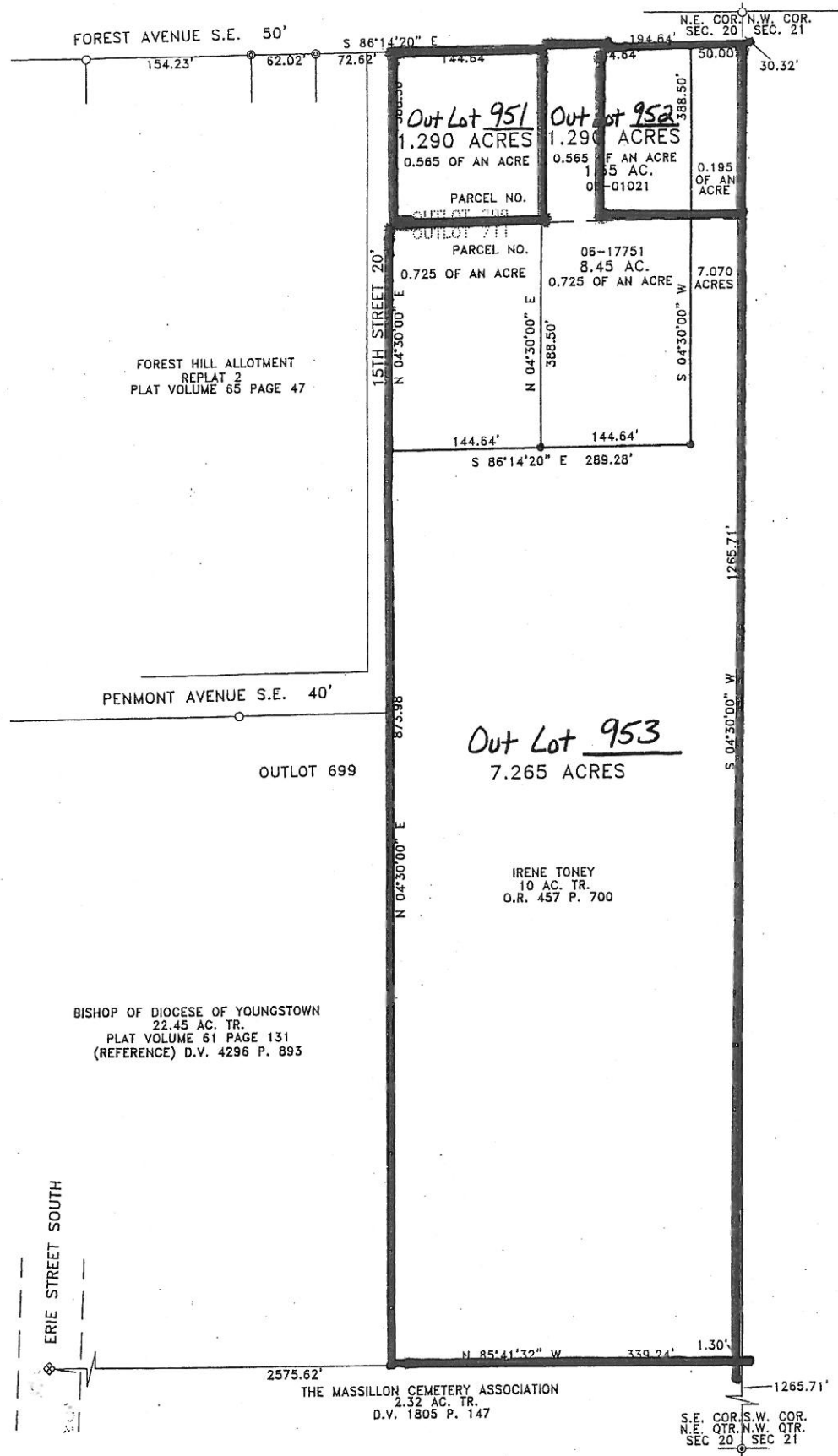
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Re-Plat Lots No. 2192 & 2196
 820½ Oak Avenue SE

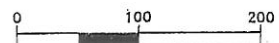
2' ALLEY
 P. 134
 73

PROPOSED RE-PLAT OUT LOTS 951, 952, 953



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IRON PINS INDICATED (SET) ARE 5/8"



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CHAPTER 1181
Accessory Buildings

1181.01 Regulations.

CROSS REFERENCES
Accessory defined - see P. & Z. 1121.02(1)

1181.01 REGULATIONS.

Accessory buildings, except as otherwise permitted in the Zoning Ordinance shall be subject to the following regulations:

- (a) Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations of the Zoning Ordinance applicable to main building.
- (b) Accessory buildings shall not be erected in any required yard, except a rear yard.
- (c) An accessory building shall not occupy more than twenty-five percent (25%) of a required rear yard, plus forty percent (40%) of any nonrequired rear yard, provided that in no instance shall the accessory building exceed the ground floor area of the main building.
- (d) No detached accessory building shall be located closer than ten feet to any main building nor shall it be located closer than three feet to any side or rear lot line.
In those instances where the rear lot line is coterminous with an alley right of way the accessory building shall not be closer than one foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right of way.
- (e) No detached accessory building in R-1 through R-3, RT, RM-1, RM-2, O-1, O-2, B-1 and P-1 Districts shall exceed one story or fourteen feet in height. Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in such districts, subject to Board of Zoning Appeals review and approval if the building exceeds one story or fourteen feet in height.
- (f) When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, such building shall not project beyond the front yard setback required on the lot in rear of such corner lot. In no instance shall an accessory building be located nearer than ten feet to a street right-of-way line.
(Ord. 82-1970. Passed 11-2-70.)

- (g) When an accessory building in any Business or Office District is intended for other than the storage of private motor vehicles, the accessory building shall be subject to the approval of the Board of Zoning Appeals.
- (h) An accessory building in any Residential District for other than the storage of private motor vehicles is permitted subject to the following specifications:

<u>LOT SIZE</u> <u>SQ. FT.</u>	<u>MAX. SHED</u> <u>SIZE SQ. FT</u>	<u>MAX. DIM.</u> <u>ANY SIDE</u>	<u>APPROX. MAX.</u> <u>SHED SIZE</u>
Up to 4000	120	12	10'x12'
4001 - 7800	192	16	12'x16'
7801 - 9600	252	18	14'x18'
9601 - 12000	280	20	14'x20'

Lots over 12,001 sq. ft. an additional 10% increase (100 sq. ft.) For every 1,000 sq. ft. of lot area in excess of 12,000 not to exceed ground floor square footage of primary structure including porches. This shall not include up to 1' - 0" overhang and porches. An accessory building used exclusively for the storage of motor vehicles shall not contain more ground floor area than the main structure and shall be as defined under 1121.02 (30) "Garage, private" of the Massillon City Ordinance. Not more than one accessory building for other than the storage of private motor vehicles is permitted per residential lot. (Ord. 108-77. Passed 12-5-77.)

- (I) The parking of a mobile home for periods exceeding twenty-four hours on lands not approved for mobile home parks shall be expressly prohibited, except that the Building Inspector may extend temporary permits allowing the parking of a mobile home in a rear yard on private property, not to exceed a period of two weeks. All mobile homes parked or stored, shall not be connected to sanitary facilities and shall not be occupied.
- (j) All mobile home or camping trailers owned by residents of the City and stored on their individual lots shall be stored only within the confines of the rear yard and shall further respect the requirements of this chapter applicable to Accessory Buildings, insofar as distances from principal structures, lot lines, and easements are concerned. All mobile homes parked or stored, shall not be connected to sanitary facilities and shall not be occupied.
(Ord. 82-1970. Passed 11-2-70.)
- (k) There shall be an existing primary structure on the property before the placement of any accessory structure.