

A G E N D A
MASSILLON PLANNING COMMISSION
NOVEMBER 12, 2003 **7:30 P.M.**
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of October 8, 2003.*

2. *Petitions and Requests*

Rezoning Request –2629 Lincoln Way NW

Location: Out Lot 245, a 1.76 acre parcel of land located on the south side of Lincoln Way NW, between 26th and 27th Streets NW.

Zone Change From: R-1 One Family Residential & B-1 Local Business

Zone Change To: B-3 General Business

Proposed Use: To construct a miniature golf course and indoor batting cages on the rear portion of this property (behind the existing Twistee Treat.).

Applicant: Twistee Treat West LLC (Louie & Ketj Gorgievski)

Final Plat - Kenyon Creek Estates Phase II

Location: Part of Out Lot 872, a 15.9654 acre parcel of land located on the south side of Wooster Street NW, between Deermont and Kenyon Avenues NW.

No. of Lots: 44 lots zoned R-1 One Family Residential

Streets to be Dedicated: Wooster Creek Avenue NW, Huron Creek Street NW, Kenyon Creek Avenue NW, and Yellow Creek Avenue NW.

Owner/Developer: A. R. Lockhart Development Co.

Re-Plat – Sterilite Street SE

Location: Part of Out Lot 753, a 5.539 acre tract, located on the east side of Sterilite Street SE, south of Navarre Road, in Neocom II Industrial Park. The request is to split off this parcel into a separate out lot. The property is zoned I-1 Light Industrial

Applicant: Massillon Development Foundation.

Re-Plat – 653 and 665 Scott Place NW

Location: Lots No. 10245, 10246, and 10247, located on Scott Place NW, located on the south side of Lincoln Way NW between 29th Street NW and Noble Place NW. The request is to replat these parcels into two new lots. This property is zoned R-2 One Family Residential.

Applicant: Dennis Getz.

Re-Plat – 460 Fire Bush Drive NW

Location: Lot No. 15755 and Part of Out 500, located on the east side of Fire Bush Drive NW in Autumn Ridge Estates (located on the south side of Lincoln Way NW, east of 29th Street NW). The request is to replat these parcels into one new lot. This property is zoned R-2 One Family Residential.

Applicant: Michael and Patricia Watkins.

Re-Plat – Tremont Avenue SW

Location: Part of Out Lot 259, 0.45 acre parcel located on the north side of Tremont Avenue SW east of Lauri-Jo Lane SW, The request is to replat this property into two new lots. This property is zoned R-1 One Family Residential.

Applicant: James Smith.

Street Vacation Request

Location: A portion of 11th Street NE, lying between Windsor Road NE and Bradford Road NE, and running in a north/south direction between Beverly Road NE and Burd Avenue NE. The request is to vacate that portion from the north right-of-way line of Beverly Road NE northerly to the south property line of Out Lot 391.

Applicant: Charlene Morrison

Alley Vacation Request

Location: An unnamed 17 foot wide alley lying between 1st Street SE and 2nd Street SE and running in a north/south direction between Dwight Avenue SE and Ideal Court SE. The request is to vacate that portion of the alley from the north property lines of Lots No. 2376 and 2378 southerly a distance of 150 feet to the south property lines of Lots No. 2376 and 2378.

Applicant: Milan Gracek and Thomas Reedy.

Vacation and Re-Dedication of Drainage/Sanitary Sewer Easement

Location: Centennial Village, located on the north side of Finefrock Boulevard SW (State Route 241) between 8th and 9th Streets SW. The request is to vacate and then re-dedicate a portion of the public drainage/sanitary sewer easement (see attached map).

Applicant: Massland Development LLC

3. Other Business

The Massillon Planning Commission met in regular session on October 8, 2003, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

Members

Chairman Rev. David Dodson
James Johnson
Sheila Lloyd
Paul Manson
Ben Bradley
Alan Climer
Vincent Pedro

Staff

Steve Hamit
Marilyn Frazier
Jason Haines

The first item of business was the approval of the minutes for the Commission meeting on September 10, 2003. Mr. Climer moved for approval, seconded by Ms. Lloyd, motion carried unanimously.

The next item under Petitions and Requests, was a rezoning request presented by Mr. Haines.

Rezoning Request – Woodland Creek

Location: Out Lots 614, 916, 917, 918, 919, 920, and 921, a 24.62 acre parcel of land located on the west side of 32nd Street NW, north of Bonnie Brae Drive. A portion of this site was recently annexed to the City from Tuscarawas Township.

Zone Change From: From R-2 One Family Residential (3.45 acres)
Tuscarawas Township – No zoning (21.17 acres)

Zone Change To: R-1 One Family Residential (3.45 acres)
R-2 One Family Residential (16.98 acres)
R-T Two Family Residential (4.19 acres)

Proposed Use: To develop a residential allotment to be known as Woodland Creek.

Applicant: Tridoc Development, Inc.

This is a twenty-five acre parcel which was annexed into the City. It is located in the vicinity Deermont, Highlander and Bonnie Brae. 3.45 acres of this property was previously zoned R-2 One Family, but the request is to change its zoning to R-1 One Family. The balance (21.17 acres) has no zoning since there is none in Tuscarawas Township. The request to zone it as follows: 16.98 acres to become R-2 One Family and 4.19 acres to become R-T Two Family Residential.

Paul Harbaugh, 3265 Ruby Avenue NW was present and commented that he has a problem with the proposed change of the 3.45 acre tract from R-2 to R-1. He also said he build a \$230,000 house understanding R-2 zoning was more restrictive, allowing for fewer and larger houses.

Jeff Reap, 650 Third Street NW, said he has lived in his home for fifteen (15) years and is concerned about property values. Virginia Levenger, 11904 Bonnie Brae Drive, was also present and stated she objects to the allotment. She has lived in her home for forty-seven (47) years and likes her area as it is. Frank Szasz, lives at 11841 Bonnie Brae Drive and is opposed to the allotment. Dave Dougherty of Tridoc Development, Inc., was present and explained the request to change from R-2 to R-1 is because of the front setback requirement. The change will allow for a wider house. He further stated that he is committed to Massillon and the neighborhood. Mr. Manson asked about the size and price range of the homes to be built. Mr. Dougherty responded that the homes would be about 1,300 square feet and between \$130,00 - \$145,000 price range with amenities for empty nesters. Mr. Climer moved for approval, seconded by Mr. Manson, motion carried unanimously.

The next item was a Preliminary Plat presented by Mr. Haines.

Preliminary Plat – Woodland Creek

Location: Out Lots 614, 916, 917, 918, 919, 920, and 921, a 24.62 acre parcel of land located on the west side of 32nd Street NW, north of Bonnie Brae Drive.

No. of Lots: 14 lots zoned R-1 One Family Residential
40 lots zoned R-2 One Family Residential
6 lots zoned R-T Two Family Residential

Owner/Developer: Tridoc Development, Inc.

This is the same property as the rezoning. The layout of the streets will include three (3) cul-de-sacs. Some minor revisions may have to be made. Mr. Pedro asked about the re-routing of the creek. Mr. Dougherty replied that may have to be done. Mr. Johnson moved for approval, seconded by Mr. Bradley, motion carried unanimously.

The next item was an Alley Vacation presented by Mr. Haines.

Alley Vacation Request

Location: An unnamed 15 foot wide alley lying between Green Avenue SW and Pike Avenue SW, and running in an east/west direction between 6th Street SW and 7th Street SW. The request is to vacate that portion from the west right-of-way line of 6th SW approximately 180 feet west to the west property lines of Lots No. 1855 and 1856.

Applicant: Walter and Diana Karrenbauer

This property is in the area of 6th and Walnut SW. This alley is dedicated and improved. The same owner owns both adjoining properties. Mr. Karrenbauer was present and commented that he has owned this property approximately twenty (20) years and there never was a problem until recently. He also said there is no need for this alley and closing it would enable him to eliminate a water problem on his property. Mr. Johnson moved for approval, seconded by Mr. Bradley, motion carried unanimously.

The next item of business was a re-plat presented by Mr. Haines.

Re-Plat – 60 10th Street SE

Location: Lots No. 1904, 1905, and 1906, located at the northeast corner of 10th Street SE and Wellman Avenue SE. The request is to re-plat these parcels into two new lots.

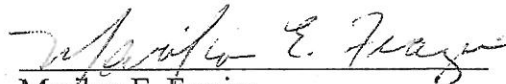
Applicant: Larry Anderle

These lots are in the area of Wellman and 10th Street SE. There is a house on Lot No. 1906 with a garage behind it and a house that fronts on Wellman. There is a vacant lot in between the two houses. The owner wishes to re-plat to create two larger lots which will be odd shaped, but will create some yard space for the 10th Street property.

Mr. Anderle, of 1116 Wellman SE, and owner of all three lots said he is trying to create yard space for his rental property. Mr. Johnson moved for approval, seconded by Mr. Climer, motion carried unanimously.

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

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approval:

MEF/ky

TWISTEE TREAT WEST, LLC

2629 Lincoln Way West

Massillon, OH, 44647

Business: (330) 832-1404

Cell: (330) 844-2387

Home: (330) 837-2205

September 24, 2003

City of Massillon

To Whom it May Concern:

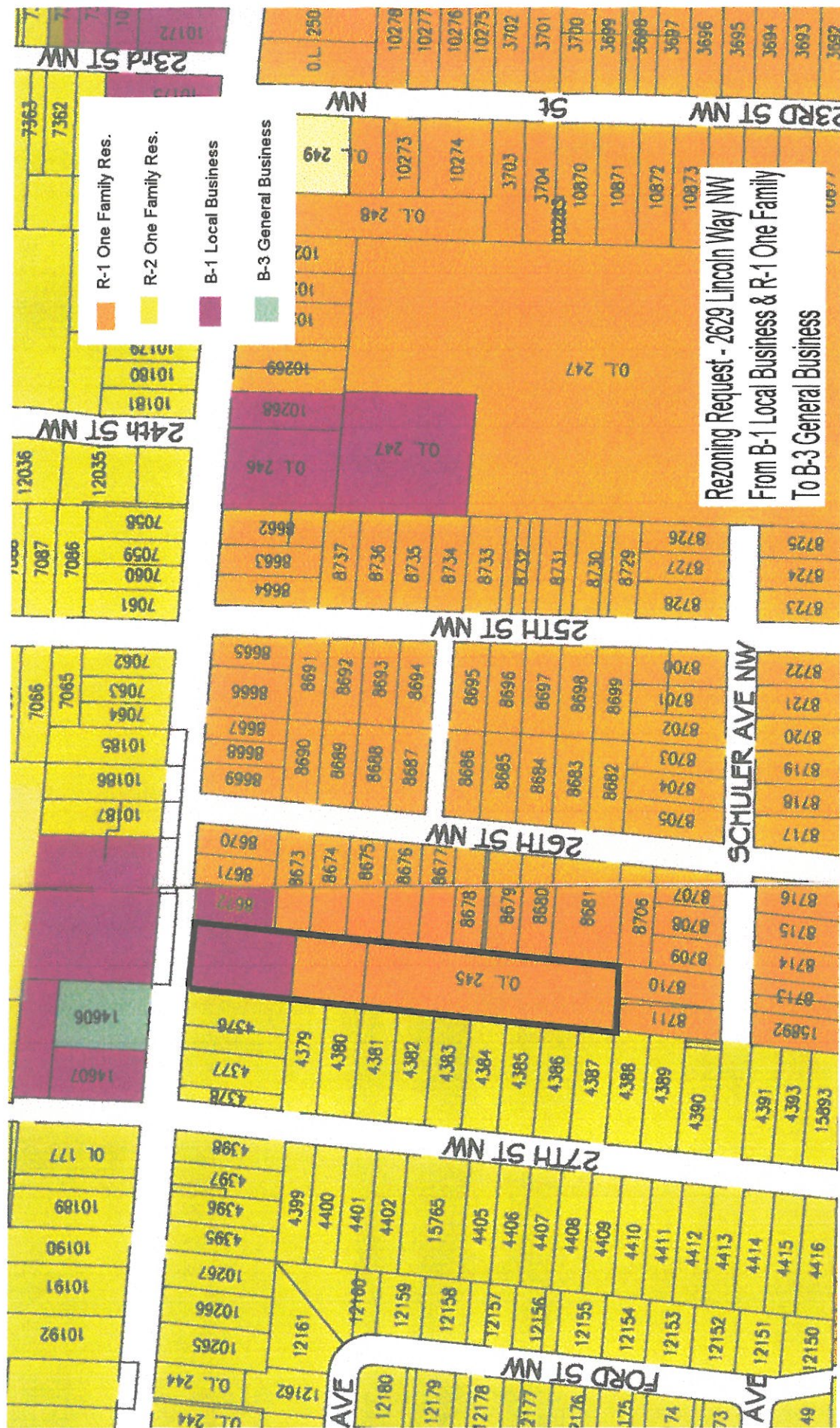
Our name is Louie and Keti Gorgievski, we own and operate the above mentioned business. We would like to address the zoning of our lot 245 which is about 1.76 acres. The business is on the front part of the land, zoned B-1, about 172ft by 109ft, and the remaining lot is zoned R-1. Because of two different classifications on one lot, this is leaving us little choice on how to best use the remaining portion of the lot, which is presently vacant, and is also costing us time and money to maintain it to our standards. These unique conditions leave us with few options. Therefore, we would like to propose a family fun center on the portion of the lot that is zoned R-1, that can be used by the entire family. We feel this facility would be an asset to the West Side, the citizens of Massillon, and surrounding communities. Currently we are open from around March to September. Currently the City of Massillon does not have a facility such as this, that can be used by the young and old. This family fun center will include parking for the proposed center and additional parking for the existing growing business. A park area that includes picnic tables and a play area for children. The remainder of the lot will include a 19-hole miniature golf course and several batting cages. A clubhouse will hold a children's party center and contain the equipment for the miniature golf course and batting cages. We have included the a conceptual site plan for additional details. If you should have any questions please feel free to contact us at the numbers listed above.

Sincerely,

Louie Gorgievski

KETI GORGIEVSKI

Louie and Keti Gorgievski



KENYON CREEK ESTATES - PHASE II

FINAL PLAT
15.9654 ACRES

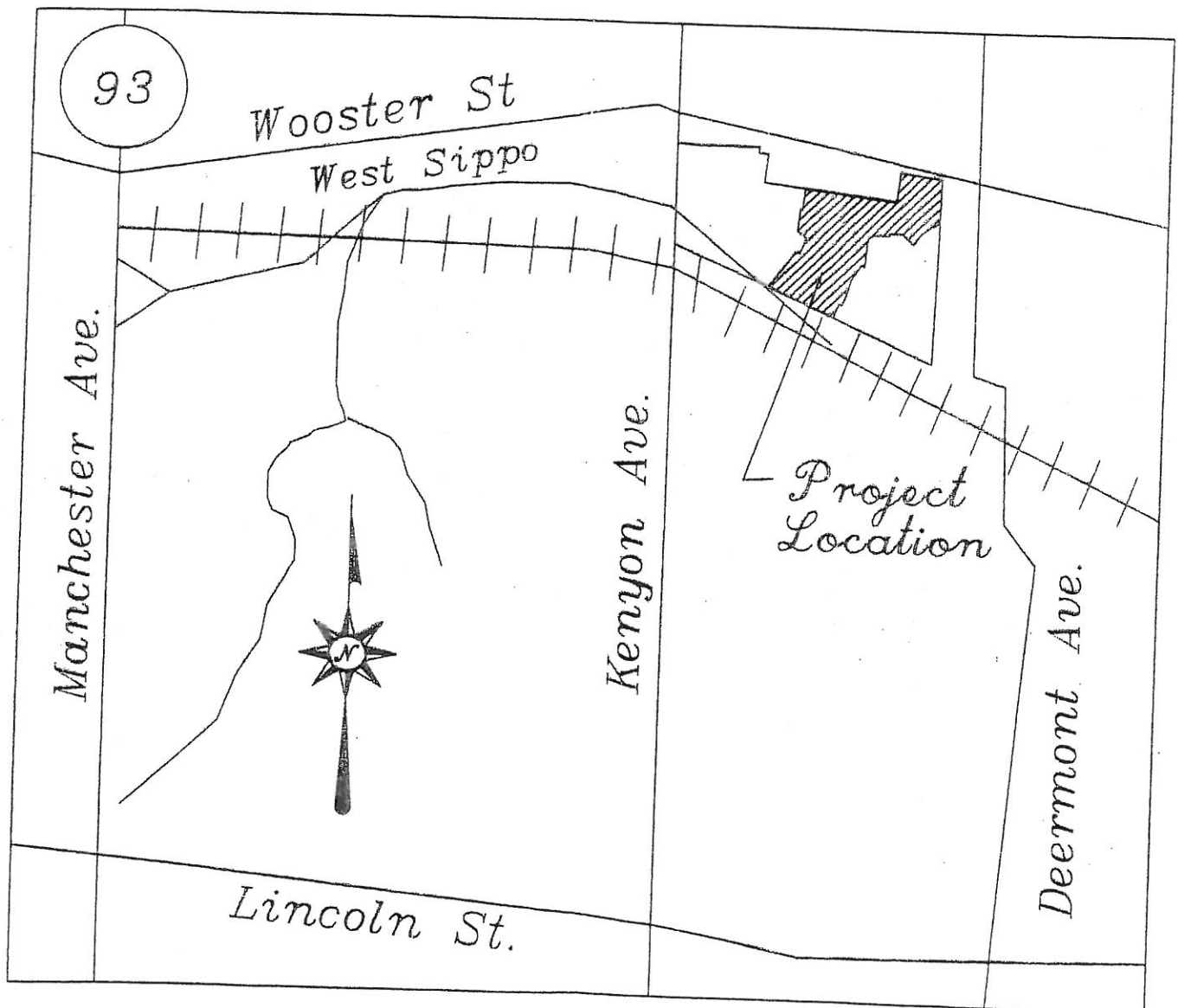
PART OF THE SW 1/4 SECTION 2
TOWNSHIP 12, RANGE 10
FORMERLY TUSCARAWAS TWP.,
BEING PART OF OUTLOT 872 OF
CITY OF MASSILLON

OWNER/ DEVELOPER

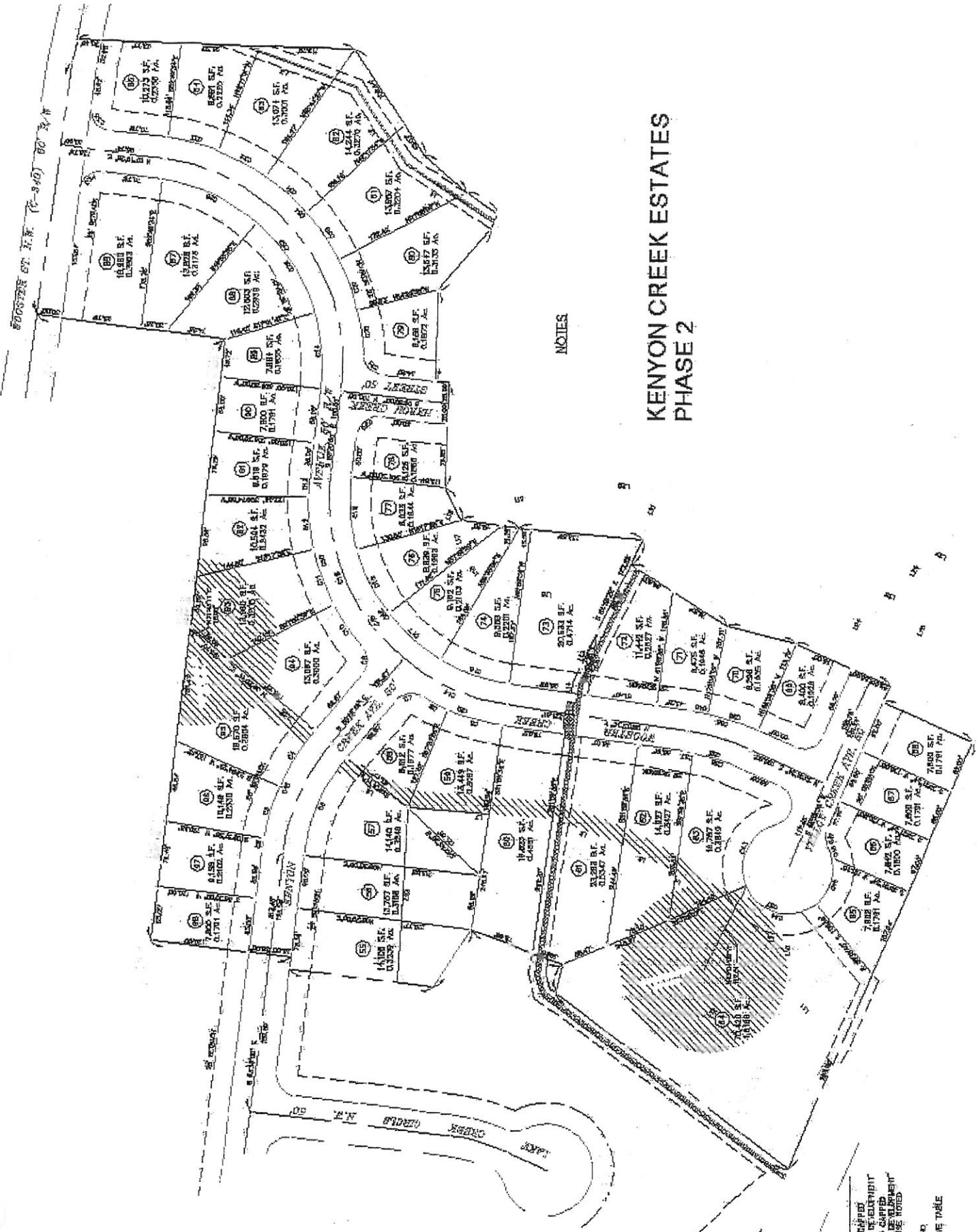
A.R. LOCKHART DEVELOPMENT CO.
800 WEST WATERLOO ROAD
AKRON, OHIO 44319
PH: (330) 745-6520
FAX (330) 745-0716

ACREAGE IN LOTS (44):	13.1675 AC.
ACREAGE IN R/W:	2.7979 AC.
TOTAL ACREAGE:	15.9654 AC.

OCTOBER 2003



LOCATION MAP

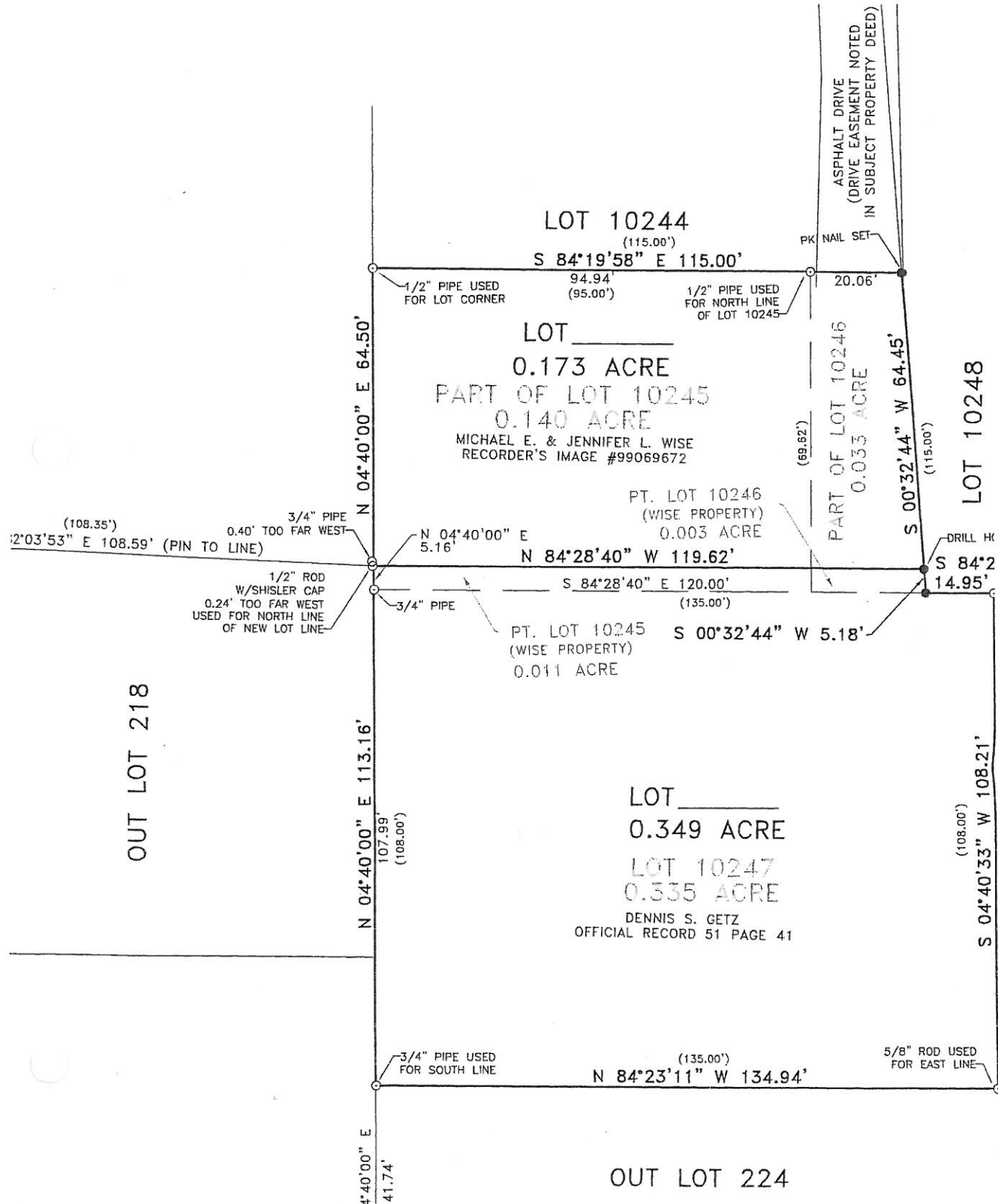


NOTES

KENYON CREEK ESTATES PHASE 2

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REPLAT OF LOTS 10245, 10256, 10247



Lot 12147

(Autumn Ridge Estates Phase I, P.B. 65, Pg. 70)

Lot 15752

Lot 15753

Lot 15754

JAMES D. & MONICA L. WEBER
O.R.I. 199900000063498

Lot 13444

BISHOP OF DIOCESE OF YOUNGSTOWN
O.R.I. 200307160068130

(PT. OF O.L. 500)
(0.633 ACRE)

GORDON AVENUE
N.W. 50'

NOTE: RECORD PLAT SHOWS LOT DIMENSION OF 83.11'.
DIMENSION IS 85.98' AS PER SURVEY AND RON HINTON.
SURVEYOR OF RECORD FOR AUTUMN RIDGE ESTATES PHASE I

LOT / OUT LOT

2.452 ACRES TOTAL

PART OF OUT LOT 500
(1.256 ACRES)

Lot 15755
(0.533 ACRE)

Lot 15756
JOHN & SUE BLACKSTONE
O.R.I. 199900000046576

Lot 15757
JAY & ANNE BOODHESHWAR
O.R.I. 200100000001014

O.L. 501
HELEN B. TRUESDALE
O.R.I. 200100000000802

O.L. 502
OHIO WATER DEVELOPMENT AUTHORITY
(O.R. 96, Pg. 191)

FIRE BRUSH
DRIVE 50'

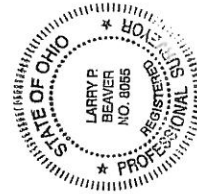


LEGEND

- - INDICATES IRON MARKER FOUND AND USED AS NOTED
- o - INDICATES 5/8" REBAR SET W/ YELLOW CAP STAMPED "CONSTITUTION LAND SURVEY"

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS: S 85° 42' 37" E,
AS THE NORTH LINE OF AUTUMN RIDGE ESTATES PHASE I,
P.B. 65, PG. 70 OF THE STARK COUNTY RECORDERS OFFICE.



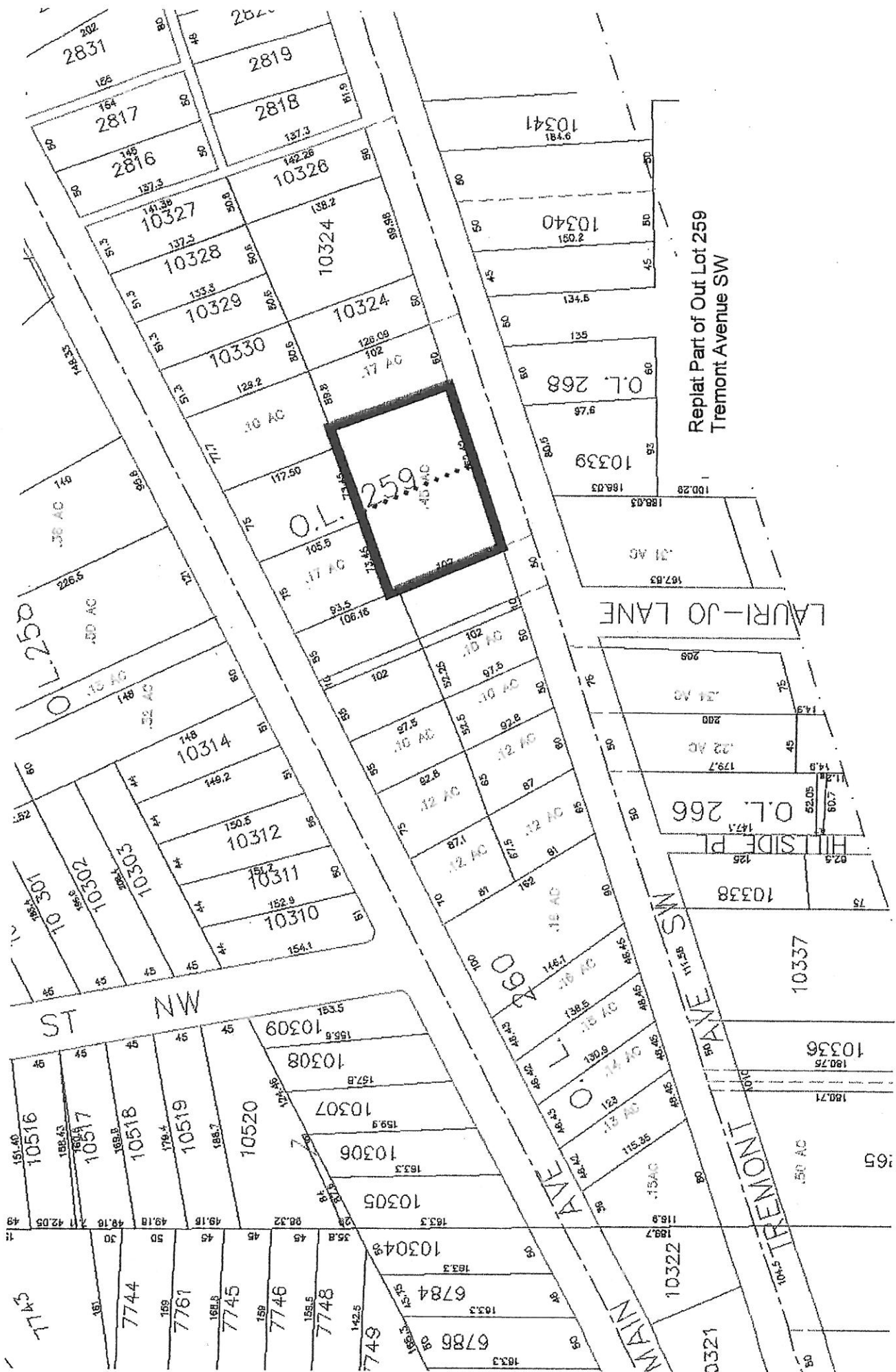
I HEREBY CERTIFY THE FOREGOING BOUNDARY SURVEY WAS
PREPARED FROM ACTUAL FIELD MEASUREMENTS IN ACCORDANCE
WITH CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE

Larry P. Beaver
LARRY P. BEAVER, P.S. 8055

10-15-03

DATE

REPLAT OF LOT NO. 15755 and PART OF OUT LOT 500



PETITION TO VACATE A PORTION OF 11TH STREET NE

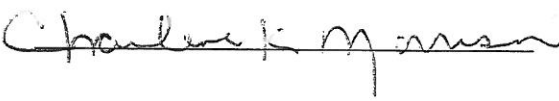
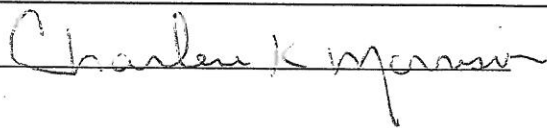
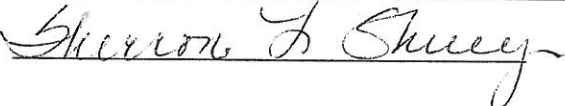
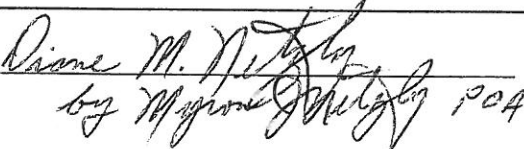
Date: August 26, 2003

Honorable City Council, Massillon, Ohio

Gentlepersons:

We, the undersigned, owners of those lots abutting a portion of 11th Street NE, lying between and Amherst Road NE and Bradford Road NE, and running in a north/south direction between Beverly Road NE and Burd Avenue NE, do hereby petition your honorable body to vacate that portion from Beverly Road NE northerly to OL 391.

A fee of \$75.00, payable upon the 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)
Charlene K. Morrison 1100 Lennox Circle NE Massillon, OH 44646		06-05011 OL 391, 1.53A
Charlene K. Morrison 1100 Lennox Avenue NE Massillon, OH 44646		06-05012 Lot 11134
Sherron L. Shuey 1840 - 11 th Street NE Massillon, OH 44646		06-10637 Lot 10629, 10630, 10631
Diane M. Netzly 1026 BEVERLY RD. NE. 4550 Hills & Dales Road NW Canton, OH 44708 MASSILLON, OH 44646		06-02919 Lot 10632-WH 10633-E½

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

Oct 10, 03
Date

Charlene K. Morrison
Applicant

Subscribed and sworn to before me this 8th day of Oct A.D., 2003.

My commission expires 20



Teresa L. Foltz
Notary Public

PETITION TO VACATE PUBLIC ALLEY

Date: September 10, 2003

Honorable City Council, Massillon, Ohio

Gentlepersons:

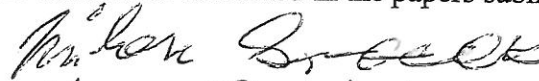
We, the undersigned, owners of those lots abutting a public alley lying between First Street SE and Second Street SE and running in a north/south direction between Dwight Avenue SE and Ideal Court SE, do hereby petition your honorable body to vacate that portion beginning at the northeast corner of Lot No. 2376 southerly approximately 150' to Ideal Court SE.

A fee of \$75.00, payable upon the 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)
Milan Gracak 117 Dwight Avenue SE Massillon, OH 44646		06-07461 Lot 2376
Thomas Reedy 123 Dwight Avenue SE Massillon, OH 44646		06-01081 Lot 2378

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

10/13/03
Date



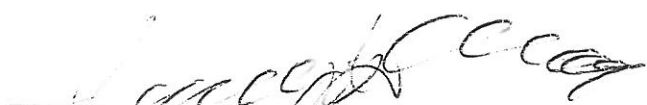
Applicant

Subscribed and sworn to before me this 13 day of October A.D., 2003.

My commission expires _____, 20____.



JAMES B. SWARTZ, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date
Section 147.03 R.C.


Notary Public

100

51.33

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Centennial Village - Vacation & Re-Dedication of Public Drainage / Sanitary Sewer Easement

