

MASSILLON PLANNING COMMISSION
JULY 13, 2005 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

- ## Rezoning Request – Cherry Road NW

Proposed Use: Construct 15 4-unit condominium buildings and 4 16-unit apartment buildings on this property.

Applicant: Adam Klinger

Applicant: Velma Owens / Robert Ralston

Final Plat – Sippo Reserves Allotment Phase 1

Location and Description: Out Lot 783, located on the East side of Manchester Road NW, north of Woodstone Ave. The request is to plat 22 lots for and 2 new streets for Phase 1 of the development. The plat also contains the necessary utility and wetland easements. The property is zoned R-1 Single Family Residential.

Applicant: David Hayes/Crockett Homes

3. Other Business

The Massillon Planning Commission met in regular session on June 8, 2005, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

Members

Vice Chairman James Johnson
Sheila Lloyd
Susan Gordon
Todd Locke
Joseph Luckring

Staff

Aane Aaby
Marilyn Frazier
Steve Hamit
Jason Haines

The first item of business was the minutes for the Commission meeting of May 11, 2005. Mr. Locke moved for approval, seconded by Ms. Gordon, motion unanimously carried.

The next item under petitions and requests was a rezoning request presented by Mr. Aaby.

Rezoning Request – 1219 Ninth Street SW

Property Description: Two parcels: 1) Part of Out Lot 288, a 2.00 acre vacant parcel of land located on the west side of Ninth Street SW, north of Finefrock Boulevard SW; and 2) Part of Out Lot 288, a 0.77 acre parcel of land located at 1219 Ninth Street SW

Zone change from: R-1 Single Family Residential

Zone change to: R-T Two Family Residential

Applicant: Kevin Deckerd

Proposed use: Utilize existing residential building as a two-family dwelling.

Note: This item was tabled at the May 11 Commission meeting. The applicant has since decided to modify his rezoning from RM-1 Multiple Family Residential to R-T Two Family Residential.

This item was tabled last month. The owner wishes to sell the property, therefore, the zoning should be consistent with the use. The area is comprised of single and multiple family uses and also some business use. At last month's meeting, there was a discussion about plans for the property. The only known plan is the owner's desire to sell. Mr. Aaby further added that he had spoken with Attorney Scott Sandrock, who represents Mr. Deckerd. The request has been modified to R-T Two Family instead of RM-1 Multiple Family. The purpose of the rezoning is to eliminate potential problems obtaining bank financing. At present, there is no prospective buyer. The property owner is making the request. Attorney Sandrock commented that after discussions with the City, they modified the request. He also said he hadn't received any opposition from the neighbors. After a brief discussion, Mr. Locke moved to recommend approval, seconded by Ms. Gordon, motion unanimously carried.

The next item was also a rezoning request presented by Mr. Aaby.

Rezoning Request – 1329 Kracker Street NW

Property description: Part of Lot No. 2534 and all of Lot No. 11624, located on the west side of Kracker Street NW, north of Lake Avenue NW

Zone change from: R-1 Single Family Residential

Zone change to: RM-1 Multiple Family Residential

Applicant: Eleanora Alexander

Proposed use: Utilize existing residential building as a multiple family dwelling

This property is in the area of Lake, First Street NW, and State Route 21. The house on the property is being used as a triplex. There is a mixture of owner occupied and rental properties in the area. The lot doesn't meet multiple family requirements, but the owner wishes to rezone the property in order to conform with the present use. Mr. Aaby also explained that he has been informed that the structure is in violation of Massillon's Minimum Housing Code. According to the zoning code, the property can continue to be used as it is presently, therefore, the rezoning isn't necessary. The owner, Mrs. Alexander, was present and spoke about repairs she had made to the property over the years. It appeared she requested the rezoning because of difficulty obtaining insurance.

There were several neighbors present who objected to the proposed rezoning. Those present and their objections were:

Pam Hess – 1337 Kracker NW, stated there is no parking.

Ruby August – 1326 Kracker NW, commented that parking is a problem.

Annette Hedrick – 1321 Kracker NW, said the situation is bad.

After a brief discussion, Mr. Locke moved to deny the request, seconded by Ms. Gordon, motion unanimously carried.

The next item was a vacation plat presented by Mr. Haines.

Vacation Plat – Harold Avenue SE

Location and Description: A portion of Harold Avenue SE, a 50 foot right-of-way; located on the west side of Virginia Street SE, north of Harsh Avenue. The request is to vacate a portion of the roadway beginning at the west line of Virginia Street, westerly approximately 120 feet.

Applicant: Ray Wood

This is an unimproved, never used alley. The petition has signatures of all abutting property owners. Mr. Wood was present and commented he'd like to build a house on this property. Mr. Haines explained to him that upon completion of the vacation, the property would be divided among abutting property owners, therefore, he wouldn't automatically receive all of the property. Mr. Locke moved for approval, seconded by Ms. Gordon, motion unanimously carried.

The next item was a vacation plat presented by Mr. Haines.

Vacation Plat – First Street SW

Location and description: A portion of First Street SW, a 66 foot right-of-way; located south of Lincoln Way West, and north of Tremont SW. The request is to vacate a 6 foot strip off the western side of the right-of-way; beginning at the south line of Lincoln Way West and continuing south approximately 133 feet.

Applicant: Mocho Properties Ltd./Chuck Thompson

This property is in front of Kozmos Restaurant. A few months ago an easement was granted by the City to allow the restaurant to construct a handicapped ramp. They are now wishing to construct a small outdoor eating space. Law Director Perry Stergios thought the best way to handle the situation would be through this street vacation. City Engineer Steve Hamit added the vacation wouldn't affect traffic flow or the utility services and the City wouldn't have to maintain it. Mr. Thompson was present and commented that they wished to have an eating area outside of the restaurant. Ms. Gordon moved for approval, seconded by Mr. Locke, motion unanimously carried.

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

Re-plat – 14th Street SE

Location and description: Lot 2263; located on the west side of 14th Street SE, south of Walnut Road. The request is to re-plat the existing lot into 2 new lots, with one having frontage on 14th Street SE, and the other having frontage on 13th Street SE. The new lots would be approximately 66 feet wide by 151 feet deep. As a condition of this plat approval, the owner will be required to improve 14th Street to his south property line, in order to access this new lot. The property is zoned R-1 Single Family Residential.

Applicant: Jerry Mitchell

Mr. Mitchell wishes to retain the existing house and build another house. Therefore, the lot must be re-platted into 2 separate lots. A discussion about accessibility and the possibility of extending the street ensued. Mr. Luckring moved for approval, seconded by Ms. Lloyd, motion unanimously carried.

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

Re-plat – Scott Place NW

Location and description: Lots 10248, 10249, 16813, 16814, Out Lot 224, parts of Out Lots 220, 223, and 225; located on the west side of Scott Place NW, south of Lincoln Way. The request is to re-plat the existing parcels into 4 new lots, with frontage on Scott Place NW and 29th Street NW. The property is zoned R-4 Single Family Residential.

Applicant: Getz / Wise / Scheetz / Hendershot

This procedure will eliminate a potential land locked situation. Christina Getz was present. Mr. Luckring moved for approval, seconded by Ms. Gordon, motion unanimously carried.

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

Re-plat – Walnut Road SE

Location and description: Lots 9454, 9455, and Part of Out Lot 863; located on the north side of Walnut Road SE, west of Johnson Street SE. The request is to divide an 11 foot wide strip of land between the neighboring properties and re-plat the parcels into 2 new lots, with frontage on Walnut Road SE. The property is zoned R-1 Single Family Residential.

Applicant: Brentom, LTD / Martin Olson

This is part of a large parcel near the vicinity of Stark County Community Action's new Head Start building and the Morning Star United Holy Church. The owner will be selling this property to the adjoining property owners. Attorney Martin Olson was present and commented that the owner is giving the land to the abutting property owners, not selling it. Ms. Gordon moved for approval, seconded by Mr. Luckring, motion unanimously carried.

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

Re-plat – Vermont Avenue SE

Location and description: Lots 6264 and 6265; located on the south side of Vermont Avenue SE, east of 16th Street SE. The request is to combine these two parcels together to create a lot approximately 80' wide by 115' deep. The property is zoned R-1 Single Family Residential.

Applicant: Kathryn Russ / Pat Sword

The purpose is to build a house. Pat Sword was present and commented that they want a larger lot. Mr. Locke moved for approval, seconded by Ms. Gordon, motion unanimously carried.

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

Re-plat – Lillian Gish Boulevard SW

Location and Description: Out Lot 700; a 6.68 acre parcel located on the east side of Lillian Gish Blvd., south of Lincoln Way West. The request is to split this parcel into two lots of 4.39 acres and 2.29 acres. This property is the Lincoln Citicenter Plaza and is zoned B-2 Central Business.

Applicant: R. L. DeVille Enterprises / Robert Brown

The purpose of this request is to split the large office building from the retail portion. Robert Hoover was present representing the owner. He commented that everything will remain the same. They feel it is best that the office building and retail use be separate. Ms. Gordon moved for approval, seconded by Mr. Luckring, motion unanimously carried.

The next item was a re-plat and easement plat presented by Mr. Haines.

Re-plat and Easement Plat – Woodstone Avenue NW

Location and description: Lots 16683, 16684, 16685, and Parts of Out Lots 636 and 934; located on the north side of Woodstone Avenue NW, east of Manchester Road. The request is to create 3 new building lots and one remainder tract from the existing parcels. This plat is in preparation for the proposed Sippo Reserves Allotment and includes necessary storm and utility easements. The property is zoned R-2 Single Family Residential.

Applicant: Crockett Homes / David Hayes

This property is in the Woodstone Estates. Bob Allison, the surveyor, was present. Ms. Gordon moved for approval, seconded by Ms. Lloyd, motion unanimously carried.

The next item presented by Mr. Haines was a re-plat and dedication.

Re-plat and Dedication Plat – Southway Street SE

Location and Description: Out Lots 786 and 787, located on the south side of Southway Street, north of Richville Drive. The request is to dedicate a new 60 foot wide right-of-way for Southway Street and additional right-of-way on the north side of Richville Drive. This is in preparation for the re-alignment project for the Southway / Richville Drive intersection. The property is zoned A-1 Agricultural.

Applicant: City of Massillon

Mr. Locke moved for approval, seconded by Ms. Gordon, motion unanimously carried.

The next item was a discussion regarding changes to the zoning code by Mr. Locke.

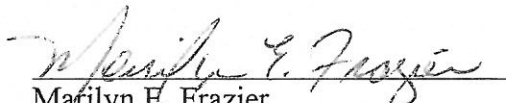
Proposed Additions to Massillon Zoning Code

Request of Commission Member Todd Locke to discuss possible amendments to the zoning code and rezoning application process.

After a brief discussion, it was decided by consensus of those present that the staff draft a recommendation based on Mr. Locke's suggestions, and bring it to the Commission's next meeting for further discussion and action.

There being no further business before the Commission, the meeting adjourned at 8:50 P.M.

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

Approval:

MEF/ky

The Massillon Planning Commission met in special session on June 22, 2005, at 4:30 P.M. in the office of the Mayor, City of Massillon. The following were present:

Members

Chairman Rev. David Dodson
Mayor Francis H. Cicchinelli, Jr.
Safety Service Director Michael Loudiana
Susan Gordon
Vincent Pedro

Staff

Aane Aaby
Marilyn Frazier
Jason Haines

The only item before the Commission was a final plat presented by Mr. Haines.

Final plat – Ballinger Estates

Location and Description: Lots 11795 through 11803, 12410-12411, 11418, and part of Out Lots 298 and 302, located west of 16th Street SE, north of Forest Avenue SE. The request is to re-plat the existing properties into 32 new residential lots, including the additional right-of-way for 15th Street SE, 16th Street SE, and Marion Avenue SE.

This property was previously reviewed in November 2004 as Stephenson Allotment. The property is Zoned R-1 Single Family and R-T Two-Family Residential.

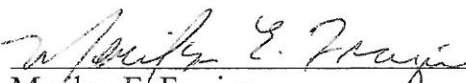
Applicant: Massillon Homes, LLC

This property which is located on the southeast side of the city, lies between 14th and 16th, south of Arapahoe and north of Forest. Most of the 32 lots are standard size, except for several on Woodland which required a variance. The development contains 18 other lots scattered throughout the area. Bryan Ashman was present representing Massillon Homes, LLC. He commented that Jason Haines and City Engineer Steve Hamit had reviewed the plans and didn't have a problem with them. The development will include sidewalks, curbs, and gutters.

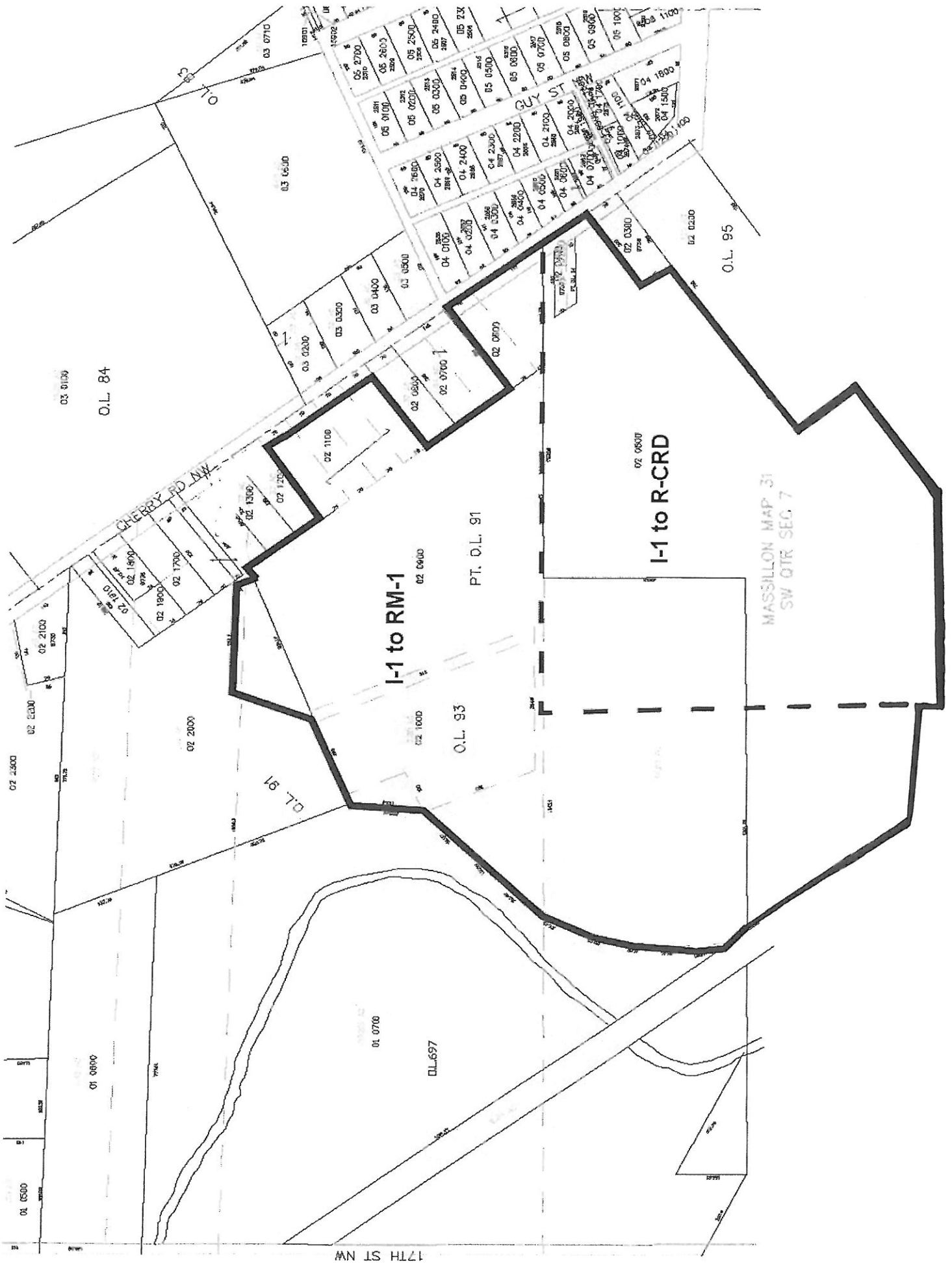
Mayor Cicchinelli asked about street lights. Mr. Ashman asked if street lights were required. Mayor Cicchinelli said "yes." Mr. Ashman said he would notify the developer of that. Mayor Cicchinelli told him the developer should contact Ohio Edison regarding the specifics about street lighting. After a brief discussion, Mayor Cicchinelli moved for approval, seconded by Mr. Pedro, motion unanimously carried.

There being no further business before the Commission, the meeting adjourned at 4:45 P.M.

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

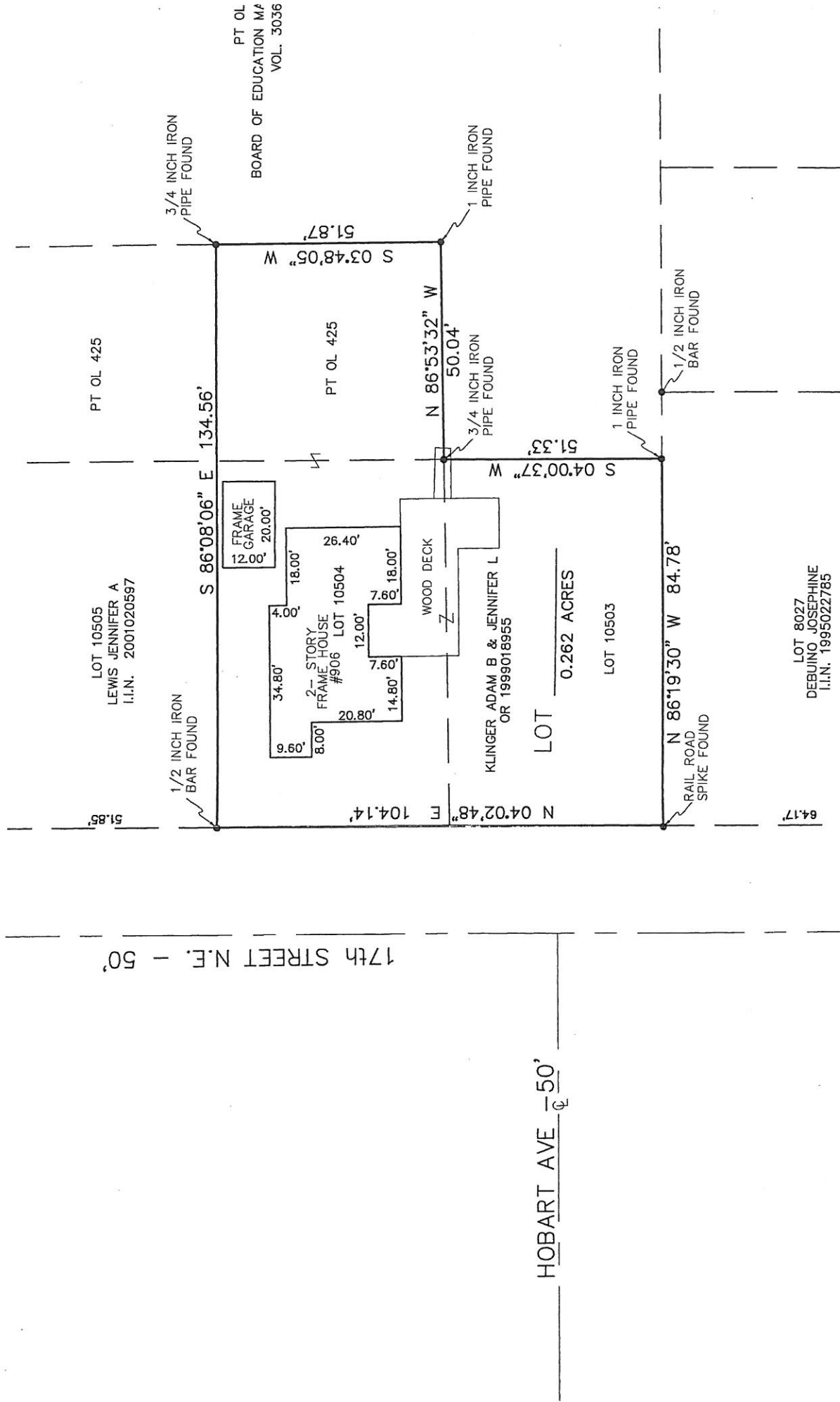
Approval:



Replat – 906 17th Street NE

Location and Description: Lots 10503, 10504, and part of Out Lot 425, located on the East side of 17th Street NE, South of Hankins Road. The request is to combine the three existing parcels into one new lot. The property is zoned R-1 Single Family Residential.

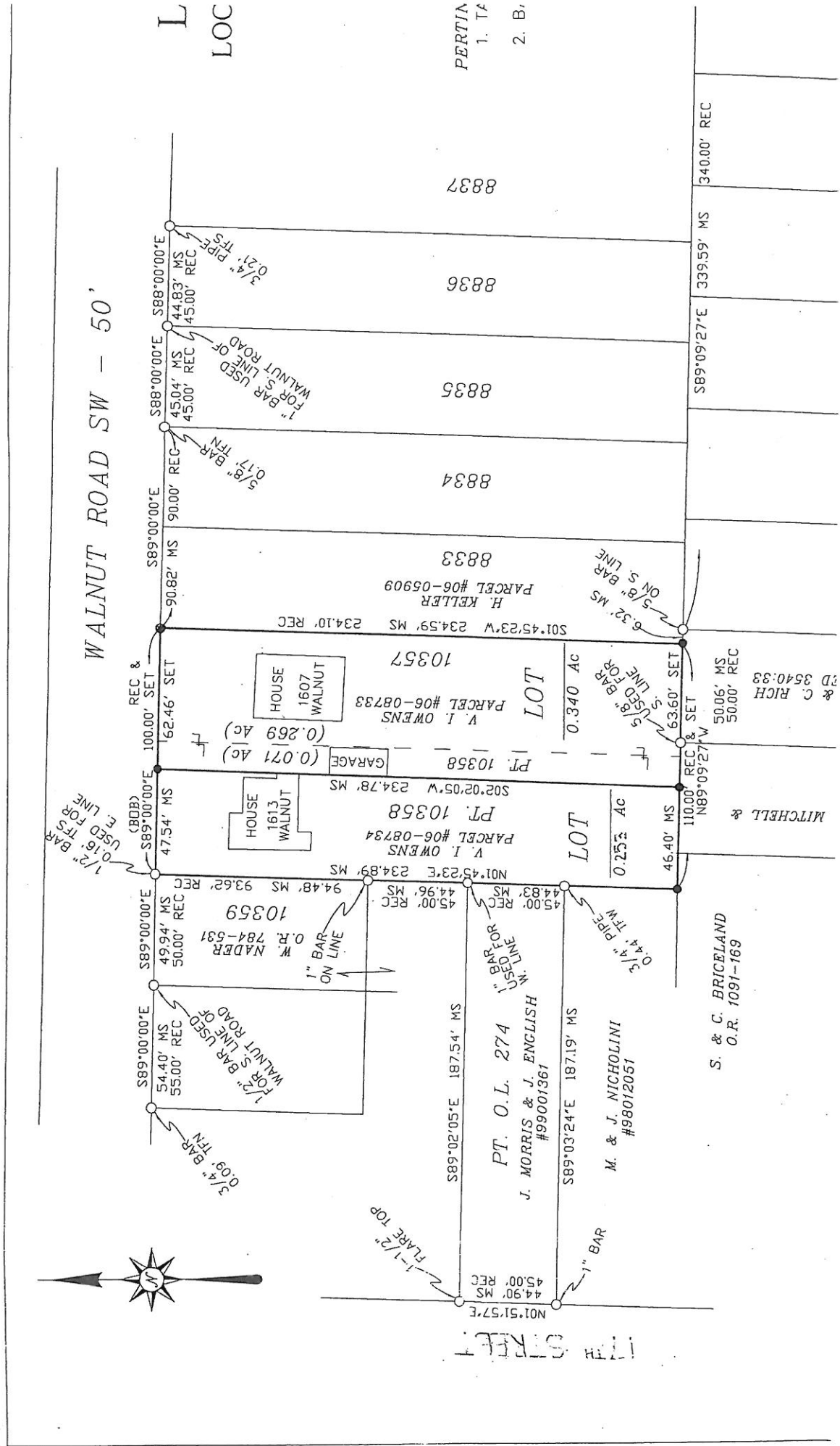
Applicant: Adam Klinger



Replat - 1607 Walnut Road SW

Location and Description: Lots 10357 and 10358, located on the South side of Walnut Road SW, East of 17th Street. The request is to replat a 13' strip of land from Lot 10358 to Lot 10357 in order to retain an existing garage. The property is zoned R-1 Single Family Residential.

Applicant: Velma Owens / Robert Ralston



Final Plat – Sippo Reserves Allotment Phase 1

Location and Description: Out Lot 783, located on the East side of Manchester Road NW, north of Woodstone Ave. The request is to plat 22 lots for and 2 new streets for Phase 1 of the development. The plat also contains the necessary utility and wetland easements. The property is zoned R-1 Single

Family Residential.

Applicant: David Hayes/Crockett Homes



MANCHESTER AVENUE N.W. 60'

STATE ROUTE 93

0.564 ACRES IN RIGHT-OF-WAY
STATE OF OHIO
DEED VOL. 1103, PAGE 444
EASEMENT FOR HIGHWAY

S.W. CORNER
OUT LOT 783

0' REC. & MEAS.

N 87°37'50" W
30.00'

OUT LOT AND CORPORATION LINE

OUT LOT 783
(PLAT BOOK 65, PAGE 26)
RICHARD G. ROHRER
I. R. 200504040020551
35.845 ACRES

SAMUEL E. CAMPBELL, TRUSTEE
I.R. 200202270016214
8.298 ACRES

N.W. QUARTER SECTION 10
TUSCARAWAS TOWNSHIP

