AGENDA

MASSILLON PLANNING COMMISSION APRIL 12, 2006 7:30 P.M. MASSILLON CITY COUNCIL CHAMBERS

- 1. Approval of the Minutes for the Commission Meeting of March 8, 2006.
- 2. Petitions and Requests

Rezoning Request - 521 Elizabeth Avenue SE

Property Description: The eastern portion (54.3 feet) of Lots No. 17096 and 17097, located on the northwest corner of Elizabeth Avenue SE and Harsh Avenue SE.

Zone Change From: Perry Township Zoning

Zone Change To: R-1 Single Family Residential

Applicant: City of Massillon / Dale Alpeter (Property Owner)

Proposed Use: This property has recently been annexed to the City from Perry

Township and must be given a City zoning district classification.

Final Plat - Cherry Springs Phase 2

Description: Parts of Out Lots 91, 93, and 94, located on the south side of Cherry Road NW, east of 17th Street NW. The proposal would create 1 new lot and 2 new Out Lots with frontage on Cherry Road and includes the dedication of a portion of the existing street. The property is zoned R-1 single family residential, RM-1 multi-family and R-CRD condominium. Total acreage is 36.32 acres.

Applicant: Marion, Francis, Thomas Co.

Replat and Easement Plat- Cherry Road NW

Description: Out Lot 1012, located on the south side of Cherry Road NW, east of Route 21. The proposal would create 4 new Out lots with frontage on Cherry Road and Tommy Henrich Blvd. and includes the dedication of several utility easements. This split will require a driveway easement to be granted from the City of Massillon. The property is zoned B-3 General Business.

Applicant: Ragains Enterprises

Replat - Tremont Avenue SE

Description: Part of Out Lot 62, located on the north side of Tremont Avenue SE, east of 3rd Street SE. The proposal would create 4 new lots with frontage on Tremont Ave. SE. The property is zoned R-1 Single Family.

Variance Request:

The owner is requesting a variance of Section 1177.01:

minimum lot frontage for R-1 zoning

Applicant: Andrew Myers / Barry Henning

Vacation / Dedication Plat-Wright State Drive SE

Description: Lots 16028 and 16029, located on the south end of Wright State Drive SE. The proposal is to vacate the existing temporary turn-around easement and dedicate a new temporary turn-around easement only on the east side of the street. This is a revision to the original University Village Phase 3 plat, and therefore requires a separate approval. The property is zoned R-T Two Family Residential.

Applicant: PRMDC / Fred Tobin

Sanitary Easement Plat - Pebble Chase Condominiums

Property Description: Out Lots 855 and 933, located on the east side of Wales Road NE, north of Hankins Road. The proposal is to dedicate a 20 and 50 -foot wide sanitary sewer easement to serve the Pebble Chase Development. The parcels are zoned R-CRD Condominium.

Applicant: WD Development / Mark Smith

Replat - 13th Street SW

Property Description: Lots 2468, 2469, and 2470, located on the West side of 13th Street SW, south of Main Avenue. The proposal is create 2 new lots, one with the existing house and garage and the other with a pool and 40x60 storage building. The parcels are zoned R-1 single family. This situation will also require approval of the building department.

Applicant: Jason and Julie Saal

The Massillon Planning Commission met in regular session on March 8, 2006, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

<u>Members</u> <u>Staff</u>

Chairman Rev. David Dodson Vice Chairman James Johnson Mayor Francis H. Cicchinelli, Jr. David Hersher Joseph Luckring Aane Aaby Marilyn Frazier Jason Haines

The first item of business on the agenda was the minutes of the Commission meeting of February 8, 2006. Mr. Johnson moved for approval, seconded by Mr. Luckring, motion carried unanimously.

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

Final Plat - Cherry Springs Phase I

Description: Part of Out Lot 91, located on the south side of Cherry Road NW, east of 17th Street NW. The proposal would create 5 new lots fronting on Cherry Road and includes the dedication of a portion of the existing street. The property is zoned R-1 single family residential. *Applicant:* Marion, Francis, Thomas Co.

This property was recently rezoned. The southern portion will be developed as a condominiums and multiple family. This phase will be developed as single family housing. Ben Grisez was present and commented that this represents the final concept resulting from the zone change. Mayor Cicchinelli asked about the selling price of the homes. Mr. Grisez responded \$150,000 to \$160,000. However, he intends to sell the lots with the option (not requirement) that he could build the homes. Mayor Cicchinelli moved for approval, seconded by Mr. Johnson, motion unanimously carried.

The next item was a sanitary easement plat presented by Mr. Haines.

Sanitary Easement Plat - Cherry Springs Offsite Sewer

Property description: Out Lots 100 and 102, located on the south side of Cherry Road NW, east of 17th Street NW. The proposal is to dedicate a 30-foot wide sanitary sewer easement to serve the Cherry Springs Developments. This easement would be on property owned by the City of Massillon and would allow the new development to tie into the existing trunk sewer. The parcels are zoned I-1 Industrial.

Applicant: Marion, Francis, Thomas Co.

Mr. Grisez added that the easement is needed for development. Mr. Haines asked about sewer for the condominium site. Mr. Kendall, a representative of the applicants, responded that a plat would be submitted next month. After a brief discussion, Mr. Johnson moved for approval, seconded by Mr. Hersher, motion unanimously carried.

The next item was a replat/lot split presented by Mr. Haines.

Replat/Lot Split -Gail Avenue NE

Description: Lot 13569, located on the north side of Gail Avenue NE, east of Keuper Blvd. The proposal is to split the lot into two parcels. This split would also split the existing duplex in two. The property is zoned RM-1 Multiple-Family.

This would require variances to the following items:

Section 1177.01 (e); open space and minimum distance between buildings RM-1

Applicant: Mark Percival for Pocock/Ahlstrom

The duplex on this lot is owned by two people who wish to make the ownership separate for each half of the building and land. The variances are necessary since open space and minimum distance between building requirements can't be adhered to in this situation.

Attorney Mark Percival was present and stated the Ahlstroms and Donald Pocock have been lifelong friends who decided on this living arrangement. However, since the parties are getting older, one owner may wish to sell their/his home. Mayor Cicchinelli asked if a similar request had ever been submitted. Mr. Aaby commented that when the City was approached last year, he told the owners he didn't feel this could be done. However, they later met with the Law Director who said it was up to the Planning Commission. Mr. Haines added he is concerned about the sewer. Mayor Cicchinelli then added that the situation is different and unusual, but since the Law Director implied the Planning Commission can make a decision he felt the body should try to accommodate citizens.

Rev. Dodson asked Mr. Haines to elaborate on his concerns regarding the sewer. Mr. Haines replied if the sewer breaks, the owner is responsible, which could become problematic in a case such as this. Attorney Percival commented a sewer easement would be prepared. After a brief discussion, Mr. Johnson moved for approval, seconded by Mayor Cicchinelli, motion carried unanimously.

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

Vacation/Dedication Plat-Wright State Drive SE

Description: Lots 16028 and 16029, located on the south end of Wright State Drive SE. The proposal is to vacate the existing temporary turn-around easement and dedicate a new temporary turn-around easement only on the east side of the street. This is a revision to the original University Village Phase 3 plat, and therefore requires a separate approval. The property is zoned R-T Two Family Residential.

A condominium has been constructed which infringes on the area designated for a temporary turn-around but hasn't been built. The Fire Department has expressed concern about the lack of space required for the turn-around which is 70 feet instead of the previously required 90 feet. This proposal would allow for a compromise turn-around to be constructed. Russ Doyle of Cooper and Associates was present representing the developer, Day Star Homes. He commented that Mr. Haines had explained the situation adequately. He added that a compromise is needed.

Kevin McDonald of 2460 Wright State Drive SE, was present and expressed concern about the smaller turn-around and the construction of an additional building on the site of the intended turn-around. He was concerned about the association's loss of common land. He added this situation has been difficult for him.

Mayor Cicchinelli asked him if the developer and condominium association members had met to discuss the requirement of having a turn-around. Mr. McDonald responded that the developer doesn't talk to the members. Mayor Cicchinelli commented that a turn-around is required for emergency vehicles. He added that if there is a conflict between residents and a developer, a compromise will have to be reached. Mayor Cicchinelli moved to table the request until the April 12 meeting of the Planning Commission, seconded by Mr. Luckring, motion unanimously carried. This would allow time for the Law Director, developer, and condominium members to meet. Mr. Haines asked who should attend the meeting, the developer of the street or the condominiums? He added that this situation will be difficult to resolve, and he wasn't sure the City should be in a position of trying to resolve it. Mayor Cicchinelli then commented that staff and/or administration should meet with the Law Director prior to the April 12, meeting. It was determined that the motion to table was appropriate regardless of the scope or parties involved in a meeting with the Law Director. Mr. Aaby added that the bond being held by the City can't be released until a temporary turn-around is constructed.

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

Rezoning Request – Lincoln Way East

Property Description: Lots No. 4332 – 4339, located on the south side of Lincoln Way East

between 22nd and 23rd Streets SE. The total site is approximately 1.81 acres in size.

Zone change from: RM-1 Multiple Family Residential

Zone change to: B-1 Local Business Applicant: Carl Oser

Proposed use: Demolish the existing dwellings on these properties and re-develop the site

commercially.

Mr. Aaby explained that the entire block is owned by Mr. Oser. There are residential structures on some of the lots which he, Mr. Aaby, assumes will be demolished for commercial development. The north side of Lincoln Way East, zoned B-3 General Business, is heavily developed as business, and has been for many years. The south side of Lincoln Way from 20th Street to 26th Street is zoned RM-1 Multiple Family Residential, with the property off Lincoln Way East being zoned Single Family Residential. Mr. Aaby then reviewed information from an internal correspondence he sent to the Planning Commission dated December 14, 1988, (memo attached and part of the minutes) regarding the south side of Lincoln Way East, Comprehensive Plan and Zoning Considerations. The memo referred to the City's Development Plan of 1970, which recommended that the south side of Lincoln Way East from Tremont Avenue to the east corporation limits be designated as a transitional land use zone:

From a planning perspective, the purpose of a transitional designation is to guide land use decisions for the following types of uses: institutional (Churches, clinics, convalescent homes), public and semi-public uses, offices, or multiple-family housing. This would imply encouraging either Multiple-Family Residential or Office Zoning on the basis of the merits of a particular proposal and its applicability to total block frontage.

The reason for the transitional designation was to protect the residential uses along Lincoln Way East. Over the years there have been a number of rezoning requests submitted because of the high traffic count in the area. (A list of the zone change requests is also attached and a part of these minutes).

Mr. Aaby added that the conditions cited in his 1988 memo are still relevant today, and it stated:

Elements that are considered in determining whether a present classification is unreasonable are as follows:

- 1. The use and zoning of near-by properties.
- 2. The character of the neighborhood
- 3. Its effect on property values.
- 4. The relative gain to the public as compared to the restrictions placed on the property owner.

Carl Oser, 8201 Kellydale NW, explained that some lots are vacant, and the houses on the other lots will be demolished. He further commented that much has changed in 35 years since the Master Plan was developed. He then referred to development on Wales Road NE. He added he is prepared to proceed by selling the land for owners to build or by building, financing is in place either way. He said no tax abatement is being requested and that time is very important. He added, Massillon needs the taxes from construction and business. He also said the tax base would increase considerably, and with land prices being high along Lincoln Way, you're not going to get any "rif-raf" business. He alluded that two proposed businesses are interested, one of which is a banking institution. He again commented that the structures on the site will be demolished soon, one in 30 days.

Phil Jones, 131 – 23rd Street SE, commented that he lives immediately adjacent to the site that Mr. Oser wishes to rezone. He stated "we have been fighting against rezoning requests for years. This request is the same as all others from Mr. Oser, with no plans, drawings, or names of who may be moving into the neighborhood. How are we to accept something that we don't know what will be put in?" He added that Mr. Oser continues to purchase nice homes, and tear them down even though the zoning change requests have been denied. "If he tears them down, what does that do for tax revenue for the City?" He also commented that even though York School is closed, the Board of Education's plan is to have an elementary school on the site of the former school, when funds become available. Rezoning the south side of Lincoln Way would create a danger to the students. He further commented that Mr. Oser owns vacant commercial property on the south side of Lincoln Way, specifically the shopping center at Lincoln Way and Wales which is 2/3 empty, and Frank's Restaurant, which is empty. He went on to say even though Mr. Oser owns a lot of property, he hasn't developed anything over the last 20 to 30 years. He then asked the Commission to decline the request in order to protect the property owners on the south side of Lincoln Way, East.

Rev. Dodson then reminded the speakers to be respectful of each other, regardless of one's position on the issue.

Troy Ensminger, 134 23rd Street SE, commented that he owns two properties in the area, and if a strip mall is built on Lincoln Way, his view from his living room would be the rear of the mall which would consist of dumpsters. He also would hate to see beautiful homes demolished. This would decrease the value of his home which has been in his family for three generations.

Charles Tribett, 2043 Lincoln Way East, said he has lived in his home for 40 years and would like the area to remain residential.

Scott Renzenbrink, 2027 Lincoln Way East, stated he agrees with what others have said, and added they have lived in their home for 15 years and invested a lot of money in it. He'd like the neighborhood to remain residential.

Father Bill Bantz, 2032 Vermont SE, asked the Commission not to approve the request for the sake of the neighborhood.

Shaun Riley, 129 22nd Street SE, commented he doesn't wish to look out of his front window at commercial buildings. He is opposed to the request.

Alan Climer, 2039 Lincoln Way East, commented that there have been many attempts by Mr. Oser to rezone the south side of Lincoln Way East. This will be the fifth time Mr. Oser has attempted to rezone either part or all of the 2200 block of Lincoln Way East; attempts were made for the 2100 block five times; there were requests for 2300 block, 2400 block, and 2500 block, all totaling 16 attempts over a period of 30 years, going back to 1972. Mr. Climer went on to comment that he has been in his home for 20 years, and 15 of the 16 attempts. He then cited a part of Mr. Aaby's memo of December 18, 1988, regarding the plan to keep the south side of Lincoln Way East as residential. He further added it is Mr. Oser's prerogative to demolish the homes he owns even though they create a tax base for the City. However, the Master Plan of 1970, was designed to maintain the south side of Lincoln Way East as a transitional area. For the people that live in Ward 3, he asked the Commission, the Ward 3 Councilperson, Kathy Catazaro-Perry, Mr. Mang and Mr. Manson to support the residents and deny this request.

Dale Maurer, 129 25th Street SE, said he has been in his home since 1959, and even though his neighborhood isn't the same as it was prior to many of the homes being demolished, it is still a nice neighborhood. He asked the Commission to deny the request.

Mr. Oser commented that if a petition had been circulated, it would have been within 300 feet of the property, and those are the people to be considered. Mr. Climer commented that the application language includes "other interested parties." Mayor Cicchinelli moved to deny, seconded by Mr. Johnson, motion unanimously carried.

There being no further business before the Commission, the meeting adjourned at 8:55 P.M.

Respectfully submitted,

Tifarfy E. F.

Marilyn E. Frazier, Commission Clerk

Approval:

THE CITY OF MASSILLON, OHIO

INTERNAL CORRESPONDENCE

To..... City Planning Commission

DATE December 14, 1988

FROM ... Aane Aaby, Community Development Director

South Side of Lincoln Way East - Comprehensive Plan and Zoning Considerations

The City of Massillon's Development Plan for Future Land Use (1970) recommended that the south side of Lincoln Way East from Tremont Avenue to the east corporation limits be designated as a transitional land use zone. From a planning perspective, the purpose of a transitional designation is to guide land use decisions for the following types of uses: institutional (churches, clinics, convalescent homes), public and semi-public uses, offices, or multiple-family housing. This would imply encouraging either multiple-family residential or office zoning on the basis of the merits of a particular proposal and its applicability to total block frontage.

For example, office districts are seen as an excellent transitional use between commercial or industrial areas and residential neighborhoods. Moreover, they are generally aesthetic and generate less traffic than strip commercial. Shallow lot depths often plague major thoroughfare frontages and a large number of various office types can economically develop adequate sites on shallow parcels.

A strip or lineal pattern of commercial development along the City's major and secondary thorofares can result in a conflict between moving traffic and the turning and backing movements associated with parking. Because of the convenience shopping or automotive nature of such areas, there is often a high rate of turnover within the parking areas, thus increasing the conflict between moving traffic, turning movements into these facilities, and backing movements into traffic. The inherent problem of strip commercial areas is the provision of adequate parking areas free of pedestrian and vehicular conflict.

Through the enactment of a zoning ordinance, a municipality exercises its police power to regulate the use of land in order to promote the public health, safety, morals, and general welfare of the community. Zoning Ordinances must include a description of objectives, among which are included compliance with a comprenensive plan and lessening of traffic congestion on streets.

A City's zoning power, however, does not extend to unreasonable or arbitrary interference with private property rights. One factor that is often considered in rezoning questions is whether the present zoning classification of a parcel of property is unreasonable. Elements that are considered in determining whether a present classification is unreasonable are as follows:

- 1. The use and zoning of near-by properties.
- 2. The character of the neighborhood.
- 3. Its effect on property values.
- 4. The relative gain to the public as compared to the restrictions placed on the property owner.

The question that has arisen in the matter of the south side of Lincoln Way East is whether the present zoning classification of the area is consistent with the development of the area. Has there been a substantial change in the neighborhood since the adoption of the present zoning classification? The task for the Planning Commission is to review the matter in accordance with the objectives of the City's Comprehensive Plan and its Zoning Code.

However, the Planning Commission may not act in an unreasonable or arbitrary manner in conducting its reviews and making its recommendations. Judicial authority may be imposed where there is a manifest abuse by the governing body of those standards which require municipalities to reasonably, conscientiously, and without arbitrary discrimination, provide for the interest of the community, both in the present and in the foreseeable future, in devising zoning regulations.

As an example, there was a case where a court invalidated a City's refusal to rezone when the primary reason was to prevent competition with a smaller shopping center ly miles away. The court stated that it was not a proper function of zoning to restrict competition or to protect an enterprise which had received a prior business zoning classification. The court further stated that the city's denial to rezone was based on improper factors not relared to public health, safety, morals, or welfare; thus, the city's action in this matter was both arbitrary and unreasonable.

In determining whether an action is unreasonable, if a question is legitimately debateable, the legislative judgement of a municipal authority is usually not disturbed by the courts. As an example, there was a case in which a court ruled that a City's refusal to rezone property in the midst of a residential area, even though the property would be of greater value to the owner as a shopping center, could not be said to be arbitrary, capricious, unreasonable, confiscatory, or a violation of constitutional guarantees. In another case, a court ruled that a residential zoning classification was not arbitrary or unreasonable since there was a fair difference of opinion as the reasonableness of the classification (the need for commercial zoning in the area was a matter of dispute, residents of the neighborhood testified on both sides of the issue, and the neighborhood was predominantly residential in character).

Reclassification of property may be considered as spot zoning only when it does not bear a substantial relationship to public health, safety, morals, and general welfare, and conflicts with the comprehensive zoning plan for an area. Spot zoning results in the creation of a small zone of inconsistent use within a larger zone. In past cases, the courts have acted to invalidate commercial spot zoning in residential areas under the following conditions:

- The surrounding area has been zoned residential for many years and there is no indication that the neighborhood is changing.
- 2. The comprehensive plan designates the area as residential.
- 3. The area is suitable for residential construction.

These are some of the factors that should be considered in the analysis of the south side of Lincoln Way East from a planning perspective.

REZONING REQUESTS: SOUTH SIDE LINCOLN WAY EAST, EAST OF 20TH STREET SE

PLANNING LOCATION LOCATION								
8641, 3642 2417 Lincoln Way East 1972 RM-1 B-1 RECOMMENDATION 8636 2236 Lincoln Way East 1978 RM-1 O-1 Approval 3636 2329 Lincoln Way East 1978 RM-1 O-1 Approval 3638 2329 Lincoln Way East 1987 RM-1 O-1 Approval 3641-46 2417-38 Lincoln Way East 1987 RM-1 O-1 Approval 3641-45 2417-48 Lincoln Way East 1987 RM-1 B-1 Denial 3641-45 2417-48 Lincoln Way East 125 Znd SSE 1988 RM-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East 125 Znd SSE 1988 RM-1 B-1 Denial 4338-39 SW corner of Lincoln Way East 2204 Sis 1989 RM-1 B-1 Denial 4338-39 SW corner of Lincoln Way East 2204 Sis 1989 RM-1 B-1 Denial 4338-39 SW corner of Lincoln Way East 2204 Sis 1989 RM-1 B-1	APPLICANT	LOT NO.	LOCATION	YEAR	FROM	70	PLANNING COMMISSION	CITY COUNCIL
LI & 3388-39 2736 Lincoln Way East 1 2002 1972 RM-1 PR 1 O-1 Poproval Popr	C. OSER	3641, 3642	2417 Lincoln Way Eact			,	RECOMMENDATION	ACTION
£ 4338-39 2236 Lincoln Way East 197B RM-1 O-1 Approval 3636 2329 Lincoln Way East 197B RM-1 O-1 Denial 3641-45 2328 Lincoln Way East 1981 RM-1 O-1 Approval 3641-45 2417-35 Lincoln Way East 1987 RM-1 B-1 Denial 4628-4331 2417-35 Lincoln Way East 155 Zand Ste 1987 RM-1 B-1 Denial 4628-4331 2417-36 Lincoln Way East 2417-36 Lincoln Way East 155 Zand Ste 1987 RM-1 B-1 Denial 4907 4328-39 SW corner of Lincoln Way East 2516 Lincoln Way East 2516 Lincoln Way East 1989 RM-1 B-1 Denial 4338-39 SW corner of Lincoln Way East 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East from 20th - 26th SE 1989 RM-1 B-1 Approval 4338-39 SW corner of Lincoln Way East from 20th - 26th SE 1989 RM-1 B-1 Approval 4328-435<	PERGIBALLI &		בייי ביייסיי אאמא דמפר	1972	RM-1	B-1	Approval	Denied
9636 2329 Lincoln Way East 1978 RM-1 O-1 Approval 963-6 2329 Lincoln Way East 197 RM-1 O-1 Denial 964-46 2477-39 Lincoln Way East 1987 RM-1 B-1 Denial 964-46, 4814 2477-39 Lincoln Way East 1987 RM-1 B-1 Denial 4326-4331 2477-39 Lincoln Way East 1987 RM-1 B-1 Denial 4907 2477-39 Lincoln Way East 1988 RM-1 B-1 Approval 4907 2477-30 Lincoln Way East 1988 RM-1 B-3 Denial 4907 358-433 2417-39 Lincoln Way East 1988 RM-1 B-1 Approval 4338-39 SW corner of Lincoln Way East 23rd Strat Str Str 1989 RM-1 B-1 Approval 4338-39 SW corner of Lincoln Way East & 23rd St St 1989 RM-1 B-1 Denial 4328-3570, 4514, 6107-6116 SW corner of Lincoln Way East & 23rd St St 1989 RM-1 B-1 Approval	FERRANTE	4338-39	2235 Lincoln Way Fast	9	i			
9836 2329 ilncoin Way East 1919 RM-1 O-1 Denial 984-46 3941-46 2417-39 ilncoin Way East 1987 RM-1 O-1 Approval 9841-46 2417-39 ilncoin Way East 1987 RM-1 B-1 Denial 4328-4331 2108-2119 ilncoin Way East 1987 RM-1 B-1 Approval 4328-4331 2108-2119 ilncoin Way East 1988 RM-1 B-1 Denial 4938-39 2108-2119 ilncoin Way East 8.75 Zand St E 1988 RM-1 B-3 Denial 4938-39 3W corner of Lincoin Way East 2.240 BB RM-1 B-1 Denial 4338-39 3W corner of Lincoin Way East 2.240 BB RM-1 B-3 Denial 4338-39 3W corner of Lincoin Way East 2.240 BB RM-1 B-3 Denial 4338-39 3W corner of Lincoin Way East 2.240 BB RM-1 B-1 Approval 4328-433 4578-4868 3W corner of Lincoin Way East 2.240 BB RM-1 B-1 Ap	R. JOINES	3636	2329 Lincoln Way Fast	1978	RM-1	0-1	Approval	Denjed
3641-46 3641-46 2417-38 Lincoln Way East 1981 RM-1 B-1 Approval 3641-45 3641-45 109-219 Lincoln Way East & 125 22nd SSE 1987 RM-1 B-1 Denial 4328-4331 2417-39 Lincoln Way East & 125 22nd SSE 1988 RM-1 B-1 Approval 4328-4331 2417-39 Lincoln Way East & 125 22nd SSE 1988 RM-1 B-1 Denial 4907 2515 Lincoln Way East & 125 22nd SSE 1988 RM-1 B-1 Denial 4907 38-39 SW corner of Lincoln Way East & 23rd St SE 1988 RM-1 B-1 Denial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-1 Approval 4307-4914, 6107-6116 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-1 Denial 4378-4331 2109-2119	R. JOINES	3636	2329 Incoln Way East	6/61	RM-1	0-1	Denial	Denied
45, 4914 2417-43 Lincoln Way East & 125 22nd SSE 1987 RM-1 B-1 Denial 4331 2109-2119 Lincoln Way East & 125 22nd SSE 1987 RM-1 B-1 Approval 45 2417-39 Lincoln Way East & 125 22nd SSE 1988 RM-1 B-3 Denial 45 2417-39 Lincoln Way East & 125 22nd SSE 1988 RM-1 B-3 Denial 45 2400 Lincoln Way East & 125 22nd St SE 1988 RM-1 B-1 Denial 59 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 390 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-1 Approval 4914, 6107-6116 SW corner of Lincoln Way East & 126 22nd SSE 1989 RM-1 B-1 Denial -6114 2017-2049 Lincoln Way East & 126 22nd SSE 1990 RM-1 B-1 Denial L 329 2727 Lincoln Way East & 126 22nd SSE 1995 RM-1 B-1 <td>C. OSER</td> <td>3641-45</td> <td>2417-301 incoln Way East</td> <td>1981</td> <td>RM-1</td> <td>0-1</td> <td>Approval</td> <td>Denied</td>	C. OSER	3641-45	2417-301 incoln Way East	1981	RM-1	0-1	Approval	Denied
4328-4331 2109-2119 Lincoln Way East & 125 22nd SSE 1987 RM-1 B-1 Denial 9341-45 2417-39 Lincoln Way East & 125 22nd SSE 1987 RM-1 B-3 Approval 492R-4331 2417-39 Lincoln Way East & 125 22nd SSE 1988 RM-1 B-3 Denial 493R-39 2515 Lincoln Way East & 125 22nd SSE 1988 RM-1 B-1 Denial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 407-4914, 6107-6116 SW corner of Lincoln Way East & 23rd St SE 1980 RM-1 B-1 Approval 4728-393 SW corner of Lincoln Way East & 125 22nd SSE 1990 RM-1 B-1 Denial 4728-4331 2109-2119 Lincoln Way East & 125 22nd SSE <	C. OSER	3641-45, 4914	2417 Joseph Way East	1987	RM-1	B-1	Denial	Denied
3641.45 2417-39 Lincoln Way East & 125 22nd SSE 1987 RM-1 B-1 Approval 4328-4331 2109-2119 Lincoln Way East & 125 22nd SSE 1988 RM-1 B-3 Denial 4907 2615 Lincoln Way East & 125 22nd SSE 1988 RM-1 B-1 Denial 4907 2615 Lincoln Way East & 23rd St	C. OSER	4328-4331	2110-22140 Lincoln Way East	1987	RM-1	B-1	Denial	Denied
4328-4331 2010-219 Lincoln Way East R 125 22nd SSE 1988 RM-1 B-3 Denial 4907 2615 Lincoln Way East R 23rd St SE 1988 RM-1 B-1 Denial 4338-39 SW corner of Lincoln Way East R 23rd St SE 1988 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East R 23rd St SE 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East R 23rd St SE 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East R 23rd St SE 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East R 23rd St SE 1989 RM-1 B-3 Denial 4338-39 Sw corner of Lincoln Way East R 25 22rd St SE 1989 RM-1 B-1 Approval 4507-4914, 6107-6116 Sw corner of Lincoln Way East R 125 22rd SSE 1994 RM-1 B-1 Denial 4528-4331 2109-2119 Lincoln Way East R 125 22rd SSE 1995 R-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East R 125 22rd SSE <t< td=""><td>C. OSER</td><td>3641-45</td><td>2417-39 Lincoln May East & 123 ZZnd 5SE</td><td>1987</td><td>RM-1</td><td>B-1</td><td>Approval</td><td>Denied</td></t<>	C. OSER	3641-45	2417-39 Lincoln May East & 123 ZZnd 5SE	1987	RM-1	B-1	Approval	Denied
4907 Exercise in control of the control o	C. OSER	4328-4331	2109-2440 I incoln May East	1988	RM-1	B-3	Denial	Denied
4338-39 RM-1 B-1 Donial 3643-45 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-1 Donial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Donial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Donial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 Do-1 Approval 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 Do-1 Approval NK 6108 - 6114 2017-2049 Lincoln Way East from 20th - 26th SE 1994 RM-1 B-1 Denial I PT OL 329 2727 Lincoln Way East & 125 22nd SSE 1994 RM-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East & 125 22nd SSE 1995 RM-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East & 125 22nd SSE 1995 RM-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East & 126 22nd SSE 1995 RM-1	C. OSER	4907	250 E119 EIICON WAY EAST & 120 ZZNO SSE	1988	RM-1	B-3	Denial	Denied
3643-45 SW corner of Lincoln Way East 1988 RM-1 B-1 Denial 4338-39 SW corner of Lincoln Way East 23rd block Lincoln Way East 1989 RM-1 B-3 Denial NK 6108 - 6114 2017-2049 Lincoln Way East 1994 RM-1 B-1 Denial 1 PT OL 329 2727 Lincoln Way East (Rear) 1995 RM-1 B-3 Approval 4328-4331 2109-2119 Lincoln Way East (Rear) 1995 RM-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East (Rear) 1995 RM-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East (Rear) 1995 RM-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East 1995 RM-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East 1995 RM-1 B-1 Denial <	S. OSER	4338-30	Solo Lincoin way East	1988	RM-1	B-1	Denial	Denied
4338-39 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 4338-39 SW corner of Lincoln Way East & 23rd St SE 1989 RM-1 B-3 Denial 4936-3670, 4328-4343, 4578-4583, South side Lincoln Way East from 20th - 26th SE 1980 RM-1 B-1 Approval VK 6108 - 6114 2017-2049 Lincoln Way East from 20th - 26th SE 1994 RM-1 R-1 Approval 4328-4331 2109-2119 Lincoln Way East (Rear) 1995 R-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East (Rear) 1995 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East 1995 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East 1995 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East 1999 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East 1999 RM-1 B-1 Denial	C. OSER	3643.45	SW corner of Lincoln Way East & 23rd St SE	1988	RM-1	B-1	Denial	Denied
4938-39 SW corner of Lincoln Way East & 23rd St St 1989 RM-1 B-3 Denial 4938-39 SW corner of Lincoln Way East & 23rd St St 1989 RM-1 B-3 Denial 3836-3670, 4328-4343, 4578-4583, 3836-3670, 4328-4343, 4578-4583, 4907-4914, 6107-6116 South side Lincoln Way East from 20th - 26th SE 1990 RM-1 B-1 Denial NK 4328-4331 2017-2049 Lincoln Way East & 125 22nd SSE 1994 RM-1 R-1 Approval PT OL 329 2727 Lincoln Way East (Rear) 1995 R-1 B-1 Denial 4328-4331 2109-2119 Lincoln Way East (Rear) 1995 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East (Rear) 1999 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East 2551 Lincoln Way East 2003 RM-1 O-1 Approval	OSED	01.01.00	2400 block Lincoln Way East	1989	RM-1	B-3	- Initial	Colled
4338-39 SW oorner of Lincoln Way East & 23rd St SE 1989 RM-1 D-3 Denial 3636-3670, 4328-4343, 4578-4583, 3659 South side Lincoln Way East from 20th - 26th SE 1990 RM-1 B-1 Denial VIX. 4914, 6107-6116 South side Lincoln Way East from 20th - 26th SE 1990 RM-1 B-1 Denial VIX. 4914, 6107-6116 2017-2049 Lincoln Way East & 125 22nd SSE 1994 RM-1 R-1 Approval I PT OL 329 2727 Lincoln Way East (Regr) 1995 R-1 B-3 Approval 4328-4330 2109-2119 Lincoln Way East (Regr) 1995 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East (Regr) 1999 RM-1 B-1 Denial 3669 2551 Lincoln Way East 2003 RM-1 O-1 Approval	C. COER	4338-39	SW corner of Lincoln Way East & 23rd St SE	1980	DAN 4		Denial	Denied
3636-3670, 4328-4343, 4578-4583, South side Lincoln Way East from 20th - 26th SE 1990 RM-1 B-1 Approval 4907-4914, 6107-6116 South side Lincoln Way East from 20th - 26th SE 1990 RM-1 B-1 Denial A128-4331 2017-2049 Lincoln Way East (Rear) 1994 RM-1 R-1 Approval PT OL 329 2727 Lincoln Way East (Rear) 1995 R-1 B-3 Approval 4328-4331 2109-2119 Lincoln Way East (Rear) 1995 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East (Rear) 1995 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East (Rear) 1999 RM-1 B-1 Denial 3669 2551 Lincoln Way East (Rear) 2003 RM-1 O-1 Approval	C. OSER	4338-39	SW corner of Lincoln Way Fast & 23rd St SE	1000	-101-1	5-0	Denial	Denjed
NK 6108 - 6114 South side Lincoln Way East from 20th - 26th SE 1990 RM-1 B-1 Denial 4328 4331 2017-2049 Lincoln Way East Rear) 1994 RM-1 R-1 Approval PT OL 329 2727 Lincoln Way East (Rear) 1995 R-1 B-3 Approval 4328 4331 2109-2119 Lincoln Way East Rear) 1995 RM-1 B-1 Denial 4328 4330 2109-2119 Lincoln Way East R 125 22nd SSE 1995 RM-1 B-1 Denial 4328 4330 2109-2119 Lincoln Way East R 125 22nd SSE 1999 RM-1 B-1 Denial 3669 2551 Lincoln Way East 2501 Lincoln Way East 2003 RM-1 O-1 Approval		3636-3670, 4328-4343, 4578-4583.	10 10 20 20 20 20 20 20 20 20 20 20 20 20 20	1908	KM-1	0-1	Approval	Denjed
NK 2017-2049 Lincoln Way East 2017-2049 Lincoln Way East 8 125 22nd SSE 1994 RM-1 R-1 Approval 4328-4331 2727 Lincoln Way East (Rear) 1995 R-1 B-3 Approval 4328-4330 2109-2119 Lincoln Way East 1209-2119 Lincoln Way East 1995 RM-1 B-1 Denial 3669 2551 Lincoln Way East 2003 RM-1 O-1 Approval	C. OSER	4907-4914, 6107-6116		1990	0,00	Č		
6108 - 6114 2017-2049 Lincoln Way East & 125 22nd SSE 1994 RM-1 R-1 Approval 4328 4331 2109-2119 Lincoln Way East (Rear) 1995 R-1 B-3 Approval 1 PT OL 329 2727 Lincoln Way East (Rear) 1995 R-1 B-3 Approval 4328 4330 2109-2119 Lincoln Way East & 125 22nd SSE 1999 RM-1 B-1 Denial 3669 2551 Lincoln Way East 2003 RM-1 O-1 Approval	REZENBRINK				1-IAIN		Denial	Denied
4328-4331 2109-2119 Lincoln Way East & 125 22nd SSE 1994 RM-1 R-1 Approval PT OL 329 2727 Lincoln Way East (Rear) 1995 R-1 B-3 Approval 4328-4330 2109-2119 Lincoln Way East 1995 RM-1 B-1 Denial 3669 2551 Lincoln Way East 2003 RM-1 O-1 Approval	T. AL.	6108 - 6114	2017-2049 Lincoln Way East	7007	Š	,		
PT OL 329 2727 Lincoln Way East (Rear) 1995 R-1 B-3 Approval 4328-4330 2109-2119 Lincoln Way East 1995 RM-1 B-1 Denial 1969 RM-1 B-1 Denial 1969 2551 Lincoln Way East 2003 RM-1 O-1 Approval	C. OSER	4328-4331		1994	L-INIX	구	Approval	Approved
PT OL 329 2727 Lincoln Way East (Rear) 1995 R-1 B-3 Approval 4328-4330 2109-2119 Lincoln Way East (Rear) 1995 RM-1 B-1 Denial 3669 2551 Lincoln Way East (Rear) 2003 RM-1 O-1 Approval	A RENTAL			1884	KM-1	B-1	Denial	Denied
4328-4331 2109-2119 Lincoln Way East & 125 22nd SSE 1995 RM-1 B-1 Denial 4328-4330 2109-2119 Lincoln Way East 1999 RM-1 B-1 Denial 3669 2551 Lincoln Way East 2003 RM-1 O-1 Approval	MPORIUM	PT OL 329	2727 Lincoln Way East (Rear)	1002	Ċ	(
4328-4330 2109-2119 Lincoln Way East 1995 RM-1 B-1 Denial 3669 2551 Lincoln Way East 2003 RM-1 O-1 Approval	COSER	4328-4331	2109-2119 Lincoln Way East & 125 2214 SST	200	٦-١	220	Approval	Approved
3669 2551 Lincoln Way East 2003 RM-1 B-1 Denial	. OSER	4328-4330	2109-2110 Incoln Way East a 123 ZZIIU 33E	1995	RM-1	B-1	Denial	Denied
Cool Lincoln Way East Coo3 RM-1 O-1 Approval	SPERRY	3669		1999	RM-1	B-1	Denial	Denied
			ASST LITICOIN Way East	2003	RM-1	0-1	Approval	Daniad

Rezoning Request – 521 Elizabeth Avenue SE

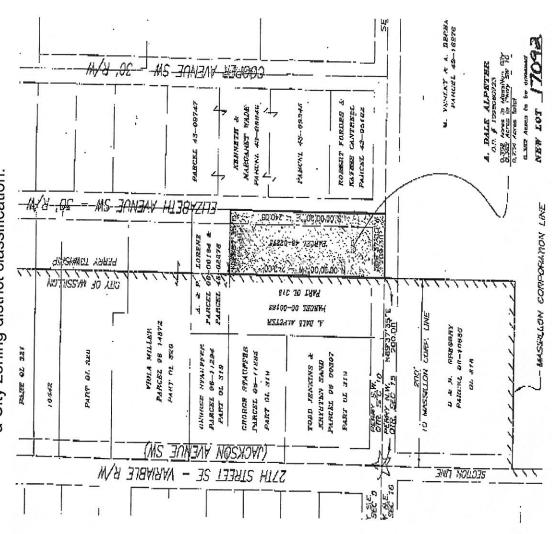
The eastern portion (54.3 feet) of Lots No. 17096 and 17097, located on the northwest corner of Elizabeth Avenue SE and Harsh Avenue SE. Property Description:

Zone Change From: Perry Township Zoning

Zone Change To: R-1 Single Family Residential

Applicant: City of Massillon / Dale Alpeter (Property Owner)

Proposed Use: This property has recently been annexed to the City from Perry Township and must be given a City zoning district classification.



Final Plat - Cherry Springs Phase 2

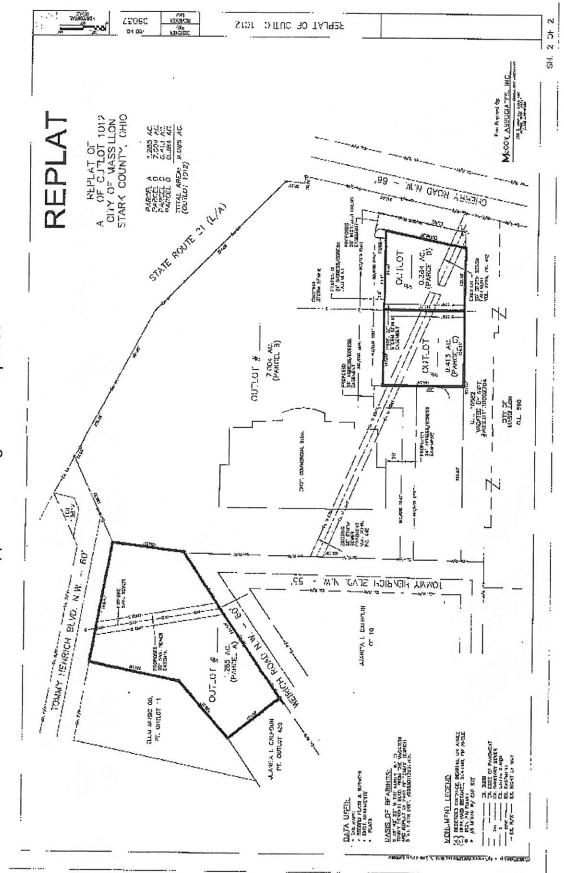
includes the dedication of a portion of the existing street. The property is zoned R-1 single family residential, Description: Parts of Out Lots 91, 93, and 94, located on the south side of Cherry Road NW, east of 17th Street NW. The proposal would create 1 new lot and 2 new Out Lots with frontage on Cherry Road and RM-1 multi-family and R-CRD condominium. Total acreage is 36.32 acres. Applicant: Marion, Francis, Thomas Co.

123 \$7.65 \$7.65 \$7.66 86.26 4573 DF 200 01 91 0.91 타하 01.93 01.93 OL 107 163 01 697 01, 105 T

Replat and Easement Plat- Cherry Road NW

dedication of several easements. This split will require a driveway easement to be granted from the City of Description: Out Lot 1012, located on the south side of Cherry Road NW, east of Route 21. The proposal would create 4 new Out lots with frontage on Cherry Road and Tommy Henrich Blvd. and includes the Massillon. The property is zoned B-3 General Business.

Applicant: Ragains Enterprises





Replat – i. - mont Avenue SE

Description: Part of Out Lot 62, located on the north side of Tremont Avenue SE, east of 3rd Street SE. The proposal would create 4 new lots with frontage on Tremont Ave. SE. The property is zoned R-1 Single

Variance Request:

The owner is requesting a variance of Section 1177.01; minimum lot frontage for R-1 Family.

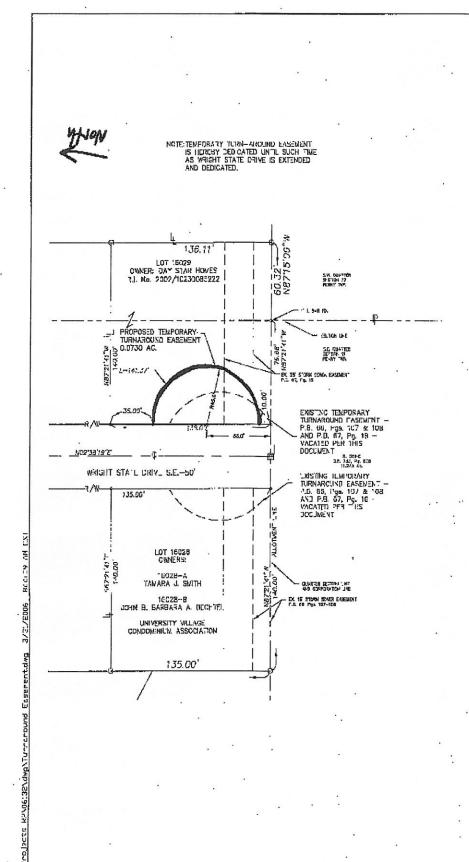
B 4

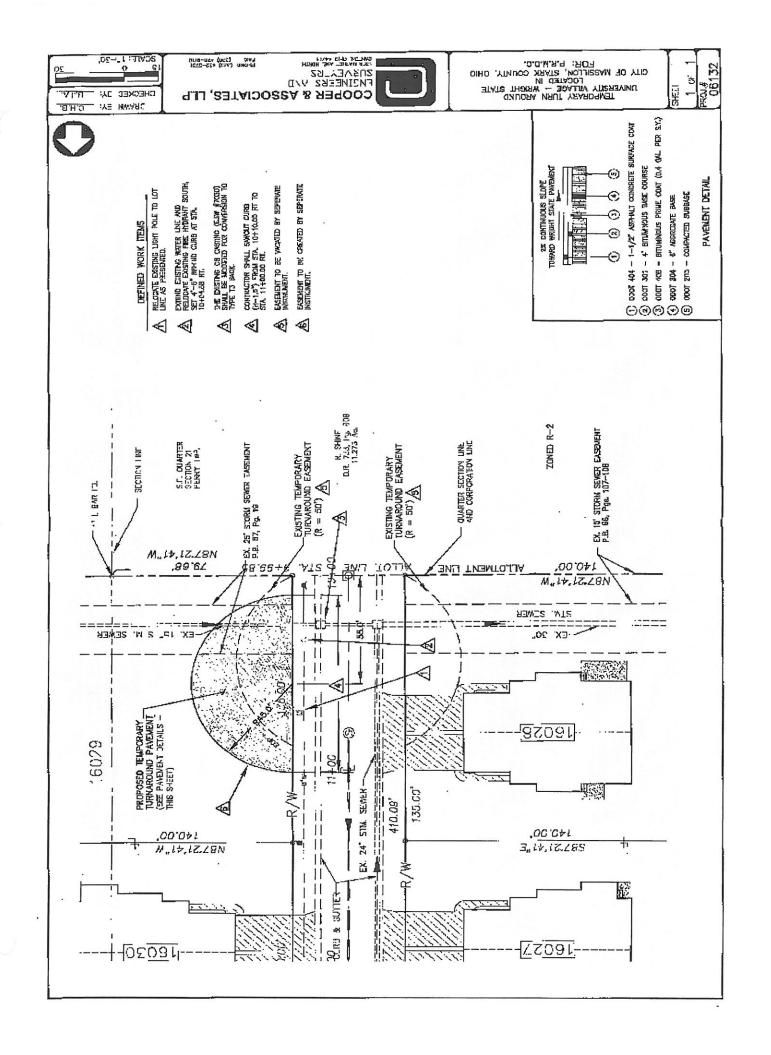
zoning Applicant: Andrew Myers / Barry Henning

	4-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7	336.66		
	J.	15337.8 55.th 14974.C 5.th	63.275	A STATE OF THE PROPERTY OF THE
	<i>C</i> .	15337.8 55.#	(3.275'	1
	6.	10t. 15736. 45p.t.	63.278,	158
	Ä	1595.39 P	63.275	
-				

Vacation / Dedication Plat-Wright State Drive SE

easement only on the east side of the street. This is a revision to the original University Village Phase $\it Description: \ {\sf Lots}\ 16028\ {\sf and}\ 16029,\ {\sf located}\ {\sf on}\ {\sf the}\ {\sf south}\ {\sf end}\ {\sf of}\ {\sf Wright}\ {\sf State}\ {\sf Drive}\ {\sf SE}$. The proposal 3 plat, and therefore requires a separate approval. The property is zoned R-T Two Family Residential is to vacate the existing temporary turn-around easement and dedicate a new temporary turn-around Applicant: PRMDC / Fred Tobin





Replat - 13th Street SW

Main Avenue. The proposal is create 2 new lots, one with the existing house and garage and the other with a Lots 2468, 2469, and 2470, located on the West side of 13th Street SW, south of pool and 40x60 storage building. The parcels are zoned R-1 single family. This situation will also require Property Description:

approval of the building department.

