

A G E N D A
MASSILLON PLANNING COMMISSION
JANUARY 9, 2008 7:30 P.M.
CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of November 14, 2007.*
2. *New Business*

Replat and Dedication Plat- 29th Street NW

Location: Lots 13450 and 13451; located on the east side of 29th Street NW, south of Gordon Avenue. The request is to combine the existing lots into (2) new lots to create new building sites. The engineering department will also require the dedication of existing 29th Street right-of-way areas. The property is zoned R-2 Single Family Residential.

Variance Request: **Section 1177.01, minimum lot frontage for R-2 Zoning. Applicant is requesting a 5' variance for the lot frontage along 29th Street. 80' frontage is required; applicant has 75' of frontage each for (2) lots.**

Applicant: Derek Shanklin

Final Plat – Neocom Industrial Park #4

Location: Part of Out Lots 569; located on the west side of Millenium Blvd. SE, north of Navarre Road. This property is in the Neocom Industrial Park. The request is to create (2) new out lots with frontage on Millenium Blvd. Includes the dedication of a proposed sanitary sewer easement to the City of Massillon. The property is zoned I-2 General Industrial.

Applicant: Massillon Development Foundation

Sanitary Sewer Easement Plat- Erie Avenue SW

Location: Out Lot 1044; located on the west side of Erie Avenue SW / Route 21, north of Warmington Road. This property is the site of the proposed Menards shopping center. The request is to dedicate a 20 foot wide sanitary easement along the proposed sanitary sewer to the City of Massillon. The property is zoned B-3 General Business.

Applicant: Menard, Inc. / Deibel Surveying

Replat and Dedication Plat- Nave Road SE

Location: Out Lots 691 and 940; located on the south side of Nave Road SE, west of Veterans Blvd. This property is the site of the storage buildings. The request is to combine the two lots into 1 lot with frontage on Nave Road. This plat includes the dedication of existing roadway areas. The property is zoned I-1 Industrial.

Applicant: Fairbanks Properties

3. Other Business

Massillon Planning Commission

November 14, 2007

The Massillon Planning Commission met in regular session on November 14, 2007, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

Members

Chairman Rev. David Dodson
Vice Chairman James Johnson
Safety Service Director Michael Loudiana
Joseph Luckring
David Hersher

Staff

Aane Aaby
Marilyn Frazier
Jason Haines

The first item of business was the minutes of the Commission meeting of October 10, 2007. Mr. Johnson moved for approval, seconded by Mr. Hersher, motion unanimously carried.

The next item under New Business was a replat presented by Mr. Haines.

Replat – Shriver Avenue SE

Location: Lots 4440, 4441, 4442, 10255, 16779, 16780, 16781, 16782, 16783, and parts of Lot 4443; located on the south side of Shriver Avenue SE, west of Glenwood Street. The request is to combine the existing lots into two (2) new lots in preparation to transfer some vacant land to the neighboring property. The property is zoned RM-1 Multi-Family and R-1 Single Family Residential.

Applicant: Russell Draime, Sherman and Quenessa Smith

This is part of the former Central Allied Corporation property. The replat will not only allow Mr. Draime to sell part of the property to neighboring property owners, but will also clean up the existing small parcels. Mr. Draime owns other property in the area which is not a part of this request. Mr. Draime was present. Mr. Johnson moved for approval, seconded by Mr. Luckring, motion unanimously carried.

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

Replat and Dedication Plat – Walnut Road SE

Location: Part of Out Lots 373 and 491; located on the south side of Walnut Road SE, east of 16th Street. The request is to combine the existing lots into one (1) new lot to allow the construction of a gas station canopy and pump structures. Includes the dedication of existing right-of-way areas for Walnut Road and 16th Street SE. The property is zoned B-3 General Business.

Applicant: Joan Desiderio-Hassan

M & K Supermarket, owner of the property wish to combine the two (2) lots into one (1) new one. This will allow them to install a gas canopy and pumps. Without the replat, the gas pumps can't be installed because it would cross the property line. Rev. Dodson asked if there would be a gas station and store combination. Mrs. Desiderio-Hassan responded that they are only installing pumps and a canopy, and would continue to use the existing store. Mr. Hersher moved for approval, seconded by Mr. Luckring, motion unanimously carried.

The next item under Other Business was a proposed change to the zoning code presented by Mr. Aaby.

Proposed Zoning Code Amendments re: Cellular Towers

The City is proposing the following amendments to the Zoning Code:

1. Section 1121.02 (23) DEFINITIONS "Essential Services" would be amended to specifically exclude cellular communication towers from the definition of essential services. A new paragraph (23.1) would be added to define "Cellular Communications Antenna, Tower, Communication Systems, or Wireless Communication Systems"

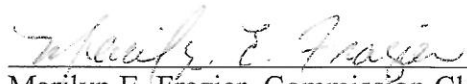
Section 1121.02 (67) DEFINITIONS "Public Utility" would be amended to clarify that Only "wired" communication or "wired" telegraph falls within the definition of a public utility.

2. Section 1187.01 would be amended to add language specifically stating the zoning and locational requirements for wireless transmission towers.
3. Section 1189.04 "Height Limit" would be amended to delete wireless transmission towers from the provisions of this section.

Mr. Aaby commented that the Law Director's office has prepared amendments to further clarify regulations of the Zoning Code. He added that the Law Director has stated that cellular companies argue that they are a public utility and should be able to construct towers wherever they wish. The purpose of the proposed Amendment is to clarify the language and allow for public input prior to the construction of towers. After a brief discussion, Mr. Johnson moved to recommend approval of the proposed Zoning Code Amendments, seconded by Mr. Hersher, motion unanimously carried.

There being no further business before the Commission, the meeting adjourned at 7:55 P.M.

Respectfully submitted,


Marilyn E. Frazier, Commission Clerk

Approval:

MEF/ky

Replat and Dedicate Plat- 29th Street NW

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Applicant: Derek Shanklin



151113

AVE NW

151114

151115

151116

16475

16470

DAVIS C

13451

13450

13450

16469

16468

1

13449

15950

15

Final Plat -- Neoc Industrial Park #4

Location: Part of Out Lots 569; located on the west side of Millenium Blvd. SE, north of Navarre Road. This property is in the Neocom Industrial Park. The request is to create (2) new out lots with frontage on Millenium Blvd. Includes the dedication of a proposed sanitary sewer easement to the City of Massillon. The property is zoned I-1 Industrial.

Applicant: Massillon Development Foundation



LOCATED IN THE CITY OF MASSILLON, COUNTY OF STARK,
STATE OF OHIO AND BEING PART OF OUTLOT 569

2 LOTS

HARRINGTON AND ASSOCIATES, LTD.

155-490-5917

1000

QL 369
LAND DEVELOPMENT

© 2006 Blackwell Publishing Ltd, *Journal of Internal Medicine* 260: 103–110

52

63

26

3

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1

AC 001147

GROUND DISTANCES. The

WITHIN THE LIMITS OF


 HOUNGHTON & ASSOCIATES, LIMITED
 CURTIS, MARRISSEFF, P.C. ESQ.
 DATE 11/11/2013

DORNER
WEISS, 2000 HILLTOP DR., LTD.
Charleston, West Virginia 25301

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAKI COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED OWNER OF THE LAND SHOWN ON THIS PLAT, WHO ACKNOWLEDGES THAT HE DID SIGN THE FOREGOING INSTRUMENT AND THAT IT WAS HIS FREE ACT AND DEED ACCORDING TO LAW IN EXTENDING WHEREOF I HAVE SOLEMNLY SUBSCRIBED MY NAME AND AFFIXED MY SEAL AT *Central City*

APPROVED BY THE CITY OF MASSACHUSETTS PLANNING COMMISSION THIS
 DAY OF _____, 20____.

 SECRETARY

 MAYOR

POSTAGE
PAID
FIRST CLASS PERMIT NO. 100
NEW YORK, N.Y.

RECEIVED FOR TRANSFER THE _____ DAY OF _____ 20____
BY _____, STAFF COUNTY CLERK

FROM PINS WITH μ & σ CAPS ARE TO BE SET AT ALL CORNERS, ANGLE
PLUMBS AND CURVE POINTS.

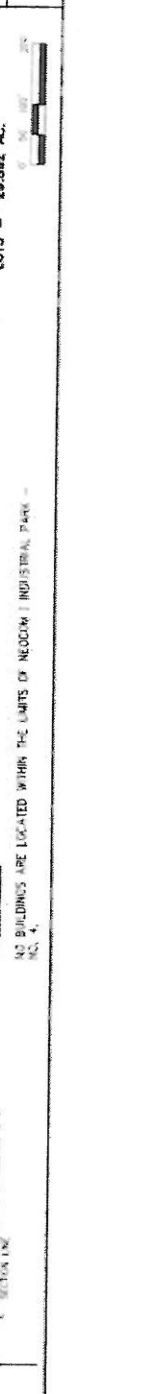
DATA USED:

BASIS OF DEARING:
1. 8°31' N - INC. CENTRELINE OF MAHURIE ROAD FROM
THE PLAT OF N.W. COR. PARKS - PHASE 1 AS RECORDED
IN PLAT BOOK 62 PAGE 94 OF THE JUDICIAL COUNTY BLK.



Case	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
Case	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

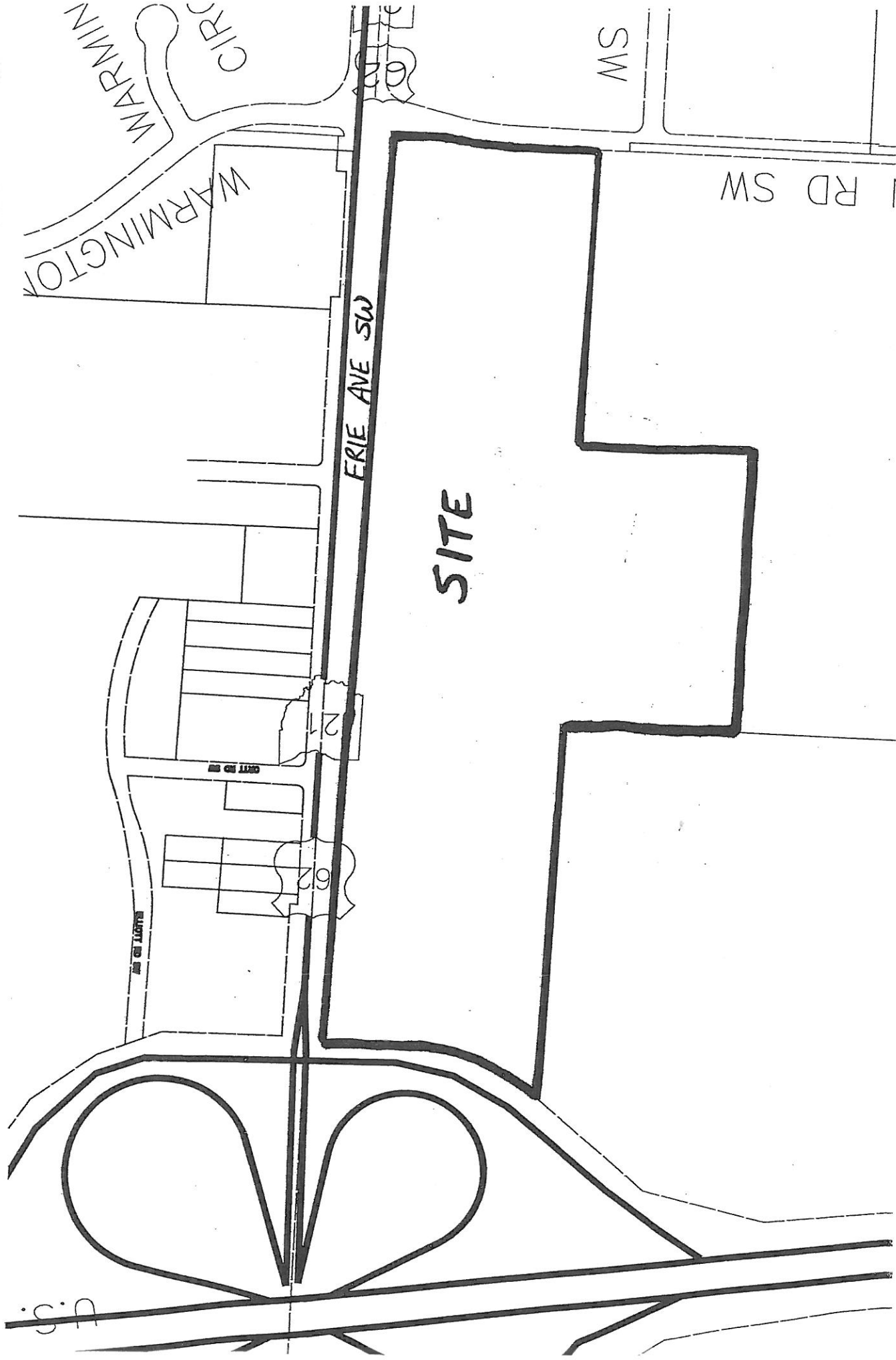
NEOCOM 1 INDUSTRIAL PARK
FOR WASHINGTON DEVELOPMENT
PART OF OT. 569 IN THE
WASHINGTON SEWER COUNTY



Sanitary Sewer Easement at Plat-Erie Avenue SW

Location: Out Lot 1044; located on the west side of Erie Avenue SW / Route 21, north of Warmington Road. This property is the site of the proposed Menards shopping center. The request is to dedicate a 20 foot wide sanitary easement along the proposed sanitary sewer to the City of Massillon. The property is zoned B-3 General Business.

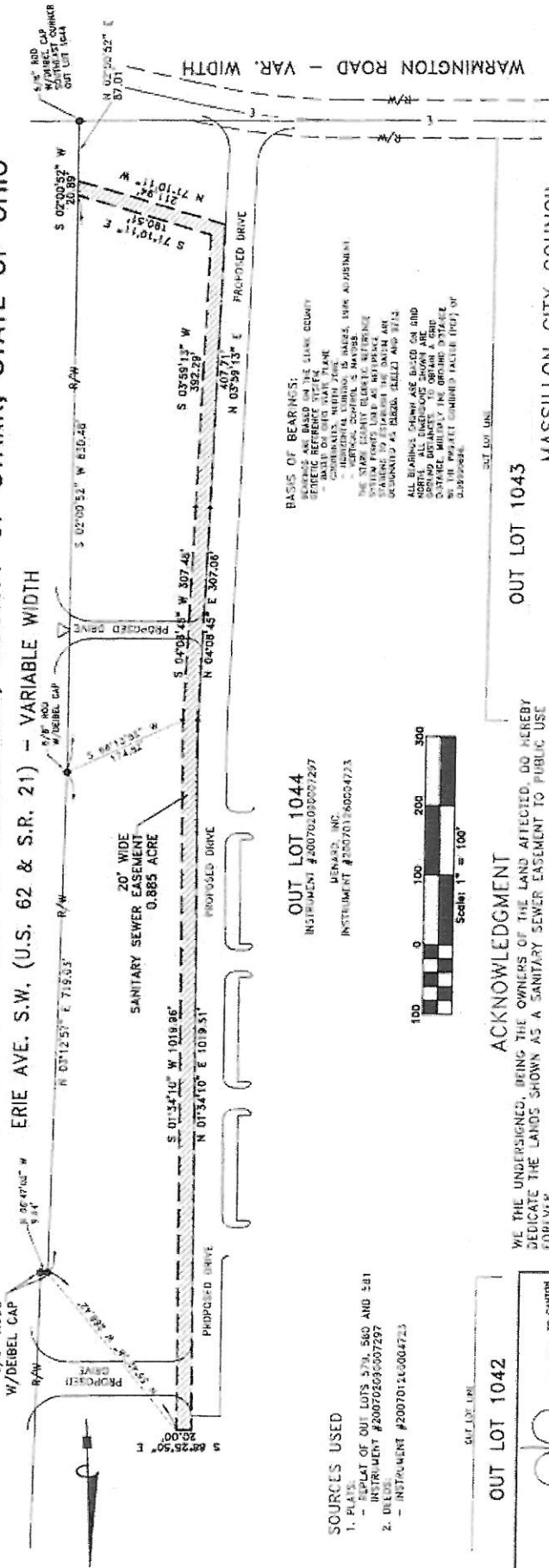
Applicant: Menard, Inc. / Deibel Surveying



DEDICATION PLAT - SANITARY SEWER EASEMENT

PART OF OUT LOT 1044 IN THE CITY OF MASSILLON, COUNTY OF STARK, STATE OF OHIO

ERIE AVE. S.W. (U.S. 62 & S.R. 21) - VARIABLE WIDTH



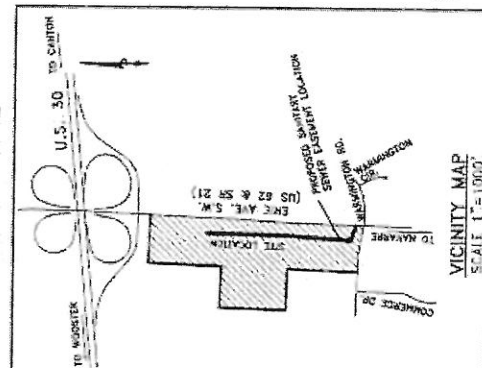
BASIS OF BEARINGS:
 BEARINGS ARE BASED ON THE STARK COUNTY
 GEODETIC REFERENCE SYSTEM
 - BASED ON THE STATE PLANE
 - HORIZONTAL CURVING IS BASED ON THE
 SYSTEM POINTS USED IN THE
 STATIONING TO ESTABLISH THE DITCH AND
 OCCASIONALLY AS PERMANENT BUILT
 ALL BEARINGS SHOWN ARE
 HORIZONTAL UNLESS OTHERWISE
 DISTANCE MEASURED TO THE
 CENTERLINE OF THE DITCH OR
 OTHERWISE.

OUT LOT 1044
 INSTRUMENT #20070200007297
 USDA/USDA, INC.
 INSTRUMENT #22070160054723

- SOURCES USED**
1. PLATS
 - PLAT OF OUT LOTS 579, 580 AND 581
 - INSTRUMENT #20070200007297
 2. DITCH
 - INSTRUMENT #20070160054723



OUT LOT 1042



VICINITY MAP
 SCALE 1" = 100'

ACKNOWLEDGMENT

WE, THE UNDERSIGNED, BEING THE OWNERS OF THE LAND AFFECTED, DO HEREBY DEDICATE THE LANDS SHOWN AS A SANITARY SEWER EASEMENT TO PUBLIC USE FOREVER.

WITNESSES (PRINT NAMES BELOW)

OWNERS

MEMARD, INC.

BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE WHO ACKNOWLEDGED THAT HE DID SIGN THE FOREGOING INSTRUMENT, AND THAT THE SAME IS HIS FREE ACT AND DEED. I HAVE HEREINTO SET MY HAND AND OFFICIAL SEAL AT THIS DAY OF 2008.

NOTARY PUBLIC

MY COMMISSION EXPIRES

PLANNING COMMISSION

APPROVED BY THE MASSILLON PLANNING COMMISSION AT A MEETING HELD THIS DAY OF 2008

CHAIRMAN

SECRETARY

MASSILLON CITY ENGINEER

APPROVED BY THE MASSILLON CITY ENGINEER THIS DAY OF 2008

www.deibelinc.com

deibel
surveying
inc

115 BRADY AVE., N.E.
 CANTON, OHIO 44705
 PHONE: (330) 455-2319
 FAX: (330) 455-3309
 E-MAIL: deibel@deibelinc.com

OUT LOT 1043

MASSILLON CITY COUNCIL

ACCEPTED BY THE CITY COUNCIL OF MASSILLON, OHIO BY ORDINANCE NO. THIS DAY OF 2008.

CHAIRMAN

SECRETARY

STARK COUNTY AUDITOR

ENTER FOR TRANSFER THIS DAY OF 2008.

STARK COUNTY AUDITOR

STARK COUNTY RECORDER

RECEIVED FOR RECORD THIS DAY OF 2008.
 THIS DAY OF 2008.

STARK COUNTY RECORDER

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT OF THE SANITARY SEWER EASEMENT HEREBY BEING OFFERED FOR DEDICATION.

Curtis G. Deibel

CURTIS G. DEIBEL

REGISTERED PROFESSIONAL SURVEYOR

#6673

DATE

12/31/2007



Replat and Dedication **Plat- Nave Road SE**

Location: Out Lots 691 and 940; located on the south side of Nave Road SE, west of Veterans Blvd. This property is the site of the storage buildings. The request is to combine the two lots into 1 lot with frontage on Nave Road. This plat includes the dedication of existing roadway areas. The property is zoned I-1 Industrial.

Applicant: Fairbanks Properties



North

NAVE ROAD SE

OL 692

OL 691

OL 940

Route 30

