

A G E N D A
MASSILLON PLANNING COMMISSION
March 10, 2010 7:30 P.M.
CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of February 10, 2010.*
2. *New Business*

Replat – 4th Street SW, Isabella SW, McKinley SW

Location: Lots 4072, 4073, 4131, 4132, 4133, 4134, 4135, 4136 and parts of Lots 4100, 4101, and 4137; located in the Columbia Heights allotment at scattered locations on Isabella Avenue, 4th Street SW, and McKinley Avenue. The request is to replat the properties to create (6) new building lots. The property is currently zoned R-1 Single Family Residential.

Applicant: Habitat for Humanity

Rezoning – Hendricks Annexation Area

Property Description: Approximately 10.03 acres of former Tuscarawas Township land, located on the west side of 17th Street SW (Carmont Ave) and lying just north of State Route 30 property.

Zone Change From: Tuscarawas Township, No zoning

Zone Change To: R-1 Single Family Residential

Applicant: City of Massillon

Proposed Use: Property was recently annexed to the City of Massillon and need to give this property a zoning classification under the Massillon Zoning regulations.

Replat – Hendricks Annexation Area

Location: Approximately 10.03 acres of former Tuscarawas Township land, located on the west side of 17th Street SW (Carmont Ave) and lying just north of State Route 30 property. The request is to split a 2.3 acre parcel out of the existing tracts to create (1) new building lot. The property is proposed R-1 Single Family Zoning.

*Variance Request: Section 1177.01; Minimum lot width is 65' for R-1 Zoning
Proposed lot has 50' frontage, requesting a variance of 15 feet.*

Applicant: Donald Hendricks Family Properties

REFERENCE DATUM
THE STARK COUNTY GEODETIC REFERENCE SYSTEM POINTS USED AS REFERENCE STATIONS TO ESTABLISH THE DATUM ARE DESIGNATED AS 9707 & #305.

ALL BEARINGS SHOWN ARE REFERENCED TO GRID NORTH. ALL DIMENSIONS SHOWN ARE GROUND DISTANCES. TO OBTAIN A GRID DISTANCE, MULTIPLY THE GROUND DISTANCE BY THE PROJECT COMBINED FACTOR OF 0.99990450.

R/W	PROPERTY LINE/LOT LINE	RIGHT-OF-WAY LINE	S/B ^a IRON BAR WITH COOP & ASSOC. CAP SET	IRON BAR/PIPE FOUND (A)	NEW DIVISION LINE
NOL					

PART OF LOTS 4100, 4101 & 4137 AND ALL OF LOTS 4072, 4073, 4131, 4132, 4133, 4134, 4135 & 4136 IN THE CITY OF MASSILLON, STARK COUNTY, OHIO

SCALE: 1" = 50'

HEREBY CERTIFY THAT THIS IS A CORRECT PLAT OF A SURVEY MADE THIS _____ DAY OF _____ 20____ FOR THE REPLAT OF PART OF LOTS 4100, 4101 & 4137 AND ALL OF LOTS 4072, 4073, 4131, 4132, 4133, 4134, 4135 & 4136 IN THE CITY OF MASSILLON, STARK COUNTY, OHIO AS SHOWN HEREON. I FURTHER CERTIFY THAT THE SURVEY BALANCES AND CLOSES, ALL DIMENSIONAL AND GENETIC DETAILS ARE CORRECT, AND THAT THE MONUMENTS ARE SET OR FOUND AS SHOWN.

JEROLD E. GEIB
REGISTERED SURVEYOR No. 6725

KNOW ALL MEN BY THESE PRESENTS, THAT HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTIES, INC. REPRESENTED BY BETH A. LECHNER AND ROBERT J. WILSON, DULY AUTHORIZED OFFICIALS OF SAID CORPORATION, OWNER OF THE PROPERTIES SHOWN HEREON, DO HEREBY CERTIFY AND CONFIRM THIS REPLAT, AND ACKNOWLEDGE THAT THIS PLAT WAS MADE AT THEIR REQUEST IN BEHALF OF HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTIES, INC. AND DO HEREBY APPROVE THE SAME. IN TESTIMONY WHEREOF, WE HERELUNTO SET OUR HANDS THIS _____ DAY OF _____, 2006.

OWNER: HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTIES, INC.
BY:

BETH J. LECHNER -- EXECUTIVE DIRECTOR

ROBERT M. MAURER - PROPERTY MANAGER

STATE OF OHIO
COUNTY OF STARK S.S.

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BETH J. LEONARD, A SINGLE WOMAN, OF SAID COUNTY AND STATE, WHO KNOWS THE CONTENTS OF THE FOREGOING INSTRUMENT, AND HER HUSBAND, ROBERT M. MAURER, REPRESENTATIVES OF HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTIES, INC., WHO ACKNOWLEDGED THAT THEY DID SIGN THE FOREGOING INSTRUMENT AND THAT THEY ARE THE SAME IN THEIR FREE ACT AND DEED AS REQUIRED BY LAW.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL AT _____ OHIO ON _____ DAY OF _____ 20____.

MY COMMISSION EXPIRES _____

THIS PLAN APPROVED AND ACCEPTED BY THE PLANNING COMMISSION OF THE CITY OF MASSILLON, OHIO AT
A MEETING HELD THIS _____ DAY OF _____ 20____

CHAIRMAN
JAMES JOHNSON

SECRETARY
KEITH A. DYMEWSKI

THE ACCOMPANYING PLAT SHOWING THE REPLAT OF THE LOTS IN THE CITY OF MASSILLON, OHIO AS
 DELINEATED ON THE TITLE OF THIS PLAT WAS ACCEPTED BY ORDINANCE NO. _____ AND IS
 HEREBY APPROVED AND GIVEN LOT NUMBERS (A) _____ (B) _____ (C) _____

MASSILLON CITY ENGINEER

ENTERED FOR TRANSFER THIS _____ DAY OF _____, 20____.

STARK COUNTY AUDITOR
KIM R. PEREZ

RECEIVED FOR RECORD THIS _____ DAY OF _____ 20____

STARK COUNTY RECORDER
DUCK CAMPBELL

NOTES

1. THERE ARE NO EXISTING BUILDINGS ON LOTS (A), (B), (C), (D), (E) & (F).

AREA SUMMARY										
LOT #	LOT 4072	LOT 4263	PL LOT 0000	LOT 4105	LOT 4133	LOT 4137	LOT 4134	LOT 4135	LOT 4136	TOTAL
AREA #	1	2	3	4	5	6	7	8	9	10
LOT #	4072	4263	0000	4105	4133	4137	4134	4135	4136	4072
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LOT #	4072	4263	0000	4105	4133	4137	413			

REPLAT AND RENUMBERING PLAT

PERTINENT DOCUMENTS

- [illegible]



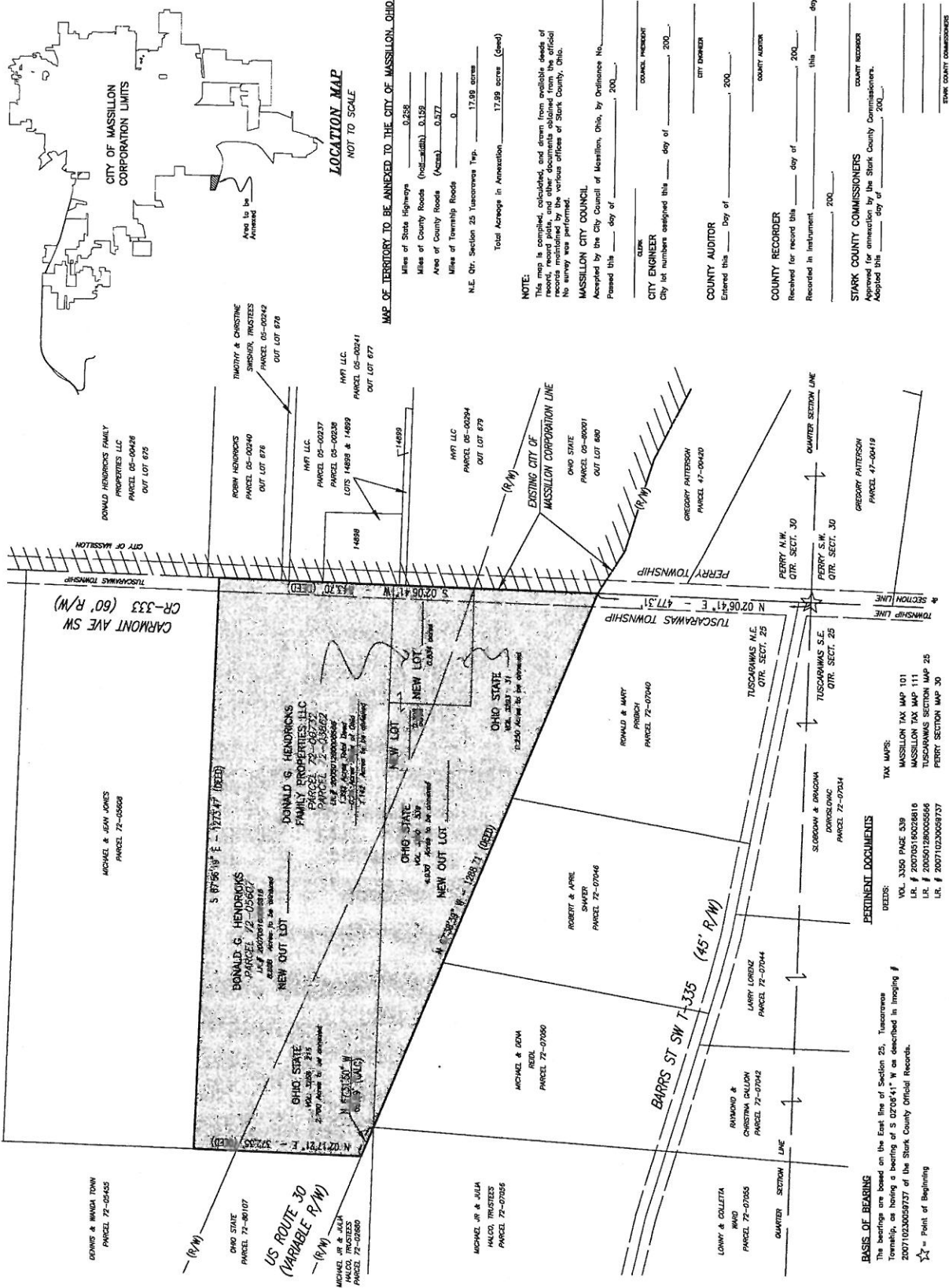
DATE	JULY 2009
DATE	JULY 2009
DRAWN BY	JAH
CHECKED BY	KAD

Hendricks Area Annexation
Port of the NE Quarter Section 25, Tuscarawas Township
Stark County, Ohio



REVISIONS	DESCRIPTION
DATE	11/23/09
BY	S.C.E. COMMENTS

1 / 1



LOCATION MAP
NOT TO SCALE

MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF MASSILLON, OHIO

Miles of State Highways	0.258
Miles of County Roads (Hd-Adm)	0.159
Miles of County Roads (Acta)	0.277
Miles of Township Roads	0

N.E. Qtr. Section 25 Tuscarawas Twp. 17.99 acres

Total Acreage in Annexation 17.99 acres (Acad)

NOTE:
This map is compiled, calculated, and drawn from available deeds of record, record plats, and other documents obtained from the official records of the Stark County Auditor's Office. No survey was performed.

MASSILLON CITY COUNCIL

Accepted by the City Council of Massillon, Ohio, by Ordinance No. _____ Passed this _____ day of _____, 200__.

CITY ENGINEER
City lot numbers assigned this _____ day of _____, 200__.

COUNTY AUDITOR
Entered this _____ day of _____, 200__.

COUNTY RECORDER
Received for record this _____ day of _____, 200__.

Recorded in instrument _____ this _____ day of _____, 200__.

STARK COUNTY COMMISSIONERS
Approved for annexation by the Stark County Commissioners.

Adopted this _____ day of _____, 200__.

County Auditor

County Recorder

Stark County Commissioners

County Auditor

PERTINENT DOCUMENTS

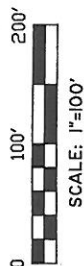
- DEEDS:
VOL. 3350 PAGE 439
L.R. # 20070316028616
L.R. # 20050128005566
L.R. # 200710230059737
- TAX MAPS:
MASSILLON TAX MAP 101
MASSILLON TAX MAP 111
TUSCARAWAS SECTION MAP 25
PERRY SECTION MAP 30

BASIS OF BEARING

The bearings are based on the East line of Section 25, Tuscarawas Township, as being a bearing of S 02°05'41" W as described in Tracting # 200710230059737 of the Stark County Official Records.

☆ = Point of Beginning

PART OF THE N.E. QUARTER OF SECTION 25 TUSCARAWAS TOWNSHIP (T-12, R-10) STARK COUNTY, STATE OF OHIO



SCALE: 1"=100'

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS S 86°35'00" E TAKEN FROM INST. No. 200307170068780

LEGEND

- REC. - RECORD DISTANCE OR ANGLE
- OBS. - OBSERVED DISTANCE OR ANGLE
- - MONUMENT FOUND, SIZE & TYPE AS INDICATED.
- - 5/8" REBAR, 30 INCHES IN LENGTH, WITH CAMPBELL & ASSOC. INC. CAP SET
- * - NEW DIVISION LINE

MICHAEL V. & JEAN A. JONES

(basis of bearings)

S 85°35'00" E 1273.40' obs 1273.47' rec 1243.39'

DONALD G. HENDRICKS FAMILY PROPERTIES, LLC
INST. No. 200307170068780
(8.888 ACRES Deed)
8.891 ACRES Survey

6.828 Ac Rem.
297416 SQ. FT.

Total
2.309 ACRES
100565 SQ. FT.

Limited Access
Right of Way

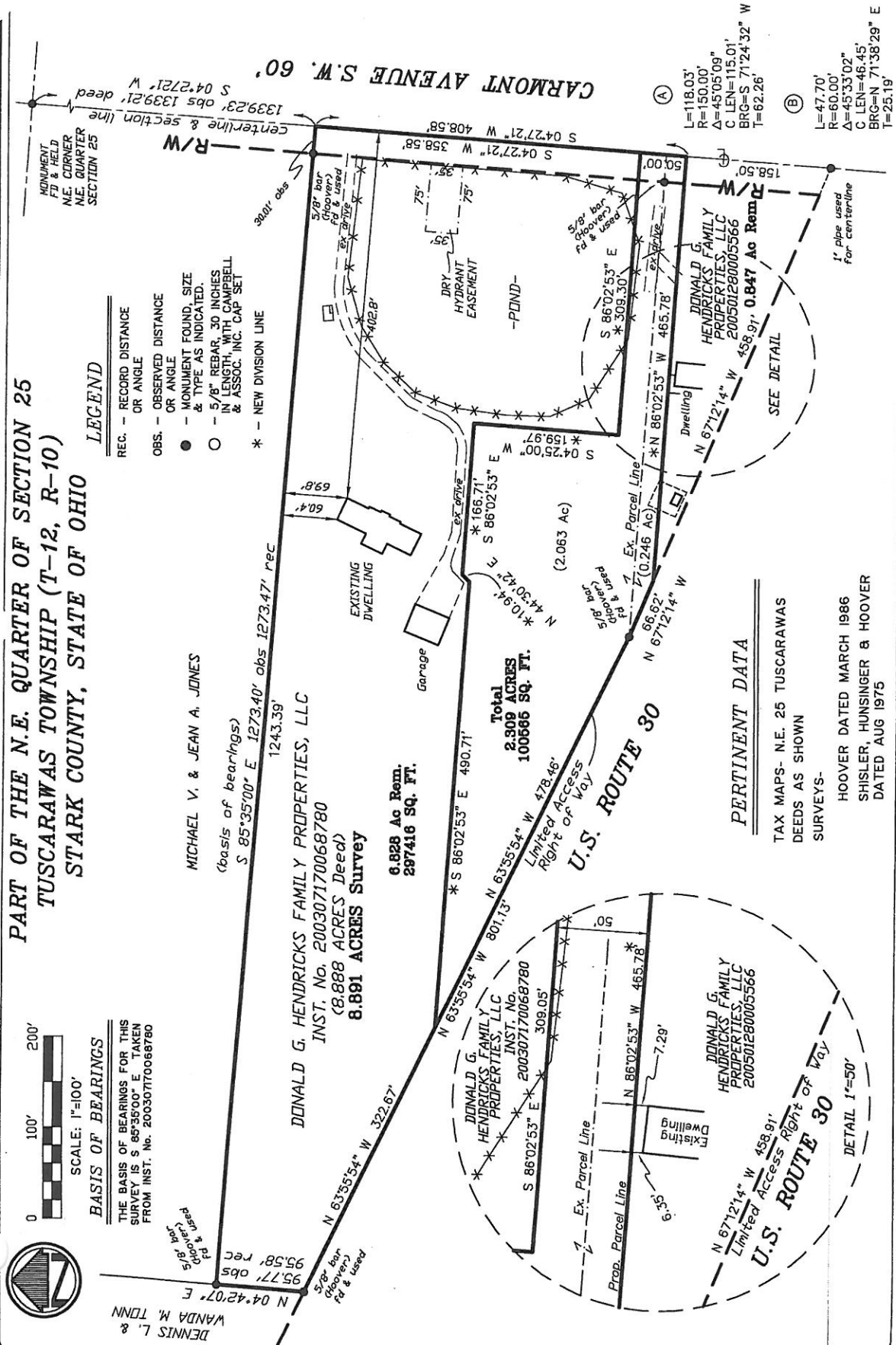
U.S. ROUTE 30

PERTINENT DATA

TAX MAPS- N.E. 25 TUSCARAWAS
DEEDS AS SHOWN
SURVEYS-

HOOVER DATED MARCH 1986
SHISLER, HUNSINGER & HOOVER
DATED AUG 1975

Field Book: BD/JL	Date: March 2010	Drawn By: DLG	Checked By: JPY	Job No. 20090168
Variance Plat	Hendricks Property S.W.	Carmont Avenue S.W.	CAMPBELL & ASSOCIATES, INC.	Surveying - Engineering
1923 Bailey Road Suite A	Cuyahoga Falls, Ohio 44221	(330) 945-4117	www.campbellsurvey.com	



***Massillon Planning Commission
February 10, 2010***

The Massillon Planning Commission met in regular session on February 10, 2010 at 4:00 p.m. in Mayor Cicchinelli's office. The following were present:

Members

Vice Chairman Todd Locke
Mayor Francis H. Cicchinelli, Jr.
Safety Service Director Michael Loudiana
Frank Cilona
Susan Saracina
Tim Muzi

Staff

Aane Aaby
Keith Dylewski
Jason Haines
Linda Mikutel

The first item of business was approval of the minutes for the Commission meeting of January 13, 2010. Mayor Cicchinelli moved for approval, seconded by Director Loudiana, motion unanimously carried.

The next item under new business was a replat and dedication plat presented by Jason Haines.

Replat and Dedication Plat – 1136 Lincoln Way East

Location: Lots 9563, 9564, 9565, 9566, 9567, 9568, located on the north side of Lincoln Way East, just west of Wales Road. The request is to combine these parcels to create (1) new lot approximately 1.585 acres. Also included is the dedication of a small portion of right-of-way for Lincoln Way East. The property is currently zoned B-3 General Business.

Applicant: Mary Ann Wervey / Zaremba Development

These properties are located at the northwest corner of Lincoln Way East and Wales Road NE. The request is to combine these parcels into one lot for the development of a CVS Pharmacy. The zoning is B-3 General Business. Mary Wervey of Zaremba Development, 14600 Detroit Avenue, Lakewood, Ohio 44107, was present as the real estate developer hired by CVS.

Director Loudiana questioned whether the existing fire hydrant was located within the proposed dedication area. Mr. Haines replied that he thought it was a signal pole.

Mr. Aaby questioned if all of the real estate sites involved had been closed. Ms. Wervey answered that not all have been closed at this time. Mr. Aaby then asked if they had CVS approval, and she stated that yes, they had CVS approval.

Mrs. Saracina moved for approval, seconded by Mayor Cicchinelli, motion unanimously carried.

The next item was a replat presented by Mr. Haines.

Replat – Erie Street South

Location: Part of Out Lot 1044, located on the west side of Erie Street South, just south of the Route 30 / Route 21 interchange. The request is to divide a small parcel approximately 0.956 acres out of the existing 45 acres. The property is currently zoned B-3 General Business.

Applicant: Ryan Oyster / GPD Associates

This is the property located on Erie Street South on which Menard's is located. The request is to split a small parcel out of the existing lot for the development of a Taco Bell. The zoning is B-3 General Business. Ryan Oyster of GPD Associates, 520 South Main Street, Suite 2531, Akron, Ohio, was present to represent Taco Bell. Mr. Oyster stated that a site plan has already been submitted for review.

Mayor Cicchinelli questioned if Menard's intention was to split more parcels out of the existing lot. Mr. Haines replied that it was his understanding that future replats would be done as needed when the size of the lot needed is known.

Mayor Cicchinelli moved for approval, seconded by Mrs. Saracina, motion unanimously carried.

The next item was a zoning code amendment presented by Mr. Aaby.

Zoning Code Amendments – Miniature Golf Courses

Proposed amendments to the zoning code regarding miniature golf courses. These amendments have been prepared by Perry Stergios, City Law Director.

Mr. Aaby stated that these zoning code amendments were intended to make the distinction between golf courses and miniature golf courses. The amendment would add Miniature Golf Courses to B-1 Local Business District zoning.

Mr. Muzi questioned the impact, if any; this change would have on Disc Golf. Mr. Aaby stated that he felt Disc Golf would be grandfathered if it is currently in existence. He also stated that the definition of a Miniature Golf Course includes the term "club", which would differentiate this from Disc Golf.

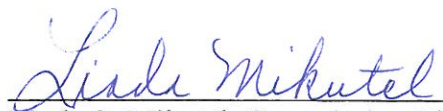
Mayor Cicchinelli suggested that Law Director Stergios review this issue before it is presented to Council.

Mayor Cicchinelli moved for approval, seconded by Mrs. Saracina, motion unanimously carried.

Mr. Aaby then introduced Linda Mikutel as the new Planning Board secretary.

There being no further business, the meeting adjourned at 4:25 p.m.

Respectfully submitted,


Linda S. Mikutel, Commission Clerk

Sign in Sheet

Address and/or organization

Campbell + Associates

Zaremba Group, LLC

GRU GROUP