

A G E N D A
MASSILLON PLANNING COMMISSION
November 10, 2010 4:30 P.M.
MAYOR CICCHINELLI'S OFFICE

- 1. *Approval of the Minutes for the Commission Meeting of October 13, 2010.***
- 2. *New Business***

Dedication Plat - Lincoln Way East

Location: Lot 17343, located on the north side of Lincoln Way East, just west of 27th Street.
This is the site of the new Oreillys Automotive Store. The request is to dedicate a portion of additional right of way along Lincoln Way East.

This property was recently replatted and roadway dedicated in the spring, however the right of way was not properly shown on the plat and needs to be corrected.
The property is zoned B-3 Business.

Applicant: Bayer&Becker Inc. / City of Massillon



27TH ST NE

Lot Split & Dedication Plat
2600 Lincoln Way East

172 Area to be Dedicated

AcadGlobe
Map Eng

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE ACCOMPANYING PLAT IS A TRUE AND CORRECT RETURN OF A SURVEY MADE UNDER MY DIRECTION. I FURTHER CERTIFY THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS AND THE MONUMENTS HEREON WILL BE SET AND ARE SET CORRECTLY IN ACCORDANCE WITH THE GEODETIC DETAILS ARE CORRECT.

DATE: 11-2-10
REGISTERED SURVEYOR #7568 IN THE STATE OF OHIO
JAMES LAMBER, P.E.

AUDITOR: KIM PEREZ
COUNTY RECORDER:
RECEIVED FOR RECORD BY THE STARK COUNTY RECORDER THIS _____ DAY OF _____
RECORDED IN PLAT INSTRUMENT # _____

RECORDER: RICK CAMBELL

COUNTY AUDITOR:
ENTERED FOR TRANSFER BY THE STARK COUNTY AUDITOR THIS _____ DAY OF _____

LINCOLN WAY E (S.R. #172)

LINE TABLE		
Line	Direction	Distance
L-1	N01°39'35"E	10.22
L-2	S13°30'50"W	10.00

Proposed Dedication
0.0395 ACRES
1/21 S.F.

REMAINDER
0.7878 ACRES
34316 S.F.

Lot #17343
PL #07 038 13
O'Reilly Automotive, Inc.
Dated Herein

PL 06/01/07 330
RL #07 038 13 0100
McDonald's Corporation
Vol. 451, Pg. 137

OUTLOT 883
PL 07/03/08 15 0100
Inland Western Massillon Village LLC
Dated Herein 2/20/08 07/03/08 15 0100

OUTLOT 417
PL 07/03/08 01100
David & Korman Massillon LLC
Dated Herein 2/20/08 07/03/08 01100

27th St. NE
N01°51'20"E 165.75'
165.69'
N75°18'36"W 805.93'
805.65' (D)
N01°51'20"E 165.75'
165.69'
Bailey St. NW
Quarter Sect. Line

SURVEY NOTES:
BASIS OF BEARINGS: GPS OBSERVATIONS, OHIO NORTH ZONE (NAD-83 / CORS98) 3401
DEED REFERENCE: INSTRUMENT NO. _____
TAX MAPS: MASSILLON 38
PLATS: SURVEY BY BAYER BECKER
ALTA SURVEY BY COOPER & ASSOCIATES
REPLAY BY COOPER & ASSOCIATES
DEEDS OF RECORD AS SHOWN
MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE SHOWN.
LINES OF OCCUPATION, WHEREVER THEY EXIST, GENERALLY AGREE WITH THE
BOUNDARY LINES EXCEPT AS SHOWN.
ALL DOCUMENTS USED AS SHOWN.

LEGEND
-Set Map Here
-Set Iron Pin
-Set 1/2" Pin
-Set 1/4" Pin

OWNER:
O'REILLY AUTOMOTIVE, INC.
233 SOUTH PATTERSON
SPRINGFIELD, MO 65802

AREA BREAKDOWN:
AREA OF LOT #17343 ACRES
AREA IN RIGHT OF WAY = 0.0395 ACRES
TOTAL AREA OF REMAINDER LOT #17343 = 0.7878 ACRES

OWNER CERTIFICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT O'REILLY AUTOMOTIVE, INC., OWNER, DOES HEREBY ASSENT TO AND ACKNOWLEDGE THAT THIS DEDICATION OF PART OF LINCOLN WAY EAST AND ACKNOWLEDGE THAT THIS WAS MADE AT ITS REQUEST HEREUNTO SET OUR HANDS ON THIS _____ DAY OF _____ A.D. 20____.

O'REILLY AUTOMOTIVE, INC., OWNER

STATE OF _____
COUNTY OF _____ S.S.

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED THE ABOVE SIGNED OWNER, REPRESENTED BY ITS MEMBER, WHO ACKNOWLEDGED THE MARKING OF THIS PLAT TO BE ITS FREE ACT AND DEED.

NOTARY PUBLIC: STATE OF _____

MY COMMISSION EXPIRES _____

PLANNING COMMISSION:

THIS PLAT APPROVED AND ACCEPTED BY THE PLANNING COMMISSION OF THE CITY OF MASSILLON, COUNTY OF STARK, STATE OF OHIO AT A MEETING HELD THIS _____ DAY OF _____ A.D. 20____.

CHAIRMAN: JAMES JOHNSON

SECRETARY: KEITH A. DYLEWSKI

CITY ENGINEER:

THIS PLAT APPROVED AND ACCEPTED BY THE CITY OF MASSILLON ENGINEER THIS _____ DAY OF _____ A.D. 20____.

NEW OUT LOT NUMBER _____

MASSILLON CITY ENGINEER: KEITH A. DYLEWSKI, P.E.

MASSILLON CITY LAW DIRECTOR:

I HEREBY CERTIFY BASED ON DOCUMENTS SUBMITTED TO ME, THAT TO THE BEST OF MY KNOWLEDGE NO ENCUMBRANCES EXIST ON ANY OF THE LANDS OFFERED FOR DEDICATION AS A PUBLIC STREET THIS _____ DAY OF _____ 20____.

MASSILLON CITY LAW DIRECTOR

COUNCIL:

ACCEPTED BY THE COUNCIL OF THE CITY OF MASSILLON BY ORDINANCE NO. _____ PASSED THIS _____ DAY OF _____ 20____.

PRESIDENT

CLERK OF COUNCIL

**DEDICATION OF PART
OF LINCOLN WAY EAST
NE QUARTER SECTION 9, TOWN 10, RANGE 9
CITY OF MASSILLON,
STARK COUNTY, OHIO
PT. LOT #17343**

bayer
www.bayerbecker.com
6900 Tylerville Road, Suite A
Mason, OH 45040 - 513.336.8600

Drawing: 08C230-000 DP
Checked By: JSD
Issue Date: 11-2-10
Sheet: 1 of 1



VICINITY MAP
(U.S.A.)

Massillon Planning Commission
October 13, 2010

The Massillon Planning Commission met in regular session on October 13, 2010 at 7:30 p.m. in City Council Chambers. The following were present:

Members

Chairman Jim Johnson
Vice-Chairman Todd Locke
Frank Cilona
Susan Saracina
Sheila Lloyd

Staff

Aane Aaby
Jason Haines
Linda Mikutel

The first item of business was approval of the minutes for the Commission meeting of September 8, 2010. Mr. Cilona moved for approval, seconded by Mr. Locke, the motion unanimously carried.

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

Rezoning – Richville Drive Area Annexation

Property Description: Approximately 138 acres of former Perry Township land, located along Richville Drive on both the north and south sides of US 30, as well as along Cincinnati Street, west of Stump Avenue, south of US 30.

Zone Change From: Perry Township, R-2 Single and Two Family Residential

Zone Change To: R-2 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.

Mr. Aaby explained that this area was annexed into the City of Massillon as an expedited annexation, without a public hearing. He stated that by State law, the City is required to rezone the annexed property to that which most closely matches the Township's zoning. There is only one structure on the 138 acre tract, which is the R. G. Drage School facility. The remainder of the area is vacant land.

Mr. Cilona questioned if the area should be zoned as agricultural. Mr. Aaby replied that Perry Township had no such agricultural zoning classification.

Mr. Thomas Fritchley of 6543 Creston Drive SW was present and expressed a concern about the vacant land that adjoins his property and if there were any known plans for future development. Mr. Aaby replied that the land in question is that which the State acquired as part of their US 30 project. Mr. Cilona asked if the State was proposing any further development on that land. Mr. Aaby replied that the State could sell the land, and it would also be zoned as R-2, single family residential.

Mr. Haines commented that the school currently owns the property and uses it as part of their curriculum for farming classes, and that the State has already sold part of the land south of Route 30.

With no further questions or comments on this item, Mr. Locke moved to approve the rezoning, seconded by Mrs. Saracina, the motion unanimously carried.

The next item under new business was a replat request presented by Mr. Haines.

Replat - 1415 Valerie Ave. NE

Location: Out Lot 646, an 8.05 acre tract located on the west side of Valerie Ave NE. The request is to split the property into (3) lots, one containing the existing home and (2) new building sites. The lots would be approximately 2 to 3 acres in size, subject to survey. The property is zoned R-4 Single Family.

Variances requested: Section 1177.01 Lot width on Valerie side: 120' required

Section 1177.01 Lot width on Ledgewood side: 120' required

Section 1109.05 Lot depth more than 3 ½ times its width

Applicant: Ronald and Gamie Cordray

Mr. Haines explained that this is an 8-acre wooded tract with one home and the request is to split it into three parcels, two to three acres in size, which would make them large enough to meet the area requirements, but the problem is meeting the requirement for frontage. Three variances would need to be approved for frontage. He also stated that sanitary sewer would have to be tied to the line that services Lake Trail. Also that there are no water lines available, so water would have to be supplied from water wells, which do not provide adequate fire protection.

Mr. Locke questioned how much frontage is required for R-4 zoning, and Mr. Haines replied that it was 120 feet.

Mr. Johnson asked about other utility lines and was told that they would have to be run overhead. There is only about 30 feet of right-of-way available for each lot. Mr. Johnson also inquired as to why there was such a long drive from Ledgewood as part of this parcel. Mr. Haines explained that this was originally intended as access for the condo development, but was not used and sold off.

Mr. Locke asked if it were possible to replat only two parcels instead of three. Mr. Haines replied even two parcels would still require the approval of two variances and that the access is not wide enough for a road. Mr. Johnson then replied that a fire truck would have difficulty maneuvering the narrow driveway.

Mr. Cilona inquired about using Lake Trail and Mr. Haines replied that Lake Trail is a private drive used for the condo development. Mr. Haines also stated that there is a creek that runs through the driveway access for the proposed new lot on Valerie Avenue. Mr. Locke pointed out that it would be 600 feet of driveway, the length of two football fields.

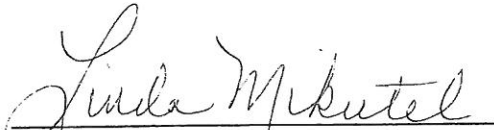
Chanelle Alazaus of 1415 Valerie Avenue NE was present to represent the property owners. She said that it was the owner's intention to split this into three parcels in order to sell one parcel to her sister, build a smaller house for herself on the other parcel, and to sell the parcel with the larger house that is presently on the property.

Mr. Locke stated that this request does not meet any of the necessary zoning requirements. Mr. Haines stated that the City Engineer, Keith Dylewski, was not in favor of the replat as presented.

With no further questions or comments on this item, Mr. Cilona made a motion to deny the replat, seconded by Mrs. Saracina, the motion unanimously carried.

There being not further business before the Commission, Mrs. Saracina made a motion to adjourn, seconded by Mr. Locke. The meeting adjourned at 7:47 p.m.

Respectfully submitted,


Linda S. Mikutel, Commission Clerk

Massillon Planning Commission

Use cell phones only in an emergency

yes
Mayor Francis H. Cicchinelli, Jr.
(Jan. 1988)
(Home: 832-3373) W: 830.1700

Mike Loudiana
Safety Service Director
Home: 832.9986 Cell: 353.1800

yes
Frank Cilona
2345 Xavier Drive SE
Massillon, Ohio 44646
330-834-3113 - buckeyel@sssnet.com

yes
Susan Saracina
504 Lincoln Way East
Massillon, Ohio 44646
330.209.8515 (02/08/06)

yes
Todd Locke, Vice Chairman
1525 Valerie Avenue NE
Massillon, Ohio 44646
car: 936.2055
(ctlocke@wrladv.com)
Work: 493.8866 Ext. 119

Newspapers, radio, etc.
Only get copy of agenda:

Robert McCune (Doug Staley left 10/06)
The Independent
50 North N.W. (833.2634 #81124)
Massillon, Ohio 44647

Benjamin Duer 12/13/04
The Repository (580-8300 #8567)
500 Market Avenue South
Canton, Ohio 44702

ESPN 990
P. O. Box 608 (837-9900)
Massillon, Ohio 44648

Account Relations Dept.
East Ohio Gas
4725 Southway Street SW
Canton, Ohio 44706.1936

Prepare sign-in sheet

Date: Nov 10, 2010
4:30 PM

Sheila Lloyd
707 Eighth Street, S.W.
Massillon, Ohio 44647
Work at Home: 833-2834
Sheila50@sssnet.com
Home - 833-8591
Fax - 833-8592

Elaine Campbell
2540 Fallen Oak Circle NE
Massillon, Ohio 44646
330-837-2720 (02/09-6yrs.)
330-430-6986 - work
330-327-7530 - cell

James E. Johnson, Chairman (call
last w/quorum)
320 Taggart N.E.
Massillon, Ohio 44646
Home - 330-832-2233
(seawolf5774@sbcglobal.net)

yes
Tim Muzi
2535 Linda Lane S.W.
Massillon, Ohio 44647
He wants us to use: 330-418-8820
Not home - 330-832-9296

Aane, Jason, Keith, AAA's book:
Get copies of everything
City Council/ AGENDA only
Make 11 - 1 EXTRA for Mary
Beth (15 extra copies w/sign in sheet)

Mail minutes & agenda each month with
envelope they provide:

Vin Core, LLC
1133 Bonnie Lane
Mayfield Hts. Ohio 44124 (Vince Russo)

Pinnacle Financial Group
P. O. Box 31561
Cleveland, Ohio 44131.9602
Attn: Daniel A. Rose

Julie Poole
Dodge
1175 Dublin Road
Columbus, Ohio 43215.9596

Special Notes: Be sure to call newspapers
and radio station with any time change in
meeting. Also call WHBC.

Sign in Sheet

Address and/or organization

James H. Shnell J. 151 Lincoln Way East City