

A G E N D A
MASSILLON PLANNING COMMISSION
August 8, 2012 **4:30 P.M.**
Mayor Catazaro-Perry's Office

**** Please note meeting time and location ****

1. Approval of the Minutes for the Commission Meeting of July 11, 2012.

2. New Business

Replat – Venture Circle SE

Description: Out Lot 989, located on the north west corner of Venture Circle SE and Business Place SE. The request is to replat this property into two new lots, 3.00 and 3.96 acres in size. There is an existing commercial building on this site. The property is zoned I-1 Industrial.

Applicant: Stanley Miller Construction / Hoover and Associates

Replat – 1015 Stratford Avenue NE

Description: Lots 8426, 8427, 8449, 8450, 8451, located on the South side of Stratford Avenue between 10th Street NE and 11th Street NE. The request is to split the properties into two new lots, 0.83 acres and 0.39 acres in size. There is an existing home on one lot and proposed building site on the other. The properties are zoned R-3 Single Family.

Applicant: Deborah Butterfield

3. Old Business

Replat and Dedication Plat 2303 Tremont Ave. SW

Description: Lots 10331, 10332, part 10333, 12232, 12233, 12234, 12210, and part Out Lot 262. Located on the south side of Tremont SW, at Main Ave intersection. The request is to replat these properties into 3 new lots, each containing an existing home. The property is zoned R-2 Single Family.

****** Plat has been revised to show dedication areas of Tremont Ave. SW ******

Applicant: Dennis Earl / Michael Sylvester / Vivian Zalack

Preliminary Plat – Country View Estates Phase 6

Description: Part of Out Lot 499, totaling 18.915 acres. Located on the South side of Carlene Avenue SW, at the end of Carlene, 23rd St, Margilee, and Linda Lane streets. Also adjoins the north side of Community Park property. The request is to plat this land into 44 residential lots including 4 new streets. The property is zoned R-3 Single Family.

*** Plat has been revised and resubmitted per July meeting comments***

Applicant: Faircrest Properties/Crockett Construction

Variance Request: The owner has requested a variance of section 1177.01 (Lot frontage requirements) for a certain number of proposed lots.
*****See attached letter*****

Massillon Planning Commission

July 11, 2012

The Massillon Planning Commission met on July 11, 2012 in the Mayor Catazaro-Perry's office. The following members were present:

Members

Mayor Kathy Catazaro-Perry
Safety-Service Director Maier
Todd Locke, Chairman
Elaine Campbell
Ted Schartiger
Bob Richards
Jaime Darr
Moe Rickett

Staff

Ted Herncane
Jason Haines
Linda Mikutel

Mr. Locke called the meeting to order at 4:30 p.m. The first item of business was approval of the minutes for the Commission meeting of May 9, 2012. Mr. Richards moved for approval, seconded by Mr. Rickett and unanimously carried.

The next item under new business was a request to replat property located on Erie Street South, presented by Mr. Haines.

Replat – Erie Street South

Description: Lots 3849 and 3850, located on the corner of South Erie Street and Woodland Avenue. The request is to replat these properties into one new lot, 0.324 acres in size. There is an existing commercial building on this site. The property is zoned RM1 Multi-Family. Applicant: David Armstead

Mr. Haines stated that the Lot 3850 on the corner of Erie Street South and Woodland Street SE was formerly used as a bar. The lot to the north has been vacant for a long time. Mr. Armstead acquired the property at a Tax Auditor Sale and his intention is to combine the lots into one parcel. Mr. Haines stated that both lots were zoned RM-1 Multi-Family.

Mr. David Armstead of 1540 South Erie was there to represent this replat request. He explained that his intention is to use the extra lot for a garden.

With no further questions or comments, Ms. Campbell moved for approval, seconded by Mr. Schartiger, the motion unanimously passed.

The next item under new business was a request to replat property located at 2303 Tremont Avenue SW, presented by Mr. Haines.

Replat – 2303 Tremont Ave. SW

Description: Lots 10331, 10332, part 10333, 12232, 12233, 12234, 12210, and part Out Lot 262. Located on the south side of Tremont SW, at Main Ave intersection. The request is to replat these properties into 3 new lots, each containing an existing home. The property is zoned R-2 Single Family. Applicant: Dennis Earl / Michael Sylvester / Vivian Zalack

Mr. Haines stated that this replat consists of eight lots on the southwest side, at the corner of Main and 24th Street SW. The applicant's home fronts 24th Street SW and his intention is to purchase the vacant land in back of his property to enlarge his lot.

Mr. Locke established that the first house on the southeast corner of the intersection was not included in this replat.

Mr. Haines stated that the survey revealed that a fence on the north lot line is an encroachment over the property lines and that the owner has agreed to sell part of the lot to correct the problem to be included in this replat.

Mr. Locke noted that there was no access to this property from 24th Street. Mr. Haines said that a 25' driveway from Tremont has been proposed.

Mr. Haines stated that the combination of these lots creates an irregular shaped lot and does meet the R-2 frontage zoning requirement.

Mr. Michael Sylvester of 1010 24th Street S.W. was there to represent this replat request. He stated that his intention for now was to enlarge his yard and possibly build a garage in the future.

Mayor Catazaro-Perry questioned if the access from Tremont Avenue could be used as a road. Mr. Sylvester replied that no, it will just be a driveway to access the property in order to mow.

With no further questions or comments, Mr. Schartiger moved for approval, seconded by Mayor Catazaro-Perry, the motion unanimously passed.

The next item under new business was a request to approve a preliminary plat for County View Estates Phase 6, presented by Mr. Haines.

Preliminary Plat – Country View Estates Phase 6

Description: Part of Out Lot 499, totaling 18.915 acres. Located on the South side of Carlene Avenue SW, at the end of Carlene, 23rd St, Margilee, and Linda Lane streets. Also adjoins the north side of Community Park property. The request is to plat this land into 44 residential lots including 4 new streets. The property is zoned R-3 Single Family.

Variance Request: The owner has requested a variance of section 1177.01 (Lot frontage requirements) for a certain number of proposed lots.

Applicant: Faircrest Properties/Crockett Construction

Mr. Haines stated that this is a preliminary plat to develop approximately 19 acres of OL 499 located to the east of the existing Country View allotment; Massillon Community Park is located to the south. The proposed development would extend the existing dead-end streets of Linda Lane, Carlene Avenue, 23rd

Street and Margilee. The existing County View allotment is zoned R-3; east of 17th Street is zoned R-1; north of Tremont Avenue is zoned R-1.

The applicant has submitted a Variance Request for 33 Lots to allow the subdivision to be designed according to the plat. The current R-3 zoning requires 90' frontage, 12,000 square foot lots; 33 of these lots will not meet those requirements. Mr. Haines stated that the applicant has chosen to submit a Variance Request instead of a Zoning Change.

Mr. Locke stated that approximately 72% of these lots do not meet the minimum zoning requirements; of the 44 platted lots, 32 do not meet the necessary requirements. Mr. Locke said that the Commission has held true to the minimum frontage requirements in past requests and is concerned of making exceptions and setting precedence. Mayor Catazaro-Perry expressed the same concerns. Mr. Locke asked if this could be possibly be replatted to get closer to only 10% of the lots needing a variance.

Mr. David Hayes of 5060 Navarre Road SW, Canton, was there to represent Faircrest Properties/Crockett Construction. Mr. Hayes explained that the proposed allotment was designed around where the existing sewer lines were built in the 1970s, and that asking for the frontage changes was the most practical way to put the lots in because of the sewer layouts. He stated that building around live sewer lines will bring up multiple issues.

Mr. Rickett questioned if the existing sewer lines are big enough for this proposed allotment. Mr. Haines replied that yes, they were sufficient. Ms. Campbell asked for the definition of a live sewer line. Mr. Haines explained that this allotment was originally planned for development in the 1970s but for some reason this phase was never built. The sewer mains exist along the proposed streets and are flowing.

Ms. Campbell then asked if one lot was removed from the proposed lots 10-18, which would add 10' to each lot in order to meet zoning requirements, would that affect the sewer layout. Mr. Haines replied that no, it would not affect the sewer layout. Mr. Hayes stated that there is an existing 9% grade downhill on the north side that limits what can be done in that section.

Mr. Richards asked if the allotment would look the same as the existing allotment. Mr. Hayes replied that yes, but with smaller frontages.

Ms. Campbell asked if there were Variances granted on the other Country View phases. Mr. Haines replied that the previous phases met the necessary zoning requirements.

Mayor Catazaro-Perry stated that a 90' frontage on a lot makes it more valuable for curb appeal and re-sale and that it is important to pay attention to that fact. She said that she would like to see this brought back to the Commission with some adjustments. Ms. Campbell remarked that she felt it looked like it could be re-done.

Mr. Hayes stated that the 90' frontage requirement creates a problem with interconnecting the roads. Also the location of a high-pressure gas main line on the property creates limitations because homes cannot be built over it and the gas main cannot be relocated. Ms. Campbell asked if he was aware of

these issues before he purchased the property. Mr. Hayes replied that he was aware of these issues with the exception of the sewer.

Mr. Locke then asked Mr. Haines for his recommendation. Mr. Haines replied that Mr. Hayes does have several site restraints and that he has been cooperative in making concessions to revise the plat. Mr. Haines said that at least 12-15 variances would be needed because of the cul-de-sacs, but feels that there are still ways to compromise by removing some lots.

Mr. Rickett said he was concerned about the detention area on the south side of the property as it lies adjacent to the Massillon Community Park. Mr. Haines replied that everything south of Tremont drains to the creek on the west side of the park, so it should not create any flooding in the park. Mr. Richards stated that there are some flooding problems in the area. Mr. Hayes replied that a baffle could be put in to eliminate any problems, and that he is required to meet EPA requirements regarding water runoffs.

Director Maier inquired as to what zoning was in place when the allotment was originally platted in the late 1960s, early 1970s. Mr. Haines replied he was not sure, but the original plan was to develop the property to Finefrock Road, but some of that land was sold to the State of Ohio for the new 241 roadway and for some reason, this final phase was not completed.

Director Maier then stated that he would like to see adjustments made to the layout to reduce the percentage of lots not meeting the necessary zoning requirements. Ms. Campbell agreed. Mr. Hayes replied that he could maybe reduce it by 3-4 lots, but could not do much more.

Ms. Campbell asked how much Mr. Hayes would charge for these lots. Mr. Hayes replied \$30,000.00 to \$35,000.00, at the least \$28,000.00 to make a profit to develop it. Mayor Catazaro-Perry stated that there are \$38,000.00 lots for sale on Hankins Road and none of them have sold at that price.

Mr. Locke asked Mr. Hayes if this plat could be re-worked and presented again to the Commission. Mr. Hayes replied yes, and stated that the medium prices for smaller lots with homes are selling at \$205,000.00 in Massillon. Mr. Hayes also stated that the lots in this proposed plat would meet R-2 zoning requirements.

Mr. Locke presented three options; 1) to approve the plat, 2) to deny the plat or 3) to table the request. Mr. Hayes replied that he would prefer to bring it back to the Commission to make it a workable project. The Commission unanimously voted to table the request.

There being no further business, Mr. Rickett made a motion to adjourn the meeting, seconded by Mr. Richards. The meeting adjourned at 5:15.

Respectfully submitted,



Linda Mikutel, Commission Clerk

JULY 2012

P20

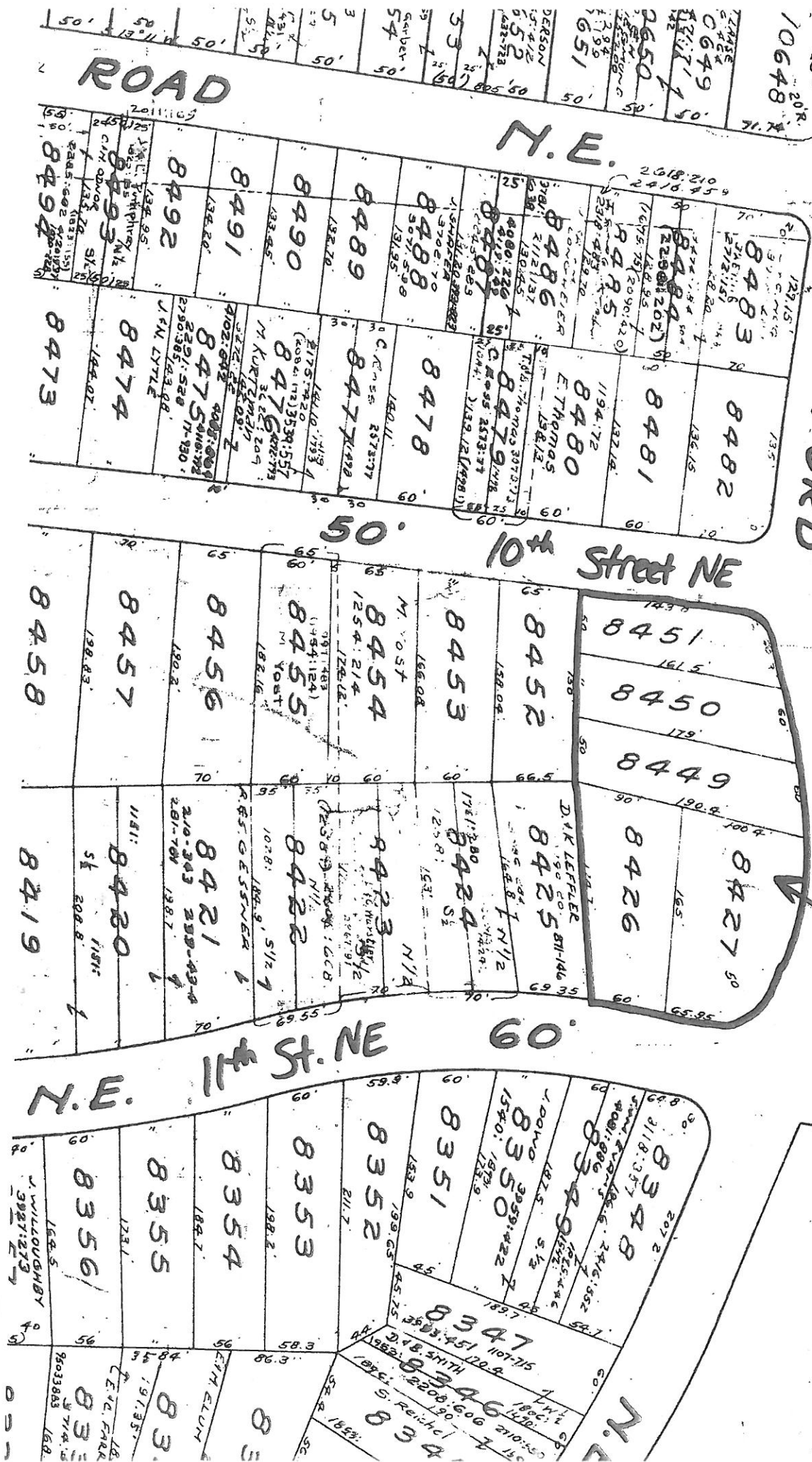
10648^{20R}

A

10th Street NE

101

11th St. NE

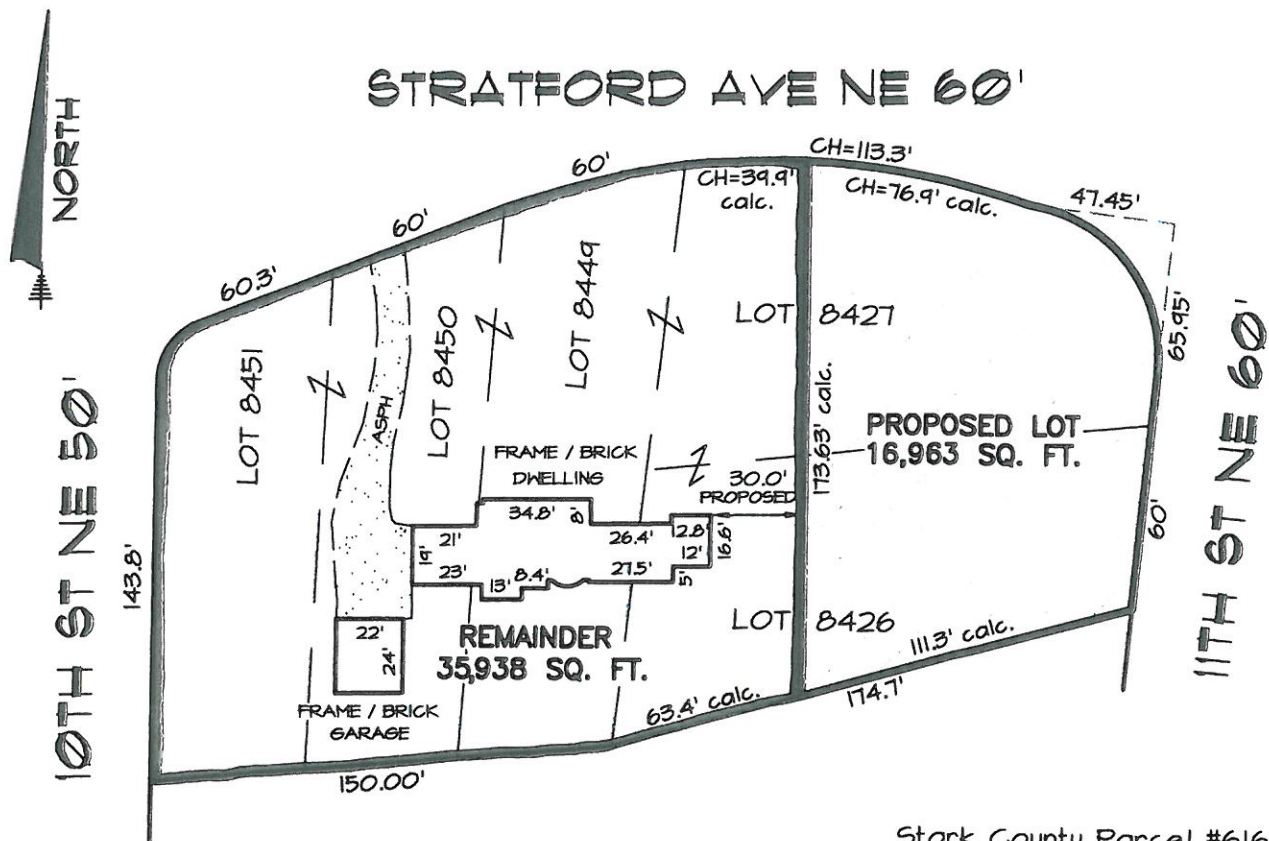




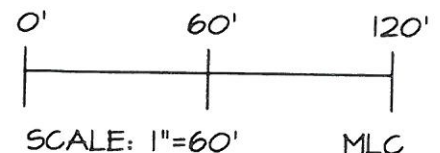
CAMPBELL
ASSOCIATES, INC.
Surveying • Engineering

(330) 945-4117
Fax: (330) 945-4140
1923 Bailey Road
Suite A
Cuyahoga Falls, OH 44221
<http://www.campbellsurvey.com>
MattC@campbellsurvey.com

PROPOSED PROPERTY SPLIT



Stark County Parcel #616070



Address 1015 Stratford Avenue NE
State of Ohio, County of Stark, City of Massillon

Allotment: Charity Rotch Kendal
Plat Book: 18 Page: 27 TM 5
Date July 26, 2012

Owner Scott L and Deborah J Butterfield

C & A Order No.
20120174

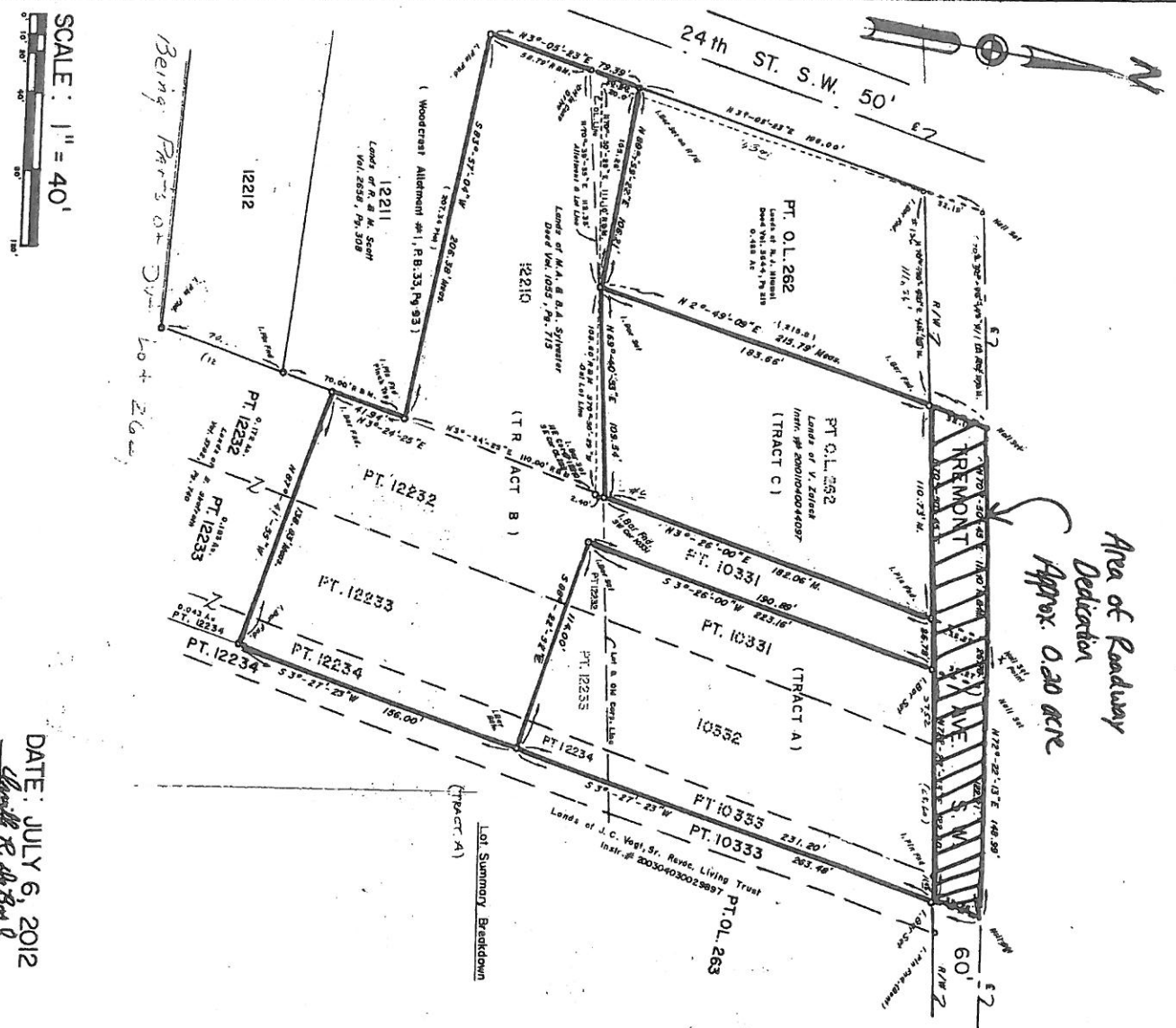
This map was prepared without the benefit of a boundary survey and is intended for planning purposes only.

Matthew L. Campbell

Matthew L. Campbell - Reg. Surveyor No. 8546

SCALE: 1" = 40'

FOR: EARL, SYLVESTER, & ZALACK



DATE: JULY 6, 2012

Orville R. DeBos, Jr.
Reg. Surveyor #5623
Massillon, OH 44862
PH: 337-1467
Cell: 337-1200

CERTIFICATION

I hereby certify the adjacent to be correct, as surveyed by me this _____ day of _____, 20____.

Orville R. DeBos, Jr.
Orville R. DeBos, Jr.
Reg. Surveyor #5623

PLANNING COMMISSION

Approved by the Massillon Planning Commission at a meeting held _____, 20____.

CHAIRMAN _____ SECRETARY _____

CITY COUNCIL

Accepted by the City Council of Massillon, Ohio, by ord. no. _____ passed this _____ day _____, 20____.

CLERK _____ PRESIDENT _____

MASSILLON CITY ENGINEER

Lot Numbers _____ assigned by the Massillon City Engineer.

CITY ENGINEER _____

ACKNOWLEDGEMENT

Know all men by these presents, that we the undersigned owners of the land delineated hereon, do hereby acknowledge the signing of the same to be our free act and deed, and do hereby repeat our bond.

WITNESS _____ OWNERS _____

COUNTY OF STARK STATE OF OHIO ss.

Before me, a Notary Public, in and for said county, did personally appear, the above, who acknowledge the signing of the same to be their free act and deed according to law. In witness whereof, I hereunto set my hand and seal this _____ day of _____, 20____.

Notary Public _____

STARK COUNTY AUDITOR

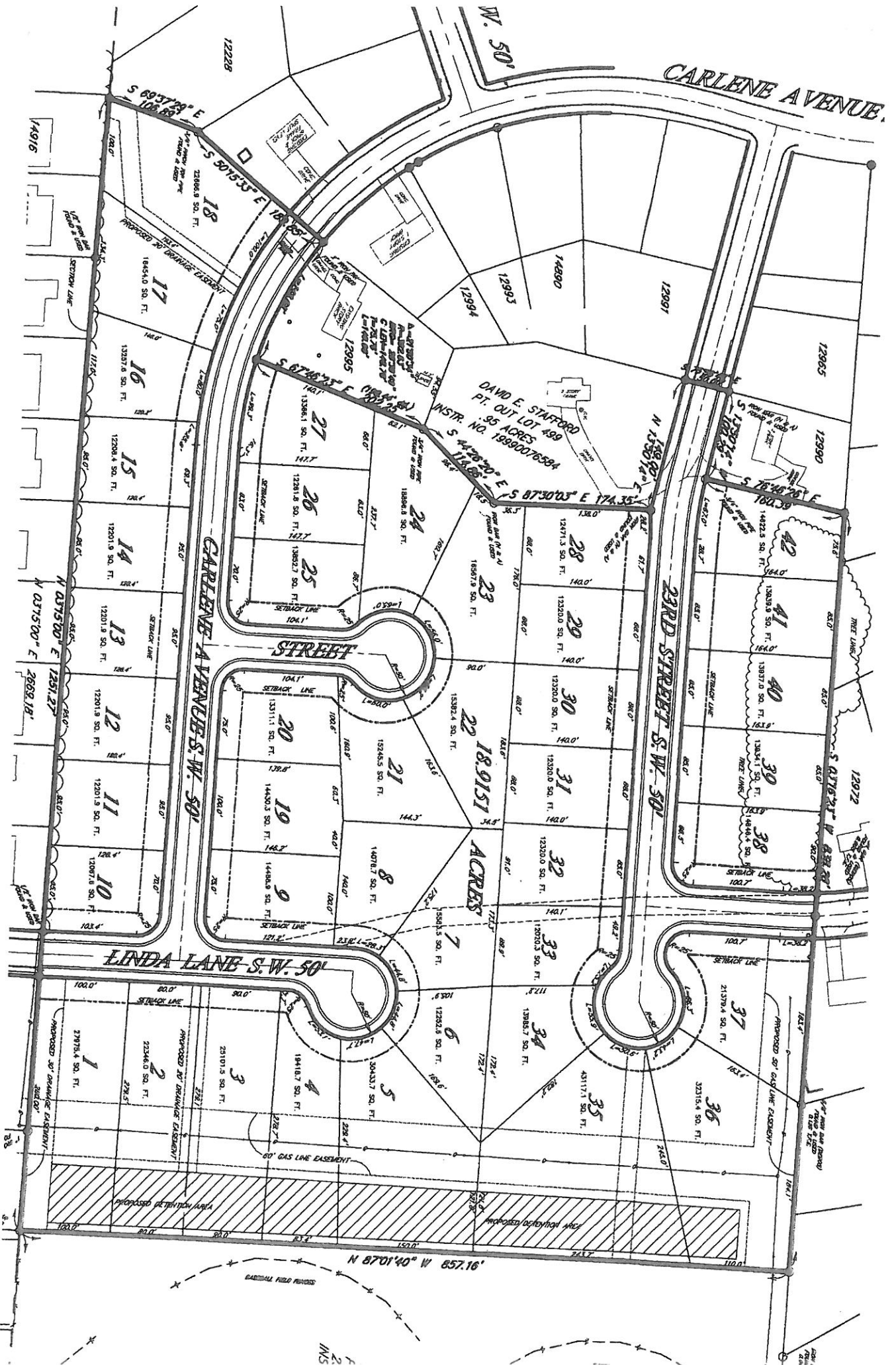
Entered for transfer this _____ day of _____, 20____.

STARK COUNTY RECORDER

Received for record this _____ day of _____, 20____.

STARK COUNTY RECORDER _____

FILE NO. _____ ACC. NO. _____



LOT AREAS

LOT NO.	LOT AREA
1	27975.4 SQ. FT.
2	22346.0 SQ. FT.
3	25101.5 SQ. FT.
4	19418.7 SQ. FT.
5	30433.7 SQ. FT.
6	12252.6 SQ. FT.
7	15583.5 SQ. FT.
8	14076.7 SQ. FT.
9	13026.6 SQ. FT.
10	12067.6 SQ. FT.
11	12201.9 SQ. FT.
12	12201.9 SQ. FT.
13	12201.9 SQ. FT.
14	12201.9 SQ. FT.
15	12208.4 SQ. FT.
16	13257.6 SQ. FT.
17	16454.0 SQ. FT.
18	22666.9 SQ. FT.
19	14430.3 SQ. FT.
20	13311.1 SQ. FT.
21	15245.5 SQ. FT.

LOT NO.	LOT AREA
22	15382.4 SQ. FT.
23	16567.9 SQ. FT.
24	18896.6 SQ. FT.
25	13852.7 SQ. FT.
26	12261.8 SQ. FT.
27	13366.1 SQ. FT.
28	12471.3 SQ. FT.
29	12320.0 SQ. FT.
30	12320.0 SQ. FT.
31	12320.0 SQ. FT.
32	12320.0 SQ. FT.
33	12020.3 SQ. FT.
34	13985.7 SQ. FT.
35	43117.1 SQ. FT.
36	32315.4 SQ. FT.
37	21379.4 SQ. FT.
38	14846.4 SQ. FT.
39	13934.1 SQ. FT.
40	13937.0 SQ. FT.
41	13939.9 SQ. FT.
42	14622.5 SQ. FT.

Crockett Construction, Inc.

5060 Navarre Rd. SW Unit 1 Canton, Oh 44706

Phone 330.479.8944 Fax 330.479.8942

July 31, 2012

City of Massillon Planning Commission

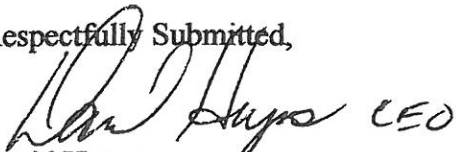
1 James Duncan Plaza

Massillon, Oh 44646

Re: Preliminary Plat of Countryview Estates #6

Crockett Construction, Inc. respectfully requests variances for the following 16 Lots. Lots # 2, 4, 8, 24, 25, 26, 28, 29, 30, 31, 32, 39, 34, 35, 36, 40, 41, & 42,. These variances would allow the subdivision to be designed according to the plat.

Respectfully Submitted,



David Hayes, CEO

David Hayes,

President/CEO

Crockett Construction, Inc.

Massillon Planning Commission
Wednesday, August 8, 2012 at 4:30 p.m.
Mayor's Office

Sign in Sheet

Name:

Address and/or organization

Deborah Butterfield 1015 STAFFORD NE MASS OH 44646

Bob Richards 1375 BRANSON ST SW MASS 44647

Steve Miller Stanley Miller Construction Co.
2250 Hawcastine Drive SE, East Sparta, Ohio 44621

TED SCHARTIGER 337 SANDY AVE, NE, MASSILLON, OHIO 44646

MIKE SYLVESTER 1017 24TH ST. SW MASSILLON, OH. 44647

David HAYES 5060 NAKKAR SW CANTON, OHIO 44706

Please mail to owners:

- ✓ ① Stanley Miller Construction
2250 Howenshine Drive SE
East Sparta OH 44626
Attn: Steve Miller
- ✓ ② Deborah Butterfield
1015 Stratford Ave NE
Massillon, OH 44646
- ✓ ③ t-ferrero @ sssnet.com
- ✓ ④ crocketthomes inc @ yahoo.com

2012 PLANNING COMMISSION

late
Mayor Kathy Catazaro-Perry

900 Mill Ridge Path NE
Massillon, OH 44646
Work: 330-830-1700
Cell: 330-418-7398

yes
George T. Maier

Safety Service Director
831 Oakcrest Lane NE
Massillon, OH 44646
Work: 330-830-1702
Cell: 330-418-0529

no
Todd Locke, Chairman

1525 Valerie Avenue NE
Massillon, OH 44646
Home: 330-837-0064
Work: 493-8866 Ext. 119
*Cell: 330-936-2055
ctlocke@wrladv.com

no
Susan Saracina, Vice-Chairman

504 Lincoln Way East
Massillon, OH 44646
Home: 330-830-5958
*Cell: 330-209-8515
scbpzzaccp@yahoo.com

yes
Moe Rickett

118 - 15th Street NW
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rickett@ameritech.net

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

Robert McCune
The Independent
50 North N.W. (833-2634 #81124)
Massillon, Ohio 44647

Benjamin Duer
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

Elaine Campbell

2540 Fallen Oak Circle NE
Massillon, OH 44646
Home: 330-837-2720
Work: 330-430-6986
*Cell: 330-327-7530

elainem.campbell@cantonmercy.org

Ted Schartiger

337 Sandy Avenue NE
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Home: 330-837-2285
Cell: 330-323-3247
tigergal65@aol.com

Bob Richards

1375 Benson Street SW
Massillon, OH 44647
Home: 330-832-9173
rprichards@sssn.net

Jaime Darr

2350 Wilmington Avenue SE
Massillon, OH 44646
Home:
Cell: 330-806-3430
jaimeldarr@yahoo.com

Ted, Jason, Keith, AAA's book:
Get copies of everything

City Council/ AGENDA only
Make 11 - 1 EXTRA for Mary Beth=12

Mail minutes & agenda each month with
envelope they provide:

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

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.

Extra copies w/sign in sheet for mtg

Date: 8/8/12 @ 4:30