## AGENDA

MASSILLON PLANNING COMMISSION April 10, 2013 \*\*4:30 P.M. \*\*

Getz Building Meeting Room (old Red Center building) 54 City Hall Street SE

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

- 1. Approval of the Minutes for the Commission Meeting of March 13, 2013.
- 2. New Business

## Replat: 27th Street NW

Description: Lots 13382, 13384, part of lots 13381, 13383; located on the west side of 27<sup>th</sup> Street NW, south of Duane Ave. The request is to replat the smaller parcels into (2) new lots. There is an existing home on each lot and the area is zoned R-1 Residential.

Applicant: Laura Haug

## Replat: 17th Street SW / Finefrock Road SW

Description: Parts of Out Lot 497; located on the west side of 17<sup>th</sup> Street SW, and south of Finefrock Road. This property was previously divided by the highway construction. The request is to replat the property into 2 lots. One with the existing home, and one vacant lot to the west. The area is zoned R-3 Residential.

Applicant: Dennis Harwig / Laura Kornowski

#### Replat and Easement Plat: Warmington Road SW

Description: Out Lots 878 and 879; located on the south side of Warmington Road SW, just west of the Tuscarawas River. The request is to combine the existing lots into (1) parcel. Also to request an ingress/egress easement over Out Lot 877 (City of Massillon). The area is zoned I-2 Industrial

Applicant: Greif Packaging / Hammontree & Associates

#### 3. Old Business

### Rezoning - Glenwood Ave. SE

*Property Description*: Part of Out Lot 153 and part of Lot 16784; further described as the easterly 250 feet of Out Lot 153, and the easterly 200 feet of Lot 16784, located at the rear of 1300 Erie Avenue South. Total 3.30 acres to be rezoned.

Zone Change From: RM-1 Multi Family

Zone Change To: B-3 Business

Applicant: Russell and Margaret Draime

Proposed Use: Commercial Buildings

#### MASSILLON PLANNING COMMISSION March 13, 2013

The Massillon Planning Commission met on March 13, 2013 in the Getz Meeting Room. The following members were present:

Members

Todd Locke, Chairman Mayor Catazaro-Perry Director James Johnson Ted Schartiger Bob Richards Ted Miller Staff

Jason Haines

Chairman Locke called the meeting to order at 4:30 p.m. The first order of business was the approval of the minutes for the Commission meeting of December 12, 2012. Mr. Richards moved for approval, seconded by Mr. Schartiger, the motion unanimously passed.

The first item under new business was a replat/renumbering plat located on Finefrock Road SW, presented by Mr. Haines.

### Replat / Renumbering Plat: Finefrock Road SW

Description: Part of Out Lot 497, located on the north side of Finefrock Road SW, west of 17<sup>th</sup> Street. The property has been divided by the construction of the Route 241 highway. The request is to replat and renumber that portion north of Route 241. There is an existing home on the property and the area is zoned R-3 Residential.

Applicant: Dennis Harwig

Mr. Haines described the request to replat/renumber part of OL 497 located on the north side of Finefrock Road SW.

The owner of said property, Mr. Dennis Harwig, 1950 Finefrock Road SW, Massillon, Ohio, was there to represent this request. He said that his intention is to split a portion of his lot to sell his daughter. The survey for today's agenda only includes the part on the north side of Finefrock Road.

There being no questions or comments, Mr. Locke moved for approval, seconded by Mr. Schartiger, the motion unanimously passed.

The next item under new business was a request to rezone property located at 1300 Erie Avenue South, presented by Mr. Haines.

#### <u>Rezoning – Glenwood Ave. SE</u>

Property Description: Part of Out Lot 153 and part of Lot 16784; further described as the easterly 250 feet of Out Lot 153, and the easterly 200 feet of Lot 16784, located at the rear of

1300 Erie Avenue South. Total 3.30 acres to be rezoned.

Zone Change From: RM-1 Multi Family

Zone Change To: B-3 Business

Applicant: Russell and Margaret Draime Proposed Use: Commercial Buildings

Mr. Haines presented a copy of the City's zoning map to show the location of the property in question. The zoning map shows that Out Lot 153 has multiple zonings, B3, I1 and RM1. Mr. Haines explained that this property was once used as a gravel pit. It was then acquired by Massillon Washed Gravel, a concrete business, and they dumped concrete on the east side of the property where Glenwood is located. Over time the concrete washed down the hill, creating the portion of the property fronting Erie Avenue to be about 40 feet lower than the rest of the property.

Mr. Haines explained that in 2002 the property was sold to Mr. Draime and the entire parcel was zoned I1. In 2004 a rezoning was approved to change the back part of the parcel from Industrial to RM1 because there were plans to build an assisted living complex which was approved by Council, but the plans never materialized. Since that time, because of the I1 zoning, several commercial buildings were constructed close to Erie Street. Nothing was built on the hill because of the grade of the property. Mr. Haines then presented a photo of the proposed buildings.

Mr. Haines stated that Mr. Draime has fulfilled all the requirements to rezone his property, including a neighborhood meeting which was held February 22, 2013 at the Massillon Recreation Center.

Mr. Russell and Margaret Draime, 1040 Prescot Avenue NW, Massillon, Ohio, owners of the property, were there to represent this request. Mr. Draime stated that he has a potential tenant, an agency that provides services to the developmentally disabled, willing to sign a five (5) year lease and he feels they would make a good fit for the neighborhood.

Mr. Miller asked how many buildings would be constructed and Mr. Draime replied that this would be the first of possibly three buildings on the site.

Mr. Scott Gainey, 6320 Richville Drive, Canton, Ohio, was present and is the CEO of Lomeda Services LLC which is an agency licensed by the State of Ohio to provide services to the developmentally disabled population.

Mayor Catazaro-Perry asked Mr. Gainey how many people would occupy this facility. Mr. Gainey replied that there would be 40 people and that the facility would operate between the hours of 8:00 a.m. to 2:30 p.m. Mr. Gainey also stated that his organization has run group homes since 1990 and currently has four (4) staff members and nine (9) clients. Mayor Catazaro-Perry then asked the size of the building, to which Mr. Haines answered, 50 x 90.

Bernice Allen, 34 Shriver Ave SE, Massillon, Ohio, asked Mr. Gainey if their scheduled would include weekends, to which Mr. Gainey replied, they would follow the same schedule as the public schools, no holidays or weekends.

Kathleen Spencer, 1334 Third Street SE, Massillon, Ohio, stated that she wants only residential, no commercial buildings or group homes in the neighborhood.

Betty Smith, 237 Shriver Avenue SE, Massillon, Ohio, stated that the structure looks like a barn and asked how many staff would work there and was concerned about the additional traffic. Mr. Gainey replied that they use a company van to transport their clients.

Vineene Arrington, 128 Shriver Avenue SE, Massillon, Ohio, stated that the building does not fit into the neighborhood.

Chairman Locke reminded everyone that the Planning Commission Board is just to look at zoning.

Michelle Liebig, 205 Shriver Avenue SE, Massillon, Ohio, wants to see a lower business zoning, not B-3. As the neighborhood spokesman, she made a presentation with photos against the business zoning. She pointed out the bad traffic and slippery hill on Shriver Avenue SE.

Dave Liebig, 205 Shriver Avenue SE, Massillon, Ohio, stated that to see commercial buildings on top of the hill would be an eyesore.

Mr. Draime stated in his defense that there are too many boarded up homes on Shriver.

Mayor Catazaro-Perry stated that she would welcome special needs folks into the neighborhood and wanted to know if the neighbors were open to compromise.

Mr. Fred Horner, 1330 South Erie Street, Massillon, Ohio, stated that he and Mr. Draime have cleaned up the neighborhood.

With no further comments or questions, Mr. Richards made a motion to table the rezoning request, seconded by Mr. Schartiger, the motion unanimously carried.

There being no further business, Chairman Locke adjourned the meeting at 6:15 p.m.

Respectfully submitted,

Jason Haines

KNOW ALL MEN BY THESE PRESENT, THAT WE THE UNDERSIONED OWNERS OF THE LAND DELINEATED HEREON, DO HEREBY ASKOWNEEDED FITE SIGNING OF THE SAME TO BE OUR FREE ACT AND DESED, AND DO HEREBY REPLAT OUR LAND ASSIGNED BY MASSILLON CITY ENGINEER, APPENDE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED. THE ABOUT SHAN THE PERSONALLY FORECOING INSTRUMENT, AND THAT THE SAME IS HIS FREE ACT AND DEED. I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL AT STABLE., OFFI THIS. J. TON OF YEARLY, 1015. I HEREBY CERTIFY THIS PLAT ACCUBATELY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN OHIO PUBLISHED IN CHAPTER 4733—37 OF THE OHIO ADMINISTRATIVE CODE. , 2013. 2013. WAYNE DETWEILER 3/4/2013 MASSILLON CITY ENGINEER DATE #6673 STARK COUNTY RECORDER RECEIVED FOR RECORDED THIS DAY OF THIS DAY O STARK COUNTY AUDITOR MASSILLON CITY ENGINEER ACKNOWLEDGMENT DAY OF STARK COUNTY RECORDER STARK COUNTY AUDITOR REGISTERED PROFESSIONAL SURVEYOR CERTIFICATION LOTS 13381 MITNESSES (PRINT NAMES BELOW) -OCATED IN THE CITY OF MASSILLON, COUNTY OF STARK, STATE OF OHIO ENTER FOR TRANSFER THIS CHAIRMAN CURTIS G. DEIBEI OF LOT NUMBERS PART THE DEEDS ON RECORD (INST #19903220021271, INST #19903100018240) WERE NOT ADGOLATE, FOR TRANSFER, PERVIOUS DESCRIPTIONS IN THE THAN WERE USED BASIS OF BEARINGS;
BEARNOS ARE BASED ON A REPLAT OF LOTS 13435, 13434
AND 13435 (LOT 1869) BY HAMMONTRE & ASSOCIATES, LTD.
IN OCTOBER 18, 2022. ಳ SOURCES USED

1. NA LAMES:

- CHRENT TAX MAPS

- MASSILON CITY MAP 39 (HSTORICAL)

2. DEEDS:

- VOL. 1727; P. 776

- VOL. 1737; P. 61; 194

3. PATS:

3. PATS:

- VOL. 3996; P. 922

3. PATS:

- VOL. 3996; P. 922

4. SURVENOR 13, PAGE 24

- HAMMONTRE & ASSOC. - OCTOBER 18, 2002 ● 5/8" ROD W/DEIBEL CAP SET C PIPE OR ROD FOUND 5/8" ROD W/ DEIBEL CAP SET OVER A 3/4" PINCH PIPE 18" DEEP USED FOR PROPERTY CORNER 3/4" PIPE USED FOR LINE 0 1/2" ROD S 05.07'11" W 150.00' 3/4" PIPE USED FOR LINE '02 - .W. HTTS (45,) \*00.07 W (11) .11,20.50 85.99 (50,) 10.78 (11) (41') W 82.00' 3/4" ROD (,17) S 85'35'12" E 138,45' 3/4" PINCH PIPE USED FOR PROPERTYCORNER DUANE AVE. N.W. - 40' AL PART OF LOT 13383 0.044 ACRE N 854245" W 137.35 NEW LINE OF DIVISION PART OF LOT 13381 S 85\*41'01" E 137.80' 0.221 ACRE PART OF LOT 13381 0.048 ACRE 0.214 ACRE LOT 13378 LOT 13379 (138.83') LOT 13380 (138.55") (138.27") 1/2" ROD W/ HEA CAP USED FOR LOT CORNER (137.43') 9 S 85'34'48" E 137.01' (137.71) PART OF LOT 13383 0.085 ACRE (137.15') LOT 13382 LOT LOT 13384 LOT LOT 13385 (133.58') USED FOR LINE (136.30') LOT 13386 PIPE 3/4" 82.86 (41') (45,) 13432 E 67.68° P (50,) LOT 1343100° (41°) LOT 13436 (,1+) 60.05 LOT 13437 "00'02'40 N 04.20.00. E 10.03. LOT 16569 (+1,) (,1+) LOT 13430 LOT 13429 1" PIPE USED FOR PROPERTYCORNER surveying 115 BROAD AVE., N.W. CANTON, DHIO 447DB OFFICE: (330) 455-2999 FAX: (330) 455-3259 FAX: (340) 455-3259 deibe 107

CITY COUNTS of the Council of Manillan, by red no.

COUNCIL ACCESSARY, NO STREET PEDICATION HEREON PER "SECTION 107.3 (b), 3 coding of MASSILLON, DIPO. REPLAT OF PARTS OF OUT LOT 497
Being the portion of said Out Lot 497, lying on the south side of Finefrock Road S.W., and the west side of 17th Street S.W., in the City of Massillon, County of Stark, Ohio. Before me, a Noting Public, in and for said County, did personally appear, the above, who cochrockedes the signing of the score to be held that ect and dead according to lay, in witness whitred, I harsente set my hand and seal this lay of any of any of STARK COUNTY RECORDER Know all man by these preson), that we the undersigned, owners of land delineded hereon, do hereby ocknowledge me signing of the same to be our free act and deed , and do hereby replat our land. STARK COUNTY AUDITOR DATE: FEB. 10, 2013 Chaille R. Watter Per assigned by the Massillon City Engineer 2013. ENGINEER CERTIFICATION
I hereby certify the odjecent to be correct, as surveyed by me this \$1th, day of February. DENNIS D. HARWIG, SR. JULIE M. KORNOWSKI MARY A. HARWIG day of OWNERS CITY , 2013. 2013 PLANNING COMMISSION
Approved by the Mossilton Planning Commission of a meeting held CLERK STARK, COUNTY RECORDER
Received for record this day of MASSILLON CITY ENGINEER STARK · COUNTY AUDITOR ACKNOWLEDGEMENT WITNESS Recorded in Instrument No. STATE OF OHIO SS. My Commission expires SCALE: 1" = 60' SE CON OF SE OTH TS F M'S 41 Z 1 1000 of MLS M.M. Sorter Dood ML. 2001. Management (1901) ( vorioble Width ) (New Yorks Hamile Mannered - 0.835 Ac) 3.80-00, 288.-09-24. 2 (300.) 13962 13963 Lores of Demis 0,5c. d. Sury A. Mores ( N.88"-02"-54"W 386.00") F. 888 REFERENCES USED OF RECORD A CONTRACTOR OF THE PARTY OF TH Langers . ≈ 8. 1 3 Tan 2 9 Loves of Donote B., So. B. Mer. A. Herely
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FOR: HARWIG



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MARCH 22, 2013

TED HERNCANE

MASSILLON COMMUNITY DEV. DIRECTOR
CITY HALL

MASSILLON, OHIO 44646

TO WHOM IT MAY CONCERN:

DUE TO CIRCUMSTANCES THAT ARE VERY UNFAVORABLE TO OUR PLANS, I WISH TO WITHDRAW MY PETITION FOR A ZONING CHANGE OF 3.3 ACRES ON GLENWOOD AVE. AT THIS PARTICULAR TIME.

SINCERELY, D Russell & Viraine

RUSSELL E. DRATME

Massillon Planning Commission
Wednesday, April 10, 2013 at 4:30 p.m.
Getz Building Meeting Room
54 City Hall Street SE

# Sign in Sheet

Name:	Address and/or organization
Kathleen Spencer	1324 ThirdAfSE -SouthertHamesprovement ass
GREG BIRER	HAUNDRITREET ? ASSOCIATES LIFE PACKACINA
-7	ig 1950 Finetrock Rd SW
Laura Hang	341275t.n.w.
lly ladthe	341275+ N.W.
- P. D.	il,
Libby -	Shriver Glenwood
Michel	

#### 2013 PLANNING COMMISSION

Mayor Kathy Catazaro-Perry

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

Cell: 330-418-7398

James Johnson

Interim Safety Service Director 2357 Amberwood Cir. NE Massillon, OH 44646 Work: 330-830-1702 Home: 330-837-9057 Cell: 330-353-1800

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

Ted Miller

453 – 17<sup>th</sup> Street NE Massillon, OH 44646 Home: 330-833-0034 Cell: 330-209-8515 tmiller@imaging2000.com

Moe Rickett

118 – 15<sup>th</sup> Street NW Massillon, OH 44647 Home: 330-837-4099 ricket@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

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Jaime Darr

2350 Wilmington Avenue SE Massillon, OH 44646

Home:

Cell: 330-806-3430 jaimeldarr@yahoo.com

<u>Ted, Jason, Keith, AAA's book:</u> <u>Get copies of everything</u>

<u>City Council/ AGENDA only</u> 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

<u>Special Notes:</u> 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: april 10, 2013

WS

MN