

A G E N D A
MASSILLON PLANNING COMMISSION
October 9, 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 August 14, 2013.*

2. *New Business*

Lot Split / Replat: Deerford Avenue NW

Description: Part of Out Lot 780; located on the west side of Deerford Avenue NW, north of Millersburg Road. The request is split a 2.514 acre parcel out of the existing 83 acre tract. There is an existing home on the parcel, and the area is zoned A-1 Agricultural.

Applicant: Hammer Family Revocable Trust

Alley Vacation Request: 7th Street NE

Description: An unnamed, unimproved, 10-foot wide alley located between Cherry Road and Andrew Avenue NE and running in an west/east direction between 7th Street NE and 8th Street NE. The request is to vacate the entire alley between 7th and 8th Streets and replat the property into the adjoining lots. The area is zoned R-1 Residential.

Applicant: Douglas and Krista Garner, David Ragle, Ronald and Nancy Rocco, Kathleen Warner

Final Plat: Country View Meadows Phase 1

Description: Part of Out Lot 499; located on the East side of Kelly Street SW, south of Carlene Avenue. The request includes the extension of Linda Lane SW and platting of 10 new residential lots. Also to request a grading easement over Out Lot 499 (City of Massillon). The area is zoned R-3 Residential.

Applicant: Faircrest Properties / Crockett Homes

Replat: Kenyon Creek Avenue NW

Description: Lots 16733, 16734, 16735, 16736; located on the south side of Kenyon Creek Avenue, west of Wood Creek Circle. The request is to replat the 4 lots into 3 new building lots. Currently the property is vacant and is zoned R-1 Residential.

Applicant: AR Lockhart Development

Land Use Subject to special approval by Planning Commission – 1860 Erie St. South

Property Description: Property is designated as 1860 Erie Street South, known as Out Lot 698, approximately 5.85 acres. The zoning of the property is currently I-1, Light Industrial.

The applicant wishes to construct an auto repair business on this site, which is a permitted use subject to special approval from the planning commission. Section 1169.03 (attached) lists the conditions required for such approval.

Applicant: Chris Burns

3. ***Old Business***

MASSILLON PLANNING COMMISSION

August 14, 2013

The Massillon Planning Commission met on August 14, 2013 in the Getz Meeting Room. The following members were present:

Members

Todd Locke, Chairman
Mayor Kathy Catazaro-Perry
Director Jim Johnson
Ted Miller
Ted Schartiger
Bob Richards

Staff

Ted Herncane
Jason Haines
Linda Mikutel

Chairman Locke called the meeting to order at 4:27 p.m. The first order of business was the approval of the minutes for the Commission meeting of June 12, 2013. Mr. Richards moved for approval, seconded by Mr. Schartiger, the motion unanimously passed.

The first item under new business was a lot split, replat and dedication plat located on 27th Street NW, presented by Mr. Haines.

Lot Split / Replat and Dedication Plat: 27th Street NW

Description: Known as Out Lot 1102, located on the southwest corner of Wooster Road NW and 27th Street NW (Bison Ave). The property is currently the site of Bison Storage Buildings. The request is to split the property into two parcels, (1) with the existing storage buildings and (2) vacant land. The property is zoned B-3 Business. Also included is the dedication of the existing roadway areas for Wooster Road and Bison Avenue.

Applicant: William Broel / Fred Robinson

Mr. Haines described the location of the three (3) acre property. He explained that currently the property is zoned B3, Business, and the owner is using it to sell barns and sheds. The applicant wishes to split the existing property in half creating two (2) 1 ½ acre parcels. The parcel to the north will be vacant; the current building, Bison Storage, will be located on the southern parcel. Both lots will remain zoned as B3, Business.

Mr. Haines pointed out that the area highlighted in pink on the survey was roadway to be dedicated. The City Engineer, Mr. Dylewski, requested the roadway be dedicated to the City.

Mr. William Broel, the applicant, was present and stated that he lives in this area and has owned this property for 48 years. He stated that initially part of the property was sloped, but has since been leveled off with fill dirt. He said that his storage units will be located on one parcel and he intends to continue to sell barns and sheds on the second parcel.

With no further questions or comments, Mr. Miller moved for approval, seconded by Mr. Richards, the motion unanimously passed.

The next item on the agenda was the rezoning of OL 901 located on Richville Drive, presented by Mr. Haines.

Rezoning – Richville Drive. SE

Property Description: Known as Out Lot 901; located on the south side of Richville Drive between Jackson Avenue and Ohio State Drive. Total 1.26 acres to be rezoned.

Zone Change From: R-3 Single Family Residential

Zone Change To: RM-1 Multi Family Residential

Applicant: Tobin Enterprises Inc. / Roger Perkins

Proposed Use: Construction of (2) Townhouse apartment buildings containing (3) units each building.

Mr. Haines described the vacant 1.26 acre parcel currently zoned R-3, Single Family Residential. He explained that the applicant has proposed building two (2) apartment buildings with garages and parking, with access from Richville Drive.

Mr. Locke asked if there was multi-family zoning or any residential zoning in the immediate area. Mr. Haines replied that the condominium area is zoned RM-1, Multi-Family. Mr. Haines presented an aerial map of the area showing the Massillon City corporation line. Mr. Locke asked if any single-family properties border the applicant's property within the City's limits. Mr. Haines answered, no.

Mayor Catazaro-Perry expressed a concern about the location of the proposed driveway being within 80-100 feet of Jackson Avenue.

The applicant, Mr. Fred Tobin of Tobin Enterprises, Inc., 7694 Strausser St NW, North Canton, Ohio, said that his property is surrounded by multi-family zoning which was formerly zoned as commercial; University Commons to the west and the assisted living facility to the south. He also stated that his development, Buckeye Crossings, was rezoned from commercial to multi-family.

Mr. Tobin said his intention is to build two (2) Townhouse apartment buildings containing three (3) 1,600 square feet units in each building. He feels that with the future oil and gas drilling, the opportunity for rentals are good. Mr. Locke asked how much he will charge for rent, to which Mr. Tobin replied \$975.00-\$1,000.00.

Mr. Locke asked Mr. Tobin if he has fulfilled all of the requirements necessary to rezone his property. Mr. Tobin answered that notices were mailed out July 15th to 31 property owners within 300 feet of the property to be rezoned and that an informational session was held at the Inn at University on July 24th. He said that seven (7) residents attended the session and were shown the plans and drawings. Mr. Tobin stated that everything has been submitted to Mr. Herncane.

Mr. Richards expressed concern about the location of the driveway entrance causing traffic problems from Jackson Avenue. Mayor Catazaro-Perry stated that Engineering will address that during their site plan review.

Mr. Locke then opened the floor to the public. Mr. John and Mrs. Ruth Braid, 7051 Richville Drive SE, Massillon, Ohio, expressed concern about the increased traffic that will be created by the proposed apartments. Mr. Tobin said that his proposed units are 2-bedroom units, which would limit the occupants. Mayor Catazaro-Perry assured Mr. & Mrs. Braid that the proposed entrance will be addressed in the site plan review to make it safe.

Mrs. Braid stated that traffic is really bad on Richville Drive to Route 30, especially in the morning and between 2:30-6:00 p.m., and that speeding is an issue. Mayor Catazaro-Perry stated that would be a Police issue, not a zoning issue. Director Johnson reiterated that any safety issues will be addressed at the site plan review.

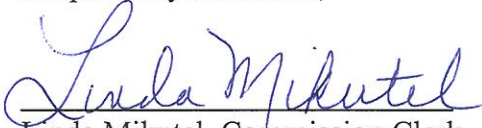
Mr. Braid then reported that the green and white house numbering sign when you exit Route 30 is incorrect. Director Johnson said that is an ODOT sign but he will inform the City Engineer.

Mayor Catazaro-Perry asked Mr. Tobin what his time frame is for the completion of this project. Mr. Tobin answered that he would like to be under roof by the end of this year. Mr. Herncane explained that this rezoning request will require three (3) readings before City Council and that they will make the final decision.

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

With no further business, Mr. Richards made the motion to adjourn, seconded by Mr. Schartiger. The meeting adjourned at 5:00 p.m.

Respectfully submitted,


Linda Mikutel, Commission Clerk



Proposed
Split 2.5
Acres

Remainder
80+ Acres

KIMMENS

KENYON

HIGHLANDER

LOCHWOOD

BONNIE BRAE

DEERMONT

LINK

MEADOWCREST

SUNNYBROOK

HARMONY

BAYNELL

CLEMENTZ

MILLERSBURG

GREENDALE

NOBLE

STARBROOK

CREST

29TH

SINGLAI

MARKOV

RUDY

ISLAND

SURVEY PLAT

for

VINCENT G. & JEAN K.
HAMMER FAMILY REV TRUST
KIM CRESCENZE TRUSTEE
PART OF OUTLOT 780

P.B. 65 Pg. 19

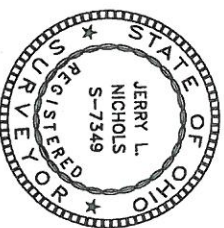
located in
CITY OF MASSILLON
STARK CO, OHIO
AUGUST 2013

BEARING BASIS

THE SCGRS POINTS USED AS REFERENCE STATIONS TO ESTABLISH THE DATUM ARE DESIGNATED AS TUS 074, TUS 083. ALL BEARINGS SHOWN ARE BASED ON GRID NORTH. ALL DIMENSIONS SHOWN ARE GROUND DISTANCES. TO OBTAIN A GRID DISTANCE, MULTIPLY THE GROUND DISTANCE BY THE PCF OF 0.99989631.

I HEREBY CERTIFY THIS PLAT ACCURATELY 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.

JERRY L. NICHOLS
REGISTERED PROFESSIONAL SURVEYOR # 7349
DATE 08/16/13

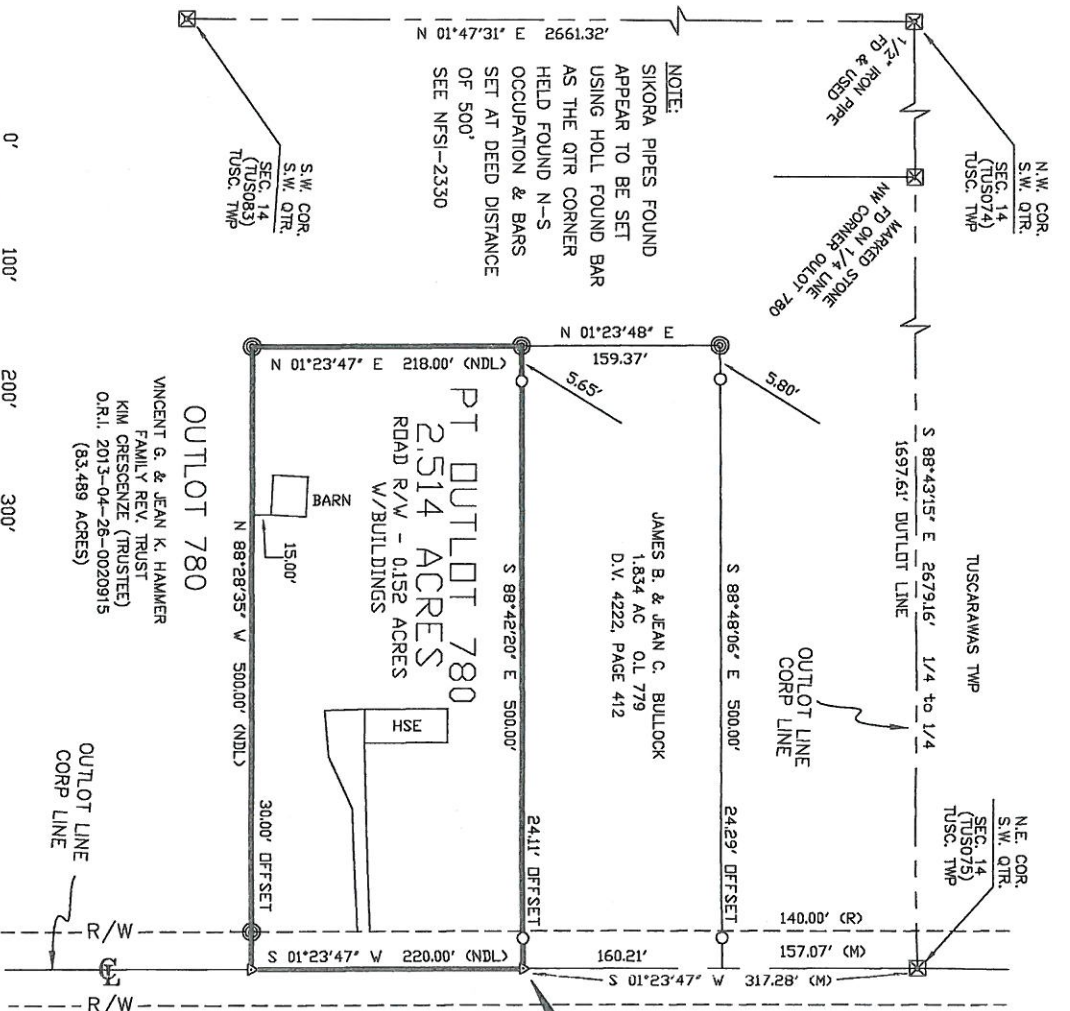


DEERFORD AVE. (T-338) 60'

ROAD RECORD C, PG 305
ROAD RECORD 7, PG 157
WEST 30' - CITY OF MASSILLON
EAST 30' - TUSCARAWAS TWP.

TUSCARAWAS TWP

TPOB
N: 408762.5244
E: 2224932.3551



LEGEND

- IRON BAR FOUND
- 3/4" SIKORA IRON PIPE FOUND
- ⊙ #5 REBAR W/ JLN 7349 CAP SET
- ▲ PK NAIL SET
- ⊠ COUNTY MONUMENT FOUND

NICHOLS FIELD SERVICES, INC.
707 NAVARRE ROAD SW
CANTON, OHIO 44707



TEL (330) 453-6888
FAX (330) 453-1764
EMAIL: nfi2000@sboglobal.net
NFSI 2843



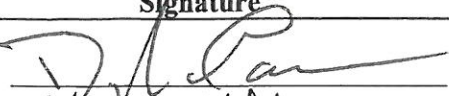
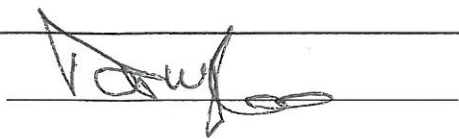
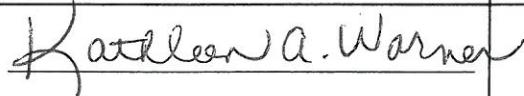
ALLEY VACATION PETITION

Date: May 29, 2013

Honorable City Council, Massillon, Ohio

We, the undersigned, owners of those lots abutting an unnamed, unimproved, 10 foot wide alley located between Cherry Road NE and Andrew Avenue NE and running in a west/east direction between 7th Street NE and 8th Street NE, do hereby petition your honorable body to vacate the entire alley.

Upon approval of City Council, the applicant is required to hire a surveyor to prepare and submit a survey plat, which will be recorded at Stark County at the applicant's expense.

Owners	Signature	Parcel/Lot No.(s)
Douglas A. Garner Krista K. Garner 432 7 th Street NE	 	06-11048 903 WH
David W. Ragle 431 8 th Street NE		06-02519 906 WH
Ronald E. Rocco Nancy L. Rocco 436 7 th Street NE	 	06-12555 902 WH
Kathleen A. Warner 437 8 th Street NE		06-12422 907 WH

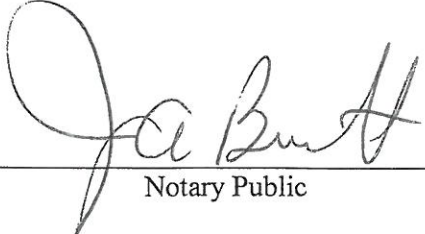
I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

8/15/13
Date


Applicant

Subscribed and sworn to before me this 23 day of July A.D., 2013.

My commission expires Dec 17, 2017.


Notary Public

N.W. 1/4 SEC 8

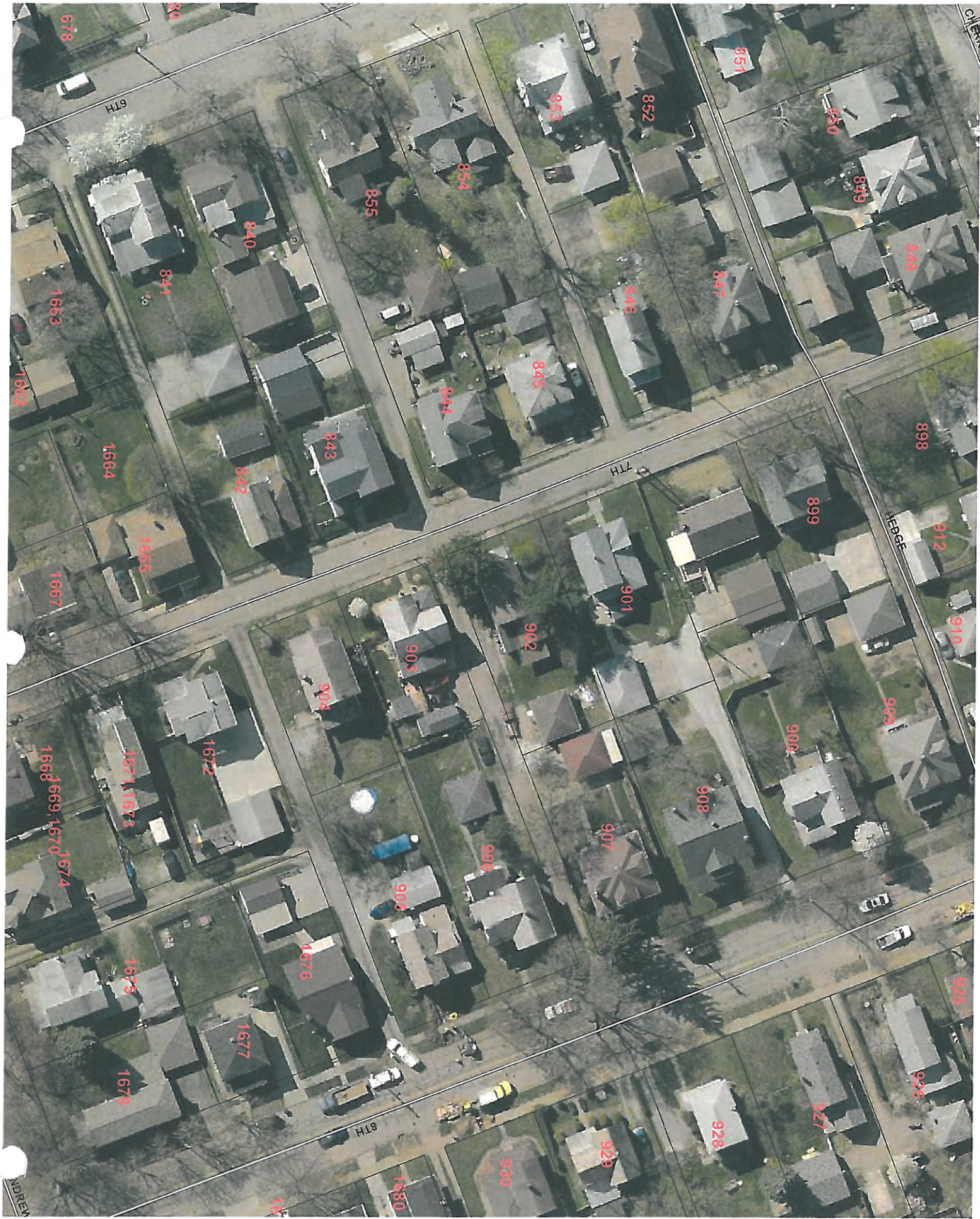
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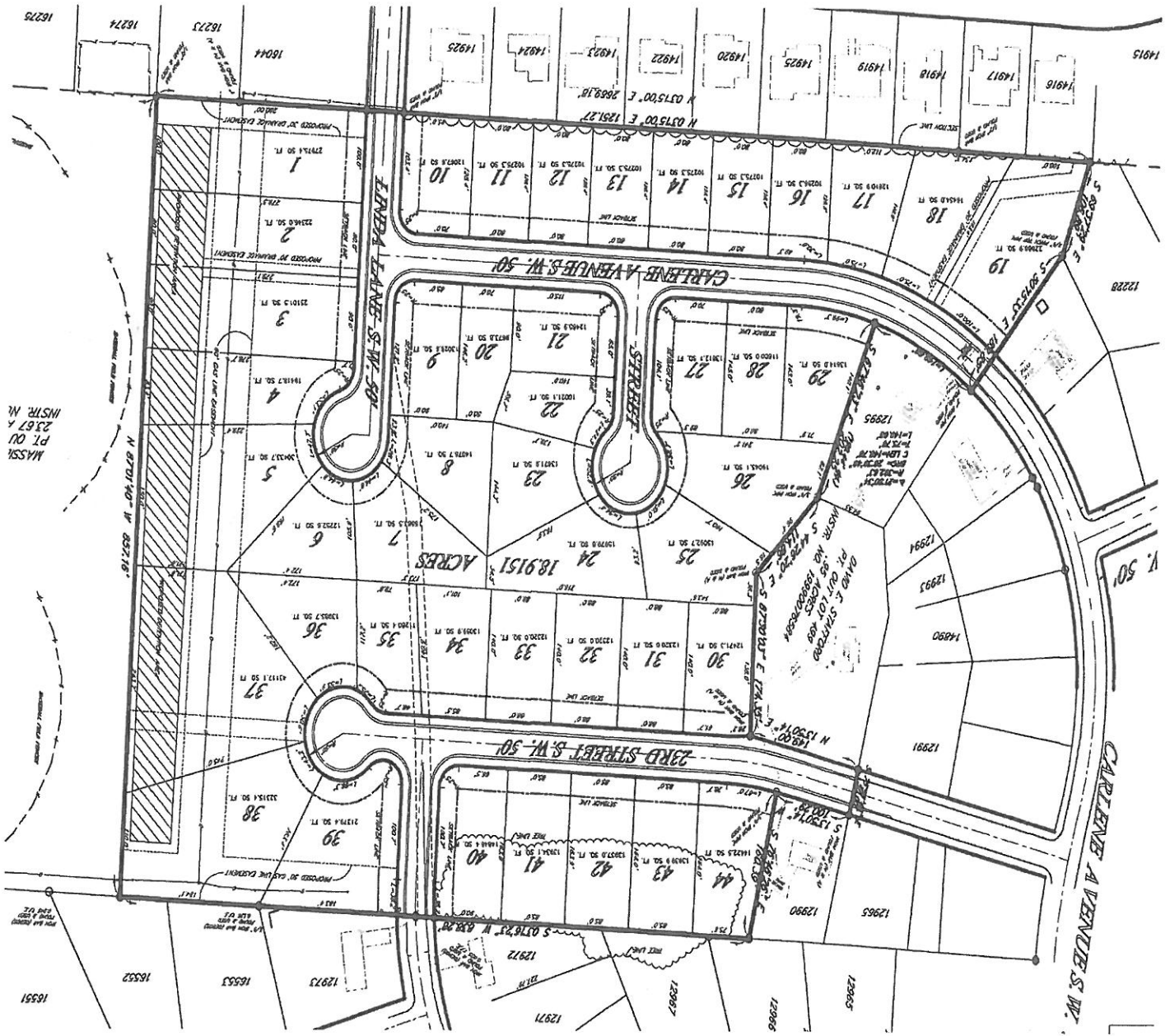
Proposed
Alley Vacation

MASSILLON

SCALE 1"=50'









RECORD PLAT
COUNTRY VIEW MEADOWS ALLOTMENT, PHASE 1
LOCATED IN PART OF OUT LOT 499
IN THE CITY OF MASSILLON
STARK COUNTY, OHIO

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT OF COUNTRY VIEW WEDDONS ALLOTMENT, PHASE 1, LOCATED IN PART OF LOT 409, IN THE CITY OF MASSILLON, COUNTY OF STARK, STATE OF OHIO. IS A TRUE AND CORRECT SURVEY MADE BY ME AS SHOWN, WHICH BOUNDARIES AND CLOSES. THE RECORDS SHOWN EXIST OR SHALL BE SET AS SHOWN, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT, AS SURVEYED AND PLATTED BY ME IN SEPTEMBER OF 2013.

ROBERT D. ALLISON, REGISTERED SURVEYOR 65619 DATE

STATE OF OHIO
PROFESSIONAL SURVEYOR
ROBERT
DLANE
ALLISON
6589

IN WITNESS WHEREOF, WE HEREAFTER SET OUR HANDS THIS _____ DAY OF _____, 20____.

WITNESS

WITNESS

WITNESS

STATE OF OHIO
COUNTY OF STARK S.S.
MICHAEL C. PETROS
FANCYIST PROPERTIES, LTD.

IN WITNESS WHEREOF, WE HEREBY SET OUR HANDS THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

APPROVED BY THE MASSILON, OHIO PLANNING COMMISSION AT A MEETING HELD THE _____ DAY OF _____, 20____

CHAIRMAN SECRETARY

APPROVED BY THE MASSILLON CITY ENGINEER THIS _____ DAY OF _____, 20____.

AND LOT AND/OR LOT NUMBERS ASSIGNED.

MASSILLON CITY ENGINEER

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE THAT NO ENCUMBRANCES EXIST ON THE LANDS HEREIN OFFERED FOR PUBLIC USE. THIS _____ DAY OF _____, 20 ____

MASSILLON CITY LAW DIRECTOR

PRESIDENT _____ CLERK _____

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

GENERAL MANAGING PARTNER

RECEIVED FOR RECORD THIS _____ DAY OF _____, 20____. RECORDED IN RECORDERS
INDEXING NO. _____

STARK COUNTY RECORDER

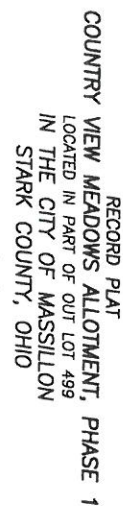
REVISIONS			
DESCRIPTION	DATE	BY	CHKD

RECORD PLAT
COUNTRY VIEW MEADOWS, PHASE 1
LOCATED IN PART OF OUT LOT 499
IN THE CITY OF MASSILLON
STARK COUNTY, OHIO



Civil Design Associates, Inc.
Consulting Engineers * Surveyors
1750 BRIGHTWOOD ROAD S.E.
NEW PHILADELPHIA, OHIO 44663
(330) 339-4242

1319



NO.	NEW CITY LOT	ACRES
1		0.640 AC.
2		0.540 AC.
3		0.538 AC.
4		0.453 AC.
5		0.677 AC.
6		0.281 AC.
7		0.335 AC.
8		0.323 AC.
9		0.333 AC.
10		0.280 AC.

AREA IN 10 LOTS = 4.415 ACRES
AREA IN ROADWAY = 0.657 ACRE
TOTAL AREA IN PHASE 1 = 5.072 ACRES

		CLIMATE DATA			
NO.	ADDRESS	INFL.	TEMP.	DROPP. (INCHES)	DROPP.
1	2843 E	2150' 30"	72.9°	14.68'	14.78'
2	2843 E	2150' 30"	72.9°	5.717' 31"	5.717' 31"
3	2843 E	2090' 00"	72.9°	3.75'	3.75'
4	2843 E	2090' 00"	72.9°	18.45'	18.45'
5	2843 E	2090' 00"	72.9°	18.45'	18.45'
6	2843 E	2090' 00"	72.9°	23.82'	23.82'
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11	2843 E	2090' 00"	72.9°	53.63'	53.63'
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17	2843 E	2090' 00"	72.9°	53.63'	53.63'
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53	2843 E	2090' 00"	72.9°	53.63'	53.63'
54	2843 E	2090' 00"	72.9°	53.63'	53.63'
55	2843 E	2090' 00"	72.9°	53.63'	53.63'

NO.	FLYING	PERCENT
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100	57,224,493	104.80

	NO.	NAME	DATE
1	127	M. 66/15/06	16.03.77
2	128	S. 67/16/07	20.10.77
3	129	S. 68/17/08	18.03.78
4	130	S. 69/18/09	16.03.78
5	131	S. 70/19/10	10.01.78
6	132	S. 71/20/11	15.03.78
7	133	S. 72/21/12	15.03.78
8	134	S. 73/22/13	15.03.78
9	135	S. 74/23/14	15.03.78
10	136	S. 75/24/15	15.03.78
11	137	S. 76/25/16	15.03.78
12	138	S. 77/26/17	15.03.78
13	139	S. 78/27/18	15.03.78
14	140	S. 79/28/19	15.03.78
15	141	S. 80/29/20	15.03.78
16	142	S. 81/30/21	15.03.78
17	143	S. 82/31/22	15.03.78
18	144	S. 83/32/23	15.03.78
19	145	S. 84/33/24	15.03.78
20	146	S. 85/34/25	15.03.78
21	147	S. 86/35/26	15.03.78
22	148	S. 87/36/27	15.03.78
23	149	S. 88/37/28	15.03.78
24	150	S. 89/38/29	15.03.78
25	151	S. 90/39/30	15.03.78
26	152	S. 91/40/31	15.03.78
27	153	S. 92/41/32	15.03.78
28	154	S. 93/42/33	15.03.78
29	155	S. 94/43/34	15.03.78
30	156	S. 95/44/35	15.03.78
31	157	S. 96/45/36	15.03.78
32	158	S. 97/46/37	15.03.78
33	159	S. 98/47/38	15.03.78
34	160	S. 99/48/39	15.03.78
35	161	S. 100/49/40	15.03.78
36	162	S. 101/50/41	15.03.78
37	163	S. 102/51/42	15.03.78
38	164	S. 103/52/43	15.03.78
39	165	S. 104/53/44	15.03.78
40	166	S. 105/54/45	15.03.78
41	167	S. 106/55/46	15.03.78
42	168	S. 107/56/47	15.03.78
43	169	S. 108/57/48	15.03.78
44	170	S. 109/58/49	15.03.78
45	171	S. 110/59/50	15.03.78
46	172	S. 111/60/51	15.03.78
47	173	S. 112/61/52	15.03.78
48	174	S. 113/62/53	15.03.78
49	175	S. 114/63/54	15.03.78
50	176	S. 115/64/55	15.03.78
51	177	S. 116/65/56	15.03.78
52	178	S. 117/66/57	15.03.78
53	179	S. 118/67/58	15.03.78
54	180	S. 119/68/59	15.03.78
55	181	S. 120/69/60	15.03.78
56	182	S. 121/70/61	15.03.78
57	183	S. 122/71/62	15.03.78
58	184	S. 123/72/63	15.03.78
59	185	S. 124/73/64	15.03.78
60	186	S. 125/74/65	15.03.78
61	187	S. 126/75/66	15.03.78
62	188	S. 127/76/67	15.03.78
63	189	S. 128/77/68	15.03.78
64	190	S. 129/78/69	15.03.78
65	191	S. 130/79/70	15.03.78
66	192	S. 131/80/71	15.03.78
67	193	S. 132/81/72	15.03.78
68	194	S. 133/82/73	15.03.78
69	195	S. 134/83/74	15.03.78
70	196	S. 135/84/75	15.03.78
71	197	S. 136/85/76	15.03.78
72	198	S. 137/86/77	15.03.78
73	199	S. 138/87/78	15.03.78
74	200	S. 139/88/79	15.03.78
75	201	S. 140/89/80	15.03.78
76	202	S. 141/90/81	15.03.78
77	203	S. 142/91/82	15.03.78
78	204	S. 143/92/83	15.03.78
79	205	S. 144/93/84	15.03.78
80	206	S. 145/94/85	15.03.78
81	207	S. 146/95/86	15.03.78
82	208	S. 147/96/87	15.03.78</

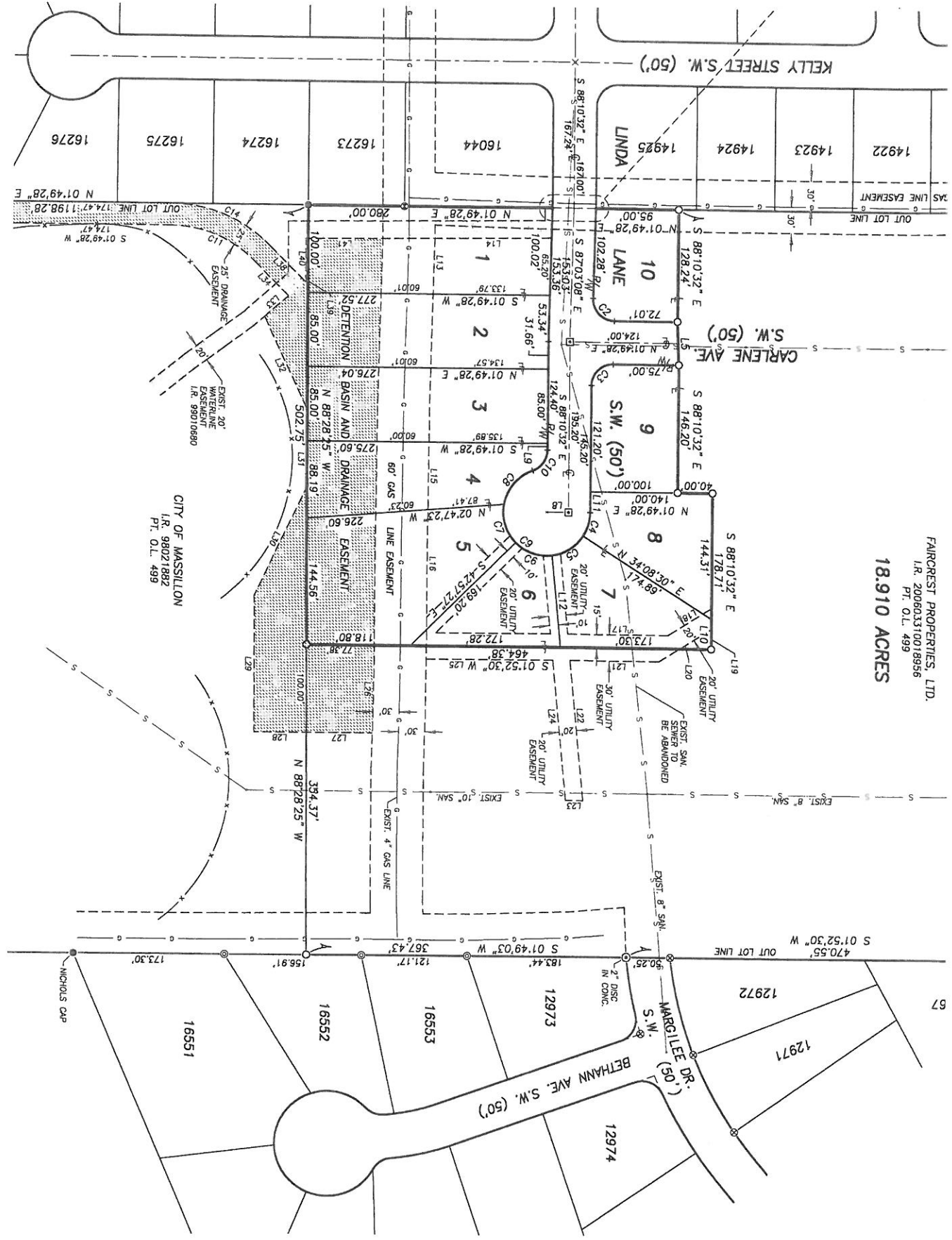
[illegible]

RECORD PLAT
COUNTRY VIEW MEADOWS, PHASE 1
LOCATED IN PART OF OUT LOT 499
IN THE CITY OF MASSILLON
STARK COUNTY, OHIO



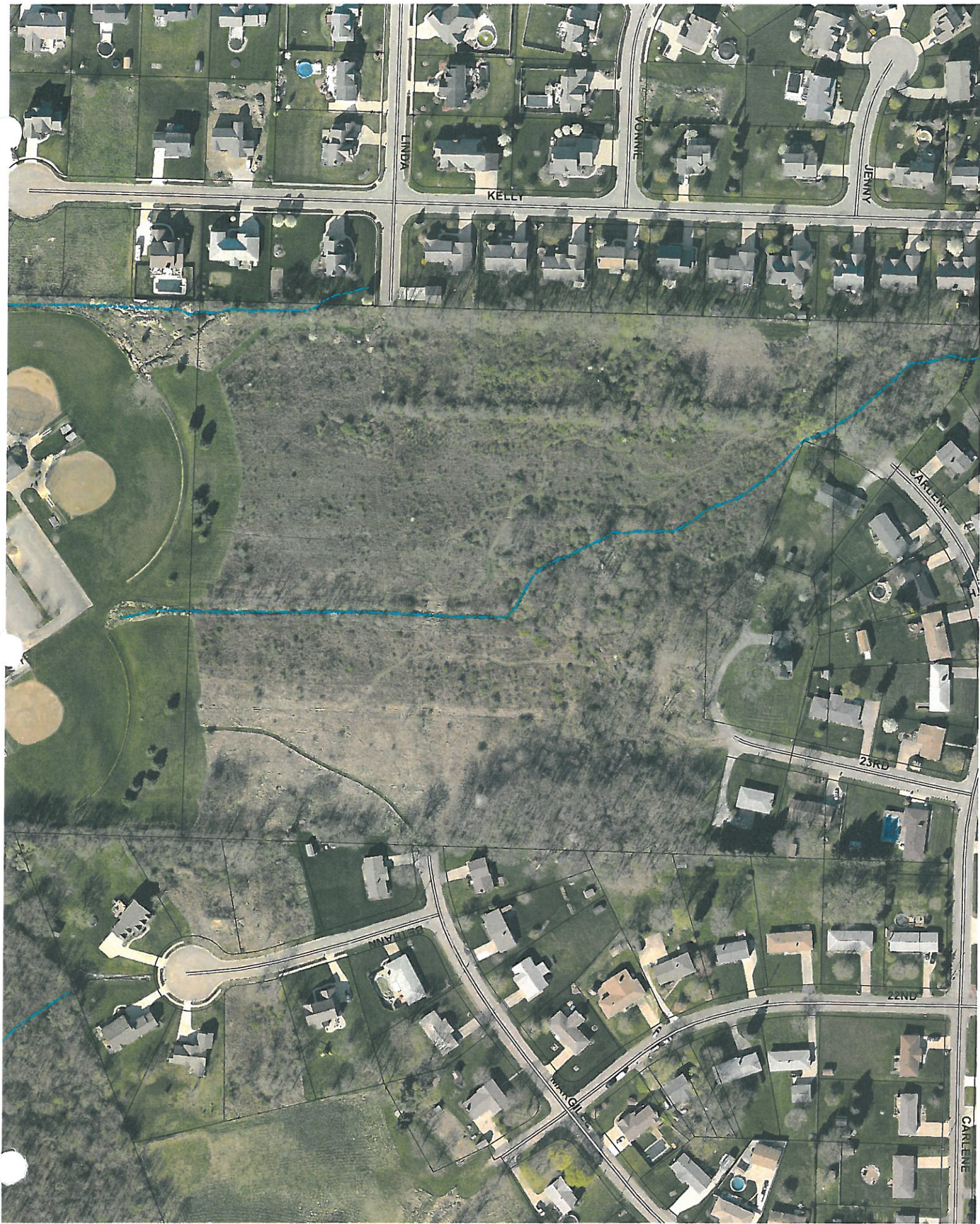
Civil Design Associates, Inc.
Consulting Engineers * Surveyors
1780 BRIGHTWOOD ROAD S.E.
NEW PHILADELPHIA, OHIO 44663
(330) 339-4242

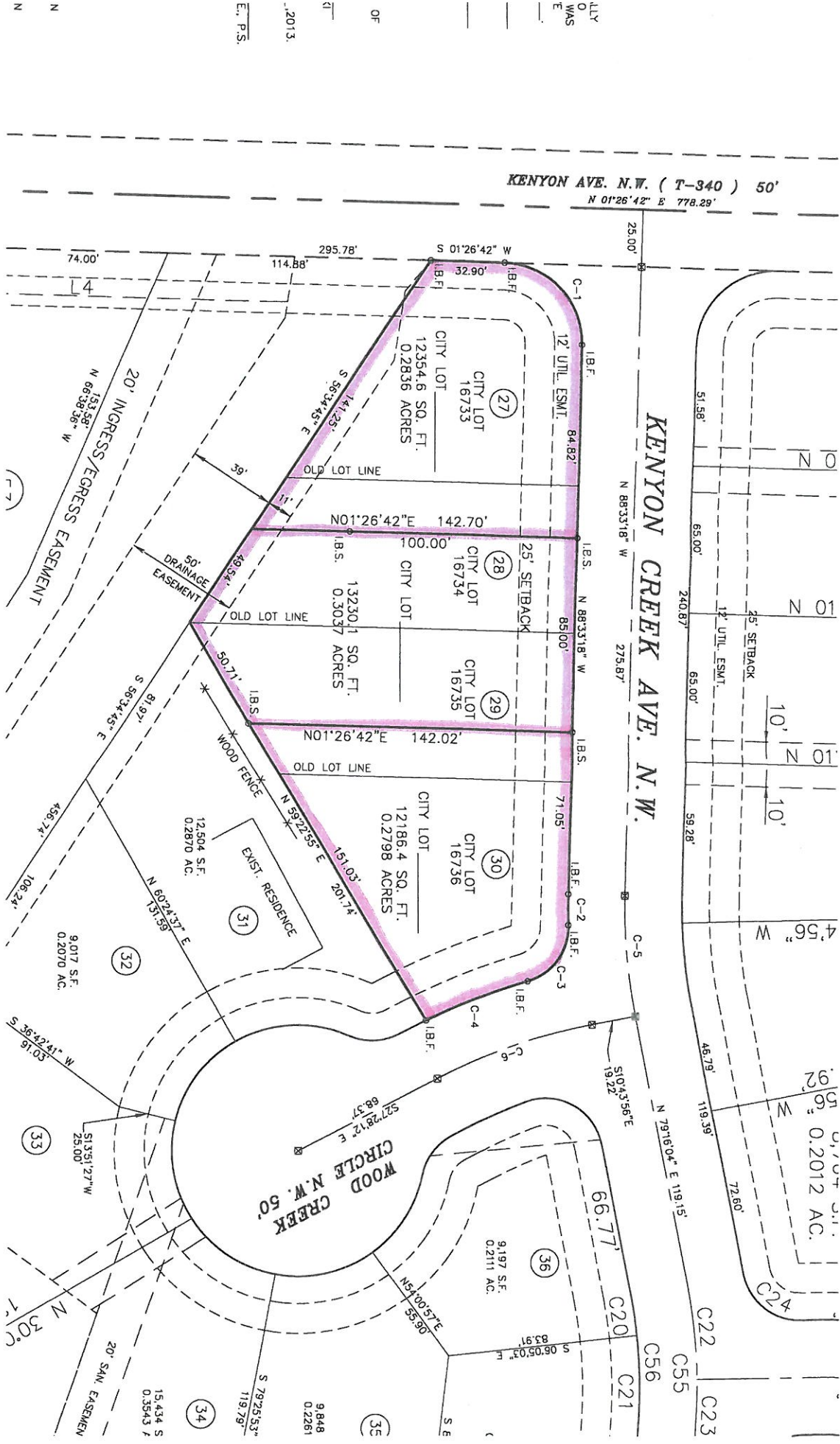
FAIRCREST PROPERTIES, LTD.
 I.R. 200603310018956
 PT. O.L. 499
18.910 ACRES



NO.	RADIUS	
C1	392.63'	2
C2	25.00'	5
C3	25.00'	5
C4	50.00'	3
C5	50.00'	5
C6	50.00'	5
C7	50.00'	5
C8	50.00'	6
C9	50.00'	21
C10	25.00'	7

AR
 ARE
 TOTAL ARI





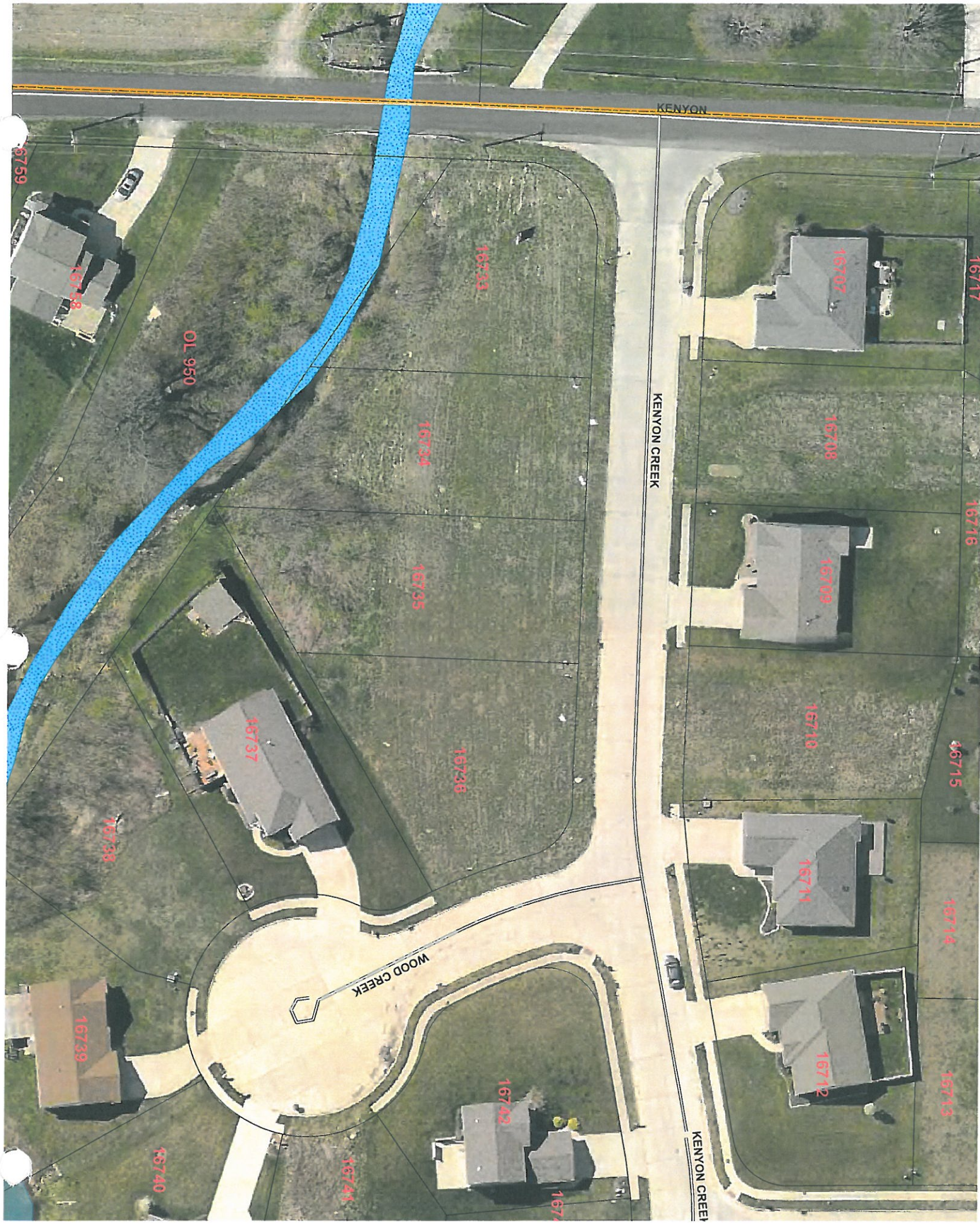
I HEREBY CERTIFY THAT THIS REPLAT OF CITY LOT 16733 - 16736, LOCATED IN THE CITY OF MASSILLON, COUNTY OF STARK AND STATE OF OHIO, REPRESENTS A SURVEY MADE UNDER MY SUPERVISION WHICH BALANCES AND CLOSES, THAT THE MONUMENTS SHOWN HEREON EXIST OR SHALL BE SET AS SHOWN AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

THOMAS J. KING JR. P.S. #7503



STARK COUNTY AUDITOR - ALAN HAROLD

ENTERED FOR TRANSFER THIS _____ DAY OF _____, 2013.



KENYON

KENYON CREEK

WOOD CREEK

KENYON CREEK

16759

16758

OL 950

16733

16734

16735

16736

16737

16738

16739

16740

16741

16742

16743

16702

16708

16709

16710

16714

16712

16717

16716

16715

16714

16713

9985

OL 152

10005

10006

10007

10019

CHSTER

OL 298

FOREST

ERIE

10371

10370

10369

10368

15410

15393

UNNAME ALLEY

15370 15371 15372 15373 15374 15375 15376 15377 15378

7159-7160

15241

7161, 7462 7169 7170 7171

7171-7172-7

15262 15163

15284 1528

15261 15264

15283 1528

15260 15265

15282 1528

15259 15266

15281 1528

15258 15267

15280, 15279

15257 15268

1529

15256 15269

15278-15279

15255 16411

1529

15254 16412

15275 1529

15253 15252

15274 1529

15335, 15334

12TH

OL 698

OL 551

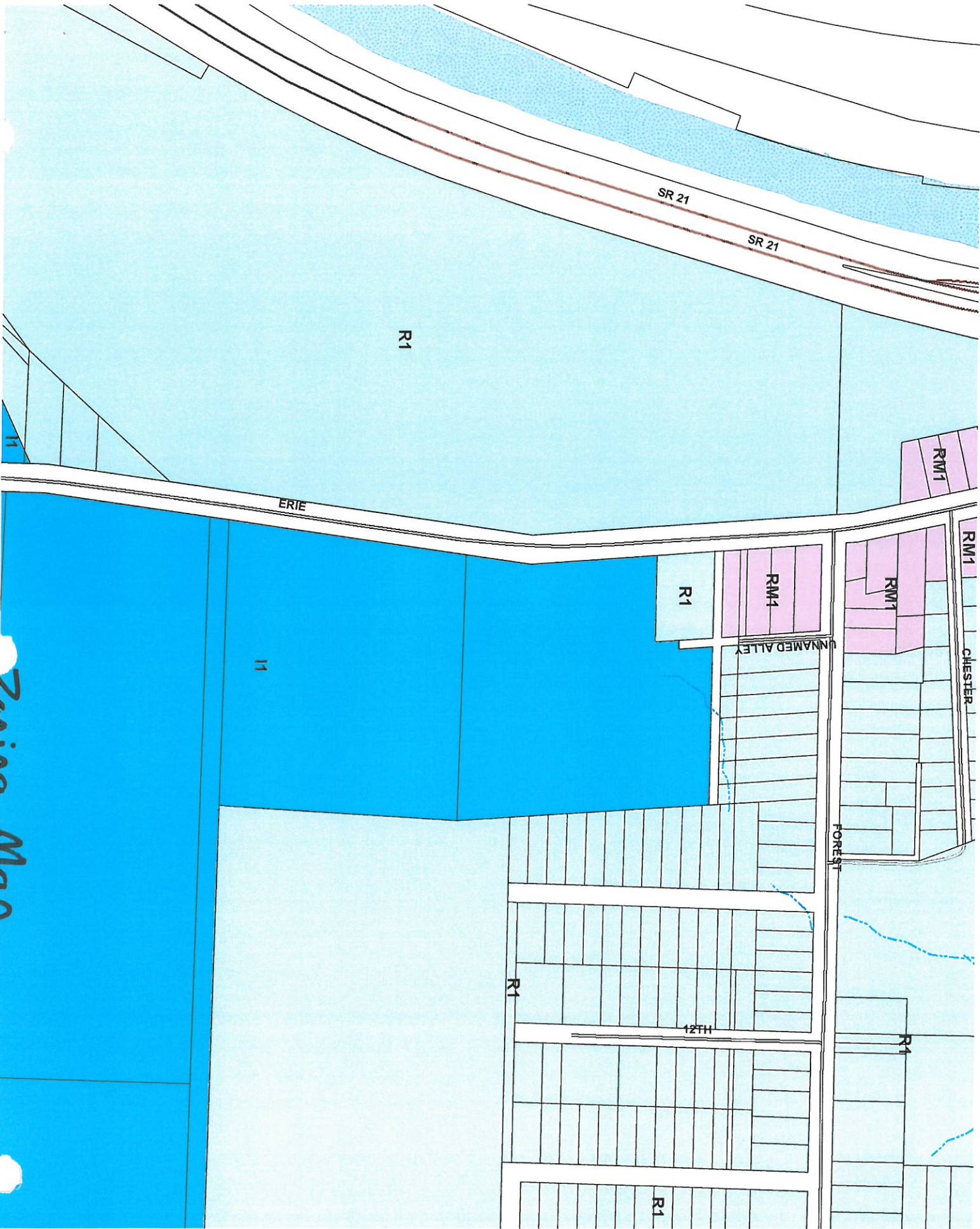
OL 699

OL 549

OL 550



Zoning Map



CHAPTER 1169 I-1 Light Industrial District

- [1169.01](#) **Intent.**
- [1169.02](#) **Principal uses permitted.**
- [1169.03](#) **Principal uses permitted subject to special conditions.**
- [1169.04](#) **Area and bulk requirements.**

CROSS REFERENCES

- Nonconforming uses - see P.& Z. Ch. [1179](#)
- Accessory buildings - see P.& Z. Ch. [1181](#)
- Off-street parking and loading - see P.& Z. Ch. [1183](#)
- Commercial television and radio towers - see P.& Z. [1183.01\(a\)](#)
- Mobile home parks - see P.& Z. [1183.01\(b\)](#)
- Signs - see P.& Z. [1187.03](#)
- Site plan review - see P.& Z. [1187.09](#)
- Access to major thoroughfare or collector streets - see P.& Z. [1187.11](#)

1169.01 INTENT.

(a) The I-1 Light Industrial District is designed so as to primarily accommodate wholesale activities, warehouses, and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The I-1 District is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semifinished products from previously prepared material. It is further intended that the processing of raw material for shipment in bulk form, to be used in an industrial operation at another location, is not permitted.

(b) The general goals of this use district include, among others, the following specific purposes:

(1) To provide sufficient space, in appropriate locations, to meet the needs of the City's expected future economy for all types of manufacturing and related uses.

(2) To protect abutting residential districts by separating them from manufacturing activities, and by prohibiting the use of such industrial areas for new residential development.

(3) To promote manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiation and other hazards, and from offensive noise, vibration, smoke, odor and other objectionable influences.

(4) To promote the most desirable use of land in accordance with a well considered plan. To protect the character and established pattern of adjacent development, and in each area to conserve the value of land and buildings and other structures, and to protect the City's tax revenue.

(Ord. 82-1970. Passed 11-2-70.)

1169.02 PRINCIPAL USES PERMITTED.

In a Light Industrial District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in the Zoning Ordinance.

(a) Any use charged with the principal function of basic research, design and pilot or experimental product development when conducted within a completely enclosed building.

(b) Any of the following uses when the manufacturing, compounding or processing is conducted

wholly within a completely enclosed building. That portion of the land used for open storage facilities for materials or equipment used in the manufacturing, compounding or processing shall be totally obscured by a wall on those sides abutting R-1 through R-3, R-T, RM, O-1, O-2, B-1, B-2 and B-3 Districts, and on any front yard abutting a public thoroughfare except as otherwise provided in Section [1187.07](#). In I-1 Districts, the extent of such a wall may be determined by the Planning Commission on the basis of usage. Such a wall shall not be less than four feet six inches in height and may, depending upon land usage, be required to be eight feet in height, and shall be subject further to the requirements of Section [1187.07](#). A chain link fence, with intense evergreen shrub planting, shall be considered an obscuring wall. The height shall be determined in the same manner as the wall height is above set forth.

(1) Warehousing and wholesale establishments and trucking facilities.

(2) The manufacture, compounding, processing, packaging, or treatment of such products as, but not limited to: bakery goods, candy, cosmetics, pharmaceuticals, toiletries, hardware and cutlery, tool, die, gauge and machine shops.

(3) The manufacture, compounding, assembling or treatment of articles or merchandise from previously prepared materials: bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious metals or stones, sheet metal, shell, textiles, tobacco, wax, wire, wood and yarns.

(4) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.

(5) The manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other molded rubber products.

(6) The manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs.

(7) Laboratories - experimental or testing.

(8) The manufacturing and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.

(9) Central dry cleaning plants or laundries provided that such plants shall not deal directly with consumer at retail.

(10) All public utilities, including buildings, necessary structures, storage yards and other related uses.

(c) Warehouse, storage and transfer and electric and gas service buildings and yards. Public utility buildings, telephone exchange buildings, electrical transformer stations and substations and gas regulator stations. Water supply and sewage disposal plants. Water and gas tank holders. Railroad transfer and storage tracks. Railroad rights of way. Freight terminals.

(d) Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies, provided such is enclosed within a building or within an obscuring wall or fence on those sides abutting all Residential or Business Districts, and on any yard abutting a public thoroughfare. In any I-1 District, the extent of such fence or wall may be determined by the Planning Commission on the basis of usage. Such fence or wall shall not be less than five feet in height, and may, depending on land usage, be required to be eight feet in height. A chain link type fence, with heavy evergreen shrubbery inside of such fence shall be considered to be an obscuring fence.

(e) Municipal uses such as water treatment plants and reservoirs, sewage treatment plants and all other Municipal buildings and uses, including outdoor storage.

(f) Commercial kennels.

(g) Greenhouses.

(h) Trade or industrial schools.

(i) Freestanding non-accessory signs.

- (j) Other uses of a similar and no more objectionable character to the above uses.
 - (k) Accessory buildings and uses customarily incident to any of the above permitted uses.
- (Ord. 82-1970. Passed 11-2-70.)

1169.03 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

The following uses shall be permitted, subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the Planning Commission.

- (a) Auto engine and body repair, and undercoating shops when completely enclosed.
- (b) Lumber and planing mills when completely enclosed and when located in the interior of the district so that no property line shall form the exterior boundary of the I-1 District.
- (c) Metal plating, buffing and polishing, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.
- (d) Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities, such as, but not limited to lumber yard, building materials outlet, upholsterer, cabinet maker, outdoor boat, house trailer, automobile garage or agricultural implement sales, or serve convenience needs of the industrial district, such as, but not limited to eating and drinking establishments, bank, savings and loan association, credit union, automobile service station, motel or bowling alley, trade or industrial school or industrial clinic.
- (e) Food processing.
- (f) The refining of waste lubricating oil, including waste hydraulic oil, subject to the following conditions:

(1) The refining operation shall be limited only to the storage and refining of waste lubricating oil, including waste hydraulic oil. The processing, refining, distillation, or storage of any other type of petroleum or other flammable or combustible liquid shall be expressly prohibited.

(2) A written description of the proposed waste oil refining facility, including a preliminary site plan, shall be submitted for review by the Planning Commission. The submission shall contain information sufficient to enable the Planning Commission to determine the proposed facility's compliance with the requirements of this section.

(3) The refining operation shall be conducted wholly within a completely enclosed building.

(4) The above ground storage of those petroleum products either used or produced in the waste oil refining process shall be permitted, provided that such storage does not constitute a health or safety hazard, and further, that such storage facilities conform to all State and local fire and building codes.

(5) No land or buildings shall be used or occupied in any manner which creates dangerous, injurious, noxious or otherwise objectionable conditions which could adversely affect the surrounding or adjoining premises. Any use permitted under [1169.03\(f\)](#) may be undertaken and maintained, if acceptable measures and safeguards are implemented to reduce dangerous and objectionable conditions to acceptable limits as established by the following performance requirements:

A. Fire hazards. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire prevention equipment and such safety devices as are normally used in the handling of such material. Such hazards shall be kept removed from adjacent activities to a distance which complies with the requirements of State and local fire and building codes.

B. Air pollution. No pollution of air by fly-ash, dust, vapors, odors, smoke or other substances shall be permitted which is harmful to health, animals, vegetation, or other property. Prior to the issuance of a building permit for the proposed facility, the City shall require the submission of an approved "permit to install" as granted by the Ohio Environmental Protection Agency.

C. Hazardous materials. The receiving or processing of any hazardous waste materials, as

defined in 40 CFR Part 261, Subpart D, shall be expressly prohibited.

D. Water pollution. Water pollution shall be subject to the requirements and regulations established by the Ohio Environmental Protection Agency.

E. Enforcement provisions. Prior to the approval of the site plan and issuance of the building permit, the City Site Plan Review Committee may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in the processing and equipment operations are to be eliminated or reduced to acceptable limits and tolerances.

(6) The permitted use shall be located not less than 1600 feet from flood processing facility, 600 feet from any Residential District and not less than 200 feet from any other non-Industrial District.

(7) All permitted refining, processing, and storage facilities shall be entirely enclosed by an obscuring wall, eight feet in height, around the perimeter of such facilities. A chain link fence, with intense evergreen shrub planting, shall be considered an obscuring wall.

(8) The maximum size parcel of land involved in such a permitted use, including required setbacks, processing and storage facilities, off-street parking areas, office facilities, and other open space areas, shall not exceed six acres in size.

(Ord. 124-1989. Passed 8-7-89.)

(g) Class IV solid waste composting facilities.

(Ord. 138-1994. Passed 7-18-94.)

1169.04 AREA AND BULK REQUIREMENTS.

See Section [1177.01](#) limiting the height and bulk of buildings, the minimum size of lot by permitted land use and providing minimum yard setback requirements.

(Ord. 82-1970. Passed 11-2-70.)

Kathy Catazaro-Perry, Mayor

Massillon

City of Champions

Engineering Department
Keith A. Dylewski, P.E., P.S., City Engineer

Date: October 3, 2013

To: Planning Commission Applicants

From: Jason Haines, Engineer Technician

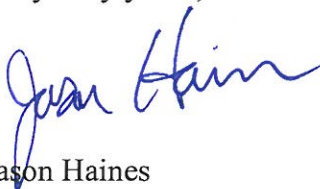
Subject: October 9, 2013 Planning Commission Meeting

Attached is a copy of the Agenda for the upcoming October 9, 2013 Massillon City Planning Commission Meeting. **This meeting will be held at 4:30 P.M. in the Getz Building meeting room, located at 54 City Hall Street SE, Massillon.**

As an applicant who has a request on the Agenda, you are respectfully requested to attend this meeting in order to answer any questions Commission Members may have. If you are not represented at this meeting, the Planning Commission may decide to take no action on your request and table it to a future meeting.

Please contact me at your convenience at 330-830-1722 if you have any questions regarding this matter.

Very truly yours,



Jason Haines
Engineer Technician

Encl.

A G E N D A
MASSILLON PLANNING COMMISSION
October 9, 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 August 14, 2013.

2. New Business

Lot Split / Replat: Deerford Avenue NW

Description: Part of Out Lot 780; located on the west side of Deerford Avenue NW, north of Millersburg Road. The request is split a 2.514 acre parcel out of the existing 83 acre tract. There is an existing home on the parcel, and the area is zoned A-1 Agricultural.

Applicant: Hammer Family Revocable Trust — *Jerry Nichols
707 Navarre Road SW
Canton, OH 44707*

Alley Vacation Request: 7th Street NE

Description: An unnamed, unimproved, 10-foot wide alley located between Cherry Road and Andrew Avenue NE and running in an west/east direction between 7th Street NE and 8th Street NE. The request is to vacate the entire alley between 7th and 8th Streets and replat the property into the adjoining lots. The area is zoned R-1 Residential.

Applicant: Douglas and Krista Garner, David Ragle, Ronald and Nancy Rocco, Kathleen Warner — *Douglas Garner
432 7th St. NE
Massillon 44646*

Final Plat: Country View Meadows Phase 1

Description: Part of Out Lot 499; located on the East side of Kelly Street SW, south of Carlene Avenue. The request includes the extension of Linda Lane SW and platting of 10 new residential lots. Also to request a grading easement over Out Lot 499 (City of Massillon). The area is zoned R-3 Residential.

Applicant: Faircrest Properties / Crockett Homes

Email — crocketthomes inc @ yahoo . com

Replat: Kenyon Creek Avenue NW

Description: Lots 16733, 16734, 16735, 16736; located on the south side of Kenyon Creek Avenue, west of Wood Creek Circle. The request is to replat the 4 lots into 3 new building lots. Currently the property is vacant and is zoned R-1 Residential.

Applicant: AR Lockhart Development - Thomas King
AR Lockhart
800 West Waterloo Road
Akron OH 44314

Land Use Subject to special approval by Planning Commission - 1860 Erie St. South

Property Description: Property is designated as 1860 Erie Street South, known as Out Lot 698, approximately 5.85 acres. The zoning of the property is currently I-1, Light Industrial.

The applicant wishes to construct an auto repair business on this site, which is a permitted use subject to special approval from the planning commission. Section 1169.03 (attached) lists the conditions required for such approval.

Applicant: Chris Burns

Chris Burns
2105 Winfield Way NE
Canton 44705

3. ***Old Business***

Massillon Planning Commission

Wednesday, October 9, 2013 at 4:30 p.m.

Getz Building Meeting Room

Sign in Sheet

Name:

Address and/or organization

CROCKETT HOMES *DFW*

5060 SW Carlton

Douglas LARNER

432 7th St NE Missillon

STEVE CRESCENZE

2911 LIST NW MASSILLON

BOB ALLISON

CIVIL DESIGN ASSOC.

Chris Berns

1860 Erie

Jaime Darr

2350 Wilmington Ave SE

Jeff Nichols

707 N. WARE RD SW

NICHOLS FIELD SERVICES

Deborah Brown

638 Highlander SW ~

Ted Herman

City of Merrill

Thomas Kiny
April

Lockhart Development

Al Hannon

City of Missillon

Keith Lewis

City of Massillon

2013 PLANNING COMMISSION

yes
Mayor Kathy Catazaro-Perry

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

yes
Al Hennon

Safety Service Director
3150 Castle West Circle NW
Massillon, OH 44647
Work: 330-830-1702
Home: 330-833-3413
Cell: 330-353-1800

yes
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

yes
Ted Miller

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

Moe Rickett

118 - 15th Street NW
Massillon, OH 44647
Home: 330-837-4099
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
Massillon, OH 44646
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@sssnet.com

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:

Oct 9, 2013