

PUBLIC HEARING
AUSTINTOWN ZONING COMMISSION
December 4, 2008

In accordance with Section 519.12 of the Ohio Revised Code, the Austintown Township Zoning Commission held a public hearing on Thursday, December 4, 2008, at the Township Hall, 82 Ohltown Road, Austintown, Ohio, for consideration of and recommendation to the Board of Township Trustees Zone Change Request 2008-03-Z.

The following Commission members were in attendance:

Keith Marsteller – Vice Chairman
Brett Hendricks
Eugene Benyo
Bonnie Sovik

The Public Hearing was opened at 7:03 P.M. by Vice-Chairman Marsteller

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Court Reporter in attendance, complete transcript taken of the hearing.

Motion by Mr. Hendricks to **APPROVE** the minutes of the May 29, 2008 hearing.

Seconded by Mrs. Sovik.

Roll call vote: Mrs. Sovik – YES; Mr. Benyo – YES; Mr. Hendricks – YES; Mr. Marsteller – YES.

AMENDMENT 2008-03-Z

Joe Koch Construction, Inc., 7058 Mahoning Avenue, Austintown, Ohio 44515, requests the rezoning of a parcel of land containing approximately 0.74 acres, Lot No. 22 RePlat, Spring Meadows Plat #2, Austintown Township, from a Residence R-1 District to a Residence R-2 District in its entirety. Said property is located at the northeast corner of the Kirk Road- Spring Meadow Circle intersection, has a frontage of 168.03 feet on Kirk Road and a depth of 166.82 feet at the easterly property line; and is zoned as a Residence R-1 District in Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Darren L. Crivelli read the applicant's letter into the case record, referenced the legal description and plat map submitted with the case, referenced the case mailing list as part of the record and advised the MAHONING COUNTY PLANNING COMMISSION recommended **APPROVAL** as per the agenda at their meeting held on Tuesday, November 25, 2008.

Joe Koch, 7058 Mahoning Avenue, Austintown, Ohio, 44515, testified that he wanted to replat the subject lot into two lots and construct two duplexes. The proposed duplexes will fit into the character of the neighborhood considering the multi-family across the street and the proximity of the nursing home.

No one else in attendance to speak in favor of the request.

The following spoke against the request:

Paul Jones, 3032 Spring Meadow Circle testified there are no duplexes in Spring Meadow, which is zoned single-family. Homeowners were told the development would be single-family only. We have become the City of Youngstown's utility shed with two water towers and a 9-1-1 tower.

Carrie Jones, 3032 Spring Meadow Circle testified that existing homes in Spring Meadows are not selling because of the water towers and stated realtors have told her that duplexes hurt the resale of existing single-family homes and these proposed duplexes will lower property values.

Rose Kaptursky, 3024 Spring Meadow Circle testified the smaller lots have created congestion within Spring Meadow and is opposed to the construction of duplexes.

Jeanne Sattler, 3023 Spring Meadow Circle stated the water tower has hurt her property value and the duplexes will further devalue her property.

Neil Infante, 3016 Spring Meadow Circle suggested that single-family homes be built rather than duplexes.

John Lapp, 2922 Spring Meadow Circle stated duplexes will bring down property values.

Patty Lapp, 2922 Spring Meadow Circle stated Spring Meadow Circle has a lot of children, Easter egg hunts, Halloween parades, people jogging and on bikes and the duplexes will add to congestion and has concerns about the element who may rent there. Was told that Spring Meadow Circle would be all single-family dwellings when she moved there. If new houses on the lots will not sell that's not their problem, they did not sell property to the City for the water tower.

Jacqueline Hanson, 2917 Spring Meadow Circle stated that she fought Joe Koch on this before and the Trustees agreed it was too much. Rented a condo in Canfield while building her house and saw negative things renters do. Stated Joe Koch would not want this next door to him.

John Hanson, 2917 Spring Meadow Circle stated the property should remain R-1. He built his home eleven years ago and was told there would be no condos in the development.

Joe Listorei, 2783 Spring Meadow Circle stated there are a lot of apartments in Austintown and there was no need for new apartments at this location.

Joseph Caccarozzo, 3306 Darbyshire Drive gave a history of the development of the area and waterline problems and further stated that millions of dollars were spent to make Spring Meadow happen and it would be wrong to allow duplexes.

Bill Anderson, 2746 Spring Meadow Circle stated he had concerns with storm water overflow and did not wish to see the duplexes constructed.

Bob Beals, 2759 Spring Meadow Circle stated he just moved in one month ago from Perry Township where a duplex went in across the street from him and he sold his house at a loss because of it. Moved to Spring Meadow Circle because of his job and is enraged that duplexes may be constructed at the entrance of Spring Meadow Circle. Further stated the rentals where he lived were a nightmare and asked the commission to consider whether they would want duplexes next to them.

Dan Mancuso, 2838 Spring Meadow Circle opposed to change. Asked about multi-family dwellings when he purchased his home thirteen years ago as was told by the sales associate the lots were platted to allow single-family homes only. His property value decreased when the water tower was constructed and the city has abandoned the old water tower and it is not being maintained. Stated Joe Koch has abandoned the entrance sign and neighbors recently spent two hundred dollars to have the sign rewired.

Joe Miller, 2722 Spring Meadow Circle opposed the request and inquired about addresses. Stated the duplexes across the street have high turnover of residents.

Joe Koch responded the duplexes would face Kirk Road and have Kirk Road addresses as opposed to the original lots which faced west.

Richard Benish, 2751 Spring Meadow Circle stated he bought his house three years ago and liked the neighborhood because everyone maintained their property and doesn't see how the duplexes will increase property values. Rentals change hands and new owners from "New York" don't care about upkeep.

Norma Novosel, 2729 Spring Meadow Circle agrees with neighbors and opposes the request.

Anna Florecy, 2729 Spring Meadow Circle opposed the request and stated people who live in apartments "don't care" or take care of the apartments and she does not want to see property values go down even more than they already have.

Herb Naito, 2730 Spring Meadow Circle stated he had concerns about the aesthetic presentation of duplexes across from the Spring Meadow sign which represents single-family homes. Known fact that duplexes carry transient individuals who do not

contribute to the community and do not maintain the premises. Also stated the zoning board had denied the Lexington request and a prior request at this location for condos.

Billy Casey, 2676 Spring Meadow Circle stated he has the honor of walking out to his rear deck and seeing the water tower. Had he known it was going to be built he would not have bought there. Duplexes will cause more trouble if allowed.

Ron Verb, 2822 Spring Meadow Circle welcomed Zoning Inspector Darren Crivelli back to Austintown. Asked if the zone change is necessary. Joe builds a great home. If he feels he can build duplexes and sell them than is it necessary to change zoning if he can build quality individual homes and sell them? He believes Joe Koch can build and sell quality single- family homes at the subject location. Stated he did not care about the county recommendation and that property values have been hurt by the water tower and other obstacles in the area. Why hurt the people even more, especially, those at the front of the development. Stated he does not believe zone change is necessary and asked the board to vote in his best interests as a current property owner in Spring Meadow.

Lisa Verb, 2822 Spring Meadow Circle opposed the request and stated they moved to Spring Meadow for single-family homes. Does not want to live in a condo development.

Joe Koch stated the property was R-3 when he purchased it, than went to R-2S. He also stated there was an approved PUD for condos. He withdrew his previous case due to objections. Stated the water tower was going within the area, either at its current location or behind Ron Verb's home. The tower was placed at its current location due to economics/elevations. Would have been 50 feet higher had it been placed behind Ron Verb's house. Joe Koch stated the property was never platted for single-family homes. Stated that because of utility/engineering reasons the two lots would face Kirk Road, would be aesthetically pleasing and draw high rents. Stated if approved he may not do it. Is surprised with the level of opposition. Further stated the water tower hinders his ability to build houses at the site and agreed with the opposition that the tower has lowered property values. Economics of a duplex are different. The two lots will not make or break him. They would be nice buildings and stated that the real estate business is changing and we will see more rentals. Stated there is nothing wrong with renting and some people can't afford a house. Home ownership is not achievable by everyone. Foreclosures are coming and these people will need to rent.

Mr. Hendricks asked who would maintain duplexes. Joe Koch stated he would own and maintain the units until such time as he would sell them.

Mr. Benyo asked about size of the units. Joe Koch stated 1,660 sq. ft. per unit, three bedrooms, basement, two car garages.

Mr. Hendricks ask about zoning square footage minimum requirements. Zoning Inspector Crivelli advised of current regulations and Joe Koch gave an overview of house sizes in Spring Meadow Circle.

Further discussion between residents, Joe Koch, and the Commission.

Commission members recessed at 7:55 P.M. to deliberate.

Vice-Chairman Marstellar reconvened the hearing at 8:20 P.M.

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Joe Koch advised the Commission and residents that he will withdraw the case. He stated that he does not feel as strongly for the request as the residents who feel strongly against the request. He also stated he has no desire to put the Commission in a difficult position.

A resident publicly thanked Mr. Koch for withdrawing the case.

There being nothing further to come before the Commission, the hearing was adjourned at 8:21 P.M.

AUSTINTOWN ZONING COMMISSION

Darren L. Crivelli, Zoning Inspector

APPROVED: _____
Keith Marstellar – Vice Chairman

DATE: _____