

AUSTINTOWN TOWNSHIP ZONING COMMISSION – OCTOBER 28, 2010

PUBLIC HEARING
AUSTINTOWN ZONING COMMISSION
October 28, 2010

In accordance with Section 519.12 of the Ohio Revised Code, the Austintown Township Zoning Commission held a public hearing on Thursday, October 28, 2010, at the Township Hall, 82 Ohltown Road, Austintown, Ohio, for consideration of and recommendation to the Board of Township Trustees Amendment Request 2010-04-Z.

The following Commission members were in attendance:

Atty. Robert Price – Chairman
Keith Marsteller – Vice Chairman
Brett Hendricks - Absent
Eugene Benyo
Bonnie Sovik

The Public Hearing was opened at 7:00 P.M. by Atty. Price leading the Pledge of Allegiance.

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

Motion by Mrs. Sovik to **APPROVE** the minutes of the August 26, 2010 public hearing.
Seconded by Mr. Marsteller.

Roll call vote: Benyo – YES; Mrs. Sovik – Yes; Mr. Marsteller – YES; Mr. Atty. Price – YES.

AMENDMENT 2010-04-Z

The Austintown Township Trustees, 82 Ohltown Road, Austintown, Ohio, 44515, propose amendments to the Austintown Township Zoning Ordinance, as amended through May 24, 2007 requests the rezoning of the following parcels of real property located within the Top Of The Town residential subdivision from Residence R-3 Districts to Residence R-1 Districts:

Lot No. 1	Starwick Drive – Parcel 48-069-0-018;
Lot No. 2	Starwick Drive – Parcel 48-069-0-020;
Lot No. 3	Starwick Drive – Parcel 48-069-0-022;
Lot No. 4	Starwick Drive – Parcel 48-069-0-024;
Lot No. 5	Starwick Drive – Parcel 48-069-0-025;
Lot No. 6	Starwick Drive – Parcel 48-069-0-026;
Lot No. 7	Starwick Drive – Parcel 48-069-0-027;
Lot No. 8	Starwick Drive – Parcel 48-069-0-028;
Lot No. 9	Starwick Drive – Parcel 48-069-0-029;
Lot No. 29	Starwick Drive – Parcel 48-069-0-046;
Lot No. 101	Starwick Drive – Parcel 48-113-0-248;
Lot No. 99	Starwick Drive – Parcel 48-113-0-247;
Lot No. 97	Starwick Drive – Parcel 48-113-0-246;
Lot No. 95	Starwick Drive – Parcel 48-113-0-245;
Lot No. 93	Starwick Drive – Parcel 48-113-0-244;
Lot No. 91	Starwick Drive – Parcel 48-113-0-243;
Lot No. 89	Starwick Drive – Parcel 48-113-0-242;

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Lot No. 87 Starwick Drive – Parcel 48-113-0-241;
Lot No. 85 Starwick Drive – Parcel 48-113-0-240;
Lot No. 83 Starwick Drive – Parcel 48-113-0-239;
Lot No. 81 Starwick Drive – Parcel 48-113-0-238;
Lot No. 79 Starwick Drive – Parcel 48-113-0-237;
Lot No. 77 Starwick Drive – Parcel 48-113-0-236;
Lot No. 75 Starwick Drive – Parcel 48-113-0-235;
Lot No. 73 Starwick Drive – Parcel 48-113-0-234;
Lot No. 71 Starwick Drive – Parcel 48-113-0-233;
Lot No. 67 Starwick Drive – Parcel 48-113-0-214;
Lot No. 68 Starwick Drive – Parcel 48-113-0-213;
Lot No. 69 Starwick Drive – Parcel 48-113-0-212;
Lot No. 70 Starwick Drive – Parcel 48-113-0-211;
Lot No. 118 Starwick Drive – Parcel 48-113-0-264;
Lot No. 119 Starwick Drive – Parcel 48-113-0-265;
Lot No. 120 Starwick Drive – Parcel 48-113-0-266;
Lot No. 121 Starwick Drive – Parcel 48-113-0-267;
Lot No. 122 Starwick Drive – Parcel 48-113-0-268;
Lot No. 123 Starwick Drive – Parcel 48-113-0-269;
Lot No. 124 Starwick Drive – Parcel 48-113-0-270;
Lot No. 125 Starwick Drive – Parcel 48-113-0-271;
Lot No. 126 Starwick Drive – Parcel 48-113-0-272;
Lot No. 127 Starwick Drive – Parcel 48-113-0-273;
Lot No. 128 Starwick Drive – Parcel 48-113-0-274;
Lot No. 72 Starwick Drive – Parcel 48-113-0-263;
Lot No. 74 Starwick Drive – Parcel 48-113-0-262;
Lot No. 76 Starwick Drive – Parcel 48-113-0-261;
Lot No. 78 Starwick Drive – Parcel 48-113-0-260;
Lot No. 80 Starwick Drive – Parcel 48-113-0-259;
Lot No. 82 Starwick Drive – Parcel 48-113-0-258;
Lot No. 84 Starwick Drive – Parcel 48-113-0-257;
Lot No. 86 Starwick Drive – Parcel 48-113-0-256;
Lot No. 88 Starwick Drive – Parcel 48-113-0-255;
Lot No. 90 Starwick Drive – Parcel 48-113-0-254;
Lot No. 92 Starwick Drive – Parcel 48-113-0-253;
Lot No. 94 Starwick Drive – Parcel 48-113-0-252;
Lot No. 96 Starwick Drive – Parcel 48-113-0-251;
Lot No. 98 Starwick Drive – Parcel 48-113-0-250;
Lot No. 100 Starwick Drive – Parcel 48-113-0-249;
Lot No. 27 Starwick Drive – Parcel 48-069-0-044;
Lot No. 17 Starwick Drive – Parcel 48-069-0-034;
Lot No. 16 Starwick Drive – Parcel 48-069-0-033;
Lot No. 15 Starwick Drive – Parcel 48-069-0-032;
Lot No. 14 Starwick Drive – Parcel 48-069-0-031;
Lot No. 13 Starwick Drive – Parcel 48-069-0-030;
Lot No. 12 Starwick Drive – Parcel 48-069-0-023;
Lot No. 11 Starwick Drive – Parcel 48-069-0-021;
Lot No. 10 Starwick Drive – Parcel 48-069-0-019;
Lot No. 18 Forty Second Street – Parcel 48-069-0-035;
Lot No. 19 Forty Second Street – Parcel 48-069-0-036;
Lot No. 20 Forty Second Street – Parcel 48-069-0-037;

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- Lot No. 21 Forty Second Street – Parcel 48-069-0-038;
- Lot No. 22 Forty Second Street – Parcel 48-069-0-039;
- Lot No. 23 Forty Second Street – Parcel 48-069-0-040;
- Lot No. 24 Forty Second Street – Parcel 48-069-0-041;
- Lot No. 25 Forty Second Street – Parcel 48-069-0-042;
- Lot No. 26 Forty Second Street – Parcel 48-069-0-043;
- Lot No. 28 Forty Second Street – Parcel 48-069-0-045;
- Lot No. 30 Forty Second Street – Parcel 48-113-0-231;
- Lot No. 32 Forty Second Street – Parcel 48-113-0-230;
- Lot No. 34 Forty Second Street – Parcel 48-113-0-229;
- Lot No. 36 Forty Second Street – Parcel 48-113-0-228;
- Lot No. 38 Forty Second Street – Parcel 48-113-0-227;
- Lot No. 40 Forty Second Street – Parcel 48-113-0-226;
- Lot No. 42 Forty Second Street – Parcel 48-113-0-225;
- Lot No. 44 Forty Second Street – Parcel 48-113-0-224;
- Lot No. 46 Forty Second Street – Parcel 48-113-0-223;
- Lot No. 48 Forty Second Street – Parcel 48-113-0-222;
- Lot No. 50 Forty Second Street – Parcel 48-113-0-221;
- Lot No. 52 Forty Second Street – Parcel 48-113-0-220;
- Lot No. 54 Forty Second Street – Parcel 48-113-0-219;
- Lot No. 56 Forty Second Street – Parcel 48-113-0-218;
- Lot No. 59 Forty Second Street – Parcel 48-113-0-217;
- Lot No. 64 Forty Second Street – Parcel 48-113-0-216;
- Lot No. 66 Forty Second Street – Parcel 48-113-0-215;
- Lot No. 65 Forty Second Street – Parcel 48-113-0-210;
- Lot No. 63 Forty Second Street – Parcel 48-113-0-209;
- Lot No. 62 Forty Second Street – Parcel 48-113-0-208;
- Lot No. 61 Forty Second Street – Parcel 48-113-0-207;
- Lot No. 60 Forty Second Street – Parcel 48-113-0-206;
- Lot No. 58 Forty Second Street – Parcel 48-113-0-205;
- Lot No. 57 Forty Second Street – Parcel 48-113-0-204;
- Lot No. 55 Forty Second Street – Parcel 48-113-0-203;
- Lot No. 53 Forty Second Street – Parcel 48-113-0-202;
- Lot No. 51 Forty Second Street – Parcel 48-113-0-201;
- Lot No. 49 Forty Second Street – Parcel 48-113-0-200;
- Lot No. 47 Forty Second Street – Parcel 48-113-0-199;
- Lot No. 45 Forty Second Street – Parcel 48-113-0-198;
- Lot No. 43 Forty Second Street – Parcel 48-113-0-197;
- Lot No. 41 Forty Second Street – Parcel 48-113-0-196;
- Lot No. 39 Forty Second Street – Parcel 48-113-0-195;
- Lot No. 37 Forty Second Street – Parcel 48-113-0-194;
- Lot No. 35 Forty Second Street – Parcel 48-113-0-193;
- Lot No. 33 Forty Second Street – Parcel 48-113-0-192;
- Lot No. 31 Forty Second Street – Parcel 48-113-0-191;
- Lot No. 117 Forty Second Street - Parcel.48-069-0-063;

And to rezone the following parcels of real property located within the Top Of The Town residential subdivision from Residence R-3 Districts to Residence R-2 Districts:

- Lot No. 116 Forty Second Street - Parcel.48-069-0-062;
- Lot No. 115 Forty Second Street - Parcel.48-069-0-061.01;

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Lot No. 114 Forty Second Street - Parcel.48-069-0-060;
Lot No. 113 Forty Second Street - Parcel.48-069-0-059.01 & 59.02;
Lot No. 112 Forty Second Street - Parcel.48-069-0-058;
Lot No. 111 Forty Second Street - Parcel.48-069-0-057;
Lot No. 110 Starwick Court - Parcel.48-069-0-056;
Lot No. 109 Starwick Court - Parcel.48-069-0-055;
Lot No. 108 Starwick Court - Parcel.48-069-0-054;
Lot No. 107 Starwick Court - Parcel.48-069-0-053.01 & 053.02;
Lot No. 106 Starwick Court - Parcel.48-069-0-052.01 & 052.02;
Lot No. 105 Starwick Court - Parcel.48-069-0-051;
Lot No. 104 Starwick Court - Parcel.48-069-0-050;
Lot No. 103 Starwick Court - Parcel.48-069-0-049.01 & 049.02; and
Lot No. 102 Starwick Court - Parcel.48-069-0-048.01 & 048.02.

Said properties are located on the south side of the Kirk Road right-of-way, directly south of the Penny Lane-Kirk Road intersection; and are zoned as Residential R-3 Districts in Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli advised the Commission that the Top of the Town subdivision is located off of Kirk Road and is zoned as a Residential R-3 District, but for the most part was developed as a single-family housing sub-division. Duplexes were constricted within the two cul-de-sacs in the late 1990's. This request asks the Commission to consider rezoning the lots developed as single-family from Residential R-3 to Residential R-1 and rezone the lots in the cul-de-sacs for Residential R-3 to Residential R-2. The reason for doing this is to protect the integrity of the existing single-family housing stock. The Township does not wish to see vacant single-family homes in multi-zoned districts converted to duplexes. By rezoning the properties back to Residential R-1 we can assure the residents of this neighborhood that the housing stock will remain single-family into the future. Zoning Inspector Crivelli asked the Commission to consider supporting and forwarding a positive recommendation to the Trustees.

Zoning Inspector Crivelli stated on October 26, 2010, the **MAHONING COUNTY PLANNING COMMISSION** recommended **APPROVAL** of the request per the agenda.

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

No one in attendance to speak in opposition of the request.

2010-04-Z- Top of the Town

Motion by Mr. Marsteller to accept the recommendation of the Mahoning County Planning Commission and recommend **APPROVAL** of the request. Seconded by Mrs. Sovik.

Roll call vote: Benyo – YES; Mrs. Sovik – Yes; Mr. Marsteller – YES; Mr. Atty. Price – YES.

Zoning Inspector Crivelli distributed to the Commission the newly adopted Agricultural, R-1, R-2, and R-3 District regulation now in effect.

Motion by Mr. Marsteller to adjourn the public hearing. Seconded by Mrs. Sovik.

Roll call vote: Benyo – YES; Mrs. Sovik – Yes; Mr. Marsteller – YES; Mr. Atty. Price – YES.

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There being nothing further to come before the Commission, the hearing was adjourned at 7:08 P.M.

AUSTINTOWN ZONING COMMISSION

Darren L. Crivelli, Zoning Inspector

APPROVED: _____
Atty. Robert Price, Chairman

DATE: _____