

AUSTINTOWN TOWNSHIP TRUSTEES PUBLIC HEARING NOVEMBER 22, 2010

PUBLIC HEARING  
**AUSTINTOWN TOWNSHIP TRUSTEES**  
November 22, 2010

In accordance with Section 519.12 of the Ohio Revised Code, the Austintown Township Trustees held a public hearing on Monday, November 22, 2010, at the Township Hall, 82 Ohltown Road, Austintown, Ohio, for final determination of Amendment 2010-04-Z- Top of the Town.

The following Trustees were in attendance:

David Ditzler, Chairman  
Lisa Oles, Vice-Chairperson  
James C. Davis, Trustee

Chairman Ditzler leading the Pledge of Allegiance opened the Public Hearing at 5:35 P.M.

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

Mr. Ditzler read the following into the record:

The Public Hearing before the Austintown Township Board of Trustees for November 22, 2010 is now in session. Let the record show that under the provisions of Ohio Revised Code 519.12, notice of this hearing has been given in one newspaper of general circulation in the Township at least ten (10) days before the date of this hearing.

After a reading of the legal notice, the Board of Trustees will hear all testimony in support of the proposed amendment, then all testimony against. If testimony is offered against the request, the applicant will be given a short rebuttal opportunity. All testimony is to be directed to the Board.

When all testimony has been given, the recommendations of the Mahoning County Planning Commission and the Austintown Zoning Commission will be read into the record by the Zoning Inspector. The Board of Trustees will then act by motion upon the recommendation of the Austintown Zoning Commission.

**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;

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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;  
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;

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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;  
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;

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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;  
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.

**MAHONING COUNTY PLANNING COMMISSION:** Recommended **APPROVAL** of the request per the agenda.

**AUSTINTOWN TOWNSHIP ZONING COMMISSION:** Motion by Mr. Marsteller to accept the recommendation of the Mahoning County Planning Commission and recommend **APPROVAL** of the request. Seconded by Mr. Sovik.

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

Zoning Inspector Darren Crivelli testified on behalf of the amendment and stated the subdivision was developed for the most part as single-family and by rezoning the majority of the sub-division to a ResidenceR-1 District the Township will be protecting the integrity of the single-family housing stock by preventing future conversions of single-family homes into duplexes. He also stated he has received telephone calls of support for the zone change from residents residing in the Top of the Town sub-division. The cul-de-sacs which were developed as duplexes would be rezoned to a Residence R-2 District. Zoning Inspector Crivelli asked the Trustees to consider approving the recommendations forwarded by the planning and zoning commissions.

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

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

Motion by Mrs. Oles to accept and **APPROVE** the recommendations of the Mahoning County Planning Commission and the Austintown Township Zoning Commission and rezone the subject

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parcels to Residential R-1 Districts as stipulated per the legal notice and to Residential R-2 Districts per the legal notice. Seconded by Mr. Davis.

Roll Call Vote: Mr. Ditzler – Yes; Mr. Davis – Yes; Mrs. Oles – Yes.

Motion by Mrs. Oles to adjourn the public hearing at 5:40PM. Seconded By Mr. Davis.

Roll Call Vote: Mr. Ditzler – Yes; Mr. Davis – Yes; Mrs. Oles – Yes.

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Darren L. Crivelli, Zoning Inspector  
AUSTINTOWN TOWNSHIP

APPROVED: \_\_\_\_\_  
David C. Ditzler, Chairman  
AUSTINTOWN TOWNSHIP

DATE: \_\_\_\_\_

\_\_\_\_\_  
Michael Kurish, Fiscal Officer  
AUSTINTOWN TOWNSHIP