

PUBLIC HEARING
AUSTINTOWN TOWNSHIP TRUSTEES
January 14, 2019

In accordance with Section 519.12 of the Ohio Revised Code, the Austintown Township Trustees held a public hearing on Monday, January 14, 2019, at the Austintown Township Administration Building, 82 Ohltown Road, Austintown, Ohio, for final determination of amendment request 2018-05-Z.

The following Trustees were in attendance:

Kenneth A. Carano - Chairman
Doug McGlynn – Vice-Chairman
James C. Davis – Trustee

The Public Hearing was opened at 7:03 P.M.

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

Mr. Carano gave the following statement:

The Public Hearing before the Austintown Township Board of Trustees for January 14, 2019 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 and notice was given by first class mail to property owners of interest.

After a reading of the legal notice and the recommendations of the Mahoning County Planning Commission and the Austintown Township Zoning Commission, the Board of Trustees will first hear testimony from the applicant, then all testimony in support of the proposed amendment, then all testimony against the amendment. If testimony is offered against the request, the applicant will be given a short rebuttal opportunity. All testimony and questions are to be directed to the Board of Trustees.

When all testimony has been given, the Board of Trustees will act by motion upon the recommendation of the Austintown Zoning Commission.

AMENDMENT 2018-04-Z

James M. Steiner, 86 Oak Tree Drive, Canfield, Ohio, 44406, requests the rezoning of two (2) parcels of land containing a combined total of 1.273 acres, Lot Nos. 24 and 25, Central Realty Company Plat No. 1, Parcels 48-030-0-016 and 48-030-0-015, 171 North

Canfield-Niles Road and West Rockwell Road, Austintown Township, from Residential R-1 Districts to Business B-1 Districts with the easterly ten feet of Lot No. 24 to remain a Residential R-1 District. 171 North Canfield-Niles Road is rectangular in shape, having a frontage of 217.40 feet on North Canfield-Niles Road and a depth of 228.20 feet at the northerly property line, is located at the northeast corner of the West Rockwell Road-North Canfield-Niles Road intersection; and is zoned as a Residential R-1 District. Lot No. 24 is rectangular in shape, has a frontage of 100 feet and a depth of 200 feet, is located on the north side of the West Rockwell Road right-of-way, approximately 143.40 feet east of the West Rockwell Road-North Canfield-Niles Road intersection; and is zoned as a Residential R-1 District within Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli referenced the minutes of the November 29, 2018 Zoning Commission public hearing. Also referenced was Exhibit "A" – a map of the area submitted to the AZC by the applicant, the applicant's letter of request dated November 6, 2018, four plat maps highlighting the subject parcels, two tax duplicates for the subject parcels, the sign-in sheet for the AZC hearing, the case mailing list, and five plat maps prepared by the zoning office.

Zoning Inspector Crivelli read the following recommendation into the case record: **MAHONING COUNTY PLANNING COMMISSION: Recommended APPROVAL** of the request per the agenda at their meeting held on November 27, 2018.

2018-05-Z-Steiner: Motion by Mr. Marsteller to **ACCEPT** the recommendation of the Mahoning County Planning Commission and recommend **APPROVAL** of the request to **Business B-1 Districts**.

Seconded by Mrs. Sovik.

Roll call vote: Mr. Cole – Yes; Mrs. Sovik – Yes; Mr. Swogger – Yes; Mr. Marsteller – Yes; and Mr. Latone – Yes.

An email in opposition to the request was read into the case record from Ken and Jody Lewis, abutting property owners.

James M. Steiner, 86 Oak Tree Drive, Canfield, Ohio, 44406, stated he cannot sell the property and residential is not suitable at the location. Commercial realtors do not want to list the property unless the zoning is changed. He will provide a tree buffer in the back. He plans to raze the house this summer. He also hopes to sell the property and not have to worry about it.

Mr. McGlynn inquired about access and the buffer. Mr. Steiner stated there was a drive onto State Route 46. Zoning Inspector Crivelli advised a potential curb cut to Route 46 falls under the jurisdiction of ODOT for approval for a new project.

Mr. Steiner stated the church spoke at the last hearing and had no objections and their only concern was the location of the sewer tap-in.

Zoning Inspector Crivelli asked for a specific date the house would be razed. Mr. Steiner stated the Fall. He secured a demo permit and stated the house will be razed before the permit expires. Zoning Inspector Crivelli asked if the house would be razed by October 31, 2019. Mr. Steiner stated it would be razed unless it was improved 100% or razed 100% and graded. He assured it will not stay the same.

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

No one in attendance to speak against the request.

There was discussion of the size of the property and the dwelling. Mr. Steiner stated the stairway leading to the second floor is only 30 inches wide. He stated the house could be revamped into a nice law office.

2018-05-Z-Steiner: Mr. McGlynn made a motion to accept the recommendation of the Austintown Township Zoning Commission and **approve** the amendment to Business B-1 Districts with the easterly 10 feet to remain as a Residential R-1 District and serve as a buffer and with the stipulation the building is to be razed by October 31, 2019 unless rehabbed by a new owner.

Seconded by Mr. Davis.

Roll Call Vote: Mr. McGlynn – Yes; Mr. Davis – Yes; and Mr. Carano – Yes.

Motion by Mr. McGlynn to adjourn the public hearing.

Seconded by Mr. Davis.

Roll Call Vote: Mr. McGlynn – Yes; Mr. Davis – Yes; and Mr. Carano – Yes.

Zoning Inspector Crivelli advised Mr. Steiner he will receive a letter of confirmation and the rezoning will become effective in 30 days.

There being nothing further to come before the Trustees, the public hearing was adjourned at 7:15 P.M.

AUSTINTOWN TOWNSHIP TRUSTEES

Darren L. Crivelli, Zoning Inspector

AUSTINTOWN TOWNSHIP TRUSTEES, JANUARY 14, 2019

APPROVED: _____
Ken Carano – Chairman

DATE: _____

APPROVED: _____
Laura L. Wolfe, Fiscal Officer

DATE: _____