

PUBLIC HEARING
BOARD OF ZONING APPEALS
April 21, 2016

The Austintown Township Board of Appeals held a Public Hearing on Thursday, April 21, 2016, at the Township Building, 82 Ohltown Road, Austintown, Ohio, for consideration of the following case:

APPEAL CASE 2016-04-A-Power Tool & Supply.

The following Board members were in attendance:

Mr. Joe Koch– Chairman
Mr. Michael Beaudis – Vice-Chairman
Mr. William Glaros
Mr. Robert Satterlee
Mr. James Mahoney

Chairman Satterlee opened the public hearing at 7:00 P.M. The following testimony was given under oath or affirmation. Court Reporter in attendance, complete transcript taken of the hearing.

APPEAL CASE 2016-04-A

The Jenkins Company, 1400 Mahoning Avenue, P.O. Box 2413, Youngstown, Ohio, 44509, on behalf of the Lyden Oil Company, 3710 LeHarps Road, Austintown, Ohio, 44515, and the Power Tool & Supply Company, 3699 LeHarps Road, Austintown, Ohio, 44515, appeals from the decision of the Austintown Township Zoning Inspector and requests a conditional use permit from the terms of Article XVIII-Signs, Section 1802-Conditional Use, Section 1804-General Requirements, Paragraph No. 1, of the Austintown Township Zoning Ordinance, as amended through November 25, 2014, to allow for an off-premise high rise business identification sign advertising the “Power Tool & Supply” company to be placed approximately 30 feet from the northerly rear property line and 35 feet from the easterly side property line at the property located at 3710 LeHarps Road. The proposed sign will measure 33’2” in height. A sign advertising a product or service shall be permitted only on the premises where such product or service is sold or available. Said property is further described as Lot No. 14, Parcel 48-036-0-057, is located on the north side of LeHarps Road, approximately 1297 feet west of the North Meridian Road-LeHarps Road intersection; and is zoned as an Industrial I-2 District in Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli read the applicant’s letter of request dated March 22, 2016, and referenced two letters of permission from property owner and business owner, an elevation drawing of the proposed sign, two color photographs of the existing signage, two site plans, the case mailing list, and four plat maps prepared by the zoning office.

BOARD OF APPEALS PUBLIC HEARING – APRIL 21, 2016

Mr. Koch stated the mailing list for case 2016-04-A will be incorporated into the case record.

Lisa Springer, 3699 LeHarps Road, Austintown, Ohio, 44515, asked for permission to place the sign. They have been located on LeHarps Road since 1972 and wish to place the sign to expand their business. A lease has been signed with Lyden to allow the sign to be placed on their property.

Mr. Satterlee inquired about her affiliation with Power Tool. Ms. Springer advised she is the owner of the family business.

Mr. Satterlee asked what her plans were with the sign if she closed her business. Ms. Springer stated she has no plans to close but if she did she would take the sign down if required. Zoning Inspector Crivelli suggested the sign should be limited to Lyden's use or whoever would relocate to her building if she were to relocate or close down. There was discussion of highway signs being conditional uses and further reviews by the Board. Zoning Inspector Crivelli advised the only review of an existing highway sign was the BP sign that had a lean. Mr. Satterlee expressed concern of the sign faces being removed if she leaves and the sign become a nuisance. Ms. Springer stated she has been there for 29 years and has no intention of closing up the business her father started.

Mr. Koch asked about the type of sign. Ms. Springer stated it would be a lit sign and the maintenance will be done by Jenkins similar to Lyden's sign. It was speculated lighting was internal.

Mr. Koch inquired about the YSU study. Ms. Springer stated the area of her business is classified as economically depressed and three student groups's suggested a sign by the highway in addition to her existing sign. There will be no further follow-up with the student groups as to the effect of the sign on her business. Her customers say they did not know the business was there. They are both a wholesaler and retailer. She speculated the sign will have a tremendous impact on her businesses based on the traffic numbers on Route 680 and being located between Pittsburgh and Cleveland. Power Tool has just launched a website and had a YSU intern working for them to promote the business. She recently hired the intern. Ms. Springer stated she has registered as a WOSB (Women Owned Small Business) with the National Organization Business Council to help promote supplier diversity with the automotive and steel industries which fosters purchases from minority and women owned businesses. She is registered with ODOT as a disadvantaged business which allows her to be placed on a supply list for becoming a preferred vendor for state contractors. She discussed a marketing leadership class at YSU she attended which required extensive business planning. Mr. Satterlee agreed the sign will benefit her business.

Mr. Beaudis inquired about fill in the area of the sign and the proposed sign setback from 680. Zoning Inspector Crivelli advised the building inspector will require stamped engineered drawings for placement of the sign. Ms. Springer stated she had no objections

BOARD OF APPEALS PUBLIC HEARING – APRIL 21, 2016

to relocating the sign 35 feet from the ODOT fence and further stated Mr. Jenkins and Mr. Lyden are both aware of the fill area. Mr. Beaudis was concerned if the sign would fall it should remain on the Lyden property and not ODOT property. Ms. Springer agreed to place the sign an additional five feet back.

No one else in attendance to speak for the request.

No one in attendance to speak against the request.

2016-04-A-Power Tool & Supply: Motion by Mr. Satterlee to approve the conditional use permit with the stipulation that the leading edge of the sign is placed a minimum of 35 feet south of the ODOT fence line.

Seconded by Mr. Glaros.

Roll Call Vote: Mr. Mahoney – Yes; Mr. Glaros – Yes; Mr. Satterlee – Yes; Mr. Beaudis – Yes; and Mr. Koch – Yes.

Zoning Inspector Crivelli advised that the request has been approved, however, there is a 30 day appeal period and no permit will be issued until the 30 days expires.

There being nothing further to come before the Board, the hearing was adjourned at 7:30 P.M.

AUSTINTOWN BOARD OF ZONING APPEALS

Darren L. Crivelli, Zoning Inspector, Austintown Township

APPROVED: _____
Joe Koch – Chairman

DATE: _____