

PUBLIC HEARING
BOARD OF ZONING APPEALS
December 22, 2016

The Austintown Township Board of Appeals held a Public Hearing on Thursday, December 22, 2016, at the Township Building, 82 Ohltown Road, Austintown, Ohio, for consideration of the following cases:

APPEAL CASE 2016-18-A-Continued-Willmitch; and
APPEAL CASE 2016-20-A-Harvey.

The following Board members were in attendance:

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

Chairman Koch opened the public hearing at 7:07 P.M. The following testimony was given under oath or affirmation. Court Reporter in attendance, complete transcript taken of the hearing.

Motion by Mr. Glaros to approve the minutes of the public hearings held on June 29, 2016, August 11, 2016, and December 1, 2016.

Seconded by Mr. Satterlee.

Roll Call Vote: Mr. Basista - Yes; Mr. Mahoney - Yes; Mr. Satterlee - Yes; Mr. Glaros - Yes; and Mr. Koch - Yes.

APPEAL CASE 2016-18-A-Continued

Mary Ellen Willmitch, 1951 Penny Lane, Austintown, Ohio, 44515, appeals from the decision of the Austintown Township Zoning Inspector and requests a variance from the terms of Article VI-Residence R-1 District, Section 603-General Requirements: “Rear Yards”, of the Austintown Township Zoning Ordinance, as amended through November 25, 2014, to allow for the construction of an 22’ x 18’ addition to be placed 35 feet from the easterly rear property line. The minimum rear yard requirement is 40 feet. Said property is zoned as a Residence R-1 Districts in Austintown Township, Mahoning County, State of Ohio.

Mr. Koch stated the mailing list for case 2016-18-A-Continued will be incorporated into the case record.

Zoning Inspector Crivelli referenced a scaled site plan and an architectural drawing prepared by Mike Fagan.

Dwayne Crum, 5311 West Viola Avenue, testified that the current drawings are more detailed than what was offered at the previous meeting. He submitted a survey of the property which was marked as Exhibit “A”. He observed on one side the variance request would be approximately four (4) feet and five (5) feet on the other. Mr. Koch observed it was a scaled tax map. Mr. Crum stated Robert Fleet prepared it. Mr. Crum described the removal of a wall, a new header, and what he was doing with the kitchen. There was discussion of using the existing furnace or installing a larger furnace or a separate furnace just for the addition. Mr. Koch observed the footprint with nothing outstanding changing from the last meeting.

Mr. Crum stated the addition will not detract from the neighborhood and will add value to the property and allow Mrs. Willmitch to remain in the house. Mr. Koch reviewed the dimensions of the laundry room and bedroom and was in agreement that he needed the depth of 18 feet to make the addition work. He also observed ADA compliance and the arcs for the doors. He stated the request was reasonable.

No one else in attendance to speak for the request.

No one else in attendance to speak against the request.

2016-18-A-Continued-Willmitch: Motion by Mr. Satterlee to approve a rear yard variance of five (5) feet and to include all testimony given by the applicant.

Seconded by Mr. Mahoney.

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

Zoning Inspector Crivelli advised zoning and building permits will be required prior to the start of construction.

APPEAL CASE 2016-20-A

Mary F. and Robert N. Harvey, 4975 Norquest Boulevard, Austintown, Ohio, 44515, appeals from the decision of the Austintown Township Zoning Inspector and requests a variance from the terms of Article VII-Residence R-2 District, Section 704-Private Garages and other Outbuildings and Carports, of the Austintown Township Zoning Ordinance, as amended through November 25, 2014, to allow for placement of a detached carport measuring 10’6” x 26’ (approximately 268 sq. ft.) to be placed within the southerly rear yard in line with and east of the existing detached garage. A second outbuilding shall not exceed 240 square feet. Said property is zoned as a Residential R-2 District in Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli read the applicant's letter of request dated December 1, 2016 into the case record, referenced a scaled site plan, a brochure with a picture of the proposed car port circled, the case mailing list, and three plat maps prepared by the zoning office.

Robert N. Harvey, 4975 Norquest Boulevard, testified that the proposed structure is a metal carport to be placed next to the existing garage for storage of cars in the winter. He hopes to free up space in the garage for his lawn tractor and tools. Mr. Satterlee observed there were items stored outside the garage. Mr. Harvey acknowledged a snow blower that quit running was stored outside but will soon be removed from the property.

Mr. Koch asked why he has not considered an addition to the existing garage. Mr. Harvey stated it is a duplex and his son lives in the other half and the carport would be more convenient. Mr. Koch observed it is a nice looking building and carport will detract from the property. Mr. Harvey stated the carport is heavy duty framing with a lifetime guarantee. The carport will be cheaper than building an addition to the garage. Mr. Satterlee advised the board does not look at cost but rather the characteristics of the neighborhood. He asked if it would be attached to the building. Mr. Harvey answered in the negative. The concrete slab was built with the garage. Mr. Harvey speculated the slab may have been built for a motor home.

Mr. Koch reviewed the dimensions on the brochure. Zoning Inspector Crivelli advised the legal notice depicts the size which came from the applicant's letter. Mr. Harvey asked the retailer to reduce the size of the carport so it would fit completely on the concrete. Mr. Harvey stated there is no gutter system. The width and length can be changed. The charge is for a 12 foot width even if the width is reduced. The proposed length matches the existing garage.

No one else in attendance to speak for the request.

No one in attendance to speak against the request.

The Board adjourned into executive session at 7:30 P.M.

The Board reconvened from executive session at 7:39 P.M.

Mr. Satterlee stated since the carport is not attached he can build up to 240 square feet without a variance. He expressed his dislike for the carport and stated it detracts from the neighborhood and changes the characteristics of the neighborhood. He acknowledged Mr. Harvey can build a detached carport up to 240 square feet.

2015-20-A-Harvey: Motion by Mr. Satterlee to approve the variance request of 28 square feet with the stipulation that the carport is not attached to the garage.

Seconded by Mr. Basista.

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Roll Call Vote: Mr. Basista - Yes; Mr. Mahoney - Yes; Mr. Satterlee - Yes; Mr. Glaros - Yes; and Mr. Koch - Yes.

Zoning Inspector Crivelli advised zoning and building permits will be required prior to the start of construction.

There being nothing further to come before the Board, the hearing was adjourned at 7:35 P.M.

AUSTINTOWN BOARD OF ZONING APPEALS

Darren L. Crivelli, Zoning Inspector, Austintown Township

APPROVED: _____
Joe Koch – Chairman

DATE: _____