

PUBLIC HEARING
AUSTINTOWN ZONING COMMISSION
August 25, 2016

In accordance with Section 519.12 of the Ohio Revised Code, the Austintown Township Zoning Commission held a public hearing on Thursday, August 25, 2016, at the Township Hall, 82 Ohltown Road, Austintown, Ohio, for consideration of and recommendation to the Board of Township Trustees amendment request 2016-07-Z.

The following Commission members were in attendance:

Ron Latone – Chairman
Brett Hendricks – Vice Chairman
Atty. Robert Price
Keith Marsteller
Bonnie Sovik

The Public Hearing was opened at 6:00 P.M. by Mr. Latone leading the Pledge of Allegiance.

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

Mr. Latone read the following statement:

The Public Hearing before the Austintown Township Zoning Commission for August 25, 2016 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. The mailing list of the property owners will be incorporated into the case record.

After a reading of the legal notice and the recommendation of the Mahoning County Planning Commission, the Zoning Commission will first hear testimony from the applicant, than 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.

When all testimony has been given, the Zoning Commission will act by motion upon the recommendation of the Mahoning County Planning Commission and our recommendation will be forwarded to the Board of Trustees for a future hearing and a final decision.

All testimony and questions are to be directed to the Zoning Commission. We ask that only one person speak at a time as we have a court reporter present. Prior to testifying you must state your name and address.

AMENDMENT 2016-07-Z

J.O. Lane Enterprises, Ltd., 5801 Mahoning Avenue, Austintown, Ohio, 44515, requests the rezoning of three (3) parcels of land containing a combined total of 1.397 acres, Lot Nos. 109, 255, and 258, Parcels Nos. 49-044-0-011 (West Liberty Street-former Dutch Lane), 49-044-0-012 (West Liberty Street-former Dutch Lane), and 49-044-0-010, 1368 North Canfield-Niles Road, Austintown Township, from Residence R-1 Districts to Business B-1 Districts in their entireties. Lot No. 258 is located at the southwest corner of the North Canfield-Niles Road-West Liberty Street intersection, has a frontage of 219.80 feet on North Canfield-Niles Road and a depth of 239 feet at the southerly property line. Lot No. 255 is located on the south side of West Liberty Street, approximately 157.54 feet west of the North Canfield-Niles Road-West Liberty Street intersection, has a frontage of approximately 50 feet and a depth 116.16 at the easterly side property line. Lot No. 109 is located on the south side of West Liberty Street, approximately 207.54 feet west of the North Canfield-Niles Road-West Liberty Street intersection, has a frontage of approximately 20 feet and a mean depth 127 feet. Said properties are zoned as Residential R-1 Districts in Austintown Township, Mahoning County, State of Ohio.

Assistant Zoning Inspector Harris read the letter of request dated August 5, 2016 from Joseph D. Lane into the case record, referenced two plat maps submitted by the applicant, the case mailing list, and three plat maps of the area prepared by the zoning office.

Assistant Zoning Inspector Harris stated the following:

Mahoning County Planning Commission: Recommended **APPROVAL** of the requests per the agenda on their meeting held August 23, 2016.

Joe Lane, 5245 Revere Run, Canfield, Ohio, stated the house belonged to his parents. It was built in 1958. His mother was transferred to long-term care facility about seven months ago. The existing parking lot would not be attractive to a future residential user. The property could be better utilized as a potential office complex for the funeral home or as a training center for EMT and ambulance personal. They are currently short on training space. It's a building that does not offer much other than residential or office use. It would fit in with what is going on in that area of the Route 46 corridor. The house has been empty since last November.

Atty. Price asked if the house would be razed to allow for new construction. Mr. Lane stated the house is in great shape and architecturally it is an open with a walk-in basement and the upstairs floor plan is relatively open for a two bedroom house. He suggested moving his dispatchers and office operations to the dwelling with very little needed work to accommodate them. There is no intention to raze the dwelling.

Mr. Hendricks inquired about adjacent property zoning and the typical depth of the "B" zoning on Route 46. Mr. Lane advised of the zoning depth of the funeral home and

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stated parcel 12 and the abutting parcel belonged to the Shively's when he was growing up. There was a general discussion of the immediate zoning districts.

No one else offered testimony in support of the request.

No one else offered testimony in opposition of the request.

The Austintown Township Zoning Commission adjourned at 6:13 P.M.

The Austintown Township Zoning Commission reconvened at 6:15 P.M.

2016-07-Z-Lane: Motion by Mr. Hendricks to accept the recommendation of the Mahoning County Planning Commission and recommend **APPROVAL** of the request to a Business B-1 District.

Seconded by Mrs. Sovik.

Roll Call Vote: Atty. Price – Yes; Mr. Hendricks – Yes; Mrs. Sovik – Yes; Mr. Marstellar – Yes; and Mr. Latone - Yes.

Atty. Price made a motion to adjourn the public hearing at 6:20 P.M.

Seconded by Mr. Marstellar.

Roll Call Vote: Mr. Hendricks – Yes; Mrs. Sovik – Yes; Mr. Marstellar – Yes; Atty. Price – Yes; and Mr. Latone - Yes.

There being nothing further to come before the Commission, the hearing was adjourned at 6:20 P.M.

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Eric Harris, Sr., Assistant Zoning Inspector

APPROVED: _____
Mr. Latone – Chairman

DATE: _____