

AUSTINTOWN ZONING COMMISSION – SEPTEMBER 29, 2016

PUBLIC HEARING  
AUSTINTOWN ZONING COMMISSION  
September 29, 2016

In accordance with Section 519.12 of the Ohio Revised Code, the Austintown Township Zoning Commission held a public hearing on Thursday, September 29, 2016, at the Township Hall, 82 Ohltown Road, Austintown, Ohio, for consideration of and recommendation to the Board of Township Trustees proposed Amendment 2016-08-Z-Weaver.

The following Commission members were in attendance:

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

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.

Motion by Mrs. Sovik to **APPROVE** the minutes of the August 25, 2016 public hearing.

Seconded by Mr. Marstellar.

Roll call vote: Mr. Marstellar – Yes; Mrs. Sovik – Yes; Mr. Cole – Yes; Mr. Swoger, III – Yes; and Mr. Hendricks – Yes.

Mr. Latone read the following statement:

The Public Hearing before the Austintown Township Zoning Commission for September 29, 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 2016-08-Z**

James A. and Corrine S. Weaver, 6595 Silica Road, Austintown, Ohio, 44515, requests the rezoning of approximately 13.84 acres from three (3) parcels of land containing a combined total of 17.123 acres, Lot Nos. 1 & 3, Arne Plat No. 1, Parcels Nos. 48-086-0-017 and 48-086-0-019, and Parcel 48-086-0-014, a portion of Tract 6, Silica Road, Austintown Township, from Industrial I-2 Districts to Agricultural-Suburban Estate Residential (A-SER) Districts to begin 200 feet south of the front (Silica Road) property lines. Said properties are further described as follows:

Lot No. 1, Arne Plat No. 1, Parcel No. 48-086-0-017 is located on the south side of Silica Road, approximately 1,510 feet west of the Silica Road-Victoria Road intersection, is irregular in shape, has a frontage of 186.81 feet on Silica Road and a depth of 300 feet at the west side property line; and is zoned as a Business B-2 District for a depth of 200 feet with the southerly remainder zoned and an Industrial I-2 District.

Parcel 48-086-0-014, a portion of Tract 6, is located on the south side of Silica Road, approximately 1,982 feet west of the Silica Road-Victoria Road intersection, is irregular in shape, has a frontage of 60 feet on Silica Road and a mean depth of 1900 feet; and is zoned as a Business B-2 District for a depth of 200 feet with the southerly remainder zoned and an Industrial I-2 District and the westerly 50 feet zoned as an Agricultural-Suburban Estate Residential (A-SER) District.

Lot No. 3, Arne Plat No. 1, Parcel No. 48-086-0-019 is located on the south side of Silica Road, approximately 2,044 feet west of the Silica Road-Victoria Road intersection, is irregular in shape, has a frontage of 154.99 feet on Silica Road and a depth of 225.01 feet at the east side property line; and is zoned as a Business B-2 District for a depth of 200 feet with the southerly remainder zoned and an Industrial I-2 District and the westerly 50 feet zoned as a Residence R-1 District for a depth of 150 feet and the remaining westerly 50 feet of the southwesterly portion of the lot zoned as an Agricultural-Suburban Estate Residential (A-SER) District in Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli read the applicant's letter dated August 11, 2016 into the case record, referenced a plat mat submitted with the letter, the case mailing list, and four 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 September 27, 2016.

James Weaver, 6595 Silica Road, stated he has resided at this location for 27 years. He purchased the property at auction for \$34,000. He is bothered by industrial and doesn't see any further industrial uses on the west side of the bike path. He is going to thin the property and plant trees for new growth. He stated he is receiving calls from people who want to hunt on the property. Lot No. 3 is useless with a big ravine and huge water course. The large abutting property also has the water way about 300 feet back. A box culvert will cost about \$40,000.00 for access to the back of the property, thus, he has no intentions of developing it. Mr. Weaver stated he just wants to preserve what he has. He also mentioned there is an east-west mine shaft on the property. It is a very nice setting with a lot of deer and turkey. He enjoys the scenery. His house abuts all the properties subject to the rezone request and the properties to the west are currently agriculturally zoned.

Zoning Inspector Crivelli clarified that after talking to the applicant by phone prior to processing the case the request is for the industrial zoned property only and the front Business B-2 Districts are not part of the request.

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

No one in attendance to speak against the request.

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

The Austintown Township Zoning Commission reconvened at 6:14 P.M.

**2016-08-Z-Weaver:** Motion by Atty. Price to accept the recommendation of the Mahoning County Planning Commission and recommend **APPROVAL** of the request to Agricultural-Suburban Estate Residential (A-SER) Districts.

Seconded by Mr. Hendricks.

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

Motion by Mr. Marsteller to adjourn the public hearing.

Seconded by Mrs. Sovik.

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

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There being nothing further to come before the Commission, the hearing was adjourned at 6:17 P.M.

AUSTINTOWN ZONING COMMISSION

Darren L. Crivelli, Zoning Inspector

APPROVED: \_\_\_\_\_  
Mr. Latone - Chairman

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