

BOARD OF APPEALS PUBLIC HEARING – JANUARY 12, 2017

PUBLIC HEARING
BOARD OF ZONING APPEALS
January 12, 2017

The Austintown Township Board of Appeals held a Public Hearing on Thursday, January 12, 2017, at the Township Building, 82 Ohltown Road, Austintown, Ohio, for consideration of the following case:

APPEAL CASE 2016-21-A-Stowe-Stijak-Watch Ur Paws.

The following Board members were in attendance:

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

Chairman Koch opened the public hearing at 7:06 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 July 14, 2016 and December 22, 2016.

Seconded by Mr. Mahoney.

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

Motion by Mr. Glaros to nominate Mr. Satterlee as Chairman of the Board of Appeals for calendar year 2017.

Seconded by Mr. Mahoney.

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

Motion by Mr. Glaros to nominate Mr. Koch as Vice-Chairman of the Board of Appeals for calendar year 2017.

Seconded by Mr. Mahoney.

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

APPEAL CASE 2016-21 A

Robin Stowe and Christine Sijak, 121 Belmont Avenue, Niles, Ohio, 44446, on behalf of Cera Management, LLC, 427 South Broad Street, Canfield, Ohio, 44406, appeals from the decision of the Austintown Township Zoning Inspector and requests a conditional use permit from the terms of Article XI-Business B-2 District, Section 1102-Conditionally Permitted Uses, Paragraph No. 2 - Boarding Kennels and Catteries, of the Austintown Township Zoning Ordinance, as amended through November 25, 2014, to allow for the proposed “Watch Ur Paws” at the property located at 1726 South Raccoon Road. Said property is further described as Lot No 2, Plaza West Plat No. 1, is located on the south side of the New Road right-of-way; approximately 300 feet west of the South Raccoon Road-New Road intersection; and is zoned as a Business B-2 District in Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli read the applicant’s letter of request into the case record, referenced ten (10) color photographs of the interior of the building and the exterior property, an interior floor plan, a satellite photograph of the property delineating the tenet space, a letter of permission from property owner S. Samuel Cera, Jr. permitting the applicants to represent the property, the case mailing list prepared by the zoning office, and three plat maps of the property.

Mr. Satterlee stated the mailing list for case 2016-21-A will be incorporated into the case record.

Robin Stowe, 121 Belmont Avenue, Niles, Ohio, 44446, stated she wished to occupy the space for a doggie daycare. Mr. Satterlee inquired about the back driveway. Ms. Stowe stated the drive is not used other than for one (1) truck. People drive thru the front of the property to go to the beverage center drive-thru. Dogs have to be house trained, spade or neutered, and be at least six (6) months old. Dogs that need to go outside will be walked on a leash close to the building. No dog will be unattended or off the leash. There is a patch of grass near the back door. The dogs will not need to walk extensively. She explained the small outdoor area will be adequate for their needs. They will keep the dogs as close to the building as possible. Mr. Beaudis expressed concerns when opening the back door and visibility. Mr. Stowe did not anticipate that being a problem. The dogs will only be taken out if there is a need for it. There was discussion as to what house training means and dogs holding it until they are home.

Mr. Koch inquired about the daily charge for eight (8) dogs. Ms. Stowe stated \$20.00 for a full day (eight hours) and \$10.00 for half a day. Mr. Koch asked how they can be profitable and asked their monthly rent charge. Ms. Stowe stated \$400.00 per month for rent. Mr. Koch suggested it’s very inexpensive at \$160.00 maximum a day. Ms. Stowe stated eight dogs are what two people can handle. Mr. Koch emphasized the economic challenges at that revenue-cost structure. Ms. Stowe stated they do not provide doggie treats. They will do some basic training and simple commands if needed. She stated she runs a prison program for training dogs in Trumbull County. There are no other services they are going to charge for. They wish to grow the business and maybe in

the future move into the next tenant space. Mr. Koch expressed his concern that their business plan appears destined to fail. He suggested two people at eight hours a day is less than minimum wage.

Mr. Beaudis inquired about their past experiences. Ms. Stowe stated she has prior experience from Canfield and she worked for the Animal Welfare League for 20 years and still volunteers there. Christine Sijak stated she does not have extensive experience. Both applicants have other jobs and Ms. Stowe stated she was not aware they would be asked about their personal financial information. Mr. Koch stated the Board would like to see a plan that will be successful. Ms. Stowe stated they hope to grow the business. This will be Ms. Stowe's permanent job and Christine has another full-time job.

Mr. Koch inquired about special events and workshops on Saturdays. Mr. Stowe stated the events will allow for training and bring people on-site from other communities. Workshops are designed to get owners of dogs more involved with their dogs. They will do this a couple Saturdays a month and allow for play dates for a couple hours a day.

Mr. Glaros inquired about advertising. Ms. Stowe stated they will utilize Facebook, flyers, and business cards. They also wish to put up a sign. They have a customer waiting list.

Mr. Beaudis inquired about improvements. Ms. Stowe stated painting and floor mats. If the other side is available there is an existing doorway providing access. There was some speculation as to the number of dogs the abutting tenant space could accommodate. The dogs can be separated if they do not get along. Dogs are assessed when they come in. No licensing is required for a doggie daycare. She will carry two to four thousand dollars in liability insurance. Owners are responsible for their dog's actions. Updated medical files are kept on each dog. Their company is a LLC.

Mr. Glaros asked if they would have eight dogs a day. Ms. Stowe stated they would like to have eight per day and maybe more. Mr. Satterlee advised if she testifies to eight dogs that is what would be permitted and must be adhered to. Ms. Stowe requested to allow 15 dogs on-site. She advised the furniture store may be leaving. Zoning Inspector Crivelli advised the applicant that if this case is approved it can be continued in the future for an amended permit for the abutting space.

Mr. Mahoney inquired if 15 dogs could be accommodated in the proposed space. Ms. Stowe answered in the affirmative but stated she would be hesitant to have more than 15 dogs in the space.

Mr. Koch inquired about the abutting tenant's approval of a neighbor with dogs. Ms. Stowe stated she did talk to the operators of the furniture store and they had no objections. She stated there is a firewall between the spaces. If needed, they can provide sound proofing.

BOARD OF APPEALS PUBLIC HEARING – JANUARY 12, 2017

Christine Sijak, 121 Belmont Avenue, Niles, Ohio, 44446, stated the flooring is similar to what would be found in a child’s daycare. The financial aspect will be enhanced by contracting with an apartment complex to walk dogs while owners are working. They will also be doing pet-sitting at owner’s homes. The daycare is the first major part of the business and they have other ideas and goals to go along with the day-care. This is a good location to start and potential for growth within the next space. She currently works at Rulli Brothers part-time and has a tremendous support system with family.

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 7:45P.M.

The Board reconvened from executive session at 7:51 P.M.

Mr. Koch asked if 12 dogs would be acceptable as the Board has concerns about 15 dogs on-site at one time. Ms. Stowe answered in the affirmative.

2016-21-A- Stowe-Stijak-Watch Ur Paws: Motion by Mr. Koch to approve the conditional use with the stipulation that no more than 12 dogs are permitted within the building at any one time and including all testimony presented.

Seconded by Mr. Mahoney.

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

There being nothing further to come before the Board, the hearing was adjourned at 7:54 P.M.

AUSTINTOWN BOARD OF ZONING APPEALS

Darren L. Crivelli, Zoning Inspector, Austintown Township

APPROVED: _____
Bob Satterlee – Chairman

DATE: _____