

PUBLIC HEARING
BOARD OF ZONING APPEALS
May 25, 2017

The Austintown Township Board of Appeals held a Public Hearing on Thursday, May 25, 2017, at the Township Building, 82 Ohltown Road, Austintown, Ohio, for consideration of the following case:

APPEAL CASE 2017-07-A- Dr. Varun Kalra.

The following Board members were in attendance:

Mr. Robert Satterlee – Chairman
Mr. Joe Koch – Vice-Chairman
Mr. Michael Beaudis
Mr. William Glaros
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 2017-07-A

Copich Architects, 314 Churchill-Hubbard Road, Youngstown, Ohio, 44505, on behalf of property owner Baker Real Estate Limited, 1905 Twin Oaks Drive, Girard, Ohio, 44420, and Dr. Varun Kalra, 25 North Canfield-Niles Road, Austintown, Ohio, 44515, appeals from the decision of the Austintown Township Zoning Inspector and requests a variance from the terms of Article I-Definitions: “Floor Area” and Article X-Business B-1 District, Section 1004-General Requirements: “Parking”, of the Austintown Township Zoning Ordinance, as amended through November 25, 2014, to allow for construction of a medical office building measuring 6,000 square feet (3,000 sq. ft. office and 3,000 sq. ft. basement) to contain 21 parking spaces with each parking stall measuring 9’ x 20’. The minimum required parking stall dimension is 10’ x 20’ and the minimum required number of parking spaces for 6,000 square feet of developed floor space is 30 stalls. 235 and 251 South Canfield-Niles Road are undeveloped parcels proposed to be replatted together with a total frontage of 136.26 feet and a depth of 164.25 feet at the southerly property line and the approximate northerly remainder of 20 feet to be replatted into the property located at 229 South Canfield-Niles Road. Said properties are further described as Lot Nos. 1 and 2, Fok Plat No. 1, Parcels 48-017-0-059 and 48-017-0-060, are located on the east side of the South Canfield-Niles Road right-of-way, approximately 698 feet south of the South Canfield-Niles Road–Mahoning Avenue intersection; and are zoned as Business B-1 Districts in Austintown Township, Mahoning County, State of Ohio.

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Zoning Inspector Crivelli read the applicant's letter of request dated April 20, 2017 into the case record, referenced a site plan, a proposed replat, interior drawings of the proposed first floor and basement, a conceptual color drawing of the front building elevation, a zoning letter dated March 6, 2017 regarding permitted uses and accompanying documents, the case mailing list and three plat maps prepared by the Zoning Office.

Mr. Satterlee stated the mailing list for case 2017-07-A will be incorporated into the case record.

John Copich, 314 Churchill-Hubbard Road, Youngstown, Ohio, 44505, advised Helen Copich was unable to attend the hearing and since the project inception they have added additional interior square footage. The upper level will contain 3,490 square feet and the basement will contain 3,260 square feet. The parking stalls count has been increased to 25 stalls.

Dr. Varun Kalra, 25 North Canfield-Niles Road, Austintown, Ohio, 44515, stated he has been in business since 2002. This is an opportunity for something nicer and bigger. At anyone time there will be 8 to 10 patients with maybe a maximum of 12. There are six staff members. The project will require about 18 parking spaces. The basement will not contain a patient use. The basement use will be for the office staff only. Some parents drop their kids off and then pick them up. The basement will contain a staff lounge area and an office.

Mr. Koch inquired about the tabulation of the square footage. Dr. Kalra stated they added square footage. Mr. Copich stated he would have to review the square footage as Helen did the calculations. There was discussion about calculating the square footage measurement from the outside of the wall verses the inside of the wall. Mr. Copich stated they would prefer to stay at 21 spaces. Dr. Kalra stated they would like to save some trees and will do some beautiful landscaping so as to become a centerpiece and one of the most beautiful offices in the township. Mr. Satterlee questioned the latest plan just submitted. There was discussion of the site plans and square footage calculations from the inside versus outside of the walls.

Zoning Inspector Crivelli advised that since this is an updated plan and does not meet what was advertised in the legal notice the Board may wish to consider a continuance. Dr. Kalra had no objection to a continuance. Mr. Satterlee suggested the architects calculate the square footage from the inside walls and update the parking calculations. Mr. Koch was in agreement with the suggestion. The "floor space" definition was reviewed by Zoning Inspector Crivelli.

Mr. Beaudis expressed concern with allowing the project to move forward with 21 spaces and how it may negatively impact a future owner/user of the building. Zoning Inspector Crivelli advised the property is zoned as a Business B-1 District and a new user will require an occupancy permit and stated Dr. Kalra is taking a risk by building with less than the required parking stalls. Dr. Kalra advised he understands the property is zoned

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B-1 and suggested a future user will most likely be another orthodontist and not a retail user. There was discussion of the church uses and other medical uses in the corridor and the Trustees resistance to rezoning South Canfield-Niles Road properties to Business B-2 Districts.

No one else in attendance to speak for the request.

No one in attendance to speak against the request.

2017-07-A- Dr. Varun Kalra: Motion by Mr. Koch to continue the case.

Seconded by Mr. Glaros.

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

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: _____
Bob Satterlee – Chairman

DATE: _____