

BOARD OF APPEALS PUBLIC HEARING – JULY 13, 2017

PUBLIC HEARING  
**BOARD OF ZONING APPEALS**  
July 13, 2017

The Austintown Township Board of Appeals held a Public Hearing on Thursday, July 13, 2017, at the Township Building, 82 Ohltown Road, Austintown, Ohio, for consideration of the following case:

APPEAL CASE 2017-10-A-Ohio Auto Wholesalers.

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 2017-10-A**

Michael Patrick, 106 West Water Street, Hubbard, Ohio 44425, appeals from the decision of the Austintown Township Zoning Inspector and request a conditional use permit from the terms of Article XI-Business B-2 District, Section 1102-Conditionally Permitted Uses, Paragraph #7-Used Car Lot, of the Austintown Township Zoning Ordinance, as amended through November 25, 2015, to allow for the establishment and operation of the proposed “Ohio Auto Wholesalers” used car lot to be located at 3645 Mahoning Avenue. Said properties are further described as Lot Nos. 1918, 1919, 1920, and 1921, Wickliffe Plat, located on the south side of the Mahoning Avenue right-of-way, approximately 250 feet west of the South Meridian Road-Mahoning Avenue intersection; and are zoned as Business B-2 Districts in Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli read the applicant’s letter of request dated June 12, 2017 into the case record, referenced a site plan, a Mahoning County Building Inspections minor alterations permit application, the case mailing list and three plat maps prepared by the zoning office, a used car checklist, and copies of the conditional use standards as listed in the zoning resolution. Also included was a copy of his state license as requested by a board member. The used car checklist and copies of the conditional use standards were provided to the applicant prior to the hearing.

Mr. Satterlee stated the mailing list for case 2017-10-A will be incorporated into the case record.

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Michael Patrick, 106 West Water Street, Hubbard, Ohio 44425, stated he recently purchased the building and has been doing business over 30 years. He requested 20 to 25 cars on the lot at any given time. Most of the time it would be 20 cars. Mr. Beaudis asked if he had enough room for that many cars. Mr. Patrick answered in the affirmative. The parking lot will be blacktopped and relined with handicapped parking. There was reference to the enclosed site plan and discussion of how the cars will be parked on-site. Mr. Patrick stated the drive-in lower level can hold about 17 cars. The area can be used for showing cars in the winter and washing vehicles. The Mahoning Avenue location is more convenient than his Hubbard location as he also works in Youngstown. The building is well constructed. He removed vagrants from the building. The vehicle price range will be \$3,000.00 and up. An employee from the bank will be on-site to offer financing. He invested \$50,000.00 to purchase of the property.

Mr. Beaudis observed there are 13 existing private used car lots and three used car lots attached to new car dealerships. Mr. Patrick stated his cars go through a complete review and he has a good business reputation.

Mr. Satterlee asked if he does wholesaling. Mr. Patrick answered in the negative. They do take cars to the auction if they do not sell in 90 days. The dealer's license was marked as Exhibit "A".

Mr. Koch inquired about lighting. Mr. Patrick advised there will be new lighting on the building. The building will be painted white. The awning will have new red letters. A new sign will be placed on the existing pole. There was discussion of parking cars behind the building. Mr. Koch observed he did not think there was any way to park 25 cars on the lot. Mr. Patrick stated he could reduce to 20 cars. Mr. Patrick approached the Board to depict on the site plan where he could park cars behind the building. Mr. Satterlee suggested 20 cars are too many including the need to have three stalls for the employees to park. Mr. Patrick stated he did not have a problem with parking 15 cars outdoors for showing. Mr. Satterlee advised the conditional use permit can be reviewed in the future. Mr. Koch suggested restriping the stalls to 9' x 18'. Mr. Patrick stated he would like 20 cars but can live with 15 cars. The downstairs is wide open. The doors need replaced. Roof repairs were completed by Huffman Roofing. The dumpster will be placed in the back corner on the grass. The fence belongs to him and will be repaired. The dumpster will be inside the fence. Mr. Satterlee observed a truck will have difficulty accessing the dumpster if there are 20 cars on the lot.

No one else in attendance to speak for the request.

No one in attendance to speak against the request.

**2017-10-A-Ohio Auto Wholesalers:** Motion by Mr. Koch to approve the conditional use permit to allow 15 vehicles on the lot for sale with no regard to how many vehicles are stored in the basement and with the understanding the applicant can come back in the future to ask for an increase in the number of vehicles for sale on the lot.

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Seconded by Mr. Glaros.

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

Zoning Inspector Crivelli stated he would forward a conditional use permit along with the minutes and advised all improvements testified too must be undertaken.

There being nothing further to come before the Board, the hearing was adjourned at 7:30 P.M.

AUSTINTOWN BOARD OF ZONING APPEALS

Darren L. Crivelli, Zoning Inspector, Austintown Township

APPROVED: \_\_\_\_\_  
Bob Satterlee – Chairman

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