

BOARD OF APPEALS PUBLIC HEARING – AUGUST 17, 2017

PUBLIC HEARING
BOARD OF ZONING APPEALS
August 17, 2017

The Austintown Township Board of Appeals held a Public Hearing on Thursday, August 17, 2017, at the Township Building, 82 Ohltown Road, Austintown, Ohio, for consideration of the following case:

APPEAL CASE 2017-13-A- Republic Services.

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 - Absent
Mr. Dale Basista

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 2017-13-A

Republic Services, 3870 Hendricks Road, Austintown, Ohio, 44515, appeals from the decision of the Austintown Township Zoning Inspector and requests a variance from the terms of Article XIV-Industrial I-2 District Section 1401 Permitted Uses – Paragraph “G”, of the Austintown Township Zoning Ordinance, as amended through November 25, 2014, to allow for placement of a trailer to serve as an employee locker room at the property located at 3870 Hendricks Road. No trailer shall be used for a business, retail or industrial use. Said property is further described as Lot No. 2, Precision Inc. Plat No. 1, Parcel 48-046-0-001.040, is located on the south side of Hendricks Road, approximately 368 feet east of the North Four-Mile-Run Road-Hendricks Road intersection; and is zoned as an Industrial I-2 District in Austintown Township, Mahoning County, State of Ohio.

Assistant Zoning Inspector Eric Harris, Sr. read the applicant’s letter of request dated July 14, 2017 into the case record, referenced a site plan, photographs of the proposed trailer, and construction drawings.

Mr. Satterlee stated the mailing list for case 2017-13-A will be incorporated into the case record.

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Brent Bowker, 3870 Hendricks Road and 450 Thatcher Lane, Austintown, Ohio, 44515, submitted four additional photographs into the case record. He described the location and existing fencing. They have outgrown the facility and need the temporary structure until such time as they put together the capital resources for a building expansion. The trailer will be used by employees for changing clothes. He agreed it was a trailer but will have permanent foundation with skirting. There will be two doors, one with three to four steps and one with a ramp. There was discussion of the foundation and the floor elevation. The trailer is from William Scotts. It will be leased. It is basically a construction trailer. Mr. Bowker estimated it would be used a least a couple of years. Mr. Satterlee advised a variance is forever. Mr. Bowker stated his intention is not to have it there forever. He estimated future expansion on Hendrick Road to include expanded bays, moving all the trucks to one lot, and a second story office to get everyone in the same building. There are 130 employees in the Youngstown office.

Mr. Satterlee inquired as to his hardship. Mr. Bowker stated he does not have a locker room for his people to change. Money is not available for an addition. Mr. Satterlee stated money is not a hardship to ask for a variance and observed with a variance the trailer could be there forever.

Mr. Beaudis observed it is being called temporary and indefinite. He inquired about a temporary approval. Mr. Harris advised the applicant only has this option to appear before the Board.

There was discussion of employee uniforms. Mr. Bowker estimated the future expansion will be about seven million dollars. The employees are unionized and this has been brought to the Teamsters attention. It is not a contractual issue at this point. Mr. Bowker advised he is competing with other corporate facilities for expansion money but likes this location and hopes to stay here. They purchased the Waste Management location on Thatcher Lane in 1998.

Mr. Koch reminded this is an Industrial zoned district and stated its not obtrusive, will not change the character of the area, and will not have obnoxious odors. He did not feel this was a big leap and they are a good neighbor for the township. Mr. Basista was in agreement that it would not look out of place.

There was discussion of the July 11, 2017 letter of determination and the case legal notice. Mr. Satterlee observed the axels will remain and thus it is not a permanent structure. Mr. Koch referenced it would be on foundation. Mr. Bowker stated a locker room and break room would be part of an overall addition and then the trailer would be removed. The trailer will have electrical power. Mr. Bowker was not sure if the tongue was going to be removed. Mr. Koch suggested removing it for a better appearance. There was agreement that cutting the tongue off would be not be productive when the time comes to remove the trailer from the property.

No one else in attendance to speak for the request.

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No one in attendance to speak against the request.

2017-13-A- Republic Services: Motion by Mr. Koch to approve the variance request including all testimony given.

Seconded by Mr. Basista.

Roll Call Vote: Mr. Beaudis - Yes; Mr. Glaros – Yes; Mr. Basista – Yes; Mr. Koch – Yes; and Mr. Satterlee – No.

Mr. Bowker thanked the Board and stated it was his intention to remove the trailer in a few years.

There being nothing further to come before the Board, the hearing was adjourned at 7:26 P.M.

AUSTINTOWN BOARD OF ZONING APPEALS

Assistant Zoning Inspector Eric Harris, Sr.

APPROVED: _____
Bob Satterlee – Chairman

DATE: _____