

Board of Zoning Appeals Meeting
July 19, 2018
ZA-03-18

Members/Attendance: N/A Jim Burgham
 X Michael Johnston
 X Ricky Morrison
 X Albert Sciulli
 N/A Robert Durick

Also in attendance: X Bob Monus, Zoning Inspector
 X Michele Richards, Recording Secretary

Mike Johnston called the meeting to order at 7:00 p.m.

1st Order of Business:

Mike Johnston stated that the first order of business is to approve the minutes from the meeting held on April 19, 2018. Ricky Morrison made a motion to approve the minutes from the April 19, 2018 meeting. Al Sciulli seconded the motion.

Voting:

Yes Ricky Morrison
Yes Al Sciulli
Yes Mike Johnston

Motion approved.

2nd Order of Business:

Case #ZA-03-18 – Is a request by Mahmoud (Mike) Kassem to obtain the following: a conditional use permit to construct a truck wash, a variance to obtain the following: relief from parallel access road, and relief from minimum yard setback to be reduced from one hundred thirty (130) feet to one hundred (100) feet. The property is located at 6969 Center Road, and is known as parcel #35-028-0-001.00-0, great lot 63. Parcel is located in Poland Township, Lowellville, Ohio, in a (TC) Town Center and (BP) Business Park zoned district. The building will be located in the (TC) Town Center portion of the parcel.

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Letter of Intent
4. Abutting Property Owners List
5. Property Description (Zoning)
6. Property Description (Auditor)
7. Site Plan
8. Zoning District Map
9. County GIS Aerial Map
10. Warranty Deed
11. Minutes of Trustee Meeting held on May 16, 2018

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Mike Kassem
4401 Olde Chartered Trail

Kassem stated he is requesting the truck wash because when trucks come out of the dump they are dirty so this will enable them to be clean when they enter onto Route 224. He is requesting relief from the parallel access road so there will be easy access in and out of the building. The setback relief requested is to minimize disturbance beyond the existing bottom of the slope located at the rear of the property.

Mike Johnston asked if anyone would like to speak in favor of the request. No one responds. Mike Johnston asked if anyone would like to speak against the request.

John Kotchmar
6868 Center Road
Lowellville, Ohio

Kotchmar stated he visited Truck World in Hubbard to see and inquire about their truck wash. Kotchmar stated he is concerned about safety as far as this request goes. The placement of the truck wash at the back of the property will entail the trucks leaving a deposit of moisture on the roads when they exit the truck wash. There are various inclines on Route 224 and the moisture will cause the road to be slippery, especially during the winter months.

Kotchmar also mentioned the Foster family. Their home is currently on the market for sale, but there is very little interest due to the proposed truck stop. He stated that trucks headlights will be in their windows as they enter and exit the truck wash. The Foster's are not present at the meeting tonight due to a comment that was made in a previous meeting that they felt was derogatory.

Kotchmar asked if he could challenge the decision made to rezone the property? Mike Johnston stated that this Board is here to hear the items on the agenda for tonight's meeting only. Bob Monus stated that this Board has no jurisdiction over that, and that he could consult legal counsel to pursue it.

Al Sciulli stated to Kotchmar that he can understand how the Foster's feel about their property, however, they did purchase property on a state route, a federal highway actually.

Joyce Kotchmar
101 Quaker Heights Road
Edinburg, PA

Kotchmar stated she also went to the Truck World truck stop and it was a real experience. The bulletin board in the Truck World truck stop advertised for escorts. She does not feel Poland Township would want a truck stop in their community, as it is not a good fit for the community. She also stated the Foster's big complaint is the truck stop/wash will be placed next to where their livestock is. They are a young nice couple and their American dream is being crushed, as is theirs (hers and John's).

Mike Kassem
4401 Olde Chartered Trail

Kassem stated for the record he offered the Foster's \$139,000 cash for their home, and they refused it. Their home is valued at \$89,000. As far as the truck stop/wash goes, it will not be open 24 hours; it will

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close at 11:00 p.m. It will not be a hangout. It will be a beautiful gas station and he will never allow any type of escort service.

Mike Johnston stated that the Board is here tonight to discuss the three items on the agenda.

Kassem referred to a revised drawing that he has on his phone that reflects the parallel access road. He marked up the paper copies that the Board has for their reference. Al Sciulli stated that the purpose of said road is to be able to go from business to business without going on the highway. Monus stated that the Board of Zoning Appeals has given relief for such roads in the past.

Johnston asked if there was any discussion on the request for the minimum yard setback. Sciulli stated that he feels one hundred (100) feet is fine.

The following motions were then made:

Motion

Al Sciulli made a motion in Case ZA-03-18 to approve the variance request to grant relief from minimum yard setback to be reduced from one hundred thirty (130) feet to one hundred (100) feet. Ricky Morrison seconded the motion.

Voting:

Yes Al Sciulli
Yes Ricky Morrison
Yes Mike Johnston

Motion carried.

Motion

Al Sciulli made a motion in Case ZA-03-18 to grant the variance request for relief from the parallel access road. Ricky Morrison seconded the motion.

Voting:

Yes Al Sciulli
Yes Ricky Morrison
Yes Mike Johnston

Motion carried.

The Board then discussed the truck wash. Al Sciulli asked if the truck wash will be automatic or have attendants. Kassem stated automatic. Ricky Morrison asked Kassem if the truck wash will have dryers. Kassem replied yes.

The following motion was then made:

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Motion

Ricky Morrison made a motion in Case ZA-03-18 to approve the request to obtain a conditional use permit to construct a truck wash on the property. Mike Johnston seconded the motion.

Voting:

Yes Ricky Morrison
Yes Mike Johnston
Yes Al Sciulli

Motion carried.

Meeting adjourned at 8:20 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)
Board of Zoning Appeals (5)
Zoning Commission (6)
P. Canter, Fiscal Officer (1)
File (1)