

# **ZONING HEARING BOARD MEETING**

## **SUMMARY**

**JANUARY 6, 2020**

The Zoning Hearing Board of Bethel Park came to order at 7:30 p.m.

**ROLL CALL:** PRESENT: KOCH, REGAN, WILLETTS, STEWART, KANON  
ABSENT: JANOSIK  
ALSO PRESENT: ROBERT HICKS, DAVID MONTGOMERY, CYNTHIA  
SIMONOVITCH, KIM SIMMS-STRNISA

### **APPROVAL OF SUMMARY:**

1. Mr. Regan asked if there were any changes, additions, corrections and/or deletions to the summary of the November 4, 2019 meeting. Mr. Willetts made a motion to table the minutes. The motion was seconded by Mr. Koch. There was no further discussion on the Motion. Roll was called and the Motion passed unanimously.

### **COMMUNICATIONS:**

1. Invoice from Cynthia Simonovitch – A Motion was made by Mr. Koch to approve an invoice received from Cynthia Simonovitch in the amount of \$140.00 for attendance fee for the November 4, 2019 meeting. The Motion was seconded by Mr. Willetts. There was no discussion on the Motion. Roll was called and the Motion passed unanimously.
2. Invoice from David Montgomery – A Motion was made by Mr. Koch to approve an invoice received from David Montgomery in the amount of \$77.00 for legal fees for the ZHB findings and conclusions. The Motion was seconded by Willetts. There was no discussion on the Motion. Roll was called and the Motion passed unanimously.
3. Reorganization of the board for the 2020 year as follows:
  - 1) Koch – Vice Chairman
  - 2) Regan – Chairman
  - 3) Stewart – 3<sup>rd</sup> Officer
  - 4) Willetts – 4<sup>th</sup> Officer
  - 5) Janosik – 5<sup>th</sup> Officer
  - 6) Kanon – Alternate
4. The Zoning Hearing Board members voted to cancel the February 3, 2020 meeting due to no applications being filed, the next Zoning Hearing Board meeting is scheduled for March 2, 2020.

### **OLD BUSINESS:**

**NEW BUSINESS:**

Case #2765

**APPLICANT: JASON CAMPAGNA**

**LOCATION: 441 MCMURRAY ROAD**

**SUBJECT: VARIANCE FOR A RESTAURANT IN THE C-1 ZONING DISTRICT.  
SEVERAL VARIANCES ON SITE DESIGN REQUIREMENTS:  
SECTIONS 69.38.2 (2 WAY AISLE WIDTH), 69.29.4 (BUILDING  
SETBACKS/BUFFERS), 69.29.6 (FENCE) 69.29.1 (PERMITTED  
USES), 69.38.13 (LANDSCAPING)**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 441 McMurray Road. Current Zoning Classification is C-1 block and lot 668-M-95. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.38.2, 69.29.4, 69.29.6, 69.29.1, 69.38.13

Variance Type: Variance for a restaurant in the C-1 zoning district. Several variances on site design requirements: Sections 69.38.2 (2-way aisle width), 69.29.4 (building setbacks/buffers), 69.29.6 (fence), 69.29.1 (permitted uses), 69.38.13 (landscaping)

The Zoning Hearing Board should grant the following relief:

- 1) 2-way aisle for parking lot
- 2) Setbacks
- 3) Retaining wall proposed 7-8 ft. – no fence needed
- 4) 20 ft. landscaping buffer
- 5) 10 ft. landscape strap along row
- 6) Use variance to all coffee shop with seating 10-25 seats

Applicant's Petition: To allow for ownership to expand/improve existing store as well as add a coffee shop to community with trail access. We designed all the optimal ways given the confinements of the lot.

Applicant's Arguments: The existing building is in poor physical and visual shape. My goal is to improve the property and add a much-needed service/benefit to the community.

**FINDINGS OF FACT:**

- The applicant would like to add an addition for a coffee shop to the side of the existing building and expand the beer sales side to the rear, adding new coolers. These new additions will be built directly on the rear building line to allow for additional parking and a patio area.
- They would also like to eliminate the requirement for a 6' high fence and the 20' landscape buffer along the area that borders the residential district.
- The landscape buffer in the front would need to be reduced to 5' instead of the required 10' to allow for more parking and curbs and would be installed with several new vehicle entrances.
- The parking lot requirements would also need to be reduced from a 24' aisle way to a 15' aisle on the right side of the building only.

This application was represented by Perry Zilka, 1305 Beach Street, Cheswick, PA, Jason Campagna, 124 Windermere Court, McMurray, PA.

There were no proponents in this case.

There were three opponents in this case. Mike Pucchi, 3332 Forest Road, Bethel Park, PA he was concerned about the setback to the rear of the property. Peter Koncke, 343 Fruitwood Drive, Bethel Park, PA he was concerned about the cut into the hillside towards the Montour Trail. Beth Merry, 471 Parkridge Drive, Bethel Park, PA she did not agree with the reduction of the buffers, she wants the green space to remain.

A Motion was made by Mr. Kanon to table the variance for the 2-way access aisle until the March 2, 2020 meeting. The Motion was seconded by Mr. Willetts. There was no further discussion on the Motion. Roll was called and the Motion passed 3-2.

A Motion was made by Mr. Willetts to grant the setback variance for the building. The Motion was seconded by Mr. Koch. There was no further discussion on the Motion. Roll was called and the Motion passed 4-1.

A Motion was made by Mr. Kanon to grant the landscape/ buffer variance in the rear of 20' reduced to 0 and the reduction of the front buffer from 10' to 5'. The Motion was seconded by Mr. Koch. There was no further discussion on the Motion. Roll was called and the Motion passed 4-1.

A Motion was made by Mr. Willetts to grant the use variance allowing a restaurant in a C-1 district with the condition that no alcoholic beverages can be sold or consumed in the restaurant area; and the restaurant can only be 900 sq. ft. max. The Motion was seconded by Mr. Koch. There was no further discussion on the Motion. Roll was called and the Motion passed 4-1.

#### **SUMMARY - CASE NO. # 2765**

The Zoning Hearing Board voted to table the variance for the 2-way access aisle until the March 2, 2020 meeting. The setback variance for the building was granted. The landscape buffer variance in the rear of 20' reduced to 0 and the reduction of the front buffer from 10' to 5'. The use variance allowing a restaurant in a C-1 district was granted, with the condition that no alcoholic beverages can be sold or consumed in the restaurant area, at 441 McMurray Road.

#### **OTHER:**

**ADJOURNMENT:** The meeting was adjourned at 9:32 pm.