

# **ZONING HEARING BOARD MEETING**

## **SUMMARY**

**MAY 4, 2020**

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

**ROLL CALL:** PRESENT: KOCH, REGAN, WILLETTS, STEWART, JANOSIK  
ABSENT: KANON  
ALSO PRESENT: ROBERT HICKS, DAVID MONTGOMERY, 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 April 6, 2020 meeting. Mr. Koch made a motion to approve the minutes. The motion was seconded by Ms. Stewart. There was no further discussion on the Motion. Roll was called and the Motion passed unanimously.

### **COMMUNICATIONS:**

1. Invoice from Kim Simms-Strnisa – A Motion was made by Mr. Koch to approve an invoice received from Kim Simms-Strnisa in the amount of \$295.00 for attendance fee for the April 6, 2020 meeting. The Motion was seconded by Ms. Stewart. 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 invoices received from David Montgomery in the amount of \$704.00 and \$220.00 for legal fee for the ZHB findings and conclusions. The Motion was seconded by Ms. Stewart. There was no discussion on the Motion. Roll was called and the Motion passed unanimously.

### **OLD BUSINESS:**

Case #2765

**APPLICANT: JASON CAMPAGNA**

**LOCATION: 441 MCMURRAY ROAD**

**SUBJECT: VARIANCE FOR A RESTAURANT IN THE C-1 ZONING DISTRICT.  
SECTION 69.38.2 (2 WAY AISLE WIDTH)**

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)

The Zoning Hearing Board should grant the following relief: 2-way aisle for parking

Applicant's Petition: To allow 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 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 postponed until the June 1, 2020 meeting.

Case #2769

**APPLICANT: PARKSIDE CENTER LP**

**LOCATION: 2401-2425 SOUTH PARK ROAD (475-L-120)**

**SUBJECT: USE VARIANCE TO ALLOW CARRYOUT AND HIGH TURNOVER RESTAURANTS (WITH NO SEAT MAXIMUM) IN THE PARKSIDE CENTER NEIGHBORHOOD BUILDING (CURRENTLY ZONED C-1, NEIGHBORHOOD COMMERCIAL)**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 2401-2425 South Park Road (475-L-120). Current Zoning Classification is C-1. Involved Ordinance or Legislative Act: Ord. 7-12-93A Section: 69 Subsection: 29 Paragraph: 1

Variance Type: Use variance to allow carryout and high turnover restaurants (with no seat maximum) in the Parkside Center neighborhood building.

The Zoning Hearing Board should grant the following relief: Please see attached.

Applicant's Petition: Please see attached.

Applicant's Argument: Molly Finnell is concerned about the limited amount of tenants that they could lease to, due to the zoning limitations for restaurants. The building has 5 tenant spaces to rent and would like the ability to lease to a carryout and high turnover restaurant as long as the parking lot will permit it.

This application was represented by Molly Finnell.

There were two proponents in this case. Patrick Kane talked about how the seating for all tenant spaces would not be an issue with the parking lot. Mara Murdoch explained how they would make sure that the mix of tenants would complement each other when it comes to the parking situation.

There were no opponents.

A Motion was made by Mr. Koch to grant the use variance as presented with the condition that all parking must be satisfied entirely on the project property, which consists of 1 consolidated lot that has 3 separate zoning classifications. The Motion was seconded by Mr. Regan. There was no further discussion on the Motion. Roll was called and the Motion passed 4-1.

#### **SUMMARY - CASE NO. # 2769**

The Zoning Hearing Board voted to grant the use variance to allow carryout and high turnover restaurants (with no seat maximum) in the Parkside Center neighborhood building currently zoned C1, neighborhood commercial, with the condition that all parking must be satisfied entirely on the project property, which consists of 1 consolidated lot that has 3 separate zoning classifications.

Case #2770

**APPLICANT: MARY RATKIEWICZ**  
**LOCATION: 3057 GREENWALD ROAD**  
**SUBJECT: SIDEYARD VARIANCE**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 3057 Greenwald Road. Current Zoning Classification is residential. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.25.4

Variance Type: Side yard variance

The Zoning Hearing Board should grant the following relief: Enclose existing 4' x 10' side porch that is close to the property line.

Applicant's Petition: Existing concrete block side porch that is not being used for that purpose. There is no ground access, not stairs or ramp. It would benefit the homeowner to enclose for storage (walker, scooter, coats, etc).

Applicant's Arguments: Air-condition unit close to structure no stair or ramp access.

This application was represented by Christina Lowe applicant's daughter. Her mother is 87 years old and cannot use the 2<sup>nd</sup> floor due to health issues. She provided a letter from her neighbor at 3061 that states that they have no issues with the structure being closer to their property.

There were no proponents in this case.

There were no opponents in this case.

A Motion was made by Mr. Koch to grant the setback variance for the building. The Motion was seconded by Ms. Stewart. There was no further discussion on the Motion. Roll was called and the Motion passed 5-0.

#### **SUMMARY - CASE NO. # 2770**

The Zoning Hearing Board voted to grant the side yard porch 4' x 10' close to the property line.

Case #2771

**APPLICANT: BENNY ULLOA/EMILIANO’S MEXICAN RESTAURANT**  
**LOCATION: 4607 LIBRARY ROAD SUITE #230**  
**SUBJECT: DIMENSIONAL WINDOW DECALS WITH THE WORDS “TACOS”,  
“FAHITAS” ETC ON STOREFRONT WINDOWS**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 4607 Library Road, Suite #230. Current Zoning Classification is Commercial. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.51.1.8

Variance Type: Dimensional variance

The Zoning Hearing Board should grant the following relief: To allow Emiliano’s to place window decals with the words “tacos”, “fajitas”, etc. on storefront windows. Examples of these decals are shown on pictures provided.

Applicant’s Petition: The window decals are professionally designed and installed by experts in the trade. These decals are far from being an “eye sore” and are aesthetically pleasing and inviting for the customer to come in and try the restaurant. None of the decals includes the name of establishment; therefore, we feel they should not be considered part of the signage space.

Applicant’s Arguments: The prior tenant did not make it a priority to comply with signage rules. We do not feel the window decals affect drastically the overall look and feel of center, at least not negatively.

This application was postponed until the June 1, 2020 meeting.

**ADJOURNMENT:** The meeting was adjourned at 8:30 pm.