

## **ZONING HEARING BOARD MEETING**

### **SUMMARY**

**JULY 6, 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 June 1, 2020 meeting. Mr. Willetts made a motion to approve the minutes. The motion was seconded by Mr. Janosik. 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. Willetts to approve an invoice received from Kim Simms-Strnisa in the amount of \$295.00 for attendance fee for the June 1, 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. Willetts to approve an invoice received from David Montgomery in the amount of \$396.00 for professional 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.
3. Case #2771 for Emiliano's Mexican Restaurant has postponed application until the August 3<sup>rd</sup> meeting.

#### **OLD BUSINESS:**

#### **NEW BUSINESS:**

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 August 3, 2020 meeting.

Case #2773

**APPLICANT: KENNETH NAGEL**

**LOCATION: 2647 BROAD STREET**

**SUBJECT: DIMENSIONAL SIDE YARD VARIANCE**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 2647 Broad Street Current Zoning Classification is Residential. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.35.3

Variance Type: Dimensional side yard variance

The Zoning Hearing Board should grant the following relief: Request to place a new larger shed 5' from side property line. This would keep the new shed in approximately the same location as the existing shed.

Applicant's Petition: I would like to place a new, pre-built shed in approximately the same location as my existing shed, which was in place when we purchased our home.

Applicant's Arguments: The narrowness of our yard, along with trees and foliage on the opposite side limit "useable" yard space. Placing the shed in strict conformity to ordinances would further restrict "useable" yard space, as well as create more otherwise "unusable" yard space, thereby decreasing the value of our property and significantly shrinking our yard space.

This application was represented by Ken Nagel, 2647 Broad Street, Bethel Park, PA 15102.

There were no proponents in this case.

There were no opponents in this case.

A Motion was made by Mr. Willetts to grant the dimensional variance for the shed. The Motion was seconded by Mr. Koch. There was no further discussion on the Motion. Roll was called and the Motion passed 5-0.

**SUMMARY - CASE NO. # 2773**

The Zoning Hearing Board voted to grant a dimensional side yard variance for a shed with a setback of 5 foot, at 2647 Broad Street.

Case #2774

**APPLICANT: DEBRA GALOB & RANDY STETOR**

**LOCATION: 30 CORRIGAN DRIVE**

**SUBJECT: PERMITTED USE VARIANCE TO ALLOW FOR GARDEN CENTER**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 30 Corrigan Drive. Current Zoning Classification is Allegheny County Conservation District Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.34.1

Variance Type: Permitted use variance to allow for garden center

The Zoning Hearing Board should grant the following relief: We are seeking a variance to allow for our project at 30 Corrigan Drive to continue. We are a local garden center dedicated to providing community programs free of charge, funded by our state programs including lectures, demonstration gardens, children's programs, and numerous activities to Allegheny County residents.

Applicant's Petition: The applicant is requesting a use variance to allow a garden center in a conservation district. This is not a permitted use in a CD district. The applicant's plan is to operate a garden center/nursery at 30 Corrigan Drive (the old VIP). The area that they have leased from the County consists of 7 acres. They plan on only using 2.5 acres at this time. To stay with a recreational theme, they plan to offer many different educational and outreach programs that are funded by the garden center and free to the participants.

Applicant's Arguments: The area is zoned conservation. We are seeking to have it include plant sale to fund various projects for the community. We are not seeking to develop the land or change beyond having a garden center.

This application was represented Debra Galob & Randy Stetor, 30 Corrigan Dr.

There were no proponents in this case.

There were no opponents in this case.

A Motion was made by Mr. Regan to grant the use variance to allow garden center, with the condition that the use of the land is limited to the area described in the applicant's lease, and the permitted uses described in the applicant's lease. The lease must be submitted to the Municipality within 5 days after this hearing and the use is limited to a garden center with educational and community outreach programs that will be maintained. The Motion was seconded by Mr. Koch. There was no further discussion on the Motion. Roll was called and the Motion passed 5-0.

### **SUMMARY - CASE NO. # 2774**

The Zoning Hearing Board voted to grant the use variance to allow a garden center in a conservation district with the conditions that the use of the land is limited to the area described in the applicant's lease and the permitted uses described in the applicant's lease. The lease must be submitted to the Municipality within 5 days after this hearing and the use is limited to a garden center with educational and community outreach programs, at 30 Corrigan Drive.

Case #2775

**APPLICANT: MORTON & EVELYN WILSON**

**LOCATION: 3463 SOUTH PARK ROAD**

**SUBJECT: DIMENSIONAL SIDE YARD VARIANCE TO ALLOW ADDITION**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 3463 South Park Road. Current Zoning Classification is R-1. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.23.4.1

Variance Type: Dimension side yard variance to allow addition

The Zoning Hearing Board should grant the following relief: The applicants are requesting a 16' side yard (20' required) variance to allow for a 16'x 26' one story addition.

Applicant's Petition: Please see attached project narrative.

Applicant's Arguments: Please see attached project narrative.

This application was represented by Morton & Evelyn Wilson, 3463 South Park Road, Bethel Park, PA 15102.

There were no proponents in this case.

There were no opponents in this case.

A Motion was made by Mr. Koch to grant the dimensional variance to allow a 16-foot sideyard setback for an addition, with the condition that the existing visual barriers between the applicant's property, 3463 South Park Road and the neighboring property at 3449 South Park Road are maintained. The Motion was seconded by Mr. Janosik. There was no further discussion on the Motion. Roll was called and the Motion passed 5-0.

### **SUMMARY - CASE NO. # 2775**

The Zoning Hearing Board voted to grant a dimensional variance for a 16-foot side-yard setback for an addition, with the condition that the existing visual barriers between the applicant's property, 3463 South Park Road and the neighboring property at 3449 South Park Road are maintained.

Case #2776

**APPLICANT: BETHEL DELI**  
**LOCATION: 30 CORRIGAN DRIVE**  
**SUBJECT: USE VARIANCE FOR TAKE-OUT RESTAURANT**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 30 Corrigan Drive. Current Zoning Classification is Allegheny County Conservation District. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.34.1

Variance Type: Use variance for take-out restaurant

The Zoning Hearing Board should grant the following relief: I am seeking a variance to re-open the concession stand in the old Corrigan Drive pool area for food service. This building has been in use for food service since at least 1965. This building was built to serve food and has the infrastructure for this purpose. Food has always been prepared at this site.

Applicant's Petition: I am planning to return this structure to its original function of a food service facility. The applicant would like to operate a take out restaurant (Bethel Deli) at the former VIP concession stand located in a conservation district. This is not a permitted use in a CD district.

Applicant's Arguments: There is no structural additions needed to the inside of the structure. The only addition to the structure is the addition of a handicapped ramp to conform to the Federal ADA Statute.

This application was represented by Don Custer. Mr. Custer previously operated Bethel Deli for 18 years in Bethel Park until the building was demolished forcing him to relocate. The plan is to reopen the deli at the new location and continue to sell takeout food.

There were no proponents in this case.

There were no opponents in this case.

A Motion was made by Mr. Koch to grant the use variance for a take-out restaurant. The Motion was seconded by Mr. Regan. There was no further discussion on the Motion. Roll was called and the Motion passed 5-0.

#### **SUMMARY - CASE NO. # 2776**

The Zoning Hearing Board voted to grant a use variance to allow a take-out restaurant in a conservation district, at 30 Corrigan Drive.

Case #2777

**APPLICANT: SEDINA & AMIR MEDAR**  
**LOCATION: 2776 OHIO STREET**  
**SUBJECT: DIMENSIONAL VARIANCE TO ADD SINGLE STORY ADDITION**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 2776 Ohio Street. Current Zoning Classification is Residential. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.23.4.1

Variance Type: Dimensional variance to add single story addition

The Zoning Hearing Board should grant the following relief: Applicants property is a 3 sided triangular lot., the single- family dwelling will be altered with a one story addition to the back left (looking at property) corner. Requesting variance to add a single story addition that is not within code standards.

Applicant's Petition: The property line where the addition exist joins an easement. There are no residential homes or structures on the left side where the single story of the addition exists. Applicant has maintained the property known as the easement for 10+ years. The lot is uniquely shaped with only three sides. The single floor addition will create additional storage/living space for the five people living in the family dwelling. There are no other options to create additional space in this dwelling. Adding the single story to the existing addition is the minimum variance that will afford applicant's relief. The single story addition is the least modification possible.

Applicant's Arguments: The lot is three sided triangular in shape. The applicant lot is uniquely shaped. Adding a single story to an addition that existed at the time of purchase is the least modification of the ordinance possible for the development considered. The rear property is a paper street that is owned by the Municipality and is not being used.

This application was represented by Wendy Ligo, the Medars neighbor.

There were no proponents in this case.

There were no opponents in this case.

A Motion was made by Mr. Koch to grant the rear yard setback for addition. The Motion was seconded by Mr. Janosik There was no further discussion on the Motion. Roll was called and the Motion passed 5-0.

#### **SUMMARY - CASE NO. # 2777**

The Zoning Hearing Board voted to grant a dimensional rear yard variance with a setback of 7 feet to add a one-story addition, at 2776 Ohio Street.

**ADJOURNMENT:** The meeting was adjourned at 9:00 pm