

ZONING HEARING BOARD MEETING

SUMMARY

SEPTEMBER 8, 2020

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

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

1. Mr. Regan asked if there were any changes, additions, corrections and/or deletions to the summary of the August 3, 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. Janosik to approve an invoice received from Kim Simms-Strnisa in the amount of \$300 for attendance fee for the August 3, 2020 meeting. The Motion was seconded by 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. Janosik to approve an invoice received from David Montgomery in the amount of \$418 for professional fee for the ZHB findings and conclusions. The Motion was seconded by Mr. Willets. There was no discussion on the Motion. Roll was called and the Motion passed unanimously.

OLD BUSINESS:

Case # 2779

This is a continuation from last month's meeting.

APPLICANT: DON TOMINO

LOCATION: 5454 LIBRARY ROAD

SUBJECT: DIMENSIONAL VARIANCE

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 5454 Library Road. Current Zoning Classification is C-2. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.30.1-R-#5

Variance Type: Dimensional variance to create a 20 x 30 foot space for outdoor seating for 40 people

The Zoning Hearing Board should grant the following relief: To create a 20 x 30 foot space outdoor to seat 40 people.

Applicant's Petition: Seeking to create a 20x30 (600 SF) outdoor patio to seat 40 people. Only 200 SF is allowed according to ordinance 69.30.1-r-v. The proposed patio will be 28'6" to a residential property. A C-2 zone requires that outdoor patios be located 200' from a residential district.

Applicant's Arguments: To make Drowning Fish Brewery a success they need to have an outdoor patio for patrons to sit and enjoy food and beverage. There is plenty of parking for both the future patio and the interior restaurant. The patio will have an 8' privacy fence in the front and a 4' high fence on the side. Mr. Tomino proposed a new location for the outdoor patio. He could move it on the opposite side of the building in the parking lot, at the rear of the existing building. It would overlook the neighborhood in the back, facing Madison Avenue.

The board had concerns about the noise that would come from the patio and how it would affect the neighbors. What type of buffers will be provided? What type of lighting would be there? Also, would emergency vehicles have the necessary access to the site.

This application was represented by Don Tomino, 5454 Library Road.

There were three proponents in this case. Mike Ameel, 6047 Murray Avenue. Mr Ameel is a partner of Mr. Tomino. He spoke in favor of the outdoor patio and also provided documents showing the new location. Mark Salicce, 5708 Valleview Drive. He spoke in favor of the Brewery having outdoor seating. Wayne Reno, 2750 W. Munroe Street. He spoke in favor of the Brewery having outdoor seating.

There were three opponents in this case DJ Stubenbort, 970 Cork Drive. He had barrier concerns, will the fence block their view from driveways, will there be sound barriers other than the trees that are currently there. Amy & Donald Bair, 5409 Madison Avenue. They had concerns about the noise that would come down the hill to their property and about losing privacy with the proposed patio being so close to his home. Cicilia Steubenbort – 5466 Library Road. She is concerned about parking, noise, and barriers blocking view from her driveway.

A Motion was made by Mr. Janosik to approve the variance with the following conditions:

- That the hours of operation on the patio be from Wednesday to Sunday 3pm to 9pm.
- Install 8' barriers of 2 sides facing the street and 2-4' high walls with sound proofing facing the residential areas.
- And no outside entertainment permitted.

The Motion was seconded by Mr. Regan. There was no further discussion on the Motion. Roll was called and the Motion was denied 3-2.

SUMMARY - CASE NO. # 2779

The Zoning Hearing Board denied a dimensional variance to create outdoor seating, at 5454 Library Road.

ADJOURNMENT: The meeting was adjourned at 9:16 pm.

