

# **ZONING HEARING BOARD MEETING**

## **SUMMARY**

**JANUARY 4, 2021**

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:  
ALSO PRESENT: ROBERT HICKS, DAVID MONTGOMERY, JEFF  
WINKLE, ROBERT MCTIERNAN, KIM SIMMS-STRNISA

### **APPROVAL OF SUMMARY:**

Mr. Regan asked if there were any changes, additions, corrections and/or deletions to the summary of the November 2, 2020 meeting. Mr. Koch 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 David Montgomery – A Motion was made by Mr. Koch to approve an invoice received from David Montgomery for \$209.00 for professional fees for the ZHB findings and conclusions. 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 Simms Strnisa Court Reporting – A Motion was made by Mr. Koch to approve an invoice received from Kim Simms-Strnisa for \$225.00 for attendance fee for the November 2, 2020 meeting. The Motion was seconded by Mr. Willetts. There was no discussion on the Motion. Roll was called and the Motion passed unanimously.

### **OLD BUSINESS:**

Case #2781

**APPLICANT: CHRISTINE ELEK**

**LOCATION: 341 MARSHALL ROAD**

**SUBJECT: DIMENSIONAL VARIANCE REQUIREMENT FOR ½ ACRE (21,870 SQ. FT.) AND WIDTH AT BUILDING 100 FEET**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 341 Marshall Road. Current Zoning Classification is R-1. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.23.3

Variance Type: Dimensional variance

Dimensional variance to allow existing lot to be divided into 2 lots thus providing a separate buildable lot. The current lot is 23,012 sq. ft. The lot area requirement for an R-1 is 21,870 sq. ft. with a lot width at the building of 100'. The R-1 setback requirements are: front yard-50', side yards-20', and rear yards-50'. The applicant provided a current survey showing the proposed subdivision.

The Zoning Hearing Board should grant the following relief: I would like to divide the lot into two separate lots. I would keep the half upon which my house is built and have the ability to sell the uninhabited half.

Applicant's Petition: It is difficult for me to maintain the property as one-half of my current lot is uninhabited. I would like to sell this half of my current lot in order to allow another home to be built. If this takes place, the uninhabited lot will look better and this lot as well as the one my home is on, will appear more like the look of all the non-confirming lots surrounding my own. The lots beside, behind, in front of and behind my own are smaller than mine. I also feel that development of this area will increase the aesthetic appearance of my neighborhood.

Applicant's Arguments: N/A

This application was represented by Christine Elek, 341 Marshall Road, Bethel Park, PA 15102. He would like to build a new house.

There was one proponent in this case Dan Mancuso, 144 Meadowbrook Drive, Bethel Park, PA 15102. He would like to purchase the lot to build a house.

There were no opponents in this case.

The zoning hearing board felt that this matter should go before the planning commission first, for a subdivision, and then back to the zoning hearing board for any necessary variances.

A Motion was made by Mr. Koch to table the variance. 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. # 2781**

The Zoning Hearing Board voted to table the dimensional variance requirement for 1/2-acre (21,870 sq.) lot size and relief from width of building line of 100 ft., until further notice, at 341 Marshall Road.

#### **NEW BUSINESS:**

Case #2783

**APPLICANT: PENN COVE GROUP CAPITAL**

**LOCATION: 3001 COOL SPRINGS DRIVE (316-E-10)**

**SUBJECT: DIMENSIONAL VARIANCE**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 3001 Cool Springs Drive, 316-E-10. Current Zoning Classification is R-T. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.28.2,3,3,4,5,8,9

Variance Type: Dimensional variance for townhouse development

Six dimensional variance requests to construct 15 townhouse buildings for a total of 67 single family units.

The Zoning Hearing Board should grant the following relief: Relief from the height requirement of not to exceed 35 ft. to 40 ft. Relief from the minimum lot size and width from 1 acre and 150 ft. to 0.25 acre and 100 ft. Relief from the minimum front yard for townhouses of 25 ft. to 5 ft. Relief from the maximum lot coverage of 15% to 32%. Relief from the continuity breaks in the townhouses from 5 ft. to 2 ft. Relief from the 20 ft. buffer when abutting a R-1, R-2, or R-3 property (see additional information letter provided for additional descriptions of requests).

Applicant's Arguments: The property is located within a parcel that is located at the corner of Hamilton Road and Baptist Road, which is irregularly shaped and narrow. The parcel is also abutted by a driving range, and stream and wetlands, which constrain the site. These constraints require certain offsets to be held thus reducing the overall developable area of the site. Please refer to additional information letter provided.

This application was represented by Alice Mitinger – Attorney-625 Liberty Ave. Pittsburgh, PA 15234; Bill Moldovan, 333 Baldwin Rd., Pittsburgh, PA 15025; Bill Limpert – 11 Stanwix St. Pittsburgh, PA 15222; Ryan Klousnitzer – NVR 1 Penn Center West, Pittsburgh, PA 15276.

After listening to the case the zoning hearing board felt the townhouse development could be re-designed to eliminate some of the variance requests and get closer to complying with the current zoning ordinance.

The applicant requested that the case be tabled to the next ZHB meeting to give them time to redesign the townhouse development.

There was one proponent in this case: Paul J. Dixon, 165 Clearview Drive, Bethel Park, PA 15102.

There were three opponents in this case: Elaine Murphy, 5679 Villahaven Drive, Pittsburgh, PA 15236, Sandra Deluca, 2041 Cool Springs Drive, Pittsburgh, PA 15234, and Ronald & Patricia Stanslawitz, 4301 Hamilton Road, Pittsburgh, PA 15236.

A Motion was made by Mr. Koch to table the case to allow the applicant time to redesign the development. The Motion was seconded by Mr. Willetts. There was no further discussion on the Motion. Roll was called and the Motion passed 5-0.

#### **SUMMARY - CASE NO. # 2683**

The Zoning Hearing Board voted to table the dimensional variances for townhouses plan development until the February 1, 2021 meeting. The variance includes the following: 1) from the height requirement not to exceed 35 ft. to 40 ft.; 2) minimum lot size and width from 1 acre and 150 ft. to 0.25 acre and 100 ft.; 3) minimum front yard for townhouse of 25 ft. to 5 ft.; 4) maximum lot coverage of 15% to 32%; 5) continuity breaks in the townhouses from 5 ft. to 2 ft.; 20 ft. buffer when abutting a R-1, R-2, or R-3 property, at 3001 Cool Springs Drive, (316-E-10).

Case #2784

**APPLICANT: PITTSBURGH SMSA LIMITED PARTNERSHIP/DBA VERIZON  
WIRELESS  
LOCATION: 1465 GENE DRIVE  
SUBJECT: DIMENSIONAL VARIANCE**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The land involved is 1465 Gene Drive. Current Zoning Classification is R-3. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.35.4.6 (2) (b); 69.25.4.4; 69.35.4.3.a

Variance Type: Dimensional variance for wireless telecommunications antennas on water tank pursuant to Federal Telecommunications Act to remedy a significant gap in coverage. Please see attached narrative and exhibits.

Three dimensional variance requests to allow cellular equipment within the required setbacks of a residential district located at 1465 Gene Drive, Pittsburgh, PA 15234 (Block & Lot #250-L-230)

Description of variance requests:

- **Variance from Chapter 69, Section 35.4.6.2.b, Related Equipment: shall not be located within fifty (50) feet of a lot in residential zone:** Applicant is requesting variance to locate ancillary equipment 19.8 ft. from property on north and 49.7 ft. from property on west.
- **Variance from Chapter 69, Section 25.4.4, Yard area: Twenty (20) foot buffer area required:** Applicant requests relief to construct a proposed six (6) foot wide access easement within the required buffer yard.
- **Variance from Chapter 69, Section 35.4.3.a-b, Landscape buffer area standards:** Applicant requests relief to not be required to provide buffer landscaping and to permit the construction of an access drive within the buffer yard.

Applicant's Petition: Colocation of wireless telecommunications antennas on water tank pursuant to Federal Telecommunications Act to remedy significant gap in coverage. Please see attached narrative and exhibits.

This application was represented by Joe Perotti – 437 Grant Street, Pittsburgh, PA 15219.

The applicant argued that the land owner (PA American Water) would not let them place the equipment and access road in any other location on the property. They also said that the cell service in the area would be enhanced a great deal.

There were three proponents in this case Jim Kopac, 128 Cherryvalley Rd., Saxonburg, PA 16056, Bill Bittner, 18 Abiley Dr., Bridgeville, PA 15107, and Ray Pattel, 18 Abiley Dr., Bridgeville, PA 15107. They said the cellular service would be enhanced a great deal in the area if the equipment was allowed to be installed.

There were no opponents in this case.

Each variance request was voted on separately:

1. A Motion was made by Mr. Janosik to grant the 69.35.4.6.2.b, related equipment variance with the condition that landscaping in the buffer area must be maintained to keep equipment concealed. The Motion was seconded by Mr. Willetts. There was no further discussion on the Motion. Roll was called and the Motion passed 3-2.
2. A Motion was made by Mr. Janosik to grant the 69.25.4.4, yard area as presented. The Motion was seconded by Mr. Willetts. There was no further discussion on the Motion. Roll was called and the Motion passed 3-2.
3. A Motion was made by Mr. Janosik to grant the 69.35.4.3.a-b landscape buffer standards with the condition that landscaping in the buffer area must be maintained to keep equipment concealed. The Motion was seconded by Mr. Willetts. There was no further discussion on the Motion. Roll was called and the Motion passed 3-2.

#### **SUMMARY - CASE NO. # 2684**

The Zoning Hearing Board voted to grant the dimensional variance to allow related equipment of wireless telecommunications to be located within the required setbacks with the condition that landscaping in the buffer area must be maintained to keep equipment concealed, at 1465 Gene Drive.

**ADJOURNMENT:** The meeting was adjourned at 11:00 pm.