

ZONING HEARING BOARD MEETING

SUMMARY

JANUARY 3, 2022

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

ROLL CALL: PRESENT: REGAN, WILLETTS, KANON, STEWART

ALSO PRESENT: ROBERT HICKS, KIM STRNISA, DAVID
MONTGOMERY

APPROVAL OF SUMMARY:

1. Mr. Willetts asked if there were any changes, additions, corrections and/or deletions to the summary of the December 6, 2021 meeting. Mr. Willetts made a motion to approve the minutes summary. 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 David Montgomery– A Motion was made by Mr. Willetts to approve invoice received from David Montgomery in the amount of \$374 for professional services. The Motion was seconded by Mr. Janosik. Roll was called and the Motion passed unanimously.
2. Invoice from Kim Strnisa (court reporter) – A motion was made by Mr. Willetts to approve unpaid invoices from September, October and November 2021 meetings for professional services. The motion was seconded by Ms. Stewart. Roll was called and the motion passed unanimously.

NEW BUSINESS:

CASE NO. # 2819

APPLICANT: STEPHANIE FLUMAN-DICKSON

LOCATION: 5733 WILLOW TERRACE DRIVE

**SUBJECT: DIMENSIONAL VARIANCE TO PERMIT A SHED IN THE SIDE YARD IN
FRONT OF THE BUILDING LINE IN THE R-3 RESIDENTIAL ZONING
DISTRICT**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The property involved is 5733 Willow Terrace Drive. Current Zoning Classification is R-3 Residential. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.35.3.2

Variance Type: Dimensional variance to permit a shed in the side yard.

Applicant's Petition: Stephanie Fluman-Dickson presented her application.

Applicant's Arguments: "The shape of our yard creates challenges with placing a shed within conformity with the zoning ordinance. The first limitation is an existing fence. To place a shed directly behind our home, we would have to remove an existing fence, including cemented posts. Additionally, to conform with boundary line spacing rules (5 feet from rear, 10 feet from side), space is incredibly limited. The second limitation is regarding proper storm water drainage. The existing shed, in its current location, prohibits water from slowing down the hill, significant soil erosion at the base of 2 large, mature oak trees, and creating significant ponding rather than draining as previously intended."

There were no proponents in this case.

There were no opponents in this case:

A Motion was made by Mr. Willetts to approve the variance as presented with the condition that the existing shed be removed. The Motion was seconded by Ms. Stewart. Roll was called and the motion was **denied**. *Voting as follows: Mr. Willetts – YES, Mr. Regan – YES, Mr. Kanon – NO, Ms. Stewart – NO.*

CASE NO. # 2815

APPLICANT: EVALEE APRTMENTS

LOCATION: 7 DORCHESTER DRIVE

**SUBJECT: PETITION FOR RECONSIDERATION FOR A DIMENSIONAL VARIANCE TO
WAIVE THE PARKING REQUIREMENTS FOR 3 PROPOSED NEW
DWELLING UNITS IN THE R-5 ZONING DISTRICT.**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The property involved is 7 Dorchester Drive. Current Zoning Classification is R-5. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.40.1.1.b

Variance Type: Petition for reconsideration for a dimensional variance to waive the parking requirements.

Applicant's Petition: Duncan Nickles of Redcon Engineering and Cameron Lowe of Evalee Apartments presented the application requesting a reconsideration from the November 1, 2021 hearing. They added 5 additional parking spaces and lowered the parking garage cost.

Applicant's Arguments: "A petition for reconsideration is being submitted based on lowering the fee for parking in the parking garage and the addition of five new parking spaces. The addition of three new dwelling units would require 5 new parking spaces if the current parking configuration met the current parking requirements. The addition of five new spaces would meet the requirement for the proposed dwelling units."

There were no proponents in this case.

There were no opponents in this case.

A motion was made by Mr. Willetts to approve the variance as presented. The motion as seconded by Mr. Kanon. Roll was called and the motion passed unanimously. *Voting 4-0.*

CASE NO. # 2816

APPLICANT: TESLA, INC

LOCATION: 7000 OXFORD DRIVE

SUBJECT: DIMENSIONAL VARIANCE TO PERMIT ELECTRIC VEHICLE CHARGING STATIONS IN THE FRONT OF THE PROPERTY LOATED IN THE C-2 COMMERCIAL DISTRICT.

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The property involved is 7000 Oxford Drive. Current Zoning Classification is C-2. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.35.3.2

Variance Type: Dimensional variance to permit accessory structures in the front of the property.

Applicant's Petition: Michael Testa and Henry Misas of TESLA, INC presented the application.

Applicant's Arguments: "The subject property includes existing parking stalls within the 50 ft front yard setback off of Alicia Drive. The applicant cannot utilize the interior parking stalls due to the nature of the electrical equipment which would impede visibility for motorists. The proposed location is also the closest to utility power and the least disruptive to construct. The applicant is also unable to utilize certain parking that is behind the front face of the building (also within the 50 ft setback) due to circulation and congestion of large delivery trucks in that area. Thus, applicant is forced to utilize space situated within the front yard setback and in front of the face of the building which causes the need for variance relief."

There were no proponents in this case.

There were no opponents in this case.

A motion was made by Mr. Willetts to approve the variance as presented. The motion as seconded by Ms. Stewart. Roll was called and the motion passed 3-1. *Voting as follows: Mr. Regan – YES, Mr. Willetts – YES, Mr. Kanon, YES, Ms. Stewart – NO*

CASE NO. # 2817

APPLICANT: DON TOMINO OF DROWNING FISH BREWING COMPANY

LOCATION: 5454 LIBRARY RD

SUBJECT: DIMENSIONAL VARIANCE TO PERMIT A 600 SQFT OUTDOOR SEATING AREA AS AN ACCESSORY USE TO A RESTAURANT AND TO PERMIT THE PATIO TO BE LESS THAN 200 FEET FROM AN R-3 ZONING DISTRICT.

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The property 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.v

Variance Type: Dimensional variance to permit an outdoor seating area.

Applicant's Petition: Presented by Don Tomino of Drowning Fish Brewing Company.

Applicant's Arguments: Previous variance request was denied due to the fact that it was too close to a residential district. Mr. Tomino has now proposed to move it to the front right corner of the building, where it will not cause a nuisance for the neighbors.

1 PROPONENT – Donald Bair of 5409 Madison Ave – His property abuts the rear of the brewery and he spoke in favor of the new plan.

There were no opponents in this case.

A motion was made by Mr. Willetts to approve the variance as presented. The motion as seconded by Mr. Kanon. Roll was called and the motion passed unanimously. *Voting 4-0.*

CASE NO. # 2818

APPLICANT: GARRETT GIBSON or WILLIAMSBURG SOUTH APARTMENTS

LOCATION: 435 ABBEYVILLE ROAD

**SUBJECT: DIMENSIONAL VARIANCE TO PERMIT A 78 SQFT BUILDING
IDENTIFICATION SIGN IN THE R-5 RESIDENTIAL ZONING DISTRICT.**

It is hereby requested that the Zoning Hearing Board hear an application for a variance. The property involved is 435 Abbeyville Road. Current Zoning Classification is R-5. Involved Ordinance or Legislative Act: Ord. 7-12-93A Sections: 69.50.1.5

Variance Type: Dimensional variance to permit a building identification sign larger than 40 sqft.

Applicant's Petition: Garrett Gibson and Robert Gorbiole of Ramsay Signs presented the application.

Applicant's Arguments: "With the approval of the requested variance, the increased size of the sign will make the property name and address more visible for local authorities and fire department in case of emergency. This will also help increase visibility of the property and allow for more convenience to vehicle traffic."

There were no proponents in this case.

There were no opponents in this case.

A motion was made by Mr. Willetts to approve the variance as presented. The motion as seconded by Ms. Stewart. Roll was called and the motion passed unanimously. *Voting 4-0.*

ADJOURNMENT: The meeting was adjourned at 9:06 P.M.

