

See Attached

3. How do the above site conditions prevent any reasonable use of your land for the proposed improvements under the terms of the Zoning Ordinance: See Attached

4. To the best of your knowledge, when was the hardship described above created? See Attached

Did the property meet the Zoning and Subdivision Ordinance requirements at the time with respect to the condition that is now a hardship?

Yes No

5. Are the conditions on your property the result of other man made changes (such as the relocation of a road or easement):
No

If so, describe

6. Which of the following types of modification will allow you a reasonable use of your lane?

Change in setback requirement? _____

Change in lot coverage requirement? _____

Change in yard restriction? _____

Other (describe) Parking variance to allow 63 total spaces and encroachment of 10 foot wide Buffer Area C

7. Are the conditions of hardship for which you request a variance true only of your property? Yes

If not, how many other properties are similarly affected?

8. Will the granting of a Variance in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance? Yes

Elaborate?

See Attached

9. Has any previous application or appeal been filed in connection with these premises?

Yes _____ No If yes, state Appeal Number and describe the action requested and the resulting decision of the Board.

I (We) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (Our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in this application by any authorized official of the Township of Peters for the purpose of posting, maintaining, and removing such notices as may be required by law, or for the purpose of inspecting the premises in connection with this appeal.

The applicant's interest in the affected premises is

Buyer and Lessee

SUPPLEMENT TO APPLICATION FOR VARIANCE
BEFORE THE ZONING HEARING BOARD OF PETERS TOWNSHIP

1. State which variance is requested, giving distances if distance is involved:

A. Parking Variance:

Audia Group Investments, LLC ("Buyer") is under contract to purchase the property and intends to lease it to Danielle Andy Belusko and Rod Belusko, or an entity formed by and controlled by them (the "Beluskos") for the operation of the funeral home. Buyer and the Beluskos are collectively referred to as "Applicant". The building located on the property is 26,000 square feet. According to Section 314(B) of the Peters Township Zoning Ordinance (the "Ordinance"), buildings in excess of 10,000 square feet of gross floor area require four and a half (4.5) spaces per one thousand (1,000) square feet of gross floor area. This formula would require one hundred seventeen (117) parking spaces and it is physically impossible to accommodate that many spaces on the property. The site currently contains forty (40) parking spaces which is legally non-conforming.

The funeral home will only occupy seven thousand five hundred (7,500) square feet of finished area on the first floor of the building. An additional two thousand six hundred ninety (2,690) square feet of unfinished space on the first floor of the building will be used for garage space and storage related to the operation of the funeral home. The Beluskos do not intend to use the second floor of the building for the operation of the funeral home.

Section 314(A) of the Ordinance states that parking spaces by specific uses shall be provided according to Table 8. Table 8 requires one (1) space for every three (3) seats with viewing rooms in a funeral home and one (1) loading space for every four (4) viewing rooms. The Beluskos have designed two (2) viewing rooms to accommodate sixty-five (65) maximum seats each, for a total of one hundred thirty (130) seats. According to Table 8, one hundred (130) seats would require forty-three (43) parking spaces. The Applicant's proposed change to the parking configuration will accommodate sixty three (63) total spaces, which will be more than sufficient to serve the needs of the funeral home and also exceeds the minimum requirements under Section 314(A) and Table 8 of the Ordinance for funeral home uses by twenty (20) spaces. Therefore, applicant is requesting a variance from the one hundred seventeen (117) spaces required under Section 314(B) of the Ordinance in order to accommodate sixty three (63) spaces on the site, which is the maximum physically possible.

B. Buffer Area Variance:

Section 310(A) of the Ordinance requires Buffer Area C for non-residential uses abutting a public right-of-way and for parking lots abutting a road right-of-way or lot line. According to Section 310(B)(1)(c), Buffer Area C is a minimum of ten (10) feet wide and states that no structures, including parking spaces, may be located closer to ten (10) feet to any front, side or rear lot line. Applicant's proposed parking plan requires encroachment of the buffer zone by four (4) parking spaces to within four (4) to five and a half (5.5) feet of the right-of-way.

2. Describe the items checked, giving dimensions if dimension is involved:

The current configuration of the site, with the 26,000 s.f. existing building, cannot accommodate more than sixty-three (63) total spaces due to the size, shape and elevation of the site.

3. How do the above site conditions prevent any reasonable use of your land for the proposed improvements under the terms of the Zoning Ordinance:

The existing site conditions which can only accommodate sixty-three (63) total parking spaces, prevent the use of the property for any use allowed under the Zoning Ordinance because the site cannot accommodate one hundred (117) total spaces based on the size of the existing building.

4. To the best of your knowledge, when was the hardship described above created?

The hardship described above was not created by the Applicant and existed when the existing building was constructed on the property, the exact date of which is unknown.

8. Will the granting of a variance in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance?

The granting of this variance in the form requested is in harmony with the neighborhood and is not contrary to the intent and purpose of the Zoning Ordinance because funeral homes are permitted uses in C-2 Zoning Districts and the Applicant exceeds the minimum parking requirements for a funeral home use.

Richard Vadi (Agent, Lessee, etc.) 2/18/2011
 (Signature) Applicant (Date)

[Signature] ~~OWNER~~ TRUSTEE 2/17/2011
 (Signature) Owner (Date)

Philip M. Tefel TRUSTEE 2/18/2011
 (SIGNATURE) OWNER (DATE)