

**SOUTH STRABANE TOWNSHIP  
ZONING HEARING BOARD MEETING MINUTES**

**September 2, 2020**

**APPROVED MEETING MINUTES**

**1. ROLL CALL AND CALL TO ORDER**

On Wednesday, September 2, 2020 at 6:00 p.m., after due advertisement according to law, a public meeting of the Zoning Hearing Board (ZHB) was held in the Municipal Building, 550 Washington Road, Washington, PA 15301 and the following were present:

Art Sullivan, Chairperson  
James Stewart, Vice-Chair  
Andy Rembert, Member

Township Manager Brandon J. Stanick  
Assistant to the Township Manager Patrick Conners  
Louise Moyer, Applicant

**2. ZHB MEETING MINUTES**

Mr. Stewart moved to approve the minutes of the August 11, 2020 Zoning Hearing Board meeting. Mr. Sullivan seconded the motion. The motion passed on a unanimous voice vote.

**3. PUBLIC HEARING: Consideration of an Application from Ms. Louise Moyer, requesting Variances from Sections 245-172 & 245-40 of the South Strabane Township Zoning Code concerning the minimum front yard setback for a proposed garage on the property located at 1195 Locust Avenue in the R-3 Residential Zoning District**

Mr. Rembert began discussion by expressing his concerns with the Township's Ordinance, specifically regarding Section 245-172 concerning corner lots and related front yards. He noted the Ordinance specifically highlights that residential accessory structures such as detached garages are not permitted in the minimum required front yard. He then highlighted the unique nature of Ms. Moyer's request, citing her corner lot is very wide and has extensive natural screening. He highlighted that if Ms. Moyer's front yard along Nannie Street was considered a side yard, it would meet the Code's setback requirement. A discussion regarding the front yard requirements of corner lots ensued. Mr. Sullivan inquired how the Township's Code could be altered. Zoning Solicitor Smider explained the Text Amendment process. He noted the Zoning Hearing Board could recommend any modification to the Code which would be reviewed by the Planning Commission and considered by the Board of Supervisors.

Zoning Solicitor Smider noted that irregularities regarding corner lots is very common in zoning hearings. Township Manager Stanick illustrated the situation at 1195 Locust Avenue. He advised of the reasoning behind establishing front yard setback and side yard setback requirements for corner lots. He highlighted such requirements ensure that the placement of a house on a corner lot is congruent with the placement of houses on the intersecting streets. He concluded by highlighting that every variance request is unique and does not set a precedent for future decisions.

Ms. Moyer highlighted her updated application noting that she had applied for three variances in total from Sections 245-172 C (8) and 245-40 (two variances for each front yard). In reference to a question from the August 11<sup>th</sup> Hearing, she highlighted that the proposed detached garage would be no taller than 13 feet. Lastly, she noted that after meeting with Township Manager Stanick and Public Works Director Grego, she had been given preliminary approval to establish an alternate driveway off of Nannie Street. Township Manager Stanick reported that the proposed driveway would meet all requirements and regulations, including sight distance, of the Township's Code. Ms. Moyer highlighted that her residence was built prior to the establishment of the current Zoning Code. A discussion regarding the Zoning history of 1195 Locust Avenue ensued. Mr. Sullivan noted that Ms. Moyer and all residents within the Township must be aware of zoning restrictions that are applied to properties in specific zoning districts. Mr. Rembert highlighted that the proposed garage would not meet the current zoning ordinance, regardless of when the original dwelling and associated structures were constructed.

Zoning Solicitor Smider entered all new application documents, including public notice and updated renderings, into the Public Record. A discussion regarding the existing tree line along Locust avenue ensued. Zoning Solicitor Smider outlined the possible variance conditions that could be imposed on the desired structure.

After some discussion, Mr. Stewart moved to approve the following conditional variances to allow the construction of an 816 sq. ft. detached garage at 1195 Locust Avenue: A variance to construct an accessory structure (detached garage) within a minimum front yard; A variance to construct a detached garage within the required front yard up to 20 feet from the property line along Locust Avenue as set forth on the Applicant's submission to the Township; a variance to construct the proposed garage up to 15 feet from the property line along Nannie Street as set forth on the Applicant's submissions to the Township. The variances would be subject to the following conditions: the existing tree line along Locust Avenue should be maintained to the fullest extent possible; the Applicant shall comply with the Township's designation of the location of the proposed driveway at Nannie Street; and the height of the garage structure shall be no more than 13 feet. Mr. Rembert seconded the motion. The motion passed by a 2-1 vote with Mr. Rembert and Mr. Stewart voting yes and Mr. Sullivan voting no.

#### **4. PUBLIC COMMENTS**

No public comments.

#### **5. ZONING HEARING BOARD MEETING PROCEDURE**

Township Manager Stanick began discussion by citing an email dated August 28, 2020 that was sent to members of the Zoning Hearing Board discussing a formalization of the Zoning Hearing process. Noting the expressed interest from members of the Board, he outlined the procedure as follows:

1. Chair introduces the item by reading it from the agenda;
2. Chair requests an update from Staff;
3. Staff would then read aloud the report;

4. Chair requests the applicant to present his or her application and supporting documents;
5. Public Comments are taken as everyone has heard the same information and the request has formally been made;
6. ZHB asks questions of the applicant and Staff (also ask members of the public to provide more detail or clarification on their comments) and discusses the issue at hand;
7. ZHB enters into executive session to finalize its decision;
8. ZHB asks any additional questions of the applicant and Staff; and
9. ZHB makes a motion.

A discussion regarding the process ensued. It was the consensus of the Zoning Hearing Board that the Applicant be provided Staff's report prior to the Hearing. Township Manager Stanick concluded by stating the formalized meeting procedure discussed would be crafted into a document and relayed to members of the Board prior to the next Hearing.

**6. ADJOURNMENT**

As there was no further business to come before the Zoning Hearing Board, Mr. Rembert moved to adjourn. Mr. Stewart seconded the motion and the meeting adjourned at 7:24 p.m.

Respectfully Submitted,

Patrick M. Conners  
Assistant to the Township Manager