

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

OCTOBER 15, 2018

APPROVED MEETING MINUTES

1. ROLL CALL AND CALL TO ORDER

On Monday, October 15, 2018 at 7:00 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:

Andrew Rembert, Chairman
James Stewart, Member
Art Sullivan, Member

James Barnes, Assistant Zoning Officer
Pat Smider, ZHB Solicitor
Brandon Stanick, Township Manager

2. PUBLIC COMMENTS

There were no public comments.

Chairman Rembert administered the oath to those in attendance.

3. ZHB MEETING MINUTES

Mr. Sullivan moved to approve the minutes of the September 4, 2018 ZHB Meeting with the removal of Ellen Wallo from those listed in attendance as she was not present for the meeting. The motion was seconded by Mr. Stewart. The motion passed on a unanimous voice vote.

4. PUBLIC HEARING: Consideration of a Request for a Variance from Section 245-163 of the Zoning Code Concerning the Minimum Required Acreage for a Vehicle Sales Lot for VIP Automotive Group, LLC for the Property Located at 990 Washington Rd., C-2 Zoning District

Chair Rembert introduced the item stating that the Township is in receipt of an application for a variance from the minimum required acreage for a vehicle sales lot located at 990 Washington Rd.

In reponse to Chair Rembert's request, Mr. Randall Morse, owner and applicant of VIP Automotive Group, LLC, reviewed the application for a variance. He stated the Township's large acreage requirements for vehicle sales lots (minimum of 2 acres) do not allow small boutique sales to operate. The business will offer high quality vehicles and can operate effectively on less than 2 acres. He stated vehicle repair will not take place on the property and that the lighting for the sales lot is already in place.

In response to a question from Mr. Sullivan concerning existing improvements, Mr. Morse advised that the lights and signage will need replaced. The building was built as a model home, but currently meets ADA accessibility requirements for commercial

operations. The rear garage was built to contain the cars sold by a previous tenant, Forest Motors. He noted he will be resurfacing the lot soon.

A discussion concerning neighboring properties ensued.

It was noted that the existing 50-foot right-of-way on the south side of the lot cuts down usability of the lot. A discussion regarding the 2-acre minimum lot size followed.

Mr. Morse advised that no service activity will take place on the property. Detailing and prepping cars for sale will take place. New cars will not be sold at this property. He stated the lot will contain anywhere from 10 to 15 cars at any one time and customer parking will be lined and identified clearly.

Township Manager Stanick reported that the minimum parking requirements for this establishment include one space for each employee on peak shift and one space for east 1,000 sq. ft. of indoor and outdoor display and sales areas.

The ZHB entered into executive session at 7:41 p.m. and continued with the regular meeting at 7:52 p.m.

Mr. Sullivan moved to approve the application from VIP Automotive, LLC requesting a variance from the minimum lot size requirements for the sale of pre-owned vehicles at 990 Washington Rd. subject to the following conditions: i) there shall be no servicing or motor vehicle repair at the property other than normal and routine cleaning and detailing and minor ancillary matters related to the presenting and showing of motor vehicles for sale; ii) the current existing parking and right of way areas of the property shall not be expanded in any manner; iii) there shall be no parking of motor vehicles in driveways or rights-of-way. The number of motor vehicles parked in the front area of the property adjacent to Route 19 shall be limited to ten (10) vehicles at any one time; iv) the Applicant shall install a buffer area on the north easterly area of the property at or near property lines for the purpose of distinguishing or delineating the Applicant's property from the neighboring property. The Applicant shall endeavor to ensure that his patrons do not park on adjacent properties; and v) the Applicant shall adhere to all requirements regarding signage and lighting. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

5. PUBLIC HEARING: Consideration of Request from Mr. Clemmy Allen for a Variance from Sections 245-40D and 245-40F of the Zoning Code to Encroach into the Minimum Required Front Yard and Side Yard Setbacks, and Any Other Relief as Required, to Construct an Attached Garage on the Existing House Located at 820 Evergreen Dr., R-3 Zoning District

Chair Rembert introduced this item stating that the Township is in receipt of an application for variances from the minimum required front yard and side yard setback requirements to construct an attached garage at 820 Evergreen Dr.

Mr. Clemmy Allen, owner and applicant, stated his house was built in 1958 and he purchased it to have one level living arrangements. He stated the propped garage will be 22' x 25' and will encroach into the front and side yards. More specifically, the front yard encroachment will be 17" and the encroachment into the side yard will leave 3.58' from the property line.

In response to Mr. Sullivan's question regarding the compaction of soils in the side yard, Mr. Allen remarked that a 3' footer will be used to support the structure. Mr. Allen also noted the neighbors are supportive of the project. Mr. Allen continued and described the project.

Chair Rembert opened the floor for public comments.

Ms. Tamulinas (resident on Evergreen Dr.) stated she lives across the street from Mr. Allen and is opposed to this request. She stated that any encroachment into the street will interfere with those that are handicapped and park along the street, as well as ambulance and fire service to the homes on Evergreen Dr.

Township Manager Stanick advised that the project is not proposed for the right-of-way, but will be added onto the existing house.

The ZHB entered into executive session at 8:17 p.m. and returned to the regular meeting at 8:19 p.m.

Mr. Sullivan expressed concern for the stability of the foundation during construction.

Chair Rembert moved to approve the application from Mr. Allen requesting a variance from the minimum front yard and side yard setback requirements at 820 Evergreen Dr. to allow the erection of an attached garage subject to the following conditions: i) located no closer than 38.25 feet from the road right-of-way on the right side (when facing the property) of the proposed garage and tapering along the front to the left side (when facing the property) to no closer than 40 feet from the road right-of-way; ii) the entire right wall (when facing the property) of the garage shall be located no closer than 5' from the property line of the adjacent property; and the Applicant agrees that Township representatives shall be permitted access to all of the proposed construction for inspection purposes to include inspection of the footers and construction of the right side of the garage in order to determine that that side of the construction will result in a permanent stable area. Mr. Sullivan seconded the motion. The motion passed on a unanimous voice vote.

6. ADJOURNMENT

As there was no further business to come before the ZHB, Chair Rembert moved to adjourn. Mr. Stewart seconded the motion and the meeting adjourned at 8:23 p.m.

Respectfully Submitted,

South Strabane Township
Zoning Hearing Board Meeting Minutes
October 15, 2018

Brandon J. Stanick
Township Manager/Zoning Officer