

The City of Lower Burrell **Zoning Hearing Board** held a public hearing on Monday, October 17, 2016 at 7:00 p.m. in the Municipal Building at 2800 Bethel Street, Lower Burrell, PA 15068. Present were George Guido, Charles Markle, Charles Stapinski, John Millburn, Public Safety Director/Councilman Grillo, Ordinance Officer Mike Nedley, and Court Reporter Julie Gerano. Absent was John Kamarados.

APPROVAL OF MINUTES: Motion by Mr. Millburn, second by Mr. Markle to approve the minutes of the September 19, 2016 meeting. All in favor. Motion approved.

CORRESPONDENCE:

None

OLD BUSINESS:

There are no court cases in which the Zoning Hearing Board is a party to at this time.

NEW BUSINESS:

#592 – Mary Callahan, 240 Eastern Drive, Lower Burrell, PA 15068, requesting a variance to Article 1365.09B (1) location of carport on property identified as 17-03-15-0-262, zoned R-1.

Mrs. Callahan was sworn in and explained the following. She is the owner of the property at 240 Eastern Drive. She was cleaning up the property and decided to have an old shed taken down and a carport added. She thought her contractor had taken care of all the paperwork for the construction. The applicant has submitted three photographs to the board for review. Mr. Nedley explained that in September, he noticed Amish men working on the carport. He identified himself and explained that a permit was necessary. He had a concern that it was too close to the property line. Mrs. Callahan had the property surveyed. It showed that the carport is approximately three feet from the line. By the code, it needs to be five feet. Mr. Nedley added that this was not done maliciously. Mrs. Callahan has been very easy to work with and has done everything asked of her, as has Mr. Byler. It was not intentionally done; it was an honest mistake.

The applicant submitted a site plan and her survey. Mrs. Callahan has approached neighbors who have no objection. Her contractor, Lester Byler, 2761 Rock Dump Road, Reynoldsville, PA 15851 was also present. Mary Jean Walmsley testified that she is thrilled with the property. She stated that Mrs. Callahan has improved the property a lot since she's moved in, and she sees nothing wrong with the carport. She's not bothered by it at all and is very pleased. She does not think it detracts from the neighborhood. There was no other testimony. Motion by Mr. Millburn, second by Mr. Stapinski to end testimony on petition # 592. All in favor.

Mr. Guido stated that there was no evidence that this was done maliciously or by someone not willing to uphold our ordinances. It is not practical to have the carport ripped down to rebuild it again to have it moved two feet over. The contractor was unaware of local ordinances but will check before proceeding on any other work he might do in the City. Motion by Mr. Millburn, second by Mr. Markle to grant the variance with the condition that the owner of the garage not store any flammable or explosive equipment inside the building. All in favor.

ADJOURNMENT:

With no further business, a motion was made to adjourn the meeting. All in favor.

George Guido, Chairman
John Millburn, Secretary