

The City of Lower Burrell **Zoning Hearing Board** held a public hearing on Monday, July 17, 2023, at 7:00 p.m. in the Municipal Building at 2800 Bethel Street, Lower Burrell, PA 15068. Present were Board members John Millburn, Charles Stapinski, Joseph Czemerda, John Kamarados, George Guido, Code Enforcement and Zoning Officer Mark Marmo and Court Reporter Julie Casella. Absent was Public Safety Director/Councilwoman Brandy Grieff.

APPROVAL OF MINUTES: Motion by Mr. Millburn, second by Mr. Kamarados to approve the minutes of the June 19, 2023, meeting. All in favor. Motion approved.

OLD BUSINESS:

None

NEW BUSINESS:

#616 – Widewaters, of 50 Burrell Plaza, requesting a variance to Article V. Business Districts Section 300-43 A. (9) Area and Height Requirements on property identified as tax map # 17-03-16-0-097, zoned C-3

Code Enforcement and Zoning Officer Mark Marmo gave a description background on Petition #616.

John Cenkner, Cenkner Engineering, 3682 PA-31, Donegal, PA 15628. Mr. Cenkner followed up in comments that Code Enforcement and Zoning Officer Mark Marmo. A subdivision would be needed in this case for the smaller portion to be sold. The smaller lot would need a variance, creating one lot that is smaller than required in the C-3. The square footage is estimated at 22,000. Parking can be in exchange anywhere else under the owner WideWaters contract with the new owners. Parking spaces by the former Blockbuster would still be intact. There are roughly 29 parking spaces adequate to the former building. Currently unaware of any potential buyers. The purpose for this is to have a smaller portion to have and define themselves regarding its land. The new owner will have access to all entrances and exits surrounding the building. The applicant has submitted a site plan. The Zoning Hearing Board reviewed documents.

Le Roy Dastolfo, 233 Fairhaven Drive, questioned the area and height requirements but Code Enforcement and Zoning Officer Mark Marmo answered saying that is only the title of the section of this ordinance and the 4-acre is within it and simply does not imply to a height variance. If the height wanted to be changed, the buyer would need to come back to the Zoning Hearing Board.

Leah Hays, 241 Fairhaven Drive, had a concern regarding the height of the former Blockbuster building. Chairman George Guido and Code Enforcement and Zoning Officer Mark Marmo replied saying, “if the new owner would like to be more than 30 feet high, there would have to be a new variance which means they would have to approach the Zoning Hearing Board again.”

Motion by Mr. Stapinski, seconded by Mr. Czemerda to close testimony. All in favor.

Motion to grant the variance of Petition #616. Motion by Mr. Millburn, seconded by Mr. Stapinski. All in favor.

The City of Lower Burrell Planning Commission reviewed the proposal on June 21, 2023, and is all in favor.

Latest briefing from Interim City Manager Jason Dailey sent Council the Ordinance 3-2018. Mayor John Andrejczik reviewed this ordinance which is the Medical Marijuana Ordinance that only was read two times back in 2018. It was not read the third time nor approved so it will be reencountered in the next 3 meetings of the Agenda and Council Meetings. Ordinance 3-2018 will have its final approval in early October.

ADJOURNMENT:

With no further business, a motion was made by Mr. Czemerda, second by Mr. Millburn to adjourn the meeting at 7:29 p.m. All in favor.

Chairman George Guido thanked Court Reporter Julie for her time and efforts with the City while she is retiring.

George Guido, Chairman
John Millburn, Secretary