

Zoning Hearing Board**MAY 21, 2013**

The regular meeting of the Borough of Plum Zoning Hearing Board was called to order by Chairman, Sonny Tresco on Tuesday, May 21, 2013 at 7:00 pm in the Municipal Building located at 4575 New Texas Road, Pittsburgh, PA 15239. Mr. Tresco led the Pledge of Allegiance and asked for a roll call.

PRESENT: Michelle Chapkis, Ruth Grant, Steve Harrity, Alan Vento, Sonny Tresco

Also Present: Jason Straley, Planning Director, Warner Mariani, ZHB Solicitor, Aaron Wawrzyniak of Wawrzyniak Reporting and Videotape Service, Linda Stremple, Recording Secretary

Minutes

Mr. Harrity made a motion to approve the minutes of the April 16, 2013 meeting; seconded by Ms. Chapkis; motion approved.

New Business – Applications

ZHB-201306 – James P. Scholtz – 530 Farneth Rd. – Request for a variance to build a detached garage over the maximum allowance. The request does not comply with Ordinance #772-07 Section 2.c. The property is zoned “R-R” Rural Residential.

Mr. Tresco announced the agenda item, ZHB-201306, a request from James. P. Scholtz of 530 Farneth Road for a variance to build a detached garage over the maximum allowance. The request does not comply with Ordinance #772-07 Section 2.c. The property is zoned “R-R” Rural Residential.

Mr. Tresco asked for Mr. Scholtz to come forward. Mr. Scholtz stated his name and address as James P. Scholtz, 530 Farneth Road, New Kensington, PA 15068 and was sworn in by Mr. Aaron Wawrzyniak.

Mr. Tresco asked Mr. Scholtz to explain his request.

Mr. Scholtz stated he wished to construct a steel building behind his home. Mr. Scholtz explained the road had just been paved within the last year and has a tractor for plowing snow, which he uses for his property and his neighbors' property. Mr. Scholtz also explained he often clears the road which only has six (6) or seven (7) houses. He would like to neaten up his property and store the tractor along with being able to do repairs; would like to store other items: lawn tractor, 4 vehicles, log splitter, rotor-tiller, trailer, quads inside.

Ms. Grant asked if these vehicles were used for himself, not a business. Mr. Scholtz answered they were not for a business.

Mr. Vento asked where Mr. Scholtz was employed; if he had any intentions of starting a business. Mr. Scholtz replied he was employed by the Allegheny County Sheriff's Department and had no intentions of starting a business. Mr. Vento asked Mr. Scholtz if he had 2.6 acres and owned property on both sides to which Mr. Scholtz replied yes. Mr. Vento asked Mr. Straley what the maximum size detached garage allowed for 2.6 acres. Mr. Straley stated the maximum size detached garage was 1,000 square feet. Mr. Vento asked Mr. Straley if the size of the proposed garage was 2,400 and the size variance was then 1,400 square feet. Mr. Straley responded that was correct.

Mr. Mariani asked Mr. Straley how many ancillary structures were allowed in an "R-R" Rural Residential. Mr. Straley stated it was limited to the maximum impervious coverage ratio, which is 60% of the total acreage in that zoning acreage; roughly 1 $\frac{3}{4}$ acres building square footage.

Mr. Vento asked if only 40% could be undeveloped, to which Mr. Straley responded yes.

Mr. Tresco stated that in the past the board had limited it to only one building and asked if there would be any business; any storage of paints or chemicals. Mr. Scholtz said only fuel for tractors.

Mr. Mariani asked Mr. Scholtz if he would be able to build anything on those 5 acres next to it. Mr. Scholtz said there was some useable property way in the back, but most is a useless ravine. Mr. Scholtz stated he has an appraisal stating this is useless property which could never be built on or back filled on that side. Mr. Mariani asked if this was the side for this structure and who was on the other side. Mr. Scholtz responded yes and there was a Mr. Schultz whose property is at a higher elevation. Mr. Mariani asked how much higher. Mr. Scholtz stated Mr. Schultz could look across at Mr. Scholtz roof. Mr. Mariani asked if this structure would impede Mr. Schultz's ability to exit his property. Mr. Scholtz replied no, it is like a parallelogram; the 5 acres wraps all around, then there is a forty (40) foot ravine between the Scholtz and Schultz properties.

Mrs. Grant said she saw tanks for fuel. Mr. Scholtz explained there are two (2) 100 gallon propane tanks as there is no sewage or natural gas on the property.

Ms. Chapkis asked if Mr. Scholtz had described his plan to his neighbors. Mr. Scholtz did mention this to Mr. Schultz, who had no comments, and assumed he had no objections. Mr. Schultz is one of the people Mr. Scholtz helps by plowing the snow.

Mr. Harrity asked how he determined this size. Mr. Scholtz said he looked at the cost and the maximum size he would like, but felt that he might be offered a better deal and thought going smaller would be easier if he had already been granted the larger size. Mr. Harrity asked what the hardship was that he needed this big of a garage. Mr. Scholtz said maybe a man cave, so when he retired he would have room to tinker; auto mechanics; fix tractor; repair his own stuff.

Mr. Vento asked if he planned to move the proposed building any closer to his existing home or garage. Mr. Scholtz explained the front would stay the same. It would be handy to the Duquesne Light power pole that sits on his property.

Mrs. Grant asked how many homes were on Farneth Road. Mr. Scholtz replied 6; he is the 5th and there is one past his home and handed out Google Aerial Maps. His photographs show the property as you back out. Mr. Mariani stated the map would be Exhibit A.

Mr. Harrity asked for the location of the proposed structure on the 1st aerial view. Mr. Scholtz said straight back the driveway, along the tree line.

Mr. Grant asked if any neighbors had any complaints.

Mr. Scholtz pointed out his neighbor, Mr Strano's structure which is 40' x50'. Mr. Vento asked if he knew how much property Mr. Strano had. Mr. Scholtz did not.

Mr. Mariani, for clarity, asked Mr. Scholtz to mark on the map the location of the proposed garage.

Mrs. Grant asked if it was TV equipment off to the right in the aerial view. Mr. Scholtz explained that was the beginning of Browntown Road, the satellite dishes, about one (1) mile from his home, near Mr. Knopfel's home.

Mr. Harrity asked if he had any neighbors close. Mr. Scholtz said there is no one behind him for a couple hill tops; no one to the left where there is a ravine and the second page shows the closest neighbor directly across, at the top of the hill of a $\frac{3}{4}$ acre plot.

Mr. Vento asked if there was a residence across from him. Mr. Scholtz answered this was the $\frac{3}{4}$ acre plot. Mr. Vento asked if the road continued past his house; was it a dead end. Mr. Scholtz explained there was one more home past the one that is three quarters up and then Farneth Road ends and there are several abandoned, collapsing homes back there.

Mr. Mariani asked if the one building on the Strano property was what Mr. Scholtz's building would look like. Mr. Tresco asked if on the exhibit the one building was approximately the size of his proposed garage just to give perspective to the board; Mr. Scholtz said it would be the slate gray building not the white one.

Ms. Chapkis made a motion to approve the variance ZHB-2013-06 with the condition that no further accessory structures be permitted to be built; seconded by Mr. Vento; unanimously approved.

Mr. Mariani informed Deputy Scholtz, his variance was approved and anyone disagreeing with this decision has 30 days to appeal downtown. Any building before then would be at his own risk.

There was no old business.

There was no new business.

Mr. Harrity made a motion to adjourn; seconded by Ms. Chapkis; meeting was adjourned at 7:23 pm.

Respectfully submitted,

Linda A. Stremple, Recording Secretary
Zoning Hearing Board