

ZONING HEARING BOARD MEETING
January 14, 2008 MINUTES

Members Present:

P. Andrew Diamond, Chairperson
Allan Tedesco, Vice Chairman
Glenn Geisel, Secretary
Charles Hawkins
Sharon Beck

Township Staff Present:

Andrew Hartwell, Community Planner

Court Stenographer:

Mary Secot

Mr. Diamond called the meeting to order at 7:32 p.m.

All members were present.

Old Business: None

New Business:

Reorganization:

Chairman:

Andrew Diamond was nominated by Allan Tedesco, 2nd by Charles Hawkins
Motion passes unanimously

Vice Chairman:

Allan Tedesco was nominated by Glenn Geisel, 2nd by Sharon Beck
Motion passes unanimously

Secretary:

Glenn Geisel was nominated by Sharon Beck, 2nd by Charles Hawkins
Motion passes unanimously

AP # 30833 - An appeal of Cumberland Dining Group. The request is for a variance of Chapter 27, Zoning, Part 6 (Signs) Sections 605.5.a(2) (Maximum sign area) located in the Cranberry Mall at 20111 Route 19, Cranberry Township, PA 16066 (Map & parcel no. 130.4F110.14A5).

Mr. Diamond read the application into the record.

Mark Campisi for Cumberland Dining Group and Stephen L. White for J.J. Gumberg Company presented the variance request.

Andrew Hartwell represented the Township.

Mr. Campisi presented his case and explained that it would be detrimental to his proposed business if it were not able to have a sign along Freedom Road because of how the building is situated in relation to Freedom Road. He also explained that without the sign he would not be able to open his business due to restrictions put into place by the Bar Louie Corporate Office that require franchises to have signage along the street by the business. He stated that the character of the neighborhood would not change and that without the variance it would create a undue hardship on his business. Mr. White represented the landlord and expressed his support for the variance. He stated that this was a unique circumstance and that in the twenty years since the sign has been up they have never asked for a variance until now due to the unique situation.

The Board asked questions of the applicant and discussion took place.

The Board asked the Townships' position on the matter. Mr. Hartwell stated that the Township has no position on the matter.

The Board instructed J.J. Gumberg to explore seeking a curative amendment to the matter from the Board of Supervisors.

A motion was made by Mr. Geisel to grant approval of the additional panel of the 41 square foot sign along Freedom Road. In granting this approval they realize that the sign is currently non-conforming and that this is an expansion of an existing structure. The Board recognizes that the Bar Louie name will be used and if the use of the sign panel is substantially changed that new Zoning Hearing Board approval would be required. The Board noted that if the name of the restaurant changes that a new hearing will not be required. Mr. Diamond clarified that the panel is for restaurant use only and the members agreed.

The variance request would be granted based upon the following findings:

- 1) Unnecessary hardship due to unique physical circumstances
- 2) Unique physical circumstances hinder property development
- 3) Unnecessary hardship not created by appellant
- 4) Character of the neighborhood will not change
- 5) Appeal represents the least modification possible

Motion was seconded by Mr. Hawkins. Motion passed unanimously.

Approval of Minutes

Motion by Ms. Beck to approve the minutes. Seconded by Mr. Hawkins. Motion passed unanimously.

Adjournment

Motion to adjourn the meeting by Mr. Tedesco, seconded by Mr. Geisel. Motion passed unanimously. Meeting adjourned at 8:48 p.m.

Respectfully Submitted,

Andrew H. Hartwell, Community Planner
Community Development