

ZONING HEARING BOARD MEETING
August 11, 2008 MINUTES

Members Present:

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

Township Staff Present:

Jeffrey Musher, Supervisor, Code Administration
Andrew Hartwell, Community Planner

Court Stenographer:

Leaette Cavalier

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

All members were present.

Old Business: None

New Business:

AP # 30952 - An appeal of William Eppinger. The request is for a variance of Chapter 27, Zoning, Part 4 (District Regulations), Section 404.6.E (Minimum yard requirements for Accessory Structures) located at 205 Hummingbird Hill, Cranberry Township, PA 16066 (Map & parcel no. 130.S13.D333).

Mr. Diamond read the application into the record.

William Eppinger presented the variance request.

Andrew Hartwell and Jeffrey Musher represented the Township.

Mr. Eppinger explained the need for the variance and that his yard is very small and this would be the best location for his shed. He further explained that most of the other sheds in his neighborhood are constructed in this location and he feels that by constructing his shed in there it would keep the character of the neighborhood.

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 is not opposed to the variance request.

A motion was made by Mr. Tedesco to grant approval of the variance to encroach on the side yard and rear yard set-backs based on the findings of unnecessary hardship due to unique physical circumstances, unique physical circumstances hinder property development, and the character of the neighborhood will not change. Mr. Hawkins seconded the motion. The Board noted that by granting this variance request, it would not have a detrimental effect on any adjacent property owners. Mr. Diamond also said that the encroachment of the side and rear yard set backs were de minimis. Mr. Diamond moved to amend the motion to include the findings of unnecessary hardship not created by appellant and the appeal represents the least modification possible.

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 to amend was seconded by Mr. Tedesco and passes unanimously. Motion passes.

Approval of Minutes

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

Adjournment

Motion to adjourn the meeting by Mr. Diamond, seconded by Mr. Geisel. Motion passed unanimously. Meeting adjourned at 7:51 p.m.

Respectfully Submitted,

Andrew H. Hartwell, Community Planner
Community Development

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