

ZONING HEARING BOARD MEETING
July 14, 2008 MINUTES

Members Present:

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

Township Staff Present:

Ronald Henshaw, Director, Community Development
Andrew H. Hartwell, Community Planner

Court Stenographer:

Leaette Cavalier

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

All members were present with the exception of Charles Hawkins, who was excused.

Old Business: None

New Business:

- A. AP # 30922** - An appeal of Charles Huthmaker. 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 419 Monmouth Drive, Cranberry Township, PA 16066 (Map & parcel no. 130.S19.A334).

Mr. Diamond read the application into the record.

Charles Huthmaker presented the variance requests.

Ronald Henshaw and Andrew Hartwell represented the Township.

Charles Huthmaker explained the need for the variance request. His backyard is very small and by locating a shed without the variance, would produce a hardship on the homeowner because their backyard would become unusable.

The Board asked questions of the applicant and discussion took place. Mr. Diamond explained to the rest of the board members that he had asked the Board's solicitor, Phil Lope, for an opinion on dimensional variance and the requirements for the granting thereof.

The Board asked the Townships' position on the matter. Mr. Henshaw stated that the Township does not oppose the request for variance.

A motion was made by Mr. Tedesco to grant approval of the variance to encroach on the rear yard set-back by nine feet. Ms. Beck 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 rear yard set back was de minimis. Mr. Diamond calls to vote. Motion passes unanimously.

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

- B. AP #30941** - An appeal of Sign Innovation. The request is for a variance of Chapter 27, Zoning, Part 6 (Signs), Section 604.2 (Maximum Total Sign area per Lot or Site) located at 2001 Ehrman Road, Cranberry Township, PA 16066 (Map & parcel no. 130.S1.A).
Mr. Diamond read the application into the record.

J.J. Patzowitz of Sign Innovations presented the variance requests on behalf of his client Butler Health Systems.

Ronald Henshaw and Andrew Hartwell represented the Township.

J.J. Patzowitz explained the need for the variance request. Currently Butler Health Systems and the YMCA share a monument sign that is located along Route 19. Butler Health Systems does not feel that this sign provides enough identification for them. To better identify their site, they are seeking to be able to erect a second freestanding sign at the corner of Ehrman Road and Route 19.

The Board asked questions of the applicant and discussion took place. Mr. Diamond explained to the rest of the board members that first they must decide if the applicant can construct a second monument sign before addressing any other variances associated with the matter.

The Board asked the Townships' position on the matter. Mr. Henshaw stated that the Township does not support the request for variance.

A motion was made by Mr. Geisel to deny the variance to construct a second monument sign along Route 19. Mr. Tedesco seconded the motion. Mr. Diamond moved to amend the motion to note that the second variance request related to sign size is not germane to the case. Mr. Geisel seconds the motion to amend the motion. The amendment to the motion passes. Mr. Diamond calls to vote. Motion passes unanimously.

Approval of Minutes

Motion by Ms. Beck to approve the minutes as read. Seconded by Mr. Tedesco. Motion passed unanimously.

Adjournment

Motion by Mr. Geisel to adjourn the meeting. Seconded by Ms. Beck. Motion passed unanimously. Meeting adjourned at 8:31 p.m.

Respectfully Submitted,

Andrew H. Hartwell, Community Planner
Community Development