

ZONING HEARING BOARD MEETING
March 15, 2010 MINUTES

Members Present:

P. Andrew Diamond
Glenn Geisel
Mark Veon

Township Staff Present:

Ronald Henshaw, Director, Community Development

Court Stenographer: Leaette Cavalier

Mr. Diamond called the meeting to order at 7:31 p.m.

Old Business: None

New Business:

The first order of New Business for the first meeting of the year for the Board is the election of officers. Mr. Diamond suggested that this be deferred until a later meeting when all Board members are present. Motion by Mr. Geisel to delay the election of officers until a later date when all members are present. Seconded by Mr. Veon. Motion passed.

AP # 31160 - An appeal of Mark and Barbara Foster. The request is for a variance of Chapter 27, Zoning, Part 3 (correct part is 4) (District Regulations), Section 27-404.6.E (Minimum Yard Requirements for Accessory Structures) located at 410 Woodcock Drive, Cranberry Township, PA 16066 (Map & parcel no. 130.S12.C13).

Mark and Barbara Foster appeared on behalf of themselves as the property owners.

Ronald Henshaw represented the Township.

Mr. Diamond read the application into the record.

Discussion took place regarding the nature of the variance request. Mr. Diamond asked the applicants if they were seeking a variance based upon all 5 items on page 2 of the application, rather than just the one indicated. The applicant stated that they did intend to check all 5 boxes and would do so on an amended application.

There was general discussion about the nature of what variances were actually needed. Mr. Henshaw stated that it seems that the applicant is seeking a variance for three matters. First, that they are attempting to place an accessory structure in a required front yard setback. Secondly, that the proposed pool is within the 20 foot PRD setback and would need a 4.2 foot variance. Lastly, that the pool is within the side yard setback to the rear of the property and would need a .5 foot variance.

Mr. Henshaw stated that Staff does support the requests for variance.

Discussion continued with regard to the request for variances. There was discussion about whether the property had two front yards by definition or not. It was determined that the property has two front yards and two side-yards by code. Mr. Diamond stated that the Board has consistently not allowed accessory structures within front yard setbacks. Mr. Geisel further explained that there are safety issues related to placing structures in front yard setbacks. The Board discussed the possibility of shifting the pool to a different location on the lot and having the pool constructed in a different shape. The applicants were agreeable to check into both possibilities as the pool shape and size has not been fully determined at this point. Applicant stated that they wanted to see first what happened with the request for variance prior to purchasing a pool or settling on a final design.

The applicant requested that the matter be continued to the April 19, 2010 Board Meeting, pending a resubmittal of a revised application and plans as follows:

1. Revise the proposed site plan to not have the pool structure within the 20 foot PRD front building line setback.
2. Revise the proposed site plan to be placed on a survey that is at the proper scale.

3. Amend the application to clearly identify exactly what requirements you are seeking variance from and fully identify any requested measurements for variance. Note that "Part #3" is incorrect on the application. It should be Part 4.
4. Amend the application to check all boxes on page 2 as stated during the Hearing.

A motion was made by Mr. Geisel to continue the application to the April 19, 2010 regularly scheduled meeting at 7:30 p.m. Seconded by Mr. Veon. Motion passed.

Adjournment

Motion to adjourn the meeting by Mr. Veon, seconded by Mr. Geisel. Motion passed unanimously. Meeting adjourned at 9:08 p.m.

Respectfully Submitted,

Ronald Henshaw, Director
Community Development