

**CALL TO ORDER:** Cris Lowstuter at 6:00 p.m.

**PRESENT:** Cris Lowstuter, Richard Radomski, John Cramer, Lois D’Orazio, Deana Colvin

**ALSO PRESENT:** Solicitor Matt Schmizzi, Court Recorder Ted Wawrzyniak, Board Secretary Benjamin Walker

**ABSENT WITH CAUSE:** Zoning Officer Bill Whetzel

**AGENDA:** June 22, 2022

*A motion was made by Radomski and seconded by D’Orazio to approve the agenda as presented.*

*-All present were in favor.*

**MINUTES:** May 20, 2022

*A motion was made by Cramer and seconded by Radomski to approve the meeting minutes as presented.*

*-All present were in favor.*

**CITIZENS:** No citizens chose to speak.

**COMMUNICATIONS:** No communications at this time.

**OLD BUSINESS:** No unfinished business at this time.

**NEW BUSINESS:**

*Cases advertised June 8, 2022 and June 15, 2022 - site posted June 13, 2022*

1. **Appeal #22-07:** Gary Raviart of 710 Ellsworth Avenue, Jeannette, PA 15644, is requesting a variance to Zoning Ordinance 17-07, Article 3, Section 3.5.2 to maintain a six (6) foot fence in the front yard of the property located at 710 Ellsworth Avenue, Jeannette, PA 15644 TAX MAP No. 14-02-09-0-736.

This property is located in the Mixed Residential (MR) District according to the Zoning Map as part of the Zoning Ordinance. According to Zoning Ordinance 17-07, Article 3, Section 3.5.2 fences in the front yard of residential

**NEW BUSINESS:** (Continued)

districts must be no greater than four (4) feet in height, in which the front yard is defined as beginning from the front corner of the property to the curb.

**CASE DETAILS:**

- The applicant, Gary Raviart, was sworn in.
- Adam Raviart, the applicant's son was also sworn in.
- Rich Radomski asked if the applicant would like to make any opening statements.
- The applicant opened with the following
  - No malicious intent went into constructing the fence
    - The relationship with the neighbor is not severely strained.
  - He spoke to Bill Whetzel prior to the fence's construction.
    - There was a miscommunication on the definition of a front yard, in which the front extends from the front-most corner of the structure on the property.
  - The Purpose of the fence is for privacy, peace of mind, and a sense of cleanliness, as the neighbor's trash was visible from the porch of the property.
  - The applicant additionally has a new puppy that the fence helps to keep him on the property.
- Chris Lowstuter indicated that there may be a safety concern, as a criminal on the run from the police could easily hide behind a higher fence.
- Fence sections in 8 foot increments or smaller.
- Exhibit A
  - Pictures of the house with the fence were submitted for the record.
- Exhibit B
  - Pictures of nearby houses not in compliance with the Zoning Ordinance were submitted for the record.
- Shrubs were not considered for privacy due to maintenance and reliability issues.
- The property was surveyed prior to fence construction to verify the property line.

*EXECUTIVE RECESS CALLED AT 6:17 PM*

*MEETING CALLED BACK TO ORDER AT 6:42*

**NEW BUSINESS:** (Continued)

A MOTION WAS MADE BY RADOMSKI AND SECONDED BY CRAMER TO GRANT THE APPLICANT A VARIANCE TO ZONING ORDINANCE 17-07, ARTICLE 3, SECTION 3.5.2 TO CONSTRUCT A FENCE *NUNC PRO TUNC* IN THE FRONT YARD OF THE PROPERTY LOCATED ON 710 ELLSWORTH AVENUE, JEANNETTE, PA 15644 PROVIDED THAT THE APPLICANT CHANGE OUT THE FIRST SECTION OF FENCING (8 LINEAR FEET) FROM THE FRONT PROPERTY LINE (BY THE SIDEWALK) TO A FOUR (4) FOOT HIGH SECTION OF FENCE AND LEAVE THE REMAINING PORTION(S) AT THE SIX (6) FOOT HEIGHT AND FURTHER CONTINGENT ON THE APPLICANT BRINGING THE FENCE INTO COMPLIANCE WITH THIS MOTION WITHIN THIRTY (30) DAYS OF THIS DECISION.

*-All present were in favor.*

**ADJOURNMENT:**

A motion was made by Cramer and seconded by Radomski to adjourn the meeting at 6:45 PM.

*-All present were in favor.*