

CALL TO ORDER: Cris Lowstuter at 6:12 p.m.

PRESENT: Cris Lowstuter – Chair of the Board, John Cramer – Board Member, Patty Caralli – Board Member, Richard Radomski – Board Member

ALSO PRESENT: Matt Schmizzi – Solicitor, Ted Wawrzyniak – Court Recorder, Bill Whetzel – Zoning Officer, Benjamin Walker – Board Secretary

ABSENT WITH CAUSE: Leonard Galante – Board Member

AGENDA: June 16, 2021

A motion was made by Radomski and seconded by Cramer to accept the agenda as presented – All present were in favor

MINUTES: April 21, 2021

A motion was made by Caralli and seconded by Cramer to accept the minutes from this date as presented – All present were in favor

CITIZENS: No citizens asked to speak before the Board

COMMUNICATIONS: None

OLD BUSINESS: None

NEW BUSINESS:

Advertised May 31, 2021 and June 7, 2021 - sites posted June 2, 2021

1. **Appeal #21-02:** Janet Ali, 319 North 1st Street, Jeannette, PA 15644 is requesting a Special Exception to Zoning Ordinance 17-07, Article 2, Section 2.15 for permission to utilize the property on 319 North 1st Street, Jeannette, PA 15644, TAX MAP No. 14-02-09-0-491 as a bed and breakfast.

Janet Ali has, as a secondary request, asked for a variance to Zoning Ordinance 17-07, Article 2, Section 2.5.6 for setback requirements in the Mixed Residential District to construct a small fence in the front of the property located on 319 North 1st Street, Jeannette, PA 15644, TAX MAP No. 14-02-09-0-491.

This property is located in a Mixed Residential District according to the Zoning Map as part of the Zoning Ordinance. According to Zoning Ordinance 17-07, Article 2, Section 2.15, a Special Exception is required to use a property as a bed and breakfast in a Mixed Residential District. The City of Jeannette Planning Commission met on June 3, 2021 and gave a recommendation to the Zoning Hearing Board for this case.

CASE DETAILS:

The applicant, Janet Ali, was called into the meeting on a conference phone and sworn into the meeting by Cris Lowstuter.

The applicant explained that she did not want to attend the meeting in person due to COVID and the fact that she lives in Washinton DC.

Ms. Ali explained that she wanted only ONE party for an overnight stay at any given time.

Ms. Ali explained that she would live on the property and, on certain days of the week, host open houses from 1:00 PM thru 3:00 PM, so that people could tour the property and see the collection of antiques.

The applicant further explained that she would like to hold special events such as catered dinners or limited in attendance cocktail parties.

The applicant explained that she wished her bed and breakfast to be named and advertised as Colonial Highlands Inn, and indicated that no pets would be allowed and that she would be as selective as possible when allowing guests to stay in her property.

Cris Lowstuter asked about the number of bedrooms, to which the applicant responded that there are 3 bedrooms on one floor with 1 downstairs to a total of 4 bedrooms.

The Board inquired as to the number of bathrooms, and the applicant further explained that there are 2 full bathrooms and 1 half bath.

The Board additionally inquired for the number of available parking spaces, to which the applicant responded by saying that there would be on-street parking.

The Board clarified that should parking be made available at the rear of the property, then it would need to be constructed parking spaces, not just a grassy area.

The applicant stated that she would hate to dig up the backyard for parking since she was not certain that this project would come to fruition.

Richard Radomski inquired about the small fence proposed for the property, to which the applicant clarified that the fence was to be parallel with the sidewalk with no fence along the side of the property.

[The Board met in Executive Session to Deliberate]

BACK IN SESSION: 6:59 PM

Cris Lowstuter explained to the applicant that her appeal for a variance to the setback requirements for a fence would be denied because there was no need for a variance.

The Zoning Officer, Bill Whetzel was not certain of the actual right away distance for North 1st Street.

Matt Schimizzi explained that there is no front yard setback requirement and that the fence could be placed up to the property line, so long as it is not in the City Right of Way.

Matt Schimizzi explained that a Findings of Fact Form would be sent to Ms. Ali to describe the legal reasons for the denial.

MOTION TO GRANT THE APPLICANT A SPECIAL EXCEPTION TO ZONING ORDINANCE 17-07 ARTICLE 2 SECTION 2.15 TO UTILIZE THIS PROPERTY AS A BED AND BREAKFAST IN THE MIXED RESIDENTIAL DISTRICT CONTINGENT ON THE APPLICANT UTILIZING THE STRUCTURE IN ACCORDANCE TO ALL APPLICABLE ORDINANCES AND REGULATIONS OF THE CITY OF JEANNETTE INCLUDING, BUT NOT LIMITED TO BED AND BREAKFAST RULES DEFINED IN ZONING ORDINANCE 17-07, ARTICLE 4, SECTION 4.4.8.

A motion was made by Radomski and seconded by Cramer to deny the above variance – All present were in favor

MOTION TO GRANT THE APPLICANT A VARIANCE TO ZONING ORDINANCE 17-07, ARTICLE 2, SECTION 2.5.6 TO CONSTRUCT A SMALL FENCE CONTINGENT ON THE APPLICANT CONSTRUCTING THE FENCE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCE AND REGULATIONS OF THE CITY OF JEANNETTE; INCLUDING, BUT NOT LIMITED TO ALL BUILDING CODE AND PERMIT REQUIREMENTS.

A motion was made by Caralli and seconded by Radomski to deny the above variance– All present were in favor

2. **Appeal #21-03:** Earl Hewitt, 957 Philadelphia Street, Indiana, PA 15701 is requesting a variance to Zoning Ordinance 17-07, Article 8, Section 8.5.6 to construct a small advertising structure on the property located on 1200 Lowry Avenue, Jeannette, PA 15644 TAX MAP No. 14-03-08-0-055.

This property is located in a Commercial Corridor District according to the Zoning Map as part of the Zoning Ordinance. According to Zoning Ordinance 17-07, Article 8, Section 8.5.6 outdoor advertising structures are only permitted in the Regional Commercial District. As such, a variance will be required to construct a small outdoor advertising structure on this property.

CASE DETAILS:

The applicant, Earl Hewitt, was sworn in by Cris Lowstuter at 7:16

The applicant provided Exhibit A, as the proposed location and information about his company.

For the record, Exhibit B is the posting and inspection of the property.

The applicant submitted drawings and specifications of the structure as Exhibit C

The applicant emphasized the importance of local community collaboration to allow local entities to utilize the billboard for advertisements.

Earl Hewitt further indicated that his company primarily deals with smaller signs than would be seen on highways.

The structure is to be made of steel and concrete, be a 2 sided V shape, 10 to 8 feet off of the ground, 12 feet wide, with no electronics (nonilluminated), with a trampoline-like fabric for the advertisements that lasts for 2 years.

The footer is to be 7 feet deep, but the location is still to be determined, which required a one call with the utility companies to avoid utility lines.

The applicant indicated that he had forgotten to include a request for variance to the setback requirements for outdoor advertising structures, which need to be 10 feet away from the public right of way.

Right of way distance needs to be clarified with Westmoreland County.

The applicant clarified that the setback consideration relates to the edge of the signs themselves and not the location of the structure.

Matt Schimizzi suggested that he send a letter to the Board requesting this variance, and it will be presented at the next Zoning Hearing Board Meeting to amend the decision of the Board to include this variance.

The Board asked if there are trees in the area that may impede the view of the structure, and the applicant clarified that trimming the trees and shrubs is part of the lease for the property.

MOTION TO GRANT THE APPLICANT A VARIANCE TO ZONING ORDINANCE 17-07, ARTICLE 8, SECTION 8.5.6 TO CONSTRUCT A SMALL ADVERTISING STRUCTURE CONTINGENT UPON THE APPLICANT CONSTRUCTING THE STRUCTURE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES AND REGULATIONS OF THE CITY OF JEANNETTE; INCLUDING, BUT NOT LIMITED TO ALL BUILDING CODE AND PERMIT REQUIREMENTS.

A motion was made by Caralli and seconded by Cramer to grant the above variance – All present were in favor

- 3. Appeal #21-04:** Dennis Logue and Michelle Haurilesko, 904 Ohio Avenue, Jeannette, PA 15644 are requesting a variance to Zoning Ordinance 17-07 Article 3 Sections 3.2.3 and 3.5.1 to construct a pool and deck on the property located on 904 Ohio Avenue, Jeannette, PA 15644 TAX MAP No. 14-04-05-0-092.

This property is located in a Traditional Neighborhood District according to the Zoning Map as part of the Zoning Ordinance. Constructing a pool and deck require certain setback distances as outlined in the Zoning Ordinance 17-07, Article 3, Sections 3.2.3 for private pools and 3.5.1 for deck and patio construction.

CASE DETAILS:

The applicant, Dennis Logue was sworn in by Cris Lowstuter.

The applicant submitted a drawing plan as Exhibit A.

The applicant indicated that a perimeter fence was to be added and that the deck would be self-supporting and be within zoning requirements.

The applicant further stated that the pool would be above ground, but that it would encroach onto the side yard inside of the setback requirement.

John Cramer asked how far he would have to dig, and he indicated that the project involved a “tabletop” lot, which did not require digging.

Mr. Logue indicated that the pool was to be 54 inches deep.

MOTION TO GRANT THE APPLICANT A VARIANCE TO ZONING ORDINANCE 17-07, ARTICLE 3, SECTIONS 3.2.3 AND 3.5.1 TO CONSTRUCT A POOL AND DECK CONTINGENT UPON THE APPLICANT CONSTRUCTING THE STRUCTURE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES AND REGULATIONS OF THE CITY OF JEANNETTE; INCLUDING, BUT NOT LIMITED TO ALL BUILDING CODE AND PERMIT REQUIREMENTS.

A motion was made by Radomski and seconded by Carlli to grant the above variance – All present were in favor

CITY OF JEANNETTE
ZONING HEARING BOARD
Minutes – June 16, 2021
6:00 p.m.



ADJOURNMENT: *A motion was made by Cramer and seconded by Radomski to adjourn the meeting at 7:48 PM – All present were in favor*