



# Township of O'Hara

325 Fox Chapel Road • Pittsburgh, PA 15238 • Telephone: 412-782-1400 • Fax: 412-782-4530

**Township of O'Hara**  
**Zoning Hearing Board**  
**Regular Meeting Minutes**

May 1, 2023

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The regular monthly meeting of the O'Hara Township Zoning Hearing Board held on Monday May 1st, 2023 at the O'Hara Township Municipal Building located at - 325 Fox Chapel Road, Pittsburgh, PA 15238.

Chairman Scott Duffy called the meeting to order at 7:00 PM.

Karl Kline took roll call and the following board members attended:

Mr. Scott Duffy; Chairman, Karl Kline, Secretary; Mr. Tom Gray, Alternate; and Ms. Emily Glick; Alternate.

Not in attendance Mr. Richard Lockwood (excused from tonight's hearing.)

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## **ANNOUNCEMENTS**

Mr. Scott Duffy – We have (1) Case on file for this evening.

Mr. Scott Duffy: noted meeting procedures, stating that when anyone addresses the Board to come to the microphone, state his or her name, address, and the relationship to the application.

All persons wishing to give testimony during the hearing sworn in by: Karl Kline

Chairman Scott Duffy, informs the applicant that the members of the Board have visited the property and reviewed the application and information received for the case. The Board tries to render a decision which everyone involved finds acceptable. If for some reason the applicant disagrees with the decision, the applicant then has the right to appeal the decision through the Court of Common Pleas of Allegheny County.

Mr. Duffy - Thanks everyone for attending.

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## ZONING HEARING BOARD CASE NO. 1246

Mr. Scott Duffy – reads the case description: Mr. Denis Meinert wishes to obtain the necessary variance for extension of time in regard to, variance Case #1234 granted in August of 2021, at 380 Village Drive, Block and Lot 286-C-108. The subject property is located in an “R-2” (Suburban Residential) Zoning District. As proposed, the request violates the Zoning Ordinance Chapter 72, Section 72-19.7.B.

Mr. Duffy – asks Scott Chermak where we are on this case.

Mr. Scott Chermak – **On March 13th, 2023 (Case #1246)**, Received a Zoning Hearing Board application from Mr. Denis Meinert who wishes to obtain the necessary variance for an extension of time regarding the variance Case #1234, at 380 Village Drive, Pittsburgh PA 15215, Block and Lot 286-C-108.

The official notice advertising the Zoning Hearing Board Meeting was prepared and advertised twice in The Herald, once on April 20, 2023, then again on April 27, 2023. On April 17, 2023, copies of the official notice were mailed to the adjacent property owners and applicant. A copy of the notice posted for viewing at the O'Hara Township Municipal building and at the subject property on April 17, 2023.

Mr. Duffy –To clarify after a variance is granted the applicant has 2 years to obtain a permit. In reference to variance Case #1234, was granted on August 20, 2021, and a permit for construction has not been issued as this date.

Mr. Denis Meinert – As for health reasons, I'm requesting a 2-year extension on this project, so I can focus on my health.

Mr. Scott Duffy – We wish you the best on, getting better. Any questions from the board.

Mr. Scott Chermak – Nothing from the Township.

Mr. Scott Duffy – My initial thoughts were to give you a one-year extension but, still open to granting the two-year extension for a total of four years.

Mr. Tom Gray – When would the clock start.

Mr. Chermak – When the new variance is granted – today.

Mr. Karl Kline – Technically he isn't in violation until August 21, 2023, of this year.

Mr. Scott Chermak – If you write it that way.

Mr. Karl Kline -We could allow the applicant this time from now and until August 21, 2023 (3 months) and then add another year after that. The Zoning Hearing Board only has the power which is given in the zoning ordinance. We can grant you a dimensional variance, so you are not set back so far, or give the other kind of variance where basically the owner needs to prove that it is impossible to use the granted variance for one of the approved uses within the zoning ordinance. The zoning ordinance states your building should be completed within two years. Nothing says we have the power to grant any kind of extension. No neighbors are objecting. Under these circumstances, I would support one year from August 21, 2023.

Mr. Tom Gray – Has the Township ever had a variance expire and then be reintroduced as a new case?

Mr. Scott Chermak – The Twp has had variances expire, but the project may have changed or morphed, so the variance changed.

Mr. Scott Duffy – Only because of your unique, personal situation that I would be willing to grant an extension. Not doubling it but know for whatever reason good or bad you can always come back.

Ms. Emily Glick – A front yard setback is really what we are looking to extend. Not knowing what the future holds, wouldn't we want to extend it for the full two years? What work was being done at the end of the street?

Mr. Denis Meinert – My house is at the end of the street, and I had both gas and electrical work done. Zero potential for additional development.

Mr. Scott Duffy – If the Meinert's would move, would the variance be transferred to the new owners, or does it go with the land?

Mr. Scott Chermak – The variance goes with the land.

Mr. Scott Duffy – The only downside to a two-year extension would be if something were to happen to you and/or you would move within the next two years the variance would benefit the new owner, which was only granted to you because of your situation. If the board were to grant an additional year, it would run consecutive to the existing variance.

Mr. Scott Chermak – Adding 1 year to the 3 months remaining, if you were to get a building permit, the building permit is good for 1 year.

Mr. Scott Duffy – There is your 2 years and what is the use being established? Is that considered a building permit or just moving dirt? Is a building permit enough or what is the definition of use established?

Mr. Scott Chermak – Make some progress toward the final goal.

Mr. Scott Duffy – I'm in favor of extending one year starting August 20, 2023.

Mr. Tom Gray – Strongly suggests Mr. Meinert try getting a building permit, just to start the building the house.

Mr. Scott Duffy – This would give Mr. Meinert another year to establish the use.

Mr. Denis Meinert – If I get a building permit, then the variance goes away.

Mr. Karl Kline – Yes but the Township would be more likely to work with you having a building permit versus a variance.

Mr. Scott Duffy – If you get a building permit and then need more time, the initial determination would be if you have complied with the building permit guidelines and have established the use. All this falls to the zoning officer. Hopefully you get better and can start your project.

Mr. Denis Meinert – Thank You

Mr. Scott Duffy - Do I have a motion?

MR. KARL KLINE - MADE A MOTION TO GRANT  
ZONING HEARING BOARD CASE NO.1246  
THE REQUEST FOR THE NECESSARY VARIANCE FOR -  
AN EXTENSION OF TIME FOR THIS VARIANCE 1 YEAR THROUGH  
AUGUST 20, 2024.

AT: 380 VILLAGE DRIVE PITTSBURGH PA 15215  
BLOCK AND LOT 286-C-108.

MR. TOM GRAY - SECONDED , VOTE WAS UNANIMOUS ON THE  
"AYE" BY THE (3) VOTING MEMBERS PRESENT - MOTION CARRIED.

Mr. Scott Duffy – Meeting Minutes for February 6, 2023, are ready for approval.

APPROVAL OF MINUTES --

MS. EMILY GLICK - MADE A MOTION - TO APPROVE  
THE FEBRUARY 6, 2023 ZONING HEARING BOARD MINUTES.

MR. TOM GRAY - SECONDED, VOTE WAS UNANIMOUS ON THE  
"AYE" BY THE (3) VOTING MEMBERS PRESENT - MOTION CARRIED.

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Mr. Scott Duffy – Motion to Adjourn

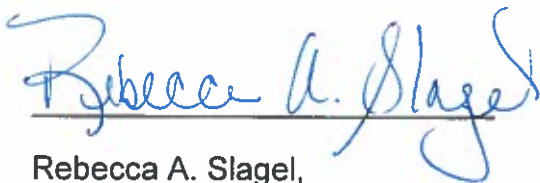
ADJOURNMENT-

MR. KARL KLINE - MADE A MOTION TO ADJOURN -  
THE MAY 1ST, 2023 ZONING HEARING BOARD MEETING.

MR. TOM GRAY - SECONDED, VOTE WAS UNANIMOUS ON THE  
"AYE" BY THE (3) VOTING MEMBERS PRESENT - MOTION CARRIED.

The Zoning Hearing Board Meeting adjourned.

Respectfully Submitted,



Rebecca A. Slagel,

Recording Secretary



Tom Gray,

Alternate

SIGN-IN SHEET

TOWNSHIP OF O'HARA

DATE May 1, 2023

Meeting - Zoning Hearing Board - Case # 1246

DENIS MEINLT

Name

357 DUNSEVILLE RD, 15215

Address or Organization

Name

Address or Organization

Name

Address or Organization

Name

Address or Organization

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Address or Organization

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