

**TOWNSHIP OF O'HARA  
ZONING HEARING BOARD  
REGULAR MEETING MINUTES  
November 5, 2007**

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**MEETING** was called to order at 7:30 P.M. by, Mr. Russell Orkin, Chairman in the Township of O'Hara Municipal Building, 325 Fox Chapel Road, Pittsburgh, PA 15238. On roll call, Mr. Russell Orkin, Chairman, Mr. Robert Willison, Vice Chairman, Dr. Alvin Kinsel, Secretary and Mr. Christopher Klein, Alternate were present and Solicitor Robert Goehring was also present. Scott Chermak, Zoning Officer and Julie A. Jakubec, Township Manager were present on behalf of the Township. Twelve interested parties were also in attendance. All persons wishing to give testimony during the hearing were sworn in.

**ZONING HEARING BOARD CASE NO. 1073 -** Was heard by the Board regarding a request from Mr. & Mrs. Philip Jackson, 1524 Pennock Road, Pittsburgh, PA 15212. The applicant proposed the necessary variances for a proposed side yard setback on property located at 759 Parkview Blvd., Pittsburgh, PA 15215. The subject property is located in a "R-3" (Urban Residential) Zoning District. As proposed, the request violates Chapter 72, Sections 72-6.34.D of the O'Hara Township Zoning Ordinance. Scott Chermak explained that the Jackson property line on the right side abuts an abandoned alley that has been there for a number of years and never opened. The Township has neither accepted or opened the road in a 21 year period nor have they condemned the road. Therefore Mr. Jackson has the right to claim one-half of that alley as his own property adjacent to his property. At this time I do not believe Mr. Jackson has done that officially but he has the right to do so. Mr. Orkin inquired as to how far from the adjacent property will Mr. Jackson be if he does this and where will that put his property line from the center of that r-o-w. Scott said it is a ten foot (10') alley and he will have five feet (5') additional. Mr. Jackson spoke and told the Board he is looking to acquire the additional five feet (5') in the alley to meet the setback requirements. If you look at the drawing carefully you will see that the house meets the setback requirements but it is the porch that needs that additional property to meet the setback. Mrs. Ann Regan of 801 Parkview Blvd. and her son Bill Regan were present on their own behalf. They were concerned that Mr. Jackson's porch would be very close to her property and there would not be any room to walk around the side of the house. Mr. Regan told the Board that his mom has maintained that property for a long time and now she will loose that which she has maintained. Township Manager Julie Jakubec told the Board that each property owner is entitled to half of that alley. Scott added that none of Mr. Jackson's house would be in the right of way.

Motion by Dr. Alvin Kinsel and seconded by Mr. Robert Willison to grant the variance as requested. Motion carried unanimously.

**ZONING HEARING BOARD CASE NO. 1074-** Was heard by the Board regarding a request from Mr. David McNaughton, 710 Heathergate Drive, Pittsburgh, PA 15238. The applicant proposed the necessary variances for a personal fitness facility on property located at 620 Alpha Drive, Pittsburgh, PA 15238. The subject property is located in a "SM" (Suburban Manufacturing) Zoning District. As proposed, the request violates Chapter 72, Sections 72-1.2, 72-2.9 and 72-9.54.A of the O'Hara Township Zoning Ordinance. Mr. William Bresnahan, Attorney for Evolutionary Fitness spoke to the Board and told them that this would be a corporate wellness center. We are aware that the

Ordinance now as written that use is not permitted. I would like to issue a package to each Board member containing our proposed build out of the property should we be allowed to do so. Mr. William Burrows, Vice President of Operations Management for the RIDC and he is in support of this project. Mr. David McNaughton told the Board that they will provide corporate fitness services, wellness programs and corporate retreats for businesses in the RIDC Park. There has been overwhelming support from the RIDC Park businesses. Mr. Orkin commented that it is a good site for a corporate wellness center with plenty of adequate parking.

Motion by Mr. Robert Willison and seconded by Dr. Alvin Kinsel to grant the variance as requested. Motion carried unanimously.

**ZONING HEARING BOARD CASE NO. 1075** – Was heard by the Board regarding a request from Mr. Paul Lagrotteria of Zambrano MPOB Associates, 260 Alpha Drive, Pittsburgh, PA 15238. The subject property is located in a “SM” (Suburban Manufacturing) Zoning District. As proposed, the request violates Chapter 72, Sections 72-15.118.G and 72-18.148.A of the O’Hara Township Zoning Ordinance. Mr. Paul Lagrotteria was present on behalf of Zambrano MPOB Associates and spoke to the Board and said we are part of the riverfront development and we are here to ask for permission to put up a sign as we inadvertently omitted the sign from the approval process. We opened the building in May of 2007 and we have a lot of people trying to find the building and have mistaken it for Lighthouse Pointe. We feel it is a necessity to have a sign to identify the building from a safety stand point in case of a medical emergency. Dr. Kinsel asked Mr. Lagrotteria if they could put the sign back further in the grassy area and you can see it from both areas. Mr. Lagrotteria said because of the landscaping and it sitting back so far it would be hard to notice. Mr. Willison asked if the size of the sign complies with our sign regulations. Scott Chermak told the Board that it does comply with our sign regulations. Dr. Kinsel asked if there were any lights on the sign? Mr. Lagrotteria said the sign would be internally illuminated. Mr. Paul Sternlieb of 250 Park Square Lane which is the adjacent townhouse to the office building and I wasn’t aware when I purchased the home that there would be a sign such as being proposed next to that building. It was not proposed at that time, which is why they are doing it now. My concerns about the sign are that it is in conflict with the provisions of O’Hara Township as it is less than ten feet (10’) from the Township street right-of-way. And in general my feelings are that it would detract from the property value in the area and would be unsightly and so I would like to make a proposal to not approve this request on those grounds. It causes a lot of attention and makes it more of a commercial area and it is an illuminated sign that clearly calls it out as a set of offices. Scott Chermak said that the sign meets all of the requirements of the Ordinance except for the ten foot (10’) setback. Mr. Orkin said that the sign could go in a number of locations and there is nothing the Township can do to prevent a sign cause it is an office building so there is going to be a sign there somewhere. They are entitled to a sign it is just a question of where is a logical place to put it and that looks like the logical place to put a sign. Mr. Sternlieb asked if there was a reason why they could not push the sign back some. Mr. Lagrotteria said if they did that they would lose parking spaces and the need to provide the parking for the facilities. And if it is too far back from the street people are not going to see the sign.

Motion by Dr. Alvin Kinsel and seconded by Mr. Robert Willison to grant the variance as requested. Motion carried unanimously.

## **MINUTES**

The September 10, 2007 and October 1, 2007 minutes were approved.

## **ADJOURNMENT**

Having no further business, the meeting was adjourned at 8:16 p.m.

Dr. Alvin Kinsel, Secretary