

**TOWNSHIP OF O'HARA
ZONING HEARING BOARD
REGULAR MEETING MINUTES
February 11, 2008**

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. Christopher Klein, Alternate, and Mr. Richard Lockwood, Alternate were present and Solicitor Robert Goehring, Jr. was also present. Scott Chermak, Zoning Officer was present on behalf of the Township. Forty four interested parties were also in attendance. All persons wishing to give testimony during the hearing were sworn in.

ZONING HEARING BOARD CASE NO.1077 Was heard by the Board regarding a request from Mr. Michael Freed of Shamrock Sign, 535 Forest Avenue, Carnegie, PA 15106. The applicant proposed the necessary variances for a building mounted and free standing signs on property located at 120 Beta Drive, Pittsburgh, PA 15238. The subject property is located in a "SM" (Suburban Manufacturing) Zoning District. As proposed, the request violates Chapter 72, Sections 72-15.121.D, and 72-15.118.G of the O'Hara Township Zoning Ordinance. As proposed, the location of the freestanding sign is less than (10') ten feet from the right-of-way and the building mounted signage would be (99') square feet. Mr. Michael Freed, Attorney representing Shamrock Signs and Grainger was present and spoke to the Board. Mr. Freed told the Board that this is a sign replacement and we have submitted revised signage plans. We just need wall mounted signage, which will be smaller than what is now there. Mr. Orkin said you are taking down the existing signs and replacing them with smaller ones is that correct? Mr. Freed said yes, that is correct there will be approximately a 20% reduction in the size of the signs from roughly 122' square feet to 90' square feet.

Motion by Mr. Christopher Klein to approve the variance as requested. Seconded by Mr. Richard Lockwood. Motion carried unanimously.

ZONING HEARING BOARD CASE NO. 1079- Mr. & Mrs. Jose Molina, 113 Oakhurst Road, Pittsburgh, PA 15215 wish to obtain the necessary variances for a proposed addition on property located at 113 Oakhurst Road, Pittsburgh, PA 15215. The subject property is located in a "R-2" (Suburban Residential) Zoning District. As proposed, the request violates Chapter 72, Section 72-2.9, 72-5.26.E and 72-18.148.A of the O'Hara Township Zoning Ordinance. As proposed, the addition is 11.30 feet from the property line or 3.70 feet over the required 15' foot setback. Also, the light well for access to the basement is 2.15 feet from the property line and should be regulated as "structure" per definition and conform to 15' foot setback. Mr. & Mrs. Molina and Mr. John Cullen, Architect were present on their own behalf. Mr. Cullen told the Board that Mr. & Mrs. Molina wanted to put the addition at the side of the house instead of the rear of the house. If they put the addition in the rear of the house there was not enough room because of the grade of the hill. If they put in at the rear of the house it would be about 11' feet wide. They want the light well also as Mr. Molina is an artist and this would be where he could do his work.

Mr. Robert Kuhn of 111 Oakhurst spoke in opposition to the variance request. He told the Board that his mom and dad and himself live next door to the Molina's and that their property would be the

most affected by this addition. He said my parents lived there for 60 years and that he has lived there for 51 years. Mr. Kuhn said that the Molina's have enough room to put the addition at the rear of the house instead of the side of the house it would be far enough away from their retaining wall if they put the addition there. He also said that between his parents house and the Molina's a sewer line was put in about 40 years ago and the addition would be in the way if they needed to work on the sewer line in the future. They would not be able to get equipment in there if necessary, to do any work that would be needed. He also stated that all of the houses on Oakhurst that have additions on them were done in the rear of the houses not on the side.

Ms. Diane Demmler, 101 Weir Drive spoke in support of the proposal and said that it would be positive for the neighborhood and it would fit with the look of the other houses on the street.

Scott Chermak told the Board that the sewer easement is not shown on the Molina's plans. If there is an easement they would not be allowed to build on the easement.

Mr. John Cullen of Vorzenlwsy Cullen Architects told the Board that the addition would be 14' x 38' and there is not enough room in the rear of the house to do this.

Mr. Kuhn stated they could put the addition in the rear of the house and still have room before the retaining wall and hillside.

Motion by Christopher Klein to approve the variance conditioned upon the lightwell being put at the rear of the house not on the side of the house. Seconded by Mr. Richard Lockwood. Motion carried unanimously.

ZONING HEARING BOARD CASE NO. 1078 - Mr. David McLean of Graves & McLean Registered Architects, 809 Bingham Street, Pittsburgh, PA 15203 on behalf of Remed Realty wishes to obtain the necessary variances for a proposed Lot yard and building coverage on property located at 103 Aqua Drive, Pittsburgh, PA 15238. The subject property is located in a "R-2" (Suburban Residential) Zoning District. As proposed, the request violates Chapter 72, Sections 72-5.26.A, C, and G, 72-16.128 and 72-16.130 of the O'Hara Township Zoning Ordinance. As proposed, *proposed building coverage = 4,407 sq. ft. = 24.4% coverage proposed and actual lot area 18,047.45 sq. ft (20%) = 3,609 sq. ft. maximum building coverage.* Mr. Orkin clarified that the group home is a permitted use in this neighborhood but what the issue is as to the size of the home. Ms. Joanne Finegan of Remed Realty said this type of severe head injury home has been in the Pittsburgh area for 12 years. It is very similar to Harmarville Rehabilitation. We teach people how to participate and do everyday things. We teach people to try to get back into the community. Mr. David McLean, Architect showed the Board the drawings for the proposed addition. He said if you were in the street looking at 103 Aqua Drive you would not be able to see the addition unless you looked thru the breezeway. The total size of the addition with the porch would be 4,407 square feet. We would like to keep the porch covered as some head injury patients may include seizures. So especially if they are on seizure medication they should stay out of direct sunlight.

Ms. Finegan told the Board that they have a similar facility in Hampton Township. She also said that brain injury patients might have to stay at their facility for an extended period of time.

Julie Jakubec, Township Manager spoke in opposition the variance on behalf of Council. According to the Allegheny County Property Assessment Website the houses on Aqua Drive have an average of 4 bedrooms and this addition would alter the characteristics of the neighborhood.

Mr. Jonathan Kamin, Attorney for Aqua Drive residents asked Ms. Finegan if this facility was a non profit or for profit organization? Is it licensed by the state? Ms. Finegan replied it is a for profit organization.

Carolyn Meigs of Driftwood Drive spoke in opposition to the variance request. She said if we let them do what they want to do it would look like a commercial structure in a residential area. It would decrease the values of all of the houses in the neighborhood. And Ms. Laurie Kasowski, 105 Aqua Drive told the Board she is not opposed to the type of facility this is just the size they want to make it.

Mr. Orkin asked Scott Chermak to address the parking lot issue for this property.

Scott Chermak told the Board it is permissible to put the following amount of parking spaces in the front yard (1) one off street parking space for each employee, (1) one space for every four (4) residents in addition to the two (2) spaces required for the dwelling unit.

Dr. Ed Zivic, 629 Driftwood Drive told the Board he moved to O'Hara Township 11 years ago from Fox Chapel Borough and this request seems like a parking lot as 6 parking spots does not look like a residential driveway.

Mr. Fornaser, Stacy Holland and George Pruitt spoke in opposition to the variance and said it creates a lot of traffic problems with the number of children on this street and it will damage our property values.

Dawn Ward of 1308 Powers Run Road said the variance addition could cause more water problems and more traffic for Aqua Drive.

Julie Jakubec told the Board one of Councils concerns were that all of the other smaller houses are not exceeding their lot coverage.

Mr. Orkin said that the size of the house and the amount of land coverage would stand out in that location. Some people would not want to live there and look at a parking lot.

Mr. Klein asked Scott how big would the lot be in the front and could it be put somewhere else? Scott replied, no and the size for each car space would be 9'x20'.

Mr. Klein and Mr. Lockwood both said they were not convinced this is a hardship if they did not get the addition and could open the facility as the house is now.

Motion by Mr. Christopher Klein to deny the variance as requested and seconded by Mr. Richard Lockwood. Motion carried unanimously.

MINUTES

The December 3, 2007 minutes were approved.

ADJOURNMENT

Having no further business, the meeting was adjourned at 9:12 p.m.

Dr. Alvin Kinsel, Secretary