

MARCH 4, 2015

The Zoning Hearing Board of Butler Township met on Wednesday, March 4, 2015 at 6:30 p.m. at the Butler Township Municipal Building, 290 South Duffy Road, Butler, PA 16001.

The following Members were present: Chair Greg Haughey, Vice-Chair Heather Starcher and Member Tom Holman.

Also present were Secretary Theresa Giesler, Zoning Officer Jesse Hines, Solicitor Gwil Price, and Court Reporter Kelly Ferrari.

Chair Haughey called the meeting to order at 6:37 p.m.

Motion by Holman to appoint Greg Haughey as Chair and Heather Starcher as Vice-Chair, seconded by Vice-Chair Starcher and carried unanimously.

Motion by Holman to reappoint Theresa Giesler as Secretary and Gwil Price as Solicitor at the current rates of compensation, seconded by Vice-Chair Starcher and carried unanimously.

Motion by Holman to permit any Member to act as hearing officer, seconded by Vice-Chair Starcher and carried unanimously.

Chairman Haughey opened the first hearing at 6:39 p.m.

Secretary Giesler read **Appeal #15-01** received January 6, 2015. Applicants are property owners Conrad C. and Marian R. Geibel. They are asking for an interpretation of Butler Township's Zoning Ordinance, Chapter 300-22.B and a variance from the setback requirements and lot coverage. The property is located at 914 East Pearl Street.

Chairman Haughey swore in all who wished to testify.

Holman asked if there were any objections to him sitting on the board since he owns property within 200' of the subject property; there were no objections.

Solicitor Price stated that he has done work for the applicant's family and will recuse himself if there were any objections; there were no objections.

Applicant Conrad Geibel was in attendance to represent the appeal. He explained that his lot is narrow and he would like to tear down the existing garage and put up a new bigger garage.

Zoning Officer Hines explained the sections that the applicant does not comply with in the Zoning Ordinance.

Discussion was held regarding the uniqueness of the shape of the lot.

The Zoning Hearing Board went off record at 6:50 p.m.

The Zoning Hearing Board was back on record at 6:52.

Motion by Holman to grant the variance to construct a replacement garage in accordance with the survey of Land Surveyors, Inc. dated November 7, 2014, conditional upon the completion of the construction on or before April 1, 2016, seconded by Vice-Chair Starcher and carried unanimously.

Chairman Haughey informed all present that anyone aggrieved by the decision of the Zoning Hearing Board may appeal to the Court of Common Pleas within thirty days of the written decision.

Chairman Haughey adjourned the first hearing at 6:54 p.m.

Chairman Haughey opened the second hearing at 6:55 p.m.

Secretary Giesler read **Appeal #15-02** received January 30, 2015. The Applicant is Speedway LLC. The Property Owners are Joseph Ventura, et. al.; Tanglewood Senior Center; and Dunbar Community Center. They are asking for a special exception for a canopy, a variance from the number of wall signs permitted on a canopy, and a variance from the maximum square foot of an electronic changeable copy sign. The property location is 90 Hansen Avenue, and 501 and 517 Fairground Hill Road.

Chairman Haughey swore in all who wished to testify.

Mr. John M. Kerekes with GreenbergFarrow and Mr. Mike Musselman with Speedway LLC were in attendance to represent the appeal. Mr. Kerekes gave an overview of the project and explained the special exception and variances.

Zoning Officer Hines stated that he spoke with the applicant and told them that they did not need the variance from the maximum square foot of an electronic changeable copy sign. The applicant withdrew their variance request for the maximum square foot of an electronic changeable copy sign.

Mr. Thomas Sawicki of 510 Fairground Hill Road expressed his concern regarding the lighting, as well as the parking along Fairground Hill Road.

The Zoning Hearing Board went off record at 7:26 p.m.

The Zoning Hearing Board went back on record at 7:31.

Motion by Holman to grant a special exception to construct a canopy over the gas pump area, conditional upon the completion of the construction on or before April 1, 2017, seconded by Vice-Chair Starcher and carried unanimously.

Motion by Holman to deny the variance request to place a third wall sign on the canopy, seconded by Vice-Chair Starcher and carried unanimously.

Chairman Haughey informed all present that anyone aggrieved by the decision of the Zoning Hearing Board may appeal to the Court of Common Pleas within thirty days of the written decision.

Chairman Haughey adjourned the second hearing at 7:37 p.m.

Theresa Guster