

**AUGUST 3, 2016**

The Zoning Hearing Board of Butler Township met on Wednesday, August 3, 2016 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 Tom Holman, and Heather Starcher.

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 6:30 p.m.

Chair Haughey opened the first hearing at 6:31 p.m.

Secretary Giesler read **Appeal #16-08** received June 6, 2016. The applicant is the property owner Jack McCandless. He asked for a special exception for a garage over 1,200 sq. ft. The property is located at 1307 South Main Street (Map & Parcel 39-2).

Chair Haughey swore in all who wished to testify.

The applicant, Jack McCandless, was in attendance to represent the appeal. He explained that his garage burnt down and he would like to rebuild in a different location.

Zoning Officer Hines stated that Mr. McCandless meets the required setbacks.

The Zoning Hearing Board went off record at 6:35 p.m.

The Zoning Hearing Board was back on record at 6:36 p.m.

Charles and Gladys Gross of 1308 Ritter Street questioned the use of the garage and if the applicant would be able to build a bigger garage later.

Mr. McCandless stated that the garage would be for personal use.

Zoning Officer Hines stated that currently the applicant would not be able to go any bigger without coming back to the Zoning Hearing Board.

Motion by Vice-Chair Holman to grant the special exception to construct a garage having 1,436 sq. ft. as described in the application contingent upon construction of the exterior of the garage being completed on or before December 31, 2017, seconded by Starcher and carried unanimously.

Chair 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.

Chair Haughey adjourned the first hearing at 6:43 p.m.

Chair Haughey opened the second hearing at 6:44 p.m.

Secretary Giesler read **Appeal #16-09** received June 22, 2016. The applicant is the property owner Butler County Community College represented by Brian Opitz, Executive Director of Operations. He asked for a variance from Butler Township's Zoning Ordinance Chapter 300-18. Authorized uses in the R-2 Multifamily Residential District for housing Butler County Chamber of Commerce Offices at 278 Old Plank Road (Map & Parcel 46-1).

Chair Haughey swore in all who wished to testify.

The applicant, Brian Opitz, was in attendance to represent the appeal. He explained that the College acquired an adjacent residential lot that has a garage, barn, and house. They eliminated the lot lines and added this property to the main campus. The house has been used for office space for various school departments, but they wish to rent this space to the Butler County Chamber of Commerce.

Stacie Shidemantle of 256 Old Plank Road questioned if it would affect her zoning or property value.

Zoning Officer Hines explained that they are not changing the zoning.

Andrew Zanotti of 127 Marwood Drive, Cabot questioned how it would affect his property in Butler Township.

Solicitor Price explained where this property is located in relation to Mr. Zanotti's property. Solicitor Price also stated that Mr. Zanotti only got a letter regarding the hearing because his property is within 200' feet of the property boundaries.

The Zoning Hearing Board went off record at 6:57 p.m.

The Zoning Hearing Board went back on record at 7:08 p.m.

Discussion was held regarding how this use would be associated with the educational function of the Butler County Community College.

The Zoning Hearing Board went off record at 7:13 p.m.

The Zoning Hearing Board went back on record at 7:18 p.m.

Mr. Opitz stated that he would like to amend his application to ask for a special exception for a public building.

Motion by Vice-Chair Holman to grant a special exception for a public building contingent upon the tenant occupying the building on or before August 1, 2017, seconded by Starcher and carried unanimously.

Chair 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.

Chair Haughey adjourned the second hearing at 7:20 p.m.

Chair Haughey opened the third hearing at 7:22 p.m.

Secretary Giesler read **Appeal #16-10** received June 28, 2016. The applicant is the property owner Diane Arner. She asked for a special exception for a garage over 1,200 sq. ft. The property is located at 4357 Highland Avenue (Map & Parcel 26-49A).

Chair Haughey swore in all who wished to testify.

The applicant, Diane Arner, was in attendance to represent the appeal. Ms. Arner stated that she would like to add on to her existing detached garage to make it a total of 1,400 sq. ft. She stated that it would be for personal use.

Zoning Officer Hines stated that the applicant meets the required setbacks.

John Graham of 4365 Highland Avenue questioned the setbacks.

Zoning Officer Hines explained the proposed setbacks for the addition and the required setbacks.

The Zoning Hearing Board went off record at 7:27 p.m.

The Zoning Hearing Board went back on record at 7:28 p.m.

Motion by Starcher to grant the special exception to construct the garage addition as described in the application contingent upon the exterior of the garage being completed on or before December 31, 2017, seconded by Vice-Chair Holman and carried unanimously.

Chair 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.

Chair Haughey adjourned the third hearing at 7:30 p.m.

Theresa Giesler