

The Zoning Hearing Board of Butler Township met on Wednesday, October 11, 2017 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 and Vice-Chair 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 6:35 p.m.

Secretary Giesler read **Appeal No. 17-05** received August 14, 2017. The applicant is the property owner Frederick Held. He asked for a Special Exception for an accessory building(s) larger than 600 square feet in combined gross floor area and private garages larger than 1,200 square feet in combined gross floor area. The property is located at 120 Greenwood Drive, Butler, PA (Map & Parcel 2-A6).

Chair Haughey swore in all who wished to testify.

The applicant, Frederick Held, was in attendance to represent the appeal. He explained that he would like to build a 28 x 32 workshop. There is an existing 12 x 16 barn that will be removed once the workshop is built.

Discussion was held regarding whether this would be for hobby or commercial use. Mr. Held stated that it would not be for commercial use.

Zoning Officer Hines explained that the only issue is the size of the structure and setbacks are not an issue.

The Zoning Hearing Board went off record at 6:42 p.m.

The Zoning Hearing Board was back on record at 6:43 p.m.

Motion by Vice-Chair Starcher to grant a special exception for an 896 square foot accessory building, conditional upon construction being completed on or before November 1, 2018, seconded by Chair Haughey 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 6:44 p.m.

Chair Haughey opened the second hearing at 6:45 p.m.

Secretary Giesler read **Appeal #17-06** received August 31, 2017. The applicant is the property owner Nicholas Fusca. He asked for a Special Exception for an expansion of a

nonconforming use of structures. The property is located at 263 Old Plank Road, Butler, PA (Map & Parcel 54-19).

Chair Haughey swore in all who wished to testify.

Mr. Patrick Shearer and Mr. Joe Gray with Gray-Shearer Engineering and the applicant, Mr. Fusca, were in attendance to represent the appeal. Mr. Shearer explained that they would like to expand the building by 30% due to the natural expansion of the business.

Discussion was held regarding parking and previous Zoning Hearing Board Appeals.

The Zoning Hearing Board went off record at 6:53 p.m.

The Zoning Hearing Board went back on record at 6:54 p.m.

Motion by Vice-Chair Starcher to grant the Special Exception for the expansion of a nonconforming use, conditional upon construction being started before December 31, 2019 and finished within a year of the start of construction, seconded by Chair Haughey 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 6:58 p.m.

Chair Haughey opened the third hearing at 6:59 p.m.

Secretary Giesler read **Appeal #17-07** received August 31, 2017. The applicants are the property owners Joseph & Jacquelyn Gray. They are asking for a Special Exception for an accessory building larger than 1,200 square feet, Special Exception for a private stable / farmette, Interpretation of private stable / farmette, Variance from accessory building height and Variance for a farmette. The property is located at 75 Dutchtown Road, Butler, PA (Map & Parcels 46-11 and 46-17A).

Chair Haughey swore in all who wished to testify.

The property owner, Mr. Joe Gray, was in attendance to represent the appeal. He explained that he has two parcels with a total of about 50 acres and would like to build a garage bigger than permitted and would like to have some animals. He further explained that the garage would be for his own hobbies and not for commercial business.

Discussion was held regarding the property and if it were ever used for agricultural purposes. Mr. Gray explained that there were post holes where there used to be a fence for the pasture.

Discussion was held regarding the 2<sup>nd</sup> story on the garage. Mr. Gray amended his application to ask for a variance to have a loft above the garage.

Discussion was held regarding the zoning of the parcels. Mr. Gray stated that the parcels used to be A-1 until the Township rezoned the property to R-1.

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

The Zoning Hearing Board went back on record at 7:30 p.m.

Motion by Vice-Chair Starcher to grant a special exception for a 1,728 square foot building and private stable and grant a variance for the height of the building, the construction of a second story loft, and the operation of a farmette, conditional upon construction of the building being completed on or before July 1, 2019, seconded by Chair Haughey 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 7:33 p.m.

Theresa Giesler