

BUTLER TOWNSHIP ZONING HEARING BOARD
JANUARY 8, 2020

The Zoning Hearing Board of Butler Township met on Wednesday, January 8, 2020 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, W. Brent Thomas, and Joe Gray.

Also present were Secretary Theresa Giesler, Zoning Officer Jesse Hines, Solicitor David A. Crissman, and Court Reporter Cheryl Eckstein.

Chair Haughey called the meeting to order at 6:33 p.m.

Motion by Gray to appoint Greg Haughey as Chair, seconded by Thomas and carried unanimously.

Motion by Gray to appoint Tom Holman as Vice-Chair, seconded by Thomas and carried unanimously.

Motion by Thomas to reappoint David Crissman as Solicitor at the current rate of compensation, seconded by Gray and carried unanimously.

Motion by Gray to reappoint Theresa Giesler as Secretary at the current rate of compensation, seconded by Thomas and carried unanimously.

Motion by Thomas to permit any Member to act as hearing officer, seconded by Gray and carried unanimously.

Chair Haughey opened the first hearing at 6:35 p.m.

Chair Haughey swore in the Township Secretary, Zoning Officer, applicant and all who wished to testify.

Secretary Giesler read **Appeal #20-01** received November 18, 2019. The applicants are the property owners Arthur & Debra Geiger. They are asking for a special exception for a single-family dwelling and interpretation of Butler Township's Codified Ordinance, Chapter 300-22.B.Table of Bulk, Dimensional and General Requirements. The property is located along Roe Avenue, Butler, PA (Map & Parcel 33-23). The application was marked at Board Exhibit 1.

The written notice of the hearing given to the applicant was marked as Board Exhibit 2.

The Township Planning Commission and Zoning Officer were informed of the hearing.

The written notice of the hearing that was given to the property owners within 200 feet of the subject property as supplied by the applicant was marked as Board Exhibit 3.

The public notice that was published once each week for two successive weeks with the first publication not more than 30 days, and the second publication not less than 7 days from the date of the hearing was marked as Board Exhibit 4.

The written notice of the hearing that was posted on December 30, 2019 on the property for which the special exception was requested was marked as Board Exhibit 5.

Mr. Arthur Geiger was in attendance to represent the application. He would like to build a single-family dwelling on his vacant property, which is in the C-2 Convenience Commercial Zoning District.

Discussion was held regarding surrounding properties and setbacks.

Mr. Paul Egbert of 123 Roe Avenue, Butler, PA was in attendance. He is concerned that the proposed dwelling will be built on piers and have skirting. All the other houses in the area are built on foundations.

Zoning Officer Hines stated that Butler Township does not require doublewide mobile homes to be placed in mobile home parks. They will have to comply with the rules and regulations for piers.

The Zoning Hearing Board went off record at 6:49 p.m.

The Zoning Hearing board went on record at 7:02 p.m.

Motion by Gray to grant the applicants a special exception to place the single-family home proposed on their property along Roe Avenue subject to the condition that they meet the R-2 front yard setback requirement of 40 feet or the setback of the adjacent homes, whichever is greater, and that the home be placed on their property within one year of the date of the hearing, seconded by Thomas and carried unanimously.

Motion by Gray to agree with the Zoning Officer's interpretation of the Ordinance that the setback requirements for single-family and two-family dwellings in an R-2 Zoning District apply to the applicant's property, seconded by Thomas 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 and the meeting at 7:08 p.m.

Theresa Giesler