

**BUTLER TOWNSHIP ZONING HEARING BOARD**  
**JUNE 9, 2021**

The Zoning Hearing Board of Butler Township met on Wednesday, June 9, 2021 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, Member Tom Holman, and Alternate Joe Gray.

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

Chair Haughey called the meeting to order at 6:30 p.m.

Chair Haughey opened the first hearing at 6:33 p.m.

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

Secretary Giesler read **Appeal #2021-05** received May 14, 2021. The applicant is Hutton Butler Sharon PA ST, LLC. The property owner is Edward C. Notaro. They are asking for a Special Exception for car washing, waxing and detailing. The property is located at 250 New Castle Road, Butler, PA (Map & Parcels 12-F3C, 12-F1B, and 12-F1A). The application was marked as 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 June 1, 2021 on the subject property was marked as Board Exhibit 5.

Mr. Donald Graham with Dillon McCandless King Coulter & Graham LLP 600 Cranberry Woods Drive Ste. 175 Cranberry Township PA and Mr. Mike Vale with Morris Knowles & Associates, Inc. 443 Athena Drive Delmont PA were in attendance to represent the appeal.

Mr. Graham explained that the applicant would like to demolish the buildings and construct a car wash facility. Mr. Vale explained the car wash process.

Discussion was held regarding the number of employees (5-7), hours of operation (8 a.m. – 8 p.m.), and flow of traffic through the car wash.

Zoning Officer Hines explained that they will need to complete a lot consolidation and a land development.

Ms. Shawna Sadler of 110 Sharon Drive was in attendance to state her concern over access off Sharon Drive, signage at night, and noise. Mr. Vale explained that there will only be access off New Castle Road, not Sharon Drive. Mr. Ray Garganio, Senior Development Manager, of 608 Homestead Drive Elverson, PA was in attendance and stated that there will be a sound study completed to get the sound in compliance with the ordinance and they will have some kind of low security lighting.

The Zoning Hearing Board went off record at 6:51 p.m.

The Zoning Hearing board went on record at 6:53 p.m.

Motion by Gray to grant the special exception conditioned that they apply for a permit by December 31, 2022, seconded by 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 first hearing at 6:58 p.m.

Chair Haughey opened the second hearing at 7:00 p.m.

Alternate Gray informed everyone that the applicant Troy Grossman is a relative and asked if anyone had any objections. There were no objections.

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

Secretary Giesler read **Appeal #2021-04** received April 13, 2021. The applicant is Troy J. Grossman. The property owners are Melvin and Barbara Maxwell. They are asking for a special exception for a private garage over 1,200 square feet and a variance from Chapter 300-22.C.(7)(a) regarding the maximum height of an accessory structure. The property is located at 112 Arbutus Lane, Butler, PA (Map & Parcel 42-4A). The application was marked as 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 June 1, 2021 on the subject property was marked as Board Exhibit 5.

Mr. Troy Grossman of 127 Shawnee Lane Slippery Rock, PA was in attendance to represent the appeal. He explained that the property owners would like to construct an

accessory structure to cover exotic and antique cars. Mr. Grossman explained that the garage would be just under 25' high and 1,560 square feet. The median roof height will be 17' 8" and the second floor will not be more than 6' high.

Solicitor Crissman went over the standards and criteria for a private garage larger than 1,200 square feet. Solicitor Crissman asked if the garage would be located in the front, Mr. Grossman stated no. Mr. Grossman stated that it would be approximately 107' from the side and over 300' from the rear property line. Solicitor Crissman asked if there were any other accessory structures on the parcel. Mr. Grossman stated no. Solicitor Crissman asked if he would exceed 35% of the total area of the rear yard. Mr. Grossman stated no. Solicitor Crissman asked if he would be using the garage for rental or business. Mr. Grossman stated no. Solicitor Crissman explained that the use of the private garage is limited to storage of the personal and household property of the owner.

The Zoning Hearing Board went off record at 7:12 p.m.

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

Motion by Gray to grant the special exception to build a private garage in excess of 1,200 square feet, condition that they apply for a permit by December 31, 2022, seconded by Holman and carried unanimously.

Motion by Gray to grant a variance of up to three feet from the maximum building height requirement of the Ordinance, seconded by 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 second hearing and the meeting at 7:22 p.m.

Theresa Gusler