

MARCH 28, 2018

The Zoning Hearing Board of Butler Township met on Wednesday, March 28, 2018 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 Joe Gray.

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 6:32 p.m.

Secretary Giesler read **Appeal #18-02** received February 6, 2018. The applicants are the property owners Lisa Thomas and Rene Frank. They are asking for a variance from lot width. The property is located at 265 Vogel Road, Butler, PA (Map & Parcel 61-B3).

Chair Haughey swore in all who wished to testify.

Ms. Lisa Thomas and Ms. Rene Frank of 265 Vogel Road were in attendance to represent the appeal. Ms. Thomas gave an overview of the appeal. They are asking for a variance from lot width to be able to create a new lot that is not a flag lot.

Zoning Officer Hines explained that there is an accessory building that will need to be moved if the variance is granted and the lot is subdivided. The Zoning Ordinance does not allow an accessory structure to be on a lot without a principle building.

The Zoning Hearing Board went off record at 6:45 p.m.

The Zoning Hearing Board was back on record at 7:07 p.m.

Discussion was held regarding the lot widths and the possibility of making the lots evenly split.

Motion by Gray to approve the variance from lot width in order to subdivide the property into two lots with 92.805 feet of frontage each, 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 7:13 p.m.

Chair Haughey opened the second hearing at 7:14 p.m.

Secretary Giesler read **Appeal #18-03** received March 2, 2018. The applicant is Eric Krenitsky representative for Krendale Golf Course, Inc. He is asking for an interpretation of signage, fencing, and entrance walls and a variance from signage, fencing, and entrance walls. The property is located along North Eberhart Road, Butler, PA (Map & Parcel 10-A8).

Chair Haughey swore in all who wished to testify.

Mr. Eric Krenitsky and Mr. Mark Krenitsky both of 139 Winterwood Drive were in attendance to represent the appeal. Mr. Eric Krenitsky gave an overview of the appeal. They purchased the lot next to the Krendale Golf Course and would like to move the driveway and add a split rail fence and wall.

Zoning Officer Hines explained that the fence they are proposing is on a vacant lot and a fence is not permitted on a lot without a principle building. He explained that they could consolidate the lots, but they would need to rezone the lots so that they were the same zoning district.

Discussion was held regarding the fence, entrance, and the wall with the signage. Discussion was held regarding the setback for the wall and sight distance issues.

Linda Murrman, daughter of the property owners of 133 North Eberhart Road, was in attendance and questioned the existing driveway. Mr. Eric Krenitsky stated that once the new driveway was constructed the old driveway would be eliminated.

Sharon Goncz of 123 North Eberhart Road was in attendance and questioned how far back the wall would be from the road.

The Zoning Hearing Board went off record at 7:43 p.m.

The Zoning Hearing Board went back on record at 7:50 p.m.

Motion by Gray to grant a variance to construct a wall and sign as outlined in the decision and as described in the application, seconded by Chair Haughey and carried unanimously. The proposed split rail fence in the side yard is permitted.

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 7:55 p.m.

Chair Haughey opened the third hearing at 7:56 p.m.

Secretary Giesler read **Appeal #18-04** received March 6, 2018. The applicant is RoRo's Fun Café Corp. and the property owner is Greater Butler Mart Holdings LLC Et al. They are asking for a Special Exception for a use not specifically listed. The property is located at 270 Greater Butler Mart, Butler, PA (Map & Parcel 37-6B).

Chair Haughey swore in all who wished to testify.

Mr. Eric Hulick of 116 Brooksedge Drive, Butler, PA 16001 was in attendance to represent the appeal. He explained that he would like to open a new business containing skill games. They will have food, snacks, coffee, and nonalcoholic drinks.

Discussion was held regarding the definition of skill games, how people would get paid for their winnings, and safety issues.

Solicitor Price explained that indoor amusement is permitted in the C-1 Zoned District and asked the applicant if he would like to amend his application for an interpretation and also amend his application to show the property is in C-1 and not C-2. The applicant agreed to amend his application.

The Zoning Hearing Board went off record at 8:18 p.m.

The Zoning Hearing Board went back on record at 8:36 p.m.

Motion by Gray to deny the requested special exception for an Adult Arcade and determine that no approval is required for the activity as described by the applicant, 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 third hearing at 8:38 p.m.

Theresa Gesler