

**NORTH FAYETTE TOWNSHIP
ZONING HEARING BOARD**

**THURSDAY, FEBRUARY 27, 2014
7:30 P.M.**

The meeting was called to order with Mr. George Bartha presiding.

MEMBERS PRESENT:

George Bartha, Chairman
Chip McCarthy, Vice Chairman
Tim Bish, Solicitor
Cheryl Cherico, Secretary

MEMBERS ABSENT:

Jim Bruni, Member
John Scott, Alternate Member

OTHERS PRESENT:

Laura Ludwig, Community Development Director
Sara E. Patterson
Eric P. Patterson
Lee Ann Reid, Pittsburgh Reporting Service

ADMINISTRATIVE:

Mr. Bartha asked for a motion to approve minutes from the January 23, 2014, meeting.

A MOTION WAS MADE BY Mr. CHIP McCARTHY, SECONDED BY Mr. GEORGE BARTHA, AND CARRIED, TO APPROVE THE MINUTES FROM THE JANUARY 23, 2014, MEETING.

ROLL CALL:	CHIP McCARTHY	YES
	GEORGE BARTHA	YES

Mr. Bartha announced that prior to this meeting, the Board held an executive session to receive advice of the Solicitor.

Mr. Bartha said notice of tonight's hearing was advertised and the subject property posted pursuant to the requirements of the PA Municipalities Planning Code.

Mr. Bartha asked the Court Reporter to swear in witnesses and any members of the public wishing to comment during the hearing.

The Court Reporter swore in the witnesses.

NEW BUSINESS:

1. Eric P. & Sarah E. Patterson Variance Request

Eric P. Patterson and Sarah E. Patterson are requesting variances from the following requirements of the North Fayette Township Zoning Ordinance, Ordinance No. 360, as amended, in order to permit the addition of a covered front porch to the existing single-family dwelling located at 129 Walnut Strand Road in the R-3 Medium Density Residential District, currently designated as a portion of Allegheny County Block/Lot No. 691-R-53: (1) a variance from the 20-foot minimum principal building front yard setback requirement of Section 204.3 and Table 2 of the Zoning Ordinance; and (2) a variance from the 3-foot maximum front yard encroachment of Section 204.4.A(2) of the Zoning Ordinance.

Mr. Bartha entered Exhibits 1 – 8 referenced on the Exhibit List into the hearing record. He asked that the Exhibits were entered into the transcript as if the list was read into the record. The Court Reporter was given a copy of the Exhibit List.

The Exhibit List included:

1. Township Zoning Ordinance, Ordinance No. 360, as amended.
2. Application to Zoning Hearing Board dated January 13, 2014.
3. Sketch Plan of subject property (undated) with hand drawn illustrations demonstrating the locations of the front lot line, existing dwelling and proposed porch.
4. Allegheny County Property Assessment Office webpage dated February 6, 2014 for property designated as Allegheny County Block/Lot No. 691-R-53 and providing aerial map showing parcel boundaries with subject property highlighted (6 pages).
5. Public Notice and Proof of Publication for tonight's public hearing.
6. Letter from Board Secretary dated February 13, 2014 to Eric and Sarah Patterson regarding notice of hearing.
7. Letter from Board Secretary dated February 13, 2014 to neighboring property owner regarding notice of hearing (11 letters).
8. Photographs of Notice of Postings.

9. Sketch architectural plan of the proposed porch and decking presented by applicants during the hearing (2 pages).

Mr. Bartha asked a representative to approach the Board.

Mr. & Mrs. Patterson approached the Board.

Mrs. Patterson said they want to put a front porch on their home in Walden Woods. She submitted a picture to the Board and said this was her inspiration for the porch. She said they have a similar home to what was pictured only their house is not as elevated so it wouldn't have the stairs. She also presented the Board with a drawing of the actual proposed porch and said it would have a metal roof with regular shingles to match the rest of the house.

Mr. Bartha said he wanted to pause for a moment to enter the submittals into the record as exhibits.

Mr. Bish said he wanted to enter the drawing into the record, but not the picture because it was different than the actual proposed porch. He didn't want there be to any confusion in the record.

Mrs. Patterson said she wanted to show the Board the picture just to give them a visual of what the porch would look like.

Mr. Bartha entered the drawing into the record as Exhibit No. 9.

Mrs. Patterson said the dimensions are on the drawing and the porch would be 12' x 16', 12 feet out and 16' wide. She said that would make it come within two feet of the window on the bottom level.

Mr. Patterson said the stairs would be coming off of the front.

Mrs. Patterson said it would be open from the front door of the house.

Mr. Bartha said he wanted to describe that for the record, so it would be coming out the front of the house, out the front door and there would be an opening in the railing that would allow steps out the front of the house directly towards the street. He asked if there would also be steps to the right.

Mrs. Patterson said yes, there would be steps to the side.

Mr. Bartha said so someone could go out the front door, take a left and there would be steps going down the driveway.

Mrs. Patterson said that was correct. She said they have an existing concrete path that comes up the side so that is why they want to leave the stairs to the side.

Mr. Bartha asked approximately how wide the opening on the front would be.

Mr. Patterson said it would be about 5'.

Mr. Bartha said he had a couple additional questions. The 6" x 6" post that are shown, how many posts would there be.

Mr. Patterson said the posts are actually shown on the second page of the drawing and there would be three.

Mr. Bartha asked if all of those would be 6" x 6" white posts.

Mrs. Patterson said yes. She said she believed it was wood wrapped with white vinyl.

Mr. Bartha said above the structure, they are also showing a roof. He asked about the material for the roof.

Mrs. Patterson said it would be a metal roof.

Mr. Bartha asked what color the roof would be.

Mrs. Patterson said it would be dark brown, chocolate brown.

Mr. Bartha asked what color the existing home is now.

Mrs. Patterson said the siding is currently yellow, but they are planning to replace the siding as well and it would be a deep khaki color with white trim. She said the existing shingled roof is called desert sand, a light tan color.

Mr. Bartha asked if the Board had any other questions.

Mr. McCarthy said the original sketch submitted with the application said the porch was coming out 9' and now this plan is coming out 12'.

Mrs. Patterson said it is 12' that they are requesting.

Mr. Patterson said they had been going back and forth on the size, but they did determine that they needed it to be 12'.

Mrs. Patterson said that allows adequate room for porch chairs.

Mr. Bish said the size makes it located 5' from the front lot line.

Mr. Patterson pointed on the survey where the road is located and where the building line is located. He said the porch would come out just past where the walkway is located which is 30' from the roadway. He said the building inspector explained that they had to be 55' back so there was no room for the porch.

Mr. Bish said that would make the proposed porch 5' from the road. The property survey drawing was not clear where the roadway was located.

Mrs. Patterson pointed to the survey and showed where Walnut Strand is located on the drawing.

Mr. Bish said that would make the proposed porch 5' from the municipal right-of-way.

Mr. McCarthy said the right-of-way is where the utilities are located, so, they would not be encroaching on the right-of-way.

Mr. Bartha said that was correct, the porch would be outside of the right-of-way.

Mr. McCarthy said that makes more sense.

Mr. Patterson said he works for Columbia Gas installing gas lines so he understands the utility easement and has to explain it to customers on a regular basis.

Mr. Bartha asked if the Township had any questions or comments.

Ms. Ludwig said she had no questions and overall the Township doesn't have any issues or concerns with the application and the Zoning Hearing Board has granted similar requests in the past. She said it would make their house look a little better and would fit in well with the other neighbors that have also added porches, adding to the character of the neighborhood.

Mr. Bartha asked if there were any public questions or comments. There were none.

Mr. Bartha asked if there were any further comments or questions from the Board. Hearing none, he asked for a motion to close the public hearing.

A MOTION WAS MADE BY Mr. CHIP McCARTHY, SECONDED BY Mr. GEORGE BARTHA, AND CARRIED, TO CLOSE THE PUBLIC HEARING.

ROLL CALL:	CHIP McCARTHY	YES
	GEORGE BARTHA	YES

Mr. Bartha asked for a motion on the application.

A MOTION WAS MADE BY Mr. CHIP McCARTHY, SECONDED BY Mr. GEORGE BARTHA, AND CARRIED, TO APPROVE THE APPLICATION FILED BY ERIC P. PATTERSON AND SARAH E. PATTERSON ("THE APPLICANTS") REQUESTING VARIANCES FROM THE 20-FOOT MINIMUM PRINCIPAL BUILDING FRONT YARD SETBACK REQUIREMENT OF SECTION 204.3 AND TABLE 2 OF THE NORTH FAYETTE TOWNSHIP ZONING ORDINANCE, ORDINANCE NO. 360, AS AMENDED, (THE "ZONING ORDINANCE") AND THE 3-FOOT MAXIMUM FRONT YARD

ENCROACHMENT OF SECTION 204.4.A(2) OF THE ZONING ORDINANCE, IN ORDER TO PERMIT THE CONSTRUCTION OF A COVERED FRONT PORCH (THE “PROPOSED PORCH”) ONTO THE EXISTING SINGLE-FAMILY DWELLING LOCATED AT 129 WALNUT STRAND ROAD IN THE R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT, CURRENTLY DESIGNATED AS A PORTION OF ALLEGHENY COUNTY BLOCK/LOT NO. 691-R-53, (THE “SUBJECT PROPERTY”) IN ACCORDANCE WITH THE APPLICATION MATERIALS, PLANS, AND TESTIMONY ACCEPTED INTO THE HEARING RECORD BY THE BOARD AND SUBJECT TO THE FOLLOWING CONDITIONS:

1. **Compliance with Laws.** The Applicants and the use and development of the Subject Property shall comply with all applicable Federal, State, County, and Township laws, statutes, ordinances, resolutions, and regulations, including but not limited to the Zoning Ordinance.
2. **Permits and Approvals.** The Applicants shall apply for and obtain any and all necessary Federal, State, County, and Township permits and approvals for the Proposed Porch on the Subject Property. The Applicants and the use and development of the Subject Property shall comply with all such Federal, State, County, and Township permits and approvals.
3. **Porch Construction.** The Proposed Porch shall be located no less than five (5) feet from the front lot line of the Subject Property, as such lot line and existing single-family dwelling are shown on the sketch plan entered into the hearing record as Exhibit 3, and otherwise in conformity with the testimony and evidence entered into the hearing record. Further, the Proposed Porch shall not be enclosed by walls or other partitions other than a railing.
4. **Construction Deadline.** The construction and installation of the Proposed Porch shall be completed within one (1) year of the date of this decision.
5. **Variance Scope.** The variances granted by this decision are specific to the Proposed Porch on the Subject Property as referenced in the exhibits and testimony entered into the hearing record by the Board. This decision shall have no precedential value for similar application by the Applicants or any other applicant at any location in the Township.
6. **Failure to Comply.** Failure to comply with the above referenced terms and conditions of this decision shall result in the variances being rendered null and void.

ROLL CALL:	CHIP McCARTHY	YES
	GEORGE BARTHA	YES

COMMENTS:

Mr. Bartha asked if anyone had any questions or comments about anything. There were none.

ADJOURNMENT:

A MOTION WAS MADE BY Mr. CHIP McCARTHY, SECONDED BY Mr. GEORGE BARTHA, AND CARRIED, TO ADJOURN THE MEETING AT 7:47 P.M.

Respectfully submitted,

Cheryl Cherico
Zoning Hearing Board Secretary