

FERGUSON TOWNSHIP ZONING HEARING BOARD

Regular Meeting
Tuesday July 15, 2014
7:00 pm

I. ATTENDANCE

The Zoning Hearing Board held its regular meeting on Wednesday, May 21, 2014 at the Ferguson Township Municipal Building. In attendance were:

Board: Michael MacNeely
Swamy Anatheswaran
Charles Farrell
Scott Petryshak

Staff: Jeffrey Ressler, Zoning Administrator
Jeffrey Stover, ZHB Solicitor

Other in attendance included: Heather Bird, Recording Secretary;

II. CALL TO ORDER

Mr. MacNeely called the July 15, 2014 regular Zoning Hearing Board meeting to order at 7:00 pm.

III. SWEARING IN OF THOSE WHO WISH TO TESTIFY

Three individuals stood to be sworn in.

IV. THE ZONING HEARING BOARD SOLICITOR EXPLAINS BASIS OF VARIANCE/APPEAL REQUEST

V. J. ALLEN WITHERITE II – VARIANCE REQUEST

Mr. Ressler stated that the tax parcel number 24-009A-180 is for property located at 135 West Chestnut Street, Pine Grove Mills and is owned by J. Allen Witherite II. The property is located in the R1 Zoning District. The applicant proposed subdividing his property. As part of the subdivision requirements, public sidewalks are required along the property. The applicant requested a variance to Chapter 27-810 to not be required to install public sidewalks along West Chestnut Street.

Mr. J. Allen Witherite stated that Mr. Ressler correctly stated his purpose of a variance request. He stated that at this time there are no other sidewalks on Chestnut Street. He is not opposed to adding sidewalks if in the future sidewalks were to be installed on the full street.

Mr. Anatheswaran made a motion to APPROVE the variance request for property located at 135 West Chestnut Street, tax parcel number 24-009A-180, from Chapter 27-810 to not be required to install public sidewalks along West Chestnut Street but in the future the Board may require sidewalks to be installed. Mr. Farrell seconded the motion.

The motion passed unanimously.

VI. STEVEN W AND KAREN L FOARD – VARIANCE REQUEST

Mr. Ressler stated the property is located at 2526 Tara Circle, tax parcel 24-003C-079A and is owned by Steven and Karen Foard. The property is located in the RR Zoning District. The applicant requested a variance of the rear yard setback requirements as shown on the approved subdivision plan to be able to construct a roof over an existing patio. The roof would extend 7.5 feet into the 75 foot setback. The recorded subdivision plan showed a required 75 foot rear setback for this lot.

Mr. Petryshak asked if this buffer was previously changed. Mr. Ressler stated that it was not. Mr. Ressler stated that the patio currently encroaches into the setback 3 feet. The patio was built with the home so this would be non-conforming.

Mr. Foard stated that while they install a new roof on their home they would like to extend the roof to cover the existing patio.

Mr. Stover asked how far the columns extend off of the existing patio. Mr. Foard responded that the builder proposed 6" X 6" columns.

Mr. MacNeely asked if the patio was approved with the original plan. Mr. Ressler confirmed that it was.

Mr. Stover stated that this would be meet qualify as deminimis because of the existing awning and because the existing patio is already encroaching into the setback.

Mr. Anatheswaran made a motion to APPROVE the variance for property located at 2526 Tara Circle, tax parcel number 24-003C-079A from the rear yard setback requirements, allowing them to construct a roof over an existing patio extending 7.5 feet into the 75 foot setback. Mr. Farrell seconded the motion.

The motion passed unanimously.

VII. APPROVAL OF MEETING MINUTES

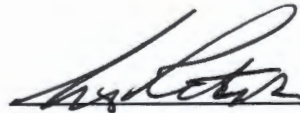
Mr. Anatheswaran made a motion to APPROVE the minutes from the Tuesday, May 21, 2014 and June 17, 2014 Zoning Hearing Board Regular Meetings. Mr. Petryshak seconded the motion.

The motion passed unanimously.

VIII. ADJOURNMENT

With no further business to come before the Ferguson Township Zoning Hearing Board, Mr. MacNeely adjourned the July 15, 2014 meeting at 7:17 pm.

RESPECTFULLY SUBMITTED,



Scott Petryshak, Secretary
For the Zoning Hearing Board

Date approved by the Board: Sept 16 2014