

**SHALER TOWNSHIP ZONING HEARING BOARD**  
**January 13, 2022**

The Regular Meeting of the Shaler Township Zoning Hearing Board was held on January 13, 2022, at 7:30 p.m. Mr. Porter called the meeting to order. Ms. Re called the roll as follows:

**ROLL CALL:**

**PRESENT:** Charles J. Porter, Jr., Esq., James W. Young, Jr., Esq., William C. Woods and Alternate Jerry Schwedler

**BUILDING CODE OFFICIAL/ZONING OFFICER:** Robert Vita

**RECORDING SECRETARY:** Noreen A. Re

---

**REORGANIZATION OF THE BOARD:**

**Motion to nominate Mr. Young as chairman made by Mr. Porter and seconded by Mr. Woods .**

**Motion carries unanimously**

---

**Motion to nominate Mr. Woods as secretary made by Mr. Porter and seconded by Mr. Young.**

**Motion carries unanimously**

---

**APPROVAL OF MINUTES:**

**December 9, 2021**

**Motion to approve made by Mr. Woods and seconded by Mr. Porter .**

**Motion carries unanimously**

---

**OLD BUSINESS – None**

\*\*\*\*\*

**NEW BUSINESS:**

**CASE ONE: R-2, 11-I – Posted – An appeal submitted by Michael R. Michalik requesting a 5'8" front yard setback variance and a 1' rear yard setback variance to replace a previous non-conforming structure (home) at Allegheny County Lot & Block No. 356-J-28, a/k/a 1211 Maple Street, Glenshaw, PA 15116, in an R-2 District.**

Mr. Michael Michalik, 133 Royal Drive, Pittsburgh, PA 15209, was present and duly sworn. Mr. Michalik described his request in detail. The proposed one-story modular home would be 26' 8" by 58'. The house will be 6 feet above the flood zone. Ms. Jacqueline Michalik, 133 Royal Drive, Pittsburgh, PA 15209, Mr. Michalik's mother, was also present and duly sworn and provided additional information. She indicated the house would be built on a raised platform, similar to a beach house. The original house on the property was demolished. The house will front on Maple Street.

If the variance is granted, the house would be 9 feet from the back boundary and a little under 14'4" from the roadway. The two lots behind the property are owned by the township and are not allowed to be sold or built on due to flooding issues.

**No public comments for or against**



**CASE TWO: R-1, 10-H – Posted – An appeal submitted by William Bopp requesting a 3' height variance from Chapter 225-24 (G-2) to construct an 18' tall garage and a variance from Chapter 225-24(C) front building line variance to construct an enclosed 11' x 4' front porch to use as a wheelchair entrance at 219 South Magnolia Drive, Glenshaw, PA 15116, Allegheny County Lot & Block No. 285-B-267, in an R-1 District.**

William and Mary Beth Bopp, 219 South Magnolia Drive, Glenshaw, PA 15116, were both present and duly sworn. Mr. Young commented that no papers were submitted with the appeal. Mrs. Bopp discussed the storage of their RV in detail, as well as the township requirements for parking an RV for storage. They would like to build a detached garage in the rear. Their motor home is a

\*\*\*\*\*

Class A motor home that is 12'9” in height and 40' in length and 10' wide. Currently it is being stored off site.

Mr. Bopp stated he would like to build a 1000 square foot garage to also store his other vehicle. The proposed garage would be 24' across the front, 18' in height and 50' deep on one side and a little less than 30' deep on the other side for storage of a dump truck. The door would be 13'6”. Mr. Bopp stated it was his understanding the ordinance only permits a 15' or 16' height. Mrs. Bopp described in detail some of the remodeling they have done on their home.

Regarding the front, Mrs. Bopp stated they would like to construct an 11' x 4' enclosed porch. Mr. Vita stated by ordinance a 12' x 5' open porch is permitted. Mr. Young commented that traditionally enclosed front porches are not granted. Mrs. Bopp mentioned future access for a wheelchair.

Mr. Porter mentioned that the law requires there to be a hardship to get a variance. Possibly being in a wheelchair at some point in the future is not a hardship. He stated a hardship has to do with the configuration of the property. Mr. Porter stated it was the Bopps' option to request a continuance to come back to provide more information. Mr. Young strongly suggested the Bopps consider an open porch.

The Bopps agreed to have the matter continued. Mr. Young further inquired that if by the continuance the Bopps will not seek to have a deemed approval of either request, the Bopps were in agreement.

**No public comments for or against  
Matter continued until February by agreement**

---

*(Whereupon, a brief recess was taken from  
8:27 p.m. to 8:36 p.m.)*

---

\*\*\*\*\*

**MOTIONS:**

**CASE ONE:**

**MR. PORTER:** "Mr. Chairman, I make a motion that the requested variance on Case One be granted. It appears that the home to be built will extend no further back in the rear than the prior home that was present there. The new proposed home will extend out what appears to be 8 inches in the front, which in my mind is a de minimis encroachment, especially given that a large part of that -- since it's a nonconforming structure, arguably a large portion of that could be added without the necessity for a variance and only a part, given the extra length of this house.

"So given those factors, it seems to me it's a de minimus encroachment on the front, so I would make a motion that the request be granted.

**MR. YOUNG:** "Do I hear a second?"

**MR. WOODS:** "Mr. Chairman, I'll second that motion."

**Motion carries unanimously**

---

**Motion to appoint Adam Ventura, Esq., to represent the Zoning Hearing Board in an upcoming appeal that is to be argued before the Commonwealth Court on February 7, 2022, and any other matters required by the Board subject, if necessary, to the approval of the Board of Commissioners, made by Mr. Porter and seconded by Mr. Woods.**

**Motion carries unanimously**

---

**MEETING ADJOURNED AT 8:40 P.M.**

---

---

**William C. Woods,**  
**Secretary**

**Minutes prepared by Noreen A. Re, Certified Realtime Reporter.**