

SHALER TOWNSHIP ZONING HEARING BOARD
January 14, 2021

The Regular Meeting of the Shaler Township Zoning Hearing Board was held on January 14, 2021, at 7:36 p.m. Mr. Young called the meeting to order. Ms. Re called the roll as follows:

ROLL CALL:

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

ABSENT : Charles J. Porter, Jr., Esq.

BUILDING CODE OFFICIAL/ZONING OFFICER: Robert Vita

RECORDING SECRETARY: Noreen A. Re

REORGANIZATION OF THE BOARD:

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

Motion carries unanimously

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

Motion carries unanimously

APPROVAL OF MINUTES:

October 8, 2020, and December 10, 2020

Motion to approve made by Mr. Woods and seconded by Mr. Schwedler.

Motion carries unanimously

OLD BUSINESS – None

NEW BUSINESS:

CASE ONE: R-2, F-9.5 – Posted – Appeal submitted by Ideal Properties, LLC, requesting a use variance to use the lot at the corner of Mt. Royal Boulevard and Homer Place, Lot & Block 284-B-36, as a surface parking lot associated solely with the property at 1105 Mt. Royal Boulevard.

Robert Garvin, Esq., of the law firm of Goldberg, Kamin & Garvin, was present on behalf of the applicant. Dr. Nathan Savits, principal of Ideal Properties, LLC, and Mr. Alan Banks, landscape architect, were also present and duly sworn.

Mr. Garvin described the request in detail. Dr. Savits owns Lot Nos. 1, 2 and 3 in the Homer Place Plan of Lots. Lot No. 3 is in the Residential Zoning District. Dr. Savits is requesting the use variance to use Lot No. 3 as a surface parking lot as an accessory use to Lot Nos. 1 and 2, which are located in the Neighborhood Shopping District. Mr. Garvin presented a series of exhibits including the deeds to Lot Nos. 1-3, as well as the Homer Place Plan of Lots recorded October 18, 1927. He also presented a Google Earth photograph of the front of the commercial property, as well as some photographs.

Dr. Nathan Savits, 912 Settlers Ridge Road, Pittsburgh, PA 15238, stated his reason for the request is there is a lot of congestion on Homer Place being a dead-end street with limited parking. He described the area in detail. He indicated the lot will be available for residents to use after business hours and on weekends. Dr. Savits stated backing out onto Mt. Royal is unsafe. Dr. Savits presented a letter he mailed to the neighbors with an attached petition signed by residents who had no objection to his request.

Dr. Savits stated he spoke to an abutting neighbor who wanted consulted regarding plantings in the back row. He agreed to consult with the neighbor. He also stated the parking lot would relieve parking congestion around the school bus stop, which he felt was also unsafe at this time.

Upon inquiry by Mr. Young, Dr. Savits stated the lot would be gravel. Depending upon the size of the parking spaces, the lot would hold between 13 and 25 vehicles. Dr. Savits also stated the majority of the tenants parallel park on Homer.

Upon inquiry by Mr. Woods, Dr. Savits stated he is not looking for a driveway permit to come off of Mt. Royal into the lot. He also indicated he would maintain ownership and liability of the lot and provide maintenance.

Mr. Alan Banks, 2130 Middle Road, Glenshaw, PA 15116, registered landscape architect, went through the conceptual plan with the Board. He stated they can actually exceed the requirements of canopy trees and screening. There will be two access points off Homer. The surface will be gravel. With the canopy trees, they will actually be reducing the amount of runoff in comparison to the current grass lot.

Upon inquiry by Mr. Young if people park in the grass now, Mr. Banks stated the area is currently roped off to prevent parking. Dr. Savits stated one of the neighbors put up the rope, and he has not taken it down.

Ms. Lori Arend, 108 Homer Place, Pittsburgh, PA 15223, was duly sworn and spoke in opposition to the request. Ms. Arend addressed the number of cars that would be in the lot. Mr. Garvin stated the number of stalls would be something that would be addressed at the Planning Commission and Board of Commissioners.

Ms. Megan Swackhammer, 106 Homer Place, Pittsburgh, PA 15223, was duly sworn and questioned the limitations on the use variance. She inquired whether it could become a commercial property. Mr. Young stated it is not a zoning change. She was in opposition to the request.

Ms. Janet Bildhauer, 103 Homer Place, Pittsburgh, PA 15223, was duly sworn and spoke in opposition to the request. She presented pictures of the area in question.

Mr. Todd Rooney, 1123 Mt. Royal Boulevard, Pittsburgh, PA 15223, was duly sworn and inquired if the sidewalk would be maintained. Dr. Savits replied in the affirmative and also reiterated he would discuss the plantings with Mr. Rooney.

Ms. Bildhauer also requested to be included in the discussion of the plantings.

Before closing the record, Mr. Young read the names and addresses of the residents who signed the petition in support of the request as follows:

Taylor Cushion, 127 Homer Place
Todd Rooney, 1123 Mt. Royal Boulevard
Lindsay Walton, 1125 Mt. Royal Boulevard
Jack Dean, 117 Homer Place
Gregory Welsh, 101 Homer Place
Laurel Welsh, 101 Homer Place
Amy Metheney, 111 Homer Place
Chris Cline, 111 Homer Place
Cheryl Wickerham, 107 Homer Place
Carol Swaney, 119 Homer Place
Rebecca Deutsch, 121 Homer Place
Zachary Kirby, 122 Homer Place
Cathy Petrakos, 125 Homer Place
Cindy Straub, 124 Homer Place
Chris Jordheim, 123 Homer Place
Nick Cushion, 127 Homer Place
Arch Autenreith, 129 Homer Place

Mr. Young stated Gunhild Mueller, 131 Homer Place, was taking a neutral position. Janet Bildhauer, 103-104 Homer Place, “would consider the parking lot if entrance/exit is on Mt. Royal.” Lori Mastic, 108 Homer Place, “votes with Janet.” And Megan Swackhammer “prefers the green space of the grass lot.”

Regarding the parking in the rear of the building, Dr. Savits stated the dumpster that was on the side of the building on the Homer Place side was moved to the rear upon recommendation of

Mr. Rogers. He also stated there are trucks that park in the rear for the comic book store, as well as UPS trucks that park in the rear to unload for the stores.



CASE TWO: GC, C-5 – Posted – Appeal submitted by Carl Hoffield, d/b/a Mark 1 Auto Sales, is requesting a 13 foot left side setback variance at 1448 Babcock Boulevard, Lot & Block 165-F-50, to construct an addition to the existing garage to replace the trailer destroyed by a fire on December 12, 2020.

Charles Hoebler, Esq., was present on behalf of the applicant. He described the request in detail and provided a rough sketch. He stated Mr. Hoffield needs the office space to conduct his business. Besides the office space, the addition will also have another repair bay.

Mr. Carl Hoffield, 143 Overlook Drive, Pittsburgh, PA 15237, was also present and duly sworn. Upon inquiry by Mr. Young on why Mr. Hoffield does not get another trailer, Mr. Hoffield responded the building would be nice. With the trailer, customers had to walk up a flight of steps. With the building, customers would be able to walk straight in. The building will be approximately 8 feet longer on the side than the trailer was. The building will be 24 x 40 and one story. The right side of the building would have the repair bay, and the left side would be the office with a bathroom and small lunch room for the employees. There are currently eight employees. Mr. Hoffield stated he has a good relationship with the neighbors. He stated the abutting neighbor with the electric business only requested that he not block his sign.

No public comments for or against



(Whereupon, a recess was taken from 8:42 p.m. to 9:00 p.m.)



MOTIONS:

CASE ONE:

MR. YOUNG: "I'm going to step down from the chair and move that that request be granted and note for the record that

the request also envisions a concession to neighbors to utilize the parking on weekends and special occasions and also note that the plan will now go to Planning with regard to the parking issues. And with that, I will ask if there's a second to my motion.

MR. WOODS: "So moved."

Motion carries unanimously



CASE TWO:

MR. WOODS: "Mr. Chairman, that and along with the abutting property owner had no objection, I would move that the variance be granted.

MR. YOUNG: "I'll step down from the chair and second that and note for the record that the footprint of the proposed addition will be the same distance from the property line as the current structure; namely, two foot from the property line. So it's going to essentially be no closer than the existing building. So with that addition and second, all those in favor may state aye."

Motion carries unanimously



Motion to adjourn made by Mr. Woods and seconded by Mr. Schwedler.

Motion carries unanimously



MEETING ADJOURNED AT 9:02 P.M.



William C. Woods,
Secretary

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