

MUNICIPALITY OF MONROEVILLE

ZONING HEARING BOARD

APRIL 6, 2022

MINUTES

The meeting was called to order by Chairman Jim Rosipal at 7:30 p.m.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Pledge of Allegiance was recited and a moment of silence observed.

ROLL CALL

The Recording Secretary, Sharon McIndoe, called roll and the following were present: Jim Rosipal, Gary Grysiak, Larry D'Agostino, Michael Gaydos, Heather Wilkins, Bruce Dice and Paul Whealdon.

APPROVAL OF MINUTES

The Zoning Hearing Board considered approval of the minutes of the February 2, 2022 and the March 2, 2022 meetings. Whereupon, Mr. D'Agostino duly made a motion to approve the minutes of the February 2, 2022 meeting and Mrs. Wilkins seconded it. Mr. Grysiak voiced a correction starting on Page 6, the word riparian was misspelled. Upon a voice vote, the motion carried unanimously. Further, Mr. Grysiak duly made a motion to approve the minutes of the March 2, 2022 meeting, as submitted, and Mr. D'Agostino seconded it. Upon a voice vote, the motion carried unanimously.

NEW BUSINESS

22-6-A

TYNISHIA POWELL

The applicant is requesting a Special Exception from Table 201 A of the Monroeville Zoning Ordinance No. 1443, as amended, to operate a Home Bakery Business from a single-family residence. The property is located at 421 Franklin Heights Drive, Tax Parcel 854-N-058, in the R-2, One-Family Residential Zoning District.

Ms. Tynishia Powell, the applicant, came forward to distribute information. She briefly explained her request for a variance is to open an on-line bakery business in her home. She reviewed she has a bachelor's degree in culinary science and is a corporate attorney. She reported she bakes for a hobby and would like to sell her cookies on line. She explained her next step is the limited food establishment application for the Allegheny County Health Department.

Mr. D'Agostino inquired whether any customers would come to her house and Ms. Powell answered negatively. Mr. D'Agostino inquired about deliveries and Ms. Powell answered they would be done by the US Post. Mr. Grysiak questioned how she would get incoming supplies. Ms. Powell stated she planned to shop locally. Mr. Grysiak inquired whether large trucks would come to the house and

Ms. Powell answered negatively. Mr. Grysiak requested she describe the business and how big she anticipates it. Ms. Powell indicated that she does not expect it to be big because no one knows who she is or her company. She did not expect to have a large operation but if it ever got big she would rent a commercial space. Mr. Rosipal inquired whether there would be any outside advertising and Ms. Powell answered negatively. Mrs. Wilkins asserted everything would be web-based and Ms. Powell concurred. Mr. D'Agostino questioned whether she would take the finished product to the post office or FedEx or there would be a pickup at her house. Ms. Powell answered she would take them to mail. Mr. Rosipal inquired how she would advertise and Ms. Powell answered on line probably on Etsy. Mr. Grysiak questioned whether she has started the business and Ms. Powell answered she baked samples but has not sold anything yet. Mr. D'Agostino inquired whether she had a website and Ms. Powell answered negatively. Mr. Grysiak inquired whether there would be any other employees and Ms. Powell answered negatively. Mr. D'Agostino questioned whether she would use house oven or commercial. Ms. Powell answered a house oven.

Mr. Whealdon questioned how many hours a day per week she would be operating or baking. Ms. Powell answered part-time maybe 20 hours a week at most. Mr. Whealdon reported he received one objection to the application but they wished to remain anonymous. Ms. Powell inquired why it was anonymous. Mr. Whealdon explained there was a prior home business proposed in that area and the person objected. He felt he was concerned that it would set a precedence and turn into something bigger.

Mr. Rosipal commended her for supplying so much information because it answered a lot of the zoning hearing board's questions.

Mr. Dice corrected that this is not a variance but a special exception which is a use as a matter of right as long as all the requirements under the zoning ordinance are met.

There being no further discussion, a motion was duly made by Mr. Grysiak to approve Special Exception Application No. 22-6-A and Mr. Gaydos seconded it. Upon a voice vote, the motion carried unanimously.

22-7-A

KDP WILLIAM PENN, LLC

The applicant is requesting a variance from Section 207.8 of the Monroeville Zoning Ordinance No. 1443, as amended, to permit parking that will encroach into the required 10-foot yard setback; the 15-foot side yard setback and from Table 308, Off Street Parking Requirements, to reduce the number of parking spaces from the required 256 to 237 or a 19-space reduction. The property address is 3985 William Penn Highway, Tax Parcel 743-G-70, in the C-2, Business/Commercial Zoning District.

Mr. Steve Panko came forward representing the applicant. He reported they are currently trying to come up with a solution for the Girman piece of property to tie into the entire site. He explained the operator of the Taco Bell sold the business about three or four months ago to someone who will take over this business. He reported when the new owner did a site visit to determine the Taco Bell needs he requested a double drive through. He reviewed how there have been a lot of things that have changed because of Covid with drive throughs and double drive throughs. He explained how the double drive through has been the trend. He suggested maybe the Taco Bell use could be moved

toward the end or the Girman property to keep it separate versus in the middle. He stated that would accommodate the double drive through with an escape lane, surrounding parking and a throat going out to Duff Road. He mentioned there is a double row of parking spaces for the employees. He reported they were able to work the site plan and get the Taco Bell to fit on the site with the variances requested. He suggested this plan isolates the Taco Bell and drive-through lane by itself and keeps the traffic at that end of the property. He felt it makes the site plan and site work better. He reported they would take the Mission Barbeque and add onto the building to have another user so the building would only have two tenants. He explained it is a small site and they will probably demolish the building. He reported he got a call from a resident thanking him for bringing Aldi to town. He explained they are requesting a couple side-yard setbacks because it is a difficult site and they spent a lot of money on retaining walls. He asserted the parking variance is less than the previous one and Mr. Whealdon concurred.

Mr. Dice inquired about his title and Mr. Panko answered he is a co-manager with KDP 369 Roosevelt LLC along with Mr. Cris Sarantos and they own the property.

Mr. Grysiak inquired when Aldi's is opening and Mr. Panko answered three and a half months. He estimated June or July and Key Bank would probably open in two and a half months. He reported Mission Barbeque is excited to be located here and agreed with the layout of the plan. He added they would take the end cap position in the area marked 36/30 square feet. Mr. Grysiak questioned whether Audio Communications would be leveled and Mr. Panko answered affirmatively. He added the site would be filled and he mentioned they had fill from the school. Mr. Grysiak inquired whether anything else could fit on the site and Mr. Panko answered negatively. He mentioned Jiffy Lube is out in front and they were trying to combine it but it does not work. He briefly reviewed what happened with the Girman Property.

Whereupon, a motion was duly made by Mrs. Wilkins to approve Application No. 22-7-A and Mr. D'Agostino seconded it. Upon a voice vote, the motion carried unanimously.

22-8-A

ROBERT GUILIANI

The applicant is requesting a variance from Section 210, Fences, of the Monroeville Zoning Ordinance No. 1443, as amended, to construct a six-foot solid fence in the front yard of the property that faces Saunders Station Road. The property address is 100 Red Gate Drive, Tax Parcel 979-K-087, in the R-2, Single-Family Residential Zoning District.

Mr. Whealdon added it is a corner lot.

Mr. Robert Guiliani, the applicant, came forward to present his application. He reported he wanted to construct a privacy fence on the corner of Red Gate Drive and Saunders Station Road. He asserted he has owned Papa Rocks in Monroeville for 40 years and he lived in Monroeville for 41 years with 18 years at Corkwood Drive and 23 years at Red Gate Drive. He explained how Saunders Station Road is very busy with traffic, noise, debris, litter, dust and dirt. He wanted to construct a privacy fence on the Saunders Station Road side and it would not obstruct any site distance for him or his neighbors'. He asserted it would be located 10, 15, 20 feet off of Saunders Station Road towards his yard. He pointed out there is currently a row of burning bushes but when the leaves fall there is no sound barrier

or privacy. He added several homes down the street have the same situation with corner lots and fence along Saunders Station Road. He again stated it would be for a barrier for sound and dirt.

Mr. Grysiak inquired whether he has a fence in the back yard and Mr. Guiliani answered there is a solid fence along the back yard which is the neighbor's fence but it divides their properties. Mr. Grysiak questioned whether he has a stockade fence by the bushes and Mr. Guiliani answered he has a split-rail fence there currently. He suggested he would probably replace the split-rail fence. He stated he is located back from Saunders Station Road so it would not affect any site distance.

Mr. Guiliani pointed out his property on the plan. He stated he is the first house on the right on the corner of Saunders Station Road and Red Gate Drive. He indicated it would be located to the left of his driveway and to the right of his neighbor's house along the front of the burning bushes. Further discussion ensued.

Mr. Grysiak stated it says six-foot treated privacy fence shadow box without any gates. Mr. Guiliani concurred and added it would be done by Lowe's.

There being no further discussion, Mr. Grysiak duly made a motion to approve Application No. 22-8-A and Mr. Gaydos seconded it. Upon a voice vote, the motion carried unanimously.

ADJOURNMENT

There being no further business to come before the Zoning Hearing Board, at this time, a motion was duly made by Mr. Gaydos to adjourn the meeting at 7:54 p.m. and Mr. D'Agostino seconded it. Upon a voice vote, the motion carried unanimously.

Respectfully submitted,

James Rosipal
Chairman

JR/sam