

MUNICIPALITY OF MONROEVILLE

ZONING HEARING BOARD

JULY 5, 2023

MINUTES

The meeting was called to order by Chairman Gary Grysiak at 7:30 p.m.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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

ROLL CALL

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

APPROVAL OF MINUTES

There being no corrections, additions or deletions to the minutes of the Regular Meeting of June 7, 2023, Mr. Gaydos duly made a motion to approve them, as submitted, and Mr. D'Agostino seconded it. Upon a voice vote, the motion carried unanimously.

OLD BUSINESS

23-11-A

RUNNELL WILSON

The applicant is requesting a Dimensional Variance from Section 210, Fences, of the Monroeville Zoning Ordinance, No. 1443, as amended, to construct a six-foot-tall, solid fence in the front yard of the property that faces Firethorn Drive. The property address is 517 Firethorn Drive, Tax Parcel 637-M-012, in the R-2, Single-Family Residential Zoning District and is a corner lot.

Mr. Whealdon reported this item was tabled last month because the applicant did not attend the meeting. Mr. Grysiak questioned whether the applicant was present and there was no response. Mr. Whealdon reported his office called and emailed the applicant with no response. Mr. Dice inquired whether new letters were sent notifying the applicant of this meeting and Mr. Whealdon indicated they were emails. Mr. Dice asserted this would be the second notification of the meeting and Mr. Whealdon agreed. Mr. Dice advised the board that it is appropriate to deny the application since the applicant did not attend or contact the municipality concerning the application.

Whereupon, Mr. D'Agostino duly made a motion to deny Application No. 23-11-A and Mrs. Wilkins seconded it. Upon a voice vote, the motion carried unanimously.

NEW BUSINESS

23-13-A

RACHEL RUBRIGHT

The applicant is requesting a Dimensional Variance from Section 207.3, Lot and Yard Requirements, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install a deck that will encroach approximately seven feet into the required 10-foot Side Yard Setback for Accessory Structures. The property address is 4905 Lolly Drive, Tax Parcel 1108-F-352, in the R-2, Single-Family Residential Zoning District.

23-14-A

RACHAEL RUBRIGHT

The applicant is requesting a Dimensional Variance from Section 207.8, of the Monroeville Zoning Ordinance, No. 1443, as amended, to increase the size of an existing driveway beyond the maximum permissible 25 percent of the front yard. The property is located at 4905 Lolly Drive, Tax Parcel 1108-F-352, in the R-2, One-Family Residential Zoning District.

Mrs. Rachael Rubright, the applicant, came forward along with Mr. Brett Rubright, her husband, to explain the request. She reported she is requesting permission for the deck that has already been constructed and a new driveway. She apologized that she was unaware permits and variances were needed but she wanted to make things right moving forward. She indicated she is aware that the deck needs to be 10 feet from the property line of the wooded area and the driveway is more than 25 percent of the front yard. She reported they applied for the permit and variance in May and the deck was completed in August of 2022. She explained the deck is 20 by 12-foot coming off the side of the house from the master bedroom, has no steps and overlooks an unused wooded area. She stated the driveway will be finished in concrete. She explained they wanted to increase their home appeal and give their children a place to play.

Mr. Grysiak inquired whether they started work on the driveway and Mrs. Rubright answered they have forms set up. Mr. D'Agostino questioned whether the pictures shown were recent and Mr. Rubright answered affirmatively. Mr. Grysiak asserted the property to the right is all wooded area and Mrs. Rubright agreed. She felt the temple owns the property.

Mr. Whealdon reported he had correspondence from the neighbor to the left of the house. Mr. Dice inquired whether there was any contact from the church and Mr. Whealdon answered negatively. He added the municipality did the public notification and posted the properties.

Mr. Andrew Richmond and Mrs. Beth Griffiths came forward to express their concerns. Mr. Richmond was concerned that there was no survey of 4905 Lolly Drive. He reported there have been land disputes over this property resulting in damage to his property. He stated a small excavator of the applicant put dirt on his hill and then it was gouged out. He indicated he can prove where his property line is located and the neighbor is ten-feet away but he was uncertain about the other side of his neighbors' property. He requested this be tabled until a survey can be submitted because there is no way to tell where the neighbor's property lines are located. He stated the county website is off by at least ten feet and he requested a survey before it is approved. He pointed it is uncertain about the calculations of the front lot because there is no survey.

Mr. D'Agostino inquired about his address and Mr. Richmond answered 4903 Lolly Drive. He was also concerned because there is a manhole located under the driveway that would be paved but it goes to sewers. Ms. Griffiths inquired who would be responsible for framing the manhole in the driveway. She reported the manhole does not appear on the map that was provided to the zoning hearing board. She stated they know there is a manhole in the driveway because they have lived there 20 years. She reported at one time the manhole was marked with a green arrow. She pointed out the manhole is not visible on the pictures with the location of the gravel. She reported there has been no framing so far and they are concerned the manhole would get concreted because it is part of their sewer system. She felt the applicant is well aware of needed permits, variances and the manhole situation.

Mr. Grysiak stated the deck is to the right of the property and Ms. Griffiths agreed it was on the other side of the neighbor's house from theirs. Mr. Grysiak pointed out the driveway is off to the right of the property and Mr. Richmond agreed. Mr. Grysiak inquired whether anything was encroaching on their property line and Mr. Richmond and Ms. Griffiths answered negatively. Mr. Richmond added they did take a backhoe to stuff on their property. Mr. Dice suggested he could go to the magistrate with that issue and seek damages. Mr. Richmond confirmed that the neighbor's construction is located on the other side of the property. Mr. Grysiak inquired whether he shared his survey with the neighbor and Mr. Richmond indicated that he informed the neighbor of the 16 feet. He stated he has erected a temporary fence to keep the construction out of his yard and put in markers where the pins are located and measured out 16 feet to make it more obvious.

Mr. Grysiak inquired whether they had any objection to the deck and Mr. Richmond and Ms. Griffiths answered negatively. Mr. Grysiak inquired whether they had any objection to expanding the driveway in front of the house. Ms. Griffiths answered they are concerned with the water runoff and how it would be managed so they do not get any more erosion. She mentioned there is a storm drain at the end of the street where the framing is and it looks like it is located close to the driveway. She wanted to know what steps would be put in place so the cement does not fall into the grate or clog the sewer. Mr. Grysiak pointed out the grate is located by the guardrail. Again, Ms. Griffiths questioned what steps would be put in place to ensure the cement is not into the sewer grate. She also questioned what time the trucks would be coming to the house and how they can be assured they will have access to their property and to their driveway. Mr. Grysiak inquired whether two cars can pass on Lolly Drive and Ms. Griffiths answered affirmatively. She was concerned with the trucks stopped in front of the driveway with other cars parked and it is impossible to back out of the driveway.

Mr. D'Agostino felt there is enough space between the driveways that the trucks would not hinder access to her driveway. He suggested the applicant notify them of when it would be done. Mr. D'Agostino inquired whether the property has been flagged or marked since they had a survey done. Mr. Richmond reported someone ripped out their flags once but at the moment it is pinned.

Again, Ms. Griffiths stated their main concern is the manhole to make sure it is accessible.

Mr. Rubright reported that he works for the Monroeville Municipal Authority and stated the manhole would be raised either the next day or Friday if it is approved. Mr. Grysiak inquired whether it would be covered over or cemented and Mr. Rubright answered negatively. He reported it is not covered with stone and Monroeville is aware of that. He stated it has been camera-ed and everyone is aware of what is going on with it. Again, he stated it would be raised the next day or Friday.

Mr. Grysiak inquired about the sewer grate and whether there is runoff coming toward it. Mr. Rubright reported he was advised to keep the driveway and concrete back from the road and the municipality would raise up the storm sewer an inch and a half which makes everything flow better and the curb would be re-asphalted. Mr. Grysiak asserted with his experience that is a good solution for the driveway and Mr. Rubright agreed.

Whereupon, Mrs. Wilkins duly made a motion to approve Application No. 23-13-A and Mr. D'Agostino seconded it. Upon a voice vote, the motion carried unanimously.

Furthermore, Mr. D'Agostino duly made a motion to approve Application No. 23-14-A and Mr. Gaydos seconded it. Upon a voice vote, the motion carried unanimously.

Mr. Whealdon reported the next ten items have been tabled by the applicant.

23-15-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(a)(1), Billboards: Location, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install a billboard that will encroach approximately eight feet into the required 10-foot Front Yard Setback. The property is a vacant lot on Old William Penn Highway, Tax Parcel 638-D-312, in the C-2, Business/Commercial Zoning District and is a lot with two front yards.

This application has been tabled by the applicant.

23-16-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(b), Billboards: Size and Height, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install a billboard that will exceed the 150 square foot maximum size of a billboard by 522 square feet per side for a total of 672 square feet per side. The property is a vacant lot on Old William Penn Highway, Tax Parcel 638-D-312, in the C-2, Business/Commercial Zoning District and is a lot with two front yards.

This application has been tabled by the applicant.

23-17-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(b)(2), Billboards: Size and Height, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install a billboard that will exceed the 10 by 15-foot maximum dimensions of a billboard by 4 feet and 33 feet, respectively, for total dimensions of 14 by 48 feet per side. The property is a vacant lot on Old William Penn Highway, Tax Parcel 638-D-312, in the C-2, Business/Commercial Zoning District and is a lot with two front yards.

This application has been tabled by the applicant.

23-18-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(b)(3), Billboards: Size and Height, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install a billboard that will exceed the maximum height requirement of 24 feet above a roadway by 15 feet for a total height of 39 feet per side. The property is a vacant lot on Old William Penn Highway, Tax Parcel 638-D-312, in the C-2, Business/Commercial Zoning District and is a lot with two front yards.

This application has been tabled by the applicant.

23-19-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(c)(1), Billboards: Construction Methods, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install a billboard that will exceed the 3.0-foot maximum diameter of a single vertical support by 0.5 feet for a total diameter of 3.5 feet. The property is a vacant lot on Old William Penn Highway, Tax Parcel 638-D-312, in the C-2, Business/Commercial Zoning District and is a lot with two front yards.

This application has been tabled by the applicant.

23-20-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(a)(1), Billboards: Location, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install a billboard that will encroach approximately eight feet into the required 10-foot Front Yard Setback. The property is a vacant lot on Old William Penn Highway, Tax Parcel 742-N-015, in the C-2, Business/Commercial Zoning District and is a lot with two front yards.

This application has been tabled by the applicant.

23-21-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(b), Billboards: Size and Height, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install a billboard that will exceed the 150 square foot maximum size of a billboard by 522 square feet per side for a total of 672 square feet per side. The property is a vacant lot on Old William Penn Highway, Tax Parcel 742-N-015, in the C-2, Business/Commercial Zoning District and is a lot with two front yards.

This application has been tabled by the applicant.

23-22-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(b)(2), Billboards: Size and Height, of the Zoning Ordinance, No. 1443, as amended, to install a billboard that will exceed the 10 by 15-foot maximum dimensions of a billboard by 4 feet, 33 inches, respectively, for total dimensions of

14 by 48 feet per side. The property is a vacant lot on Old William Highway, Tax Parcel 742-N-015, in the C-2, Business/Commercial and is a lot with two front yards.

This application has been tabled by the applicant.

23-23-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(b)(3), Billboards: Size and Height, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install a billboard that will exceed the maximum height requirement of 24 feet above a roadway by 15 feet for a total height of 39 feet for each side. The property is a vacant lot on Old William Penn Highway, Tax Parcel 742-N-015, in the C-2, Business/Commercial Zoning District and is a lot with two front yards.

This application has been tabled by the applicant.

23-24-A
OWPH DEVCO, LLC

The applicant is requesting a Dimensional Variance from Section 307.14(c)(1), Billboards: Construction Methods, of the Monroeville Zoning Ordinance. No 1443, as amended, to install a billboard that will exceed the 3.0-foot maximum diameter of a single vertical support by 0.5 feet for a total diameter of 3.5 feet. The property is a vacant lot on Old William Penn Highway, Tax Parcel 742-N-015, in the C-2, Business/Commercial Zoning District and is a lot with two front yards.

This application has been tabled by the applicant.

Mr. Grysiak explained this is dealing with two proposed billboards along the Parkway and a host of issues including the size. Mr. Whealdon stated it is for two proposed billboards with five variance requests for each for a total of ten variances. He added the applicant offered no reason for the tabling request or continuance. Mr. Dice inquired whether they agreed to extend the time period and Mr. Whealdon answered affirmatively.

Whereupon, Mr. D'Agostino duly made a motion to approve the tabling of all ten applications and Mrs. Wilkins seconded it. Upon a voice vote, the motion carried unanimously.

23-25-A
BRIAN SUSKO

The applicant is requesting a Dimensional Variance from Section 307.3, Lot and Yard Requirements, of the Monroeville Zoning, Ordinance No. 1443, as amended, to install a deck that will encroach approximately seven feet into the required 10-foot Side Yard Setback for Accessory Structures. The property address is 102 Bradberry Drive, Tax Parcel 860-G-180, in the R-2, Single-Family Residential Zoning District.

Mr. Brian Susko, the applicant, came forward to explain his request. He reported there is an existing deck on the house and last year they got a permit to build an above-ground pool in the back yard. He planned to put a lower deck around the pool with stairs from the upper deck down to the lower and they want to put a landing so the stairs would extend into the 10-foot side yard area. He

suggested removing the existing set of stairs and re-using the space and move it up to the top and attach it to the top which is why he needs the variance.

There being no further discussion, Mr. D'Agostino duly made a motion to approve Application No. 23-25-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, Mr. Hutchison duly made a motion to adjourn the meeting at 7:53 p.m. and Mr. D'Agostino seconded it. Upon a voice vote, the motion carried unanimously.

Respectfully submitted,

Gary Grysiak
Chairman

GG/sam