

WARREN COUNTY ZONING HEARING BOARD MINUTES

Wednesday, June 22, 2022

10:00 a.m.

Commissioners' Conference Room
Warren County Courthouse

MEMBERS PRESENT: Edwin W. Atwood, Dennis A. Johnson, David Miller,
Donald C. Saporito, Sr., Patrick Soliday

MEMBERS ABSENT: None

STAFF PRESENT: Michael Lyon, Zoning Officer; Laurie Burdick, Planning &
Zoning Department Secretary; Timothy Bevevino, Esq.,
Solicitor

STENOGRAPHER: Katy Witherow – The Sargent's Group, Johnstown, PA

GUESTS PRESENT: Marcia H. O'Brien, Richard Fisher, Bob Perrett, Pat Evans

10:00 a.m. - Variance: Marcia H. O'Brien – Reduction in the minimum front yard setback requirement in the R1-Residential Zoned District – 32 Quaker Court Circle, Warren, PA, Glade Township – Tax Parcel ID #WN-549-447300

Chair David Miller called the meeting to order.

Mr. Miller stated that, presented to the Board for consideration is a request for a Variance by Marcia H. O'Brien (applicant) of Warren, PA. The property is located in Glade Township and is zoned "R1-Residential". The Tax Parcel Number is WN-549-447300, consisting of .4 acres.

Mr. Miller further stated that the issue before the Board is Section 303, "R-1 Residential District", Table 303 "R1 – District Lot, Yard, & Height Standards." The applicant is requesting a reduction in the front yard minimum setback of 30' to 18', a 40% reduction in the amount of 12'.

Mr. Miller asked Zoning Officer, Michael Lyon, if all property owners within 300 feet were notified by mail, if the hearing was properly advertised in the newspaper, and if the property was posted. Mr. Lyon responded in the affirmative to all three questions.

Parties to the hearing were identified as follows: Marcia H. O'Brien (applicant/property owner), Glade Township, and Warren County, represented by Michael Lyon, Zoning Officer.

Richard Fisher wished to be a party to the hearing.

Mr. Miller explained the procedure to be followed during the hearing.

Marcia H. O'Brien and Richard Fisher were sworn-in by David Miller and Mrs. O'Brien then gave her presentation regarding the proposed construction of a 12 X 14 addition to their house due to health issues and a hardship navigating the stairs.

Michael Lyon presented an aerial photograph of the property and stated that the house was built consuming the minimum requirement of thirty (30) feet. His responsibility is to defend what the Ordinance requires. The hardship Mrs. O'Brien expressed is not related to the property itself and the development that has already happened.

There were no objections and no other evidence.

Solicitor Timothy Bevevino said he would agree with what Michael Lyon stated, that the hardship has to go with the property and can't be a personal hardship; it is a hardship that is imposed because of the unique features of the property.

Patrick Soliday called for an executive session at 10:10 a.m.

The hearing resumed at 10:19 a.m. David Miller stated that the Board was going to take this matter under advisement and make a decision within the next forty-five (45) days.

The hearing was unanimously adjourned at 10:20 a.m. with a motion by Edwin Atwood and a second by Patrick Soliday. Motion carried.

Variance denied.

Respectfully submitted,



Laurie A. Burdick
Department Secretary
Warren County Planning & Zoning
204 Fourth Avenue
Warren, PA 16365
814-728-3512
814-728-3517 (fax)

WARREN COUNTY ZONING HEARING BOARD MINUTES

Wednesday, June 22, 2022

10:15 a.m.

Commissioners' Conference Room
Warren County Courthouse

MEMBERS PRESENT: Edwin W. Atwood, Dennis A. Johnson, David Miller,
Donald C. Saporito, Sr., Patrick Soliday

MEMBERS ABSENT: None

STAFF PRESENT: Michael Lyon, Zoning Officer; Laurie Burdick, Planning &
Zoning Department Secretary; Timothy Bevevino, Esq.,
Solicitor

STENOGRAPHER: Katy Witherow – The Sargent's Group, Johnstown, PA

GUESTS PRESENT: Bob Perrett, Pat Evans

**10:15 a.m. - Variance: Robert & Elaine Perrett – Reduction in the minimum
front yard setback requirement in the R1-Residential Zoned District – 646
Beach St., Warren, PA, Conewango Township – Tax Parcel ID #WN-574-27700**

Chair David Miller called the meeting to order at 10:21 a.m.

Mr. Miller stated that, presented to the Board for consideration is a request for a Variance by Robert & Elaine Perrett (applicant) of Jackson Beach, FL & Warren, PA. The property is located in Conewango Township and is zoned "R1-Residential". The Tax Parcel Number is WN-574-27700, consisting of 1.85 acres.

Mr. Miller further stated that the issue before the Board is Section 303, "R-1 Residential District", Table 303 "R1 – District Lot, Yard, & Height Standards." The applicant is requesting a reduction in the front yard minimum setback of 30' to 5.9', an 80% reduction in the amount of 24.1'.

Mr. Miller asked Zoning Officer, Michael Lyon, if all property owners within 300 feet were notified by mail, if the hearing was properly advertised in the newspaper, and if the property was posted. Mr. Lyon responded in the affirmative to all three questions.

Parties to the hearing were identified as follows: Robert Perrett (applicant/property owner), Conewango Township, and Warren County, represented by Michael Lyon, Zoning Officer.

Pat Evans wished to be a party to the hearing.

Mr. Miller explained the procedure to be followed during the hearing.

Robert Perrett and Pat Evans were sworn-in by David Miller. Mr. Perrett then gave his presentation regarding the completed construction of a new building on his property that he received a violation letter for from Michael Lyon after the building was constructed.

Tim Bevevino asked him if he had a copy of the Agreement with him that he entered into with Conewango Township, and one was provided.

Michael Lyon presented photographs of the site and said he had no issues and that the structure is not changing the characteristic of the neighborhood.

There were no objections and no other evidence.

Pat Evans asked to testify and spoke in favor of Mr. Perrett.

Solicitor Timothy Bevevino clarified that the location of the structure was due to the topography of the land. Mr. Bevevino's only comment was that he would like to review the Agreement between Mr. Perrett and Conewango Township before the Board makes its decision.

There were a few questions that were asked and discussed.

David Miller said they would take this matter under advisement and make a decision within the next forty-five (45) days.

The hearing was unanimously adjourned at 10:40 a.m. with a motion by Edwin Atwood and a second by Patrick Soliday. Motion carried.

Respectfully submitted,



Laurie A. Burdick
Department Secretary
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