

WARREN COUNTY ZONING HEARING BOARD

MINUTES

November 1, 2023

10:00 a.m.

Commissioners' Conference Room
Warren County Courthouse

MEMBERS PRESENT: Edwin W. Atwood, David Miller, Donald C. Saporito, Sr.,

MEMBERS ABSENT: Dennis Johnson, Patrick Soliday

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

STENOGRAPHER: Olivia P. Mailliard - The Sargent's Group, Johnstown, PA

GUESTS PRESENT: Jennifer Betts, Emily Wachter, Shirley Betts, Samantha Bodratti, John Moore, Josh Cotton (Times Observer)

10:00 a.m. - Variance: Gwynn & John Moore - Variance to reduce front yard minimum required setback in an ACR Zoned District - 2399 Peterson Rd., Russell, PA - Elk Township - Tax Parcel ID #KI-004-142310

Chair David Miller called the meeting to order at 10:00 a.m.

Mr. Miller stated that, presented to the Board for consideration is a request for a Variance by Gwynn & John Moore (applicant) of Russell, PA. The property is located in Elk Township and is zoned "ACR." The Tax Parcel Number is KI-004-142310, consisting of 1.5 acres.

Mr. Miller further stated that the issue before the Board is Section 302, Table 302, Article III "ACR" District requiring a minimum front yard setback of 50 feet. The applicant is requesting a reduction in the front yard set back to "15" feet (40' from the center line of Peterson Road) to accommodate building a detached garage, avoiding an existing on-lot septic system and leach field and sloping contours of the parcel.

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: John & Gwynn Moore - applicant/property owner; Elk Township; and Warren County represented by Michael Lyon, Deputy Planning Director.

No other individuals wished to be a party to the hearing.

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

John Moore was sworn-in by Mr. Miller.

The applicant gave his presentation regarding construction of a detached garage on the property and the hardships of a slope and on-lot septic system.

There were no questions from the Board.

Michael Lyon, Deputy Planning Director/Zoning Officer, explained that he was out to visit the property and stated that the house is a legal non-conforming structure because it is already closer than 50 feet to the road. He did observe that there is a significant slope. He doesn't see it as a detriment to the neighborhood because the neighbors are miles away. He said, from a zoning aspect, he had no issues with it and recommended that the Board approved the applicants' request for a variance.

There were no objectors.

Solicitor Timothy Bevevino, Esq. said he had no problem with the Variance request.

Donald C. Saporito, Sr., made a motion, with a second by Edwin Atwood, to approve the Variance. A vote was taken and all were in favor; motion carried.

The hearing was unanimously adjourned at 10:05 a.m. with a motion by Edwin Atwood and second by Donald C. Saporito, Sr.

Variance granted.

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

November 1, 2023

10:15 a.m.

Commissioners' Conference Room
Warren County Courthouse

MEMBERS PRESENT: Edwin W. Atwood, David Miller, Donald C. Saporito, Sr.,

MEMBERS ABSENT: Dennis Johnson, Patrick Soliday

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

STENOGRAPHER: Olivia P. Mailliard - The Sargent's Group, Johnstown, PA

GUESTS PRESENT: Jennifer Betts, Emily Wachter, Shirley Betts, Samantha Bodratti, Josh Cotton (Times Observer)

10:15 a.m. – Variance/Special Exception: Shirley Betts – Variance to Home Occupation requirement to permit non-household employee; Special Exception to permit a Beauty Shop to have more than one chair per Home Occupation requirements in a R1-Residential Zoned District – 26 N. State St., Warren, PA – Conewango Township – Tax Parcel ID #WN-546-493800

Chair David Miller called the meeting to order at 10:15 a.m.

Mr. Miller stated that, presented to the Board for consideration is a request for a Variance and Special Exception by Shirley Betts (applicant) of Warren, PA. The property is located in Conewango Township and is zoned "R1-Residential". The Tax Parcel Number is WN-546-493800, consisting of .23 acres.

Mr. Miller further stated that the issue before the Board is Article IV, Section 401.20 "Home Occupation", specifically sections 401.20.2 requiring no employees outside of the immediate household and Section 401.20.14 restricting home occupation, Beauty Shops, to a single chair. The applicant is requesting approval of a variance to Section 401.20.2 to permit employees outside of the immediate household and approval of a Special Exception to Section 401.20.14 permitting more than one (1) chair as a home occupation beauty salon.

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: Jennifer Betts, representing the applicant/property owner; Conewango Township; and Warren County represented by Michael Lyon, Deputy Planning Director.

Emily Wachter wished to be a party to the hearing.

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

Jennifer Betts and Emily Wachter were sworn-in by Mr. Miller.

The applicant gave her presentation regarding opening a salon with a long-time co-worker. They both have autistic children and they would like to open a salon to make it as comfortable as it could be by turning down the noise and the lights for a large portion of their clientele.

There were no questions from the Board.

Michael Lyon, Deputy Planning Director/Zoning Officer, explained that the applicant is interested in converting the former garage into a salon and stated that the residence was previously used as a daycare center. His opinion is having two chairs at the salon is going to have less traffic and impact than the daycare center did. They are looking for approval of the variance to allow employees outside the household, which, he doesn't see a problem with, and the special exception would be to allow more than one chair. He said from a zoning perspective, he doesn't have any issues with this but would recommend that this be approved with the condition that there never be more than two chairs being used because it is a residential area and a home occupation. He has received no phone calls with questions or concerns.

There were no objectors.

Emily Wachter stated that she wanted to highlight the importance of having a salon in the community that people can go to and be comfortable.

Solicitor Timothy Bevevino, Esq. said he had no problem with the Variance and Special Exception requests.

Edwin Atwood made a motion, with a second by Donald C. Saporito, Sr., to approve the Variance and Special Exception requests as read, to include the condition that there never be more than two chairs being used. A vote was taken and all were in favor; motion carried.

The hearing was unanimously adjourned at 10:23 a.m. with a motion by Edwin Atwood and second by Donald C. Saporito, Sr.

Variance and Special Exception granted.

Respectfully submitted,



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