

August 20, 2020

Zoning Case: Z02-20

Shawn Drum
127 McKrell Road
Tarentum, PA 15084

Attendees: Sean Parkinson, George Hollibaugh, Neil Tristani, James Smullin, Joe Gizienski

Absent Member(s): Scott Woloszyk

Other Attendees: William Payne, Code Enforcement Officer
Branden Fulciniti, Solicitor
Dorothy Moyta, Zoning & Planning Administrator
Teresa Benson, Court Reporter

Variance: Use variance from Ordinance No. 394: Article V, Section 5.4, Chart B

Property is zoned R (Rural Estate)

Case Z02-20: *Represented by Shawn Drum*

A zoning variance application was submitted for a Contractor's Yard at 1336 Saxonburg Rd., Tarentum, PA 15084. The property is zoned Rural Estate, R. The request was previously denied under Zoning Ordinance #394, Section 5.4, Chart B.

Mr. Drum presented a package to include a Zoning Hearing Board Application, a county parcel plan, and some photographs of the existing building on the property. The property was previously Mad Dawg's bar and the existing building will be reused. Mr. Drum plans to use the Contractor's yard for a small trucking and excavating company. Only equipment will be stored at the site. Hours will be 8-5. A fence building permit will be required. JCCG's Memorandum of August 20, 2020 is attached to this zoning case.

The following Conditions will be applicable to this variance:

1. The contractor's yard shall not exceed a maximum area of 2 acres.
2. An untouched buffer yard between all adjoining properties of no less than 100' from the contractor yard shall be required at all times. Additional screening may be required by the zoning official if the contractor's yard become visible from the roadway. This buffer yard and screening requirements may be revised in the judgement of the township zoning officer at any time.
3. No dumping of any materials that are not considered clean fill. No fill material shall go uncovered for a time period exceeding 15 days.
4. If fill material is brought in to the Property it shall be done in large amount and limited intervals so to not cause a continual disturbance for the community.
5. The land development process shall be completed for contractor's yard as well as any business that occupies the structure. The land development process shall address screening and landscaping for that specific area.
6. All equipment supplies, materials and other apparatus shall be properly screened in accordance with the land development process.

7. If any violation is found and not corrected within 30 days the conditional use approval shall be revoked and become null and void.
8. The contractor's yard shall not begin any mechanical operations until 7:00 A.M. and shall cease all mechanical operations by 9:00 P.M.
9. The Township, through the zoning official, may attach additional conditions to this approval at any time, in order to protect the public's health, safety, and welfare.

Here are the standards set forth for a contractor yard use per zoning requirements which will also have to be followed.

23.4.13. Contractor's Yard

- A. A contractor's yard shall have a minimum lot area of twenty thousand (20,000) square feet and a maximum lot area of two (2) acres.
- B. A contractor's yard shall have direct access to an arterial road as identified by the Township.
- C. All equipment supplies, materials and other apparatus shall be properly screened. Screens shall be constructed with an earth berm, landscaped buffer yard, fence or wall with a minimum height of eight (8) feet in height and with a minimum opacity of eighty (80%) percent.
- D. All property boundaries adjoining an existing residence shall provide a landscaped buffer yard of a minimum of fifteen (15) feet in width. The buffer yard shall be landscaped with a combination of deciduous and evergreen trees, shrubs, ornamental grasses and groundcovers.
- E. Grass, sod, lawn or turf shall not be considered an acceptable plant for use within landscaped buffer yards.
- F. A contractor's yard that adjoins an existing residence shall not begin mechanical operations until 7:00 A.M. and shall cease all mechanical operations by 9:00 P.M.
- G. The Township may attach additional conditions pursuant to this section, in order to protect the public's health, safety, and welfare. These conditions may include but are not limited to increased setbacks.

Public comments: No positive or negative comments from public.

The Zoning Hearing Board **GRANTED** the zoning Variance for Mr. Drum.

Voting was unanimous.

Any aggrieved parties have 30 days to file an appeal with the court of common pleas.

Zoning Hearing Board
Z02-20
August 20, 2020