

July 15, 2021

Zoning Case: Z02-21

Frank Restelli
Parcel # 1511-L-44 East Union Rd.
Cheswick, PA 15024

Attendees: Scott Woloszyk, George Hollibaugh, Joe Gizienski, Neil Tristani, James Smullin, H. Nelson Crooks, Chad Dolby.

Absent Member(s): Sean Parkinson

Other Attendees: William Payne, Code Enforcement Officer
Branden Fulciniti, Solicitor
Dorothy Moyta, Zoning Administrator
Veronica Trettel, Court Reporter

Variance: Use Variance from Ordinance No. 394: Article V, Section 5.5, Chart 5.5.1

Property is C-2 (Highway Commercial)

Case Z02-21: *Represented by Frank Restelli*

A zoning variance application was submitted for a residential home at Parcel # 1511-L-44 East Union Rd. Cheswick, PA 15024. The property is zoned Highway Commercial, C-2 The request was previously denied under Zoning Ordinance #394, Section 5.5, Chart 5.5.1

Mr. Restelli presented a package to include a Zoning Hearing Board Application. This was supplemented by West Deer to include a county parcel plan, partial Zoning Map and photos. Mr. Restelli is the owner wants to have a use variance for a single family home. The construction drawings will be received at time of permitting; A building permit will be required.

Zoning Board members posed the following questions:

1. Mr. Crooks asked Mr. Restelli if he would be placing the residence in the rear of the property. The rear of the property borders on an R3 zone. *Mr. Restelli said that he wanted the house closer to the road.*
2. Mr. Crooks asked Mr. Restelli whether he had any plans for a garage. *Mr. Restelli said that he was going to use an existing shed on the property and replace the roof.*
3. Mr. Crooks asked Mr. Restelli whether he owned the property. *Mr. Restelli said that yes that he had closed the sale in June.*
4. Mr. Hollibaugh asked Mr. Restelli whether he would abide by the 15' setback. Mr. Restelli said yes but there is a creek on one side of the property and he would avoid that in building the house.
5. Mr. Payne asked how long the property has been on the market. *Mr. Restelli said that he saw it on Facebook.* Mr. Payne said that it has been on sale for at least 7 years, the amount of time Mr. Payne has been employed with the Township.

6. Mr. Payne said what about topography ? It looks flat in the front and it looks like there is a marshy area in the center of the slope of that flat area. *Mr. Restelli said that the marshiness is largely due to a spring and that he is looking to redirect the spring.*
7. Mr. Payne asked where Mr. Restelli would put the house. *Mr. Restelli said that they had already cleared an area. Mr. Payne said that the house should not be placed on uncompacted fill.*
8. Mr. Payne asked what the surrounding properties are like for the record, There is a house on the corner and the primary school up the street. *Mr. Restelli said that the house will be about 2000 SF and dimensions will be approximately 40' x 60'.*
9. Mr. Crooks said that if the property is subdivided at a later date, the new properties must conform to all setbacks for Magill Heights.

Mr. Fulciniti posed the following questions to the applicant regarding this variance:

1. Since part of the property is uncompacted fill, would it be a hardship to use the property for commercial use ? *Mr. Restelli said yes that would be a hardship.*

Public comments: No positive or negative comments from public

The Zoning Hearing Board **GRANTED** the zoning variance for Mr. Restelli with the following conditions.

1. The property with the single family home shall always mirror the zoning requirements of the Magill Heights housing plan.

Voting was unanimous.

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

Zoning Hearing Board
Z02-21
July 15, 2021