

The North Strabane Township Zoning Hearing Board met in regular session on Wednesday, November 3, 2010 at 7:00 P.M. at the Municipal Building, located at 1929 Route 519, Canonsburg, PA.

Attending this session

Richard Murphy, Vice Chairperson  
Robert Shader, Secretary  
Peter Elish, Member  
Elizabeth Fitzanko, Alternate Member

Absent from this session

W. Patric Boyer, Chairperson  
Steve Bilko, Member

Also attending this session

Candie Yerkey, Court Reporter  
Margaret Householder, Stenographer

APPROVAL OF  
MINUTES OF  
OCTOBER 6, 2010

Motion by Elish, seconded by Murphy to approve the minutes of the meeting of October 6, 2010.

Motion carried, all members present voting yes.

ADMINISTER  
OATH

At this time the oath is administered to all those who wish to give testimony this evening.

HEARING  
APPLICATION OF  
CURT KOMAN  
FOR KOVEST  
PARTNERS, LLC

This is an application of Curt Koman (KoVest Partners, LLC), 426 Old Pike Street, Canonsburg, PA 15317.

Variances are requested to off-street and loading requirements, grading setback, number of parking spaces, lot size and setbacks.

Location is existing site of KoSports Hockey, located on Old Pike Street. Lot size is .477 acres (proposed). Present use is commercial. Zone district is C-1. Present improvements upon land – KoSports Hockey. Proposed use – KoSports Hockey (new building).

No previous application or appeal has been filed. Applicant is the owner. Approximate cost of work involved - \$1,500,000.00.

Following are the names and addresses of owners of property within 300

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feet:

|                             |                                 |
|-----------------------------|---------------------------------|
| Peter and Denise Morelli    | 7 Sunnycrest Drive, Cecil       |
| John E. Thomas              | 17 Weavertown Road, Canonsburg  |
| Timothy V. Taylor           | 405 Old Pike Street, Canonsburg |
| John and Tracey Koutsogiani | 120 Brave Run Road, McMurray    |
| David Gross and Jen Dennis  | 408 Old Pike Street, Canonsburg |
| David L. Scott, Jr.         | 278 Fawcett Church Rd.          |
| Donald Smith                | 434 Old Pike Street             |
| Arthur W. Smith             | 422 Old Pike Street             |
| Walgreens                   | RE Tax Dept., PO Bx 901, Il     |
| Armand Dellovade            | 108 Cavasina Drive              |

The fee was paid and the hearing was advertised on October 20 and October 27, 2010.

What follows is a brief synopsis of the testimony – not a verbatim transcript.

Murphy Please tell us what you need and why you’re here.

Rich Rush I am Rich Rush with Widmer Engineering. With me is Geno Toriello with Nello Construction and Curt Koman with KoSports Hockey. Basically what Mr. Koman is looking for is – the existing KoSports Hockey building – he plans to build a new building, 8,700 square feet, two-story building, so it’s a 4,350 foot footprint. We’re looking at variances related to, I have them listed on the drawing, relating to setbacks, grading setback, to allow for construction of a wall. I guess we can go through them – do you want to go through them one at a time?

I put them in numerical order. No. 1 is grading setback, we are requesting a zero setback to allow for construction of a retaining wall, and then backfilled. It will set approximately 10 foot off the property line. Not sure it’s going to be needed, but thought we would ask, in case it is. We won’t be going to the property line, but we would like to use that area to build the wall. It’ll be put back to grade, once the wall is finished.

The second one is, this is three lots and it will be consolidated into one lot. The total of all three lots is .477 acres. That’s under the half acre required in this zoning district, so we’re requesting that. We’re combining all the land owned by Mr. Koman.

The third is to allow for a ten foot rear setback. A twenty is required. We’re planning to make the building, the rear and some of the sides of the building a retaining wall. The rear of the building is the I-79 right of

way.

No. 4 is, for parking areas greater than 3%, the parking needs to be aligned parallel to the slope. We're asking for it to be 5%. Our maximum for parking lots is 5%, but we want to parallel to that 5%.

The fifth is overall number of parking spaces. The bottom is retail stores. The top floor is storage. A total of 20 spaces is required. Fifteen are provided. There will be no additional employees required for the top floor. It will be the existing employees in the retail store who will use the warehouse area.

We're looking to reduce the unloading size area to 40 feet by 15 feet. This will allow a box truck to pull in, back up, and do all the maneuvering on-site.

- Elish                      On the map, where is your present store?
- Rush                        If you are facing the lot, it will be on the left side. There are a few buildings that will be torn down. The existing store, and a couple houses. Right now the houses are being used for storage.
- Shader                      The retaining wall – you're going to put that back to grade, anyway?
- Rush                        Yes. It may be slightly above – slightly below. It's going to be a reinforced concrete retaining wall, basically the same type of structure as the building will be. Even in the tightest area, it'll be 9 feet to the setback. So it will be a temporary easement.
- Elish                        Is there a creek behind the property also?
- Rush                        No. It slopes all the way up to I-79. It's the standard 2:1 slope up to the edge of the right of way.
- Elish                        There are some homes along here, also?
- Rush                        Yes.
- Elish                        What's that zoned, commercial? They put homes in commercial?
- Rush                        I think the homes were there before the property was zoned commercial. The homes were non-conforming.
- Murphy                     Are there any residents here who have anything to say?

(No response)

- Curt Koman I do have a signed statement from the neighbors on both sides.
- Murphy Does the Township Engineer have any problems?
- Householder Apparently not. You all have the review letter, which we just got late today. And we had a conversation on the phone earlier today, and he didn't indicate any concern about granting these variances.
- Elish Don't you have to be able to move emergency vehicles around the building?
- Rush No. We met with Mark Grimm, and basically, he was, he does not need vehicular access behind the building. As long as he can get a man up in behind the building, he was fine, because he can pull into the site.
- Shader I wish there was some way to get a couple more parking spaces.
- Rush So do we.
- Fitzanko How many parking spaces are on the site right now?
- Rush Existing, on-site. Two. Basically it's on-street parking.
- Elish I'll make a motion that all the variances are accepted, based on the  
MOTION topography and the already present non-conforming conditions.
- Shader I'll second.
- Motion carried, all members present voting yes.

**APPLICATION OF  
BRENT AND KIM  
ANGOTT**

This is an application of Brent and Kim Angott, 34 Fieldbrook Drive, Washington, PA 15301. A variance is requested to Section 303, F. relating to the use.

Location is McBride Road. Lot size is 12.873 acres. Present use is vacant. Zone district is A-1. Proposed use – garage and future home.

We believe that the Board should approve this request because:

We believe we should be approved for a garage to store a tractor to maintain our property i.e. – brush hog, cut grass. We also plan on building a home on the acreage in the near future. The garage will not be seen by any existing home and will be very tasteful – rustic barn look. Will only add to value/beauty of land.

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No previous application has been filed.

Applicant is the owner.

Approximate cost of work involved - \$30,000.00.

Following are the names and addresses of owners of property within 300 feet:

|                                 |                             |
|---------------------------------|-----------------------------|
| Michael and Dana Sybert         | 304 Fieldbrook Drive, Wash. |
| John Chase                      | 305 Fieldbrook Drive, Wash. |
| Todd and Jeri Cunningham        | 306 Fieldbrook Drive, Wash. |
| Jason Sherwood                  | 307 Fieldbrook Drive, Wash. |
| Mr. and Mrs. Jeff Gebhart       | 308 Fieldbrook Drive, Wash. |
| Wm. and Barbara Diamond         | 309 Fieldbrook Drive, Wash. |
| Mr. and Mrs. John Edgell        | 310 Fieldbrook Drive, Wash. |
| James and Robyn Walters         | 311 Fieldbrook Drive, Wash. |
| Stephanie Dillon                | 312 Fieldbrook Drive, Wash. |
| Thy Ngo                         | 313 Fieldbrook Drive, Wash. |
| Jeff and Teresa Graeber         | 315 Fieldbrook Drive, Wash. |
| Kevin Ellenberger               | 316 Fieldbrook Drive, Wash. |
| Michael Sinozich                | 317 Fieldbrook Drive, Wash. |
| Gregory and Nancy Domhoff       | 318 Fieldbrook Drive, Wash. |
| Wm. and Lucinda Franczyk        | 319 Fieldbrook Drive, Wash. |
| Scott and Melanie Hinkle        | 321 Fieldbrook Drive, Wash. |
| John and Pamela Tarnik          | 323 Fieldbrook Drive, Wash. |
| Matt and Denise Sauer           | 325 Fieldbrook Drive, Wash. |
| Jenn and Todd Beatty            | 327 Fieldbrook Drive, Wash. |
| Christian Simpronio             | 328 Fieldbrook Drive, Wash. |
| Carlo Fontonia                  | 329 Fieldbrook Drive, Wash. |
| Ken and Kim Rindt               | 330 Fieldbrook Drive, Wash. |
| Bruce and Cheri Swingle         | 204 Fieldbrook Drive, Wash. |
| Colleen and Christopher Pinelli | 205 Fieldbrook Drive, Cbg.  |
| Raymond and Pam Shipley         | 206 Fieldbrook Drive, Cbg.  |
| Victor J. Huygens               | 207 Fieldbrook Drive, Cbg.  |
| Wm. and Lisa Allen              | 208 Fieldbrook Drive, Cbg.  |
| Mike Galon                      | 209 Fieldbrook Drive, Cbg.  |
| Amanda Teagarden                | 210 Fieldbrook Drive, Cbg.  |
| Susan Tokar                     | 211 Fieldbrook Drive, Cbg.  |
| Ronald F. Tomsic                | 212 Fieldbrook Drive, Cbg.  |
| Susan Scheiwer                  | 213 Fieldbrook Drive, Cbg.  |
| Patricia Martin                 | 214 Fieldbrook Drive, Cbg.  |
| James and Kriste Sisul          | 215 Fieldbrook Drive, Cbg.  |
| Edward and Katherine Wyras      | 216 Fieldbrook Drive, Cbg.  |
| Angela Stasik                   | 217 Fieldbrook Drive, Cbg.  |
| Deborah Sisul                   | 218 Fieldbrook Drive, Cbg.  |



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loft above us, cinder block with cocoa colored cement board above, with a single garage door. Eventually I plan on building a house, to match everything together. I'm saving money for the house, but I still need to maintain the land, and to store the equipment to do that, I need the garage.

Murphy Do you have the equipment?

Angott No. We live in the nearby neighborhood, and we don't have room there to store a 35 horsepower tractor there. It's a Ryan neighborhood.

Murphy What's the zoning?

Householder A-1.

Shader What equipment are you planning to store?

Angott A 35 horsepower tractor and the implements to go with it. The implements would be a rotary cut, a brush hog, and a front end loader and underneath just a standard mowing mower.

Elish We talked about this, Margie, and there's an exception.

Householder We did, and I was not able to find the written opinion, but I do recall years ago Mr. Sichko giving an opinion that, in the A district, if you had 10 acres or more, you could have an accessory structure without a primary.

Elish In the agricultural district?

Householder Yes. This is A-1. The plan where Mr. Angott lives is not, but this property is.

Murphy What is the one on Galati Lane?

Householder That is Jonathan Moebus, and he got a variance, too, and he is R-2 zoning.

Angott This is 12.87 acres. It's kind of hard to tell on the picture, but it has a 100 foot right of way for about 240 feet up into the property, and then it goes up the hill. The majority of the property, you can't see. Where the barn would be is on the back side. There's a row of townhouses on the back side, you can see it, but there's pine trees that are 20 feet high cross it. That actually is my property, where the pine trees are. The barn will sit in from those pine trees a good...

Murphy Is it a barn or a garage?

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- Angott It's more of a garage. It's going to have a cement floor. I'm trying to make it nice. It is a separate building than my house, and it's going to store farm equipment, I guess you could say. But you could store anything in it. I will build the house to match.
- Shader What's the size of the barn or garage?
- Angott Twenty-four by twenty-four.
- Elish That Jonathan Moebus property, how many acres did he have?
- Householder Let's see. Let me correct myself. His application indicates it's R-3 zoning, which is even a higher density. I want to say he has about eight acres. And we did put a time limit on that, as far as, he had to begin construction on the home within 15 months.
- Shader Do you have any time period as far as building the home?
- Angott No. I don't. I've never put a timeframe on it. What I'd like to do is be able to save up as much money as I can to build the home, and being the last home I build, I want to make sure I do it right. From what I understand, working with an architect it can take the greater part of a year to do that. We've contacted a few architects to try to find out how much money we would need to build what we want.
- Shader This being an A-1, it is possible to have an exception to allow a no-primary structure?
- Householder That is my recollection of Mr. Sichko's ruling, yes.
- Elish But it's not in the code now?
- Householder It is not. Mr. Moebus has 10.9 acres, according to his application.
- Elish I had a problem with it before, because there's a law on the books, and you're asking for a variance because of a financial hardship. There's no reason why you can't comply with the law. I didn't vote for it last time. But if you're sure that there is a precedent?
- Householder That's my recollection.
- Elish There's a reason there's a law on the books, is what I'm getting at, but based on Margie's testimony...
- Murphy I can understand, because I went through the same thing. I had to drive almost two miles with a tractor every time I wanted to mow it or

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anything.

Angott                      It's difficult to even find someone to help me mow it or whatever.

Elish                        The intent is that you don't put up a business without the home.

Angott                      I have no intention of that. I'm busy enough with my own work. It'd be a poor site for that anyway.

Shader  
MOTION                    Are we granting an exception or a variance?  
I make a motion that we grant the variance to allow him to construct a 24 x 24 foot structure without a primary. Should we set a time limit?

Elish                        Let's say five years. This is not a residential district.

Fitzanko                    I'll second.

Motion carried, all members present voting yes.

ADJOURNMENT            Motion by Shader, seconded by Murphy to adjourn the meeting, all business being concluded. Motion carried, all members present voting yes, and the meeting was adjourned at 7:25 P.M.

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Richard Murphy, Vice Chairperson

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Robert Shader, Secretary