

The North Strabane Township Zoning Hearing Board met in regular session on Wednesday, June 2, 2010 at 7:00 P.M. at the Municipal Building, located at 1929 Route 519, Canonsburg, PA 1531.

Attending this session

W. Patric Boyer, Chairperson
Richard Murphy, Vice Chairperson
Robert Shader, Secretary
Steve Bilko, Member
Peter Elish, Member

Also attending this session

Candie Yerkey, Court Reporter
Margaret Householder, Stenographer

APPROVAL OF
MINUTES OF
MAY 5, 2010

Motion by Shader, seconded by Boyer to approve the minutes of the meeting of May 5, 2010. Motion carried, all members present voting yes, with the exception of Bilko, as he was not present at that meeting, and the minutes were approved as presented.

APPLICATION OF
ABHAY AND DAN
GAUR,
REQUESTING
VARIANCE ON
SIDE YARD FOR
DECK

This is an application of Abhay and Dana Gaur, 300 Spindle Court, Canonsburg, PA. A variance is requested to Section 1202, subsection 8, paragraph C relating to the yardage requirements, for a proposed deck. Present use is dwelling. Zone district is R-3. Present improvements upon land: home. Proposed use is deck and fire escape.

We believe that the Board should approve this request because: I, along with my wife, Dana Gaur, take this opportunity to thank you for offering the information session on May 5, 2010 meeting regarding a variance for a proposed deck at our residence, 300 Spindle Court, in Summerbrooke Plan.

We request the Board's approval for a variance on setback for a rear deck at our residence. There are two doors on the property which lead to nowhere and this is hazardous. There is no fire escape on this side of the house, as well as in the back, and not having access could be dangerous. This deck will eliminate the problems and provide fire escape routes from the back of the house.

We will be grateful for your approval and guidance in this matter.

No previous application has been filed. The applicant is the owner. Approximate cost of work involved is \$5,000.00.

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

Mr. Joe Cuervo/Mr. Tom Jamidas	Orchardview Development 75 Poplar Street, Canonsburg
Mr. John Utchell	204 Fuji Drive, Canonsburg

The fee was paid and the hearing was advertised on May 19 and May 26, 2010.

Boyer Mr. Gaur? Do you have anyone who's going to offer any information or testimony, other than yourself?

Abhay Gaur No.

Boyer At this time the oath is administered to Dr. Gaur.

Come forward. What do you want to do and why do you need our help?

Gaur Basically, there are two doors where there's no access to that, and there's no fire escape back there. Basically it's the side of the house, so we are requesting if you can allow us to build a deck so that we can have access, and we will be having grandchildren soon, so that's another concern I have. That's why I have requested this variance. I'll be very grateful if you can allow the variance.

Boyer Do you have some drawings showing it?

Murphy We have it.

Boyer Do we have it in here?

Murphy Yes.

Boyer Who's your builder?

Gaur Fiducia Contracting.

Boyer Did you ask him why he put two doors off a place where you can't put a deck?

Gaur No, the builder is Tom Jamidas and Joe Cuervo.

Boyer Okay.

Gaur I even, I thought they would give me, but I never realized that this was

the case.

Boyer A problem. We've seen it before.

Gaur We moved in in December, so I thought maybe they would be doing it later. The weather was so bad. We moved in the 22nd of December. It was a very, very bad day.

Boyer I understand. Now, how big a deck do you want to build?

Gaur It's not more than 200 square feet altogether.

Shader Where the building line is is on the previous page.

Gaur Right.

Shader I think that dotted line is the building line.

Boyer Where are the doors?

Shader The doors are here.

Boyer Okay.

Murphy If you open it up to the next page, you can see...

Boyer Oh, I see. The doors are back here. And you'll be within how close to the side yard?

Gaur Close to, probably 18" or so.

Boyer Eighteen inches to the property line. The lot line.

Gaur Yes.

Boyer Okay.

Bilko Is there a home on the other side of you right now?

Gaur No.

Bilko The lot is to be developed?

Gaur Yes. We are the first house on Spindle Court. The rest of the homes in that plan are Fuji Drive.

- Boyer And the building line is as indicated by the dotted line, on this photograph?
- Gaur Right.
- Murphy Do you go by where the deck is, or do you go by where the beam is?
- Boyer Well, this isn't an easement or anything like that, so it really doesn't matter. You go by where the end of the deck is.
- Murphy The end of the deck.
- Boyer There's no easements in there, is there?
- Gaur No.
- Householder Doesn't look like. The sewer easement is in the front.
- Shader Yes, the sewer and utility easement's in the front.
- Murphy Margie, what's the side yard clearance?
- Householder Well, this is a PRD, and a corner lot, so it has two fronts and two sides. The requirement is that "all side yards shall be a minimum of 5 feet on one side of the lot, and a combined total of two side yards on the lot equaling not less than 20 feet, and in every case, the total distance between proposed structures on adjacent lots shall be not less than twenty feet".
- At the closest point, this is 8'7".
- Boyer That's strange, especially putting two deck doors out that side.
- Are these second story decks?
- Gaur Yes. The first floor.
- Shader The basement's above grade.
- Gaur Yes.
- Boyer And you need a variance down to 18"?
- Gaur As close as possible.
- Bilko Are you going to have steps go down to the yard, or just the deck?

Gaur Just the deck. Because the deck will be joining the garage side of the driveway. So you can access from the door and go out.

Boyer Okay. Does anybody have any questions?

This is another builder-created problem.

We've seen this before with builders, doors to nowhere.

MOTION I'll make a motion that, under the circumstances presented here, and a problem created by the builder, we hereby approve the grant of a variance, down to 18" from the property line, to build a deck, consistent with the drawings presented at the hearing.

Gaur Thank you.

Boyer Is there a second?

Bilko I'll second.

Motion carried, all members present voting yes.

Boyer And we'll attach these two drawings and mark them as exhibits. Just make your deck consistent with the drawings.

Gaur Yes, we will.

Boyer Since there isn't anybody here, I don't think anybody is going to oppose the deck.

Gaur Thank you so much.

Boyer Anything further?

Householder Nothing further.

Boyer Anybody for information purposes?

Householder No one.

Murphy What happened to all those people who were here for information purposes last month?

Householder Mr. Poness talked himself out of the garage, at least for the time being, and I didn't hear from Kevin Pieris regarding the sign at Palazzo.

