

March 30, 2022

The regular meeting of the Zoning Hearing Board was held on Wednesday, March 30, 2022, at 6:30 p. m. in the Assembly Room of the Millcreek Township Municipal Building, 3608 West 26th Street.

PRESENT: Messrs. Tanner, Calhoun, DiPlacido, Ms. Spry, and Attorney Jeremy Toman, and Matthew Puz Jr., Zoning & Development Officer.

BUSINESS:

Appeal No. 22-6: MARTHA NAGLE, for property located at 3843 Lake Front Drive, asking for a density variance to construct an additional cottage in the MO Mixed Occupancy District. **Index 109-007**

Atty. David Rhodes, 456 W 6th St, spoke on behalf of this variance. He stated that they were seeking a variance of Section 145-18A1 and 114F to construct a 1,300 square foot cottage on the western portion of the parcel. Currently, there was an existing dwelling unit, garage, and shed. The proposed dwelling was a permissible structure; the issue was with the density and the developable land available. When considering the flood zone and the slope of the lot due to the topography of the parcel, there was no developable area on the parcel.

John Laird, David Laird Associates, 1557 W 26th St, gave the members **EXHIBIT A – SURVEY/SKETCH MAP** and explained it detail.

Atty. Toman asked if there was any elevation survey performed or challenge to the flood map. Mr. Laird replied no there was not. There was a FEMA overlay system that they incorporated with their information of boundary that was used.

Mr. Tanner asked if existing structures were to be demolished. Atty. Rhodes replied that the two structures would remain.

Atty. Rhodes informed the members that if this request was granted, they would elevate the proposed cottage and it would sit higher than the existing structures in the area. Also, Ms. Nagle was willing if the variance was granted, to accept the condition that the property would not be used for any retail or commercial purpose.

George Miller, 408 Powell Ave, stated he objected to more traffic and construction on his road. When construction started, they tend to park the equipment in the front of his home.

Marlene Mosco, 3825 Lake Front Dr, stated that she was there on behalf of the neighbors. They were a quiet five single family residences on a private road with children and grandchildren. She did not want this variance to set a precedent.

Richard Vendetti, 3803 Lake Front Dr., stated that at the foot of Powell Avenue there was a private drive to the west and a public drive to the east. He then asked why this was initially denied. Mr. Puz replied that under the current ordinance, there was no developable acreage because of the floodplain and steep slope. Mr. Vendetti asked how the vehicles would enter for the proposed property.

Martha Nagle, 895 White Point, NC, showed Mr. Vendetti on the sketch map that was provided as an exhibit. She then informed the members of the board and neighbors that the proposed structure would be used from June 1st to September 30th. She also graded and filled in areas of the entire road when they constructed the garage and would do the same with the proposed cottage.

Mr. Vendetti was concerned with parking and traffic from the proposed structure.

Ms. Spry asked why an additional dwelling was needed due to the existing cottage and the dwelling above the garage. Ms. Nagle replied that there was one room above the garage. She would reside/rent the existing cottage when the remodeling was finished, and the proposed dwelling would be where she would reside. She would be living in the cottage to keep an eye on the rentals that would help her pay for the property. Ms. Spry asked why Ms. Nagle would not renovate or add on to the existing cottage. Ms. Nagle replied she was in the process of renovating the cottage but did not want to change the footprint or design of the 1930 cottage. Ms. Spry asked if she was concerned that this property was now in the FEMA flood zone. Ms. Nagle replied she was not concerned because she grew up at this cottage and this property was at the highest level in the area.

Mr. Tanner asked Mr. Puz if any of the existing cottages came in today for a permit would they not be granted because they were in the floodplain. Mr. Puz replied that he was not sure because he would have to look at each individual lot. He would assume that with the flood plain and the steep slope they would not meet the density requirement and require a variance.

There were no other comments from the public.

A motion was made by Mr. Calhoun, that this appeal be granted with the stipulation that this property was for residential use only. Motion 3-0

Appeal No. 22-7: JENNIE BIZZARRO, for property located at 2811 Zuck Road, asking for a dimensional variance for a side yard setback to enclose an existing deck in the R-1 Single Family Residential District. **Index 332-008**

Jennie Bizarro, 2811 Zuck Road, spoke on behalf of this variance. She stated she needed a 1' dimensional variance to enclose her existing deck to make a mudroom for her dog.

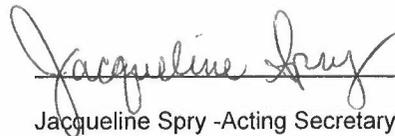
Mr. Tanner asked Mr. Puz what exactly the problem was for the variance. Mr. Puz replied that the existing deck infringes 1' into the side yard setback and assumed that it was constructed when no permits were needed.

Mr. Tanner asked Ms. Bizarro if she had talked to any of the neighbors regarding the proposed. Ms. Bizarro replied that she did talk to a few of the neighbors, and they did not have a problem with it.

There were no other comments from the public.

A motion was made by Mrs. Spry, that this appeal be granted. Motion 3-0

There being no further business, the meeting was adjourned at 7:40 p.m.



Jacqueline Spry -Acting Secretary