

Richland Township Zoning Hearing Board
Hostetler – August 17, 2021 – 6:30pm

The Richland Township Zoning Hearing Board met on August 17, 2021 at 6:30 p.m. for a hearing on application filed by Stephen G & Holly A. Hostetler of 116 Jacqueline Dr. They propose to construct a 28' x 32' unattached garage on their property, which requires a size variance of 246 sq ft. This hearing was conducted in the Richland Township meeting room, 322 Schoolhouse Road, Johnstown, PA 15904.

Attendance:

William Patrick

Patrick Wess

Mark Rychak

PJ McGowan

Eric Hochfeld, Solicitor

Tiffany Shomo, Secretary

Mr. Hochfeld stated the hearing's exhibits. **Exhibit #1** was the appeal application with attachments. **Exhibit #2** was the Richland Township Zoning Ordinance by reference and **Exhibit #3** was the posting of the municipal building, and the property involved, advertising in the Tribune-Democrat and notification of this hearing to adjoining property owners. **Exhibit #4** was the large site plan packet submitted.

Court stenographer Lori Behe swore in Stephen Hostetler, Holly Hostetler, Jim Bailey, Patty Marcus, Mark Bodenschatz, and Dave Folan.

Mr. Hostetler stated he is requesting permission to construct a garage over 650 sq ft. They are a very power sports oriented family and have run out of room. Their truck and car are in bad shape because they are stored outside. They have 3 quads and 3 motorcycles. The garage attached to their home was full.

They are proposing to construct a 1-story metal pole building that would match the house colors. It would have two garage doors in the front, one garage door on the side and one man door. Two windows (one on each side) would be installed. No windows would be in the rear of the garage. There will be no utilities to the structure. The garage doors will be manual. No lights will be installed. They are trying to keep their costs down for the project. The garage will be used as a private, residential garage.

Mr. Hostetler stated they would add fill in the back of the yard to level out the land. They would pour a concrete slab. He is constructing the garage himself. There will be landscaping around the garage.

The closest neighbor is Jim and Patty Bailey. Their home is directly across from the subject property. All setbacks would be met. There are 1' overhangs on all four sides. This will add 1' to each setback dimension.

JIM BAILEY – 112 JACQUELINE DRIVE

Mr. Bailey has lived at his home for 43 years. He is the most affected property owner. The garage is too large. Mr. Bailey discussed storm water. He stated he worked for the township and his former boss Rian Barker has seen the water problem from the Hostetler's property. It is not controlled. Mr. Patrick stated the Hostetlers' would be required to meet all storm water controls. Mr. Bailey feels a metal pole garage this large is meant for businesses and farms. The neighborhood is nice and he would like a garage constructed that fits the neighborhood. Mr. Bailey stated the Hostetlers' never talked to him about this; they just decided they wanted it. Mr. Bailey's number one issue is the structure is too large for the lot.

PATTY MARCUS – 131 JACQUELINE DRIVE

Ms. Marcus lives across the street at an angle. She stated there was a previously approved garage that turned out to be double its size with lights that shine in neighboring property windows. She stated this created a lot of water problems that the township would not help with and the property owners had to go to the magistrate. Mr. Patrick told Ms. Marcus that the applicants would only be allowed to construct what is permitted by the board.

MARK BODENSCHATZ – 125 JACQUELINE DRIVE

Mr. Bodenschatz stated the steel building does not fit the neighborhood.

DAVE FOLAN – 130 JACQUELINE DRIVE

Mr. Folan has lived in his home for 35 years. He understands the need for more storage. A lot of the homes were constructed with a lot of living space and not much storage. He has an unattached garage that met all codes, without getting a variance. He stated that he is not upset about the look of the garage. He stated the Hostetlers' have really improved the home and property since moving in.

The board took a recess from 6:51pm – 7:03pm.

Mr. Hostetler stated they are trying to keep their property nice. He acknowledged that Mrs. Bailey rolled her eyes at him. He agrees that storm water is a problem for them, as well. He wants to fix the problem and he will fix it.

Mr. Hochfeld stated that the zoning hearing board is created to grant or deny variances, special exceptions and land use requests only; not storm water. They determine if variances should be

approved; storm water is a different entity. The board heard what the residents said about storm water, but can't rule or make decisions on storm water.

Mr. Wess motioned to hold a site visit Wednesday September 8, 2021 at 5pm on site to review the request. They are asking the applicant to mark on the property, via stakeout, exactly where the structure would be located. This would help the board make a better informed decision. Seconded by Mr. McGowan. All in favor.

Mr. Patrick stated that no testimony will be taken at the site visit. A continuation hearing would be held at the township office at 5:30 pm, following the site visit. At that time, the board will hear testimony.

Mr. Bailey stated he understands it is not the board's decision for storm water.

Mr. Patrick stated they would not be adjourning because the hearing is being continued.

Respectfully submitted,

T. Shomo

Tiffany J. Shomo
Richland Township Zoning Hearing Board