

The Richland Township Zoning Hearing Board met on March 15, 2022, at 7:00 pm as per the request of Tharisa R. Cassady-Durham of 116 Algonquin St who requested a 7' ft side yard setback variance and an 8' rear yard setback variance to construct a detached garage at her residence. This hearing was conducted in the Richland Township meeting room, 322 Schoolhouse Road, Johnstown, PA 15904.

Attendance:

Bill Patrick, Chairman

Pat Wess, Vice-chairman

Mark Rychak

PJ McGowan

Eric Hochfeld, Solicitor

Tiffany Shomo, Secretary

Mr. Hochfeld began the hearing by listing exhibits. Board Exhibit #1 was the appeal application with attachments. Board Exhibit #2 was the Richland Township Zoning Ordinance, by reference, and Board Exhibit #3 was the posting of the municipal building, the property involved, advertising in the Tribune-Democrat and notification of this hearing to adjoining property owners.

Court Stenographer Lori Behe swore in applicant Tharisa Cassady, Surveyor Randy Cortese, and Resident Jerome Kinley.

Attorney Dennis McGlynn amended his client's application to a 2' side yard setback variance request and 4' rear yard setback variance request. They are also requesting a 70' size variance.

Mrs. Durham, the owner of real estate settlement company "Zen", stated she purchased the property about 6 years ago. There is no garage with the house. She is looking to get permission to construct a 2-car garage. Mrs. Durham stated the cars are just in the driveway and she would like to protect them.

A survey was submitted by Randy Cortese. It showed the layout and location of the 24x30 structure. The garage will have 2 large bays and 1 small bay (for the mower). With the garage, the lot coverage will be 25%, which complies with the ordinance. The 100 square foot shed shown on the survey will be removed prior to construction of the garage. There is a fence currently around the yard and 12-15' high arbor vitae around the yard. The driveway would be extended to the garage. It would remain 7' from the property line. The arbor vitae and fence will remain, just grass and sidewalk would be removed. Mrs. Durham stated that no one would be able to see the garage from the back or sides; just from the 7' wide gap from the street. The garage will solely be used for residential/private use. The height will be no greater than 15' high. The only utility would be electric for the doors, heat and lights. The inside would be poured concrete. The exterior would possibly be brick. No matter what the exterior, it will match the existing home.

The following exhibits were submitted into the record:

Applicant Exhibit A: Picture from Algonquin St; facing front of property

Applicant Exhibit B: Close up picture of fence and vehicles

Applicant Exhibit C: Picture showing existing house with shrubs on the left side
Applicant Exhibit D: Picture of backyard
Applicant Exhibit E: Copy of the tax map aerial

Jerry Kinley, Richland Township Police Officer, and owner of the property directly in the rear of the property, asked to have the rear setback clarified. Mr. Patrick stated that with the overhangs, a 4' rear yard variance is required. This is less than the letter requested. Mr. Kinley said he had one concern. He has lived there roughly 3 years and there has been a box of dog poop at the back of the shed that he can smell from his property. He does not care what they do on their property, he just doesn't want that box closer.

Sue & Gary Grove of 120 Algonquin St are to the left of the Durham property. They are supportive of the garage. The garage will be closer to their property. They feel the garage will raise their property values and have their total support. They are happy to see the fence and trees are staying.

Attorney McGlynn stated that due to the narrowness of the property, there is no other way the garage would fit, it would increase property values of surrounding properties, and protect the Durham's vehicles. He reiterated it is not a huge variance. It would not change the character of the neighborhood.

There being no further questions, Mr. Rychak motioned to grant the 4' rear setback variance request, 2' side setback variance request, and 70 square foot size variance. Seconded by Mr. McGowan. All in favor.

At 7:29 pm, Mr. Rychak motioned to adjourn the meeting. Seconded by Mr. Wess. All in favor.

Respectfully submitted,

T. Shomo
Tiffany Shomo