

The Richland Township Zoning Hearing Board met in the Richland Township meeting room, 322 Schoolhouse Road, Johnstown, PA 15904, on October 13, 2022, at 6:50 pm as per the request of Kenneth & Jessica Kulback, owners of vacant property located at the corner of Ridgeway Dr and Jessell Dr, who requested a front yard setback variance of 10' to construct a duplex.

Present:

Bill Patrick, Chairman  
Pat Wess, Vice-chairman  
Mark Rychak  
PJ McGowan

Eric Hochfeld, Solicitor  
Tiffany Shomo, Secretary

Not Present:

Rodney Kniss

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.

Kenneth Kulback was sworn in by court stenographer Lori Behe.

Mr. Kulback stated that he also owns the property next door that the board had granted a variance about 10 or 11 years ago on Ridgeway Dr from 35' to 25'. This building would be uniform with the Jessell Dr homes and the 25' on the Ridgeway Drive side. He stated there are quite a few homes on the block that are less than 25'.

The duplex would front on front on Jessell Dr. He also would like to request a 10' reduction on the Ridgeway Dr side. In addition, there is a 16 foot right of way on the one side. He wants to add an extra garage on the left-hand side of the property for lawn equipment storage. He is asking for the 16' right of way to be brought into consideration for a side yard setback. He is hoping to extend the depth of garage on one side.

The additional requests would include:

- Rear yard – asking for 20'
- Consideration of right of way
- 10' on other side

Mr. Kulback stated it is a fairly small lot so he needs to make adjustments so the duplex would look aesthetically pleasing and match the neighborhood. The location would match existing buildings.

Attorney Hochfeld stated the major issue is the application only requests one setback. Mr. Kulback explained that he had incorrectly filled out the application and asked if they could be voted on

tonight. Attorney Hochfeld explained that the other variances requested are additional and the hearing was advertised only for one variance setback. The additional two requests can not be voted on as they would present a problem with advertising and the notifications sent to neighbors. Mr. Kulback apologized as he didn't know until Jerry Thomas did the survey and found this issues. Attorney Hochfeld stated it would create problems for the board to hear because of the two issues that are not in the notice. Without proper notification to the neighbors, someone with standing could appeal. Attorney Hochfeld stated he would have to amend his appeal and the township would have to readvertise to include two other issues. Mr. Kulback stated he would like to proceed with this variance and refile should he want to continue with that.

Mr. Patrick asked if they didn't hear that information, could the structure still be built without the other variances. Mr. Kulback stated he would be within inches of making it, but there would be enough for building without additional garage.

Mr. Wess motioned to grant the 10' variance request on Ridgeway Drive as requested by applicant PM seconded all in favor

At 7:19 pm, Mr. Rychak motioned to adjourn the hearing. Seconded by Mr. McGowan. All in favor

Respectfully submitted,

*T. Shomo*

Tiffany Shomo