

The Richland Township Zoning Hearing Board will meet on August 31, 2023 at 6:30 p.m., as per the request of Matthew Penatzer of 139 Minnow Creek Ln, Windber, PA 15963, who is requesting a setback variance of 26' and special exception to expand a non-conforming use to construct a home addition in an L1 District.

Present:

Bill Patrick, Chairman

Pat Wess, Vice-chairman

Rodney Kniss

PJ McGowan

David Strushensky

Eric Hochfeld, Solicitor

Tiffany Shomo, Secretary

Absent:

Mark Rychak

Attorney 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.

The following were sworn in by Court Stenographer Lori Behe:

1. Matthew Penatzer
2. Sarah Penatzer
3. Jason Mash
4. Jeff Mihalko

Matthew Penatzer - 139 Minnow Creek Lane - Owner

Jason Mash - Registered Professional Engineer and Licensed Engineer

Mr. Mash explained the proposed plan is to add an addition to the existing dwelling. The original house was built in 1969. They would like to add a 1,440 square foot addition to the property. Mr. Mash performed a boundary survey. The property is zoned Light Industrial (L1), which requires 50' setback in the front and rear. The existing dwelling and proposed addition do not meet setback requirements, so they are requesting setback variances. The addition is not going to

affect the area and will not hinder the area. The property is already an existing dwelling and will remain a dwelling. They are just requesting an addition to the site.

Mr. Matthew Penatzer explained that the addition is one-story and the existing home is two-story. The entrance location will not change. The home faces the corner at the point of Minnow Creek Lane and State Route 160. The side of the property abuts Minnow Creek Lane. The outside finish of the home will be stone cased to match existing house that is there.

The main access for the home is off Minnow Creek Lane. The 911 address and front door are on Minnow Creek Lane.

Mr. Jeff Mihalko of 239 Minnow Creek Lane stated that the shared driveway served houses since the 1930's.

Mr. Mash submitted photographs of the site. Mr. Penatzer stated that where the garage door and gazebo currently is where the addition would go. There will be no garage on the new addition. The existing garage is to be demolished. The existing patio and porch were apart of home prior to transferring to their name.

The total size of the lot is .81 acres. The existing dwelling is 28' x 32'. The lot coverage is well within regulations.

The addition is just for residential purposes. There will be no additional traffic caused by construction. The general area is residential housing. Mr. Penatzer explained that four families and the business have always used the driveway.

Minnow Creek Lane is not a roadway under the care of Richland Township (plowing or maintenance). Mr. Penatzer explained they get no funding from the township for maintenance or repairs on that road.

Applicants Exhibits 6: photographs of existing structure on the property was entered into the hearing.

There were no township comments. There were no further board questions.

Jim Lindner, engineer and neighbor on 155 Minnow Creek Lane, feels the addition will be an improvement to the neighborhood. He feels the new stone casing will add value. He is very much in favor of the proposed addition.

Mr. Wess motioned to approve the expansion of a nonconforming use in an L1 district. Seconded by Mr. McGowan. All in favor.

Mr. Wess motioned to approve the front yard variance request of 26' as requested on the application. Seconded by Mr. Strushensky. All in favor.

Mr. Kniss motion to adjourn the meeting at 6:52 pm. Seconded by Mr. McGowan. All in favor.

Respectfully submitted,

*T. Shomo*

Tiffany Shomo, Secretary