

**MINUTES – ZONING HEARING BOARD
JULY 27, 2017**

CALL TO ORDER

Chairman Halleran called the meeting to order at 7:30 p.m. with the following members in attendance: Mr. Cuccinelli and Mr. Quatchak. Solicitor Alan Shuckrow, Land Use Administrator Betty and Mrs. Lopus, Secretary, were also present.

All who wished to give testimony at this meeting were sworn in by Mr. Halleran.

**APPEAL #1870
LOCKAMP PROPERTIES LLC
8150 PERRY HIGHWAY**

(NOTE: a verbatim official transcript of this Appeal was made. Any discrepancies between these minutes and the transcript are controlled by the transcript. These minutes are taken to document the hearing and provide transparent detail to the public).

Land Use Administrator Betty reported that the applicant is Lockamp Properties LLC. The property located at 8150 Perry Highway is zoned R-2 (One and Two Family Residential); there are two lots measuring a total of 23,700 square feet and contains a single family dwelling on one of the lots. The proposal is to demolish the residence and add parking spaces adjacent to existing commercial parking on residential lots to supplement the parking for the Executive Office Building. The request is a use variance from Sections 1341.01 and 1341.10 of the Town of McCandless Codified Ordinances to permit commercial parking on residential lots.

Council for the Lockamp Properties Attorney Wayne DeLuca said the property is located at 8150 Perry Highway. Mr. DeLuca said this is a large office building and there is parking in the front and side of the building totaling 105 spaces. Mr. DeLuca distributed plans showing the area adjacent to the existing parking lot where they are asking for a use variance. Rynd Road is an unopened public road that is currently used by Lockamp for parking spaces. There are 13 spaces on the abandoned right-of-way and Lockamp Properties leases a building down the street that is kept vacant for use of the 20 parking spaces for a total of 138 spaces. The proposal is to add an additional 30 spaces by demolishing the existing house and putting a heavy buffer on the property for a total of 168 parking spaces.

Mr. Michael R. Locke, President of Lockamp Properties and building manager said the Lockamp family has a portfolio of buildings and this is one of them. This is a three (3) story building with 16,000 square feet on each floor totaling 48,000 square feet. Typical parking ratio for commercial office building use was four for every 1,000 square feet. Mr. Locke explained that most new buildings have a ratio of five spaces to every 1,000 square feet. This building was purchased in January of 2009. The previous owner had a many call center type tenants. Today it is more of a professional building. The use is controlled with parking spaces in mind. Mr. Locke purchased the Kitchen Distributor building to mitigate parking. Mr. Locke employs a full

time valet. The parking lot is full at 9:30 am and the valet works Monday through Friday from 8:30 to 4:00 pm. This service is provided to tenants with no charge for valet.

Mr. Locke said this is a good property to develop for parking because of access from the front street, Locust Road. The plan was to move as far north as possible in order to keep it tight to the existing parking lot to create a large landscape buffer between the parking lot and the adjoining residential properties. There will be no evening and nighttime parking, daylight only. Mr. Locke said they would like to preserve the large oak trees and fill in with buffer foliage. This use is the least obtrusive to abut the neighbor's homes. An alley exists along the northern (rear) boundary of the residential properties that front on Manor Road and this alley, as well as Rynd Road are paper streets and have never been opened. Stormwater management will be provided and designed by Tait engineering. Mr. Betty said if this is approved the applicant would submit a stormwater plan to the Town to be reviewed and approved with an escrow.

The zoning for the existing office building is RC (Residential Commercial). The parking count is greater than what is required of the ordinance. The application says 31 spaces however Mr. DeLuca said they have eliminated one space and it is now 30 spaces. The grass that is there currently will be replaced with asphalt and that will be addressed in the stormwater design. The mature trees along the southern limits of the property will be preserved. They will only remove the scrub trees. Copies of four aerial images from Google Earth Pro were submitted for evidence. Some of the current parking is on residential property. The valet uses Locust road to park cars. There will be no additional lighting. The current lots are lit at night and the proposed lot will not be lit. The landscaping along Perry Highway has been added by the current owner.

Mr. Betty produced a zoning map to locate the property and presented it to the board showing the layout pointing out Rynd Road and Locust Road. As noted above some of the existing parking spaces are in an R-2 zoned district. It was asked if a parking structure was considered as an alternative. Mr. Locke would not want to put the deck in front but possibly on the side but zoning would have to be considered. Mr. Locke said he has tried to buy adjoining properties when they come up for sale.

Mr. Ronald William Monper, Jr. on behalf of his parents Ronald and Edna at 123 Manor Road said they have gone through this a few times with people trying to develop the property. Mr. Monper has water concerns. Mr. Locke said they will have Tait Engineering design a stormwater management plan to catch the water possibly by using buried tanks. Mr. Betty said this will be designed for a 100 year storm but specific to this lot and must be reviewed and approved by the Town stormwater engineer. Mr. Monper questioned the elevation and if a retaining wall would be needed. Mr. Locke said they will rework the grading and balance the height. Mr. Monper said there was a concern of decreased property values. Mr. Monper has a concern about the only access to the lot is from Locust and the increased traffic. Mr. Locke said the valet will be parking the cars and it will take parked cars off Locust Road and put them into this lot. Mr. Monper said again that the concern was the water. Mr. DeLuca said that there will be forty-nine feet of buffer consisting of trees and vegetation between the lot and the residential properties on Manor Road. Mr. Locke said he wants to be a good neighbor and work with the residents.

Mr. John Monper of 110 Manor Road said he feels like he is being squeezed out by concrete.

Mrs. Mihalopuolos of 159 Manor Road said there are narrow entranceways into the parking lot, also the traffic generated plus the Route 19 traffic is a concern.

Mrs. Edna Monper of 123 Manor Road said she and her husband will be here in the Town over fifty years and would like to keep things the way they are.

Ms. Karen Cirrincione of 111 Manor Road said her main concern is seeing a parking lot outside of her back window.

Mr. Halleran said based on the discussion here tonight, the board would like to take a closer look at this and review the testimony to see if there is an amicable solution. Mr. Shuckrow asked for a little more information from the applicant on the actual parking counts. Mr. Shuckrow also suggested that the neighbors meet with Mr. Locke and see if there is a compromise solution.

The applicant indicated he could construct duplexes or single family homes which would be obtrusive.

Mr. Quatchak said he is aware there have been no additions to the building; so it appears to be a tenant mix that is driving the parking needs. He would like to see the traffic/parking counts. It will be interesting to see if this data supports the hardship to add parking. Mr. Quatchak also suggested to consider shifting the proposed parking to the east and use Rynd Road to access the new parking; thereby eliminating the connection to Locust Road.

Motion was made by Mr. Cucinelli to continue Appeal #1870 until the August 24, 2017 meeting. Motion was seconded by Mr. Quatchak and unanimously granted.

**APPEAL #1871
MICHAEL HOLLER FOR TOM & DENISE LENNON
8755 E. BARKHURST DRIVE**

Land Use Administrator Betty reported that the applicant is Michael Holler for Tom and Denise Lennon. The property located at 8755 E. Barkhurst Drive is zoned R-2 (One and Two Family Residential), the lot measures 13,863 square feet and contains a dwelling. The proposal is to construct a front porch. The request is a fourteen (14) foot front yard and a two (2) foot side yard variance from Section 1317.02(c)(e) of the Town of McCandless Codified Ordinances which states the front yard depth is a minimum thirty-five (35) feet; the side yard width for a two story dwelling is a minimum fifteen (15) feet in an R-2 zoned district.

Mr. Mike Haller, architect said recently several neighbors have been putting in front porches and that there is a 30 foot setback to all the houses in this neighborhood. The lot is pie shaped being narrow in the front. This will be a wood porch with a concrete floor.

Mr. Tom Lennon property owner, submitted pictures of similar houses with porches in the neighborhood. Neighbors have signed a petition showing they have no objection to the porch.

Motion was made by Mr. Quatchak to approve Appeal #1871 for a fourteen (14) foot front yard and a two (2) foot side yard variance to construct a front porch. Motion was seconded by Mr. Cuccinelli and was unanimously granted.

**APPEAL #1872
JESSICA & ANDREW RICHARD
250 PINE MOUNTAIN LANE**

Land Use Administrator Betty reported that the applicant is Andrew & Jessica Richard. The property located at 250 Pine Mountain Lane is zoned R-2 (One and Two Family Residential), the lot measures .327 acres and contains a dwelling. The proposal is to construct a roof over an existing deck. The request is an eight (8) foot rear yard variance from Section 1317.02(d) of the Town of McCandless Codified Ordinances which indicates the required rear yard depth for a single family dwelling is forty (40) feet minimum in an R-2 zoned district.

Mr. Andrew Richard property owner, said starting in May it is too hot and bright to be on the deck. An umbrella does not work to keep the deck cool. Only one half of the deck is proposed to be covered. This is in the rear of the house. The neighbors have no issue with the proposal and it will have a minimal impact on the neighbors. Pictures showing the proposed location of the roof from many angles were presented. Mr. Betty said that the applicant would have to do stormwater management and it will be minimal because of the size of the roof.

Motion was made by Mr. Cuccinelli to approve Appeal #1872 for an eight (8) foot rear yard variance to construct a roof over an existing deck. Motion was seconded by Mr. Quatchak and unanimously granted.

MINUTES APPROVAL

Motion was made by Mr. Quatchak and seconded by Mr. Cuccinelli to approve the minutes of the June 22, 2017 Zoning Hearing Board meeting. The minutes were unanimously approved.

ADJOURNMENT

There being no further business, the meeting was adjourned 8:44 p.m.

Respectfully,



Richard C. Halleran
Chairman Zoning Hearing Board