

**ZONING HEARING BOARD  
MEETING  
October 22, 2008**

The Zoning Hearing Board Meeting, duly advertised and posted in accordance with law, was called to order by the Chairman at 8:05 P.M., Wednesday, October 22, 2008, in the Board of Commissioners' Meeting Room, Township Municipal Building, 1820 McLaughlin Run Road, Upper St. Clair, PA.

**PRESENT**                    **BOARD MEMBERS**  
David Tungate, Chairman  
Dwight Ferguson, Vice Chairman  
Robert Allman

**TOWNSHIP STAFF**  
Randy Hindman, Chief Building Inspector  
Carla Esselstyn, Recording Secretary

**TOWNSHIP ATTORNEY**  
Charles P. McCullough

**PUBLIC:**                    Approximately 2 people

ADMINISTRATION OF OATH OF TRUTH

The Chairman explained the procedure for the hearing and then administered the oath of truth to all those wishing to testify.

CONSIDERATION OF MINUTES OF MAY 28, 2008 MEETING

On motion by Mr. Tungate, seconded by Mr. Allman, carried by voice vote, the above minutes were approved and accepted for filing as written.

NEW BUSINESS

ZHB08-0002- 1389 DEEP WOOD DRIVE, FRANK ROMANO

At the April 28, 2004 Zoning Hearing Board Meeting, a 40 foot front yard variance was requested for Lots #2 and #3 in the Curran Plan of Lots on Deep Wood Drive. On June 10, 2004 the Board granted Lot #3 the requested 40 foot front yard variance, with conditions. At that time, there were no plans to build on Lot #2. The Board approved a motion for a three month continuance for the Lot #2 variance. If no further action was brought before the Board within 90 days, the variance would be denied without prejudice.

Mr. Romano has a buyer with a proposed plan for a single-family dwelling on Lot #2. He is requesting the 40 foot front yard variance from the requirements of the Township Code to authorize

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2.

the construction of the new single family dwelling within the required 50 foot front yard on Lot #2, 1389 Deep Wood Drive, in the Curran Plan of Lots, zoned R-1, Single Family Residential District.

Frank Romano and the proposed purchaser/contractor of Lot 2, Addison Sharp, were present.

Mr. Hindman entered Applicant Exhibits # 1 through 8 and Township Exhibits # 1 through 3 into the record. He also entered his October 22, 2008 memo to the Members of the Zoning Hearing Board (Township Exhibit 4) into the record.

Mr. Tungate admitted the exhibits and Citizen's Exhibit #1.

Mr. Tungate stated that the Board is familiar with the property and how difficult it is to develop. He asked if the Applicant was familiar with the conditions in the June 10, 2004 decision for Lot #3 on Deep Wood, ZHB04-0003. Both Mr. Romano and Mr. Sharp stated that they were familiar with those conditions and they had no problem abiding by them.

MOTION: THAT the 40 foot variance, changing the required front yard from 50 feet to 10 feet, for Lot #2 be granted subject to the June 10, 2004 conditions placed on Lot #3.  
*(ZHB04-0003, a copy of the June 10, 2004 decision is attached).*

On motion by Mr. Tungate, seconded by Mr. Ferguson, the motion was carried.

### ADJOURNMENT

There being no further business, on motion by Mr. Tungate, seconded by Mr. Allman, carried by unanimous voice vote, the meeting was adjourned at 8:20 P.M.

Respectfully submitted,  
Carla Esselstyn  
Recording Secretary