

January 19, 2017

Zoning Case: Z01-17

Mr. Michael Baker / Ms. Megan Tromm
61 Greenleaf Dr.
Cheswick, PA 15024

Attendees: Joseph Gizienski, Sean Parkinson, Scott Woloszyk, and Jim Smullen

Absent Member(s): George Hollibaugh and Neil Tristani

Other Attendees: William Payne, Code Enforcement Officer
Richard Sandow, Solicitor

Zoning Violation: Violation of Ordinance No. 394: Sections 19.6.4 and 19.6.5

Property is zoned R-3 (Suburban Residential District - Medium Density)

Case Z01-17: Zoning violation for property located at 61 Greenleaf Drive (Deer Park Plan). Property owner's constructed a wooden, 6-foot privacy fence and upon inspection was noted that fence is in violation of Ordinance #394, Section 19.6.4 (structure cannot be maintained from the owner's property) and Section 19.6.5 (building permit must be obtained before any type of fence is erected).

Mr. Payne presented violation case and stated that no permit was issued for fence and fence was built inches off of property line. Mr. William Baker (property owner's father/representative) stated that he did not know a permit was needed and the fence was installed by a reputable contractor. As he never obtained a permit, he was not aware that he could not put fence so close to property line. Assured that property was surveyed and fence was totally on his property.

Mr. Sandow, Solicitor, questioned Mr. Baker:

- Is fence completely on your own property? Mr. Baker answered Yes
- Cost of fence? Mr. Baker stated \$8,000
- Current owner pay taxes on all of the property? Mr. Baker answered Yes
- Can fence be maintained from owner's property? Mr. Baker answered Yes and if needed, can use a bucket truck to maintain.

Neighbors who spoke for or against:

- Mr. O'Rourke of 54 Woodhill Drive. Upset that fence is too close to his property line. He was the original complainant and installers damaged his tree branches while installing fence. Also stated that he will have to remove his trees in the next 5 years and will not be able to remove the stumps with the fence so close.
- Mr. Lemke of 55 Woodhill Drive. Lives at the rear of the property line and does not have a problem with the fence. Commented on the look of the fence and will allow the owner to maintain it from his side of property.
- Mr. Karlo of 41 Woodhill Drive. Commented that the fence looks nice. His complaint was the that he had to get permits and go through variance hearings on some of his projects and the young people are moving in and not getting permits and not following the ordinances of the Township.

At this point, the Solicitor questioned Mr. Payne about possible conditions to make the fence acceptable to all parties. Mr. Payne's recommendations are that if and when fence needs repair/maintenance the owner must either get permission from the neighbor to be on property to care for fence or remove fence from inside own property and replace with the appropriate space for maintenance. Owner's must also obtain a building/zoning permit and pay associated fees for permit. The Solicitor advised the Zoning Board to accept Mr. Payne's recommendations and allow the fence to be kept.

Voting was unanimous to accept the recommendations of Mr. Payne.