

**THE SOMERSET TOWNSHIP
ZONING BOARD OF APPEALS
VARIANCE – PUBLIC HEARING
HELD JULY 24, 2023**

Call to Order: The meeting was called to order at 6:57 PM by the Chairman: D. Hinkelman.

The Pledge of Allegiance was bypassed in lieu of time.

Roll Call: Members present: D. Hinkelman, M. Blucher, D. York, L. Hartzler and K. Bedard.

Recognition of Township Officials: D. Hinkelman recognized the Zoning Board of Appeals consultant; Don Figiel, Zoning Administrator.

Approval of Amended Agenda: D. Hinkelman added Approval of Minutes for July 26, 2022. D. York moved to approve the amended agenda. Motion seconded by; K. Bedard. All ayes; motion approved.

Approval of Minutes July 26, 2023: D. Hinkelman approved the minutes as submitted.

Open Public Hearing Appeal #258 10720 Waldron Rd. @ 7:00 PM:

Zoning Administrator D. Figiel advised that the applicant for appeal #258 could not be present due to an emergency. The board agreed to allow the applicant to be heard by phone. D. Figiel advised that this request is to deviate from the current zoning requirements. D. Figiel provided a staff report. (*Please see attached*). The zoning ordinance requires a 25'(foot) setback from the front property line. Mr. & Mrs. Murray would like to build a 6' x 8' porch for easier egress into the house. D. Figiel advised that there are elderly people that need to use the front door and would be much easier for them if there was a porch for easier access. R. York advised that he is the applicants neighbor located at 10740 Waldron Rd. He advised that the step that is there at the moment is difficult to use. He stated that he is in favor for the variance request. D. Hinkelman advised the applicant that when requesting a variance, there has to be a hardship and the hardship is that it is difficult for the elderly people that use that entrance to enter safely. The applicant Mr. Murray agreed that it is the hardship. The applicants are requesting 8ft. of the required 25ft. setback. The deck will be level with the door entrance. The setback would then be 16ft. D. York asked the applicant if there will eventually be a driveway to the home. The applicant M. Murray stated that eventually at some point the plan is to have a driveway. R. York spoke in favor of the variance request.

Close Public Hearing @ 7:08 PM:

Discussion & Decision by Zoning Board of Appeal Members:

D. Hinkelman advised that the board will now discuss the variance request. D. Hinkelman stated that he had looked at the property and can understand why there is a hardship with having no porch to the entrance of the home. D. Hinkelman stated that 8 ft. is not a big request. With no further comments; D. York motioned to approve Appeal #258 as a hardship and to allow the 6' x 8' porch with side step for

entrance into the home. Motioned seconded by; L. Hartzler. A roll call vote was taken. All ayes; motion approved.

Open Public Hearing #257 12091 E. Chicago Rd. @ 7:12 PM:

D. Figiel provided a staff report for Appeal #257 (*Please see attached*). D. Figiel advised that the property owner is requesting a dimensional variance from the zoning ordinance of Somerset Township. The required setback for this property is 35 ft. from the road right of way. The church would like to build an 18' x 20' canopy attached to the front of the church to provide coverage to the parishioners that are being dropped off and picked up as well as food distribution during inclement weather. The requested variance is to allow a 10 ft. setback from the road right of way. Applicant; Paul Taggert, Trustee for the church spoke on behalf of the church explaining that it is much more a safety concern. The requested canopy would keep the front entrance dry of rain or snow to allow a much safer drop off and pick up at the doors. He also advised that they have 75-80 families that they distribute food too and it would help keep the boxes and they people loading dry. D. Hinkelman asked if there were any questions or comments from the public. R. York asked what type of canopy was going to be put up. P. Taggert that it will be a structural canopy that will blend in with the church building. He is requesting an 18' x 20' canopy.

Close Public Hearing @ 7:27 PM.

Discussion & Decision by Zoning Board of Appeals Members:

D. Hinkelman advised that the board will now discuss the variance request. D. Hinkelman asked if the gravel drive will be paved and if there will be a certain direction that the traffic will follow. P. Taggert advised that it will remain gravel and they plan to utilize both directions. Discussion was made regarding the amount of space to allow for vehicles using both directions and the footage from the road, to the already existing pavement of the church and also regarding the pillars at the front of the building. Discussion was also made regarding the septic and septic field. D. York stated his concerns regarding how close it will be to the road and the speed limit, as well as the flow of traffic. Discussion was also made regarding rezoning of the property from C2 to C1. M. Blucher motioned to approve Appeal #257 with the finding of fact and to allow the 18' x 20' canopy. Motion seconded by; L. Hartzler. A roll call vote was taken. All ayes; motion approved.

Public Comments: No Comments.

Adjournment: With no further business, D. Hinkelman closed the meeting at 7:49 pm.

Respectfully submitted; Kimberly S. Bedard, ZBA Secretary