www.bridgevilleboro.com

425 Bower Hill Road Bridgeville, PA 15017-2379 Telephone: 412.221.6012 Fax: 412.257.8854

Zoning Hearing Board Members

April 16, 2020

Zoning Hearing Appeal

Appellant: John Rattenni

Property Address: 131 Washington Avenue

Owner: Tamara Padgelek

Lot/Block: 255-B-53

Dear Zoning Hearing Board Members:

On **Thursday**, **April 23**, **2020**, **at 7 p.m.**, the Borough's Zoning Hearing Board, located at the Borough Bldg., 425 Bower Hill Rd., Bridgeville, PA, 15017, shall hold a Public Hearing regarding the Appeal of John Rattenni from the Decisions of Borough Council granting Pittsburgh Pets at Home LLC's Application for Zoning/Conditional Use Approval, and its related Application for Land Development Plan Approval, and from the issuance of related building permits, to operate a 'Pet Crematorium' at 131 Washington Ave., in a Mixed Use Zoning District, in which a 'pet crematorium' is authorized as a Conditional Use, subject to §903.29 of the Borough's Zoning Ordinance.

<u>COVID-19 PUBLIC PARTICIPATION NOTICE:</u> Due to the current need for social distancing, public participation shall be by teleconference and/or video conference only. For information regarding how to 'attend' and participate in this public hearing by teleconference or video conference, or how to review the appeal papers or related documents, please visit the Borough's website at www.bridgevilleboro.com, or contact the Borough Manager.

The application and related correspondence are enclosed for your review. If I may be of further assistance or you are not able to attend, please contact my office at (412) 221-6012 ext. 11 or contact me via email at lcollins@bridgevilleboro.com.

Kindest regards,

Lori Collins Zoning Officer

cc: John Rattenni

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Attorney Philip Rubenstein

Colen

lcfile

Enclosures

ZONING HEARING BOARD BOROUGH OF BRIDGEVILLE

4.25 Bower Hill Road Bridgeville, PA 15017 RECEIVED FEB 25 2020

APPLICATION FOR HEARING

| (1), (Ve), JOHN RATTEN |
|---|
| OF: 215 WASHINGTON ATENTE BUREVILLE R |
| Request that a determination be made by the Zoning Hearing Board of the Borough of Bridgeville on the following |
| An Application for a Building Permit was rejected by the Zoning Officer on |
| An Interpretation (); a Special Exception (); a Variance () is requested to Article Sec Research , of the Zoning Ordinance for the reason that: |
| () It is an Appeal for an Interpretation of the Ordinance or Map. () It is a Special Exception to the Ordinance on which the Zoning Hearing Board Is required to pass. |
| <pre>() it is a request for a Variance relating to the: () Area; () Frontage; () Yard; () Height; () Use; or</pre> |
| State reason if not listed |
| THE DESCRIPTION OF THE PROPERTY INVOLVED IN THIS APPLICATION IS AS FOLLOWS: |
| Location: 131 WASHINGTON AUE BRINGELLUTIA 15017 |
| Lot Size: 33406 30050FT |
| Present Use: CESOENSE |
| Present Improvements upon land 24x26 Apomo- UGGO TO HOUSE INCHORATE |
| Proposed Use: PET CREMETORUM |
| (I), (We), believe the Board should approve this Request because: (Include the grounds for Hearing or reasons, both with respect to law and fact for granting the appeal, special exception or variance and if hardship is claimed, state the specific hardship) |
| Marche Section |
| XI 1102 |
| X1 1101.4 |
| XIV 901.1 |
| Attach additional information |
| ATACHED DOCUMENTS |

| Has any previous application for I these premises? | Hearing been filed in connection with () Yes () No |
|--|---|
| What is the Applicant's interest | in the premises affected? |
| ADVACANT (AD JOUNELL (Owner, Agent, Lessee | e, Contractor, Etc.) |
| What is the approximate cost of th | ne work involved? \$ |
| distance of 300 feet from the exte | sses of owners of property within a erior limits of the property involved ne latest assessment roll of the County |
| Name | Address |
| SEE AMACH LIT | |
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| NO | TICE |
| be deposited with the Secretary of with the Zoning Officer. A copy of showing location and size of lot, or proposed to be erected, or othe other information required by the to each copy of this Application. | t in Duplicate. The Original shall the Zoning Hearing Board and a copy f the plan of real estate affected the size of improvements now erected r changes desired, together with any Zoning Hearing Board, must be attached If more space is required, attach as application and make specific reference |
| STATEMENTS CONTAINED IN ANY PA | F THE ABOVE STATEMENTS AND THE PERS OR PLANS SUBMITTED HEREWITH ST OF MY/OUR KNOWLEDGE AND BELIEF. |
| Dated FEB 24, 7025 | Signature |
| | |
| FEE FOR APPLICATION: \$300.00 | # :# |
| FEB 2 5 2020 | |

Request for Interpretation with regards to Property Owners intent to reduce the number of Parking Spaces currently required by this Property

Request for Interpretation: The building drawing does not consider all of the space of the building when calculating the Off Street Parking Requirements as set forth in Article XI Section 1102.

1. The property owner declared 702 square feet of the existing 1360 square foot building and none of the newly added space in calculating Parking Requirements when submitting the Site Plan for approval. This appear to be contrary to requirements set forth in Article XI Section 1102.1(B)(1).

Is the property owner required to account for all usable space within the building for purpose of determining the Parking Requirements?

If current condition is permitted, how would the Borough identify if the property owner has expanded their use of the space beyond that which had been approved?

2. On the Site Plan, space "devoted to customer service and retail sales" has been declared and approved. On the building drawings a Commercial Class VI incinerator for the purpose of processing Type 4 waste is being installed in the addition. This appear to be contrary to requirements set forth in Article XI Section 1102.1(B)(1).

Is the property owner required to account for the square footage used to house the incineration operation for purpose of calculating the Parking Requirement?

Request for Interpretation: Article XI Section 1101.4 Access, Circulation and Walkways

1. On the building drawing, the Garage door has been located with a setback of 2 feet from the property edge. It is not possible for the vehicle to exit the garage space and remain on the property to "avoid vehicle queues on public streets". Also "Clear line of Sight" as expressed on Appendix A has not been met for this driveway.

Does this condition meet the Zoning Requirements expressed in Section 1104.2 and Appendix A?

Note: Included is the PA Code Driveway Design Requirements to help illustrate my understanding of section 1101.4 language.

Request for Interpretation: Conditional Use Article XIV 901.1

When a Conditional Use Application is submitted by the Planning Commission to the Borough Council, must a Public Hearing be conducted as stated in Article XIV Section 901.1 (C) ?

If required, would the Public Hearing Notification be required to meet the standards set in forth in Article XIV Section 1409.1 (or elsewhere in the Zoning Code)?

Attachments:

Site Plan approved by Bridgeville Borough

Allegheny County Drawing of existing building

PA Code Driveway Design Requirements

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| | THIS CARD MILET BE REMINERALLY DISCULATED ON THE DOMINICES. | |
|--|---|-----------------------------------|
| Building Permit No. | OTHER | REMODELING |
| 80-20-003 | USE | REPAIR |
| Contractor | EXCAVATION | ALTERATION |
| Z T Common South C | DEMOLITION | BUILDING |
| (Type or Use of Construction) | demo, addition + Italian revolution) | PERMIT ISSUED FOR |
| (Date of Issue) | a di | |
| ON 3-11-2020 | | TO lassara L. for |
| (Number and Street) | | |
| | AT 131 Mach unlan | THAT A PERMIT HAS BEEN GRANTED AT |
| | NOTICE IS HEREBY GIVEN | |
| | | |
| | | |
| | | |
| | | |

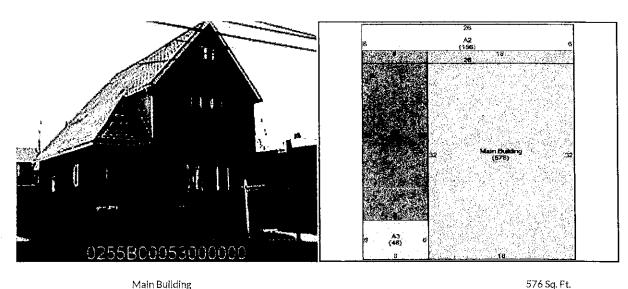
Date

Parcel ID : 0255-B-00053-0000-00 Property Address : 131 WASHINGTON AVE

BRIDGEVILLE, PA 15017

Municipality: 811 Bridgeville

Owner Name: PADGELEK TAMARA L



A1 Full Basement (conv main bldg) 1 story masonry 208 Sq. Ft.

A2 Porch Frame - Open 156 Sq. Ft.

A3 Stoop Masonry 48 Sq. Ft.

702 Soft

LUSTOMES SORVEE/RETAIL SAUES

Business Office /Nor Modical

+ ADDITION 624 SOFT Companyer Use Not Listed 432 So F. 1/300 2 Street

1/2-30

WET 75%)

354 SEFT 1/300 Z SANCES

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TSPACES

Pennsylvania

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§ 441.8. Driveway design requirements.

- (a) General. General requirements shall be as follows:
- (1) The ability of a driveway to safely and efficiently function as an integral component of a highway system requires that its design and construction be based on the amount and type of traffic that it is expected to serve and the type and character of roadway which it accesses. This chapter separates driveways into four classifications, based on the amount of traffic they are expected to serve. A description of each classification and typical examples of land uses normally associated with each follows:
- (i) Minimum use driveway, see Figure 7. A driveway normally used by not more than 25 vehicles per day, such as:
 - (A) single family dwellings, duplex houses; or
 - (B) apartments with five units or less.
- (ii) Low volume driveway, see Figure 8. A driveway normally used by more than 25 vehicles per day but less than 750 vehicles per day, such as:
 - (A) office buildings;
 - (B) elementary and junior high schools; or
 - (C) car washes.
- (iii) Medium volume driveway, see Figures 9, 11, and 12. A driveway normally used by more than 750 vehicles but less than 1500 vehicles per day, which does not normally require traffic signalization, such as:
 - (A) motels;
 - (B) fast food restaurants; or
 - (C) service stations and small shopping centers or plazas.
- (iv) High volume driveway, see Figure 10. A driveway normally used by more than 1500 vehicles per day, which often requires traffic signalization, such as:
 - (A) large shopping centers; or
 - (B) multi-building apartment or office complexes.

- (2) The design features described in this section and illustrated in the attendant figures are to be used by the applicant in designing the driveway plans which accompany the application. Dimensions shall be selected from the range of values shown on the appropriate figure, unless site conditions warrant a deviation. The Department may require design details which are more stringent than those specified in this chapter to insure the safe and efficient operation of any proposed driveway.
- (3) Figures 7, 8, and 9 show two sets of design values. The applicant shall design his driveway using the values appropriate for the posted speed of the roadway being accessed.
- (b) Angle of access driveway approach. Angle of access driveway approach shall include the following:
- (1) Access driveway approaches used for two-way operation shall be positioned at right angles, that is, 90 degrees, to the highway or as near thereto as site conditions permit, except as authorized in Figure 11.
- (2) When two access driveways are constructed on the same property frontage and used for one-way operation, each of these driveways may be placed at an angle less than a right angle, but not less than 45 degrees to the highway, except that along divided highways where no openings are allowed in the median the minimum angle of an exit driveway may be 30 degrees, as shown in Figure 12.
- (c) Driveways adjacent to intersections. Driveways serving properties located adjacent to a highway intersection shall be subject to the following:
- (1) There shall be a minimum ten foot tangent distance between the intersecting highway radius and the radius of the first permitted driveway.
- (2) The distance from the edge of pavement of the intersecting highway to the radius of the first permitted driveway shall be a minimum of 20 feet on curbed highways and 30 feet on uncurbed highways.
- (3) Paragraphs (1) and (2) of this subsection may be waived only if the intersecting highway radius extends along the property frontage to the extent that compliance is physically impossible.
- (d) *Property line clearance*. Except for joint-use driveways, no portion of any access shall be located outside of the property frontage boundary line.
- (e) Multiple driveways. Multiple driveways serving the same property must be separated by a minimum distance of 15 feet measured along the right-of-way line and 20 feet measured along the shoulder, ditch line, or curb. When the distance between multiple driveways is 50 feet or less measured along the shoulder or ditch line, the area between shall be clearly defined by permanent curbing. This curb shall be placed in line with existing curb or two feet back of the shoulder or ditch line on uncurbed highways. It shall be extended around the driveway radii to the right-of-way line.
- (f) Site requirements. Site requirements shall be as follows:

ARTUR XI Section 1101.4

- (1) All nonresidential buildings shall be located a sufficient distance from the right-of-way line to provide ample driving area and parking off the right-of-way to prevent storage of vehicles on the access driveways and to prevent the back-up and turning of vehicles on the highway pavement.
- (2) The radii of internal curves shall be as large as possible to allow a direct movement from the highway into a proper position to obtain service or parking without any interference to other vehicles attempting the same maneuver.
- (3) Applications for driveways providing access to drive-in-service developments shall, when requested, include information relative to the amount of storage provided between the service facility and the right-of-way, the number of service operations anticipated during peak periods, and the hours and days of operation.
- (4) The area between the right-of-way line adjacent to and on both sides of a driveway shall be used as a clear zone to provide a physical barrier between the traveled way and activity on private property. This area shall remain free of any obstructions which may interfere with a clear line of vision for entering or exiting vehicles.
- (g) Curbing. Requirements for curbing shall conform with the following:
- (1) The permit may require the installation of curbing wherever it is required to control access or drainage, or both. All curbing must be permanent curbing, as defined in § 441.1 of this title (relating to definitions).
- (2) Where property abutting the right-of-way line could be used as parking area, the permit may require curbing, permanent guardrail, or fencing to be constructed along the right-of-way line in order to prohibit vehicle encroachment upon the sidewalk or shoulder area.
- (3) If, in the opinion of the Department, there is a high probability that vehicles would otherwise utilize a portion of the property frontage other than the approved driveway to gain access to the property, the permit may require curbing or other physical barriers to be constructed.
- (4) When curb exists adjacent to the proposed driveway, the line and grade of the existing curb shall be matched, unless otherwise authorized by the permit.
- (h) Sight distance. Conditions for sight distance shall be as follows:
- (1) Access driveways shall be located at a point within the property frontage limits which provides at least the minimum sight distance listed in the appropriate following table:

Table 1—Safe Sight Distance for passenger cars and single unit trucks exiting from driveways onto two-lane roads.

BRIDGEVILLE BOROUGH ZONING HEARING BOARD

425 BOWER HILL ROAD BRIDGEVILLE, PA 15017

April 7, 2020

| Robert David Holding Company | 211 Bridge Street | Pittsburgh, PA 15228 |
|-----------------------------------|----------------------------|----------------------|
| Shoufs II, LLC | 200 Washington Avenue | Bridgeville, PA |
| Duane & Kimberly Kepple | 127 Washington Avenue | Bridgeville, PA |
| Moses Enterprises, Inc. | 552 Azalea Lane | Bridgeville, PA |
| DJR Investment Properties, LLC | 215 Washington Avenue | Bridgeville, PA |
| Victorian Finance, LLC | 212 Washington Avenue | Bridgeville, PA |
| John Rattenni | 215 Washington Avenue | Bridgeville, PA |
| Judith Short/Kimberly Lawrence | 219 Washington Avenue | Bridgeville, PA |
| James Kish | 225 Washington Avenue | Bridgeville, PA |
| Shouf Holdings, LLC | 200 Washington Avenue | Bridgeville, PA |
| Carol Parks | 306 Washington Avenue | Bridgeville, PA |
| Robert & Grace Chickis | 312 Washington Avenue | Bridgeville, PA |
| James & Nancy Donovan | 318 1/2 Washington Avenue | Bridgeville, PA |
| Albert & Gloria Smith | 318 Washington Avenue | Bridgeville, PA |
| John & Snezana Chabala | 595 Scenic Drive | Avella, PA 15312 |
| Everett Weisser | 279 Brookwood Road | Venetia, PA 15367 |
| Carl & Inez Speranza | 333 Prestley Road | Bridgeville, PA |
| Gillian Smith | 331 Prestley Road | Bridgeville, PA |
| Craig & Laurie LaLama | 875 Elm Street, Apt. 1-5 | Manchester, NH 03101 |
| Gilbert, James & Mary Taylor | 333 St. Clair Street | Bridgeville, PA |
| Robert McMaster/Amanda Sharp | 332 St. Clair Street | Bridgeville, PA |
| Jay Cermenaro | 1351 Rose Circle | Pittsburgh, PA 15241 |
| Pittsburgh/West Virginia Rwy. Co. | 100 1 st St. SE | Brewster, OH 44613 |
| | | |

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Kindest regards,

Lori Collins Zoning Officer

Cc: Zoning Hearing Board/Borough Council/Planning Commission Tamara Padgelek 131 Washington Avenue Bridgeville, PA 15017

