

Borough of Canonsburg
Zoning Hearing Board
December 15th, 2020
5:30 pm

1. Call to Order:

The meeting was called to order by Mr. Pihakis at 5:41 PM

2. Pledge of Allegiance

3. Roll Call:

Mr. Manuel Pihakis, Chairman - Present

Mrs. Carmina V. Vitullo - Present

Mr. Tony Trona - Present

Ms. Holly Stabile, Solicitor - Present

Mr. Josh Smith, Zoning Officer - Present

4. Old Business:

None.

5. New Business

Charles Eckenrode, owner of the property located at 120 Church Way, Canonsburg, PA 15317, approached the Zoning Hearing Board and explained the need for his variance application.

Mr. Eckenrode stated that he currently has two accessory use storage sheds on his property temporarily and would like to keep them there permanently. He stated that he spoke to Josh, Smith, Code/Zoning Officer, and was told he could get a temporary storage permit and that he needed to begin the paperwork to go before the Zoning Board. He stated that Mr. Smith informed him that as long as he followed that 10 foot setback that there should be no issues.

He then explained the history of the property, stating that the principal structure (house) was removed after a fire around 10 years ago and leaving an empty lot.

He claimed that he did not know that a property had to have an existing principal structure to build accessory structures on a property.

Mr. Eckenrode stated that he would like to use these sheds on this property for storage of his equipment that he uses for his business. He went on to explain that the sheds are good quality and are one-story, 7'x20'/140 square foot and will not exceed the maximum size allowed.

He stated he lives in a housing plan with an "HMO" and residents are not allowed to have sheds on their property. He would like the sheds on his property to remove the equipment and tools from his home garage to allow himself to park his vehicle in his garage.

Mr. Eckenrode explained that he has not heard of anyone having complaints about the sheds as they are currently placed, he will keep the property clean and will not be visiting the sheds at all hours of the night and making noise. He reiterated that he would use the sheds to store material and equipment for his business.

Mr. Pihakis told Mr. Eckenrode that he and Mr. Smith visited the property and asked Mr. Smith to read 173.08 of the Zoning Ordinance covering Accessory Uses. Mr. Smith then read the ordinance aloud. Mr. Pihakis explained that the ordinance clearly states that the storage sheds are not permitted as Mr. Eckenrode requests.

Mrs. Vitullo stated that simply because his HOA does not allow for storage sheds, does not allow him to place sheds on a lot without a principal structure so that he can clean his garage out.

Mr. Eckenrode explained that he didn't realize at the time that he needed a residence on the property to build an accessory structure and claims that Mr. Smith was unaware of that as well and told him as long as he followed the setbacks and turned in an application that he would be approved. Mr. Smith replied that he did indeed tell him that he needed a principal structure on the property to place any accessory structures and that he needed to apply to the Zoning Hearing Board but that he placed the sheds without approval. Mr. Smith then went on to explain that he instructed Mr. Eckenrode to remove them and that he did not comply. Mr. Smith then told Mr. Eckenrode to obtain a zoning permit but obtained only a temporary storage permit after already placing the sheds.

Mr. Smith then corrected Mr. Eckenrode by explaining that he had never told him that he would be approved and that he had originally requested two 10'x20' sheds on his zoning application, exceeding the maximum size allowed.

Mr. Trona stated that he does not believe that Mr. Eckenrode's sheds follow the criteria needed to place permanent sheds on this property.

Ms. Stabile asked if any audience members would like to have a say on the application.

Mr. Richard Russo, Canonsburg Borough Councilman and resident, stated that he does not believe that Mr. Smith told Mr. Eckenrode that it was okay to place the sheds and that he only applied for permits after the sheds were already delivered. Mr. Russo then explained that he has already had multiple people complain to him about the sheds and that the property's value as an empty lot is greater than with the two sheds placed on it. Mr. Russo stated that allowing this would set a precedent with other property owners now wanting to place accessory structures on their empty lots and that there are plenty of storage facilities in the area that can be rented out if needed. Mr. Russo asked that the variance not be approved.

Mr. Robert Luksis stated that he lives near to the property and does not want the sheds to stay there permanently. Mr. Luksis stated that earlier in the meeting Mr. Eckenrode alluded that this would basically allow him to run his business out of the sheds and instead of seeking permission, he is now seeking forgiveness knowing he was not allowed to place the sheds from the beginning.

Motion to approve a variance for Charles Eckenrode to allow two storage sheds to be permanently located at 120 Church Way, Canonsburg, PA 15317.

Mr. Trona made a motion to deny a variance for Charles Eckenrode to allow two storage sheds to be permanently located at 120 Church Way, Canonsburg, PA 15317. Seconded by Ms. Vitullo. All in favor. **Motion to deny the variance was approved.**

7. Adjournment:

Meeting adjourned at 6:17 PM.

Submitted by:

Callie Munch