

## ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

MARCH 3, 2010

The regular meeting of the Zoning Board of Adjustment for March 3, 2010 was opened and called to order at 8:00 PM by Vic Chairman Barbire.

Secretary Romero read Sunshine Act.

Rollcall: Deinhardt, Reiter, Barbire, Newsome, Williams Attorney Kimball Absent:  
Affuso, Ruhle, Daleo

Docket 2010-2 Marsyl Sorce 100 First St.

A-1 notice of appeal, complete application

A-2 Notice materials

A-3 Police memo

A-4 Fire memo

A-5 Survey GB Engineering LLC 12/9/2009

A-6 Check from James & Marysl Sorce for \$48 to the Borough 4/7/1976

Marsyl Sorce was sworn in. Application to allow a preexisting non-conforming use. They have owned property since 1951. We purchased the property in 1976 we had 5 small children living in home with me and my mother. We bought the home from my parents. The upstairs had 2 bedrooms one bath and laundry upstairs. When we moved in that's when the expansion occurred. We gave the check to the borough for the permit for addition and fireplace in living room. Was there someone that would do inspections? Yes and all permits were approved.

In the 80's the dining room was opened up. We used Finke Brothers to do the work. This home has always been in our family. Now it has been vacant for 5 yrs. The realtor feels that the taxes are too high for this property.

We never listed this home as a two family. Never rented this home either.

BOARD QUESTIONS:

Reiter: on the electric do you have 2 separate meters? Yes my mother wanted it that way. Is there a 3<sup>rd</sup> kitchen? No cabinets and a sink no stove for fridge.

Deinhardt: You have 2 kitchens? Original kitchen on 1<sup>st</sup> floor and a small kitchen upstairs. The down stairs you couldn't live down there.

But there is the ability to make a 3<sup>rd</sup> kitchen.

Reiter: Are there 2 separate living spaces and garage.

CLOSED

This has cost me a fortune dealing with this I want to settle this.

I can't control what people do with their homes. But it is our job.

Reiter: Would you be willing to remove the 2<sup>nd</sup> kitchen? Attorney to ask my client to remove something she has been assessed and paying taxes on, I don't think is fair no should she be punished for it.

Nicholas Sorce sworn in. 3526 Pennajan Rd. Humrod Rd.

I'm the youngest son the house was made to accommodate my grandmother it was put in 1976 by Finke Brothers legally. This was done before the ordinance was adopted in 1977 that says you make these changes. We just want to sell this house. We just want to keep this house the way it is. We finally had a buyer after 5yres and we lost it because of this issue.

The electric is zoned off as 2<sup>nd</sup> floor has separate box we have a common heating system with 4 zones.

Paul Clemente was sworn in. Zoning Official 2002 reval shows 1 kitchen. There was a request for a CO I did an inspection in early December 2009 kitchen, bath on 1<sup>st</sup> floor 2<sup>nd</sup> floor kitchen bathe bedrooms and living room, basement kitchen with out stove fridge one bedroom unit is what it looked like to me.

So I declined a CO for a single family home. I looked at records from 2002 reval it stated one kitchen not two.

The Building Dept file had no records of this. The work looks 15 to 20 yrs old.

Attorney Did you look at any older records? No most current.

What would remedy this situation for them? Removing kitchen on 2<sup>nd</sup> floor and removing doors to apartments.

You are here for an appeal of Mr. Clements decision? Yes.

OPEN TO PUBLIC: NONE

BOARD DISCUSSION:

Newsome: unfortunately with the times if people can get revenue of their home they will.

Reiter: I have to agree with Mr. Clemente.

Motion: Mr. Reiter made a motion to uphold the decision of Mr. Clemente, Zoning Official seconded by Mr. Newsome

Rollcall: 4AYES 1 NAY

**DOCKET 2010-3 MR. & MRS. JOHN GRAVAGNA, 157 JOCELYN AVE.,  
APPLICANT WISHES TO ERRECT A 2-STORY ADDITION WHICH WILL  
ENCROACH INTO REAR YARD SETBACK AND EXVEEDS TOTAL LOT  
COVERAGE.**

John Gravagna was sworn in. I would like to put an addition to the left side of my house. I also know that I am going to get 20 feet from Wesmont in the future.

Lot coverage issue is over by 33%. The board can consider the Wesmont issue as a hardship the lot is only 80 feet. The addition will be a bedroom and family room with handicapped bath the addition would be 20X25 feet.

OPEN TO PUBLIC: NONE CLOSED

BOARD DISCUSSION:

Reiter: I don't see a problem with the addition.

Motion: Mr. Newsome made a motion to accept seconded by Mr. Williams  
Rollcall: 5AYES

Motion: Mr. Williams made a motion to accept the minutes by Mr. Reiter.  
Rollcall: 5 AYES.

Motion: Mrs. Barbire made a motion to adjourn seconded by Mr. Reiter.  
Rollcall: 5 AYES.