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RICHLAND TOWNSHIP
ZONING HEARING BOARD

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Case No. :
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6-08 :
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TRANSCRIPT OF PROCEEDINGS
MONTHLY ZONING HEARING BOARD MEETING
JULY 2008
7:00 p.m.

Before: MARGO JOCHIMS, Chairperson
 BETSY KANE, Vice Chairperson
 C. DONALD GATES, Secretary

Date: Tuesday, July 15, 2008

Place: Richland Township Municipal Building
 4019 Dickey Road
 Gibsonia, Pennsylvania 15044

By: Karen L. Cross
 Court Reporter - Notary Public

CROSS & ASSOCIATES COURT REPORTING SERVICE
(412) 737-7438

P R O C E E D I N G S

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3 MS. JOCHIMS: I'll call the meeting to
4 order. The first order of business is the approval of the
5 minutes for the January 2008 meeting. Do I have a motion?

6 MR. GATES: So moved.

7 MS. KANE: Second.

8 MS. JOCHIMS: All in favor.

9 MS. KANE: Aye.

10 MR. GATES: Aye.

11 MS. JOCHIMS: This hearing is for Richard
12 and Deborah Lokay. I'm going to ask that the two of you
13 stand and raise your right hand. You're here to testify.

14 ALL WITNESSES,

15 having been first duly sworn, testified as follows:

16 MS. JOCHIMS: Whenever you're ready you may
17 begin.

18 MR. WALZER: We have a microphone.

19 MR. LOKAY: I don't need a microphone. I
20 talk loud. Like you said, we're Deb and Rich Lokay. We've
21 lived here or we've owned our house since 1975. The house
22 was built in 1952. I'd like to thank you guys for coming
23 out and seeing the property.

24 What we're trying to do is put a garage up.
25 And the reason we're looking for a variance is the lot we

1 live on has a downgrade to the back and in order to build
2 the garage and be at the level with our house, the further
3 we move back the steeper the hill gets to the point where if
4 we move it back any further we'll almost have to put two
5 stories below it just to get it up to the level of the road.
6 So it really prohibits us from moving too far back onto the
7 hillside.

8 Part of the problem we have is that our
9 house and the road we live on, although our house was built
10 in 1952, it was built kind of with the contour of the
11 property. The road, Fisher Road, we live on is kind of on a
12 diagonal. So the further you move down past our house the
13 closer it gets to the road. The lot we're talking about is
14 next door which is down for them.

15 I believe that the rules changed for the
16 actual property lines since the house was built. So
17 basically the problem we're having is that since it goes on
18 an angle and we want to build it up where the house is we
19 get too close.

20 Kind of the problem we have is right now we
21 park on the road. We don't have a garage. We park on the
22 road. We have a parking area across the street from us. So
23 we actually pull in and kind of back in and our vehicle
24 sticks out in the road. Anyone that visits us and parks
25 there has to actually back out into the road.

1 Also behind our house there's a creek that
2 goes behind our house. As we move back and get towards the
3 creek, if you go back too far, of course, we wouldn't be
4 able to do it because we'd be over top of the creek.

5 So that's basically the story. What really
6 happened is in order to build our garage-- I live there and
7 we have two acres where we currently live and two acres next
8 door. So we have four acres. In order to build the garage,
9 in talking with the township, we had to do a consolidation
10 plan. We had to put the two pieces of property together.

11 At that time we were under the understanding
12 if we put two pieces of property together we could, under
13 the ordinance, build it the same, out as far as our house.

14 MS. JOCHIMS: Let me ask you. Looking at
15 your property, there is a chunk of your property that's been
16 cleared or more muddy. Is that part of the second line?

17 MS. LOKAY: That's what we're thinking.
18 That's where we want to build.

19 MR. LOKAY: You drove past?

20 MS. JOCHIMS: I drove past.

21 MR. LOKAY: We cleared that in anticipation
22 of doing something. So to do that we had to do the
23 consolidation plan. We were under the understanding that as
24 far as the house, no further than the house, as long as we
25 connected it to the house. Well, not thinking about it, the

1 house is on a different angle than the road. So now if we
2 want to fill it out there we can't.

3 We had a survey came in, an engineer firm
4 come in, to do the consolidation. They did the survey and
5 found that Richland Township actually has a road on my
6 property or it was originally on my property. It was
7 supposed to be somewhere else on someone's drawings.

8 My lot actually shows that I own
9 three-quarters of 910 on my deed. So I own part of 910. So
10 in order to do this consolidation plan I agreed with the
11 township that they could have that property across the
12 street from me--

13 MS. JOCHIMS: That's that little--

14 MR. LOKAY: --and relocate the road where it
15 currently is, that island there in the middle and they we
16 would relocate the road to where it really is. When doing
17 so, they changed -- I don't know if they changed it -- but
18 in doing that it ended up now that I'm too close to the
19 road.

20 MR. WALZER: I can verify what Mr. Lokay is
21 saying. If you look at the survey, you'll see the dark
22 line, which is the new property line. You can see, if you
23 look up Fisher Road, which Fisher Lane is probably the only
24 one-way street I think in Richland Township, it comes
25 downhill with an exit right in front of your house. That's

1 probably where the two-way traffic is behind it.

2 But if you look at that and you have that
3 little building is actually out on his property before,
4 well, whenever Mr. Lokay came in for this subdivision our
5 engineer noticed the paving which was on his property.

6 We asked that he donate some of the property
7 to the township so that in case we ever have to widen the
8 road or do anything we can do it without having to go
9 through a lot of problems later doing subdivisions to do a
10 road improvement.

11 So you can see the dark line is his property
12 now. But it did go all the way out to where Fisher Lane is
13 drawn on there. So the variance wouldn't have been as much
14 if he wouldn't have donated the lot. He would still need a
15 variance, but it would have been less for nonconforming.

16 MS. KANE: But this does show the exact
17 location of Fisher Lane; correct?

18 MS. LOKAY: Fisher Road.

19 MR. WALZER: The dark line--

20 MS. JOCHIMS: Fisher Road goes on the--

21 MS. LOKAY: Right. We're talking Fisher
22 Road is here and Fisher Lane is another that comes off of
23 Fisher Road.

24 MR. LOKAY: That's mismarked, and I don't
25 know why it all happened.

1 MS. JOCHIMS: When you take Fisher Road by
2 North Pittsburgh, as you drive down there, there is a road
3 that you make a left before their property. That's Fisher
4 Lane. They actually live on Fisher Road.

5 MS. KANE: This says lane.

6 MR. LOKAY: I know. And it's all approved,
7 but it shouldn't have been.

8 MS. KANE: That's fine. But what's shown on
9 here is the actual location from the road to your house?

10 MR. LOKAY: That's correct.

11 MS. KANE: Where it says bituminous paving.

12 MR. LOKAY: The other thing about it is, I
13 have pictures of all my neighbors on my street, on Fisher
14 Road. I am the furthest and I still would be the furthest
15 back than any other house on the road. There are houses
16 that are ten feet from the road, but if there's a road
17 expansion they'd have to--

18 MS. KANE: Was that originally a private
19 road, do you know?

20 MR. LOKAY: Years ago it used to be the only
21 way. The phone company used to sit at the end of our road.
22 That was the road--

23 MS. LOKAY: It was Gibsonia Road years ago,
24 a long time ago.

25 MR. LOKAY: It was Gibsonia Road.

1 MS. KANE: So they relocated--

2 MS. LOKAY: Before our time.

3 MR. GATES: The building is configured
4 strangely. It goes out and then angles down on the survey.
5 Did you see that?

6 MR. LOKAY: I'm sorry. As far as the
7 garage?

8 MR. GATES: Uh-huh.

9 MR. LOKAY: Yeah, it is. We'd like to have
10 it turned a little bit.

11 MS. JOCHIMS: For aesthetic or just--

12 MR. LOKAY: Aesthetic and also getting off
13 the road into the property.

14 MR. GATES: Well, the thing that connects it
15 is next to the house. Is that garage--

16 MR. LOKAY: That would be a breezeway to
17 connect.

18 MR. GATES: All right.

19 MR. WALZER: Don, again, that's a one-way
20 street going--

21 MS. KANE: To the right.

22 MR. WALZER: I think he wanted to--

23 MR. GATES: I see.

24 MS. LOKAY: Also, the end of Fisher Road
25 comes out on an angle, and it's hard to get pulled out from

1 where we would exit at.

2 MS. JOCHIMS: To get back on 910 it is.

3 MS. LOKAY: Yes.

4 MR. GATES: But then that's a breezeway
5 connecting the house?

6 MR. LOKAY: That's correct. The reason we
7 established a breezeway to connect it is because there was
8 a, if you look at the 50-foot property built on it behind
9 our house, there's just no way I could build back there. I
10 have pictures. It's a steep grade, and there's a creek
11 behind there. We've got to move it. We had to move it
12 forward.

13 MS. KANE: Well, I mean, really, the less
14 breezeway you have the more in conformance you are.
15 However, I do think this fits with the style of your house
16 and would look very nice.

17 I also thought about angling the garage the
18 other way, which again would bring it more in line with the
19 existing home. But that would then put the garage doors
20 further away from you where you're making it look better
21 from the front elevation by doing what you're doing.

22 MR. LOKAY: That's our intention.

23 MS. KANE: Could we see the other houses,
24 the pictures that you took?

25 MR. LOKAY: Sure.

1 MS. JOCHIMS: The nonconformance you can--

2 MR. LOKAY: I marked it by addresses here.
3 This is the house that would be east of me. This is the
4 house. There's a house next to it which I also own. It's
5 not in the pictures. This is the house that's two up from
6 me. It's, like, ten foot from the road. This is the third
7 house on it, and he's, like, ten foot from the road. Then
8 this house here is almost on the road.

9 MS. KANE: It is.

10 MR. LOKAY: And the issue with our road is
11 it's such a small road. If you park on the road there's no
12 room. In fact, it's scary to go down this hill in the
13 wintertime because it's a downhill grade. We're trying to
14 get traffic or our vehicles off the road.

15 You can see this is the back end of the
16 house, the steep grade that we're at. So in order to build
17 the garage -- this is, again, pictures of it -- you know, it
18 sits at a pretty steep grade. This is the creek here.

19 MS. KANE: Now, you're extending this
20 setback or it's actually going to come in, well, what you're
21 having as a breezeway.

22 MR. LOKAY: This is coming out straight like
23 this and then the garage door.

24 MS. KANE: But, I mean, this is your current
25 door here?

1 MR. LOKAY: Yes.

2 MS. KANE: You're coming to about that point
3 in coming across.

4 MR. LOKAY: That's right. We're trying to
5 be at this point coming to make it tie in with the roof.

6 MS. KANE: Okay.

7 MR. LOKAY: I have a rendering of it.

8 MS. KANE: Yeah.

9 MR. LOKAY: It's a sketch we had done.
10 (Multiple speakers at once.)

11 MR. GATES: If everybody talks at the same
12 time the court reporter has trouble hearing.

13 MR. LOKAY: Okay.

14 MS. KANE: As I said, I toyed with the idea
15 of is there another way to do this that would put you more
16 in line with the front of your house. But I realize that
17 this was a very attractive facade to do it this way, and I
18 would see why you wouldn't want to change that. Can you
19 see?

20 MS. JOCHIMS: I'm good.

21 MS. LOKAY: (Inaudible.)

22 COURT REPORTER: Ms. Lokay, I can't hear
23 you.

24 MS. LOKAY: I said if we put the garage
25 doors this way and straight over it's hard to get out onto

1 Fisher Road.

2 MR. LOKAY: Part of the problem is if we
3 moved the garage doors down the hill it becomes a steeper
4 grade for us to get out. So we'd have to bring in, like, a
5 lot of fill just to be able to get our, so we're not on a
6 steep grade to get out of our driveway.

7 MS. KANE: There are no neighbors here to
8 object to what you're doing. They've all been sent a
9 letter. The fact that they're not here makes me think that
10 they have no objections. Have you talked with anyone?

11 MR. LOKAY: We've talked to all the
12 neighbors on our road, on Fisher Road. They asked if we
13 wanted them to come they would come and say--

14 MS. KANE: Which ones?

15 MR. LOKAY: The five on Gibsonia Road.

16 MS. LOKAY: Right, because the address says
17 Gibsonia Road, you know, people over here--

18 MR. LOKAY: The one lot was a Gibsonia Road
19 address and the other one was a Fisher Road address because
20 this property across the street belongs to this.

21 MR. OPALINSKI: Based on the proximity of
22 the road, you'd be hard-pressed to assert any objection if
23 they so choose.

24 MR. GATES: Yeah.

25 MS. JOCHIMS: Okay.

1 MS. KANE: Thank you.

2 MS. JOCHIMS: Any other questions, Don?

3 MR. GATES: No, I have no further questions.

4 MS. JOCHIMS: Chris?

5 MR. OPALINSKI: No.

6 MS. KANE: No.

7 MR. LOKAY: You can put the pictures in the
8 record. To be honest with you, most of the road is family.
9 Her dad was born and raised two doors up, and she grew up
10 there and her cousins. It's all family.

11 MS. KANE: Well, given the nature of the
12 road and the existing houses there, I really have no
13 objection. I think that there is, the terrain is a bit of
14 an issue and the fact that it's a one-way road and getting
15 on and off of it.

16 So I agree with the way you have the garage
17 doors and the little turnaround for yourselves to get out of
18 there. So I would vote in favor of it. I move that we
19 grant the variance as requested.

20 MR. GATES: Second that motion.

21 MS. JOCHIMS: All in favor.

22 MR. GATES: Aye.

23 MS. KANE: Aye.

24 MR. LOKAY: Thank you very much.

25 MS. LOKAY: Is that all we need?

1 MS. JOCHIMS: That's it. You'll get a
2 letter from Jeff indicating that your request was approved.

3 MS. KANE: Then you can get your building
4 permit.

5 MR. WALZER: You can get your building
6 permit. Just the way the law works, any aggrieved party has
7 30 days to file in the Common Pleas Court. Being there's no
8 one here, I don't think you'll have that.

9 MR. LOKAY: So I have to wait for 30 days?

10 MR. WALZER: You don't have to.

11 MR. LOKAY: Okay. I don't have to.

12 MS. JOCHIMS: You don't have to, but it's
13 usually recommended because even if somebody is not here
14 they can file an appeal.

15 MR. LOKAY: Thank you very much.

16 MS. JOCHIMS: Motion to adjourn?

17 MR. GATES: So moved.

18 MS. JOCHIMS: Second.

19 (Whereupon, at 7:20 p.m., the proceedings
20 adjourned.)
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C E R T I F I C A T E

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I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the within proceedings and that this copy is a correct transcript of the same.

Dated at Penn Hills Township, Pennsylvania this 12th day of August 2008.

Karen L. Cross
Reporter - Notary Public

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