



Borough of Ben Avon Heights

Tuesday, September 24th, 2024– Working Meeting

A quorum is in attendance

Present:

Council Members: Berardi, Brown (arrived at 7:06), Dawley, Lope (arrived at 7:35pm), Morris, Neunder, Stiller

Mayor:

Secretary: DiNuzzo

Residents:

Call to Order: Mr. Stiller call the meeting to order at 7pm

- 1. Public Comment:** *There was no public present to comment.*
- 2. Approval of August Meeting Minutes:** *A motion was made by Ms. Berardi to approve the August working meeting minutes. Mrs. Neunder seconds the motion. Motion passed.*
- 3. Zoning Ordinance discussion and edits:** Mr. Morris updated Council that he is now the representative for Ben Avon Heights on the Joint Planning Commission Committee for the Joint Comprehensive Plan update. He will continue to engage Council with updates, perhaps at the regularly scheduled meeting; the next scheduled Comprehensive Plan meeting is October 28th, an update will be shared in November's meeting.

Mr. Stiller started off with the questions which Council raised to the Solicitor in August's meeting; zoning permits, bulk regulations. The solicitor suggested for a zoning permit, a permit stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements of this Ordinance for the zone in which it is located or is to be located. The suggested definitions for bulk regulations "Bulk regulations mean standards and controls that establish the maximum size of buildings and structures on a lot and the buildable areas within which the building can be located, including coverage, setbacks, height, impervious surface ratio, floor area ratio and yard requirements." The Solicitor felt this was sufficient.

Council began on section 311, table of authorized uses. Council went very carefully over the document catching any grammatical or spelling issues. Areas in which Council will ask the Solicitor for some advice are: table 4, table of authorized principal uses; the county notes suggested guidance on how to appropriately edit and define "clubhouse" or something similar to describe a recreational clubhouse which is a permitted use. Council also added additional accessory use items (outdoor kitchen, permanent playground structure, retaining wall, tennis/basketball/sports court), that would need some clarification from the solicitor on if these should be CU or P. Council understands a major change will be incorporating the new table 5B into sections 315, that will also show specific height & setback requirements. Council also will ask the solicitor for some guidance on 314C, they would like to be perceptive with residents specifically with a multi frontage lot, and understand what their main front yard is; also if the definition of front yard should be edited. Council also noted that there is no definition for "required front yard", only "main front yard"; they wanted to confirm if this is the same or if they need another definition to clarify.

Council is also seeking advice on Accessory Dwelling as it was extensively discussed, and it's been a debated topic throughout this process. Council aligned to permit Accessory Dwelling as an Accessory Use on an attached primary dwelling use or detached garage only. Mr. Morris suggested the following, "A separate and accessory living space that is attached to the primary dwelling or garage, detached. Attached accessory dwelling units typically include: living, sleeping, kitchen and bathroom facilities that are accessed from a lockable entrance door." Additional items Council would like to include in section 315 and is seeking guidance from the solicitor are:

- Accessory dwelling units shall be attached to a permitted, principal residential dwelling or garage, detached.

- Accessory dwelling units are only permitted in conjunction with owner occupied properties, when the owner occupies one of the dwellings on the list.
- Only (1) accessory dwelling unit is permitted on a lot
- Accessory dwelling units shall meet setback, bulk and area requirements of the principal use of the lot.
- The minimum number of required parking spaces for an accessory dwelling unit shall be added to the minimum number of required parking spaces for the principal use.

Meeting adjourned at 8:56pm