

ZONING HEARING BOARD
BOROUGH OF TARENTUM, PENNSYLVANIA

IN RE: Application of American First Enterprises, LLP d/b/a Oliver Outdoor

CONCLUSIONS OF ZONING HEARING BOARD

1. A Zoning Hearing Board hearing was held on May 29, 2019 at 6:30 P.M. in Council Chambers of Tarentum Borough.
2. Notice of the hearing was duly advertised and property involved was duly posted.
3. All witnesses were sworn in.
4. The applicant appealed the decision of the Code Enforcement Officer denying approval of a two-side digital billboard located in the Commercial Center (CC) Zone.
5. The application states the site is located within an easement granted by the property owner.
6. The owner of the property did not sign the application and did not participate in the hearing.
7. The Applicant did not present any proof that it does in fact have an easement.
8. When questioned by the Solicitor for the Zoning Hearing Board as to Applicant's authority to proceed, Applicant responded by stating it would email the easement to the Board's Solicitor.
9. The record was kept open solely for the purpose of the Applicant establishing the existence of the easement, which the Applicant did in fact establish.
10. The proposed 2-sided digital billboard is to be approximately 5 feet adjacent to the Tarentum Bridge roadway, be placed about 10 feet above the road and be 14 feet high and 48 feet wide, a total of 672 square feet on each side.

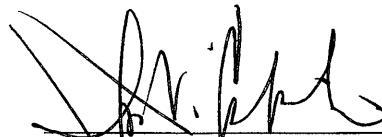
11. Illuminated billboards are not permitted in the CC Zone and are permitted only in certain overlay districts.

12. After a hearing on November 29, 2016 the Zoning Hearing Board denied an appeal of two other applications for illuminated double sided billboards at the same location. In one case the faces were to be 400 square feet, and in the other case the faces were to be 338 square feet.

13. The Zoning Hearing Board can grant a variance only when and if the Findings of Fact are supported by 5 circumstances as outlined in Section 265-1404 of the Zoning Ordinance. None of those conditions are supported by the findings.

14. The Zoning Hearing Board may consider a special exception to the Ordinance if supported by 5 criteria as outlined in Section 265-1405 of the Ordinance. None of the criteria was established at the hearing.

15. The Zoning Hearing Board by roll call vote unanimously denied the application since it had no authority to grant same.



JOHN CIESLINSKI, Chairman
Tarentum Zoning Hearing Board



GERALD G. DeANGELIS, Solicitor
Tarentum Zoning Hearing Board