

BEFORE THE CITY OF GREENSBURG ZONING HEARING BOARD

In the matter of:
Mr. & Mrs. Nicholas Mirolli

Special Exception
Section 265-129

Property Location:
1017 Highland Avenue

Hearing Date:
November 16th, 2011

PROCEDURAL BACKGROUND

The application dated October 17th, 2011 by Nicholas Sr. & Mary Louise Mirolli of 507 Cascade Court, Greensburg, Pa. are requesting a Special Exception for the property owned by Mark Shaffer at 1017 Highland Avenue in order to change from one nonconforming use, i.e., a full service beauty salon (nonconforming use) with an apartment upstairs (conforming use) to a full service restaurant (nonconforming use) with an apartment upstairs as per Section 265-129 of the City Code. *Subject property is zoned R-2 General Residence District.*

Members of the board present: Patsy Iapalucci, acting Chairman, Mark Dent, and Gene James.

Absent: Charlotte Kuhns, Chairwoman and Mary Clymer.

Also Absent: Lou DeRose, Solicitor

Also Present: Barbara J. Ciampini, Planning Director

There were no objections to advertising or procedure at the hearing. Mark Dent made a motion to grant the Special Exception. Patsy Iapalucci seconded the motion. All approved.

DISCUSSION

The property is located at 1017 Highland Avenue, City of Greensburg. Nicholas Sr. and Mary Louise Mirolli of 507 Cascade Court, Greensburg, PA are requesting a Special Exception for the property owned by Mark Shaffer at 1017

Highland Avenue in order to change from one nonconforming use, i.e., a full service beauty salon (nonconforming use) with an apartment upstairs (conforming use) to a full service restaurant (nonconforming use) with an apartment upstairs as per Section 265-129 of the City Code. ***Subject property is zoned R-2 General Residence District.***

Doug Mirolli: I currently own *Abie's and Bimbo's Pizza* in Greensburg and what I hope to do is take the property at 1017 Highland Avenue and convert the beauty salon that is there now into a sit down restaurant/pizza shop with approximately thirty (30 to forty (40 seats plus parking.

Patsy Iapalucci: Are you going to change anything on the outside of the building?

Doug Mirolli: As far as the structure we're not quite sure yet; probably paint but that's about it. Right now there are no plans to change the outside of it at all.

Patsy Iapalucci: How many cars do you think you might be able to park there?

Doug Mirolli: We have three (3) different options right now and I have site plans here to pass out to show the parking. We're hoping to get twelve (12) parking spaces including a handicapped spot. (Doug passes out the site plan of the parking).

Patsy Iapalucci: Do you know how big the lot is?

Nick Mirolli: There are measurements of the whole lot on the plan

Doug Mirolli: The front of the lot is approximately 130 feet long, 120 is the depth and 178 feet is the backside. As far as the plans for the parking we are looking at going with the third plan that gives us the most parking and the easiest access from people who would decide to park in front of the shop instead of backing directly onto Highland Ave. and they would have an area to back up and turn out of the parking lot.

Barbara Ciampini: That is option 3A 1.2 from the options we have in front of us, right?

Doug Mirolli: Yes.

Barbara Ciampini: That plan does optimize your parking.

Doug Mirolli: We think right now towards the end of the parking lot we're thinking about getting back further into the property to get a couple more spots since there is a lot of room on the property to get more parking for us especially to help people stay off the streets.

Barbara Ciampini: You'd go back in, on this photo where the car is back that way?

Doug Mirolli: Yes.

Barbara Ciampini: Into the hillside?

Doug Mirolli: Yes.

Patsy Iapalucci: Mark for Gene any questions?

Mark Dent: No.

Gene James: Have you committed to anything yet?

Doug Mirolli: No we haven't.

Barbara Ciampini: This was their first step in their sales agreement to make sure they got approval from this board or not. We are contingency number one. The only thing I wanted to add was for the record the City has not received one phone call from the numerous mailings that went out and that is always a good sign that the neighborhood apparently isn't concerned because they would have been here otherwise. With that said I don't see that the change in use will be a detriment to the existing characteristics of the neighborhood.

Patsy Iapalucci: I think it will be an improvement.

Nick Mirolli: We are going to improve the outside of that building but not just right now. It's pretty messy right now; the building looks bad. We need to do a lot to make it work.

Barbara Ciampini: Like add a whole kitchen inside the building! It will definitely be an improvement to the property.

Nick Mirolli: It's a bigger parking lot than what it looks like. We are making that our first step.

Barbara Ciampini: We understand.

Patsy Iapalucci: If there are no other questions can we have a motion?

Gene James: I make a motion to grant the special exception

Mark Dent: I second the motion

All were in favor.

VOTE:

Mark Dent Yes
Gene James Yes
Patsy Iapalucci Yes

Patsy Iapalucci: “Within thirty (30) days of the date of the decision by this board, this decision may be appealed to the *Court of Common Pleas of Westmoreland County*. It is important that you understand that the person (s) requesting action may take an appeal if the decision of this Board is against him, but those opposed to his or her request may also take an appeal with the thirty (30) day period.”

“If an action of this Board results in an approval of the request or an individual no work may proceed on the property until the thirty (30) day appeal period has expired.

“Any Person wishing a copy of this decision please leave your name and address with the Secretary.”

Barbara Ciampini: You all will automatically get copies of the minutes. What this basically is saying is that there is a thirty (30) day time frame even though there isn't someone here speaking against the application they can still file an appeal with the Court of Common Pleas against the change in the use that the board just granted you.

Nick Mirolli: So my question to you is, we can't sign off on this property yet?

Barbara Ciampini: There is still an appeal period so check with your attorney. I can't give you legal advice.

Nick Mirolli: So we can go ahead as long as someone doesn't appeal?

Barbara Ciampini: As long as someone does not appeal to the Court of Common Pleas you can forge ahead, but I caution you. Talk to your attorney. .

Nick Mirolli: Just want you to know that my address is 507 Cascade Court.

Patsy Iapalucci: I make a motion to adjourn.

Meeting adjourned at 4:30 PM