



Borough of Ben Avon Heights

Tuesday, November 19th, 2024– Working Meeting

A quorum is in attendance

Present:

Council Members: Dawley, Lope, Morris, Neunder (remote), Stiller

Mayor: Dismukes

Secretary: DiNuzzo

Residents: No public present

Call to Order: Mr. Stiller called the meeting to order at 7:01pm

1. Public Comment:

2. Approval of October Meeting Minutes: *A motion was made by Mr. Lope to approve the October 2024 meeting minutes. Mr. Morris seconds the motion. Mr. Lope noted that on the first page, last paragraph above A, there are some extra letters. Motion passed.*

3. Zoning Ordinance discussion and edits: Mr. Stiller started with the notes that the solicitor provided Council. The solicitor suggested with the leasing issue raised by Council, “Family” -- “One or more persons occupying a Dwelling Unit (including an Accessory Dwelling Unit related to the Dwelling Unit) and maintaining a single housekeeping unit, provided that unless all members are related by blood, marriage or adoption, no such family shall contain more than three (3) persons. Domestic servants employed and living on the premises are not counted as family members. The foregoing restrictions do not apply to persons with disabilities as defined in the Fair Housing Act, 42 USC §3601 et seq.” He continued with the Accessory Dwelling Units:

1. Accessory Dwelling Units shall be attached to a permitted, principal residential dwelling or shall be a Garage, Detached.
2. Only one (1) Accessory Dwelling Unit is permitted on a lot, provided that if an owner owns two or more contiguous lots, such lots will be considered a single lot for purposes on this Section.
3. Accessory Dwelling Units are only permitted in conjunction with owner-occupied properties when the owner resides on site on one of the dwellings on the lot, and only members of the owner’s FAMILY, as defined by this Ordinance, reside or occupy the Accessory Dwelling Unit.
4. In addition, Accessory Dwelling Units cannot be sold separately from the principal residence on a lot, be leased or be the subject of a license between the owner and a third party.
5. Accessory Dwelling Units shall meet all requirements of the Principal Structure or the Garage, Detached.

Council began their discussion on page 43. Mr. Stiller suggested going through the document, and then revisiting the table, updating as needed with any changes made. Edits were made to detached garages. Mr. Lope questioned if we had private garages defined as it was mentioned. Mr. Dawley noted that the County did not have any notes on the materials matching the primary structure. Questions were raised if wording could be added on restrictions on windows if the unit was within the setback requirements, so neighbors still feel they have some privacy. Mr. Dawley questioned why satellite dishes need to be in the zoning ordinance, other members felt this should stay in. Discussion over shed size took place; Members agreed to make the size 150. Discussion took place over solar panels; Council suggested adding non reflective coding be added in the language. Council continued on to pools; Mr. Stiller noted there was mention to the Borough building code, but the Borough does not have a building code. Council discussed sports court fencing sizing, and added wording to make this section clearer. Mr. Dawley suggested having the solicitor review the changes we’ve made and we’ll review this in the new year, Mr. Stiller agreed. Council will begin in 2025 on page 49 where they ended. They will revisit page 314 and 315 to confirm the table aligns with the changes they made this evening, after the solicitor weighs in on any changes.

Meeting adjourned at 8:58pm