



Borough of Ben Avon Heights

Tuesday, May 28, 2024 – Working Meeting

A quorum is in attendance

Present:

Council Members: Brown, Dawley, Lope, Morris, Neunder (*arrived at 7:03pm*), Stiller

Mayor: Dismukes

Secretary: DiNuzzo

Residents:

Call to Order: Mr. Brown started the meeting at 7:01pm

1. Public Comment: *There was no public present to comment.*

2. Approval of April Meeting Minutes: *A motion was made by Mr. Stiller to approve the April 2024 working meeting minutes. Mr. Lope seconds the motion. Mr. Lope had some suggested changes: Council worked through the Zoning Ordinance line by line, from page #1 to page #10. They addressed spelling and grammar issues and noted areas where they still have questions or concerns. Council noted that they will discuss and review the Table of Contents after revising the entire Ordinance, since changes made will alter page numbering. In Section 105 B 3, C 3 and D, Council questioned using the word “attractive” and talked about finding an alternative word to replace this adjective. Of note, in Section 202: General Definitions, Council discussed the definition of “Apartment”; they will revisit this. Also of note, Council discussed the definition of “Building Front” and remarked that the County suggested the Borough clarify what a “Building Front” is. It was suggested that we might help accomplish this by adding a diagram in a later section; Council will revisit this. Council reviewed the County responses to the Zoning Ordinance and is documenting actions based on each item reviewed. Motion passed with amended minutes.*

3. Zoning Ordinance:

- a. Discussion and edits:** Council started working through definitions starting on pg. 11. Areas in which Council had some questions on were with the word “family”, as the current drafted zoning ordinance is different from ordinance 316 which deals with rental properties. Another area they had questions on were with floor area, gross (GFA). There seems to be some discrepancy between the definition and the County’s definition. Council would like to keep their definitions in sync. Mr. Dismukes suggested “as amended from time to time: which would keep the definition in sync if the County also modifies their definition at a later date. Floor area, net was also another area in question. Lot types do not align with the names in the lot types in figure 1. It was also noted that many residents pointed out how confusing these examples in figure 1 were. Council worked together on revising the wording as follows:

LOT TYPES (also see “Figure 1” at the end of this Article):

LOT, CORNER – A Lot at an intersection of two (2) or more Streets.

LOT, DOUBLE-FRONTAGE – A Lot having Frontage on two (2) parallel or approximately parallel Streets and which is not a Corner Lot.

LOT, INTERIOR – A Lot other than a Corner Lot that has only one Frontage.

LOT, IRREGULAR – An interior lot that is not a square or rectangle.

LOT, MULTIPLE-FRONTAGE – A Lot having Frontage on three (3) Streets and which is not a Corner Lot.

Council had some concerns on Home Occupation Business and No-Impact Home Based Businesses. Council wanted those in the community to be able to continue tutoring, having music lessons, etc. from their home. Currently, the No-Impact would not allow for customers to visit, while the Home Occupation Business specifically states “tutoring” and ‘music lessons”. Council will reach out to the solicitor for guidance on questions raised during this session. Council ended the session on pg. 15 where they will commence at the June working session.

Meeting adjourned at 8:53pm