

**BOROUGH OF CLARKS SUMMIT  
304 SOUTH STATE STREET  
CLARKS SUMMIT, PENNSYLVANIA 18411**

**ZONING HEARING BOARD  
Tuesday, October 8, 2019  
7:00 P.M.**

The Board of Zoning Appeals held a duly advertised meeting on Tuesday, October 8, 2019 at 7:00 PM. The Meeting was held in Borough Council Chambers, 2nd Floor, 304 South State Street, Borough of Clarks Summit, County of Lackawanna and Commonwealth of Pennsylvania.

Mr. John Jeffrey called the meeting to order and recording secretary, Ms. Virginia Kehoe, called the roll.

Present: Mr. Geoff Brock, Mr. Joe Axtell, Mr. John Jeffrey, Solicitor Jill Spot, Recording Secretary Virginia Kehoe, Code Enforcement Officer Jenn Basalyga, and Stenographer Michelle ?. Mr. John Kazista was absent from the meeting.

**1. APPROVAL OF AGENDA:**

John Jeffrey mad the first motion to approve the agenda, seconded by Geoff Brock, vote was unanimous.

**2. APPROVAL OF MINUTES:**

**6/11/19:**

**8/13/19:** Geoff Brock made the first motion to approve both sets of minutes, seconded by Joe Axtell, vote was unanimous

**3. NEW BUSINESS:**

2019-06 Request for Variance –

Gary & Julie Paddock, 300 N State Street, Clarks Summit, PA

Ordinance 2002-01- Section 504.9 Buffer Requirements – complete relief

Section 504.13 Buffer Landscaping – complete relief

Tax ID #09015-020-02200

DATE: 10/08/2019

FROM: Jenn Basalyga

Code Enforcement Officer

TO: Zoning Hearing Board

RE: Gary & Julie Paddock

Owners – Gary & Julie Paddock, 122 Aspen Lane, Nicholson, PA 18446

Applicant – Same  
Location – 300 North State Street  
Tax Map # 0901502002200  
Zoning District – CC

The hearing was advertised in The Scranton Times on September 25, 2019 and September 29, 2019.

All four corners of the property were posted in September.

The applicant is requesting relief through variance of the following Zoning Ordinance:

2019-06 Request for Variance –  
Gary & Julie Paddock, 300 North State Street, Clarks Summit, PA 18411  
Ordinance 2002-01, Section 504.9 Buffer Requirements-complete relief; also Section 504.13 Buffer Landscaping-complete relief.

The applicant is requesting complete relief of section 504.9 Parking and Loading Area Buffers. Part A: Measurement; Part B: Uses Prohibited, Subsection 1-4; Part C: Uses Permitted, subsection 1-3; Part D: Sidewalks; and Part E: Clear Sight Triangles.

The applicant is also requesting complete relief from Section 504.13 Landscaping. Part A: Buffer Areas; Part B: Parking Lot Interiors; Part C: Plants; and Part D: A Landscaping Plan.

Gary Paddock, Attorney Michaels and Linde Larue were all sworn in.

Mr. Larue stated that the prior use of the lot was residential, in a CC district, with a non-conforming use. The proposed use of the lot is for a service establishment. This would then become a conforming lot with a principal permitted use. Because the structure is located on a very steep slope with the setbacks, parking is difficult. Because of the shape and topography of the lot, the ordinance could not be complied with under any reasonable circumstances. If they attempted to fit buffer areas in, into the parking area, there wouldn't be parking available. Mr. Linde supplied two separate drawings for possible parking area. They described the issues with the parking. They are presenting the parking situation for the minimum variance necessary to create a safe parking area. There is a 12 foot difference from the house area to the parking area; the lot is only 150 feet deep. John Jeffrey asked if the parking lot is going to be paved, the answer was yes. The wooden retaining wall, how good is the wall which wouldn't come into play. It is short in terms of the height, they are well behind that. The parking lot is well established as a flat area. Geoff Brock asked about the use of the building. It will be a Service Establishment used as a hair salon. They have 5 off road parking spots plus 1 handicapped. Mr. Brock asked how many clients would be there during peak use. Ms. Kehoe stated that they do have enough parking spots for our zoning ordinance. There will be three chairs and three employees there, so you could assume three clients are possible. Handicapped lift gives to walkway that will be ADA. John Jeffrey asked if

there are any flooding problems there. The water drains to State Street. Lot coverage would need to be approved. Julie Paddock was sworn in. She stated that she would have 3 employees and they would be open from 10am-7pm. They would have signs also. John Jeffrey asked what the spa will consist of. Mrs. Paddock stated that they will have massage therapy, nails, waxing, hair styling and facials. Concern is the depth of the driveway. Mr. Linde has shown concrete bollards, ¾ feet deep.

ZHB went into executive session

ZHB returned from executive session

John Jeffrey, Geoff Brock and Joe Axtell all voted yes to the request for variance.

**4. OLD BUSINESS:**

**5. ADJOURNMENT:**

John Jeffrey made the first motion to adjourn, seconded by Geoff Brock, vote was unanimous.