

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

**ZONING HEARING BOARD  
Tuesday, September 8, 2020  
7:00 P.M.**

The Board of Zoning Appeals held a duly advertised meeting on Tuesday, September 8, 2020 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. John Jeffrey, Bruce Arrowood, Solicitor Jill Spott, Recording Secretary Virginia Kehoe, Code Enforcement Officer Jenn Basalyga, and Stenographer Nicole Pisarski.

**1. APPROVAL OF THE AGENDA:**

**2. APPROVAL OF MINUTES:**

July 14, 2020: John Jeffrey made the first motion to approve the minutes, seconded by Geoff Brock, vote was 3-0.

**3. CORRESPONDENCE:**

N/A

**4. NEW BUSINESS:**

2020-02 Request for Relief through Variance –  
Elena Seidita, 312 Oakford Road, Clarks Summit, PA  
Variance Ordinance 2002-01- Section 404.3 Development Standards – Part 2 Lot  
Dimensions Minimum Side Yard – decrease to 3 feet  
Variance Ordinance 2017-01 (Item 4) Section 403.3 Increase lot coverage by  
fraction of percent (.2%)  
Tax ID #09010-010-00204

Code Officer Jenn Basalyga was sworn in and read the summary.

Applicant – Elena Seidita

Location – 312 Oakford Road, Borough of Clarks Summit

Tax Map # 09010001000204

Zoning District – R-1

The hearing was advertised in The Scranton Times on August 26, 2020 and August 30, 2020

All four corners of the property were posted August 31, 2020.

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

**Ordinance 2002.01, Section 404.3: Schedule of Development Standards, Part 2 Lot Dimensions Minimum Side Yard:** This states a property in an R-1 District with between 10,000 and 10,999 square footage of property the setbacks are as follows. Side setbacks are 10 feet, front setback is 35 feet and rear setback is 30. The applicant is seeking a variance to decrease the side yard setback from 10 feet to 3 feet.

**Ordinance 2017-01 (Item #4) 404.3: Schedule of Development Standards:** The applicant is seeking a variance, stating that relief is justified to increase the lot coverage by a fraction of .2%.

The application states that the grounds for the variance are foot plan or single family structure, size and topography of the subject loss creates an unnecessary hardship on property owner.

My calculation shows that the homeowner is allowed 31.01% lot coverage. She is asking for 31.34% lot coverage a difference of .33%. Looking at actual square footage difference, my calculation allows 3,642 square footage to be impervious. The homeowner's application for lot coverage amounts to 3,681 square feet that is a difference of 39 feet.

The applicant is requesting relief through variance, seeking to decrease the side yard setback from 10 feet to 3 feet. Also, the variance is being sought to increase the impervious surface by 39 feet over what is permitted. That comes to a .33% increase in what is permitted.

Attorney Kim Scanlon represented the Seditas. She presented the ZHB with documentation showing the 2 story addition they are proposing. The Seditas need extra space for their son and they need closet space.

Elena Sedieta was sworn in. She is the homeowner. She stated that she bought the house in 2012, they love the home and the neighborhood but they do not have any storage in the house. They also stated that their 12 year old son needs more space to live.

Their neighbors, the Priscos have no objections. There are no objections from neighbors.

Sam Borgia, the contractor was sworn in. He explained the situation and how with the construction of the 2 story addition, the issues stated above can be rectified. They will be removing a deck that is currently there.

They are not in a flood zone and this cannot be rectified any other way. John Jeffrey asked if a fire wall will be installed, the answer was no.

ZHB went into an executive session.

ZHB returned from the executive session.

The ZHB voted: Geoff Brock voted yes, John Jeffrey voted yes and Bruce Arrowood voted yes. The vote was unanimous.

**5. PUBLIC COMMENT/INPUT:**

**6. ADJOURNMENT:**

John Jeffrey made the first motion to adjourn, seconded by Geoff Brock, vote was 3-0.