

BEFORE THE ZONING HEARING BOARD
OF
SCHUYLKILL COUNTY

RE: Application of Most Reverend John John O'Barres on behalf of the
Diocese of Allentown for Dimensional Variances.

BEFORE: Eric Seitzinger, David Ambrose, and Daniel Daub, Members of the
Schuylkill County Zoning Hearing Board (the "Board").

MINUTES OF HEARING

Name of Applicant	Diocese of Allentown c/o Patrick J. Reilly 115 Walnut Street Ashland, PA 17921
Location of Subject Property	220 West Biddle Street Gordon Schuylkill County, Pa UPI Nos. 46-04-0069.000; 48-04-0070.000
Owner of Property	Applicant
Zoning Classification	R-2(Medium Density Residential)
Date of Hearing	November 7, 2013
Place of Hearing	Courtroom #5 Schuylkill County Courthouse Pottsville, PA
Appearance (for Board)	Christopher W. Hobbs, Esq.
Appearance (for Applicant)	Pro-Se
Protestants	None

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RE: Application of Most Reverend John John O'Barres on behalf of the Diocese of Allentown for Dimensional Variances.

FINDINGS OF FACT

After hearing all interested parties and consideration of the evidence presented, the Board finds as follows:

1. The Diocese of Allentown ("Applicant"), is the owner of the subject property ("Property") situate at 220 West Biddle Street, Borough of Gordon, Schuylkill County, Pennsylvania and identified by UPI Nos. 46-04-0069.000 and 48-04-0070.000.
2. The Property is located in an R-2(Medium Density Residential) District under the Schuylkill County Zoning Ordinance ("Ordinance").
3. The Applicant applied for dimensional variances that, if granted, will allow the Applicant to subdivide the Property and use the existing rectory as a private residence.
4. A hearing on the variance request was scheduled for and held on November 7, 2013 in Courtroom #5, Schuylkill County Courthouse, Pottsville, PA.
5. Public notice of the hearing was given by advertisement in the Pottsville Republican Newspaper on October 21, 2013 and October 28, 2013.
6. Notice was given by mail to the parties; the Notice being sent on October 21, 2013.
7. At the hearing, Patrick J. Reilly, Business Manager for Our Lady of Good Council Parish, testified that he had been provided specific permission to act as Agent for Applicant and that approval of the variance request would not diminish property values in the neighborhood nor have a detrimental effect on the health, welfare, and safety of the neighborhood where the property is located.

CONCLUSIONS OF LAW

1. The Board is empowered with jurisdiction to hear and render final adjudications in variance requests.
2. The Applicant has satisfied the elements to justify the award of a dimensional variance and thus the Board **GRANTS** the Applicant's request.

DECISION

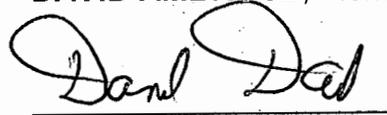
AND NOW, this 5th day of December, 2013, the Board **GRANTS** the Applicant's variance request consistent with its application and directs the Zoning Officer to issue a permit consistent with this decision.¹



ERIC SEITZINGER, Chairman



DAVID AMBROSE, Member



DANIEL DAUB, Member

¹ The Board voted to grant the Applicant's variance request at its hearing held on November 7, 2013.