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BOROUGH OF PLUM

ZONING HEARING BOARD MEETING

RE: ZHB-2020-03 REQUEST FROM KONSTANTINOS KOROMVOKIS)
FOR VARIANCE OF 27.8 FEET FOR A DETACHED GARAGE)
THAT HAS ALREADY BEEN CONSTRUCTED IN THE)
REQUIRED FRONT YARD)

PUBLIC HEARING, held on behalf of the Borough of
Plum in the above-entitled cause, pursuant to the
applicable provisions of the Commonwealth of Pennsylvania,
before Aaron M. Wawrzyniak, Freelance Reporter-Notary
Public, at the Borough of Plum Municipal Building, 4575 New
Texas Road, Pittsburgh, PA 15239, on July 15th, 2020, at
7:17 p.m.

1 APPEARANCES :

2

3 FOR THE BOROUGH OF PLUM ZONING HEARING BOARD :

4

5 MR. HARRITY, PRESIDENT

6 MS. CHAPKIS, MEMBER

7 MR. JOYCE, MEMBER

8 MR. ZARROLI, MEMBER

9 MS. ORAVITZ, ZONING OFFICER

10 MR. SOBOSLAY, ASSISTANT BOROUGH MANAGER

11 MR. MARIANI, SOLICITOR

12

13

14

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SPEAKERS

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25

1 want to wait until after he --

2 **MS. ORAVITZ:** We can introduce the timeline with
3 Mr. Koromvokis.

4 On October 30th of 2019, it came to our attention
5 that a residential accessory structure was being
6 constructed at 140 Beech Road. And upon investigation,
7 when I did see the structure, I sent the letter to
8 Mr. Koromvokis about the accessory structure being built
9 without a permit.

10 And Mr. Koromvokis called November 12th of 2019 to
11 discuss the submission for a building permit for the
12 structure.

13 And upon subsequent conversations and meetings
14 with Mr. Koromvokis, there was a front yard setback issue
15 with the location of the residential accessory structure.
16 And Mr. Koromvokis is here today to request a variance to
17 that front yard setback issue.

18 **MR. HARRITY:** Okay. Anything else?

19 Would you like to tell us more about your garage,
20 please?

21 **MR. KOROMVOKIS:** I will do the best -- I can't
22 talk too well, so I will do the best I can.

23 **MR. HARRITY:** Speaking into the mic would be a
24 little bit better.

25 **MR. KOROMVOKIS:** Thank you.

1 **MR. HARRITY:** That's better. Thank you.

2 **MR. KOROMVOKIS:** This is my little daughter. And
3 I have full custody, because she is my biological daughter.
4 So, the reason I did this was really for her.

5 I moved back out to Plum. My sister lives on the
6 same street. I need somebody to help me with my child.

7 So, the reason we put -- one second, Sophia,
8 please. Excuse me.

9 The reason we did this was because I have lot of
10 facts to show you, pictures, if you like. And I did write
11 a letter to the board here, the best as I could. I don't
12 know if everybody received the letter that I explained.

13 It is a swamp land down there. I have pictures to
14 show you. You can't get out of there in the winter,
15 especially.

16 My mamma dies -- I have the doctor here that takes
17 care of my mother, my family, my disabled brother, that
18 lives in Plum, and he can explain that to you, too.

19 We have an ambulance that couldn't get out. I
20 just have problems down there.

21 So, to make a long story short, I did nothing --
22 really, I didn't do anything different. We always parked
23 our vehicles up there. But I just wanted to put a covering
24 on top of it, because I got ladders -- I am a painter -- I
25 got ladders, I got trucks. I didn't want it to be an eye

1 sore.

2 And like I said, I didn't know that it would
3 matter, because I also drove around the area and there's
4 other carports in the front of people's houses. So, that
5 said to me, oh, no big deal.

6 So, when I hired the professional company to put a
7 structure up, they said I didn't need a permit.

8 So, whenever I went down to get a permit after the
9 letter -- as a matter of fact, I think I did it before the
10 letter -- but there was a theft. My sister got robbed by
11 this contractor. They took a box. This is all facts with
12 the police and going downtown, et cetera. And they needed
13 a survey.

14 And I think they wanted a survey, some paperwork
15 for the house. And I didn't have it. I had to go get one.

16 So, then the company, with the structure, calls me
17 up -- they do a nice job, but they are not professional
18 business people, I don't think.

19 They called me up and they said, tomorrow, we've
20 got to put the structure up, if you don't put it up -- I
21 said, what do you mean you've got to put the structure up
22 tomorrow, can you give me some time.

23 They said, no, if you don't put it up -- and they
24 took my money -- they said, if you don't put it up, you've
25 got to wait until the end of winter -- the end of winter.

1 So, I figured it was no big deal.

2 So, they threw it up. And then I get in all these
3 problems, you know, with what happened, which I didn't
4 know.

5 So, I tried to give you, Heather, everything that
6 she wanted. And every time -- and as I understand, every
7 time she wanted something, I went and got it.

8 You know, and then I did get the one -- and it was
9 close, Heather, it was close, you know, on the road right-
10 of-way, right? That was worrying me.

11 And I flipped a coin, and I said, okay, let's get
12 another survey, you know. So, it is not on the road right-
13 of-way.

14 So, I went back to Heather and explained it to
15 her, and that is why we are here.

16 But I do have pictures that I can show you facts
17 of how the house is always wet.

18 I also have other pictures of the people around --
19 literally around my area that have carports in front of
20 their house.

21 But I really don't want to bother anybody. That
22 is fine. They should have it, if they feel they do.

23 But my house is like this, you know. It goes
24 downhill. A lot of theirs are straight or this way.

25 If mine was straight or this way, I would probably

1 never do it.

2 I feel that I didn't have a choice but to do it,
3 you know, to protect my family.

4 And I've got a mentally disabled brother that
5 comes over, you know, my baby. And that is all I am doing
6 here is just trying to give my family a better life.

7 And I think, with my witnesses here, they live in
8 the plans some on the same street, that they will tell you,
9 it has been nothing but an improvement to my house and to
10 the neighbors.

11 So, I am a little confused about this, but that is
12 why we are here. Thank you.

13 Do you want me to bring some witnesses?

14 **MR. HARRITY:** No. You don't have to do that right
15 now.

16 **MR. KOROMVOKIS:** Okay.

17 **MR. HARRITY:** We, the board, will want to ask some
18 questions, and then we can do that if we need to.

19 Michelle?

20 **MS. CHAPKIS:** Hi.

21 **MR. KOROMVOKIS:** Hi.

22 **MS. CHAPKIS:** Do you have -- all of the
23 information in our package, do you have as well, including
24 these pictures?

25 **MR. KOROMVOKIS:** I think so, yes.

1 **MS. CHAPKIS:** Okay. Can you -- I am respectful of
2 social distancing, so I don't want you to get close. But,
3 in this particular image -- and I am happy to set it on the
4 table if you need a copy of it -- can you just go through
5 the various structures that we are looking at here and
6 describe those to give us context for -- in relation to the
7 building that we are talking about here, please?

8 **MR. KOROMVOKIS:** Like I say, I sometimes don't
9 hear as well, so don't think I am doing it on purpose.
10 What was your question again? You want me to
11 explain --

12 **MS. CHAPKIS:** Well, I think I can take my mask
13 off, because I am not near anyone.

14 So, looking at this picture, there are multiple
15 structures. There are homes, accessory structures, and
16 maybe this carport?

17 **MR. KOROMVOKIS:** Yes.

18 **MS. CHAPKIS:** Can you just point out please, for
19 the board, and just describe to us what we are looking at
20 in this picture?

21 **MR. KOROMVOKIS:** Absolutely. Yes, ma'am. Yes.

22 **MS. CHAPKIS:** Do you need it?

23 **MR. KOROMVOKIS:** No, I have pictures here. I even
24 have better ones.

25 **MS. CHAPKIS:** Okay. That would be helpful.

1 **MR. KOROMVOKIS:** Yes, ma'am. The house on the
2 bottom is the house, you know, way down the hill.

3 **MS. CHAPKIS:** This one?

4 **MR. KOROMVOKIS:** Yes, ma'am. Yes, that is the
5 house.

6 **MS. CHAPKIS:** That's your residence?

7 **MR. KOROMVOKIS:** I live there, yes, ma'am.

8 **MS. CHAPKIS:** Okay.

9 **MR. KOROMVOKIS:** All the way at the bottom. And
10 you will see, it is like a cliff down there.

11 If you go through the street, mine's on the
12 valley. Everybody else is level. But the one next to it
13 --

14 **MS. CHAPKIS:** Now this?

15 **MR. KOROMVOKIS:** Yes, ma'am. Yes. That is a
16 storage room. It never was a garage. You could never get
17 a car in there. And it is always a swamp in there, so that
18 is a storage room, okay?

19 **MS. CHAPKIS:** Okay. And is it attached to the
20 house or is it a separate structure?

21 **MR. KOROMVOKIS:** If you are saying, are they
22 connected? No, they are not. No, they are not.

23 **MS. CHAPKIS:** All right. And then --

24 **MR. KOROMVOKIS:** And the structure up top is the
25 carport.

1 **MS. CHAPKIS:** This one?

2 **MR. KOROMVOKIS:** The garage carport, yes, ma'am,
3 where I always parked my cars, equipment, whatever up
4 there. All I did was put a covering.

5 **MS. CHAPKIS:** So, it is not -- you said that you
6 put a covering, but it looks like it is an enclosed
7 structure, is that correct?

8 **MR. KOROMVOKIS:** Yes. It is correct, yes.

9 **MS. CHAPKIS:** All right. So, essentially it's
10 described as a garage, would that be correct, Heather and
11 Dave?

12 **MR. SOBOSLAY:** Yes.

13 **MS. CHAPKIS:** And then this structure in the back
14 here that has a roof over top of it?

15 **MR. KOROMVOKIS:** Ma'am, I can't see that.

16 **MS. CHAPKIS:** Oh. It has a red roof and is an
17 open structure.

18 **MR. KOROMVOKIS:** Oh, that is not mine.

19 **MS. CHAPKIS:** It is on somebody else's property?

20 **MR. KOROMVOKIS:** Yes. That is right next door,
21 that lady over here. She is right on the borderline of the
22 property. I mean, she is on the other side. That is not
23 mine.

24 **MS. CHAPKIS:** Okay. Thank you for clarifying
25 that.

1 **MR. KOROMVOKIS:** Yes. You are welcome.

2 **MS. CHAPKIS:** And let's see. So, I know that we
3 had discussions about front yard -- I know we have had
4 discussions about front yard settings before in these
5 particular situations.

6 When we look at this particular picture, so for
7 the borough, this is considered his front yard, correct?

8 **MR. SOBOSLAY:** Correct.

9 **MS. CHAPKIS:** And then the variance that we are
10 asking for, is it from the setback from the street to the
11 property line or to where the structure is first situated,
12 or is it from the side of the property?

13 **MR. SOBOSLAY:** So, the edge of the right-of-way is
14 the beginning of his property, so the setback is measured
15 from the edge of the right-of-way line.

16 The setback in the zoning district is 30 feet. He
17 is seeking a variance of 27.28 feet.

18 So, he is a little less than three feet from the
19 edge of the right-of-way.

20 **MS. CHAPKIS:** Okay. And where it is situated now,
21 is there any impact from the borough's perspective in terms
22 of maintaining that particular -- I don't know if that is a
23 county or borough road or anything of that sort -- but with
24 the close proximity to the road, is there any concerns with
25 maintenance or issues of that sort that have to be taken

1 into consideration?

2 **MR. SOBOSLAY:** It is a borough road. The borough
3 maintains that road.

4 From a maintenance standpoint, we always have
5 issues with snow plowing.

6 Anything that is in or near the edge of the right-
7 of-way is subject to damage from the snowplow throwing that
8 snow.

9 Also, if there would be any construction near the
10 edge of that right-of-way, it could potentially cause some
11 problems.

12 **MS. CHAPKIS:** Okay. Thank you.

13 **MR. HARRITY:** Any other questions?

14 **MS. CHAPKIS:** Not at this time.

15 **MR. HARRITY:** Mr. Joyce, do you have any
16 questions ?

17 **MR. JOYCE:** I do. And it is for the borough
18 again.

19 Are there any utilities running underneath that
20 garage, do we know?

21 **MR. SOBOSLAY:** The survey that was submitted
22 doesn't show if there are any utilities.

23 As far as sanitary sewers or storm pipes, to the
24 best of our knowledge, the answer would be no.

25 **MR. JOYCE:** That is all I have.

1 **MR. KOROMVOKIS**: Mr. Joyce, hi. I did do a lot of
2 research before I put it on there for the utilities, and it is
3 definitely not near there. It is not on the garage. It is
4 above it. Thank you.

5 **MR. HARRITY**: Mr. Zarroli, any questions?

6 **MR. ZARROLI**: Yeah, I have a couple questions. I
7 have one for the borough.

8 Dave, you mentioned, or, Heather, forgive me, you said
9 something about 30 feet from the -- 30-foot setback.

10 This letter here says it must be a 100-foot
11 setback. Does this 100 -- Heather, this letter from
12 January 2nd -- does that mean 100 feet from the street back
13 or does that mean 100 feet from the side of the yard?

14 **MS. ORAVITZ**: Per the ordinance, if the principal
15 structure sits back more than 100 feet from the edge of the
16 road right-of-way there is an allowance for a structure to
17 be in that front yard setback. But this house does not sit
18 back that far.

19 **MR. ZARROLI**: Okay. So, the house is not 100 feet
20 back.

21 So, if it were, he wouldn't need a variance?

22 **MRMS. ORAVITZ**: I don't believe that is how it
23 reads.

24 **MR. ZARROLI**: What I am asking you is with the 100
25 feet.

1 **MS. ORAVITZ:** You still have to be behind the
2 setback.

3 **MR. ZARROLI:** This -- excuse me, sir. How do you
4 pronounce your last?

5 **MR. KOROMVOKIS:** It is Koromvokis.

6 **MR. ZARROLI:** Koromvokis, okay. Very good.

7 **Mr. Koromvokis,** this building is already built, it
8 is all done?

9 **MR. KOROMVOKIS:** Yes, sir.

10 **MR. ZARROLI:** All done, right?

11 **MR. KOROMVOKIS:** Yes.

12 **MR. ZARROLI:** When was it done?

13 **MR. KOROMVOKIS:** It was complete, sir, I believe
14 October 30th.

15 **MR. ZARROLI:** When you were talking about the
16 drainage, you said it was a swamp, what you were referring
17 to is at the bottom of the driveway where the storage
18 structure is currently, right?

19 **MR. KOROMVOKIS:** Yes, sir.

20 **MR. ZARROLI:** So, before this garage was built,
21 before this was built, you couldn't get a car out of there?

22 **MR. KOROMVOKIS:** I am sorry. I was looking at the
23 wrong guy. Forgive me.

24 **MR. ZARROLI:** You said you couldn't get a car out
25 of there?

1 **MR. KOROMVOKIS:** No, sir.

2 **MR. ZARROLI:** When you said a swamp, it was down
3 here, right?

4 **MR. KOROMVOKIS:** Yes, sir.

5 **MR. ZARROLI:** Did you have a -- did you have a
6 driveway there?

7 **MR. KOROMVOKIS:** Yes, sir. There was always a
8 driveway, yes.

9 But, like I said, this was -- listen, this was my
10 mom's house, okay? My mom died, okay? I have a little
11 baby. That is why I moved out -- I'd probably never move
12 there, but I needed help.

13 So, to make a long story short. There was a
14 driveway there, but it was an old driveway. It was a
15 storage room. You can't really get anything in there. And
16 it was always a swamp land. I have pictures to show you
17 how bad it gets.

18 I have fallen many numerous times. I even have
19 witnesses to help me push my bike not too long ago up the
20 hill, because it wouldn't run.

21 **MR. ZARROLI:** Here is my last question. It's very
22 direct.

23 If the garage wasn't there -- let's say the garage
24 wasn't there, and the driveway was there.

25 **MR. KOROMVOKIS:** Yes, sir.

1 **MR. ZARROLI**: Does it --

2 **MR. KOROMVOKIS**: Too steep. It's too steep. Too
3 much water.

4 **MR. ZARROLI**: Okay. So, that required the garage
5 at the top of the hill?

6 **MR. KOROMVOKIS**: Yes, sir. That is why. That is
7 why I did it.

8 **MR. ZARROLI**: You couldn't put it there where the
9 storage --

10 **MR. KOROMVOKIS**: I would love to be able to put it
11 on the other side or the other side, but it doesn't work,
12 is what I am saying.

13 **MR. ZARROLI**: My last question is -- it was kind
14 of talked about, I don't know if there was a discussion
15 about it.

16 But do you have any neighbors that had any issues
17 or had said thing about it?

18 **MR. HARRITY**: We didn't get that far yet.

19 **MR. ZARROLI**: Oh, I'm sorry.

20 **MR. HARRITY**: We will get to that.

21 **MR. ZARROLI**: Thank you. That is all I have then.

22 **MS. CHAPKIS**: You said that you have pictures to
23 show us that it is a swampland and there was nowhere else
24 to build?

25 **MR. KOROMVOKIS**: Yes, ma'am.

1 **MS. CHAPKIS:** Do you have those with you this
2 evening?

3 **MR. KOROMVOKIS:** Yes, ma'am.

4 **MS. CHAPKIS:** Could we take a look at them?

5 **MR. KOROMVOKIS:** Absolutely, you can. I have so
6 many of them, I get confused, so forgive me.

7 **MR. HARRITY:** If you have a couple showing that
8 swampland, that is all we need. Thank you.

9 **MR. KOROMVOKIS:** As you can see -- should I come
10 here?

11 **MR. HARRITY:** Yeah, you can come up. Just set
12 them up here, so we can look at them.

13 **MR. KOROMVOKIS:** Yes, sir. I have so many, but as
14 you can see, this is the front of the house.

15 I had to put **plaque** -- I can't even walk around
16 there. It just gets -- just one little rain, there is mud
17 everywhere.

18 **MR. HARRITY:** Do you want to mark these as an
19 exhibit?

20 **MR. MARIANI:** We will mark those as Exhibit No. 1.

21 **MR. KOROMVOKIS:** I just painted it. I fixed it,
22 and it looked -- not too long ago. It chipped it up.

23 I don't even know why they built the house down
24 there, to be honest with you.

25 I would not be living there, I swear to you. And

1 it is just so far back.

2 **MR. HARRITY:** I don't think we need any more.

3 **MR. KOROMVOKIS:** You don't need no more, sir?

4 Look how much water comes down. Look how steep this
5 driveway is. It is ridiculous. You can have them all.

6 **MR. HARRITY:** Do we need them all?

7 **MR. MARIANI:** We will just mark them as group,
8 Exhibit No. 1.

9 -----

10 **(Hearing Exhibit No. 1**
11 **was collectively entered into evidence)**

12 -----

13 **MR. KOROMVOKIS:** This is what I am saying. This
14 is what I did.

15 Rather than seeing an ugly van up there with ugly
16 ladders, all I did was put a cover on it. You see what I
17 mean? I am just trying to cover ugliness.

18 **MR. HARRITY:** I know what you are saying. Thank
19 you very much.

20 **MR. KOROMVOKIS:** Do you want these pictures, too?

21 **MR. HARRITY:** No.

22 **MS. CHAPKIS:** And are all the folks behind you
23 there this evening here in support of your project?

24 **MR. KOROMVOKIS:** Yes, ma'am. I have a couple of
25 really good witnesses, though, when you are ready.

1 **MR. HARRITY**: Is there any other questions?

2 **MR. ZARROLI**: Steve, can I ask one more quick
3 question?

4 It was brought up earlier about snowplows and
5 plowing.

6 This winter, obviously, this winter when we had
7 snow, was it affected at all?

8 **MR. KOROMVOKIS**: You want me to be honest with
9 you, Andy?

10 **MR. ZARROLI**: Yeah.

11 **MR. KOROMVOKIS**: I swear to God, I got stuck down
12 there this winter off that much of snow. It became ice
13 like that. I fell a couple times.

14 The neighbor next to me -- I don't if she is for
15 it or she ain't -- she will see me. I was trying to shovel
16 my way out of there, and I almost killed myself. It is
17 ridiculous. The driveway is ridiculous.

18 **MR. HARRITY**: That was before the garage was built
19 currently, right?

20 **MR. KOROMVOKIS**: You mean the top of the carport?
21 No, no, not right now. The carport that I put up, yeah.

22 **MR. HARRITY**: Down at the bottom of this driveway?

23 **MR. KOROMVOKIS**: Yeah. If I go there -- like he
24 asked me the question for this winter.

25 I accidentally -- because I had my baby, you know,

1 I pulled my car down. And I left it a couple hours, and it
2 snowed and it started raining.

3 I almost killed myself getting out of there is
4 what I am trying to say to you.

5 **MR. ZARROLI**: I understand. Thank you. That is
6 all I have.

7 **MR. HARRITY**: Any other questions from the board?

8 -----

9 (No response)

10 -----

11 **MR. HARRITY**: Is there anybody in the audience
12 that is opposed to this variance?

13 Would you step forward, please?

14 **MR. KOROMVOKIS**: She is opposed to everything that
15 I do. Thank you.

16 **MR. HARRITY**: You have to come up here, ma'am.

17 **MR. KOROMVOKIS**: Do you want me to leave, sir?

18 **MR. HARRITY**: Yes, you will have to sit down.

19 **MR. KOROMVOKIS**: Okay.

20 **MR. HARRITY**: Ma'am, you will have to come up here
21 and state your name and address and be sworn in.

22 -----

23 (Witness sworn in)

24 -----

25 **MS. SMITH**: My name is Linda Smith. I live at 132

1 Beech Road. I am the house right next door.

2 We are in the picture, the one with the carport in
3 the back of our yard, with the red roof.

4 I just have two points to make.

5 Number one, this is a neighborhood visual
6 obstruction on Beech Road.

7 And we have lived -- my husband and I have lived
8 in the Acres over 50 years.

9 And when you go up in the Acres, everything is
10 open. It gives you that airy feeling.

11 When you are coming out of the Acres, going
12 towards the senior high rise now, that is a visual
13 obstruction.

14 Anybody coming from -- trying to exit the Acres
15 and then coming up the driveway, you have a vehicular and a
16 foot traffic problem.

17 We have had one near miss, where a pickup truck
18 was coming down. And you can't see somebody coming out of
19 that driveway, because it is obstructing the view in that
20 direction. So, you cannot see it. And there was a near
21 miss with a pickup truck and a car coming out of that
22 driveway.

23 We have children that play on that street. They
24 ride bikes, they roller skate, they hover board, they
25 skateboard. We have families that walk dogs.

1 And we have an elderly woman that has lived over
2 50 years in the Acres, who is in a wheelchair. And her
3 aide pushes her three times a week, down past our home, up
4 to the senior high rise. And we just feel that it is an
5 accident waiting to happen.

6 As you can see, he has 100-foot -- like all of the
7 homes there have a 100-foot frontage.

8 So, there is on that plain that he has built this
9 garage on, without the permit, there an area over further
10 towards Mr. Miller's house where he could have moved it
11 over there.

12 Why he did it, probably was to save the cost of
13 adding more concrete for a driveway.

14 But he has a fence all around there, so he would
15 have had to have taken down the fence to put a driveway and
16 come straight in off the road. He would have been on the
17 straight and narrow, setback and everything would have been
18 fine.

19 The garage is a beautiful structure. It does add
20 to our neighborhood.

21 But it is a visual disturbance, both for vehicular
22 and foot traffic.

23 **MR. HARRITY:** Anything else?

24 **MS. SMITH:** That is it.

25 **MR. HARRITY:** Does the board have any questions?

1

2

(No response)

3

4

MR. HARRITY: Thank you.

5

Mr. Mariani, do you have any questions?

6

MR. MARIANI: No.

7

MR. HARRITY: Does the board have any --

8

MR. DICE: The borough would like to put some

9 testimony onto the record on direct, Mr. Chairman. Would
10 now be the proper time to do that?

11

MR. HARRITY: Yes.

12

MR. DICE: Dayne Dice. I am here from the

13

solicitor's office for the Borough of Plum.

14

I have three exhibits from the borough. Can I

15

give them to you, Mr. Chairman, and then the board can pass

16

them down?

17

MR. HARRITY: Sure. I think we already have these

18

in our packet.

19

MR. DICE: You very well may already have them in

20

your packet.

21

MR. HARRITY: We have this all in our packet

22

already, sir.

23

MR. DICE: Okay. I just wanted to make sure.

24

Now, I want to ask some questions of Dave

25

Soboslay.

1 from the edge of that right-of-way is 30 feet.

2 So, the necessary variance for this -- and, again,
3 if my math is wrong here -- is 27.28 feet. Yes.

4 **MR. DICE:** So, would it be fair to say, rather
5 then being 30 feet from the right-of-way, it is only --

6 **MR. SOBOSLAY:** It is closer to the edge of the
7 right-of-way, than it is closer to where the setback line
8 is.

9 **MR. DICE:** All right. Thank you. Lastly, I have
10 a copy of this contract, I believe the board has, from
11 American Steel Carports.

12 **MR. SOBOSLAY:** Yes.

13 **MR. DICE:** Now, is that contract signed by
14 Mr. Koromvokis?

15 **MR. SOBOSLAY:** He is the applicant. I believe
16 that that is his signature.

17 I didn't see him sign it, but I believe it is the
18 applicant's signature.

19 **MR. DICE:** Okay. Now, I would call your attention
20 to paragraph eight.

21 Can you read that first sentence to me of
22 paragraph eight of this contact?

23 **MR. SOBOSLAY:** No problem, except where he wrote
24 over it.

25 It says, eight, it is the sole responsibility of

1 the customer to check for permits or restrictions regarding
2 installation of the product.

3 **MR. DICE:** I think that is enough.

4 Prior to building this structure, did
5 Mr. Koromvokis contact anyone at the borough?

6 **MR. SOBOSLAY:** Prior to the erection of that
7 structure, no, he did not contact the borough.

8 **MR. DICE:** Okay. Does the zoning ordinance
9 require that contact?

10 **MR. SOBOSLAY:** The zoning ordinance requires that
11 the applicant receive a building/zoning permit for the
12 erection of structures. Accessory structures require a
13 zoning permit.

14 In this case, it would be a building/zoning
15 permit.

16 **MR. DICE:** Okay. And was that obtained prior to
17 the erection of the structure?

18 **MR. SOBOSLAY:** It was not.

19 **MR. DICE:** Okay. Now, has the borough has prior
20 dealings with Mr. Koromvokis in regards to getting zoning
21 permits?

22 **MR. SOBOSLAY:** I believe that the borough has,
23 yes.

24 **MR. DICE:** Could you briefly describe that?

25 **MR. SOBOSLAY:** I think that Mrs. Oravitz may be

1 able to better describe that interaction.

2 **MR. DICE:** Okay. Then I will be calling
3 Ms. Oravitz very quickly after I am done with Mr. Soboslay.

4 Mr. Soboslay, lastly, can you tell me, do you have
5 any concerns about this garage in terms of its effect on
6 the neighborhood?

7 **MR. SOBOSLAY:** Well, I think that, when you look
8 at Beech Road, as we heard from the testimony of the
9 neighbor, you know, there is a 30-foot setback on this
10 road. So, all the way along Beech Road, the setback on
11 Beech Road is 40 feet.

12 Most municipal roads are 33 feet for older
13 existing roads or 50 feet.

14 So, the ordinance imagines that there is a setback
15 from the edge of the right-of-way of at least 30 feet. In
16 some areas, it may be more.

17 This structure, you know, does change the
18 character of the neighborhood. It is a garage in the front
19 yard. It just -- it is built in that setback.

20 And the setback that is being requested here is
21 not really a de minimis variance. It is a large variance.
22 He is requesting almost the entire setback depth of the
23 front yard.

24 **MR. DICE:** Do you have any concerns about public
25 safety or sight lines?

1 **MR. SOBOSLAY:** Sight lines are always an issue
2 when you have cars coming out of the driveway.

3 In most cases, we don't allow the -- well, we
4 don't allow structures in the front yard just for sight
5 line issues, so if there is a car coming down the street,
6 they would be able to see a car backing out of a driveway.
7 So, there are sight line issues.

8 There are issues -- other sight line issues for
9 public safety.

10 We do not allow structures in the front yard, a
11 solid structure greater than three feet, that provides
12 public safety officials direct sight lines to the houses.

13 The other public safety issue that came up, more
14 of a public works issue, is the snow plowing.

15 You know, this year was a pretty light year for
16 snow. I think we were lucky.

17 Other years, it is heavy. And our plows push that
18 snow as they come down the street a great distance. So,
19 that snow tends to pile up. And that structure being only
20 2.72 feet from the edge of the right-of-way potentially
21 could be damaged by a snow plow.

22 **MR. DICE:** Thank you, Mr. Soboslay.

23 **MR. SOBOSLAY:** Thank you.

24 **MR. DICE:** I would like to very briefly call up
25 Heather Oravitz.

1

2

(Witness sworn in)

3

4

MR. DICE: Could you state and spell your name, please?

5

6

MS. ORAVITZ: Sure. Heather Oravitz,
O-R-A-V-I-T-Z.

7

8

MR. DICE: And what is your position here at the borough?

9

10

MS. ORAVITZ: I am the building code official for Plum Borough. I also do code enforcement and zoning duties.

11

12

13

MR. DICE: Now, other than this particular issue, have you had occasion to, let's say work with Mr. Koromvokis in regards to any zoning permits?

14

15

16

MS. ORAVITZ: Yes, I did.

17

18

MR. DICE: Could you briefly describe that?

19

20

MS. ORAVITZ: Sure. In May of 2019, we received notice that a house on Beech Road, 521 Beech Road, was erecting a rear porch and a deck without a permit.

21

22

And I sent notice to that residence, and it was Mr. Koromvokis' sister.

23

24

25

Mr. Koromvokis gave me a phone call saying he was helping his sister build this structure. And we talked about the building permit submission requirements that he

1 needed to make to get a permit for that structure.

2 **MR. DICE:** So, in that incidence in 2019, he was
3 made aware of the necessity of zoning permits?

4 **MS. ORAVITZ:** Correct.

5 **MR. DICE:** Thank you.

6 **MS. ORAVITZ:** Thank you.

7 **MR. DICE:** That is all I would have for direct.

8 The only thing that I would ask is I would leave a
9 copy of this American Steel Carports contract, and I would
10 ask Mr. Koromvokis either confirm or deny that this is a
11 contract that he signed and that this was for the carport.

12 Thank you.

13 **MR. HARRITY:** Thank you.

14 **MS. CHAPKIS:** May I ask one more question of the
15 applicant?

16 **MR. MARIANI:** Sure.

17 **MS. CHAPKIS:** Because time has lapsed from the
18 time of construction until our meeting here this evening,
19 have you had any communication with American Steel Carports
20 about potential relocation, if that was feasible?

21 **MR. KOROMVOKIS:** No, ma'am. And I do want to say
22 one thing out of respect, please. First of all, there is a
23 couple of issues there that they brought up. That is not
24 true about the permit, okay?

25 I did go before to -- it was an older lady -- she

1 was a real nice lady. I forget her name -- that works at
2 the borough. And she gave me a punch list of what to get.

3 And the reason I didn't get the permit was because
4 somebody stole -- I think it was, they wanted a survey --
5 some paperwork that was in a safety deposit box from my
6 sister's house. I didn't have that. And that is why I
7 couldn't get the permit.

8 And like I said, when they called me, it was just
9 like a fast thing, where he said, if you don't do it
10 tomorrow, then you are going to have a wait until after
11 winter.

12 So, there was no disrespect with the permit. I
13 assure you that. I am not worried about \$300, \$500 or
14 whatever. I would more than gladly pay you. You guys are
15 great people.

16 And about the snowplow and about the --

17 **MR. JOYCE:** Can I ask you a question, please,
18 before you move on?

19 **MR. KOROMVOKIS:** Yes, sir.

20 **MR. JOYCE:** I thought we were talking about the
21 permit for the sister's porch?

22 **MR. KOROMVOKIS:** Yes, SIR.

23 **MR. JOYCE:** And then we started talking about the
24 garage?

25 **MR. KOROMVOKIS:** My sister's porch, sir, it is not

1 my house. It is my sister's house.

2 Like I said, I bought a house here 20 years ago --

3 **MR. JOYCE:** Okay. But you said there was a time
4 crunch that you had to get it done right away or they
5 couldn't do it until spring?

6 **MR. KOROMVOKIS:** My house, yes, sir. On my
7 property, not my sister's.

8 **MR. JOYCE:** Oh, I understand. But I thought we
9 were --

10 **MR. KOROMVOKIS:** I was just trying to prove a
11 point. I didn't want to disrespect you guys.

12 I was trying to get a permit, but we didn't have
13 the paperwork. That is what I was trying to say.

14 I did go try to get the permit. I didn't do this
15 without trying. I did go there.

16 And about the snow pile and about the sight
17 seeing, this picture will show you everything. This
18 structure that has been there -- and I would love to show
19 you this, so you can see that that is not true. And I have
20 witnesses.

21 This is definitely not taking any way away from
22 anybody seeing the road.

23 I have been there since October 30th until now,
24 not one complaint. Everything is fine.

25 I have some witnesses that live on the street that

1 can tell you that.

2 And if you please want to look at this picture,
3 you will see that, from that carport to the street, it has
4 always been like that with the fence.

5 And the snowplow that the gentleman was talking
6 about does not affect the carport, nor the fence.

7 Before the carport was there, it never affected
8 the fence, so it has nothing to do with that. Love you,
9 you know.

10 And the sight seeing, you can see the house over
11 here. There is a house. Can I show you the picture?

12 There is a house that you can see before the
13 carport.

14 So, where they are saying -- because that is what
15 I did. I am very conscientious. I drove up the road and
16 down the road. I looked at everything.

17 You can see everything black and white. And it
18 will show you everything on the picture.

19 **MR. ZARROLI:** Can I ask you a question?

20 Mr. Koromvokis, I have a simple question for you.

21 **MR. KOROMVOKIS:** Yes.

22 **MR. ZARROLI:** You had mentioned to me -- you had
23 mentioned earlier that there was a theft of some documents?

24 **MR. KOROMVOKIS:** Yes.

25 **MR. ZARROLI:** So, you said that -- I want to be

1 really clear.

2 **MR. KOROMVOKIS:** Yes.

3 **MR. ZARROLI:** You were working on a permit, you
4 knew that a permit was necessary, there were papers stolen,
5 and then you couldn't get the permit done?

6 **MR. KOROMVOKIS:** Yes. That is exactly --

7 **MR. ZARROLI:** So, here is my question.

8 If the theft had not occurred, you would have
9 gotten a permit?

10 **MR. KOROMVOKIS:** For sure.

11 **MR. ZARROLI:** Okay. So, the theft occurred and at
12 the same time the company called you and said, we have got
13 to start right away?

14 **MR. KOROMVOKIS:** Yes, sir. Yes, sir. I will put
15 my hand on a stack of bibles.

16 I talked to this carport -- they are so
17 unprofessional when it comes to business, but they do a
18 good job putting it up.

19 **MR. ZARROLI:** I see.

20 **MR. KOROMVOKIS:** I would love to show you this
21 picture, though, to see that it is not --

22 **MR. ZARROLI:** I believe you.

23 **MS. CHAPKIS:** Show us.

24 **MR. KOROMVOKIS:** Please, I just want you to see
25 that the snow has never affected this in 20 years.

1 You can see the house is right on the street.
2 That affects nothing.

3 And like I said, it is for my daughter. It is not
4 for me.

5 **MR. ZARROLI**: I understand.

6 **MR. KOROMVOKIS**: And I've got a mentally ill
7 brother.

8 **MR. ZARROLI**: I understand.

9 **MS. CHAPKIS**: I would like to call for an
10 executive session, please.

11 **MR. HARRITY**: Thank you.

12 **MR. DICE**: I have one quick point of order. I
13 apologize. I will come up.

14 Mr. Koromvokis, could you just say whether or not
15 you signed that contract?

16 **MR. KOROMVOKIS**: Yes, I did, sir.

17 **MR. DICE**: Thank you.

18 **MR. KOROMVOKIS**: You're welcome.

19 **MR. DICE**: I apologize.

20 **MR. KOROMVOKIS**: Not a problem.

21 **MR. HARRITY**: We are going to have a brief recess.

22 **MR. KOROMVOKIS**: Can I invite this witness? It is
23 very important. Please. I have very two important
24 witnesses, please.

25 **MR. HARRITY**: Give your name, address and be sworn

1 in, please.

2 **MR. MAMATAS:** My name is Emanuel Mamatas,
3 M-A-M-A-T-A-S. I live on 6 Malone Street in Plum.

4 I am an internist and a geriatrician, and I take
5 care of Mr. Koromvokis' brother.

6 -----

7 (Witness sworn in)

8 -----

9 **MR. MAMATAS:** So, that road is -- that carport is
10 needed just to have the access to the road when his brother
11 gets sick or when he needs blood work, transportation to
12 the hospital, doctor's office, tests. Otherwise, he will
13 never get to any of those facilities.

14 The road is very, very steep. The structure is a
15 compliment to the rest of the road. It fits in with the
16 style of the house. It is well done, good color scheme.

17 But most important is the access to transportation
18 to the main road. Without it, he won't be able to get
19 there.

20 **MR. HARRITY:** Okay. Any question from the board?

21 -----

22 (No response)

23

24 **MR. MAMATAS:** I have been there multiple times at
25 Forbes Regional. I am on staff there and at UPMC East.

1 **MS. CHAPKIS:** May I ask a question? I'm sorry,
2 can you come back to the podium?

3 So, you are to the -- as you are facing the
4 property, did you say, to the right or to the left?

5 **MR. MILLER:** Facing, to the left.

6 **MS. CHAPKIS:** And as you enter and exit your,
7 driveway, you have no --

8 **MR. MILLER:** No visual impairment.

9 **MS. CHAPKIS:** -- visual impairment of the street
10 itself and any oncoming traffic?

11 **MR. MILLER:** No. I have more of a problem pulling
12 out onto -- from Beech to Center New Texas, with cars going
13 50 miles an hour, trying to gauge and pull out, where they
14 lay on their horn when they are going 45 in a 35.

15 You know, but pulling out of my driveway is no
16 problem.

17 **MR. ZARROLI:** Mr. Miller, did you say that you are
18 at 148, is that your address?

19 **MR. MILLER:** Yes, sir.

20 **MR. ZARROLI:** Thank you. That is all. Thank you.

21 **MR. HARRITY:** We are going to go into a short
22 recess for just a minute. We will be back. Thank you.

23 **MS. CHAPKIS:** Did you have something else?

24 **MR. KOROMVOKIS:** I do have two more important
25 witnesses, if you want to hear them.

1 problems with it.

2 Some people's trees are more obstructing the view
3 than his garage. You know, that is really all I have to
4 say.

5 **MR. HARRITY:** Thank you.

6 Anybody have any questions?

7 **MR. ZARROLI:** No. Thank you.

8 **MR. KOROMVOKIS:** One more witness?

9 **MR. HARRITY:** One more witness? Okay.

10 **MR. KOROMVOKIS:** Okay? Thank you.

11 My sister that takes care of my brother, helps me
12 with my baby and took care of my mother.

13 Maria, where are you? And, please, try not to
14 talk too much.

15 -----

16 **(Witness sworn in)**

17 -----

18 **MS. MEANS:** Maria Means, 521 Beech Road.

19 The thing, when I was watching my mother at that
20 house was, when that ambulance came, it gets struck. And
21 they came down -- and we didn't have the carport then. We
22 owned that house at that time.

23 We called the ambulance, and it got stuck down at
24 the bottom, and we couldn't even get it out. They had to
25 get a tow truck to pull the ambulance out.

1 My mother was there, and she needed to get to the
2 hospital fast.

3 And it is was a long time for the ambulance to
4 still get to us. And they had to pull to get -- wherever
5 they got it. They pulled that out. It took a long time,
6 which it can save a lot more time by getting her faster to
7 the hospital.

8 Instead, they did not -- it is not their fault
9 that they got stuck. But that is the way the swampland is
10 way down. The driveway is very steep. So, I just wanted
11 to tell you.

12 And it is on record. You can check it out. They
13 did get stuck.

14 **MR. KOROMVOKIS:** We have a video of that.

15 **MS. MEANS:** And I do have a video, if you do want
16 to see it.

17 **MR. HARRITY:** No.

18 **MS. MEANS:** No?

19 **MR. HARRITY:** Do you want to make one more
20 comment?

21 **MR. KOROMVOKIS:** That is it. No -- one more.

22 **MR. HARRITY:** We will take a recess.

23 **MS. CHAPKIS:** He has one more comment.

24 **MR. HARRITY:** Oh, you have one more comment?

25 **MR. KOROMVOKIS:** Yes. And I am sorry to keep

1 bothering you. Thank you.

2 All of these people -- a lot of these people here
3 live in Plum Borough. They go back and forth to the
4 streets, and they are witnesses also.

5 So, I am was just trying to give you -- and I do
6 want to say one thing. Thank you for allowing me to talk
7 to you good people here.

8 I didn't do anything on purpose, okay? I was just
9 trying to help my family out. But I do want to say one
10 thing.

11 The carport is a necessity for me and my child and
12 my brother and my sister, okay? And if you need more
13 witnesses, they live in Plum also.

14 **MR. HARRITY:** No. I think we are good. Thank
15 you.

16 **MR. KOROMVOKIS:** But I do want to say one thing.
17 And I am confused, but this is the most important.

18 My house is like this. There are, right around me
19 -- and I don't want to give addresses, because I don't
20 care, maybe the people need it. And I have facts for this.

21 There is other carports right in front of those
22 houses that are like this that they don't need, because
23 they can get out of there. And they are like this. Mine
24 is like this.

25 I have to have something like that. So, I am just

1 letting you know that I am not the first. Thank you for
2 your time.

3 **MR. HARRITY:** We are going to take a short recess,
4 and we will be back in a couple minutes. Thank you.
5 Please be patient.

6

7

(Executive session taken)

9

**AT THIS POINT WE WILL STOP THE MEETING FOR THE PURPOSE OF GENERAL
DISCUSSION IN GROUPS WITH REGARD TO THE HEARING AND ALLOW THE
MEMEBERS TO DISCUSS THE APPLICATION, EXHIBITS AND TESTIMONY
BETWEEN THE ZHB MEMBERS.**

**NOTE: NO DECISION MAY BE MADE IN THIS DISCUSSION BETWEEN MEMBERS
IN REAL LIFE - HOWEVER FOR THE PURPOSE OF THIS CLASS, PLEASE FORM
A MAJORITY OPINION OF THE GROUP**

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MR. HARRITY: The zoning hearing board is session
at 8:02.

Do we have a motion on the floor to approve or
disapprove the variance?

**NOTE: AT THIS POINT, HAVE THE RESULTS OF EACH GROUP BE GIVEN TO
THE CLASS**

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14

(Hearing concluded at 8:07 p.m.)

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1 Commonwealth of Pennsylvania)

2 County of Allegheny)

3 I, Aaron M. Wawrzyniak, Freelance Court Reporter-
 4 Notary Public, in and for the Commonwealth of Pennsylvania,
 5 do hereby certify that the foregoing hearing was taken at
 6 the time and place stated herein; and that said hearing was
 7 recorded stenographically by me and then reduced to
 8 typewriting under my direction, and constitutes a true
 9 record of the statements given by said speakers.

10 I further certify that I'm not a relative,
 11 employee or attorney of any of the parties, and that I'm in
 12 no way interested directly or indirectly in this action.

13 IN WITNESS WHEREOF, I have hereunto set my hand
 14 and affixed my seal of office this _____ day of
 15 _____, 2020.

16

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25

 Aaron M. Wawrzyniak,
 Freelance Court Reporter-Notary Public

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