JIM THORPE BOROUGH ZONING HEARING BOARD MEETING MINUTES

September 23, 2021 Jim Thorpe Memorial Hall

Call to Order

Time: _____6:10pm_____

Pledge of Allegiance

Roll Call of Board Members and Officials

	Present Y/N
James Igoe, Secretary	__Yes_____
Kurt Jackson, Member	__Yes_____
Roxanne Long, Chairperson	__Yes_____
Eli Skrimcovsky, Vice-Chairperson	__No_____
George Stoffa, Member	__No_____
Michael Huber, Alternate Member	__Yes_____
Andrew Roberts, Alternate Member	__Yes (non-voting) (participated as a citizen)

Attorney Kim Roberti, Zoning Officer Matt Helbers, and Borough Attorney James Nanovic (arrived at 6:27) were present to answer questions with Attorney Roberti directing the meeting. Attorney Roberti, Zoning Officer Helbers, and Borough Attorney Nanovic had no voting capabilities

Approval of Minutes and Agenda

1. Request approval of the minutes from the meeting held on August 26, 2021.
2. Request approval of the September 23, 2021 agenda. Mr. Jackson makes the motion for approval, seconded by Mr. Igoe to accept. Vote passes unanimously.

First (1st) Hearing

Name: Morten Kucey
Address: 53 Race Street Jim Thorpe, PA 18229
Purpose: Mr. Kucey is seeking a variance request to allow on street parking for his Short Term Rental Property (STR). The property is located in a C-3 Zoning District. ***This is a continuance hearing that started on July 12, 2021***

Questions/ Discussion: _ Mr. Kucey was in attendance and spoke on his behalf. Attorney Roberti read exhibits that were accepted as artifacts to the record. Mr. Kucey spoke about his property and indicated that he has operated the STR for two years and doesn't intend to operate forever. Mr. Jackson asked questions about occupancy. The house has an open floor plan and he lists the property as 4 people max. Mr. Kucey estimated the property is rented 8 days a month. Mr. Kucey uses the property on days that it's not rented. He has a house cleaner that stays at the STR every Wednesday. Attorney Roberti asked about parking. Mr. Kucey explained that he cannot create parking. He asks his guest to park in the Municipal lot.

Resident and neighbor Mr. Dan Buriak comes forward to make a statement about being neighbors with the STR. Mr. Buriak also presented letters and an informational packet as to why he and others feel that the Zoning Hearing Board should oppose granting on street parking.

Resident and neighbor Mr. Andrew Roberts comes forward to testify against the on street parking for Mr. Kucey's STR. Mr. Roberts is not happy with absentee landlords. Mr. Roberts explains a potential project that he's completing on Race Street. Mr. Jackson asks questions about commercial versus residential to Mr. Roberts.

Mr. Kucey returned to the podium to debate some of the findings that were highlighted by Mr. Buriak and Mr. Roberts. Mr. Kucey includes that he has a fire extinguisher as well as a fire ladder for the 3rd floor of his STR.

Attorney Nanovic makes a statement on behalf of the Borough of Jim Thorpe also recommending that the Zoning Hearing Board oppose the parking request.

Announcement of Executive Session prior to voting

-Attorney Roberti announces the zoning hearing board will conduct an executive session. The executive session lasted approximately 10 minutes.
-Upon return from executive session board member Mr. Huber made a motion to deny the on street parking request for Mr. Kucey. Board member Mr. Igoe seconded the motion. Attorney Roberti calls for a Roll Call of the members. Mr. Igoe (denies request), Mr. Huber (denies request), Mrs. Long (approves request), Mr. Jackson (approves request). Attorney Roberti explains that after voting a tie exists. Cases that result in a tie vote mean a denial of request. The motion does not pass.

Ruling by Zoning Hearing Board Members:

Yes: _____2___
No: ____2_____
Final Result: Request is denied._____

Second (2nd) Hearing (***Dr. Amhaz, along with his attorney Carole Walbert, submit a request for a continuance because of Dr. Amhaz's employment***)

Name: Hassan H. Amhaz
Address: 104 Broadway Jim Thorpe, PA 18229
Purpose: Mr. Amhaz is appealing a recent decision from the Zoning Officer. The denial received centers on the use of his property as a Short Term Rental(STR). Dr. Amhaz states that his premises was being used as an STR prior to the adoption of the Jim Thorpe Borough Rental Ordinance. Dr. Amhaz is also seeking relief from the updated parking requirements associated with the new rental. This property is located in an R-4 Zoning District.

Questions/Discussion:

____Mr. Jackson makes a motion to grant a continuance for Dr. Amhaz. Mr. Igoe seconds the motion. All board members vote unanimously in favor.

_____

Ruling by Zoning Hearing Board Members:

Yes: _____6___
No: _____0_____

Final Result: _____Continuance granted_____

Adjourn

Motion by _____Mr. Jackson_____, second by ___Mr. Huber____

____ to adjourn at __7:05_____PM

The vote to adjourn was unanimous.

Respectfully submitted,

James Igoe

Secretary, Jim Thorpe Zoning Hearing Board

October 1, 2021