

AGENDA

A public meeting of the City of Altoona Zoning Hearing Board will be held on **Wednesday, April 9, 2025 at 1:15 p.m.** in the 4th Floor Conference Room at City Hall, 1301 12th Street, Altoona, Pennsylvania.

4017-4023 Cortland Ave/ Barry Saylor

Requesting variances to subdivide and reconfigure lot lines between three nonconforming lots with two existing storage facility buildings located in a Light Industrial Zone, §800-56(H-L).

1301 12th Street, Suite 103
Altoona, PA 16601
Phone (814) 949-2456
Fax (814) 949-2203



DEPARTMENT OF CODES AND INSPECTIONS

ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(instructions located on reverse side)

PROPERTY LOCATION: _____

PURPOSE OF APPEAL: _____

DESCRIPTION OF PREMISES: _____

USE OF PREMISES: _____

OFF-STREET PARKING: _____

Please fill in all portions below, "same" and "non-applicable" if needed

PROPERTY OWNER INFORMATION

Name: _____

Address: _____

Phone: _____ Email: _____

APPLICANT INFORMATION:

Name: _____

Address: _____

Phone: _____ Email: _____

DESIGN PROFESSIONAL INFORMATION

Name: _____

Address: _____

Phone: _____ Email: _____

SIGNATURE OF APPLICANT: John Mitchell DATE: _____

OFFICE
USE
ONLY

☐ VARIANCE

☐ SPECIAL EXCEPTION

☐ APPEAL DETERMINATION

☐ APPEAL VIOLATION NOTICE

☐ OTHER

PREVIOUS APPEAL TO ZONING HEARING BOARD? ☐ YES ☐ NO ☐ UNKNOWN

SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON: _____

**Barry Saylor
Property Line Change/ Lot Merger
Project Narrative
For the City of Altoona Zoning Hearing Board**

This project involves Tax Parcel ID: 01.12-20..-061.00-000 currently owned by C. Bryce Saylor and D. Lorraine Saylor (Deed Book 1134/ Page 302) containing 13,000 S.F. & Tax Parcel ID'S: 01.12-20..-070.00-000 (37,189.03 S.F.), 01.12-20..-069.00-000 (17,773.12 S.F.), & 01.12-20..-068.00-000 (6,401.88 S.F.) currently owned by Gregory A. Saylor, Barry L. Saylor, & Tracy S. Saylor (Instrument #2012-03222). The current use of Tax Parcel ID: 01.12-20..-061.00-000 contains 2 metal storage sheds that encroach onto Tax Parcel ID: 01.12-20..-070.00-000. The current use of Tax Parcel ID'S: 01.12-20.00-070.00-00, 01.12-20..-069.00-000, & 01.12-20..-068.00-000 is being used as equipment storage.

Barry Saylor would like to create Proposed Lot 1 & Lot 2 while keeping a strip of property between the storage sheds for access to and merge with Tax Parcel ID'S: 01.12-20..-070.00-000, 01.12-20..-069.00-000, & 01.12-20.00-068.00-000.

This project meets the requirements of Section 910.2 of the Pennsylvania Municipalities Planning Code because of the following hardships:

800-56.I-L {Sections J and K}

- This proposed plan would place each storage shed on its own lot and eliminate existing encroachments for both storage units, and also still allow access from Cortland Avenue to Tax Parcel ID: 01.12-20..-070.00-000. Additionally, the original plan of the Lingenfelter Addition of South Altoona recorded in Blair County courthouse plat book 1, page 170 and dated April 2, 1904 created lots with only a 50 foot frontage.

800-56.I-L {Section L}

- The existing building to the east of the storage unit on Proposed Lot #2 is integral to the continued use of Saylor's for their business (proposed merged lot 01.12-20..-070.00-000) . There is not enough space to provide a 15' setback from both buildings. Furthermore, the geometry of the lines shown on the attached plan follows a fence line. This fence is also integral to industrial use of the Saylor business. The property line geometry shown keeps the existing fencing on the Saylor property.

Tax Parcel ID: 01.12-20..-061.00-00 would convey 6,793.66 S.F. to Proposed Lot 1, 5,493.09 S.F. to Proposed Lot 2, & 1,213.25 S.F. to Tax Parcel ID: 01.12-20..-070.00-000.

Tax Parcel ID: 01.12-20..-070.00-000 would convey 2,094.52 S.F. to Proposed Lot 1 & 1,124.23 S.F. Proposed Lot 2.

Proposed Lot 1 would contain 8,888.18 S.F.
Proposed Lot 2 would contain 6,617.32 S.F.

Tax Parcel ID: 01.12-20..-070.00-000 would then merge with a portion of Tax Parcel ID: 01.12-20..-061.00-000 (1,213.25 S.F.), Tax Parcel ID: 01.12-20..-069.00-00 (17,773.12 S.F.), & Tax Parcel ID: 01.12-20..-068.00-000 (6,401.88 S.F.) into one contiguous lot containing 59,358.53 S.F.

The Saylor's would like to ask for variances from the City of Altoona Zoning Hearing Board from the following items:

City of Altoona § 800-56. I-L Light Industrial Zone

J. Width. The Lot Width at the building line shall not be less than 75 feet.

Proposed Lot 1 50.32' **Variance Requested**

Proposed Lot 2 41.09' **Variance Requested**

K. Frontage. The Lot shall have a minimum frontage of 75 feet.

Proposed Lot 1 50.32' **Variance Requested**

Proposed Lot 41.09' **Variance Requested**

Tax Parcel ID: 01.12-20..-070.00-000 8.58' **Variance Requested**

L. Setback

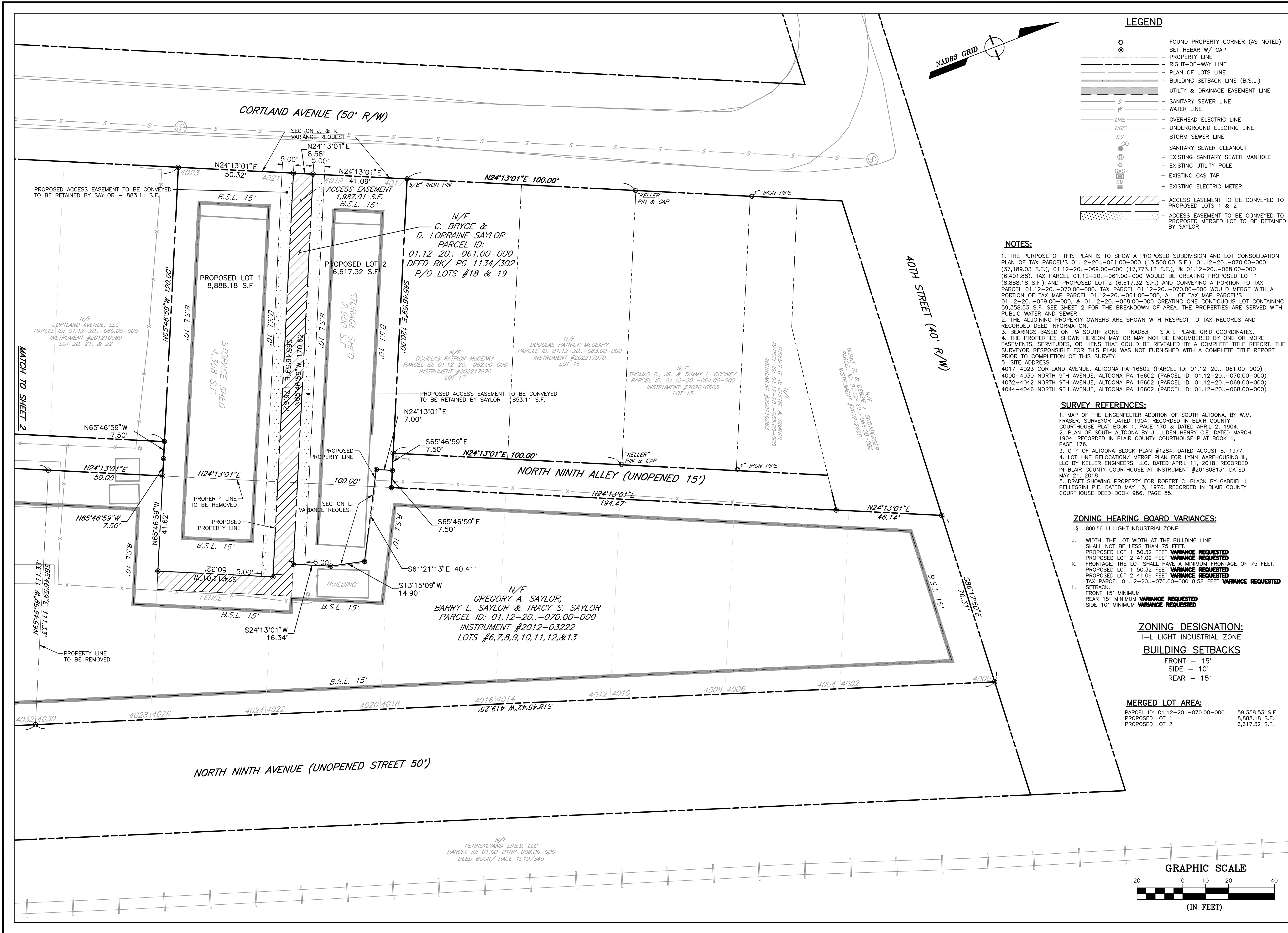
Front 15' Minimum

Rear 15' Rear **Variance Requested**

Side 10' Minimum **Variance Requested**

Tax Parcel ID's 01.12-20.00-061.00-000, 01.12-20.00-070.000, 01.12-20..-069.00-000, & 01.12-20..-068.00-000 are available for public water (Altoona Water Authority) and public sewer (Altoona Sewer Authority).

No portion of the above said parcels are in a floodplain as per the FEMA – Flood Rate Map for Blair County, Map #42013C0231D, effective date March 2, 2012.



1731 N. Juniata Street
Hollidaysburg, PA 16648
Phone: 814.696.6280 Fax: 814.696.6240

Stiffler, McGraw & Associates, Inc.

Owner:
BRYCE SAYLOR & SONS, INC
4235 6TH AVENUE
ALTOONA, PA 16602

Project Name:
SAYLOR ZONING HEARING
BOARD EXHIBIT

CITY OF ALTOONA
BLAIR COUNTY, PENNSYLVANIA

VARIANCE REQUEST PLAN

Revisions:

No.	Date	Description
△		

Sheet Title:

ZONING HEARING
BOARD EXHIBIT

PROJECT NO. 24-5037

DRAWN BY: JML

DESIGNED BY: ---

CHECKED BY: JDY

SCALE: 1" = 20'

Drawing:

S1

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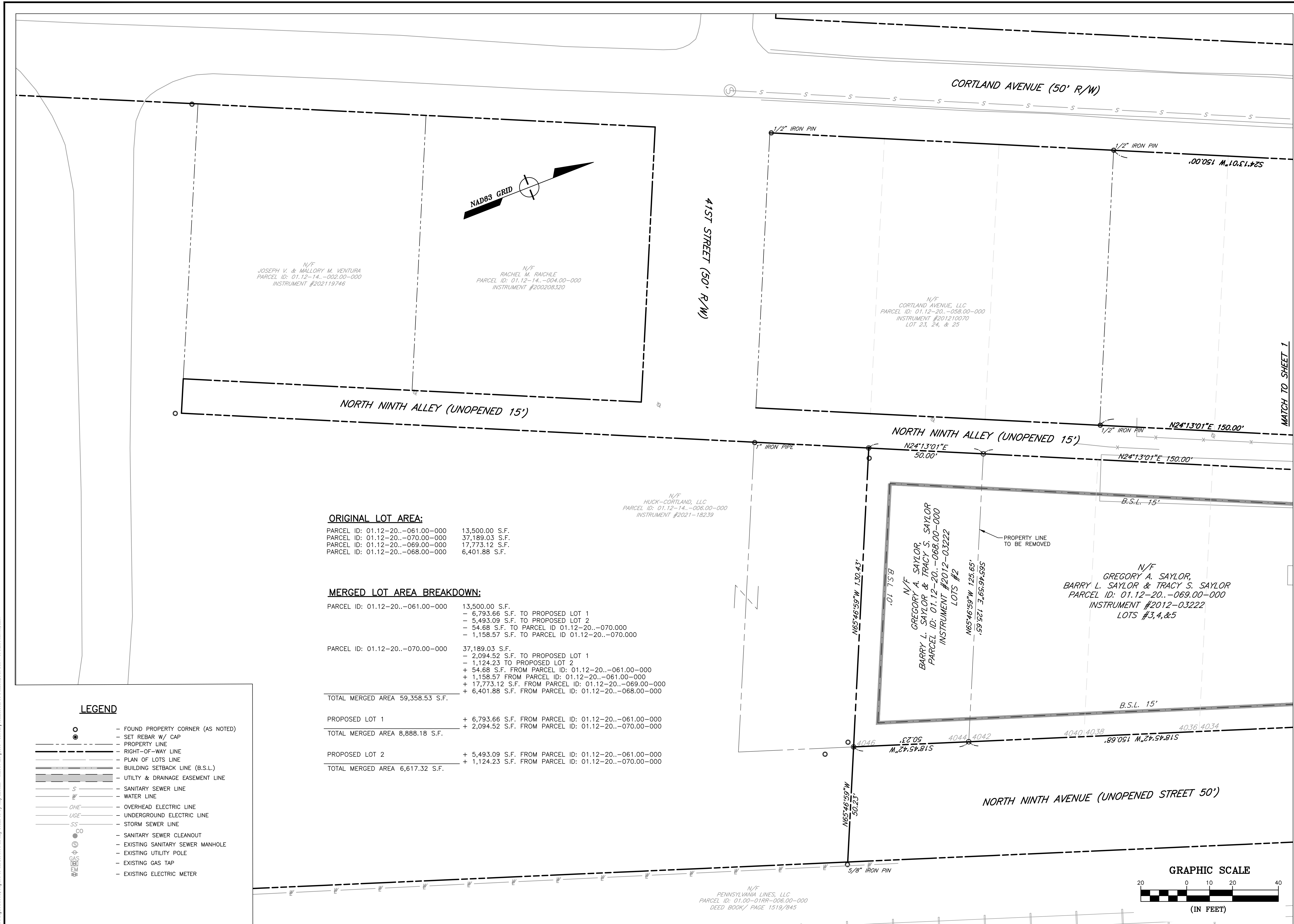
Sheet Title:

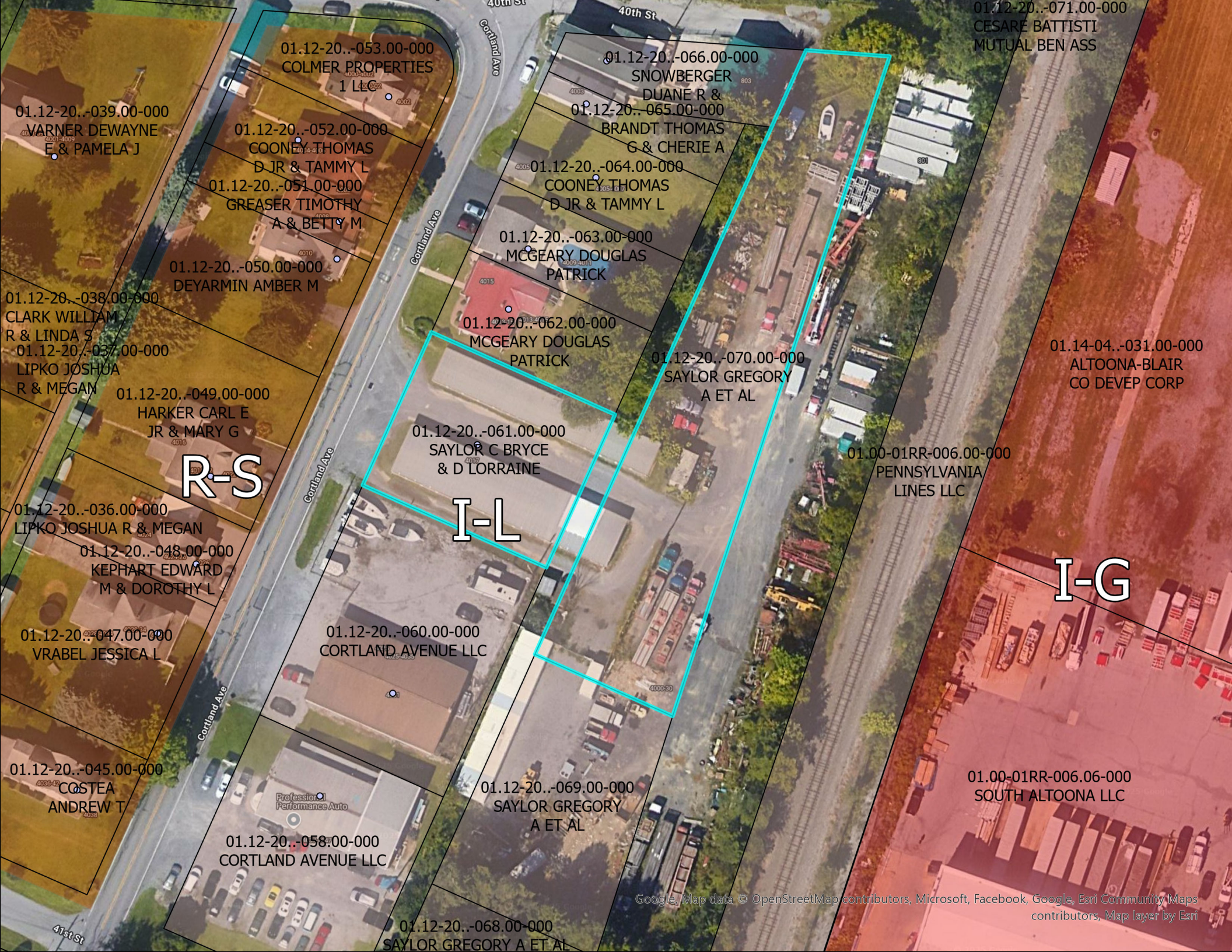
ZONING HEARING BOARD EXHIBIT

PROJECT NO.	24-5037
DRAWN BY:	JML
DESIGNED BY:	---
CHECKED BY:	JDY
SCALE:	1" = 20'

Drawing:

S2





01.12-20.-039.00-000
VARNER DEWAYNE
E & PAMELA J

01.12-20.-052.00-000
COONEY THOMAS
D JR & TAMMY L

01.12-20.-051.00-000
GREASER TIMOTHY
A & BETTY M

01.12-20.-050.00-000
DEYARMIN AMBER M

01.12-20.-038.00-000
CLARK WILLIAM
R & LINDA S

01.12-20.-037.00-000
LIPKO JOSHUA
R & MEGAN

01.12-20.-049.00-000
HARKER CARL E
JR & MARY G

01.12-20.-036.00-000
LIPKO JOSHUA R & MEGAN

01.12-20.-048.00-000
KEPHART EDWARD
M & DOROTHY L

01.12-20.-047.00-000
VRABEL JESSICA L

01.12-20.-045.00-000
COSTEA
ANDREW T

01.12-20.-058.00-000
CORTLAND AVENUE LLC

01.12-20.-068.00-000
SAYLOR GREGORY A ET AL

01.12-20.-069.00-000
SAYLOR GREGORY
A ET AL

01.12-20.-060.00-000
CORTLAND AVENUE LLC

01.12-20.-061.00-000
SAYLOR C BRYCE
& D LORRAINE

01.12-20.-062.00-000
MCGEARY DOUGLAS
PATRICK

01.12-20.-063.00-000
MCGEARY DOUGLAS
PATRICK

01.12-20.-064.00-000
COONEY THOMAS
D JR & TAMMY L

01.12-20.-065.00-000
BRANDT THOMAS
G & CHERIE A

01.12-20.-066.00-000
SNOWBERGER
DUANE R &

01.12-20.-070.00-000
SAYLOR GREGORY
A ET AL

01.00-01RR-006.00-000
PENNSYLVANIA
LINES LLC

01.00-01RR-006.06-000
SOUTH ALTOONA LLC

01.14-04.-031.00-000
ALTOONA-BLAIR
CO DEVEP CORP

01.12-20.-071.00-000
CESARE BATTISTI
MUTUAL BEN ASS

R-S

I-L

I-G

§ 800-56. I-L Light Industrial Zone.

- A. Purpose. It is the purpose of this zone to establish industrial areas which are or may become integral with established or potential residential neighborhoods and/or public parks or other conservation areas and to require stringent performance standards and other regulations designed to protect residential valuations, to effect a desirable transition between industrial and other uses, and to promote a high order of industrial development.
- B. Permitted uses.
- (1) Accessory uses on the same lot and customarily incidental to the permitted uses, including:
 - (a) Space for the overnight and/or weekend parking of commercial vehicles.
 - (b) Storage of raw materials, equipment, and finished products, unless Subsection C(3) applies to the type of storage facilities proposed.
 - (c) Other customary accessory uses and structures which are clearly incidental to the principal structure and use.
 - (2) Agricultural operations and forestry activities.
 - (3) Automotive assembly and services.
 - (4) Bus shelters.
 - (5) Cemeteries and houses of worship.
 - (6) Communications services.
 - (7) Cultural and governmental facilities.
 - (8) Eateries and overnight lodging.
 - (9) Educational services.
 - (10) Health services, medical laboratories and diagnostic facilities.
 - (11) Manufacturing.
 - (12) Parks, playgrounds, and open space.
 - (13) Professional and business offices.
 - (14) Professional services.
 - (15) Public utility transmission and distribution lines, substations, water pumping stations, and reservoirs.
 - (16) Research and development laboratories.
 - (17) Retail sales and retail services.

- (18) Storage facilities.
 - (19) Transportation services.
 - (20) Wholesale sales and wholesale services.
 - (21) Woodworking and xylography.
 - (22) Kennels.
 - (23) Apartment structure or group of structures.
 - (24) Multi-household dwelling units.
 - (25) Single-household detached dwellings.
 - (26) Townhouses.
- C. Special exceptions.
- (1) Off-site parking.
 - (a) No space exists on the principal lot for adequate parking.
 - (b) The center of the lot is within 400 feet of the principal use.
 - (c) Space is sufficient to allow full compliance with the land development standards set forth in Chapter 640.
 - (d) The lot will not allow the principal use to exceed the maximum parking allowances set forth in the land development standards.
 - (e) The installation of parking at this location will not have a deleterious effect on the overall neighborhood in terms of residential stability and economic development.
 - (f) The installation of the parking facility will not necessitate the demolition of a viable and structurally sound building.
 - (2) Sexually oriented business, with these three sets of findings:
 - (a) That the applicant(s):
 - [1] Is an individual person or are all individual persons in a group, partnership, corporation, or other business association having at least a ten-percent interest, whether direct or indirect.
 - [2] Is 18 years old or older and has an interest in the property.
 - [3] Certifies that no one on the premises shall be under the age of 18 years.
 - [4] Has never been convicted of any offense involving sexual misconduct, including without limitation prostitution, rape, obscenity, statutory rape, possession of child pornography, or corruption of minors.

- [5] Agrees that the Zoning Officer and the City of Altoona Police Department may inspect the premises for compliance with this chapter and the Board's permit upon request whenever the business is open.

(b) That the business:

- [1] Is not located within 1,000 feet of a house of worship, a school (public or private preschool, child day-care, elementary, or secondary facility), a public library, a public park, or a child-oriented business. Such measurement shall be taken from the structure in which the sexually oriented business is to be located to the property line of the other use. Uses outside the corporate limits of the City of Altoona shall also be considered. The subsequent location of one of these uses within 1,000 feet of an existing sexually oriented business shall not serve to void the permit(s) granted to the sexually oriented business.
- [2] Is not operated, established, substantially enlarged, or transferred in ownership or control within 1,000 feet of another sexually oriented business. Such measurement shall be taken from the structure in which the sexually oriented business is to be located to the structure of the sexually oriented business. Uses outside the corporate limits of the City of Altoona shall also be considered.
- [3] Is not operated, established, or maintained in the same building or structure, or portion thereof, as another sexually oriented business, nor shall the floor area be enlarged in such case.
- [4] Did not exist prior to August 27, 1997. Such a business shall not be permitted to be increased, enlarged, extended, or altered unless such increase, enlargement, extension or alteration places the entire use in full compliance with this section.
- [5] Is so designed so that activities within the business cannot be seen, heard, or smelled outside the structure, or portion thereof, in which the business is located. This shall include, without limitation, devices, objects, toys, tools, entertainment, and signs advertising the business that are distinguished or characterized by their association with sexually oriented activity.
- [6] Agrees that merchandise displays, signs, or any other exhibit depicting adult entertainment activities or sexually oriented businesses placed within the interior of buildings or premises shall be arranged and screened to prevent public viewing from outside such buildings or premises.

(c) That the City:

- [1] Is granted the right to inspect the business for compliance on demand at any time the business is open.
- [2] Has the ability to shut down the business for noncompliance with this chapter or the Board's decision. Such a shutdown can take the form of either a suspension or a revocation of the permit(s) or license(s) necessary to legally

operate the business until the time when the noncompliance is corrected to the satisfaction of the Board.

(3) Permanent containerized storage.

- (a) The containers shall be permanently and securely affixed to the ground or building in accordance with the Building Code.
- (b) The containers shall not interfere with the existence or use of the parking, loading, buffering, and screening elements of the lot.
- (c) The containers shall be maintained in sanitary condition to the basic standards for structures as determined by the City of Altoona Code Enforcement Department.
- (d) The containers shall not be used for advertising; no signs shall be affixed to any part of the exterior of the containers.
- (e) The containers shall not be visible from any street (alleys excepted) or any nonindustrial zoning district.

(4) Uses similar to permitted uses.

- (a) The use is compatible with the surrounding neighborhood and is not contrary to the stated purpose of the zone (see § 800-56A above).
- (b) The specific use is not permitted in any other nonresidential district. This finding may be waived if the Board finds that the proposed use is complementary to an existing use on the same property or an immediately adjacent parcel.
- (c) The use is primarily industrial, not commercial, in nature.

D. Conditional uses: none.

E. Prohibited uses. Any use not complying with the specifications of this article is prohibited.

F. Supplemental zoning permit requirements. In order that the Zoning Officer may have a reasonable basis upon which to approve a proposed industrial operation or an expansion of an existing industrial operation for conformity to the requirements of this chapter, the following data shall be submitted with an application for a permit, in addition to the requirements aforementioned for a zoning permit in § 800-15:

(1) Plot plan drawn to a scale of one inch equals 40 feet, including:

- (a) Loading and unloading areas.
- (b) Description of buffers where required.
- (c) Provisions of parking where required.
- (d) Location and specifications of any proposed signs.

(2) Architectural plan to a scale of 1/8 inch equals one foot.

- (3) Description of operation.
 - (4) Engineering and architectural plans for all utilities to a scale of 1/8 inch equals one foot.
 - (5) Plans for prevention or control of noise, vibration, glare, fire hazard, air pollution, water pollution, and traffic.
 - (6) Number of shifts and maximum employment per shift.
 - (7) Stormwater management plan and provisions allowing floodplain construction, if necessary.
 - (8) Additional pertinent data as may be required by the Zoning Officer.
 - (9) Evidence of approval of any state agency concerned.
- G. Height. The height of a structure shall be not greater than 100 feet. The height of a structure shall be not less than one story.
- H. Area. The lot area shall be not less than 6,000 square feet.
- I. Coverage. The coverage shall be no more than 65%.
- J. Width. The lot width at the building line shall not be less than 75 feet.
- K. Frontage. The lot shall have a minimum frontage of 75 feet.
- L. Setbacks.
- (1) Each lot shall have setbacks of not less than the depth or width indicated below:

Location	Setback Characteristic	Lot Characteristics	Setback (feet)
Front	Depth	—	15 minimum
Rear	Depth	—	15 minimum
Side	Width	Interior lot and corner lot nonstreet	10 minimum each side of a principal structure, provided that, when a written agreement is provided by adjoining property owners, no side setbacks shall be required where two or more manufacturing uses abut side by side. However, in no case shall common walls be permitted between properties of separate ownership.

Location	Setback Characteristic	Lot Characteristics	Setback (feet)
Side	Width	Corner lot abutting a street	15 minimum

- (2) Buffer yards shall be provided in accordance with the provisions of Subsection R.

M. Accessory structures.

- (1) An accessory structure shall not be erected nor shall its dimensions be increased in the front of the structure.
- (2) An accessory structure, patio and/or swimming pool may be erected according to the following setbacks, provided that the height, area, width and coverage requirements contained in this section and the following are met:

Setback From	Minimum Setback (feet)
Rear of principal structure	10
Side lot line with lot width 25 feet or less	1 1/2
Side lot line with lot width 26 feet or greater	3
Rear lot line	7

N. Permitted setback encroachments.

- (1) Cornices, eaves, gutters, bay windows, drive-through windows or chimneys may encroach into the required setback of a lot not more than 24 inches. However, no cornices, eaves, gutters, bay windows, or chimneys may be closer than 3 1/2 feet from any side lot line.
- (2) A covered carport or covered patio or porch open on three sides may be erected within one of the side yards or rear yard when attached to a main structure existing at the effective date of this chapter, provided the covered carport or covered patio or porch open on three sides shall be not less than 3 1/2 feet from the side or rear lot line and shall never be enclosed.

O. Off-street parking. Parking for the uses in the Light Industrial Zone shall be as follows:

- (1) Residential uses not subject to land development review under Chapter 640 shall be provided with a minimum of one and a maximum of three off-street parking spaces per dwelling unit.
- (2) Minor-impact home-based businesses shall neither increase nor decrease the number of spaces required for the property.
- (3) Uses governed by a land development review under Chapter 640 shall meet the parking requirements established as a result of the requisite review.

- (4) All other uses shall be provided with a minimum of four off-street parking spaces per 1,000 square feet of floor space, or a prorated portion thereof.
- P. Signs. Signs, when provided, shall conform to those regulations contained in Article VI of this chapter, Signs.
- Q. Floodplains. All permitted uses located within a floodplain as identified on the Flood Boundary and Floodway Maps must comply with the provisions and requirements of Chapter 362.
- R. Buffer yards and screening. Where a nonresidential use is established either abutting or adjoining a residential use, a buffer yard not less than five feet in width shall be provided along the lot lines of the nonresidential use. In addition, the buffer yard shall be in compliance with any decision rendered by the Zoning Hearing Board under a variance or special exception or the Planning Commission under a land development review.
- S. Fences and walls.
- (1) Fences and walls may be erected, altered, and maintained in any light industrial district within the setbacks, provided that.
- (a) Any wall or fence forward of the front yard setback shall not exceed four feet in height. Commercial businesses or institutions may build security fences up to 10 feet in height forward of the front setback line if the fences are at least 50% open and do not block visibility at intersections.
- (b) Any fence in the rear yard or side yard shall be permitted a maximum height of seven feet. Such fences may be extended upward to a maximum height of 10 feet if the fence is at least 50% open.
- (c) This provision shall not apply to retaining walls or vegetated screening.
- (2) Fences and walls may be erected, altered, and maintained in front yards, provided that the provisions of § 800-39, Obstruction to vision, and Subsection S(1)(a) of this section are met.
- (3) Barbed wire, razor wire and electric fences shall not be permitted except at a height exceeding seven feet from grade level.¹

1. Former Subsection S(4), regarding a special exception from the Zoning Hearing Board, which immediately followed this subsection, was repealed 8-14-2019 by Ord. No. 5748.