

CITY OF ALTOONA
ZONING HEARING BOARD

PUBLIC HEARING NOTICE

A public meeting of the City of Altoona Zoning Hearing Board will be held on **Wednesday, July 8th, 2026, at 1:15pm** in the 4th Floor Common Room, located at City Hall, 1301 12th Street, Altoona, Pennsylvania. If assistance is needed to participate or to obtain a copy of the supporting documentation, please contact the City Clerk's Office.

Applicant: William Frank Jr.

Address: 2308-10 10th Avenue

Tax ID: 01.05-13..-107.00-000 & 01.05-13..-108.00-000

Requesting two (2) variances under the following sections to construct a 40x36 garage located in a Residential Neighborhood B Zone.

§800-32: To allow an accessory structure on an adjacent vacant lot in common ownership.

§800-32.D: To provide a structure on a parcel of land not legally tied together with the principal structure.

Applicant: Sheetz Inc

Address: 1915 Pleasant Valley Blvd

Tax ID: 01.06.36..-084.00-000, 01.06.36..-097.00-000, & 01.06.36..-100.00-000

Requesting nine (9) variances under the following sections to rebuild the Sheetz store for updated technology for customers located in a Corridor Commercial Zone.

§800-20.B.1.D: To allow 85% impervious lot coverage, whereas 65% is the maximum.

§800-20.B.2: To allow less than 20' parking lot setbacks, whereas 20' setback is required.

§800-38: To allow an encroachment into the 5' setback from the building at the point of contact between the driver and drive-thru attendant.

§800-61.C.2: To allow less than one tree per 30' of street frontage.

§800-61.E.1: To allow less than one shrub for every 10' and high shrub for every 20' of wall.

§800-61.F.1.a: To allow no parking lot landscaping at the end of all rows of parking spaces.

§800-61.F.1.f: To allow islands to be installed above the parking lot surface.

§800-65.C.1: To allow the dumpster to be located in the northeast corner of the lot.

§800-71.A.7: To allow for a roof sign, whereas not permitted.

Applicant: RADD Development Co

Address: 4200 Industrial Park Drive

Tax ID: 01.00-01RR-006.04-000

Requesting a variance to allow construction of ground mounted solar panels on a lot located in a General Industrial Zone.

§800-53.3: To allow ground-mounted solar panels, whereas prohibited.

Applicant: South Altoona LLC

Address: Industrial Park Drive

Tax ID: 01.14-04..-031.00-000

Requesting a variance to allow construction of ground mounted solar panels on a lot located in a General Industrial Zone.

§800-53.3: To allow ground-mounted solar panels, whereas prohibited.

CITY OF ALTOONA

ZONING HEARING BOARD

Applicant: Sentinel Investments LLC

Address: 2217-2219 Broad Avenue

Tax ID: 01.09-07..-044.00-000

Requesting variances to subdivide a 50x120 lot containing two (2) existing apartment buildings and a garage to create individual lots for 2 separate owners in a Mixed-Use Neighborhood Zone.

§800-18.B.1: To allow more than 70% impervious lot coverage, whereas 70% is the maximum.

§800-18.C.1: To allow less than 15' building setbacks for rear and side yards, whereas 15' building setbacks are required.



COMMUNITY DEVELOPMENT
DEPARTMENT
1301 12TH STREET, SUITE 400
ALTOONA, PA 16601
(814) 949-2465

ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON THE REVERSE SIDE)

PROPERTY LOCATION:	2308-10 10 th Ave
PURPOSE OF APPEAL:	
DESCRIPTION OF PREMISES:	Vacant land
USE OF PREMISES:	Garage
OFF-STREET PARKING:	

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

PROPERTY OWNER INFORMATION

NAME:	William Frank, Jr
ADDRESS:	2319 11 th Ave Altoona Pa 16601
PHONE:	814-650-1606
EMAIL:	

APPLICANT INFORMATION

NAME:	William Frank, Jr
ADDRESS:	2319 11 th Ave Altoona Pa 16601
PHONE:	814-650-1606
EMAIL:	

DESIGN PROFESSIONAL INFORMATION

NAME:	84 Lumber
ADDRESS:	4400 6 th Ave Altoona
PHONE:	814-942-8400
EMAIL:	

SIGNATURE OF APPLICANT

DATE

OFFICE USE ONLY

☐ VARIANCE \$500.00	☐ APPEAL DETERMINATION \$500.00	☐ OTHER
☐ SPECIAL EXCEPTION \$500.00	☐ APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? ☐ YES ☐ NO ☐ UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

Zoning Hearing Board Narrative

-I would like to build this garage, to keep my classic cars out of the weather.

Thank you,

A handwritten signature in cursive script, appearing to read "William Frank, Jr.", written in black ink.

William Frank, Jr



APPLICATION FOR BUILDING PERMIT, ZONING REVIEW AND PLAN EXAMINATION

AT (Location) 2308-10 ~~2308-10~~ 10th Ave LOT SIZE 50 X 120

APPLICANT NAME William Frank, Jr EMAIL ADDRESS _____

APPLICANT ADDRESS 2319 11th Ave Altoona 16601 PHONE NO. 814-650-1606

OWNER NAME William Frank, Jr EMAIL ADDRESS _____

OWNER ADDRESS 2319 11th Ave Altoona 16601 PHONE NO. 814-650-1606

CURRENT USE & OWNERSHIP

What is the primary use for the property? (e.g. residence, bakery, car repair, etc.?) Car storage

What is the secondary use for the property? None

Private ownership ☒ Public ownership (federal, state, local govt.) _____

TYPE OF WORK

- ☐ Repair/Replacement
- ☐ Alteration
- ☐ Demolition (see Page 2)
- ☐ Addition
- ☒ New Building
- ☐ Moving (relocation)
- ☐ Change of Use
- ☐ Sign
- ☐ Other _____

PROPOSED USE

RESIDENTIAL

- ☐ One Family
- ☐ Two or More Family (Units _____)
- ☒ Garage
- ☐ Carport
- ☐ Shed
- ☐ Pool
- ☐ Other _____

PROPOSED USE

COMMERCIAL

- ☐ Amusement/Recreational
- ☐ Church, other religious
- ☐ Industrial
- ☐ Services Station/Repair Garage
- ☐ Tanks, Towers
- ☐ Office, bank, professional
- ☐ Public utility
- ☐ School, Educational
- ☐ Stores, Mercantile
- ☒ Other Garage

COST

General Construction

(omit cents)
\$ 20,000

(The following not to be included in General Cost)

Electrical \$ _____

Plumbing \$ _____

Heating/Air Conditioning \$ _____

Other (elevator, etc.) \$ _____

TOTAL COST \$ _____

JOB DESCRIPTION – Describe in detail the proposed work. If applying for a residential addition, garage, shed, or pool, please use back page to draw sketch of proposed work. New residential construction requires separate drawings. Commercial work will require the submittal of four (4) sets of stamped drawings.

IDENTIFICATION

Name

Address

Phone

Email

Contractor

Owner

2319 11th Ave 650-1606

Architect/Engineer

Plumber

Electrician

Mechanical/HVAC

All contractors must be licensed to conduct work in the City of Altoona. Separate license requirements apply for Plumbers and Electricians. Please call the Department of Codes and Inspections at 949-2456 for questions regarding licensing.

SITE OR PLOT PLAN

SEE ATTACHED DRAWINGS

10 th Ave					
2300-02	2304-06	2308-10	2312-18	2320-22	2324-30
Vacant land owned by someone	Vacant land Owned by me		Vacant land owned by me		Vacant land owned by me
Alley					

I (we) verify and swear/affirm that the statements made in this Application are true and correct to the best of my (our) personal knowledge or information and belief. I (we) understand that false statements (perjury) herein, are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities. In addition, any such false statements shall be cause for the City of Altoona to revoke any permit, permission and/or approval granted pursuant to said Application and/or stop work with regard to the same without further action by the City of Altoona and shall also subject the individual(s) making such false statements to the penalties set forth in the applicable ordinances under which said permit, permission and/or approval is granted.

SIGNATURE OF APPLICANT

DATE

6-14-26

SIGNATURE OF OWNER

DATE

6-14-26





Parcel Number	Situs Address	Owner Name	In Care Of	Address	Lot Size	Deed Acerage	Deed Reference
01.05-13.-107.00-000	2310 10TH AVE	FRANK WILLIAM A JR		2319 11TH AVE	25 X 122	0.07	2019-15406
01.05-13.-108.00-000	2308 10TH AVE	FRANK WILLIAM A JR		2319 11TH AVE	25 X 122	0.07	2019-15406

Section 800-31

Accessory Dwelling Unit (ADU)

Accessory Dwelling Unit (ADU)

- A. The development of an accessory apartment (ADU) shall comply with all minimum dimensional requirements in districts where ADUs are permitted. Where an existing building is nonconforming with respect to one or more of the minimum yard requirements, the expansion or conversion may occur provided that there is no increase in the extent of nonconformity.
- B. For the conversion or construction of an ADU, the building shall be located on a lot which meets the requirement for the minimum lot size, as specified in the applicable zoning district.
- C. One attached ADU shall be permitted on a lot containing a single-unit or two-unit principal residential structure.
- D. An ADU shall be attached to or integrated within the existing principal residential structure or an existing accessory structure such as a garage or carriage house.
- E. An ADU shall not exceed 1,000 square feet or 80% of the size of the principal structure, whichever is smaller.
- F. ADUs shall not be permitted in cluster developments.
- G. The owner(s) of any lot containing an ADU shall permanently reside in at least one of the dwelling units on the premises.
- H. ADUs shall be affixed to or constructed on a permanent foundation and shall not be a manufactured home or a movable structure.
- I. The ADU shall be of the same architectural style and constructed of the same materials as the principal dwelling or existing accessory structure. The AA shall be visually and physically integrated into the principal dwelling or existing accessory structure, such as a garage or carriage house.
- J. All buildings with an ADU shall have separate and distinct addresses and mail receptacles for the principal dwelling and ADU.
- K. An ADU shall only be occupied as a principal place of residence.

Section 800-32

Accessory Structures/Uses On Adjacent Lots In Common Ownership

Accessory Structures/Uses On Adjacent Lots In Common Ownership

- A. The size, scale and type of structure is normally associated with the predominant structures / uses in the district.
- B. No public street runs between the principal structure and the proposed accessory structure. An alley shall not be considered a street for this finding.
- C. The structure is designed so that it cannot be converted into a second dwelling unit or other principal use unless it is to be directly attached and fully integrated into the principal structure for use by a member of the immediate family of the occupant of the principal structure.

Section 800-33

Bed-and-breakfast Facilities

- D. The involved parcels of land are legally tied together such that they cannot be individually conveyed into separate ownership until the accessory structure(s) approved under this subsection have been fully removed.

Bed-and-breakfast Facilities

- A. The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- B. The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
- C. Off-street parking shall be provided at a ratio of one parking space per available room. This shall be in addition to the required parking for a single-family dwelling. The Zoning Hearing Board may approve off-site parking to accommodate this requirement as part of the approval of the special exception for the bed-and-breakfast.
- D. Lodging shall not be rented for more than one month for any given person in any six-month period.
- E. The property owner must use the building as his or her principal residence and manage the bed-and-breakfast.
- F. The area reserved for the owner's residence and the bed-and-breakfast areas shall be connected internally, and each shall share a common main entrance.
- G. As part of any approval, the Zoning Hearing Board may require an applicant for a bed-and-breakfast to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them for as long as the bed-and-breakfast is in operation.

Section 800-34

Bus Shelters

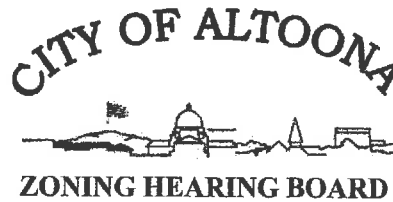
Bus Shelters

- A. Shall not impair sight distances at intersections or otherwise pose a hazard to moving traffic.
- B. Shall not contain advertising of any kind except identification of the bus company and a posting of relevant schedule and service information.
- C. Shall be perpetually maintained and kept clean and sanitary. This guarantee can be made through an agreement or other binding legal instrument.
- D. Shall not be placed on private property without the owner's consent.
- E. Shall be completely removed and the site restored to its original condition if the location no longer warrants a shelter. This guarantee can be made through an agreement or other binding legal instrument.
- F. Shall not interfere with adjacent property owners' use and enjoyment of property.

**Section
800-30**Accessory Use
Table**Accessory Use Table**

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
Accessory Structures/Uses on Adjacent Lots - Common Ownership	SE	SE	SE	SE	SE	SE	SE	-	SE	SE	Section 800-32
Building for Housing Pets, Playhouse	P	P	P	P	P	P	-	-	-	-	
Cafeteria and Recreational Facility for Employees or Clientele	-	-	-	-	P	P	-	P	-	P	
Drive-Through Facility	-	-	-	-	-	-	P	-	-	-	Section 800-38
Electric Vehicle Charging Stations	P	P	P	P	P	P	P	P	P	P	
Food Truck/Mobile Food Dispensing Cart	-	-	-	-	P	P	P	P	P	P	
Garden House, Greenhouse, Shed	P	P	P	P	P	P	P	P	P	P	
Keeping of Household Pets	P	P	P	P	P	P	P	P	P	-	
Outdoor Farmer, Craft or Art Market	-	-	-	-	P	P	-	P	-	-	
Outdoor Display	-	-	-	-	P	P	P	-	P	-	
Sidewalk Cafe / Outdoor Seating Area	-	-	-	P	P	P	P	P	P	-	
Outdoor Storage	-	-	-	-	P	-	-	-	-	P	
Outdoor Storage of Boats	-	-	-	-	-	-	-	-	-	P	
Satellite Dish	P	P	P	P	P	P	P	P	P	P	
Solar Voltaic System	P	P	P	P	P	P	P	P	P	P	Section 800-53
Swimming Pool	P	P	P	P	-	-	-	P	-	-	
Tennis Court, Paddle Court and Similar Accessory Recreation Facility	P	P	P	P	-	-	-	P	-	-	

1301 12th Street, Suite 103
Altoona PA 16601
Phone (814) 949-2456
Fax (814) 949-2203
inspections@altoonapa.gov



Richard Andrews
Cory Gehret
Matthew Gindlesperger
Horace McAnuff
William J. Stokan, Solicitor

William A. Frank, Jr.
2319 11th Avenue
Altoona, PA 16601

In Re: 2320-2322 Tenth Avenue

**REQUEST FOR SPECIAL EXCEPTION TO BUILD A 30x30 GARAGE
FOR PERSONAL USE IN A SINGLE HOUSEHOLD RESIDENTIAL
ZONE, Code 800-48 (C)(6) ACCESSORY STRUCTURES ON ADJACENT
LOTS IN COMMON OWNERSHIP**

Your Petitioner was represented by his paramour, Karen Ebersole.

Based on the testimony presented at the hearing on September 8, 2021, the Board makes the following:

FINDINGS OF FACT

1.

Your Petitioner has an ownership interest in the subject property.

2.

The requisite notices were made, and the property posted.

3.

The Petitioner would like to construct a 30x30 foot garage for personal use in a single household residential zone located at 2320-2322 Tenth Avenue.

4.

The garage will need to be located across the alley from your Petitioner's primary residence of 2319 11th Avenue, and thereby adjacent by definition along Tenth Avenue thereto.

5.

As such, a Special Exception Application and Request is necessary.

6.

The vehicles your Petitioner plans to place in the proposed garage are currently sitting exposed on the vacant lot.

7.

There is no space on the principal lot for construction of the garage.

8.

The garage doors on the proposed garage will face Tenth Avenue.

9.

There is sufficient space on the lot for the proposed garage and setbacks as required by the subject ordinances.

10.

The garage will not have a deleterious effect on the neighborhood, especially due to the fact that the vehicles are currently sitting “out in the open.” The vehicles would actually be sheltered by the proposed garage.

11.

No structures will need to be demolished in order to create the garage.

12.

From the foregoing testimony the Board makes the following:

CONCLUSIONS OF LAW

1.

Your Petitioner has adequately demonstrated compliance in and with the requirements for such a special exception under and by virtue of that required by Code 800-48 Section C, Subsection 6.

DECISION

WHEREFORE, THIS 30 DAY OF SEPTEMBER, A.D., 2021, THE BOARD GRANTS THE REQUEST OF YOUR PETITIONER;

PROVIDED, HOWEVER, THAT YOUR PETITIONER, OF COURSE, COMPLY WITH ANY AND ALL LAND USE RULES AND/OR REGULATIONS APPLICABLE AND PERTINENT THERETO, INCLUDING BUT NOT LIMITED TO, THE COMPLETION OF A SURVEY TO ENSURE THAT THE PROPOSED GARAGE SITS ON ONLY ONE LOT.

PETITIONER MUST, OF COURSE, MEET ANY AND ALL OTHER CITY, STATE AND FEDERAL REGULATIONS AND/OR REQUIREMENTS PERTAINING TO THE SUBJECT PREMISES, WHICH MAY BE OTHERWISE OUTSIDE OF THE JURISDICTION OF THE ALTOONA ZONING HEARING BOARD;

ANY AND ALL OTHER NECESSARY PERMITS INVOLVED MUST BE SECURED WITHIN SIX (6) MONTHS FROM THE DATE OF THIS NOTICE, OR THIS AUTHORIZATION SHALL BECOME NULL AND VOID WITHOUT FURTHER ACTION OF THE BOARD;

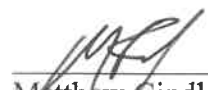
ANY PERSON AGGRIEVED BY THE DECISION OF THE ZONING HEARING BOARD MAY APPEAL THEREFROM TO THE COURT OF COMMON PLEAS WITHIN

THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE, IN THE MANNER SO PROVIDED BY LAW.

THE ZONING HEARING BOARD
OF THE CITY OF ALTOONA,

 9-21-21
Horace McAnuff, Acting Chair

 9/23/21
Cory Gehret

 9/29/21
Matthew Gindlesperger


Ted Beam

MAILED TO YOUR PETITIONER: Sept 30, 2021
Date

cc: William J. Stokan, Zoning Board Solicitor
Rebecca M. Brown, Director of Codes and Inspections

1301 12th Street, Suite 103
Altoona, PA 16601

Phone (814) 949-2456
Fax (814) 949-2203



Rebecca M. Brown
Director

Cory Gehret
Ted Beam

Matthew Gindlesperger
Horace McAnuff

Mariska Eash
William J. Stokan, Solicitor

William A. Frank, Jr.
2319 11th Avenue
Altoona, PA 16601

In Re: 2320-2322 10th Avenue, Altoona
**REQUEST FOR A SPECIAL EXCEPTION TO CONSTRUCT A 30x40
GARAGE FOR PERSONAL USE IN A SINGLE-HOUSEHOLD
RESIDENTIAL ZONE. CODE §800-48(C)(6).**

Your Petitioner appeared on his own behalf.

From the testimony presented at the hearing of May 8, 2024, the Board makes the following:

FINDINGS OF FACT

1.

Your Petitioner has an ownership interest in the subject property.

2.

Requisite notices were made, and the property posted.

3.

The subject property is owned on both sides of the subject lot by your Petitioner owning 2304-2330 Tenth Avenue.

4.

The request is to store his personal classic cars, and the garage will be located across the alley from your Petitioner's primary residence within the subject distance, and as such, falls within the definition of that being required by the Ordinance

5.

The vehicles the Petitioner otherwise wants to place in the garage are currently sitting and Exposed in the vacant lot.

6.

There is no space on the principal lot for a construction of the subject garage.

7.

The doors of the proposed garage will face Tenth Avenue. The garage will not have a deleterious effect on the neighborhood.

8.

The Board had previously made a similar grant and your Petitioner simply has failed to obtained the necessary permits within six (6) months from the date of the previous Decision.

From the foregoing testimony, the Board makes the following:

CONCLUSIONS OF LAW

1.

Your Petitioner adequately demonstrated compliance in and with and to that required by Code §800-48(C)(6) for such a special exception.

DECISION

WHEREFORE, THIS 6th DAY OF June ~~MAY~~, A.D., 2024, THE BOARD GRANTS THE REQUEST OF YOUR PETITIONER:

PROVIDED FURTHER, THAT YOUR PETITIONER MUST AND SHALL COMPLY WITH LAND USE RULES AND/OR REGULATIONS APPLICABLE AND/OR PERTINENT HERETO.

THE PETITIONER MUST, OF COURSE, MEET ANY AND ALL OTHER CITY, STATE AND FEDERAL REGULATIONS AND/OR REQUIREMENTS PERTAINING TO THE SUBJECT PREMISES, WHICH MAY BE OTHERWISE OUTSIDE OF THE JURISDICTION OF THE ALTOONA ZONING HEARING BOARD.

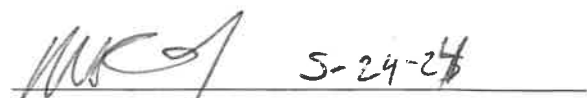
ANY AND ALL OTHER NECESSARY PERMITS INVOLVED MUST BE SECURED WITHIN SIX (6) MONTHS FROM THE DATE OF THIS NOTICE, OR THIS AUTHORIZATION SHALL BECOME NULL AND VOID WITHOUT FURTHER ACTION OF THE BOARD.

ANY PERSON AGGRIEVED BY ANY THE DECISION OF THE ZONING HEARING BOARD MAY APPEAL THEREFROM TO THE COURT OF COMMON PLEAS WITHIN THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE, IN THE MANNER SO PROVIDED BY LAW.

THE ZONING HEARING BOARD
OF THE CITY OF ALTOONA,


Cory Gehret


Horace McAnuff


Matthew Gindlesperger


Ted Beam

MAILED TO YOUR PETITIONER: June 6, 2024
Date

cc: William J. Stokan, Zoning Board Solicitor
Rebecca M. Brown, Director of Code, Inspections, Land Development, Zoning GIS

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: 1915 Valley View Blvd., Altoona, PA 16602

PURPOSE OF APPEAL: Variance requests from City Zoning Ordinance

DESCRIPTION OF PREMISES: Operation of a convenience store and construction of a new convenience store

USE OF PREMISES: Convenience Store

OFF-STREET PARKING: Yes

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

PROPERTY OWNER INFORMATION

Name: C.S.P. Investments, Inc.

Address: 243 Sheetz Way, Claysburg, PA 16625

Phone: (814) 312 1705 Email: kbrown@sheetz.com

APPLICANT INFORMATION:

Name: Sheetz Inc.

Address: 243 Sheetz Way, Claysburg, PA 16625

Phone: (814) 312 1705 Email: kbrown@sheetz.com

DESIGN PROFESSIONAL INFORMATION

Name: J. Benjamin Yeager, Esq.

Address: 350 Lakemont Park Blvd., Ste. 1, Altoona PA 16602

Phone: 814 941 2544 Email: jbyeager@jbylaw.com

SIGNATURE OF APPLICANT: Kelley Brown Digitally signed by Kelley Brown
DN: C=US, E=kbrown@sheetz.com, O=Sheetz,
CN=Kelley Brown
Date: 2026.05.21 11:25:00-0400 DATE: June 19, 2026

OFFICE
USE
ONLY

- | | | |
|--|--|--------------------------------|
| ☐ VARIANCE | ☐ APPEAL DETERMINATION | ☐ OTHER |
| ☐ SPECIAL EXCEPTION | ☐ APPEAL VIOLATION NOTICE | |

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

SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON: _____

CITY OF ALTOONA
ALTOONA PLANNING CODE
ZONING APPEAL
SHEETZ #354 ALTOONA REBUILD
NARRATIVE

Sheetz, Inc., intends to rebuild the largest Sheetz store located on Valley View Boulevard, 17th Street and Pleasant Valley Boulevard within the City of Altoona on the land owned by CSP Investments, Inc. (the "Property"). The existing Sheetz convenience store at this location has been operating since 2005. Attached to this Zoning Appeal Application and Narrative is the Site Plan and Rendering of the new Sheetz store. This new Sheetz store will have a fresh look and updated technology for customers. While the new store will be slightly larger than the older store, the operation of new store will be very similar to the existing store. Sheetz intends to totally rebuild this store making it a new and improved convenience store location. The complete rebuild of the Property is required to comply with the new City Zoning Ordinance. The purpose of this Application is to apply for variances from provisions of the City Zoning Ordinance, as referenced below. Please be advised that the vast majority of the requested variances would not have required any variance pursuant to the previous Zoning Ordinance.

As indicated on the Site Plan and rendering, this new Sheetz convenience store will be completely unrivaled in the convenience store industry. As always, Sheetz will operate beyond compare. The improved technology and overall operation of the Site with a new store will provide a better experience for customers and for Sheetz staff alike.

On behalf of Sheetz, Inc., Yeager & Seelye, Attorneys at Law, and Stiffler McGraw & Associates, Inc., are submitting this Zoning Appeal Application for the variances listed below to the City Zoning Ordinance. The Code Sections as listed below refer to the Code as adopted by the City Council of the City of Altoona through Ordinance Number 5833.

SECTION 800-20.B.1.D.

Impervious Coverage

Pursuant to the above-referenced Section, the impervious coverage shall not exceed 65% of the Property. We request that this site be allowed to have 85% of impervious coverage. Given the development and construction of the new Sheetz convenience store on the Property, the impervious coverage will actually be the same as the current convenience store operated on the Property. Furthermore, there are existing alleyways and/or roadways that pass through the lot that the public uses for neighboring businesses unrelated to the Sheetz convenience store. Sheetz maintains these roads and alleyways that exist on the Property as shown on the Site Plan and consolidated plan attached to the current Deed. The Property boundary line does not include

green space within the right of way on 17th Street or Valley View Boulevard. This green space is also maintained by Sheetz while it is located within the right-of-way.

It would cause an unnecessary and undue hardship for Sheetz to maintain a maximum of 65% of impervious coverage given the existing Sheetz convenience store and the development of an improved convenience store with the considerations above. The green space located on rights-of-way is a unique circumstance. This variance will in no way alter the character of the neighborhood, and as indicated, following the construction, it will improve the impervious coverage as compared to the existing convenience store located on the Property. The current convenience store did not violate the previous City Zoning Ordinance in this regard.

SECTION 800-20.B.2.

Parking Setback

Pursuant to this Section, the setback for primary street parking is twenty (20) feet. Sheetz requests that parking be permitted pursuant to the Site Plan closer than 20 feet from the primary streets. The boundary line of the Property does not include the green space surrounding the majority of the Property. Thus, the parking, as shown on the Site Plan, is less than 20 feet from the Property line. The Site Plan, incorporated herein, shows that the vast majority of the parking is very similar to the existing parking located on the Property.

The physical circumstances requiring a 20-foot setback for parking, including but not limited to, the green space included within the right-of-way and not on the Sheetz Property, would cause an unnecessary and undue hardship. Compliance with said Ordinance would not allow sufficient parking for the current store or reconstructed store.

SECTION 800-38

Drive-Thru Facilities

Pursuant to this Section, an access driveway providing access to a drive-thru facility may encroach into the required five (5) foot setback from the building at the point of contact between the driver and the drive-thru attendant. It is recommended, pursuant to this Section, that this be done through use of an extension on the building to reach the driveway rather than placing the driveway close to the length of the building wall. Pursuant to the Site Plan, there will not be an extension of the actual building for the drive-thru delivery point. The intended drive-thru is not a typical drive-thru with a window and an attendant. The Site Plan allows for a combined window and man door for an attendant to be able to hand orders to customers utilizing the mobile pickup lane, while also giving attendants flexibility to exit the store and deliver orders to parked vehicles. These deliveries will be strictly for pre-ordered online purchases and there will be no order point or speaker in the pickup lane for customers to utilize. This type of pick-up mechanism will decrease stacking and wait times in the pickup lane and simultaneously provide alternative methods of expedited order delivery to customers.

An extension to the building in the spot of this pick-up door would interrupt the flow of the parking lot and ultimately affect setbacks. This pick-up operation is not a typical drive-thru and thus Sheetz would ask that it not be subject to the provisions hereof.

SECTION 800-61.C.2.

Tree/Street Frontage

Pursuant to this Section, one (1) tree shall be planted along the street for every 30 feet of street frontage, equal distance apart, if possible. Sheetz requests it be permitted to have less than one (1) tree per 30 feet of street frontage. The Site Plan shows that the construction of a new Sheetz convenience store in the Property is very similar to the existing convenience store. As indicated, the green space surrounding the majority of the Property is on the right-of-way and not included within the parcel boundary lines. Planting a tree on the Property would not allow for the existing store nor the new convenience store to be structured in a manner consistent with the existing store or suitable for the new store.

The green space located on the rights-of-way is unique in this regard, and planting a tree for every 30 feet of frontage would cause unnecessary harm and undue hardship for the construction of the new Sheetz convenience store.

SECTION 800-61.E.1.

Foundation Landscaping

Pursuant to the above-referenced Section, landscaping shall include low shrubbery at a ratio of at least one (1) shrub for every ten (10) linear feet of wall and a high shrubbery tree for every twenty (20) linear feet of wall. As indicated on the Site Plan, Sheetz requests that the shrub requirement be less than one (1) shrub for every ten (10) feet and high shrub for every twenty (20) linear feet of wall. The Site Plan shows the intended shrubs to be planted around the site. Shrubs will be placed at the entrances to the convenience store and at locations around the parking. Sheetz is unable to develop shrubbery in the green space on the right-of-way as referenced above. As shown on the Site Plan, the new convenience store will actually contain an equal amount or even an additional amount of shrubbery as compared to the existing convenience store located on the Property. The amount of shrubbery contemplated would not require a variance under the previous City Zoning Ordinance.

The requirement for shrubbery pursuant to this Section is unnecessary and would, again, cause undue hardship for Sheetz. As indicated on the Site Plan, to comply with this provision of the Zoning Ordinance, Sheetz would require shrubs surrounding almost the entire convenience store. Given the space needed for sidewalks and safety, this would be impossible with the layout of the current Sheetz and also with the intended construction of the new Sheetz convenience store.

SECTION 800-61.F.1.a**Landscaping at ends of parking rows**

Pursuant to the above-referenced Section, parking lot landscaping is required at the end of all rows of parking spaces. The Site Plan indicates that the design of the new store will not allow landscaping at the end of every row of parking spaces. Sheetz would ask for a variance from this requirement as set forth on the Site Plan. Given that the parcel is surrounded by Valley View Boulevard, 17th Street and Pleasant Valley Boulevard, the ability for deliveries, including gas delivery, requires large commercial vehicles to access the Property. This is required for safe operation of the current convenience store. Pursuant to the past City Ordinance, islands were not required at the ends of the rows of all parking spaces. As indicated by the Site Plan, in order to safely allow fuel delivery vehicles, trash collection vehicles and other delivery vehicles to safely access the site, landscaping at the end of every row of parking spaces is not possible. The necessity of having landscaping islands at the end of the parking rows would not allow the safe operation and necessary turn radius for delivery vehicles.

The requirement of landscaping islands at the end of the parking rows is unnecessary and would cause undue hardship to Sheetz. Again, given the overall square footage of the parcel and the ongoing operation of the convenience store, there would be no other way for Sheetz to operate the store in the same fashion or provide safe access to necessary delivery systems at the Property.

SECTION 800-61.F.1.f**Stormwater Runoff in Parking Lot Islands**

Pursuant to the above-referenced Section, interior parking lot islands must be installed below the level of the parking lot surface to allow for storm water runoff capture. While we are proposing to create landscaped islands within the Property, we ask for a variance from the requirement to install the islands below the parking lot surface for storm water runoff collection. Several of the islands are located at high points or on sloping ground within the site, where storm water runoff capture is not practical. Other islands are located above underground utility lines, which would create conflicts with the drainage facilities that would be necessary to drain the islands.

The requirement to install parking lot islands below the level of the parking lot surface is unnecessary in that the project will still be designed to meet the water quality standards contained in the City of Altoona's Stormwater Management Ordinance using best management practices approved by both the City and the Pennsylvania Department of Protection. The installation of islands below the parking lot surface will provide no additional benefit.

SECTION 800-65.C.1.**Dumpster Location**

Pursuant to the above-referenced Section, the trash dumpster shall be located at the rear of the Property, outside of public view to the greatest extent feasible. The current convenience store location and intended rebuilt convenience store location arguably does not have a “rear” nor “front” of the Property. The Property is surrounded by Valley View Boulevard, 17th Street and Pleasant Valley Boulevard. Pursuant to the Site Plan, the dumpster will now be located outside of view within a protected concrete walled bay with locked gates on the Property on the corner of Pleasant Valley Boulevard and 17th Street. The concrete bay will be locked and will be accessed only by Sheetz employees and for trash hauling purposes. The location on the Site Plan of the dumpster is imperative for trash collection from the fueling bays. Sheetz intends to install a vacuum system from the garbage receptacles at the fueling bays which will automatically deposit trash from the receptacles through an underground vacuum to the location of the dumpster. This mechanism will serve to keep littering and trash from being more easily deposited on the ground and requiring clean up. Given the necessity of the underground tubes, it would be an undue hardship to run these lines underneath the actual convenience store to a trash dumpster at some other place on the Property.

The Property being surrounded by Valley View Boulevard, 17th Street and Pleasant Valley Boulevard presents physical challenges for delivery vehicles as well as trash hauling. The location of the dumpster, as set forth on the Site Plan, will make trash hauling the easiest and will serve to increase the cleanliness of the Property located on these main thoroughfares.

SECTION 800-71.A.7.**Roof Signage**

The above-referenced Section does not allow for roof signs. Pursuant to the Rendering of the intended new Sheetz store location, there will be a sign on a portion of the roof of the new convenience store. While this sign will be located on a portion of the roof of the new convenience store, the sign will ultimately be lower than the highest point of the roof, given the pitch as shown on the Rendering. This signage will result in less signage on the Property and walls of the new convenience store.

As noted, the sign on a portion of the roof will not be the highest point of the roof as shown in the Rendering. Using this portion of the roof will allow the signage to be easily recognized by customers, will eliminate the need for more signage on the ground, and will allow for the development of the convenience store as noted in the Site Plan.

CONCLUSION

All variances must comply and meet the requirements of Section 910.2 of The Pennsylvania Municipalities Plannings Code. Section 910.2 is set forth in the definitions of the City Planning Code at Section 800-88.

All of the above requested variances are not contrary to the public interest and are all due mainly to the peculiar physical condition of the Property. Enforcement of the regulations in every instance will result in an unnecessary and undue hardship to Sheetz and the conditions set forth are not due to the actions of Sheetz.

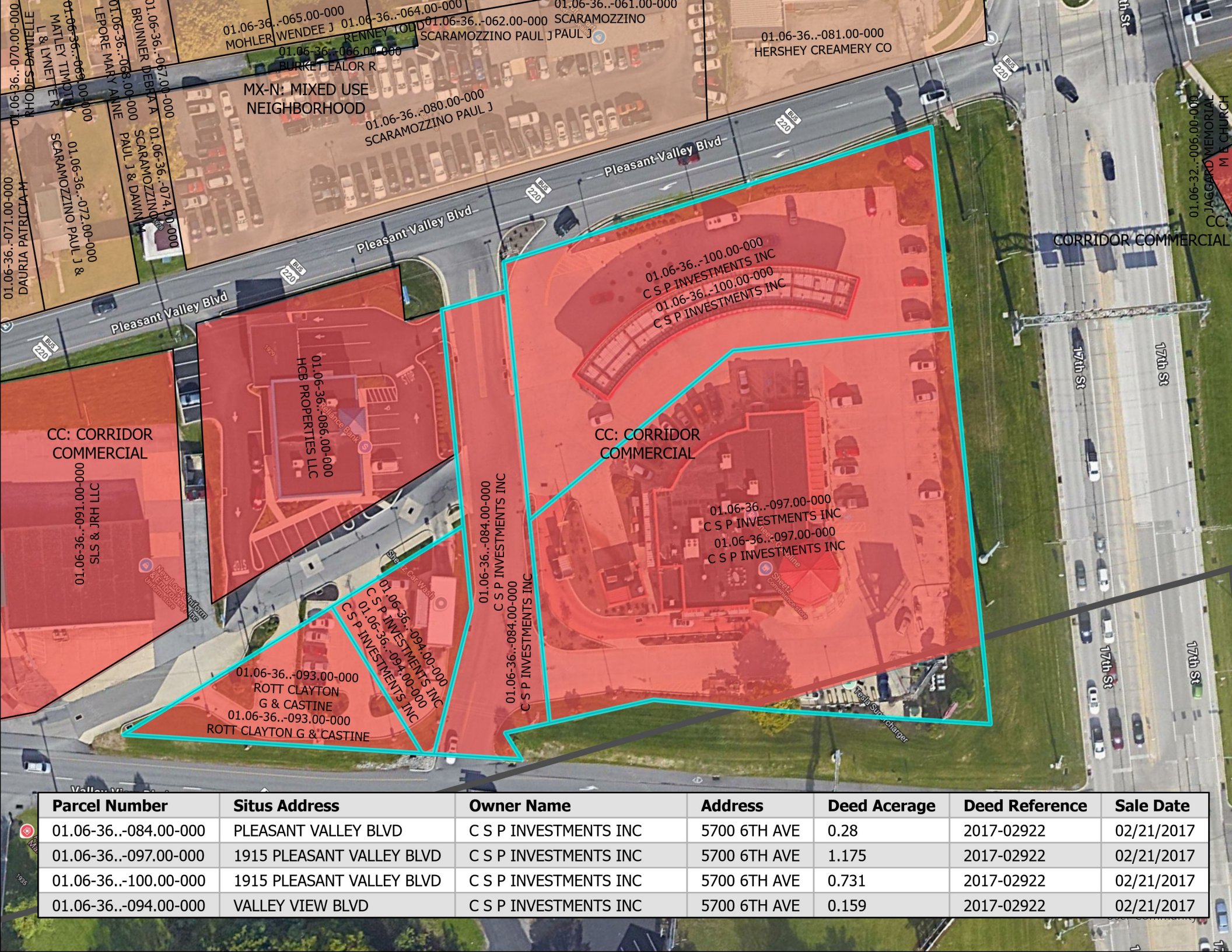
The existing Sheetz store could not be developed in conformity with the current Zoning Ordinance. As stated, the new Sheetz store will only be an improvement to an already existing store. The variances requested are reasonable to this ongoing use.

The authorization of the variances will in no way alter the character of the neighborhood in which the Property is located, will not impair the use or development of the Property, and will not be detrimental to the public welfare. On the contrary, the authorization of these variances will only improve the neighborhood and improve an already thriving location.

The above requested variances represent a minimum variance from the Zoning Ordinance, which will afford the necessary relief and will represent the least amount of modification from the Code.







Parcel Number	Situs Address	Owner Name	Address	Deed Acreage	Deed Reference	Sale Date
01.06-36.-084.00-000	PLEASANT VALLEY BLVD	C S P INVESTMENTS INC	5700 6TH AVE	0.28	2017-02922	02/21/2017
01.06-36.-097.00-000	1915 PLEASANT VALLEY BLVD	C S P INVESTMENTS INC	5700 6TH AVE	1.175	2017-02922	02/21/2017
01.06-36.-100.00-000	1915 PLEASANT VALLEY BLVD	C S P INVESTMENTS INC	5700 6TH AVE	0.731	2017-02922	02/21/2017
01.06-36.-094.00-000	VALLEY VIEW BLVD	C S P INVESTMENTS INC	5700 6TH AVE	0.159	2017-02922	02/21/2017

Section 800-20

Corridor Commercial - (C-C)

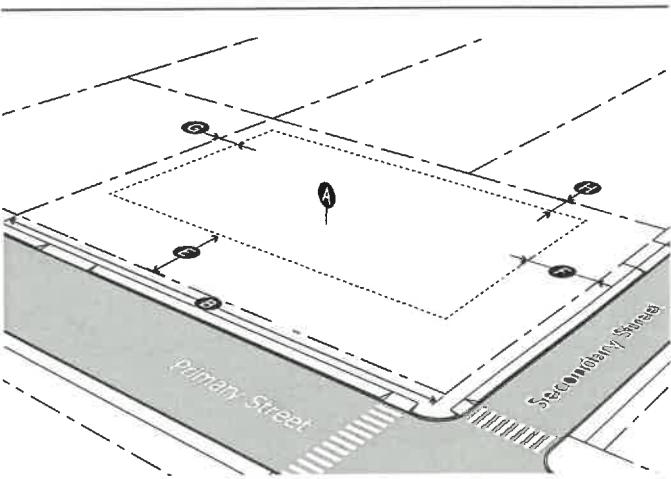
Corridor Commercial (CC)

A. Purpose

The intent of the Corridor Commercial district (CC) is to provide areas along Business Route 220 for a mix of commercial and business related development servicing both city residents and visitors. High standards for development will help balance the needs of local businesses, residents, and visitors while improving multi-modal opportunities and overall aesthetic quality.

CC

B. Lots & Parking



1. LOT AREA AND COVERAGE

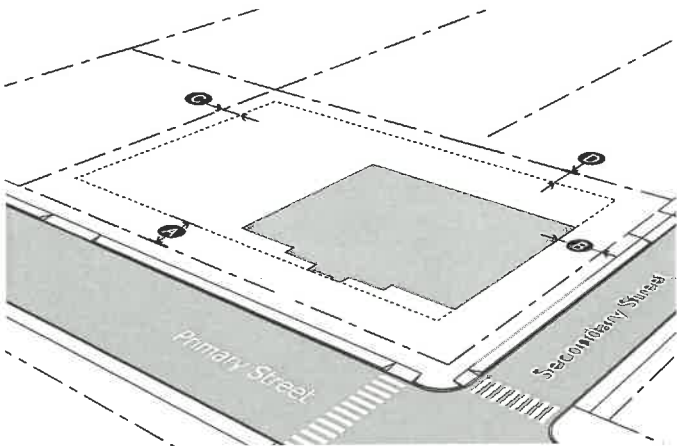
A	Lot area [min]	6,000 sf
B	Lot width [min]	50 ft
C	Frontage	50 ft
D	Lot coverage [max]	65% ¹

¹ Includes all impervious surfaces.

2. PARKING LOCATION, SETBACKS, AND ACCESS

E	Primary street yard [min]	20 ft
F	Secondary street yard setback [min]	20 ft
G	Side yard setback [min]	10 ft
H	Rear yard setback [min]	10 ft
I	Driveway width [max]	See Chap 300

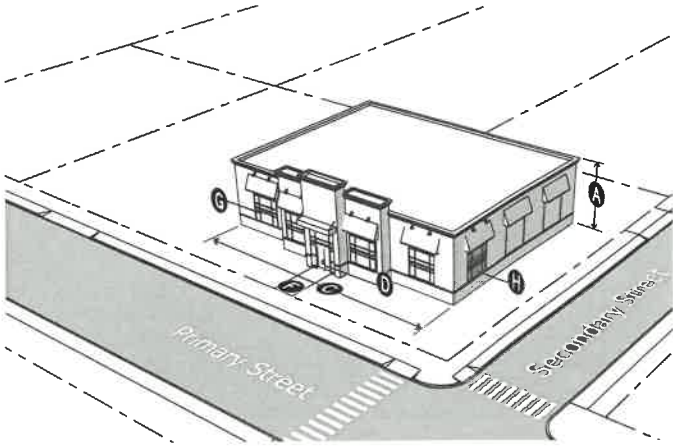
C. Building Placement



1. PRIMARY BUILDING SETBACKS

A	Primary street setback [min]	15 ft
B	Secondary street setback [min]	15 ft
C	Side setback [min]	10 ft
	Abutting a residential lot line	15 ft
D	Rear setback [min]	10 ft
	Abutting a residential lot line	15 ft

D. Building Composition



1. HEIGHT

A	Building height [max stories / feet]	3 / 42 ft
B	Minimum	22 ft

2. WIDTH

C	Primary street facing building width [max]	175'
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3. ENTRANCE

D	Primary street facing entrance	Required
E	Distance between street-facing entrances [max]	80 ft
F	Sidewalk from entrance to public sidewalk	Required

4. TRANSPARENCY

G	Primary street ground story [min]	30%
H	Secondary street ground story [min]	20%

Section 800-38

Drive-through Facilities.

7. The City Fire Department must inspect and approve each dormitory according to their requirements before the hearing, and annually thereafter.
8. For each dormitory, updated lists of tenant names, as well as the responsible party or property manager, must be provided to the Zoning Officer. Any change in residents or management must be so reported within 24 hours of the change. The property owner bears the onus for reporting this information as required.
9. All interior and exterior repairs to smoke/carbon dioxide detectors or other life/safety violations required by any City code must be made within 10 days of notice. All other required repairs must be made within 45 days of notice.

Drive-through Facilities

- A. An access driveway providing access to a drive-through facility may encroach into the required five-foot setback from the building at the point(s) of contact between the driver and the drive-through attendant. It is recommended that this be done through use of an extension on the building to reach the driveway rather than placing the driveway close to the length of the building wall.
- B. Service windows, drawers, or similar devices shall protrude from the building across the one-foot setback.
- C. A face-to-face setup shall be used for all drive-through facilities to eliminate speaker noise. Alternatives may be considered by the Zoning Officer or Planning Commission where it can be shown that transactions will not be heard at the lot line at any time of day or night.
- D. The exterior edge of the driveway shall be planted with a three-foot-high hedge to screen automotive lights and noise.
- E. Drive-through driveways shall provide stacking for a minimum of five cars without interfering with parking lot operations, bicycle and pedestrian flow, or street traffic. Alternative designs may be considered where multiple windows or lanes are proposed.

Section 800-39

Educational Services

Educational Services

- A. The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- B. The appearance of the building should be residential in character (i.e., scale, compatible building materials, window transparency, an articulated footprint, varied facade, etc.).
- C. Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- D. There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.

Section 800-61

Landscaping, Buffering, and Screening

between uses in business districts. This requirement can be invoked even if there is no existing connection on the opposite side of the property line as a planned future connector. See Chapter 300 Driveways for further guidance.

Landscaping, Buffering, and Screening

A. Purpose.

To provide standards to enhance the visual quality of the city by creating aesthetically pleasing barriers between different land uses, minimizing visual impacts, protecting privacy, reducing noise pollution, and preserving natural features, thereby improving property values and promoting overall environmental health and compatibility within the city.

B. Applicability

1. Except for lots with a single- or two-unit residential principal structure, every building or land use established as new construction shall provide landscaping, buffering, and screening in accordance with the minimum requirements set forth in this section.
2. For additions and site modifications, the standards of this section apply when the size (i.e., total floor area) of an existing structure or use is expanded or enlarged by 30 percent or more. In the case of such expansions or enlargements, additional landscaping, buffering, and screening is required to serve only the enlarged or expanded area.

C. Street Trees

1. All land development proposals shall include street trees to be planted between the sidewalk and the curb. If there is no sidewalk, street trees may be planted within 10 feet of the curb.
2. Throughout the City, one tree shall be planted along the street for every 30 feet of street frontage, equidistantly if possible. Trees shall be installed in the Mixed-Use Center (MX-C) zoning district as directed in this section. All calculations shall be rounded up.
3. Trees to be planted shall have a minimum diameter of two inches at a point four feet above the ground. All stock shall be nursery-grown, balled, and burlapped as well as meet the standards of the American Standard for Nursery Stock (ANSIZ-60.1) at the time of planting.
4. The species of the street trees to be planted shall be selected with regard to the presence or absence of overhead utilities, underground utilities, or sidewalks. A list of approved street trees species can be provided by the Zoning Officer.
5. Tree grates or decorative fencing or rubber tree wells may be required to protect new trees in dense areas or other high-traffic areas.
6. Trees shall be planted in the following manner:
 - a. Each tree to be planted shall be placed in a hole dug one foot wider and one foot deeper than any part of the root ball.

- b. Soil to be replaced around the root ball is to be a good quality loam.
 - c. The root ball shall be placed two inches deeper than the surrounding undisturbed soil to create a depression that holds water.
 - d. Each tree shall be watered immediately after planting to settle the soil and moisten the roots.
 - e. Trees shall have temporary labels attached so inspectors can determine compliance with the approved plan.
 - f. The developer is responsible to guarantee all planted trees live through one complete growing season.
7. Existing trees may be used to meet the requirements of this section if each tree is healthy and if its dripline (the area underneath the branches' leaves) is protected from soil disturbance and compaction through the development process.

D. Buffer Yards

- 1. All proposals shall include a buffer area as defined herein. A buffer yard is intended to separate incompatible uses via a horizontal linear distance. Landscaping for these buffer yards is discussed in below.
- 2. Buffer yards shall be calculated based on the incompatibility of adjacent land uses. These uses are as follow:
 - a. Class 1. Open space, passive recreation, parks, detached single-household residences.
 - b. Class 2. All other residential, primary schools, active recreation, cultural facilities, and religious institutions.
 - c. Class 3. Offices, small retail and storefront businesses.
 - d. Class 4. Commercial recreation, conference centers, motels, hotels, retail, secondary schools, public safety providers, office parks.
 - e. Class 5. Wholesale, warehousing, light industry, shopping centers, public works (government), convenience stores, drive-throughs, gas stations.
 - f. Class 6. Heavy industrial, regional shopping centers, malls, stadiums, railroads, transportation terminals, limited access highways.
- 3. Buffer yards shall be provided by the applicant along the perimeter of the site or lot and shall extend to the edge of the property.
- 4. Different buffer yards may be required where the incompatibility differs.
- 5. No parking, structures, dumpsters, light standards shall be permitted in a buffer yard.
- 6. Buffer yards may be used for passive recreation and trails, provided the required distances and landscaping are maintained.

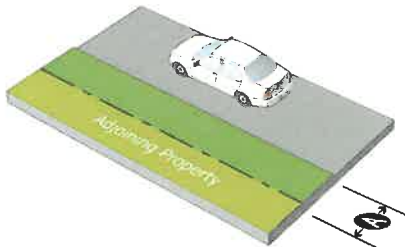
- 7. Buffer yards may be split where an access drive must cross perpendicular to the street or an adjoining property.
- 8. The table below indicates the required Buffer Type between the Adjacent Use Classes:

MINIMUM REQUIRED BUFFER YARD						
USE CLASS	1	2	3	4	5	6
1	Type 1	Type 2	Type 3	Type 4	Type 5	Type 6
2	Type 2	Type 1	Type 3	Type 4	Type 5	Type 6
3	Type 3	Type 3	Type 3	Type 4	Type 4	Type 4
4	Type 4	Type 4	Type 4	Type 4	Type 4	Type 4
5	Type 5	Type 5	Type 5	Type 5	Type 5	Type 5
6	Type 6	Type 6	Type 6	Type 6	Type 6	Type 6

E. Frontage/Perimeter/ Foundational Landscaping

- 1. Landscaping shall include low shrubbery at a ratio of at least one shrub for every ten linear feet of wall and high shrub or tree for every 20 linear feet of wall. These quantities are in addition to the required plant quantities for buffers.

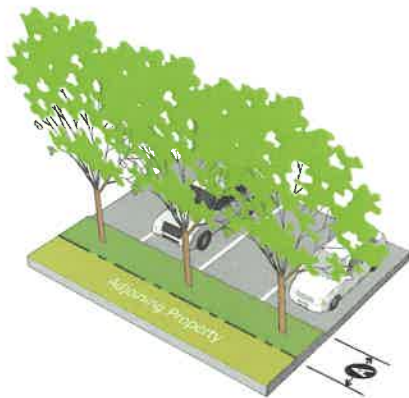
Type 1



BUFFER AREA

A Depth [min] 5 ft

Type 2

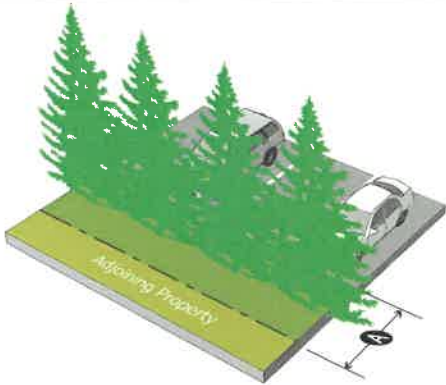


BUFFER AREA

A Depth [min] 5 ft
Canopy Trees [min per 25 ft] 3

Type 3

Lots More Than 30 feet Wide



or



BUFFER AREA

A	Depth [min]	10 ft
	Evergreen Trees [min per 25 ft]	4

BUFFER AREA

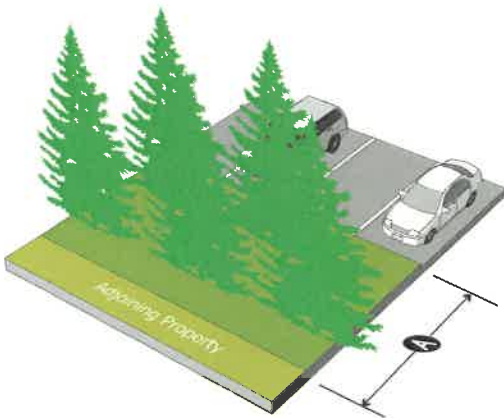
A	Depth [min]	5 ft
	Canopy Trees [min per 25 ft]	3

FENCES AND DECORATIVE WALLS

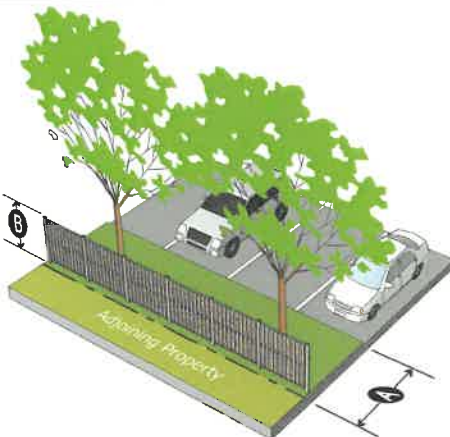
B	Height [max]	6 ft
	Opacity	90%
	Setback from Property Line	0 ft

Type 4

Lots More Than 75 feet Wide



or



BUFFER AREA

A	Depth [min]	20 ft
	Evergreen Trees [min per 25 ft]	5

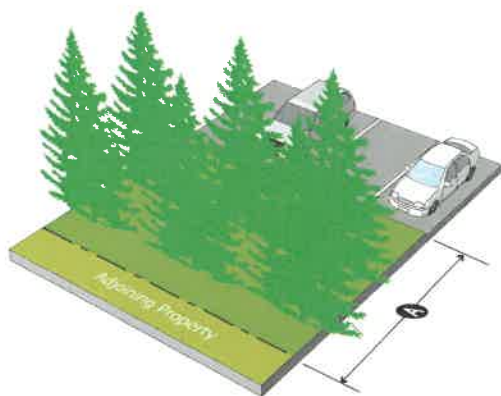
BUFFER AREA

A	Depth [min]	10 ft
	Canopy Trees [min per 25 ft]	2

FENCES AND DECORATIVE WALLS

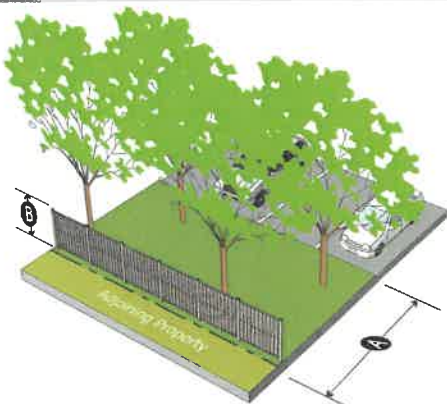
B	Height [max]	6 ft
	Opacity	90%
	Setback from Property Line	0 ft

Type 5



Lots More Than 75 feet Wide

BUFFER AREA	
A	Depth [min] 25 ft
	Evergreen Trees [min per 25 ft] 6

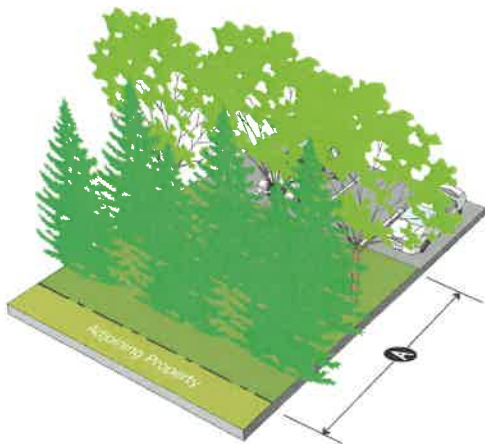


Lots Less Than 75 feet Wide

BUFFER AREA	
A	Depth [min] 20 ft
	Canopy Trees [min per 25 ft] 4

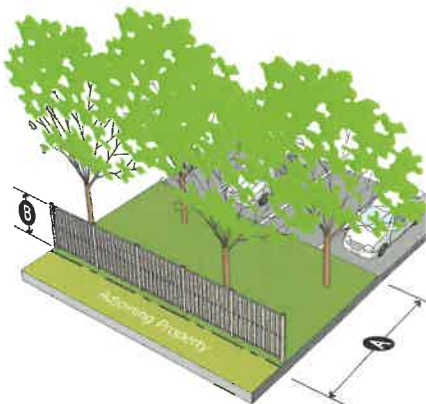
FENCES AND DECORATIVE WALLS	
B	Height [max] 6 ft
	Opacity 90%
	Setback from Property Line 0 ft

Type 6



Lots More Than 150 feet Wide

BUFFER AREA	
A	Depth [min] 30 ft
	Evergreen Trees [min per 25 ft] 6
	Canopy Trees [min per 25 ft] 3



Lots Less Than 150 feet Wide

BUFFER AREA	
A	Depth [min] 20 ft
	Canopy Trees [min per 25 ft] 4

FENCES AND DECORATIVE WALLS	
B	Height [max] 8 ft
	Opacity 90%
	Setback from Property Line 0 ft

- a. Shrubs and trees may be distributed throughout the site, rather than concentrated solely at the foundation wall, subject to review and approval by the Planning and Zoning Officer.
 - b. This requirement does not apply to proposed development or redevelopment projects in the Mixed-Use Center (MX-C) zoning district.
2. The landscaped area for perimeter landscaping shall be consistent with the required buffer yard area.
3. The perimeter landscaping area shall be seamlessly integrated with the street tree requirements as well as the interior landscaping and foundational landscaping requirements:
 - a. Along the frontage, the area shall be planted with shrubs and trees to provide a pleasant driving and walking atmosphere and to minimize the impact of the project on the street. Frontage/perimeter landscaping must be designed so it does not interfere with drivers entering and leaving the property.
4. Elsewhere the plantings shall be designed to screen and filter out noise, light, and odor produced by the proposed development and create a full screen within five years.
5. The required setback between parking lots and buildings shall be landscaped to eliminate large expanses of blank wall.

F. Parking Lot Landscaping

1. Interior landscaping shall be required between the frontage/perimeter and foundational landscaping, particularly in the parking lot. Landscaping shall be required to provide definition and traffic control within a parking lot as follows:
 - a. Parking lot islands are required at the end of all rows of parking spaces.
 - b. No more than 20 consecutive parking spaces may be provided without a landscape interior island.
 - c. Interior islands must be distributed evenly throughout the parking lot. Interior islands may be consolidated, or intervals may be expanded to preserve existing trees.
 - d. An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 150 square feet in area. Each island must include 1 canopy tree and shrubs or groundcover plantings for full coverage of the island at the time of maturity.
 - e. An interior island abutting a double row of parking spaces must be a minimum of 9 feet in width and 300 square feet in area. Each island must include 2 canopy trees and shrubs or groundcover plantings for full coverage of the island at the time of maturity.
 - f. Interior islands must be installed below the level of the parking lot surface to allow for storm water runoff capture. A six-inch

Section 800-62

Site and Building Design

high-backed concrete curb, with openings for drainage into the landscaped island, is required. Plantings shall be of a species known to thrive in periodically wet soil conditions.

- g. Parking lot islands are required between rows of parking spaces and access drives which do not provide direct access to individual parking spaces.
- h. Directional islands are required along travel corridors within the parking lot and to separate a loading area from the main parking lot. The following standards apply:
 - 1. Islands shall be 5 feet wide.
 - 2. Directional islands must be installed below the level of the parking lot surface to allow for stormwater runoff capture. These islands shall have a six-inch high-backed concrete curb, with openings for drainage into the landscaped island.
 - 3. Within each island, there shall be one tree for each 18 feet of length. Where the length does not equal an exact multiple of 18, the nearest multiple (by standard rounding) shall be used.
 - 4. For each tree required in the island, six shrubs shall be required. Shrubs shall grow to a sufficient height and thickness to clearly define the presence of the island to passing motorists but shall not be so high to impede motorists' view of traffic within the parking lot. Shrubs growing between two and four feet are generally acceptable.
 - 5. Directional islands surrounding loading areas shall be screened with thick, high shrubbery, except where such height inhibits motorists' ability to see other traffic in the facility.
 - 6. Trees planted shall meet the specifications for street trees.

Site and Building Design

A. Purpose

- 1. To provide standards for the development of new buildings and structures that have quality of design, provide visual interest and detail, and contribute to a consistent urban building fabric.

B. Applicability

- 1. Except for lots with a single- or two-unit residential principal structure, every building or lot established as new construction shall be in accordance with the minimum requirements set forth in this section.
- 2. For additions and facade modifications, the standards of this section apply unless the Zoning Officer or the Planning Commission

**Section
800-65****Dumpster
Screening and
Placement****C. Exterior Lighting Standards**

1. Light sources shall be concealed or shielded to minimize the potential for direct glare and unnecessary diffusion on adjacent property, rights-of-way, and streets and shall be directed downward.
2. The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site.
3. On-site lighting fixtures in residential developments must not exceed 16 feet in height. For nonresidential developments with structures 35 feet or less in height, fixtures must not exceed 20 feet in height. For nonresidential structures greater than 35 feet in height, fixtures must not exceed 30 feet in height.
4. Except for decorative lighting aimed at highlighting a feature of the building, building-mounted lights shall be installed so that all light is directed downward.
5. Flood light fixtures must either be aimed down at least 45 degrees from vertical or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.
6. Interior or exterior flickering, pulsating, flashing lights, neon tubing or lights, high- and low-pressure sodium lights, and any other lights that could distract or confuse a motorist are prohibited.
7. For commercial developments, parking lot lighting shall be illuminated only from dusk to closing and from opening until dawn. Other lighting on the property shall be reduced by 75% during these periods.
8. Street lighting shall be required and installed pursuant to the standards established by the Director of Public Works.

Dumpster Screening and Placement**A. Purpose**

To provide screening standards is to reduce visual clutter, minimize odor, and enhance the overall appearance of developments by ensuring waste and recycling containers are properly enclosed and screened from public view and adjacent properties.

B. Applicability

1. All new construction.
2. Additions.
3. Site modifications.

C. All commercial developments shall comply with the following standards for the placement and screening of dumpsters and similar refuse containers:

1. Location: Dumpsters shall be located at the rear of the property,

Section 800-66

Fences and Walls

outside of public view to the greatest extent feasible. Placement shall not obstruct drive aisles, fire lanes, or required parking spaces.

2. Screening: All dumpsters shall be fully enclosed within a masonry screening structure that complements the materials and colors of the primary building. If concrete masonry units (CMU) or concrete blocks are used, any exposed surfaces must feature a split-faced finish.
3. Gates and Doors: Each enclosure shall include opaque, solid doors that fully conceal the contents of the dumpster when closed. Acceptable materials include metal or wood. Slatted fencing or vinyl/plastic doors are not permitted. Doors shall remain closed when the dumpster is not in use.
4. Foundation: Dumpsters shall be placed on a poured concrete pad designed to support the weight of a fully loaded dumpster and collection vehicle.
5. Maintenance: Enclosures and gates shall be maintained in good condition and kept free of damage, graffiti, and accumulated debris.

Fences and Walls

- A. Fences and walls may be erected, altered, and maintained in any residential district within the setbacks, provided that:
 1. Any wall or fence forward of the front yard setback shall not exceed 4 feet in height. A fence 6 feet in height shall be permitted when located behind the front facing building facade.
 2. Any fence in the rear yard or side yard shall be permitted a maximum height of 6 feet.
- B. Fences and walls may be erected, altered, and maintained in commercial and industrial district within the setbacks, provided that:
 1. Businesses or institutions may build security fences up to 8 feet in height forward of the front setback line if the fences are at least 50% transparency and do not block visibility at intersections.
 2. Any fence in the rear yard or side yard shall be permitted a maximum height of 8 feet. Such fences may extend upward a maximum height of 10 feet if the fence maintains at least 50% transparency. This provision shall not apply to retaining walls or vegetated screening.
- C. Fences and walls may be erected, altered, and maintained in front yards, provided that the provisions of § 800-13, Obstruction to vision, and Subsection A(1) of this section are met.
- D. Barbed wire, razor wire and aboveground electric fences shall not be permitted.
- E. Where a screening provision requires a taller wall or fence, the screening requirement supersedes.

**Section
800-71**

Prohibited Signs

Prohibited Signs

A. All signs that are not expressly permitted under this chapter or exempted from its regulations by § 800-70 are prohibited from the City of Altoona. Unless specifically permitted elsewhere in this Article, the following signs are prohibited:

1. Flashing, blinking, or signs that vary light intensity, including scrolling messages and video.
2. Beacons or search lights.
3. Pennants.
4. Inflatable signs.
5. Tethered balloons.
6. Obscene signs that contain profanity, explicit symbols or images, or sexually suggestive signs.
7. Roof signs.
8. Snipe signs.
9. Flat panel, box or cabinet signs.
10. Pylon signs.
11. Rotating or animates signs involving motion or sound.
12. Signs intended to move or flutter in the wind to attract attention.
13. Signs that imitate an official traffic sign or signal.
14. Vehicle signs.
15. Off-premises signs.
16. Any other sign not expressly permitted in this Article.



PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT
1301 12TH STREET, SUITE 400
ALTOONA, PA 16601
(814) 949-2465

ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON THE REVERSE SIDE)

PROPERTY LOCATION: 4200 Industrial Park Drive, Altoona, PA - Tax Parcel No. 01.00-01RR--006.04-000
PURPOSE OF APPEAL: To obtain a variance to Section 800-52 of the zoning ordinance to allow applicant to construct ground mounted solar panels.
DESCRIPTION OF PREMISES: Vacant land adjacent to existing building and parking lot
USE OF PREMISES: Vacant land
OFF-STREET PARKING: Existing parking lot at adjacent building

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

PROPERTY OWNER INFORMATION

NAME: The RADD Development Co.	
ADDRESS: 3900 Industrial Park Drive, Altoona, Pennsylvania 16601	
PHONE: (814) 949-8280	EMAIL: acohen@blaircompanies.com

APPLICANT INFORMATION

NAME: The RADD Development Co.	
ADDRESS: 5107 Kissell Avenue, Altoona, PA 16601	
PHONE: (814) 949-8280	EMAIL: acohen@blaircompanies.com

DESIGN PROFESSIONAL INFORMATION

NAME:	
ADDRESS:	
PHONE:	EMAIL:


SIGNATURE OF APPLICANT

5-22-2026
DATE

OFFICE USE ONLY

☐ VARIANCE \$500.00	☐ APPEAL DETERMINATION \$500.00	☐ OTHER
☐ SPECIAL EXCEPTION \$500.00	☐ APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? ☐ YES ☐ NO ☐ UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

Narrative

Applicant, RADD Development Co (“RADD”), files this appeal as a request for a variance from Section 800-53(3) which prohibits ground mounted solar photovoltaic systems in all zones in the City of Altoona. The subject parcel is owned by Altoona-Blair County Development Corporation (“ABCD”). ABCD has entered into an option agreement to sell the parcel to South Altoona, LLC. The applicant is looking to use a sustainable energy source so that its tenant, Blair Image Elements, can control utility costs, comply with their own customer requests for sustainable energy, and support sustainable energy initiatives promoted by the State and Federal government.

The subject parcel, which is set off Industrial Park Road adjacent to the ABCD building at 3900 Industrial Park Drive is zoned as IG – Industrial General. IG zones are intended to be used for heavy industrial purposes. IG zones are the only zones in the City of Altoona which permit use as cold storage plants, food processing plants, distribution centers, mining operations, truck terminals, and medical testing laboratories. The idea underlying these zones is that they are quite distinct from the residential and commercial zones where aesthetic, noise, and pollution concerns are greater.

In particular, the zoning ordinance allows for the erection of communication antennas in IG zones and only IG zones. This provides the best analog to the ground-based solar fields that the Applicant proposes to construct at the subject property. The same aesthetic objections are made in regard to communications antennas as ground-based solar systems. Some people think they are eyesores. However, in most cases the communications antennas are far more obtrusive than ground-based solar panels. Communications antennas are generally hundreds if not thousands of feet tall and are visible from afar. The proposed solar units are under six feet tall and are only visible at close range. The unique nature of this parcel further obscures their visibility from the general public. The area where they are to be constructed is in a small alcove between the busier Broad Avenue and Sixth Avenue that is generally only accessed by people with business in the direct vicinity. It is surrounded by industrial businesses, including the railway, Blair Image Elements, MacDermid Alpha Electronics Solutions, 84 Lumber, Synthex Organics, Bryce Saylor & Sons, Professional Performance Auto, and Secure Nest Storage.

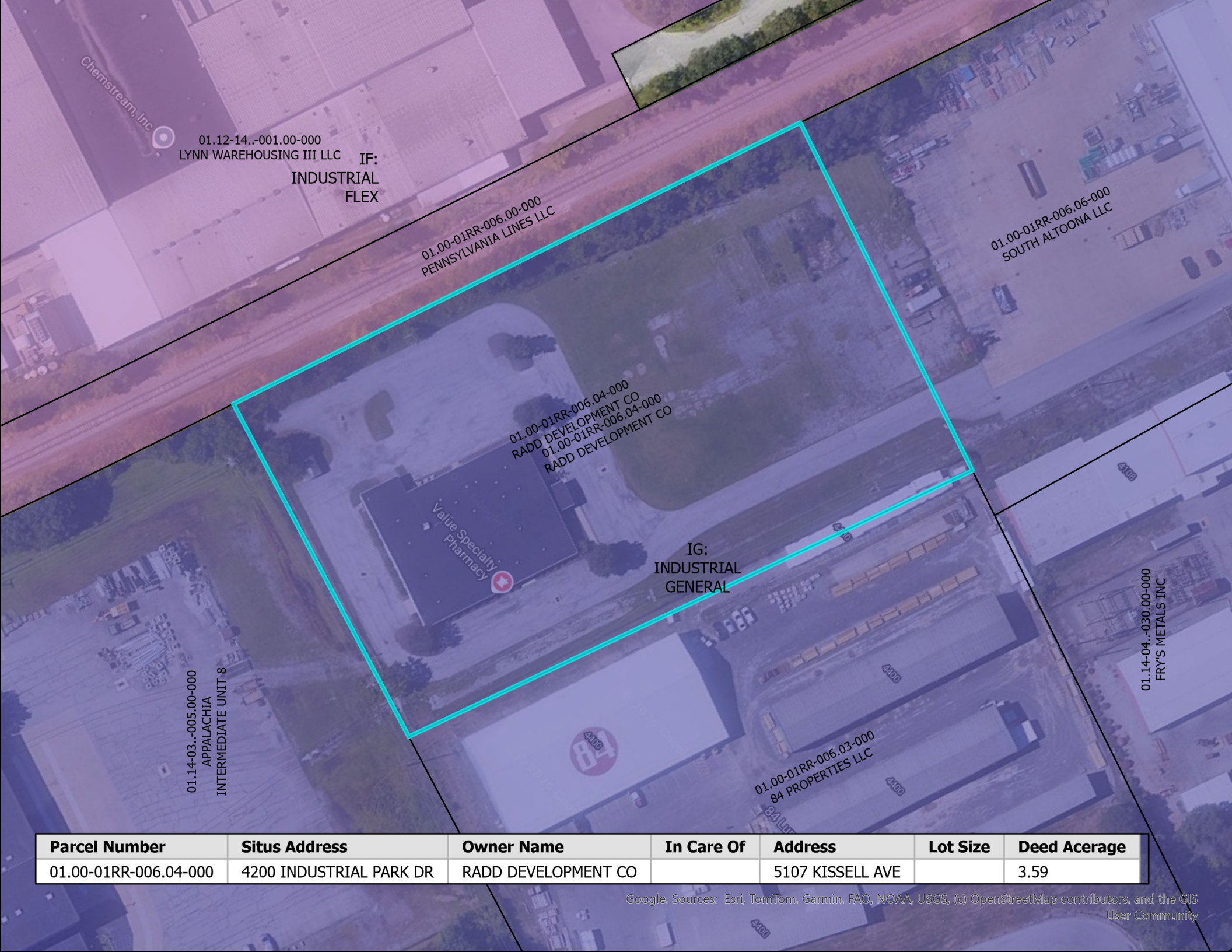
Additionally, the area is a reclaimed brownfield, and any building or excavation on the site would be extremely costly if not impossible due to an environmental covenant encumbering the property and DEP regulations requiring what would be needed to build there economically.. The inability to build ground-based solar on the site inflicts an unnecessary hardship on the applicant or any other party that wishes to develop the property. Uses like the construction of a solar field are among the vanishingly few remaining viable options for use of the parcel. A variance to allow such use is necessary to enable the reasonable use of the property. This land has been offered for development for many decades with no interest.

The hardship imposed by the environmental condition of the property was not created by the current owner, Altoona-Blair County Development Corporation, nor by the Applicant. The conditions are as a result of the historical use of the site as a railroad facility.

As mentioned above, the installation of solar panels at the site would be congruous with industrial uses and directly analogous to the permitted use of communications antennas. As an industrial neighborhood, there would be no alteration of the essential character of the area if a variance were granted and the solar layout constructed. Allowing this variance would represent the minimum variance to afford relief. It is a small but appropriate measure to bring the property in question to productive use with the minimum of offense to the zoning ordinance and the neighborhood overall.

Furthermore, ground-mounted solar photovoltaic systems represent a commitment to sustainable energy sources that align with the goals of reducing carbon footprints and promoting renewable energy initiatives. By granting this variance, the City of Altoona would not only support an environmentally friendly project but also encourage the transition towards cleaner energy solutions that can benefit the community in the long run. This project would contribute to diversifying energy sources, reducing reliance on any one type of fuels, and helping mitigate any negative effects of burning fossil fuels, which is increasingly important in today's energy landscape. It demonstrates a forward-thinking approach to land use that prioritizes sustainability while still respecting the distinct character of the industrial zone. Allowing the installation of solar panels on this site would thus serve as a model for sustainable development within the city, showcasing the potential for industrial properties to transition into renewable energy sources without compromising the integrity of the surrounding area.





Parcel Number	Situs Address	Owner Name	In Care Of	Address	Lot Size	Deed Acerage
01.00-01RR-006.04-000	4200 INDUSTRIAL PARK DR	RADD DEVELOPMENT CO		5107 KISSELL AVE		3.59

**Section
800-53****Solar Photovoltaic
Systems****Solar Photovoltaic Systems**

- A. It is the purpose of this regulation to promote the safe, effective and efficient use of installed solar energy systems that reduce consumption of utility delivered energy while protecting the health, safety and welfare of adjacent and surrounding land uses and properties. No solar energy system or device shall be installed or operated in the City of Altoona except in compliance with the following:
1. These regulations apply to all building-mounted systems installed and constructed after the effective date of this Chapter.
 2. All building-mounted systems are permitted in all zoning districts as an accessory use only to any lawfully permitted principal use on the same property upon issuance of the proper permits and upon compliance with all requirements of this section and as elsewhere specified in this Chapter.
 3. Ground mounted solar photovoltaic systems are prohibited.
 4. Before any construction or installation on any solar PV system shall commence, a building permit issued by the City of Altoona shall be obtained to document compliance with this Chapter.
 5. Solar PV systems constructed prior to the effective date of this Chapter are not required to meet requirements of this Chapter.
 6. Any upgrade, modification or structural change that alters the size or placement of an existing solar PV system by 50% or more, or that triggers code compliance, shall comply with the provisions of this ordinance.
 7. Building-integrated systems, as defined by this Chapter, are not considered an accessory use and are not subject to the requirements of this Article, but are subject to all other applicable building, electrical, and safety codes.
 8. The solar PV system must be constructed to comply with any electrical and safety regulations adopted by the City of Altoona or the State of Pennsylvania.
 9. All systems must be installed by a qualified solar installer as defined by this Chapter.
 10. All wiring must comply with the National Electrical Code.
 11. The solar PV system must be constructed to comply with the most recent fire code as amended and adopted by the City of Altoona.
 12. Panels installed on principal or accessory structures must be mounted at the same angle as the roof's surface with a maximum distance, measured perpendicular to the roof, of eighteen (18) inches between the roof and edge or surface of the system.
 13. For a building-mounted system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached.

14. For a building-mounted system installed on a flat roof, the highest point of the system shall be permitted to extend up to four (4) feet above the roof to which it is attached.
15. No element of the system shall reflect glare (as defined by the FAA) onto a neighboring property, public right-of-way, or aircraft flight path.
16. If a building-mounted system is to be installed on any building or structure that is non-conforming because its height violates the height restrictions of the zoning district in which it is located, the building-mounted system shall be permitted, so long as the building-mounted system does not increase the degree of non-conformity.
17. If a building-mounted system is to be installed on a building or structure on a non-conforming property that does not meet the minimum setbacks required and/or exceeds the lot coverage limits for the zoning district in which it is located, a building-mounted system shall be permitted, so long as there is no expansion of any setback or lot coverage non-conformity and so long as it complies with the other provisions of this Chapter.
18. No signage or graphic content may be displayed on the solar PV system except the manufacturer's badge, safety information and equipment specification information. Said information shall be depicted within an area no more than thirty-six (36) square inches in size.
19. Disconnect and other emergency shutoff information will be clearly displayed on a light reflective surface.
20. 24 hour emergency contact information will be clearly displayed.
21. Systems and sites may not be used for displaying advertising except for reasonable identification of the owner/operator and shall comply with all signage restrictions.
22. The City of Altoona reserves the right to inspect a solar PV system for building or fire code compliance and safety with 24 hour notification to the property owner and/or owner-operator of the system.
23. The solar energy system shall be removed, at the owner's, within 180 days of determination by the designated municipal representative that the system is no longer being maintained in an operable state of good repair or no longer supplying solar power. Such an order shall be in writing, shall offer the option to rectify, and shall notify the owner of his or her right to appeal such determination.
 - a. Removal shall include solar collectors, cabling, electrical components, accessory structures, and any associated facilities below grade.
 - b. Disturbed earth shall be graded and reseeded, unless the designated municipal representative approves a written request by the property owner that internal roads or other site improvements are not to be restored.

Section 800-54

Storage of Materials

24. If upon inspection the City of Altoona determines that a fire code or building code violation exists, or that the system otherwise poses a safety hazard to persons or property, the City may order the owner to repair or remove the system within a reasonable time as determined by the Code Enforcement Officer. Such an order shall be in writing, shall offer the option to repair, shall specify the code violation or safety hazard found and shall notify the owner of his or her right to appeal such determination.
25. If an owner fails to repair or remove a solar PV system as ordered, and any appeal rights have been exhausted, the City of Altoona may enter the property, remove the system and charge the owner for all costs and expenses of removal, including reasonable attorney's fees or pursue other legal action to have the system removed at the owner's expense.
26. In addition to any other available remedies, any unpaid costs resulting from the removal of a vacated abandoned or de-commissioned solar PV system shall constitute a lien upon the real property against which the costs were charged. Legal counsel of the City of Altoona shall institute appropriate action for the recovery of such cost, plus attorney's fees, including, but not limited to filing of municipal claims pursuant to for the cost of such work, 6% interest per annum, plus a penalty of 5% of the amount due plus attorney's fees and costs incurred by the City of Altoona in connection with the removal work and the filing of the claim.

Storage of Materials

- A. Containerized storage. The use of containers to provide storage space is permitted on a temporary basis throughout the City if the following conditions are met:
 1. A permit shall be secured from the Zoning Officer which shall specifically state the following criteria:
 - a. The permit is temporary and shall expire six months after the date of issuance.
 - b. The nature of the storage facility.
 - c. Requirements on how the containers are to be secured.
 - d. Provisions for removal of the containers.
 - e. Signature of the applicant binding him to the conditions set forth in the permit.
 2. Storage containers under this section shall not require land development review; however, the applicant shall submit plans clearly showing the location of the container on the property and supply a listing of the types of materials to be stored in the container with the application.



PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT
1301 12TH STREET, SUITE 400
ALTOONA, PA 16601
(814) 949-2465

ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON THE REVERSE SIDE)

PROPERTY LOCATION: Industrial Park Drive, Altoona, PA - Tax Parcel No. 01.14-04..-031.00-000
PURPOSE OF APPEAL: To obtain a variance to Section 800-52 of the zoning ordinance to allow applicant to construct ground mounted solar panels.
DESCRIPTION OF PREMISES: Approximately 2.27 acres of vacant land
USE OF PREMISES: Vacant land
OFF-STREET PARKING: None currently

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

PROPERTY OWNER INFORMATION

NAME: Altoona-Blair County Development Corporation	
ADDRESS: 3900 Industrial Park Drive, Altoona, Pennsylvania 16601	
PHONE: (814) 944-6113	EMAIL: stevem@abcdcorp.org

APPLICANT INFORMATION

NAME: South Altoona, LLC	
ADDRESS: 5107 Kissell Avenue, Altoona, PA 16601	
PHONE: (814) 949-8280	EMAIL: acohen@blaircompanies.com

DESIGN PROFESSIONAL INFORMATION

NAME:	
ADDRESS:	
PHONE:	EMAIL:


SIGNATURE OF APPLICANT

5-22-2026
DATE

OFFICE USE ONLY

☐ VARIANCE \$500.00	☐ APPEAL DETERMINATION \$500.00	☐ OTHER
☐ SPECIAL EXCEPTION \$500.00	☐ APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? ☐ YES ☐ NO ☐ UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

APPEAL INSTRUCTIONS

- THIS FORM MUST BE COMPLETED FOR ANY ACTION BEFORE THE CITY OF ALTOONA ZONING HEARING BOARD.
- NINE (9) COPIES OF THIS FORM SHALL BE COMPLETED AND SUBMITTED
- IN ADDITION TO THIS FORM, PLEASE ATTACH A NARRATIVE THAT EXPLAINS THIS REQUEST. THE NARRATIVE SHOULD EXPLAIN POINTS UPON WHICH THE APPEAL IS BASED.
- ALSO REQUIRED ARE ANY DRAWINGS, PHOTOGRAPHS, AND SUPPORTING MATERIALS.
- FOR SPECIAL EXCEPTION APPLICATIONS, THE NARRATIVE MUST EXPLAIN HOW THE PROJECT MEETS EACH CONDITION FOR THE SPECIAL EXCEPTIONS LISTED IN THE INVOLVED ZONING DISTRICT'S REGULATIONS.
- FOR VARIANCE APPLICATIONS, THIS NARRATIVE MUST EXPLAIN HOW THE PROJECT MEETS THE REQUIREMENTS OF SECTION 910.2 OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE.
- THE APPLICANT SHOULD WORK WITH THE CITY TO DEVELOP A COMPLETE SUBMISSION, AS INCOMPLETE SUBMISSIONS WILL NOT BE PLACED ON THE AGENDA.
- ALL REQUIRED FEES MUST BE PAID BEFORE THE HEARING WILL BE SCHEDULED.
- PLEASE FILL OUT THIS FORM, PROVIDE THE NECESSARY FEES, AND SUBMIT THE REQUIRED DRAWINGS, NARRATIVES, AND OTHER DOCUMENTATION TO THE CITY OF ALTOONA PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT, 1301 12TH STREET SUITE 400, ALTOONA PA 16601.

ALL APPLICATIONS MUST BE REVIEWED FOR COMPLETENESS BEFORE BEING SCHEDULED FOR A HEARING.

THE ZONING HEARING BOARD GENERALLY MEETS THE SECOND WEDNESDAY OF EACH MONTH. PLEASE CONTACT THE PLANNING & DEVELOPMENT MANAGER FOR SUBMITTAL DEADLINES.

SABRINA APPEL-MCMILLEN
PLANNING & DEVELOPMENT MANAGER
SMCMILLEN@ALTOONAPA.GOV
(814) 949-2465

Narrative

Applicant, South Altoona, LLC, files this appeal as a request for a variance from Section 800-53(3) which prohibits ground mounted solar photovoltaic systems in all zones in the City of Altoona. The subject parcel is owned by Altoona-Blair County Development Corporation (“ABCD”). ABCD has entered into an option agreement to sell the parcel to South Altoona, LLC. The applicant is looking to use a sustainable energy source so that its tenant, Blair Image Elements, can control utility costs, comply with their own customer requests for sustainable energy, and support sustainable energy initiatives promoted by the State and Federal government.

The subject parcel, which is set off Industrial Park Road adjacent to the ABCD building at 3900 Industrial Park Drive is zoned as IG – Industrial General. IG zones are intended to be used for heavy industrial purposes. IG zones are the only zones in the City of Altoona which permit use as cold storage plants, food processing plants, distribution centers, mining operations, truck terminals, and medical testing laboratories. The idea underlying these zones is that they are quite distinct from the residential and commercial zones where aesthetic, noise, and pollution concerns are greater.

In particular, the zoning ordinance allows for the erection of communication antennas in IG zones and only IG zones. This provides the best analog to the ground-based solar fields that the Applicant proposes to construct at the subject property. The same aesthetic objections are made in regard to communications antennas as ground-based solar systems. Some people think they are eyesores. However, in most cases the communications antennas are far more obtrusive than ground-based solar panels. Communications antennas are generally hundreds if not thousands of feet tall and are visible from afar. The proposed solar units are under six feet tall and are only visible at close range. The unique nature of this parcel further obscures their visibility from the general public. The area where they are to be constructed is in a small alcove between the busier Broad Avenue and Sixth Avenue that is generally only accessed by people with business in the direct vicinity. It is surrounded by industrial businesses, including the railway, Blair Image Elements, MacDermid Alpha Electronics Solutions, 84 Lumber, Synthex Organics, Bryce Saylor & Sons, Professional Performance Auto, and Secure Nest Storage.

Additionally, the area is a reclaimed brownfield, and any building or excavation on the site would be extremely costly if not impossible due to an environmental covenant encumbering the property and DEP regulations requiring what would be needed to build there economically.. The inability to build ground-based solar on the site inflicts an unnecessary hardship on the applicant or any other party that wishes to develop the property. Uses like the construction of a solar field are among the vanishingly few remaining viable options for use of the parcel. A variance to allow such use is necessary to enable the reasonable use of the property. This land has been offered for development for many decades with no interest.

The hardship imposed by the environmental condition of the property was not created by the current owner, Altoona-Blair County Development Corporation, nor by the Applicant. The conditions are as a result of the historical use of the site as a railroad facility.

As mentioned above, the installation of solar panels at the site would be congruous with industrial uses and directly analogous to the permitted use of communications antennas. As an industrial neighborhood, there would be no alteration of the essential character of the area if a variance were granted and the solar layout constructed. Allowing this variance would represent the minimum variance to afford relief. It is a small but appropriate measure to bring the property in question to productive use with the minimum of offense to the zoning ordinance and the neighborhood overall.

Furthermore, ground-mounted solar photovoltaic systems represent a commitment to sustainable energy sources that align with the goals of reducing carbon footprints and promoting renewable energy initiatives. By granting this variance, the City of Altoona would not only support an environmentally friendly project but also encourage the transition towards cleaner energy solutions that can benefit the community in the long run. This project would contribute to diversifying energy sources, reducing reliance on any one type of fuels, and helping mitigate any negative effects of burning fossil fuels, which is increasingly important in today's energy landscape. It demonstrates a forward-thinking approach to land use that prioritizes sustainability while still respecting the distinct character of the industrial zone. Allowing the installation of solar panels on this site would thus serve as a model for sustainable development within the city, showcasing the potential for industrial properties to transition into renewable energy sources without compromising the integrity of the surrounding area.





Parcel Number	Situs Address	Owner Name	Address	Deed Acerage	Deed Reference
01.14-04.-031.00-000	INDUSTRIAL PARK DR	ALTOONA-BLAIR CO DEVEP CORP	3900 INDUSTRIAL PARK DR	2.271	2016-10396

**Section
800-53****Solar Photovoltaic
Systems****Solar Photovoltaic Systems**

- A. It is the purpose of this regulation to promote the safe, effective and efficient use of installed solar energy systems that reduce consumption of utility delivered energy while protecting the health, safety and welfare of adjacent and surrounding land uses and properties. No solar energy system or device shall be installed or operated in the City of Altoona except in compliance with the following:
1. These regulations apply to all building-mounted systems installed and constructed after the effective date of this Chapter.
 2. All building-mounted systems are permitted in all zoning districts as an accessory use only to any lawfully permitted principal use on the same property upon issuance of the proper permits and upon compliance with all requirements of this section and as elsewhere specified in this Chapter.
 3. Ground mounted solar photovoltaic systems are prohibited.
 4. Before any construction or installation on any solar PV system shall commence, a building permit issued by the City of Altoona shall be obtained to document compliance with this Chapter.
 5. Solar PV systems constructed prior to the effective date of this Chapter are not required to meet requirements of this Chapter.
 6. Any upgrade, modification or structural change that alters the size or placement of an existing solar PV system by 50% or more, or that triggers code compliance, shall comply with the provisions of this ordinance.
 7. Building-integrated systems, as defined by this Chapter, are not considered an accessory use and are not subject to the requirements of this Article, but are subject to all other applicable building, electrical, and safety codes.
 8. The solar PV system must be constructed to comply with any electrical and safety regulations adopted by the City of Altoona or the State of Pennsylvania.
 9. All systems must be installed by a qualified solar installer as defined by this Chapter.
 10. All wiring must comply with the National Electrical Code.
 11. The solar PV system must be constructed to comply with the most recent fire code as amended and adopted by the City of Altoona.
 12. Panels installed on principal or accessory structures must be mounted at the same angle as the roof's surface with a maximum distance, measured perpendicular to the roof, of eighteen (18) inches between the roof and edge or surface of the system.
 13. For a building-mounted system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached.

14. For a building-mounted system installed on a flat roof, the highest point of the system shall be permitted to extend up to four (4) feet above the roof to which it is attached.
15. No element of the system shall reflect glare (as defined by the FAA) onto a neighboring property, public right-of-way, or aircraft flight path.
16. If a building-mounted system is to be installed on any building or structure that is non-conforming because its height violates the height restrictions of the zoning district in which it is located, the building-mounted system shall be permitted, so long as the building-mounted system does not increase the degree of non-conformity.
17. If a building-mounted system is to be installed on a building or structure on a non-conforming property that does not meet the minimum setbacks required and/or exceeds the lot coverage limits for the zoning district in which it is located, a building-mounted system shall be permitted, so long as there is no expansion of any setback or lot coverage non-conformity and so long as it complies with the other provisions of this Chapter.
18. No signage or graphic content may be displayed on the solar PV system except the manufacturer's badge, safety information and equipment specification information. Said information shall be depicted within an area no more than thirty-six (36) square inches in size.
19. Disconnect and other emergency shutoff information will be clearly displayed on a light reflective surface.
20. 24 hour emergency contact information will be clearly displayed.
21. Systems and sites may not be used for displaying advertising except for reasonable identification of the owner/operator and shall comply with all signage restrictions.
22. The City of Altoona reserves the right to inspect a solar PV system for building or fire code compliance and safety with 24 hour notification to the property owner and/or owner-operator of the system.
23. The solar energy system shall be removed, at the owner's, within 180 days of determination by the designated municipal representative that the system is no longer being maintained in an operable state of good repair or no longer supplying solar power. Such an order shall be in writing, shall offer the option to rectify, and shall notify the owner of his or her right to appeal such determination.
 - a. Removal shall include solar collectors, cabling, electrical components, accessory structures, and any associated facilities below grade.
 - b. Disturbed earth shall be graded and reseeded, unless the designated municipal representative approves a written request by the property owner that internal roads or other site improvements are not to be restored.

Section 800-54

Storage of Materials

24. If upon inspection the City of Altoona determines that a fire code or building code violation exists, or that the system otherwise poses a safety hazard to persons or property, the City may order the owner to repair or remove the system within a reasonable time as determined by the Code Enforcement Officer. Such an order shall be in writing, shall offer the option to repair, shall specify the code violation or safety hazard found and shall notify the owner of his or her right to appeal such determination.
25. If an owner fails to repair or remove a solar PV system as ordered, and any appeal rights have been exhausted, the City of Altoona may enter the property, remove the system and charge the owner for all costs and expenses of removal, including reasonable attorney's fees or pursue other legal action to have the system removed at the owner's expense.
26. In addition to any other available remedies, any unpaid costs resulting from the removal of a vacated abandoned or de-commissioned solar PV system shall constitute a lien upon the real property against which the costs were charged. Legal counsel of the City of Altoona shall institute appropriate action for the recovery of such cost, plus attorney's fees, including, but not limited to filing of municipal claims pursuant to for the cost of such work, 6% interest per annum, plus a penalty of 5% of the amount due plus attorney's fees and costs incurred by the City of Altoona in connection with the removal work and the filing of the claim.

Storage of Materials

- A. Containerized storage. The use of containers to provide storage space is permitted on a temporary basis throughout the City if the following conditions are met:
 1. A permit shall be secured from the Zoning Officer which shall specifically state the following criteria:
 - a. The permit is temporary and shall expire six months after the date of issuance.
 - b. The nature of the storage facility.
 - c. Requirements on how the containers are to be secured.
 - d. Provisions for removal of the containers.
 - e. Signature of the applicant binding him to the conditions set forth in the permit.
 2. Storage containers under this section shall not require land development review; however, the applicant shall submit plans clearly showing the location of the container on the property and supply a listing of the types of materials to be stored in the container with the application.

ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON THE REVERSE SIDE)

PROPERTY LOCATION: 2217-2219 Broad Avenue
PURPOSE OF APPEAL: Requesting variances for minimum road frontage, minimum lot size and reduction of building setback distances to subdivide a 50'x120' lot containing two (2) existing apartment buildings and a garage structure. The Applicant is proposing to create individual lots for the apartment buildings to allow the structures to be sold to separate ownership.
DESCRIPTION OF PREMISES: 50'x120' lot containing two (2) existing apartment buildings and a 4-bay garage
USE OF PREMISES: Residential
OFF-STREET PARKING: Yes

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

PROPERTY OWNER INFORMATION

NAME: Siri Real Estate, LLC	
ADDRESS: 2210 8th Ave, Altoona PA 16602	
PHONE: 814-937-3493 / 814-937-3493	EMAIL: nathan.kerillarealestate.com

APPLICANT INFORMATION

NAME: Sentinel Investments, LLC c/o David Leong	
ADDRESS: 525 Piaget Ave., 2nd Floor, Clifton, NJ 07011	
PHONE: 201-693-3328	EMAIL: davidleong@kw.com; resultonlygroup@gmail.com

DESIGN PROFESSIONAL INFORMATION

NAME: Todd Holes, P.L.S. - Stiffler, McGraw & Associates, Inc.	
ADDRESS: 1731 N. Juniata St., Hollidaysburg, PA 16648	
PHONE: 814-696-6280	EMAIL: tholes@stiffler-mcgraw.com

SIGNATURE OF APPLICANT

DATE

6/17/2026

OFFICE USE ONLY

☐ VARIANCE \$500.00	☐ APPEAL DETERMINATION \$500.00	☐ OTHER
☐ SPECIAL EXCEPTION \$500.00	☐ APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? ☐ YES ☐ NO ☐ UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

**Sentinel Investments, LLC
2217-2219 Broad Avenue Subdivision
Project Narrative
For the City of Altoona Zoning Hearing Board**

This project involves Blair County Tax Parcel 01.09-07.-044.00, a 50'x120' lot currently owned by Siri Real Estate, LLC (Inst. #201509305) and located at 2217-2219 Broad Avenue. The property contains 6,000 S.F.

The property currently contains two (2) three-unit apartment buildings and a four-bay garage at the rear of the property accessed via the alley.

The property is zoned MX-N – Mixed Use Neighborhood.

Sentinel Investments, LLC would like to create separate lots for each apartment building with the garage remaining with the northerly structure.

This project meets the requirements of Section 910.2 of the Pennsylvania Municipalities Planning Code because of unique physical circumstances, no possibility of strict conformity and due to the following existing hardships:

800-18.B.1 – Lot Area and Coverage

- Due to the existing structure locations within the small property, the plan will not meet the minimum lot area, lot width/frontage and maximum coverage requirements.

800-18.C.1 – Primary Building Setbacks

- Due to the existing structure locations within the small property, the plan will not meet the minimum side and rear building setback requirements.

The Applicant is requesting the City of Altoona Zoning Hearing Board to consider variances from City of Altoona Zoning Ordinance Section 800-18.B.1 – Items A through D (Lot Area and Coverage) and Section 800-18.C.1 – Item C – Minimum 15' Side Building Setback and Item D – Minimum 15' Rear Building Setback.

The variance requests will have no adverse impact on the adjacent properties and surrounding neighborhood.

It should be noted that the existing structures are served by public water (Altoona Water Authority) and public sewer (Altoona Sewer Authority).

No portion of the above said parcel is in a floodplain as per the FEMA – Flood Rate Map for Blair County, Map #42013C0143D, effective date March 2, 2012.



BROAD AVENUE
60' RIGHT-OF-WAY

TAX PARCEL 01.09-07..-043.00

2217
20'

APARTMENT BUILDING

120'

2219
30'

95'

TAX PARCEL 01.09-07..-044.00

APARTMENT BUILDING

LOT 2
3150 SQ. FT.

2221-2223

LOT 1
2850 SQ. FT.

95'

30'

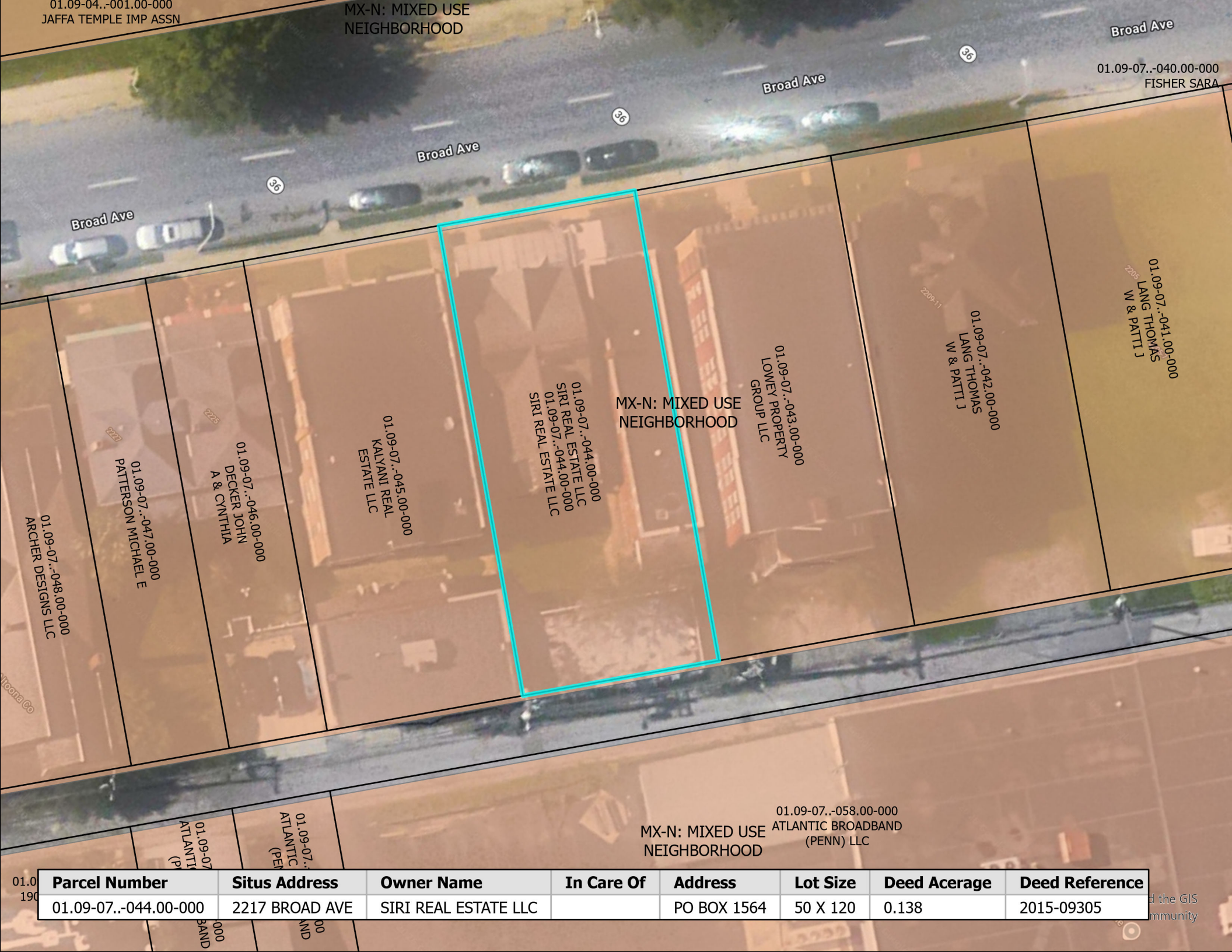
GARAGE

50' ALLEY
50'

TAX PARCEL 01.09-07..-045.00

25'

EYUJIRIT



Parcel Number	Situs Address	Owner Name	In Care Of	Address	Lot Size	Deed Acreage	Deed Reference
01.09-07.-044.00-000	2217 BROAD AVE	SIRI REAL ESTATE LLC		PO BOX 1564	50 X 120	0.138	2015-09305

Section 800-18

Mixed Use Neighborhood - (MX-N)

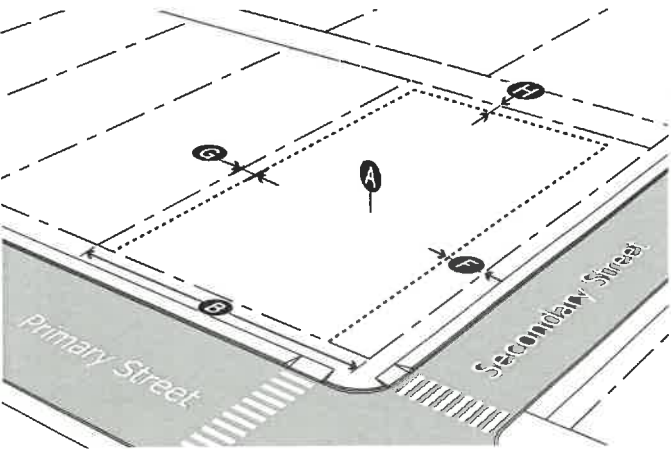
Mixed Use Neighborhood (MX-N)

A. Purpose

The Mixed Use Neighborhood district (MX-N) is intended to enhance the vitality of key corridors and neighborhood centers outside of downtown. This shall be accomplished through development that engages the public realm, creates pedestrian-friendly street frontages, and includes a combination of vertical and horizontal mixing of uses.

MX-N

B. Lots & Parking



1. LOT AREA AND COVERAGE

A	Lot area [min]	3,000 sf
B	Lot width [min]	25 ft
C	Frontage	25 ft
D	Lot coverage [max]	70% ¹

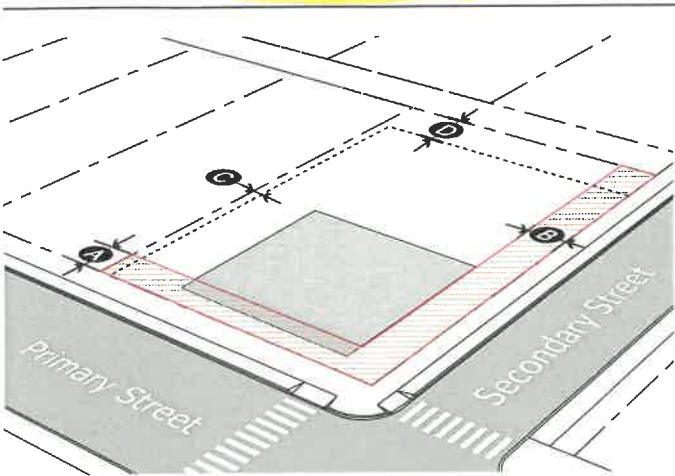
¹ Includes all impervious surfaces.

2. PARKING LOCATION, SETBACKS, AND ACCESS

E	Primary street yard [min]	Not Allowed
F	Secondary street yard setback [min]	10 ft
G	Side yard setback [min]	5 ft ¹
H	Rear yard setback [min]	5 ft
I	Driveway width [max]	See Chap 300

¹ Side yard parking shall be located 5 feet or more behind the facade of the principal structure.

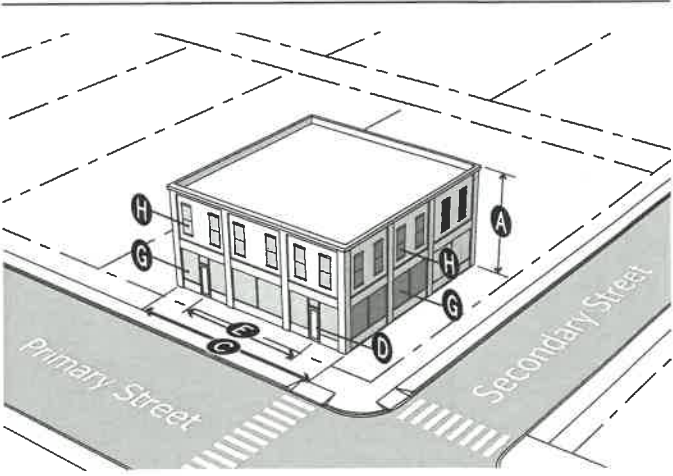
C. Building Placement



1. PRIMARY BUILDING SETBACKS

A	Primary street build-to-zone [min/max]	0 ft / 10 ft
	Build-to Frontage	60%
B	Secondary street build-to-zone [min/max]	0 ft / 10 ft
	Build-to Frontage	40%
C	Side setback [min]	2 ft
	Abutting a residential lot line	15 ft
D	Rear setback [min]	15 ft
	Abutting a residential lot line	15 ft

D. Building Composition



1. HEIGHT

A	Building height [max stories / feet]	4 / 55 ft
B	Minimum	22 ft

2. WIDTH

C	Primary street facing building width [max]	225 ft
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3. ENTRANCE

D	Primary street facing entrance	Required
E	Distance between street-facing entrances [max]	50 ft
F	Sidewalk from entrance to public sidewalk	Required

4. TRANSPARENCY

G	Ground story [min]	
	Residential	40%
	Non-residential - Primary Street	60%
	Non-residential - Secondary Street	40%
H	Upper story [min]	25%