

AGENDA

A public meeting of the City of Altoona Zoning Hearing Board will be held on **Wednesday, September 18, 2024 at 1:15 p.m.** in the 4th Floor Conference Room at City Hall, 1301 12th Street, Altoona, Pennsylvania.

109 Bellview St/ Kelly Krieger (Kelly Kreation LLC)

Requesting a variance for two proposed signs totaling 28.86 Sq Ft for an existing business in a Single-Household Residential Zone, §800-60 & §800-61(C)(2).

3406 Baker Blvd/ Joe L Crossman (Maria G. Lopez)

Requesting two setback variances for a seven-foot encroachment on the rear setback for a new addition to the existing residence and a four-foot encroachment on the rear setback for an accessory structure located in a Suburban Residential Zone, §800-47(K) & (L).

820 2nd Ave/ Concordia Society

Requesting a variance for a proposed patio addition to an existing nonconforming building used for a nonconforming use in a Multiple-Household Residential Zone, §800-21(C) & §800-50(Q).

2300-14 Union Ave/ Thomas Rhodes

Request for decision of and/or permission for boarding or rooming house or adult motel on the second floor of an existing mixed-use building located in Light Industrial Zone, §800-56(B).

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: 109 Bellview St. Altoona, PA 16602
PURPOSE OF APPEAL: To place two signs for my business
(Kelly Kreation) ONE In front of Building & ONE In yard
DESCRIPTION OF PREMISES: Pictures Included
Converted Church Into Salon
USE OF PREMISES: Salon
OFF-STREET PARKING: yes there is off street parking
Please fill in all portions below, "same" and "non-applicable" if needed

PROPERTY OWNER INFORMATION

Name: Kelly Krieger
Address: 109 Bellview St Altoona PA 16602
Phone: 814-505-2937 Email: Kellykreation94@gmail.com

APPLICANT INFORMATION

Name: Home Address: 18695 Little Valley Rd. Saxton, PA 16678
Address: SAME AS ABOVE
Phone: _____ Email: _____

DESIGN PROFESSIONAL INFORMATION

Name: Altoona NEON + Sign SERVICES
Address: 809 S 10th St Altoona, PA 16602
Phone: (800) 253-7446 Email: accounting@altoonaneon.com

SIGNATURE OF APPLICANT: Kelly Krieger DATE: 8-21-24

OFFICE
USE
ONLY

- | | | |
|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|--------------------------------|
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> APPEAL DETERMINATION | <input type="checkbox"/> OTHER |
| <input type="checkbox"/> SPECIAL EXCEPTION | <input type="checkbox"/> APPEAL VIOLATION NOTICE | |
| PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN | | |

SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON: _____

DUE to having NO business Signage, we HAVE many
Customers that DRIVE Around the Block Continuously
because they are not sure if the former Church (Kelly Kreation)
is my business. Being approved for signage will not
only help me, but will also cause less Congestion
on the SIDE STREETS. Having Signage will also Reduce
the RISK of An Automobile Accident IF the DRIVER
is looking for my building And not paying attention to
the Road. Included is pictures of the signage that
I want to HAVE Installed. Thank You,



Kelly KRIEGER



Total
23.06 sq ft



Total
5.8 sq ft

C-HB

R-SH

M-RC

I-L



Chapter 800. Zoning

Article VI. Signs

§ 800-60. Sign types.

Signs are allowed in the City of Altoona with or without zoning permits as specified in Sign Table A below. The explanation and key to the table is as follows:

- A. If the letter "P" appears for a sign type in a column of this table, such a sign is permitted in the zoning district represented by that column without a zoning permit.
- B. If the letter "S" appears for a sign type in a column of this table, such a sign is allowed in the zoning district represented by that column only after a zoning permit been secured in accordance with this chapter.
- C. If the letter "N" appears for a sign type in a column of this table, such a sign is not allowed in the zoning district represented by that column.
- D. The permitting requirements for zoning permits relative to signs are in addition to all other applicable permits and requirements for the sign.

Sign Table A
Sign Types and Districts

Sign Type	R-S	R-SH	R-L	R-MH	R-U	M-RC	C-NB	C-HB	C-CB	I-L	I-G
Freestanding											
Off-premises advertising	N	N	N	N	N	N	N	S	N	S	S
Incidental	N	N	N	N	N	S	S	P	P	P	P
Plaza	N	N	N	N	N	S	S	P	S	P	P
Business	N	N	N	N	P	P	P	P	P	P	P
Residential	P	P	P	P	P	P	P	N	P	N	N
Temporary	P	P	P	P	P	P	P	P	P	P	P
Other	N	N	N	N	N	S	S	S	S	S	S
Building											
Banner ¹	N	N	N	N	N	S	S	S	S	S	S
Building marker	P	P	P	P	P	P	P	P	P	P	P
Canopy	N	N	N	N	S	S	S	S	S	S	S
Identification	P	P	P	P	P	P	P	P	P	P	P
Incidental	N	N	N	N	P	P	P	P	P	P	P
Marquee	N	N	N	N	N	N	S	S	S	S	S
Plaza	N	N	N	N	N	N	S	S	S	P	P
Projecting	N	N	N	N	N	N	S	S	S	S	P
Roof	N	N	N	N	N	N	N	S	N	S	S
Roof, integral	N	N	N	N	N	N	S	S	S	S	S
Suspended	N	N	N	N	N	S	S	S	S	S	S
Temporary	P	P	P	P	P	P	P	P	P	P	P
Wall	N	N	N	N	N	S	S	S	S	S	S
Window	N	N	N	N	N	S	S	S	S	S	S
Miscellaneous											
Banner	N	N	N	N	N	N	S	S	S	S	S
Bus shelter	N	N	N	N	N	N	S	S	S	S	S
Flag	P	P	P	P	P	P	P	P	P	P	P

NOTE:

¹ Must be removed 90 days after permit approval.

§ 800-61. Sign area per lot.

Any sign designated by an "S" or "P" in Sign Table A above shall be allowed only if the sum of the area of all building, freestanding and miscellaneous signs on the lot conforms with the maximum permitted sign area as determined by the standard for the zoning district in which the lot is located as specified in Sign Table B, below.

- A. How to compute the sign area of individual signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof, that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display and used to differentiate the sign from the backdrop or structure against which it is placed. The calculation shall not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the provisions of this chapter and is clearly incidental to the display itself.
- B. How to compute the sign area of multifaceted signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
- C. How to compute the maximum total permitted sign area for a lot.
- (1) The permitted sum of the area of all individual signs on a lot shall be computed by applying the standard contained in Sign Table B, Maximum Sign Area per Lot, to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets may utilize the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street.
 - (2) The maximum total area of all signs on a lot, except incidental signs, building marker signs, identification signs, and flags, shall not exceed the lesser of the maximum area shown in Sign Table B, Maximum Sign Area per Lot.

Sign Table B

Maximum Total Sign Area Per Lot (by frontage)

	R-S	R-SH	R-L	R-MH	R-U	M-RC	C-NB	C-HB	C-CB	I-L	I-G
Total square feet	10	10	20	20	20	80	100	300	100	300	300
Percentage of the ground-floor area of the principal building	NA	NA	NA	NA	NA	2%	3%	5%	3%	5%	5%
Square feet of signage per linear foot of lot width at the building line	NA	NA	NA	NA	NA	2.0	2.0	6.0	3.0	0.5	0.5

ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON REVERSE SIDE)

PROPERTY LOCATION:	3406 BAKER DRIVE ALTOONA
PURPOSE OF APPEAL:	TO ADD ADDITION THAT IS NEEDED FOR THE LOPEZ FAMILY. ADDITION EXCEEDS 7FT FROM SET BACK. LOPEZ FAMILY FIND IT EXTREMELY DIFFICULT TO MOVE FROM A HOUSE THEY MADE INTO A HOME, BUT OUTGROW & NEED MORE ROOM
DESCRIPTION OF PREMISES:	
USE OF PREMISES:	HOME OF LOPEZ FAMILY
OFF-STREET PARKING:	

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

PROPERTY OWNER INFORMATION

NAME:	BOB & MIMI SUPINA / LOPEZ	
ADDRESS:	3406 BAKER DRIVE ALTOONA	
PHONE:		EMAIL:

APPLICANT INFORMATION

NAME:	JOEL CROSSMAN	
ADDRESS:	1403 BLAIR ST. HOLLIDAYSBURG	
PHONE:	814-696-3759	EMAIL: OFFICE@JLCGC.NET

DESIGN PROFESSIONAL INFORMATION

NAME:		
ADDRESS:		
PHONE:		EMAIL:


SIGNATURE OF APPLICANT8/23/2024
DATE

OFFICE USE ONLY

<input type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

Joe L Crossman
General Contractor

1403 Blair St
Hollidaysburg, PA 16648
814-696-3759

City of Altoona
Codes & Inspections Department
1301 12th St, Suite 103
Altoona, PA 16601
814-949-2456

August 23, 2024

Board Members of the City of Altoona,

I, Joe L Crossman, am the general contractor for the Lopez residence at 3406 Baker Dr., Altoona, PA 16602. I am looking to exceed the 30- foot setback by 7 feet to add an addition to allow the Lopez family adequate space to live comfortably. I am also seeking a 3-foot setback instead of a 7- foot setback for adding a shed on the edge of the property for minimal personal storage.

The Lopez have outgrown their residence, and by adding an addition and a shed to the back of their home they would be able to stay in their home for many more years to come. The Lopez family have lived on Baker Drive for many years and find it extremely hard to relocate to another home.

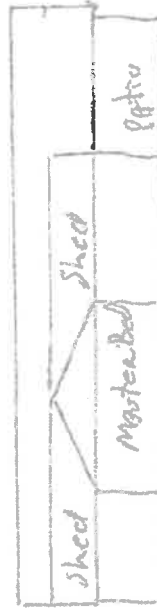
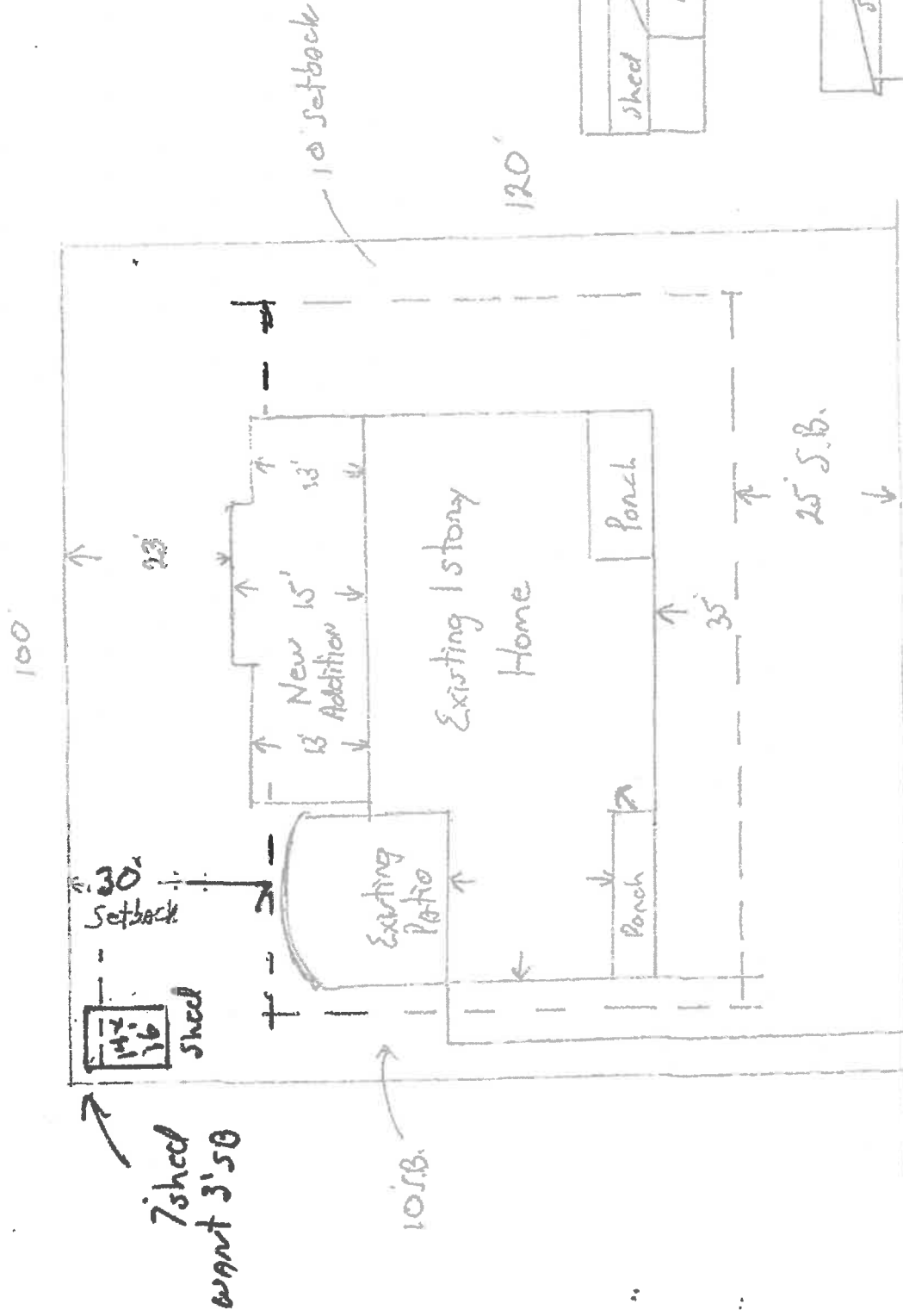
Please consider these small changes as they would make a huge difference for the Lopez family.

I have attached to this letter a new site plan that shows the new setback for our project.

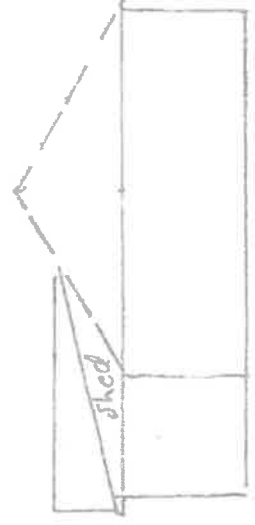
Respectfully,

Joe L Crossman

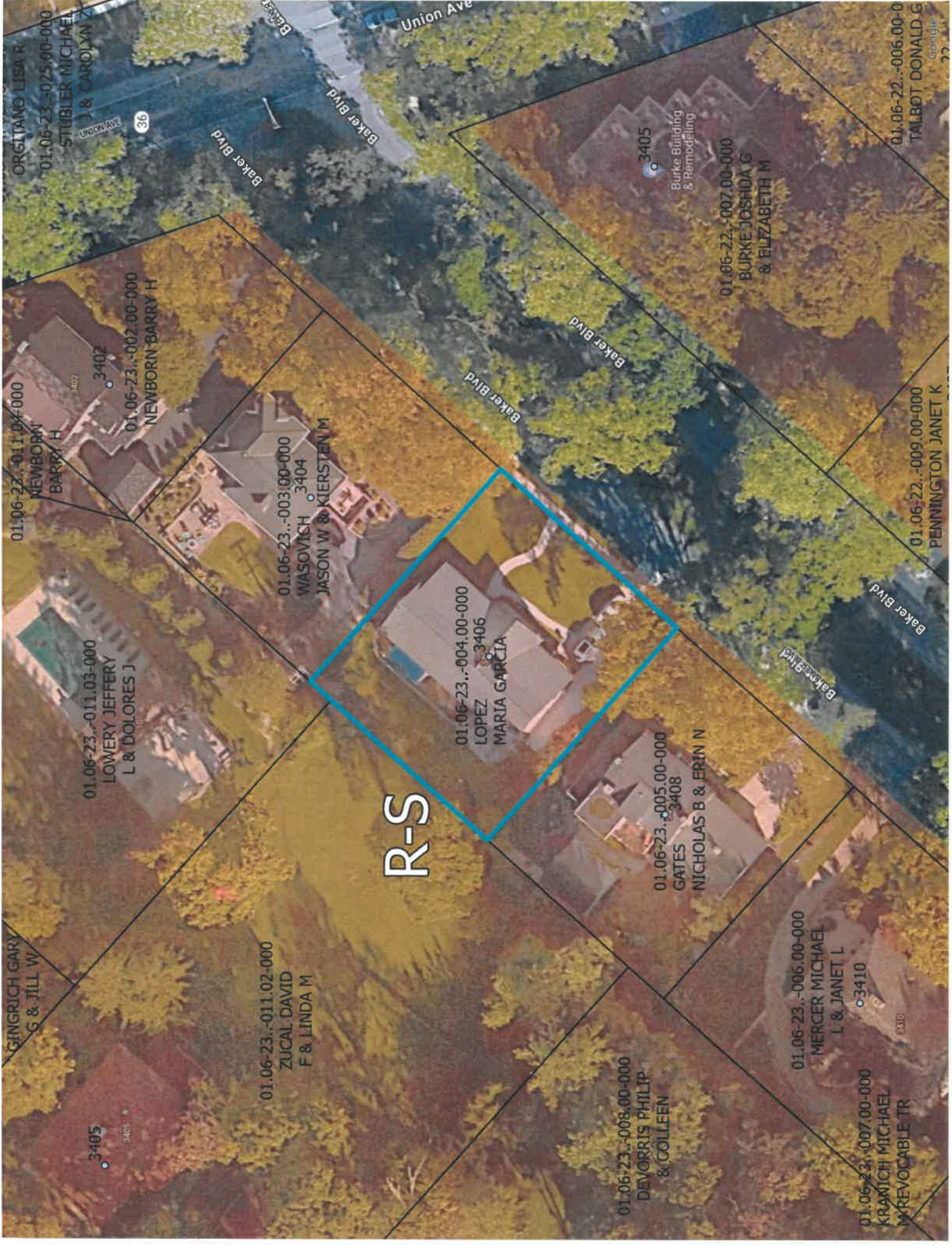
Supina/Lopez



Rear Elevation



New Addition Cross Section



ORGLTANO LISA R
01.06-23.-025.00-000
STUBLER MICHAEL
J & CAROLYN Z

01.06-23.-011.04-000
NEWBORN
BARRY H

01.06-23.-011.03-000
LOWERY JEFFERY
L & DOLORES J

01.06-23.-002.00-000
NEWBORN BARRY H

01.06-23.-011.02-000
ZUCAL DAVID
F & LINDA M

01.06-23.-003.00-000
WASOVICH 3404
JASON W & KIERSTEN M

R-S

01.06-23.-004.00-000
LOPEZ 3406
MARIA GARCIA

01.06-23.-008.00-000
DEVORRIS PHILIP
& COLLEEN

01.06-23.-005.00-000
GATES 3408
NICHOLAS B & ERIN N

01.06-23.-006.00-000
MERCER MICHAEL
L & JANET L

01.06-23.-007.00-000
KRANICH MICHAEL
IN REVOCABLE TR

01.06-22.-007.00-000
BURKE JOSHUA G
& ELIZABETH M

3405
Burke Building
& Remodeling

01.06-22.-006.00-0
TALBOT DONALD G
Gentile

01.06-22.-009.00-000
PENNINGTON JANET K

Chapter 800. Zoning

Article V. District Provisions

§ 800-47. R-S Suburban Residential Zone.

- A. Purpose. The purpose of this zone is to provide areas within the City for the development of low-density, primarily residential single-household detached homes and to protect those areas presently developed in this manner.
- B. Permitted uses.
- (1) Residential uses.
 - (a) Single-household detached dwellings.
 - (b) Group homes for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments. (Such classes include the elderly, the homeless, recovering drug addicts, persons with AIDS, the mentally challenged, and the mentally ill).
 - (c) Halfway houses for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments.
 - (d) Accessory buildings and uses on the same lot which are customarily incidental to the above use.
 - (2) Nonresidential uses.
 - (a) Cemeteries.
 - (b) Forestry activities.
 - (c) Governmental facilities.
 - (d) Houses of worship.
 - (e) Minor-impact home-based businesses.
 - (f) Parks, playgrounds, and open space.
 - (g) Public utility transmission and distribution lines, substations, water pumping stations, and reservoirs.
 - (h) Accessory buildings and uses on the same lot which are customarily incidental to the permitted nonresidential uses in this section.
- C. Special exceptions. The following uses may be permitted by the Zoning Hearing Board if it finds the conditions listed for the use are met: [Amended 2-13-2019 by Ord. No. 5741; 8-14-2019 by Ord. No. 5748]
- (1) 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.
 - (2) 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 shall be residential in character (i.e., gabled rooflines, wood siding or brick, 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.
 - (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.

- (3) Public libraries and museums.
- (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) 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.
 - (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.
 - (f) The facilities shall not hold public gathering functions unless specifically permitted by the Zoning Hearing Board. If such function is granted, it shall be conditional on the applicant's ability to comply with the provisions of Part 7.
- (4) Major-impact home-based businesses.
- (a) Shall not alter the residential appearance of the building or any accessory buildings.
 - (b) The business shall be owned and operated by the person (or a member of his or her immediate family) owning and occupying the premises on which the business is to be conducted.
 - (c) Not more than one nonfamily member is on the premises at any given time who assists or engages in the business.
 - (d) Any use of space outside of the principal structure shall be screened from the street and abutting properties. If the business does not trigger the requirements of Chapter 640, the Zoning Hearing Board shall apply the standards contained in Chapter 640 to the business.
 - (e) Traffic shall not be noticeably increased above that normally associated with a single-household dwelling.
- (5) 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.
- (6) Accessory structures on adjacent lots in common ownership.
- (a) The size, scale and type of structure is normally associated with a single-family home in the affected neighborhood.
 - (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.
 - (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.
- (7) Student home. Student homes are permitted in all zoning districts that allow residential uses, pursuant to district provisions applicable for one (single) family and twin, semidetached, duplex and/or row house dwelling use. However, student homes are permitted only when all of the following standards are met:
- (a) The maximum number of occupants permitted in a student home shall be determined, as it is for all dwellings, by Chapter Four, Section 404 ("Occupancy Limitations") of the applicable version of the International Property Maintenance Code. A Building Inspector from the City's Inspections Department will determine this number at his or her initial inspection.
 - (b) No student home shall be located on a lot any portion of which is closer than 300 feet to another lot used for a student home.
 - (c) No more than one dwelling unit in a twin, semidetached, duplex and/or row house dwelling may be used as a student home.
 - (d) No more than one building on a lot may be used as a student home.
 - (e) A minimum of two paved parking spaces shall be provided per dwelling unit in driveways or off-street parking areas, plus one space for every student over four students. All off-street parking must be provided on the same parcel as the student home.

- (f) No student home shall be occupied or used as such until a zoning permit and residential rental unit license have been issued. Plans showing the lot layout, parking area, landscaping, interior rooms, and floor area dimensions are required.
- (8) Commercial uses. New office, retail, restaurant uses, and these uses mixed with residences may be established in existing former commercial, public school and industrial buildings and government facilities within this district so long as the Zoning Hearing Board does the following. Note that this special exception is to be used to allow the reuse and preservation of existing buildings and not new construction. Former buildings that have already been converted to residences are not eligible for this special exception.
- Finds a demonstrated history of the building being used for commercial, retail, office, public school, governmental, or industrial purposes.
 - Finds exterior features of the building demonstrating that it was designed for commercial, retail, office, public school, governmental, or industrial purposes. The essential architectural character of the building is to be preserved.
 - Finds that converting the building into a conforming permitted use or activity would be cost-prohibitive.
 - Finds that the proposed use of the building is similar to the use for which the building was designed and used, or will have less of an impact than that use — especially on traffic and parking.
 - Finds that the required public notice was given.
 - Finds that enough parking exists on site and on the adjacent streets and avenues so that the activity proposed for the building will not compete with the surrounding neighborhood's parking needs. In counting the number of parking spaces available for the building, the on-street spaces adjacent to its lot shall be counted. Estimates of parking needs shall not exceed those set forth in Chapter 640.
 - Sets reasonable limits on the hours of operation, number of employees, noise levels, and odors of the proposed business.
 - Requires that the building not be expanded more than 20% of its existing height or footprint unless this is otherwise required by building codes. Note that all existing lot coverage and setback requirements shall apply.
 - Finds that the traffic and deliveries generated by the proposed business will not significantly 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.
 - Requires that no exterior loudspeaker systems or other audible signals which can be heard at the property line will be used.
 - Finds that signage will be limited to either the building's existing signage or one wall sign per each street frontage not exceeding 10 square feet. Traffic signs shall be permitted as necessary through the land development process, and off-premises outdoor advertising shall be prohibited on such buildings.
 - Hears staff recommendations on the above requirements.
 - As part of any approval, the Zoning Hearing Board may attach any reasonable conditions and safeguards, in addition to the requirements of this chapter, that it deems necessary to protect the surrounding neighborhood from the impacts of the building being reused.
 - As part of any approval, the Zoning Hearing Board may require the applicant to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them and any other conditions imposed by the Board for as long as the business is in operation.
- D. Conditional uses: none.
- E. Prohibited uses. Any use not complying with the specifications of this article is prohibited, including off-site parking.
- F. Height. The height of a building shall not be greater than 35 feet. The height of a dwelling shall be not less than one story.
- G. Area. The lot area per dwelling unit shall not be less than 6,000 square feet.
- H. Coverage. The coverage shall be no more than 50%.
- I. Width. The lot width at the building line shall not be less than 50 feet.
- J. Frontage. All lots shall have a minimum of 50 feet frontage on a street that meets PennDOT and/or current subdivision and land development standards.
- K. Setbacks.
- Each lot shall have setbacks of not less than the depth or width indicated below:

			Minimum Setback
Location	Setback Characteristic	Lot Characteristics	(feet)
Front	Depth	—	20 or the average front setback distance on the property's block, whichever is less
Rear	Depth	—	30
Side	Width	Interior lot	10
Side	Width	Corner lot nonstreet	10
Side	Width	Corner lot abutting a street	20

- Additions to an existing building may be built in line with that building in side yards so long as:

- The addition does not encroach any further into the side yard than the existing building already does; and

(b) The addition does not encroach on any front or rear setback requirements.

L. Accessory structures.

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

(a) An accessory structure shall be erected according to the following setbacks:

Setback From	Minimum Setback
Rear of principal structure	10 feet
Side lot line with lot width 25 feet or less	18 inches
Side lot line with lot width greater than 25 feet	3 feet
Rear lot line	7 feet

M. Permitted setback encroachments.

- (1) Cornices, eaves, gutters, bay windows, or chimneys may encroach into the required setback of a lot not more than 24 inches. However, no cornices, eaves, gutters, bay windows, or chimneys may be closer than 3 1/2 feet from any side lot line.
- (2) A covered carport or covered patio or porch open on three sides may be erected within one of the side yards or rear yard when attached to a main structure existing at the effective date of this chapter, provided the covered carport or covered patio or porch open on three sides shall be not less than one foot from the side or rear lot line and shall never be enclosed.
- (3) A wheelchair ramp or lift may be installed within setbacks if it is approved by the Zoning Hearing Board as a special exception using the following conditions: the structure has no other available means of ADA access, the incursion into the setback is as small as possible, and the owner agrees to remove the ramp or lift when it is no longer needed and the City requests the removal. As always, the Zoning Hearing Board may attach additional conditions.
[Added 7-12-2017 by Ord. No. 5706]

N. Off-street parking. Parking for the uses in the Suburban Residential Zone shall be as follows:

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

O. Signs. Signs, when provided, shall conform to those regulations contained in Article VI of this chapter, Signs.

P. Floodplains. All permitted uses located within a floodplain as identified on the Flood Boundary and Floodway Maps must comply with the provisions and requirements of Chapter 362.

Q. Buffer yards and screening. Where a nonresidential use is established either abutting or adjoining a residential use, a buffer yard not less than five feet in width shall be provided along the lot lines of the nonresidential use. In addition, the buffer yard shall be in compliance with any decision rendered by the Zoning Hearing Board under a variance or special exception or the Planning Commission under a land development review.

R. Fences and walls.

- (1) Fences and walls may be erected, altered, and maintained in any residential district within the setbacks, provided that:
 - (a) Any wall or fence forward of the front yard setback shall not exceed four feet in height. Commercial businesses or institutions may build security fences up to 10 feet in height forward of the front setback line if the fences are at least 50% open and do not block visibility at intersections.
 - (b) Any fence in the rear yard or side yard shall be permitted a maximum height of seven feet. Such fences may extend upward a maximum height of 10 feet if the fence is at least 50% open.
 - (c) This provision shall not apply to retaining walls or vegetated screening.
- (2) Fences and walls may be erected, altered, and maintained in front yards, provided that the provisions of § 800-39, Obstruction to vision, and Subsection R(1)(a) of this section are met.
- (3) Barbed wire, razor wire and aboveground electric fences shall not be permitted.^[1]

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



CODES & INSPECTIONS DEPARTMENT
1301 12TH STREET, SUITE 103
ALTOONA, PA 16601
(814) 949-2456

ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON REVERSE SIDE)

PROPERTY LOCATION:	820 2nd Ave
PURPOSE OF APPEAL:	In order to acquire a permit for the expansion of the outdoor patio & installation of sidewalk on the right side of building
DESCRIPTION OF PREMISES:	Social Club
USE OF PREMISES:	
OFF-STREET PARKING:	Yes

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

PROPERTY OWNER INFORMATION

NAME:	Concordia Society
ADDRESS:	820 2nd Ave Altoona PA 16602
PHONE:	814-943-5727
EMAIL:	

APPLICANT INFORMATION

NAME:	Sean Keown
ADDRESS:	147 65th St Altoona PA 16601
PHONE:	814-515-4329
EMAIL:	

DESIGN PROFESSIONAL INFORMATION

NAME:	
ADDRESS:	
PHONE:	
EMAIL:	

SIGNATURE OF APPLICANT

8-23-24

DATE

OFFICE USE ONLY

<input type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		



Concordia Society

820 2nd Ave Altoona, Pa 814-943-5727

To whom it may concern –

I Darren McConnell president of the Concordia Society is allowing Sean Keown and Bradley Cleveland to represent us at the zoning board meeting.

Thank you

Darren McConnell

Manufactured Turfing

Rebar Grid

4x6 post

4" Slab

8" Block

Gravel

8" Concrete Footer

Approx. 18" out of Ground

Handrail on Front & Back side

28 ft

Property line

Ground level

Sidewalk posts 8 ft apart with handrail between them. Each will have a 3/4" hole drilled below sidewalk that will be filled with concrete

Polio

bal sign 8x8

208

6x6

Polio

BBQ Area

28 ft

10 ft

18 ft

11 ft

20'

44" in difference between sidewalk/entrance

7'

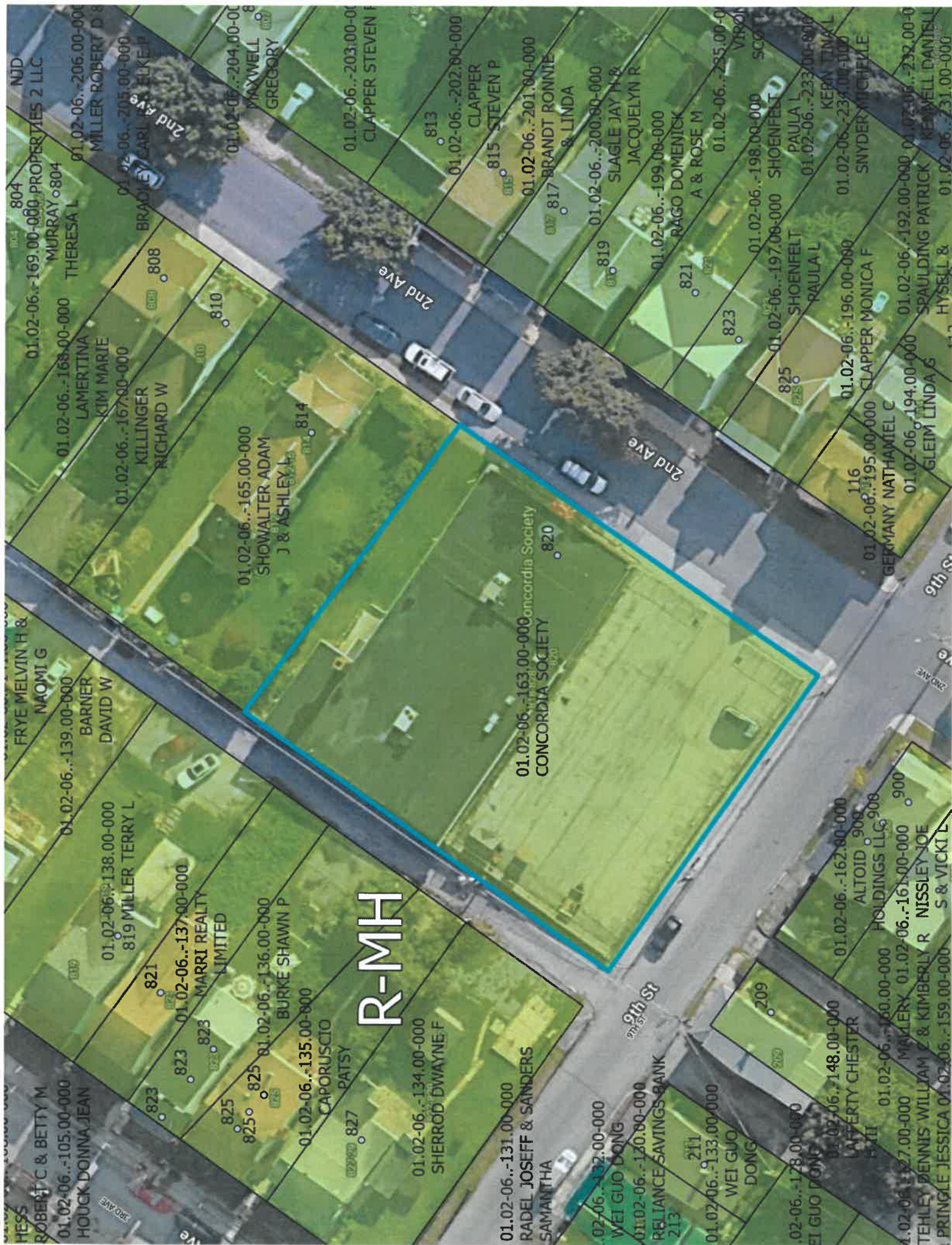
Sidewalk

235 sq ft

Max 1:12 Slope

Underground Drain for Rain/Water

5 ft



R-MH

01.02.06.-165.00-000
SHOWALTER ADAM
J & ASHLEY L

01.02.06.-163.00-000
Concordia Society
CONCORDIA SOCIETY

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-131.00-000
RADEL JOSEFF & SANDERS
SAMANTHA

01.02.06.-132.00-000
WEI GUO DONG

01.02.06.-130.00-000
RELANCE SAVINGS BANK

01.02.06.-133.00-000
WEI GUO DONG

01.02.06.-128.00-000
WEI GUO DONG

01.02.06.-148.00-000
LAFFERTY CHESTER

01.02.06.-150.00-000
MAYLERY

01.02.06.-161.00-000
NISSLEY JOE

01.02.06.-159.00-000
S & VICKI L

01.02.06.-162.00-000
ALTOID

01.02.06.-161.00-000
HOLDINGS LLC

01.02.06.-161.00-000
KIMBERLY R

01.02.06.-161.00-000
NISSLEY JOE

01.02.06.-138.00-000
MILLER TERRY L

01.02.06.-137.00-000
MARRI REALTY
LIMITED

01.02.06.-136.00-000
BURKE SHAWN P

01.02.06.-135.00-000
CAPORUSCIO

01.02.06.-135.00-000
PATSY

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-134.00-000
SHERROD DWAYNE F

01.02.06.-169.00-000
PROPERTIES 2 LLC

01.02.06.-168.00-000
MURRAY THERESA L

01.02.06.-206.00-000
MILLER ROBERT D

01.02.06.-205.00-000
BRADLEY CARL R ELKE P

01.02.06.-204.00-000
MAXWELL GREGORY

01.02.06.-203.00-000
CLAPPER STEVEN F

01.02.06.-202.00-000
CLAPPER STEVEN P

01.02.06.-201.00-000
BRANDT RONNIE & LINDA

01.02.06.-200.00-000
SLAGLE JAY H & JACQUELYN R

01.02.06.-199.00-000
RAGO DOMENICK A & ROSE M

01.02.06.-198.00-000
SHOENFELT

01.02.06.-197.00-000
SHOENFELT PAULA L

01.02.06.-196.00-000
CLAPPER MONICA F

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-194.00-000
GLEIM LINDA G

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-192.00-000
SPAULDING PATRICK

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

01.02.06.-139.00-000
BARNER DAVID W

Chapter 800. Zoning

Article III. Nonconforming Buildings and Uses

§ 800-21. Nonconforming buildings and structures used for nonconforming uses.

A lawfully existing nonconforming building or other structure which contains a lawfully existing nonconforming use of part or all of said building or structure may be continued, subject to all the following provisions:

A. Ordinary repair and maintenance of nonconforming building or structure.

- (1) Ordinary maintenance and repair work or repair and replacement of nonbearing walls, fixtures, wiring, or plumbing may be accomplished; provided, however, that this paragraph shall not be deemed to authorize any violation of this section.
- (2) Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of a nonconforming building subject to the provisions of this section in accordance with the order of a public official who declares such building to be unsafe and orders its restoration to a safe condition.

B. Repairs and alterations to a nonconforming building or structure. Repairs, maintenance, alterations, and modernization may be made to a nonconforming building or structure, except that no structural alteration shall be made in or to such building or structure except those required by law and except those making the building or structure and use thereof conform, or more closely conform, to the regulations of the district in which it is located.

C. Enlargements of nonconforming building or structure. No nonconforming building or structure shall be enlarged or added to in any manner unless such building or structure shall thereafter conform to, or more closely conform to, the regulations of the district in which it is located.

D. Expansion of nonconforming use. A nonconforming use of a part of a nonconforming building or structure may be expanded or extended into any portion of such building or structure, provided that such expansion or extension shall not in any case be detrimental to or tend to alter the character of the neighborhood and that approval therefor be granted by the Zoning Hearing Board.

E. Change of nonconforming use. A nonconforming use all or partially conducted in a nonconforming structure or structures may be changed to another nonconforming use only upon determination by the Zoning Hearing Board, after public hearing, that the proposed new use will be more conforming to its neighborhood and surroundings than the use it is to replace. With the application, the applicant shall submit a brief report. This report shall take into consideration such factors, among others, as traffic generated; nuisance characteristics, such as emission of noise, dust, odors, and smoke, creation of vibrations and fire hazards; the hours and manner of operation.
[Amended 7-12-2017 by Ord. No. 5706]

F. Discontinuance of nonconforming use. A use occupying a nonconforming building or structure not conforming to the regulations of the district in which it is located that is discontinued during any continuous period of 12 months shall not be continued, and said building or structure shall only be occupied by a use which conforms to the district in which it is located.

G. Reconstruction. In the event that a nonconforming use within a nonconforming building or structure damaged or destroyed by any involuntary means to such an extent that the cost of restoring it to its condition prior to damage or destruction exceeds 50% of the current replacement cost of the entire building, exclusive of foundations, such building and use shall not be restored unless it shall thereafter conform to the regulations for the district in which it is located.

H. Moving. No nonconforming building or other structure that is devoted in whole or in part to a nonconforming use shall be moved in whole or in part, for any distance whatsoever, to any other lot, unless the entire building or other structure and the use thereof shall thereafter conform to the regulations of the district in which it is located after being so moved. Moreover, no nonconforming use of land shall be moved in whole or in part, for any distance whatever, to any other location on the same or any other lot, unless such use shall thereafter conform to the regulations of the district in which it is located after being moved.

I. Multiple buildings on a lot. In the event that a lot is occupied by two or more buildings, and the use of the buildings is a permitted use under this chapter, and the owner desires to sell one or more of said structures, thus requiring a lot split or subdivision plan to be prepared and approved by the Planning Commission, effectively making the remaining lots not comply with the yard area and lot coverage requirements as set forth in this chapter, then said requirements shall not apply.

Chapter 800. Zoning

Article V. District Provisions

§ 800-50. R-MH Multiple-Household Residential Zone.

- Q. Buffer yards and screening. Where a nonresidential use is established either abutting or adjoining a residential use, a buffer yard not less than five feet in width shall be provided along the lot lines of the nonresidential use. In addition, the buffer yard shall be in compliance with any decision rendered by the Zoning Hearing Board under a variance or special exception or the Planning Commission under a land development review.

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: 2300 Union Avenue
PURPOSE OF APPEAL: Repeal Zoning + Fire Safety violations as this business has been in business before adoption of Ordinance #5431 + #5781
DESCRIPTION OF PREMISES: 2 story frame construction
USE OF PREMISES: Sexually oriented business existing prior to 08/27/1997
OFF-STREET PARKING: _____

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

PROPERTY OWNER INFORMATION

Name: Thomas Rhodes
Address: 2724 Mill Road Duncanville 16635
Phone: 814-932-0654 Email: _____

APPLICANT INFORMATION:

Name: Thomas Rhodes
Address: (AS ABOVE)
Phone: _____ Email: _____

DESIGN PROFESSIONAL INFORMATION

Name: _____
Address: _____
Phone: _____ Email: _____

SIGNATURE OF APPLICANT: Thomas Rhodes DATE: 8/12/04

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: _____

Zoning resolution Notice 6/27/24 obtained July 5, 2024

15. Department of Codes
Places of Assembly 5/30/24 2314 Union Ave
Fire Safety Inspection " "
Inspection

• Rooming / Boarding - 2018 Certificate

— This facility is currently an unregistered and unlicensed room and board facility. It must be properly registered with the City of Atlanta before next inspection
\$25 fee

2018 IFC Section 1104.16

Exterior Fire Escapes must be inspected by a registered design professional. All Reports/Letters regarding the condition of the fire escape (Grandfathered)

Article • Council voted 6-0 to accept new regulations for future S.O.B.'s. The ordinance specifically #5431 exempts pre-existing businesses like Mingo & the Palace

Article • Council cracks down with new restriction low S.O.B's currently operating are exempt

6/27/24 Zoning Ordinance § 800-87 B + E

Chpt 800. Zoning

§ 800-56. I-2 Light Industrial Zone

2b(1) That the business is not located within 1000 feet of a house of worship

2b(1) Did not exist prior to August 27, 1997

Bld - Existing - Old Regs.

Miholacu

11-15-84

photo of
plans

Commonwealth of Pennsylvania - Dept. of Labor & Industry
Bureau of Occupational and Industrial Safety

Occupancy Permit

Approval for C2 Group Habitation

• Routine business correspondence Blondie & Company

• Copies of expired licenses - SOB

• Schedule C Profit or Loss Statement (sole proprietorship)
Form 1040 2021

• Working with Fire Marshal/Department, Most items on list were already taken care of before his last visit. However, if no changes were made in the property, wouldn't this be "grandfathered-in" as well as zoning

City Council approves sex business ordinance

Sexually oriented businesses thinking about moving to Altoona now face stronger restrictions.

City Council approved amendments to an ordinance regulating new sexually oriented businesses Wednesday night. The new regulations restrict the time a business can be open and the manner and place of the business' operations.

Council voted 6-0 to accept the ordinance. Councilman Thomas Shaheen was absent from the meeting. The

ordinance will go into effect 10 days from Wednesday.

Future sexually oriented business can be open only from 10 a.m. to 10 p.m., with no operations on Sundays or holidays. The ordinance specifically exempts pre-existing businesses The Mirage and The Palace.

The ordinance even could prevent a new strip club or adult bookstore from coming into the area if it would not agree to the new law, council members have said.

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF LABOR AND INDUSTRY BUREAU OF OCCUPATIONAL AND INDUSTRIAL SAFETY



OCCUPANCY PERMIT

THE FOLLOWING BUILDING HAS BEEN INSPECTED BY THE DEPARTMENT OF LABOR AND INDUSTRY AND HAS BEEN FOUND TO BE IN COMPLIANCE WITH THE FIRE AND PANIC LAW, (ACT 299, APRIL 27, P.L. AS AMENDED), AND THE PLANS APPROVED BY THE DEPARTMENT UNDER THE FILE NUMBER AND DATE LISTED BELOW.

THE PALACE
2314 UNION AV.
ALTOONA PA 16602

Political Subdivision: ALTOONA CITY
County: BLAIR

APPROVAL IS FOR THE FOLLOWING CLASSIFICATION(S):
C2 GROUP HABITATION

THE OCCUPANCY PERMIT AUTHORIZES OCCUPANCY OF THIS BUILDING AS LONG AS THE BUILDING IS MAINTAINED IN ACCORDANCE WITH THE FIRE AND PANIC LAW, REGULATIONS AND THE PLAN APPROVAL.

FILE NUMBER	PLAN APPROVAL DATE	PLAN CODE	DRAWING INDEX	FIELD INSPECTION DATE	INDUSTRIAL BOARD VARIANCE	ACCESSIBILITY BOARD VARIANCE
83340	11/15/1984	B	198409652	7/9/1985		

A handwritten signature in dark ink, appearing to read "M. H. V. M.", is written over a horizontal line.

INSPECTOR: BROWN SP
230

DIRECTOR
BUREAU OF OCCUPATIONAL AND INDUSTRIAL SAFETY

CITY OF ALTOONA
ALTOONA, PENNSYLVANIA

LICENSE

TO OPERATE A SEXUALLY-ORIENTED BUSINESS
IN THE CITY OF ALTOONA PURSUANT TO ORDINANCE # 5431

This is to Certify, *That* October 2004

by and under the authority of Ordinance No. 5431 adopted August 27, 1997

**THIS PLACE OF BUSINESS HAS BEEN
INSPECTED AND APPROVED**

Name of Business: The Palace

Proprietor: Thomas Rhodes

Address: 2313 9th Avenue

City, State: Altoona, Pennsylvania

License No. 02

Expiration Date 10/31/2005

Thomas Rhodes

Code Official

This Certificate is the property of the City of Altoona and must be
surrendered on demand. Keep posted at all times in a conspicuous place.

CITY OF ALTOONA
DEPARTMENT OF CODES & INSPECTIONS
ALTOONA, PENNSYLVANIA

LICENSE

TO OPERATE A PUBLIC EATING AND DRINKING ESTABLISHMENT

THIS IS TO CERTIFY, That November, 2005

By and under authority of the Act of May 23, 1945 (Act No. 369)

THIS PLACE OF BUSINESS HAS BEEN INSPECTED AND APPROVED

Name of Business:

The Palace

Proprietor:

Thomas E Rhodes

Address:

2314 Union Avenue

License No:

217

Expiration Date:

November 30 2006

Seating Capacity:

125


Licensing Officer

This Certificate is the property of the City of Altoona Department of Codes & Inspections and must be surrendered upon demand. Keep posted at all times in a conspicuous place.

CITY OF ALTOONA
ALTOONA, PENNSYLVANIA

LICENSE

TO OPERATE A SEXUALLY-ORIENTED BUSINESS
IN THE CITY OF ALTOONA PURSUANT TO ORDINANCE # 5431

This is to Certify, that OCTOBER of 2006

By and under the authority of Ordinance No. 5431, adopted August 27, 2997
THIS PLACE OF BUSINESS HAS BEEN INSPECTED AND APPROVED

NAME OF BUSINESS: The Party Room

PROPRIETOR: Thomas Rhodes

ADDRESS: 2316 Union Avenue

CITY, STATE: Altoona, PA 16602

License No.: 1
Expiration Date: 10/31/2007


Code Official

*This Certificate is the property of the City of Altoona and must be
surrendered on demand. Keep posted at all times in a conspicuous place.*

KNOW ALL MEN BY THESE PRESENTS

That I,Albert E. Wegemer.....

Sheriff of the County of Blair, in the State of Pennsylvania, for and in consideration of the sum of
~~Twenty-Thousand~~.....Dollars
 to me in hand paid, do hereby grant and convey to.....Central Pennsylvania National Bank.....

All the right, title and interest of John Nassif, Jr., Writ of
 Execution, #83 Ex. 1981.

ALL that certain lot or place of land situate in the City of Altoona,
 County of Blair and State of Pennsylvania, bounded and described as follows, to wit:
 Beginning at a point on the Western side of Union Avenue, One Hundred Fifty and sixty-
 four and one-hundredths (150.64) feet Northeast from the Northeastern corner of Twenty-
 fourth (24th) Street and Union Avenue; thence by said Union Avenue, North Two (2) de-
 grees Forty-two (42) minutes Twenty (20) seconds East, One Hundred (100) feet to a point
 on line of land now or late of William H. Cornell; thence North Seventy-eight (78) de-
 grees Forty-seven (47) minutes Forty (40) seconds West, fifty-one and seventy-eight one-
 hundredths (51.78) feet to a point; thence North fifty-one (51) degrees Seventeen (17)
 minutes Forty (40) seconds West, thirty-seven and thirty-eight one-hundredths (37.38)
 feet to a point on the Southeastern side of South Ninth (9th) Avenue; thence by said
 Avenue, South Thirty-four (34) degrees Twenty (20) minutes Twenty (20) seconds West, One
 Hundred Eight and twenty-one one-hundredths (108.21) feet to a point on said South Ninth
 Avenue, Eighty-eight (88) feet Northeast from Twenty-fourth Street; thence South Fifty-
 five (55) degrees thirty-nine (39) minutes Forty (40) seconds East, thirty (30) feet to
 a point; thence South seventy-six (76) degrees Two (2) minutes Forty (40) seconds East,
 One hundred Four-teen and eighty one-hundredths (114.80) feet to a point on Union Avenue
 and place of beginning. Bounded on the Northeast by land now or late of William H. Cor-
 nell and on the Southwest by land now or late of F. Z. Wiederkehr. Having thereon
 erected a two story frame commercial building, operated as a hotel, and known as Union
 Exchange Hotel, and being premises No. 2312, 2314, 2316 and 2318 Union Avenue, Altoona,
 Pennsylvania.

BEING the same premises title to which became vested in John Nassif,
 Jr. by deed of Gladys M. Stoner, widow, dated December 6, 1956, and recorded in the
 Office of the Recorder of Deeds in and for Blair County in Deed Book Volume 732, Page 80.

the same being sold by me to the said grantee, on the.....tenth.....day of.....July.....
 Anno Domini one thousand nine hundred and.....Eighty-One.....after due advertisement according
 to law, and under and by virtue of a Writ.....of Execution.....issued on the
8th.....day of.....May....., Anno Domini one thousand nine hundred and.....Eighty-One
 out of the Court of Common Pleas of said County as of.....
Execution.....Term, one thousand nine hundred and.....Eighty-One
 Number.....83....., at the suit of.....Central Pennsylvania National Bank.....
 against.....John Nassif, Jr.....

In Witness Whereof, I have hereunto affixed my signature this.....tenth.....
 day of.....August....., Anno Domini nineteen hundred and.....eighty-one.....

Albert E. Wegemer (SEAL)
 Sheriff.

COMMONWEALTH OF PENNSYLVANIA, ss:

Before the undersigned.....Deputy.....Prothonotary of the Court of
 Common Pleas of Blair County, personally appeared.....Albert E. Wegemer.....
 Sheriff of Blair County, aforesaid, and in due form of law declared that the facts set forth in the foregoing
 deed are true, and that he acknowledged the same in order that the said deed might be recorded.

Witness my hand and seal of said Court, this.....10th.....day of.....August.....
 Anno Domini nineteen hundred and.....Eighty-One.....

John F. Blum
 Deputy Prothonotary.
 1/4/82

I do hereby certify that the precise residence of the within named Grantee.....

.....Central Pennsylvania National Bank.....

.....Claysburg, Pennsylvania.....

.....August 10,.....19 81.....

Recorded August 10, 1981 at 3:44 P. M.

Albert E. Wegemer Sheriff.
James F. Blum Recorder.

KNOW ALL MEN BY THESE PRESENTS

That I, Albert E. Wegemer
Sheriff of the County of Blair, in the State of Pennsylvania, for and in consideration of the sum of
One Thousand Four Hundred Five and seventy-eight cents Dollars
to me in hand paid, do hereby grant and convey to Hollidaysburg Trust Company

All the right, title and interest of Ronald J. Ryan and Anna Ryan
Prebble, Writs of Execution #72 and #73 Ex., 1981

ALL that certain piece or parcel of land situate in Juniata Township,
Blair County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin in the center of a Juniata Township Road
leading from State Route #07049 to Dry Run Road, said point of beginning also marked by
a spike in the side of an Oak 30 inches in diameter; thence by line of other land of
Frederick M. Eger North 30° 30' East a distance of 389.43 feet to a post; thence South
83° 40' 45" East a distance of 243.80 feet to a stake; thence South 10° West a dis-
tance of 421.72 feet to a stake in the center of the Township Road aforesaid; thence
by center line of said Township Road North 74° 30' West a distance of 200 feet to the
iron pin, the place of beginning. Containing 2.05 acres by survey of David J. Swindell
R.S. dated June 9, 1969.

the same being sold by me to the said grantee, on the Tenth day of July Anno Domini one thousand nine hundred and Eighty-One after due advertisement according to law, and under and by virtue of a Writ of Execution issued on the 23rd day of April, Anno Domini one thousand nine hundred and Eighty-One out of the Court of Common Pleas of said County as of Execution Term, one thousand nine hundred and Eighty-One Number 72 & 73, at the suit of Hollidaysburg Trust Company against Ronald J. Ryan and Anna Ryan Prebble

In Witness Whereof, I have hereunto affixed my signature this 10th day of August, Anno Domini nineteen hundred and Eighty-One

Albert E. Wegemer (SEAL)
Sheriff.

COMMONWEALTH OF PENNSYLVANIA, ss:

Before the undersigned Deputy Prothonotary of the Court of Common Pleas of Blair County, personally appeared Albert E. Wegemer Sheriff of Blair County, aforesaid, and in due form of law declared that the facts set forth in the foregoing deed are true, and that he acknowledged the same in order that the said deed might be recorded.

Witness my hand and seal of said Court, this 10th day of August Anno Domini nineteen hundred and Eighty-One

Albert E. Wegemer
Deputy Prothonotary
1/4/82

I do hereby certify that the precise residence of the within named Grantee,

Hollidaysburg Trust Company

224 Allegheny St., Hollidaysburg, Pennsylvania 16648

August 10, 19 81 *Albert E. Wegemer* Sheriff.

Recorded August 10, 1981 at 3:45 P. M. *James J. Shuman* Recorder.

This Deed,

BOOK 1075 PAGE 564

MADE the 8th day of April

in the year nineteen hundred and eighty-two (1982).

BETWEEN THE CENTRAL PENNSYLVANIA NATIONAL BANK OF CLAYSBURG, a

Pennsylvania corporation, with its principal place of business in Claysburg, Blair County,

Pennsylvania, Grantor, party of the first part,

AND

THOMAS E. RHODES of R. D. 3, Box 388, Duncansville, County of Blair and State of

Pennsylvania, Grantee, party of the second part.

Altoona City-School 260.00
R.E. Transfer Tax
Date 4-13-82
Auth. Sig.

WITNESSETH, That in consideration of

TWENTY-SIX THOUSAND AND NO/100 (\$26,000.00) ----- Dollars,
in hand paid, the receipt whereof is hereby acknowledged, the said grantor do es hereby grant
and convey to the said grantee his heirs and assigns,

ALL that certain lot or place of land situate in the City of Altoona, County of Blair and State
of Pennsylvania, bounded and described as follows, to wit: BEGINNING at a point on the
Western side of Union Avenue, 150.64 feet Northeast from the Northeastern corner of
Twenty-fourth Street and Union Avenue; thence by said Union Avenue, North 2 degrees 42
minutes 20 seconds East, 100 feet to a point on line of land now or late of William H. Cornell;
thence North 78 degrees 47 minutes 40 seconds West, 51.78 feet to a point; thence North 51
degrees 17 minutes 40 seconds West, 37.38 feet to a point on the Southeastern side of South
Ninth Avenue; thence by said Avenue, South 34 degrees 20 minutes 20 seconds West, 108.21
feet to a point on said South Ninth Avenue, 88 feet Northeast from Twenty-fourth Street;
thence South 55 degrees 39 minutes 40 seconds East, 30 feet to a point; thence South 76
degrees 2 minutes 40 seconds East, 114.80 feet to a point on Union Avenue and place of
beginning. Bounded on the Northeast by land now or late of William H. Cornell and on the
Southwest by land now or late of F. Z. Wiederkehr. Having thereon erected a two story
frame commercial building, operated as a hotel, and known as Union Exchange Hotel, and
being premises No. 2312, 2314, 2316 and 2318 Union Avenue, Altoona, Pennsylvania.

BEING the same premises title to which became vested in the Grantor herein by deed

of Albert E. Wegemer, Sheriff of Blair County, dated August 10, 1981 and recorded
in Deed Book Volume 1068, Page 27.

AND the said grantor will generally WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantor has caused this Deed to be signed by its President or a Vice President, and also by its Secretary, or by an Assistant Secretary, or by its Treasurer, or by an Assistant Treasurer, and its Corporate Seal to be hereunto affixed, the day and year first above written.

Attest:



The Central Pennsylvania National Bank
of Claysburg

By

Secretary
Treasurer

Sr. Vice President

CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the grantee herein is as follows:

R. D. 3, Box 388, Duncansville, PA 16835

Attorney or Agent for Grantee

Commonwealth of Pennsylvania

SS:

County of Blair

On this, the 8th day of April, 1982, before me, the undersigned officer, personally appeared Richard K. Carothers, who acknowledged himself to be the Sr. Vice President of The Central Pennsylvania National Bank of Claysburg, the foregoing corporation, and that as such, he, being authorized by such corporation to do so, executed the foregoing deed for the purpose therein contained by signing his name thereon as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

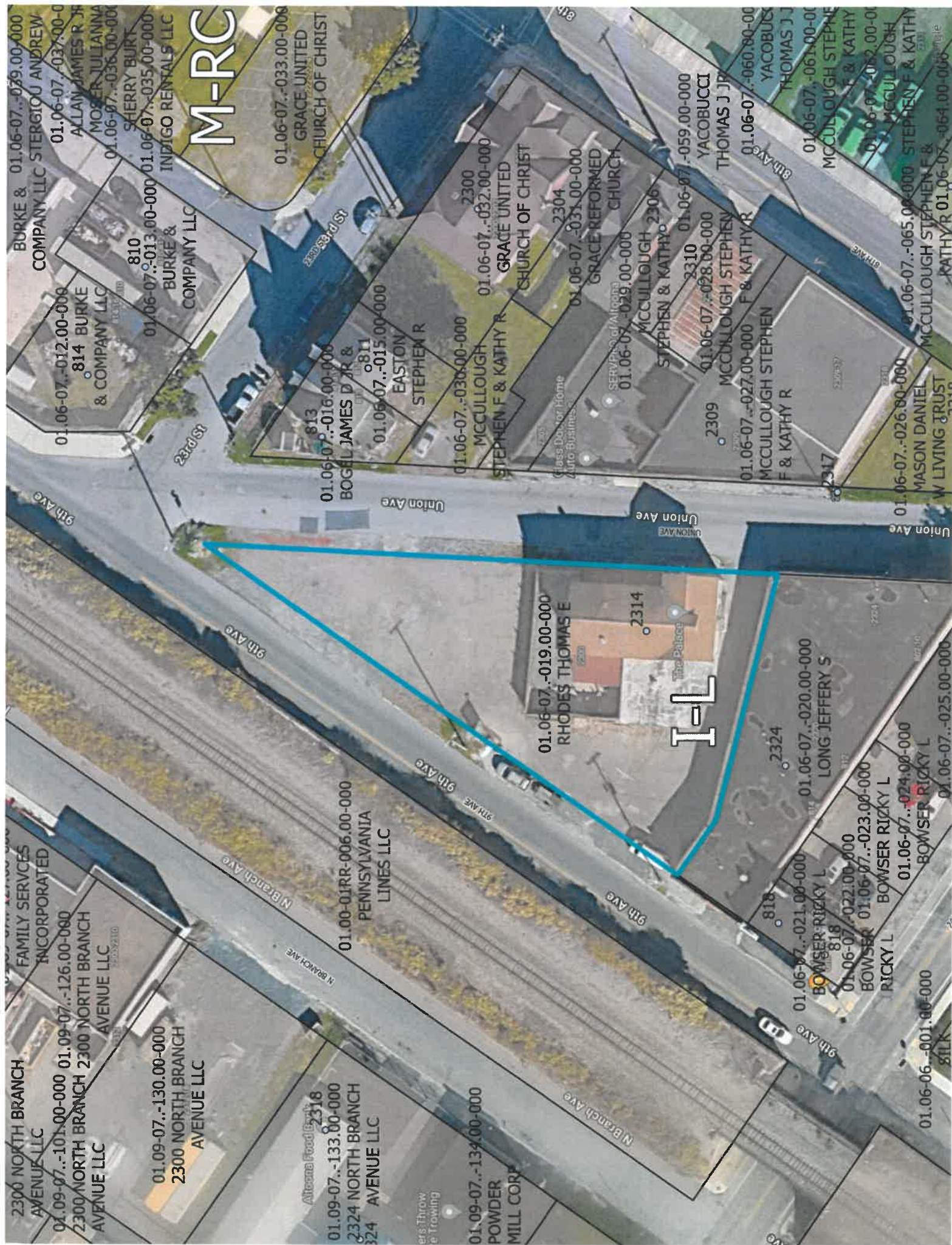
My Commission Expires

Notary Public

MY COMMISSION EXPIRES
JUNE 24, 1985

Recorded April 13, 1982 at 12:56 P.M.

Recorder



M-RC

I-L

Chapter 800. Zoning

Article V. District Provisions

§ 800-56. I-L Light Industrial Zone.

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

- (a) No space exists on the principal lot for adequate parking.
 - (b) The center of the lot is within 400 feet of the principal use.
 - (c) Space is sufficient to allow full compliance with the land development standards set forth in Chapter 640.
 - (d) The lot will not allow the principal use to exceed the maximum parking allowances set forth in the land development standards.
 - (e) The installation of parking at this location will not have a deleterious effect on the overall neighborhood in terms of residential stability and economic development.
 - (f) The installation of the parking facility will not necessitate the demolition of a viable and structurally sound building.
- (2) Sexually oriented business, with these three sets of findings:
- (a) That the applicant(s):
 - [1] Is an individual person or are all individual persons in a group, partnership, corporation, or other business association having at least a ten-percent interest, whether direct or indirect.
 - [2] Is 18 years old or older and has an interest in the property.
 - [3] Certifies that no one on the premises shall be under the age of 18 years.
 - [4] Has never been convicted of any offense involving sexual misconduct, including without limitation prostitution, rape, obscenity, statutory rape, possession of child pornography, or corruption of minors.
 - [5] Agrees that the Zoning Officer and the City of Altoona Police Department may inspect the premises for compliance with this chapter and the Board's permit upon request whenever the business is open.
 - (b) That the business:
 - [1] Is not located within 1,000 feet of a house of worship, a school (public or private preschool, child day-care, elementary, or secondary facility), a public library, a public park, or a child-oriented business. Such measurement shall be taken from the structure in which the sexually oriented business is to be located to the property line of the other use. Uses outside the corporate limits of the City of Altoona shall also be considered. The subsequent location of one of these uses within 1,000 feet of an existing sexually oriented business shall not serve to void the permit(s) granted to the sexually oriented business.
 - [2] Is not operated, established, substantially enlarged, or transferred in ownership or control within 1,000 feet of another sexually oriented business. Such measurement shall be taken from the structure in which the sexually oriented business is to be located to the structure of the sexually oriented business. Uses outside the corporate limits of the City of Altoona shall also be considered.
 - [3] Is not operated, established, or maintained in the same building or structure, or portion thereof, as another sexually oriented business, nor shall the floor area be enlarged in such case.
 - [4] Did not exist prior to August 27, 1997. Such a business shall not be permitted to be increased, enlarged, extended, or altered unless such increase, enlargement, extension or alteration places the entire use in full compliance with this section.
 - [5] Is so designed so that activities within the business cannot be seen, heard, or smelled outside the structure, or portion thereof, in which the business is located. This shall include, without limitation, devices, objects, toys, tools, entertainment, and signs advertising the business that are distinguished or characterized by their association with sexually oriented activity.
 - [6] Agrees that merchandise displays, signs, or any other exhibit depicting adult entertainment activities or sexually oriented businesses placed within the interior of buildings or premises shall be arranged and screened to prevent public viewing from outside such buildings or premises.
 - (c) That the City:
 - [1] Is granted the right to inspect the business for compliance on demand at any time the business is open.
 - [2] Has the ability to shut down the business for noncompliance with this chapter or the Board's decision. Such a shutdown can take the form of either a suspension or a revocation of the permit(s) or license(s) necessary to legally operate the business until the time when the noncompliance is corrected to the satisfaction of the Board.
- (3) Permanent containerized storage.
- (a) The containers shall be permanently and securely affixed to the ground or building in accordance with the Building Code.
 - (b) The containers shall not interfere with the existence or use of the parking, loading, buffering, and screening elements of the lot.
 - (c) The containers shall be maintained in sanitary condition to the basic standards for structures as determined by the City of Altoona Code Enforcement Department.
 - (d) The containers shall not be used for advertising; no signs shall be affixed to any part of the exterior of the containers.
 - (e) The containers shall not be visible from any street (alleys excepted) or any nonindustrial zoning district.
- (4) Uses similar to permitted uses.
- (a) The use is compatible with the surrounding neighborhood and is not contrary to the stated purpose of the zone (see § 800-56A above).
 - (b) The specific use is not permitted in any other nonresidential district. This finding may be waived if the Board finds that the proposed use is complementary to an existing use on the same property or an immediately adjacent parcel.

- (c) The use is primarily industrial, not commercial, in nature.
- D. Conditional uses: none.
- E. Prohibited uses. Any use not complying with the specifications of this article is prohibited.
- F. Supplemental zoning permit requirements. In order that the Zoning Officer may have a reasonable basis upon which to approve a proposed industrial operation or an expansion of an existing industrial operation for conformity to the requirements of this chapter, the following data shall be submitted with an application for a permit, in addition to the requirements aforementioned for a zoning permit in § 800-15:
- (1) Plot plan drawn to a scale of one inch equals 40 feet, including:
 - (a) Loading and unloading areas.
 - (b) Description of buffers where required.
 - (c) Provisions of parking where required.
 - (d) Location and specifications of any proposed signs.
 - (2) Architectural plan to a scale of 1/8 inch equals one foot.
 - (3) Description of operation.
 - (4) Engineering and architectural plans for all utilities to a scale of 1/8 inch equals one foot.
 - (5) Plans for prevention or control of noise, vibration, glare, fire hazard, air pollution, water pollution, and traffic.
 - (6) Number of shifts and maximum employment per shift.
 - (7) Stormwater management plan and provisions allowing floodplain construction, if necessary.
 - (8) Additional pertinent data as may be required by the Zoning Officer.
 - (9) Evidence of approval of any state agency concerned.
- G. Height. The height of a structure shall be not greater than 100 feet. The height of a structure shall be not less than one story.
- H. Area. The lot area shall be not less than 6,000 square feet.
- I. Coverage. The coverage shall be no more than 65%.
- J. Width. The lot width at the building line shall not be less than 75 feet.
- K. Frontage. The lot shall have a minimum frontage of 75 feet.
- L. Setbacks.
- (1) Each lot shall have setbacks of not less than the depth or width indicated below:

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

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

M. Accessory structures.

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

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

N. Permitted setback encroachments.

- (1) Cornices, eaves, gutters, bay windows, drive-through windows or chimneys may encroach into the required setback of a lot not more than 24 inches. However, no cornices, eaves, gutters, bay windows, or chimneys may be closer than 3 1/2 feet from any side lot line.
 - (2) A covered carport or covered patio or porch open on three sides may be erected within one of the side yards or rear yard when attached to a main structure existing at the effective date of this chapter, provided the covered carport or covered patio or porch open on three sides shall be not less than 3 1/2 feet from the side or rear lot line and shall never be enclosed.
- O. Off-street parking. Parking for the uses in the Light Industrial Zone shall be as follows:
- (1) Residential uses not subject to land development review under Chapter 640 shall be provided with a minimum of one and a maximum of three off-street parking spaces per dwelling unit.
 - (2) Minor-impact home-based businesses shall neither increase nor decrease the number of spaces required for the property.
 - (3) Uses governed by a land development review under Chapter 640 shall meet the parking requirements established as a result of the requisite review.
 - (4) All other uses shall be provided with a minimum of four off-street parking spaces per 1,000 square feet of floor space, or a prorated portion thereof.
- P. Signs. Signs, when provided, shall conform to those regulations contained in Article VI of this chapter, Signs.
- Q. Floodplains. All permitted uses located within a floodplain as identified on the Flood Boundary and Floodway Maps must comply with the provisions and requirements of Chapter 362.
- R. Buffer yards and screening. Where a nonresidential use is established either abutting or adjoining a residential use, a buffer yard not less than five feet in width shall be provided along the lot lines of the nonresidential use. In addition, the buffer yard shall be in compliance with any decision rendered by the Zoning Hearing Board under a variance or special exception or the Planning Commission under a land development review.
- S. Fences and walls.
- (1) Fences and walls may be erected, altered, and maintained in any light industrial district within the setbacks, provided that.
 - (a) Any wall or fence forward of the front yard setback shall not exceed four feet in height. Commercial businesses or institutions may build security fences up to 10 feet in height forward of the front setback line if the fences are at least 50% open and do not block visibility at intersections.
 - (b) Any fence in the rear yard or side yard shall be permitted a maximum height of seven feet. Such fences may be extended upward to a maximum height of 10 feet if the fence is at least 50% open.
 - (c) This provision shall not apply to retaining walls or vegetated screening.
 - (2) Fences and walls may be erected, altered, and maintained in front yards, provided that the provisions of § 800-39, Obstruction to vision, and Subsection S(1)(a) of this section are met.
 - (3) Barbed wire, razor wire and electric fences shall not be permitted except at a height exceeding seven feet from grade level.^[1]
- [1] Former Subsection S(4), regarding a special exception from the Zoning Hearing Board, which immediately followed this subsection, was repealed 8-14-2019 by Ord. No. 5748.