

**March 14, 2024**

A special meeting of the Ligonier Borough Council was held Thursday, March 14, 2024 at 6:30pm in the Town Hall. The purpose of the meeting was to hold a **Conditional Use Hearing to consider and take action on an application for Conditional Use filed by Edwin Gordon for property at 117 S St. Clair Street having tax map # 16-01-15-0-177 in the C1 District.**

Solicitor George Welty conducted the hearing and Secretary-Treasurer Jan Shaw stated that she was in possession of the proof of publication for the hearing. Shaw further stated that she had received a copy of the minutes of the Planning Commission with recommendation to approve the **Conditional Use for a Single Family Detached Residential Dwelling.**

**Edwin Gordon and Don Kramer were sworn in.**

**Edwin Gordon** is co-owner of above mentioned property along with his sister **Ann Earle** who has submitted a letter in approval of the application.

Edwin Gordon explained to Council that they have been trying to sell the property following their fathers passing. The empty lot is 43 x 80 feet and does not lend itself to use as a commercial lot largely based upon the insistence of the Americans with Disabilities Act. A new construction would have to build ramps etc., which would diminish ground per square footage dramatically.

Gordon further explained that while a few people came forward interested in the lot, they did not want to try to deal with the C1 Zoning. They were interested in it as a residential lot. The requirements of C1 are first floor commercial. After 2 years it has reached a point that it is an unproductive corner.

Gordon closed by stating that the houses across the street are residential. Foot traffic during Fort Ligonier Days is extremely modest and if the lot remains C1 Commercial, parking would be lacking.

**Relator Don Kramer**, stated that 117 S. St. Clair property was owned previously by Mr. Gordon's father who practiced medicine there for many years. The C1 zoning requires retail/professional for the 1<sup>st</sup> floor and residential permitted upstairs. Kramer feels people do not like to be this far down for retail. People like to be closer to the Diamond for retail. Kramer feels residential is the best use for the lot.

**Solicitor Welty** explained that a residential use may be permitted as a conditional use upon the applicant's demonstration that the proposed use impacts the neighborhood and adjacent streets, circulation and lots equal to or less than any use specifically listed in the Zoning District. In making a determination the following characteristics shall be considered; the gross area of the lot devoted to proposed use, vehicular and pedestrian circulation patterns, & the extent of pervious and impervious surfaces in relationship to that currently on the adjacent lots. If the use will not endanger the public health and safety if located where proposed and that the use will not deteriorate the environment or generate nuisance conditions such as traffic congestions, noise, dust smoke etc. If proposed is in general conformity of the Borough's comprehensive plan and harmony with the area in which it is proposed and complies with any applicable standard and criteria specified in the article.

Solicitor Welty stated that these are things that Council needs to consider in the decision.

Solicitor Welty stated that the application is ready for action at this point.

**MOTION**

***A motion was made by Adriel Ginsburg and seconded by Judy Hoffer to approve the Conditional Use application for tax map #16-01-15-0-177. All of Council was in favor.***

***President Matt Smith noted that the motion concludes the hearing.***

Respectfully submitted,

Janette Shaw  
Secretary-Treasurer