

APPROVED

**SPRINGETTSBURY TOWNSHIP  
ZONING HEARING BOARD  
MAY 23, 2018**

**MEMBERS IN**

**ATTENDANCE:** Dale Achenbach, Chairman  
John Schmitt  
Sande Cunningham  
David Seiler  
Chris Shuttlesworth

**ALSO IN**

**ATTENDANCE:** Jessica Fieldhouse, Director of Community Development  
Raphael Caloia, Assistant Planner  
Gavin Markey, Solicitor  
Sue Sipe, Stenographer

**1. CALL TO ORDER:**

**A. Pledge of Allegiance**

Chairman Achenbach called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance. He introduced the members of the Board.

**2. ACTION ON THE MINUTES**

**A. March 1, 2018**

**MOTION MADE BY MR. SEILER TO APPROVE THE MINUTES OF MARCH 1, 2018 AS AMENDED. MR. SCHMITT SECONDED. MOTION UNANIMOUSLY PASSED.**

Chairman Achenbach asked if the cases were properly advertised. Mr. Caloia responded that notifications had been made.

**3. OLD BUSINESS - NONE**

**4. NEW BUSINESS**

**A. Case ZHB-18-04 Angie Uhlman 550 Cherry Blossom Ct.**

All witnesses were sworn in.

Angela Uhlman, Applicant

Mr. Caloia stated the applicant submitted a variance to place a 740 sq. ft. in-ground pool on the side yard as opposed to the rear of the dwelling as required under S.325-141.A of the zoning ordinance. Photos were provided of the property.

Ms. Uhlman indicated with the elevation of the house the rear of the property is sloped and at the back end of the property there is a berm to prevent water runoff from the development below them, making it not possible to locate the pool in the rear. She pointed out on the photo the proposed location for

placement of the pool along the side yard.

Mr. Caloia indicated the proposed pool location would be set back 15 ft. from the side property line which is within the appropriate setback of the R-10 zoning district. The pool will be 38 ft. from the rear property line which is within the 10 ft. setback for pools in all residential zoning districts. He noted the Township has reviewed the permit application submitted and found that the lot will still be within the lot coverage. He noted the size of the pool is not counted towards the lot coverage. It is only the decking around the pool.

Chairman Achenbach asked if there was anyone in attendance who wished to speak for or against the applicant.

Brad Bomgardner, Crystal Pools

Mr. Bomgardner provided photos of the lot marked as Exhibit A2, A3, A4, A5, A6. He noted the photos provide a view of the swale and illustrated the water runoff with the grade of the property. He also provided a letter from a neighbor indicating they were not opposed to the pool project (Applicant's Exhibit #1).

Ms. Fieldhouse indicated a sketch plan was provided in the application showing the fencing around the pool in relation to the property lines. Mr. Bomgardner noted there is a 3-ft. walkway around the pool.

Attorney Markey stated Staff comments are comprehensive and accurate. He indicated the property does suffer from significant physical hardships which justify the granting of the variance, which he determined was dimensional in nature.

Chairman Achenbach acknowledged the requirements for granting the variance in the ordinance and they were satisfied all those conditions are met.

**MS. CUNNINGHAM MOVED IN THE CASE OF ZHB-18-04 ANGELA UHLMAN TO GRANT THE VARIANCE FOR S.325-141.A FOR AN IN-GROUND POOL PLACED TO THE SIDE OF THE PRINCIPAL BUILDING AS OPPOSED TO THE REAR. SECONDED BY MR. SCHMITT. MOTION UNANIMOUSLY PASSED.**

**B. Case ZHB-18-105 William Boll – 3357 Deininger Road**

All witnesses were sworn in.

Timothy Debes, Engineer

William Boll, Applicant

Mr. Caloia stated the property owner has applied for a variance to S.325-134.B of the Ordinance which requires accessory structures to be placed to the rear of the principal dwelling on the property. Mr. Boll is proposing to construct a 768 sq. ft. accessory structure – garage to the west side of the principal structure.

Mr. Debes indicated a sketch was submitted showing the location of the proposed garage. The property is approximately an acre and there are no setback issues. He noted they are trying to avoid a setback issue allowed by the Ordinance placing the proposed garage on the shell of the lot so it aligns to the rear building wall and pushes it into the rear yard setback. However, that is not characteristic of the layouts that make up for the neighborhood as a whole. He noted the front of the house where the slopes are 5% and then drops to 8-10%, He noted photo exhibits A, B, C which show the layout of the property next to the house where the garage is proposed. He pointed out shifting the proposed garage to the rear property line would encroach the setback as well as the abandoned septic field that was built in the 1950's. There

was also an existing structure which was on a concrete foundation with footings that the applicant has used continuously since he acquired the property. There are also 4 mature trees surrounding it which the applicant wants to preserve. He noted shifting anything to the rear would increase the carbon footprint by elongating the driveway connection from the front driveway to the garage. Originally since the house was built on top of the original foundation, it now precludes attaching the garage because there are no connections to the house with windows and other house foundations, which force the applicant to locate and detach the garage structure.

Mr. Debes pointed out Exhibits D and E which show the location of the garage of the applicant's neighbor which mirror the applicant's proposal. Mr. Debes also noted the majority of the garages in the neighborhood are in line with the main structure. They are not pushed into the rear setback and some are detached. He indicated photos 8,9,10 and 11 show other properties where the garage was built in front of the house.

Mr. Boll pointed out on the photo the location of the proposed garage. The space between the garage and the existing house is 26 ft.

Chairman Achenbach asked if there was anyone in attendance who wished to speak for or against the applicant.

Attorney Markey stated he had no objections to the application.

Mr. Caloia indicated the plan was reviewed by the Township and they confirmed that it meets all the applicable zoning ordinances other than the side yard requirement of the accessory structure. It is well within minimal lot coverage and all appropriate setbacks.

**MR. SEILER MOVED IN THE CASE OF ZHB-18-05 WILLIAM BOLL TO GRANT THE VARIANCE FOR S.325-134.B FOR AN ACCESSORY STRUCTURE ON THE SIDE OF THE HOUSE AS OPPOSED TO THE REAR OF THE PRINCIPAL BUILDING. SECONDED BY MR. SHUTTLESWORTH. MOTION UNANIMOUSLY PASSED.**

#### **C. Case ZHB-18-06 Beck Funeral Home – 3670 East Market Street**

All witnesses were sworn in.

Attorney Clifton Geise  
Adam Anderson, Site Design Concepts

Mr. Caloia stated the applicant currently has a land development plan for this lot as well as a subdivision plan. They are proposing to construct a mortuary on the two lots and subdivide those two lots into one consolidated single lot. As part of their land development plan they are proposing to add 111 parking spaces as required by the Township Zoning Ordinance. During the plan review Township Staff had requested that the applicant submit a variance request to reduce the number of parking spaces as their traffic impact access submitted showed they would be using significantly less parking than the ordinance required. So they are proposing to reduce parking spaces down to 99 spaces per S325-114.D.

Ms. Fieldhouse indicated the Township is attempting to build smarter developments, with regards to the community's municipal separate storm sewer system federal and state permit requirements. She provided background noting this is a federally mandated program where they need to be actively taking steps to improve the quality of stormwater runoff off of sites and into municipalities water ways. She further noted they will be participating in a master transportation planning study for the entire community. A large portion of that will be changes to be made to the Zoning Ordinance specifically with regard to transportation impacts, which will include parking.

Mr. Anderson stated there is an entrance to the site on Western Drive and a shared access drive along the south edge. They are working with the Township on the parking reduction. The parking they are showing on the current plan meets the Zoning Ordinance. It is zoned Commercial-Highway. A proposed mortuary is permitted by right in the zoned district. The building is 8,512 sq. ft. The parking requirement is 1 space per 75 sq. ft. or 13 spaces per 1000 sq. ft. resulting in the 111 parking spaces generated.

Mr. Anderson indicated as part of the land development process a traffic summary letter prepared by Traffic Resource Group was submitted as part of their application. He noted a typical funeral ceremony has 30 to 50 spaces. The 111 spaces are nearly double what is needed.

As noted by the Township, Mr. Anderson stated they are working on a stream restoration potential project going through the steps, looking at the concept which turned out to not be a good candidate at this point.

Ms. Fieldhouse stated what they had asked for was additional vegetation in this area, especially adjacent to the tributary as close as possible without invoking the need for a DEP permit.

Chris Beck, Owner of Beck Funeral Home stated they are also located in Spring Grove and the proposed location will be an addition.

Chairman Achenbach asked if there was anyone in attendance who wished to speak for or against the applicant.

Attorney Markey had no further comment.

**MR. SEILER MOVED IN THE CASE OF ZHB-18-06 FOR BECK FUNERAL HOME TO GRANT THE VARIANCE FOR S.325-114.D TO REDUCE THE NUMBER OF REQUIRED PARKING SPACES FROM 111 SPACES TO 99 SPACES. SECONDED BY MR. SCHMITT. MOTION UNANIMOUSLY PASSED.**

## **5. ADJOURNMENT**

**CHAIRMAN ACHENBACH ADJOURNED THE MEETING AT 6:50 P.M.**

Respectfully submitted,

Secretary

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