

APPROVED

**SPRINGETTSBURY TOWNSHIP
ZONING HEARING BOARD
AUGUST 2, 2018**

MEMBERS IN

ATTENDANCE: Dale Achenbach, Chairman (late arrival)
David Seiler, Vice Chairman
Sande Cunningham
John Schmitt
Chris Shuttlesworth
Mark Bair, Alternate

ALSO IN

ATTENDANCE: Raphael Caloia, Assistant Planner
Gavin Markey, Solicitor
Sue Sipe, Stenographer

1. CALL TO ORDER:

A. Pledge of Allegiance

Vice Chairman Seiler 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. JULY 5, 2018

MOTION MADE BY MR. SEILER TO APPROVE THE MINUTES OF JULY 5, 2018 AS AMENDED. MR. SHUTTLESWORTH SECONDED. MOTION UNANIMOUSLY PASSED.

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

3. OLD BUSINESS - NONE

4. NEW BUSINESS

Case ZHB-18-08 Melissa Brison – 400 Maywood Road

All witnesses were sworn in.

Melissa Brison Cherry, Applicant

Mr. Caloia stated this is a corner property located at the intersection of Maywood Road and Kingston Road. The applicant proposes to install an above ground pool on the side yard as opposed to the rear yard as required by the zoning ordinance. The house on the property is set back far from the road, and the rear yard is approximately 15 ft. wide which is not enough room to install the pool, so they are proposing to

install the pool on the western edge of the property. The plan was reviewed by the building code officials and the requested pool is found to be consistent with required building codes and also consistent with all required zoning codes other than the location.

Mrs. Brison indicated they currently do not have a fence, however the pool is 54 inches high and they would have a locking gate. She noted in the spring they will have a fence installed. Mr. Caloia indicated they would not be required to install a fence since it is an above ground pool.

Att. Markey indicated the case analysis was comprehensive and it appears the property suffers from what is necessary for the granting of the variance which he noted is an unnecessary hardship due to the irregularity and the narrowness of the lot size and shape. He reminded the Board of the criteria for the granting of the variance, noting it is a permitted use in conjunction with the residential structure.

Vice Chairman Seiler asked if there was anyone in attendance who wished to speak for or against the applicant. Hearing none, he called for a motion.

MR. SHUTTLESWORTH MOVED IN THE CASE OF ZHB-18-08 MELISSA BRISON 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-18-10 Daniel Eckman – 3821 Concord Road

All witnesses were sworn in.

Daniel Eckman

Mr. Caloia indicated the applicant is proposing to place an above ground pool on the side yard as opposed to the rear yard as required by the zoning ordinance. He noted this is a corner lot located at the corner of Concord Road and Kings Arms Lane. The lot was constructed in such a way that the house is set back far enough from the road resulting with the rear yard being approximately 11 ft., which is not enough room to install a pool. The applicant is proposing to place the pool on the southern side yard of the property. The pool has been reviewed and is compliance with all other building codes and zoning code regulations.

Mr. Eckman indicated he has a fenced in yard so the pool will be within the fence. There is an existing shed in the side yard which will be removed.

Att. Markey stated the comments from the previous case are applicable to this case and he had no issues with the granting of the variance.

Vice Chairman Seiler asked if there was anyone in attendance who wished to speak for or against the applicant. Hearing none, he called for a motion.

MS. CUNNINGHAM MOVED IN THE CASE OF ZHB-18-10 DANIEL ECKMAN 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. SHUTTLESWORTH. MOTION UNANIMOUSLY PASSED.

5. ADJOURNMENT

VICE CHAIRMAN SEILER ADJOURNED THE MEETING AT 6:10 P.M.

Respectfully submitted,

Secretary

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