

**APPROVED**

**SPRINGETTSBURY TOWNSHIP  
ZONING HEARING BOARD  
FEBRUARY 6, 2020**

**MEMBERS IN**

**ATTENDANCE:** Dale Achenbach, Chairman  
David Seiler, Vice Chairman  
Sande Cunningham, Secretary  
Mark Bair  
Stacey Ankrum, Alternate

**NOT PRESENT:** Chris Shuttlesworth

**ALSO IN**

**ATTENDANCE:** Jessica Fieldhouse, Community Developer Director  
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. AUGUST 1, 2019**

**MR. SEILER MOVED FOR APPROVAL OF THE AUGUST 1, 2019 ZONING HEARING BOARD MINUTES AS SUBMITTED. MR. BAIR SECONDED. MOTION UNANIMOUSLY CARRIED.**

**3. REORGANIZATION**

**MS. CUNNINGHAM MOVED TO RECOMMEND APPOINTMENT OF THE FOLLOWING SLATE OF OFFICERS FOR 2020:**

**DALE ACHENBACH, CHAIRMAN  
DAVID SEILER, VICE CHAIRMAN  
SANDE CUNNINGHAM, SECRETARY**

**SECONDED BY MR. SEILER. MOTION UNANIMOUSLY PASSED.**

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

**4. OLD BUSINESS – None**

**5. NEW BUSINESS**

**A. Case ZHB-2019-0012 – Dana Becker – 4220 Caldwell Drive**

Dana Becker

Joe Nardo, Contractor

All witnesses were sworn in.

Ms. Fieldhouse stated the owner is proposing to construct a patio. The property is located in the R-20 zoning district. It is a non-conforming lot as the parcel is slightly smaller than the minimum lot size for an R-20 zoning district which is 20,000 sq. ft. This parcel is 18,447 sq. ft. The property owner is requesting a 3% variance to the maximum impervious coverage of 28% instead of the required 25%. The location of the property on Caldwell is situated between Briton Drive and Livingstone Drive. She noted the properties along Livingstone Drive are zoned R-10. She pointed out the rear property lines are a demarcation line for properties in the R-20 zoning district vs. the R-10 zoning district. The maximum impervious lot coverage for a parcel in the R-10 zoning district is 35% vs. 25% in the R-20 zoning district. Staff considers this to be a dimensional variance as opposed to a use variance because of the non-conforming lot size and the fact that the parcel is adjacent to an R-10 zoning district. Staff is comfortable with the Zoning Hearing Board granting the variance as noted in the briefing.

Mr. Nardo stated the back yard of the home currently has an elevated 10x16 deck which has been removed. They are proposing to replace it with a concrete patio at ground level. They are asking for 79 additional square feet to make the patio 11x23.

Ms. Fieldhouse clarified that it is an additional 188 sq. ft. Mr. Nardo confirmed the correction.

Photo exhibits were presented which show the rear view of the house.

Ms. Becker noted she has never had any drainage issues in her back yard. She noted there is a berm in the back of the property to direct water flow.

Ms. Fieldhouse indicated when the building permit is issued it will require they manage the stormwater for the impervious coverage added.

Solicitor Markey was in agreement with the findings and considered it to be a diminimus variance.

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

**MR. BAIR MOVED IN THE CASE OF ZHB-2019-0012 THAT THE VARIANCE REQUEST BE APPROVED. SECONDED BY MR. SEILER. MOTION UNANIMOUSLY PASSED.**

**B. Case ZHB-2020-0001 – Angela Dietz – 3295 Taunton Drive**

Angela Dietz

All witnesses were sworn in.

Ms. Fieldhouse indicated the property owner is requesting a variance to Section 325-20.C to side yard setback in the R-10 zone and Section 325-134.B an accessory structure located at the rear of the property. She noted Ms. Dietz requested a permit to expand a portion of the macadam driveway along the side of the house. The permit was granted. Upon final inspection of the construction, township staff realized that Ms. Dietz had also placed a canopy over the area within the side yard setback, which is considered an accessory structure. Ms. Fieldhouse noted accessory structures per the ordinance are required to be placed in the rear yard. Ms. Dietz completed variance paperwork for both the side yard setback and for having an accessory structure located in the rear yard. These are variances after the fact. Township Staff has no issues with the variance requests, the reason being in order to put the carport in the rear of the property it would take additional macadam surfacing. Staff would rather see a carport in the side yard reducing the amount of impervious coverage, and therefore minimizing the impact to the township as a whole for stormwater runoff. She noted Ms. Dietz provided a letter from her adjoining neighbor for the side property line who indicated she had no issues or concerns with the carport being located close to the property line.

Solicitor Markey agreed with Ms. Fieldhouse’s analysis of the case summary. He had no objection from a legal perspective of the request.

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

**MR. BAIR MOVED IN THE CASE OF ZHB-2020-0001 THAT THE VARIANCE REQUEST BE APPROVED. SECONDED BY MR. SEILER. MOTION UNANIMOUSLY PASSED.**

**C. Case ZHB-2020-0002 and Case ZHB-2020-0003 – Pine Forest Mini Storage – 2000 Whiteford Road**

**It was noted there was an error in the address listed in the advertising for the following cases. It was determined to proceed with the hearing with the decision being withheld and the cases will be re-advertised prior to the next meeting to allow for public comment. At the next meeting the decision of the case will be rendered based on the discussion held. Solicitor Markey stated at the subsequent meeting provision would be made for public comment.**

Attorney Paul Minnich

Dominic Marre, Rep. of Pine Forest Development

Tom Englerth, Land Surveyor, Site Design Concepts

Attorney Minnich stated they completed a project re-design to address the parking situation. They had a special exception request for the mini-storage use and a variance related to the parking. They are now able to meet the parking requirement, therefore, will not need the variance request.

Ms. Fieldhouse affirmed she spoke to Mr. Englerth relative to the redesign. She noted the building has decreased in size both from the footprint and also from the height. It is proposed to be a three-story structure, as opposed to the previous plan for a four-story structure. She confirmed she reviewed the parking area requirements with Mr. Englerth and determined they no longer will need the variance, since they can provide the 14 parking spaces required. She referred to Section 325-116 which outlines what the offset parking requirement is for a mini-storage as being one space per every 50 storage units plus 8 parking spaces for every 4 permanent site managers. She noted they are not proposing any permanent on-site managers. There is the one space for every 50 units and there are 682 storage units proposed which provides them the 14 spaces.

Ms. Fieldhouse stated they anticipate getting the land development plan after the Zoning Hearing Board action is finalized. She noted Staff apologizes for the address error in the advertising which noted 3000 Whiteford Road instead of 2000 Whiteford Road.

Attorney Minnich stated in order to mitigate the error they will provide the presentation in its entirety understanding they would adjourn the proceedings with the final decision made by the Zoning Hearing Board at the next meeting to allow for the case to be re-advertised.

Chairman Achenbach asked Solicitor Markey if this would impose any restriction on the composition of the Board for the next meeting. Solicitor Markey indicated the voting members should be the exact panel present at this meeting.

Through testimony from Attorney Minnich, Mr. Maree indicated he is one of the principals of Pine Forest Development. He noted they have an equitable interest in the property located at 2000 Whiteford Road.

Mr. Maree stated they are proposing a three-story climate controlled mini-storage facility containing 682 units.

He noted they submitted an application for a special exception for the project, engaging Site Design Concepts to prepare a schematic site plan for development, as noted by Exhibit A-1.

Mr. Maree explained the design of the project, noting they typically hire a third- party manager. Operations are usually 9 to 5 weekdays and on the weekends. Customers have 24-hour access to the units. Vehicles drive into the building to unload and load their possessions. The typical storage unit size is 5x5 to 10x30. There would be no residents or managers living at the facility.

Mr. Maree stated there would be no impact on public services, such as school systems, fire and police, as well as emergency services.

He noted there is a small office with one restroom and one restroom for tenants.

In regards to the variance he concurred that since the parking requirements are met they are formally withdrawing the variance application.

**A MOTION WAS MADE BY MS. CUNNINGHAM TO ACCEPT THE REQUEST OF THE APPLICANT TO WITHDRAW THE VARIANCE FOR PARKING REQUIREMENTS. SECONDED BY MR. SEILER. MOTION UNANIMOUSLY PASSED.**

A question was raised about fire protection. Mr. Maree indicated the building is concrete and will be sprinklered along with other safety precautions.

A question was raised concerning hours of operation and access. Mr. Maree explained on the back of the building there is a keypad. Clients will have a code to enter the building whenever they want. From 9 to 5 an employee will be available for customers to rent a unit.

Through testimony from Attorney Minnich, Mr. Englerth, stated his company has been involved in the application process and development of the site plan.

Mr. Englerth stated he had an understanding of the size and scope of the proposed facility. He confirmed that the mini-storage facility is a use permitted by special exception in the zoning district.

Mr. Englerth provided testimony on the criteria for a special exception as follows:

- The use will not detract from the use and enjoyment of adjoining or nearby properties, based on screening and setback requirements.
- The use is less impactful than uses that are permitted as of right to the zoning district.
- The use will not substantially change the character of the subject property or the neighborhood based on this area of the township.
- There are adequate public facilities available to serve the proposed use, relating to schools, fires, police, ambulance, sewer, water, utilities and vehicular access.
- He noted the criteria for a flood plain overlay zone does not apply since the site is not in a designed flood plain.
- Mr. Englerth affirmed he reviewed the criteria to meet the requirements of Section 325-190. F.2 for special exceptions as they relate to compatibility, suitability, serviceability, accessibility and

conformity as well as Section 325-176 criteria specific for mini-storage units. He noted the plan was developed accordingly.

- The parking plan was developed based around compliance with special exception criteria and he believed all of those criteria both general and specific have been fully met.
- He noted the plan would not impair the integrity of the Township's comprehensive plan.

Mr. Englerth confirmed as part of the land development process the plan submitted would be fully compliant with the criteria of the special exception use if granted.

A question was asked as to outside professional security monitoring. Mr. Maree stated it would be monitored, however due to the area it was not determined to warrant professional monitoring.

A question was raised in regards to a rendering of the outside of the building. Ms. Fieldhouse indicated elevations will be a necessity for land development approval and a rendering would be provided.

In regards to outside signage Solicitor Markey stated signage would be in compliance with any requirements in place.

Solicitor Markey indicated that in light of Ms. Fieldhouse's detailed analysis of the specific criteria and Att. Minnich's direction to demonstrate compliance with those criteria, he concurred with the proceedings of the case. He noted if the Zoning Hearing Board is inclined to approve the special exception at next month's meeting, he would be recommending a condition that they maintain continued compliance in the future with Section 325-176 which outlines the specific criteria. He also noted a condition that the recorded transcript be incorporated.

It was noted there will be demolition of existing structures involved in the project, consisting of three homes and two garages along with several outbuildings.

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

Lynn Mahring 1433 Memory Lane Ext.

Ms. Mahring asked if there would be other hearings to address water drainage. She also questioned the 24-hour access to the building.

Mr. Maree stated while the business office is only open 9 to 5, customers can access their units at any time.

In regards to a question about sidewalks, Ms. Fieldhouse indicated sidewalks are shown on the sketch plan. She noted during the land development process they will develop the sidewalks, curbing, grading and stormwater drainage. She indicated the only portion of the site that would require sidewalks is within the project boundary and everything immediately adjacent. Neighboring residents will not have to provide sidewalks.

Solicitor Markey asked if this was a single tract of land or if there will be a reverse subdivision. Mr. Maree stated these were originally three residential lots combined several years ago into one lot.

It was noted the transcript of the meeting would be incorporated in the proceedings of the next meeting.

Solicitor Markey stated the applicant will continue the case until the next meeting and can provide supplemental materials. During the next meeting for individuals who attend the meeting, the applicant can provide a recap of the application.

Attorney Minnich indicated they would enter into the record their modified site plan Exhibit A-1. He also noted based on Solicitor Markey's observation about incorporating the special exception criteria in Section 325-176, they intend to be fully compliant and a good neighbor throughout the proceedings. He requested a copy of the transcript. He agreed with the continuance of the cases.

## **6. ADJOURNMENT**

**CHAIRMAN ACHENBACH ADJOURNED THE MEETING AT 7:10 P.M.**

Respectfully submitted,

Secretary  
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