

FINAL

**SPRINGETTSBURY TOWNSHIP
ZONING HEARING BOARD
AUGUST 4, 2022**

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: Randall Heilman, Director of Community Development
Timothy Holmes, Zoning Officer
Gavin Markey, Solicitor
Abby Gibb
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. JULY 7, 2022

MS. CUNNINGHAM MOVED FOR APPROVAL OF THE JULY 7, 2022 ZONING HEARING BOARD MINUTES AS PRESENTED. MR. SEILER SECONDED. MOTION UNANIMOUSLY CARRIED.

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

3. OLD BUSINESS – None

4. NEW BUSINESS

A. Case ZHB-2022-0019 – 51 Jean Lo Way

Attorney Markey stated Mr. Holmes received an email from the representative for the property owner waiving the time period of 60 days as required by the MPC and asking for a continuation until the September 1st meeting.

**MR. BAIR MOVED IN THE CASE ZHB-2022-0019 TO GRANT THE CONTINUANCE.
SECONDED BY MR. SEILER. MOTION UNANIMOUSLY PASSED.**

B. ZHB-2022-0020 – 1714 Sagamore Drive

Tara Gehman

All witnesses were sworn in.

Mr. Holmes stated this is a dimensional variance request for a dual frontage lot with two front yards and no rear yard. The applicant has an existing 6-foot fence along the lot with 4-foot fences along the side lot lines. They are requesting to replace it with a 6 ft. privacy fence.

Ms. Gehman stated they are proposing to replace the existing fence at the rear of their property with a 6 ft. vinyl fence with a 4 ft. gate in the front along the carport. She provided an example of the fencing as shown in the photo. The purpose of the fence is to provide privacy and security for their dogs. She noted they would be using a local contractor to install the fence.

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

Brett Blosser

Mr. Blosser stated he was in favor of the fence.

Solicitor Markey stated he has no objection to the request. He noted lots with two front yards are seen frequently which creates an unnecessary hardship affecting the property which is a principal reason for the granting of the variance.

**MR. BAIR MOVED IN THE CASE ZHB-2022-0020 THAT THE VARIANCE BE GRANTED.
SECONDED BY MR. SEILER. MOTION UNANIMOUSLY PASSED.**

C. ZHB-2022-0021 – 1-5 Wyndham Drive

Attorney Thomas Nehilla, Barley-Snyder

Mark Horst, Representing the Applicant

All witnesses were sworn in.

Mr. Holmes stated this is a property with four constructed apartment buildings. Land development plans are to be submitted for a fifth apartment building. The property is a corner lot with frontage on Mt. Zion Road and Pleasant Valley Road. A dumpster corral is proposed to be located in the front yard along

Pleasant Valley Road due to limited space in the rear of the property. There is also a request to allow an additional parking space without requiring a parking island. The ordinance prohibits having more than 12 parking spaces in a row without having a landscape island.

Att. Nehilla stated the property is the Wyndham Point Apartment complex. It currently consists of the four apartments with one space left initially targeted for office space. The complex was built in 2019. The existing space was marketed for retail under the prior zoning ordinance. After talking with the Township, they requested a text amendment to allow for an additional density factor for multi-family. They are moving forward with the land development plan to potentially build an additional apartment building in the space where the office-retail was proposed. The entire property is approximately 8 acres. He pointed out on the plan the layout of the apartment buildings.

Att. Nehilla stated the site has two front yards due to the two intersections. He noted the ordinance prohibits dumpsters to be located in the front yard, which is not feasible since it would be in the parking lot. Consequently, they are requesting a variance to allow the dumpster placed to the rear of the building which is technically considered a front yard. He pointed out on the plan the proposed area for the dumpster.

Att. Nehilla stated the second variance request refers to the ordinance which requires for every 12 parking spaces there must be a landscape island. He noted the parking lot is already constructed and there are 13 existing parking spaces.

Mr. Horst provided photos and renderings (Applicant's Exhibit #1) of the trash enclosure with the dumpster. He explained the construction of the dumpster enclosure, which will be a vinyl fence 18 ft. by 13 ft. matching the aesthetics of the building. There will be space in the enclosure for recycle bins.

Solicitor Markey stated he reviewed the legal memo provided by Attorney Nehilla as well as the criteria he provided for granting the variance and they are accurate statements. He noted the hardships on the property were addressed.

Chairman Achenbach asked if there was anyone in attendance who wished to speak for or against the applicant. There were none.

MR. SEILER MOVED IN THE CASE ZHB-2022-0021 TO APPROVE THE TWO DIMENSIONAL VARIANCES, ONE FOR THE DUMPSTER LOCATION AND THE OTHER FOR THE OFF-STREET PARKING ISLAND. SECONDED BY MS. CUNNINGHAM. MOTION UNANIMOUSLY PASSED.

D. ZHB-2022-0022 – 3689 Pleasant Valley Road

Brett Blasser

All witnesses were sworn in.

Mr. Holmes stated a building permit was submitted for an in-ground pool. During the zoning review it was determined it is a non-conforming lot, exceeding their allowed lot coverage, which is limited to 25% in the R-20 zoning district. The applicant removed a 10x30 ft. accessory building to install the additional

concrete surrounding the pool. The applicant is requesting a variance to allow a smaller shed to be installed which will still exceed the lot coverage.

Mr. Blasser stated he lives on the north side of Pleasant Valley Road. They want to surround the pool with concrete which is 345 sq. ft. He noted he has one of the smallest lots on Pleasant Valley Road, which is 18,000 sq. ft. He also noted a neighboring property has a lot coverage of 35%. He is requesting to replace the shed which was removed with an 8x10 foot shed. The total lot coverage is 28.4% with the requested 8x10 shed.

Solicitor Markey indicated correspondence marked as Applicant's Exhibit #1 was received in support of Mr. Blasser's application from Mitch Angelos and Kim and Geoff Zech.

Mr. Blasser's wife spoke in favor of the request.

Mr. Blasser asked how is the lot coverage determined from one side of the street to the other. Solicitor Markey explained the process for making amendments to the zoning ordinance, which are bound by what the Board of Supervisors put in place for the 25% analysis. He noted to change the text of the zoning ordinance requires an individual petition or a petition on behalf of the Supervisors to alter the regulations of the zoning ordinance.

MR. SEILER MOVED IN THE CASE ZHB-2022-0022 TO APPROVE THE VARIANCE AS REQUESTED. SECONDED BY MR. BAIR. MOTION UNANIMOUSLY PASSED.

E. ZHB-2022-0023 – 760 Hammond Road

Jim Pooler

All witnesses were sworn in.

Mr. Holmes stated this is a corner lot with a small back yard with the house set back from the road. The applicant is requesting to install a pool to be enclosed with a 6-foot privacy fence. The proposed fence and pool would not cause a problem with traffic sight distance.

Mr. Pooler affirmed he has two front yards to his house. He noted behind his house is a community swale with rows of locust trees, which have shallow roots growing through his yard. This prevents installing the pool in the back yard. He is proposing to install the pool on the side of his house which has ample space. The pool would be 12x25 ft. and would not encroach on the 35 ft. distance from the road, with a six-foot fence for privacy and a sound barrier.

Chairman Achenbach asked if there was anyone in attendance who wished to speak for or against the applicant. There were none.

Solicitor Markey reaffirmed Mr. Holmes statements noting it is a dimensional variance and he had no objection.

MR. BAIR MOVED IN THE CASE ZHB-2022-0023 TO APPROVE THE VARIANCE AS REQUESTED. SECONDED BY MR. SEILER. MOTION UNANIMOUSLY PASSED.

5. ADJOURNMENT

CHAIRMAN ACHENBACH ADJOURNED THE MEETING AT 6:48 P.M.

Respectfully submitted,

Secretary
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