

APPROVED

**SPRINGETTSBURY TOWNSHIP  
ZONING HEARING BOARD  
MARCH 7, 2019**

**MEMBERS IN**

**ATTENDANCE:** Dale Achenbach, Chairman  
David Seiler, Vice Chairman  
Sande Cunningham, Secretary  
Chris Shuttlesworth  
Mark Bair

**ALSO IN**

**ATTENDANCE:** Jessica Fieldhouse, Community Development Director  
Raphael Caloia, Assistant Planner  
Gavin Markey, Solicitor  
Jean Abregh, 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. JANUARY 3, 2019 AND FEBRUARY 7, 2019**

**MR. SEILER MOVED FOR APPROVAL OF THE JANUARY 3, 2019 AND FEBRUARY 7, 2019 ZONING HEARING BOARD MINUTES AS SUBMITTED. MR. SHUTTLESWORTH SECONDED. MOTION UNANIMOUSLY CARRIED.**

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

**3. OLD BUSINESS – None**

**4. NEW BUSINESS**

**A. Case Z-19-02 – 350 Holbrook Road**

Joe Rakowski

All witnesses were sworn in.

Mr. Caloia stated the proposed variance is to S.325-139 and S.325-141 of the Township zoning ordinance which pertains to setbacks relating to decks, patios and swimming pools. The applicant is proposing to install an above-ground pool to their property which would be partially surrounded by a deck. They are proposing to reduce the required setback from 10 ft. in the rear and 15 ft. on the side to 0 ft. They would like to have the deck located in the southwest corner of the property which is in the back of the property to the rear. The reason they are requesting the variance is due to their corner lot located at Holbrook Road with a private access drive that limits the location of the placement of the pool. Both yards which abut the street are considered front yards by definition in the zoning ordinance. If they were to meet the setbacks the pool would be in the middle of the back yard which would limit their usable area for their rear yard.

Mr. Caloia displayed a photo of the property, pointing out the location of the proposed pool and deck. He noted the area directly behind the property to the west is a stormwater management facility which prohibits building in that area. This also provides a significant buffer from the property to the neighboring properties from where the pool would be located. The location of the pool is outside of the stormwater management area. He also noted Staff has reviewed the applicant's submitted permit and it meets all other zoning and building code requirements.

Mr. Rakowski stated if they would meet the current setback requirements the pool would encroach within several feet of their existing shed and the existing sunroom on the house. He acknowledged the entries noted by Staff on the photos were correct representations of the location of the proposed pool and deck.

In response to questions regarding water in the retention area, Mr. Rakowski indicated the area is normally dry except if there is a heavy rain, He acknowledged there is no hazard for users of his backyard. He also noted it is six feet below the level of his back yard. Mr. Caloia affirmed they have no concern with the retention pond, since the proposed pool is above-ground with a deck surrounding it which provides a significant buffer even if water would spill over.

Att. Markey indicated he concurred with Mr. Caloia's analysis.

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-19-02 THAT THE VARIANCE TO S.325-139 AND S.325-141 FOR 350 HOLBROOK ROAD BE APPROVED. SECONDED BY MR. SEILER. MOTION UNANIMOUSLY PASSED.**

B. Chairman Achenbach indicated the Statements of Financial Interest were included in the packets and reminded the Board members to submit them by May 1, 2019 to the Township. Ms. Fieldhouse indicated they were emailed to the Board members as well.

**5. ADJOURNMENT**

**CHAIRMAN ACHENBACH ADJOURNED THE MEETING AT 6:20 P.M.**

Respectfully submitted,

Secretary  
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