

**APPROVED**

**SPRINGETTSBURY TOWNSHIP  
ZONING HEARING BOARD  
SEPTEMBER 6, 2012**

The Springettsbury Township Zoning Hearing Board held a regularly scheduled meeting on the above date at the Township offices located at 1501 Mt. Zion Road, York, Pennsylvania 17402.

**MEMBERS IN**

**ATTENDANCE:** Dale Achenbach, Chair  
John Schmitt  
Michael Papa  
Sande Cunningham  
Kevin Hevner  
David Seiler, Alternate

**ALSO IN**

**ATTENDANCE:** Gavin Markey, ZHB Solicitor  
Jim Baugh, Director of Community Development  
Sue Sipe, Stenographer

**NOT PRESENT:** James Deitch

**1. CALL TO ORDER:**

Chairman Achenbach called the meeting to order at 6:00 p.m. He introduced the members of the Board including new members Kevin Hevner and David Seiler who will be serving as Alternates. Mr. Hevner will be filling in as a voting member due to the absence of Mr. Deitch for this meeting.

Chairman Achenbach led the Pledge of Allegiance.

**2. ACTION ON THE MINUTES:**

**A. April 5, 2012**

**MOTION MADE BY MR. PAPA, SECONDED BY MR. SCHMITT TO APPROVE THE MINUTES OF APRIL 5, 2012 AS PRESENTED. MOTION UNANIMOUSLY CARRIED.**

Chairman Achenbach asked Mr. Baugh whether or not the case had been properly advertised. He responded that notification had been made.

Chairman Achenbach noted the applicant agreed to the expedited process for presentation.

**3. OLD BUSINESS - NONE**

**4. NEW BUSINESS**

A. Case Z-12-11 York County Board of Commissioners

Don Rehart, York County Solicitor

John Klinedinst, C.S. Davidson

Chris Thompson, York County Conservation District

All witnesses were sworn in.

Att. Rehart indicated he was representing the Conservation District. The eight acre plot of ground is on 130 acres. He noted that presently there are three buildings in the County that house various agricultural enterprises and this new building - the Agricultural Resource Building will house and consolidate all of the agricultural offices. They will also have federal and state offices in the facility to help pay for some of the rent. The building is projected to be 33,000 feet in size, with a cost of approximately \$11 million. He noted they have an RECP grant of \$5 million and the capital campaign will generate another \$450,000.

Att. Rehart noted the problem lies with the fact that zoning on the 130 acre tract runs through the best location to place the building, which creates a governmental hardship for the conservation district. They are seeking relief by variance and due to the use of the land have determined it will not offend any zoning plans that are in existence.

Mr. Klinedinst directed the Board to the rendering and layout of the building. He noted the drawing outlines the zoning district boundary line - to the right of the line is the R-10 zoning district and to the left of the line is the G-1 zoning district. Mr. Klinedinst indicated the building is permitted in the G-1 district but not permitted in the R-10 district, which is a medium density residential district. He pointed out existing buildings in the R-10 district include a nursing home and the Pleasant Acres Annex, however, additional buildings are no longer allowed.

Mr. Klinedinst referred to the photo included in the packet which he stated was a piece of the county complex and pointed out the project site. He again noted the zoning district boundary line from the bottom to the top cutting through the project site. Mr. Klinedinst stated the reason they believe the zoning map is incorrect is due to the high density residential district R-1 which is currently sitting on top of the storm water retention basin for the Emergency Services Center. He believed it correctly should be located approximately 200 ft. to the east on the York Housing Authority's high density housing facility which is currently located on Pleasant Acres Road. Mr. Klinedinst stated that if the zoning district boundary line and the R1 to the east were moved it would correct the situation. They did not feel this is a hardship created by the applicant, and is a result of an error on the zoning map. Mr. Klinedinst stated they believe the easiest solution to the problem is to request a variance to allow the building to straddle and occupy a part of the R-10 district.

Mr. Klinedinst stated that if the R-1 and the G-1 / R-10 line were moved as a coupled line it would correct the problem. He noted this was discussed with the Township staff and they concurred.

Mr. Baugh stated the Township does agree with the applicant's analysis and noted that when new amendments to the zoning ordinance in the future this issue will be addressed.

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

Att. Markey stated this is use variance, and as such they are requesting a use type that is not permitted within the R-10 zone. He noted that in typical variance cases the bisecting of a property by varying zoning district can serve as a hardship. He stated the secondary analysis for a use variance is to determine if it will have an adverse impact from a safety perspective. Att. Markey pointed out that all surrounding use types within the area are county related, so it does not appear it would have an adverse impact on the various county agencies. He was in support of the applicant's presentation as well as the Township's opinion.

**MS. CUNNINGHAM MOVED IN THE CASE OF Z-12-11 YORK COUNTY BOARD OF COMMISSIONERS TO APPROVE THE VARIANCE FOR §325-19 PERMITTED USE. SECONDED BY MR. PAPA. MOTION UNANIMOUSLY CARRIED.**

## **ADJOURNMENT**

Chairman Achenbach welcomed new members Mr. Seiler and Mr. Hevner.

Chairman Achenbach adjourned the meeting at 6:25 PM.

Respectfully submitted,

Secretary

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