

PENN TOWNSHIP
ZONING HEARING BOARD

Minutes for January 13, 2009

The Penn Township Zoning Hearing Board met on Tuesday, January 13, 2009, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken. Members present were as follows: Wendell Felix, Chairman; Timothy Dunn, Member; and Michael Brown, Member. Also present was John J. Baranski, Jr., Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Timothy Dunn made a motion to reorganize next month and Michael Brown second the motion and it was approved by a vote 3-0. Timothy Dunn made a motion to approve the Minutes from November 11, 2008. The motion was second by Michael Brown, and it was approved by a vote 3-0.

Case Z08-21 - Buona Fortuna c/o Anthony

Calderone, 649 Frederick Street, Hanover, PA 17331.
Applicant is requesting a variance to Section 208.3
(Area and Bulk) in order to place seasonal canvas
roofing over permanent framing work at his business that
does not meet setback requirements. The property is
located at 648 Frederick Street in the H/B zone.

Michael Brown made a motion to grant the
Applicant's request for approval of the variance with
the following exceptions.

First motion was that it is in fact a
deck. The second motion is that we will approve the
variance request to encroach into the front yard
setbacks with the following conditions:

One, that the roof proposed is temporary
in nature. It's not a permanently installed roof.

Two, that there is no outdoor music of
any kind either live or through a stereo system on this
deck.

Third, the outdoor patio facility will be
used only during the calender period May 1st to
September 1st.

Fourth, that the facility not be in use
after 11:00 o'clock at night.

Timothy Dunn second the motion. The motion carried by a 2-1 vote with Wendell Felix dissenting.

Case Z08-30, Promise Land Investments LLC, 340 Fleshman Mill Road, New Oxford, PA 17350. Applicant is requesting a variance to Section 202.3 (Area and Bulk), 640.C (Side setbacks), and 640.E (Density requirements) and a special exception to Section 640 (Single Family attached Dwelling) in order to construct four (4) single family attached dwelling units. The property is located at 670 Baer Avenue in the R-8 zone.

Timothy Dunn made a motion that the Board approve the Applicant's request for the variance in that it meets the standards for variance under 502.3 (A) through (F) and the special exception I would also recommend that the Board approve that in that it meets the General Standards for special exception under 503.3 (a) through (e) and the specific standards under Section 640 (A) through (G).

Michael Brown second the motion. The motion was carried unanimously by a vote 3-0.

The meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Christine M. Myers". The signature is fluid and extends to the right with a long tail.

Christine M. Myers

Court Reporter

PENN TOWNSHIP ZONING HEARING BOARD

REC'D APR 03 2009

Minutes for March 10, 2009

The Penn Township Zoning Hearing Board met on Tuesday, March 10, 2009, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken. Members present were as follows: Timothy Dunn, Member; Michael Brown, Member; Joseph Klunk, Member; and Frederick Stine was absent with notice. Also present was John J. Baranski, Jr., Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

John Menges called for reorganization of the Board. Joseph Klunk made a motion nominating Timothy Dunn for Chairman. Michael Brown seconded the motion and it was approved unanimously.

Joseph Klunk made a motion nominating Michael Brown for Vice Chairman. Timothy Dunn second the motion and it was approved unanimously.

Michael Brown made a motion to approve

the Minutes from January 13, 2009. The motion was second by Timothy Dunn and it was approved unanimously.

All properties were properly advertised and posted and all legal notices properly published.

Case Z09-01 - American Home Contractors LLC, c/o Ronald Carter, 420 Glenville Road, Hanover, PA 17331. Applicant is requesting a variance to Section 208.3 (Area and Bulk) in order to subdivide the property. The property is located at 792 & 794 Baltimore Street in the Highway/Business zone.

Michael Brown made a motion to approve in that it meets the requirements of the variance set forth in Section 502.3 (a) through (f) given the nature of the property and the history of the age of the property. Joseph Klunk second the motion and it was approved unanimously with a vote 3-0.

Case Z09-02 - Connie Long, 11 Heights Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct a garage that encroaches into the setbacks. The property is located at 11 Heights Avenue in the R-8 zone.

Joseph Klunk made a motion to approve in that it meets the requirements for the variance set forth in Section 502.3 (a) through (f). Michael Brown second the motion and it was approved unanimously with a vote 3-0.

Joseph Klunk made motion for adjournment at 7:35 p.m. Michael Brown second the motion and it was approved unanimously with a vote 3-0.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Christine M. Myers".

Christine M. Myers

Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD

Minutes for April 14, 2009

The Penn Township Zoning Hearing Board met on Tuesday, April 14, 2009, at 7:00 p.m. to hear three requests.

The meeting was called to order and roll call was taken. Members present were as follows: Timothy Dunn, Chairman; Frederick Stine, Vice Chairman; Michael Brown, Member; Joseph Klunk, Member; and John Beil, Member. Also present was John J. Baranski, Jr., Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Joseph Klunk made a motion to approve the Minutes from March 10, 2009. The motion was second by Michael Brown, and it was approved by a vote 3-0. Frederick Stine and John Beil abstained.

Case Z09-03 - Steven A. Sabaka, 939 Maple

Lane, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct an addition to a garage that encroaches into the setbacks. The property is located at 939 Maple Lane rear in the R-15 zone.

Michael Brown made a motion for approval of the variance request in that it meets the requirements for a variance as set forth in Section 502.3 (A) through (F).

Joseph Klunk second the motion. The motion carried by a 4-1 vote with Frederick Stine dissenting.

Case Z09-04, Cellco Partnership d/b/a Verizon Wireless, 4642 Jonestown Road, Suite 200, Harrisburg, PA 17109. Applicant is requesting a variance to Sections 608(e)(3b) & 608 (e)(5) (Communication, Transmitting and Receiving Facilities) and 204.2 (Use Regulations) and a special exception to Section 310 (Number of Principal Uses on a Lot) in order to construct a communications antennas and equipment building on property located at 550 Beck Mill Road. The property is located in the R-22 zone.

Joseph Klunk made a motion to approve the

applicant's request as it meets the requirements for variance as set forth in Section 502.3 (a) through (f); the requirements for a special exception as set forth in Section 503.3 (A) through (E) with the condition if there is a noise problem with the generator outside, this Board grants Verizon permission to enclose their generator as necessary or any another method to resolve the problem without further hearing. This may be followed up by the zoning officer.

Michael Brown second the motion. The motion was carried by a vote 5-0.

Case Z09-04, Cellco Partnership d/b/a Verizon Wireless, 4642 Jonestown Road, Suite 200, Harrisburg, PA 17109. Applicant is requesting a variance to Sections 608(a) & 608 (e)(8) (Communication, Transmitting and Receiving Facilities) and a special exception to Section 209.2 (Use Regulations) in order to construct a communications transmitting and receiving facility on property located at 17 Industrial Drive. The property is located in the Industrial zone.

Joseph Klunk made a motion that no lighting is suitable to the township.

Michael Brown second the motion and it

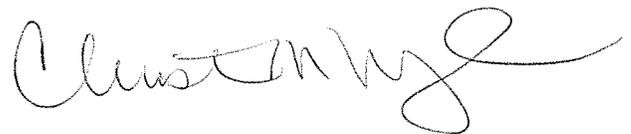
was approved unanimously with a vote 5-0.

Joseph Klunk made a motion to grant the Applicant's request in that it meets the requirements for a variance as set forth in Section 502.3 (a) through (f), the requirements for special exception as set forth in Section 503.3 (a) through (e) with the condition that should additional generators be required on-site that this Board grants Verizon permission to enclose their generator and that during the land development process the access drive be addressed with the fire chief so that proper access will be available for all emergency equipment.

Frederick Stine second the motion and it was approved unanimously with a vote 5-0.

The meeting was adjourned at 10:35 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Christine M. Myers".

Christine M. Myers

Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, May 12, 2009

The Penn Township Zoning Hearing Board met on Tuesday, May 12, 2009, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken. Members present were as follows: Timothy Dunn, Chairman; Michael Brown, Vice Chairman; Frederick Stine, Member; Joseph Klunk, Member; and John Beil, Member. Also present was John J. Baranski, Jr., Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Frederick Stine made a motion to amend the Minutes indicating Michael Brown as Vice Chairman and then approve the Minutes from April 14, 2009.

The motion was second by Joseph Klunk and approved unanimously.

Z09-06 Norman Eckard, 2 Benjamin Road,
Hanover, PA 17331. Applicant is requesting a variance to Section
203.3 (Area and Bulk) in order to construct a deck that encroaches
into the rear setback. The property is located at 2 Benjamin Road
in the R-15 zone.

Michael Brown made a motion to approve the
request for variance in that it meets the requirements as set forth in
Section 502.3 (A) through (F). Joseph Klunk second the motion.
The motion was approved unanimously.

Z09-07 - Gary E. Martin, 503 Blooming Grove
Road, Hanover, PA 17331. Applicant is requesting a special
exception to Section 311 (Street Access) in order to create a lot that
does not abut a public street. The property is located at 503
Blooming Grove Road in the R-15 and R-40 zones.

Frederick Stine made a motion to approve the
request for special exception in that it meets the requirements as
set forth in Section 503.3 (A) through (E). Michael Brown second

the motion. The motion was approved unanimously.

The meeting was adjourned at 7:40 p.m.

Respectfully Submitted,

Christine M. Myers
Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, June 9, 2009

The Penn Township Zoning Hearing Board met on Tuesday, June 9, 2009, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken. Members present were as follows: Timothy Dunn, Chairman; Frederick Stine, Member; Joseph Klunk, Member; John Beil was absent with notice and Michael Brown was absent without notice. Also present was John J. Baranski, Jr., Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Frederick Stine made a motion to approve the Minutes from May 12, 2009. The motion was second by Joseph Klunk and approved unanimously.

Z09-08 - Lonnie and Kris Rudisill, 17 Pinewood

special exception to Section 203.2 (A) through (E) and general standards 503.3 (A) through (E). Joseph Klunk second the motion.

The motion was approved unanimously.

The meeting was adjourned at 7:25 p.m.

Respectfully Submitted,

Christine M. Myers
Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, July 14, 2009

The Penn Township Zoning Hearing Board met on Tuesday, July 14, 2009, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken. Members present were as follows: Michael Brown, Acting Chairman; Frederick Stine, Member; Joseph Klunk, Member; and John Beil; Member. Also present was John J. Baranski, Jr., Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Frederick Stine made a motion to approve the Minutes from June 9, 2009. The motion was second by Joseph Klunk and approved 3-1 with John Beil abstaining.

Z09-11 - Barbara Ann Smith, 136 Pheasant Run Lane, Hanover, PA 17331. Applicant is requesting a variance to Section 300.7a (Decks-Location and Setback) in order to construct a deck in the side yard. The property is located at 136 Pheasant Run Lane in the R-15 zone.

Frederick Stine made a motion to deny the request in

that it does not meet all of the standards as set forth in Section 502.3 (A) through (F). Joseph Klunk second the motion. The motion was denied unanimously.

Z09-10 - Roxanne N. Herrick, 1685 White Hall Road, Littlestown, PA 17340. Applicant is requesting a special exception to Section 202.2 (Uses by Special Exception) in order to operate a one-chair hair salon. The property is located at 37 Brewster Street in the R-8 zone.

Joseph Klunk made a motion to continue the case until next month. Frederick Stine second the motion and it was approved unanimously.

The meeting was adjourned at 7:30 p.m.

Respectfully Submitted,

Christine M. Myers
Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, August 11, 2009

The Penn Township Zoning Hearing Board met on Tuesday, August 11, 2009, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken. Members present were as follows: Timothy Dunn, Chairman; Michael Brown, Vice Chairman; Frederick Stine, Member; Joseph Klunk, Member; and John Beil; Member. Also present was Charles Rausch, Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Frederick Stine made a motion to approve the Minutes from July 14, 2009. The motion was second by Michael Brown and approved 4-1 with Timothy Dunn abstaining.

Z09-10 - Roxanne N. Herrick, 1685 White Hall Road, Littlestown, PA 17340. Applicant is requesting a special exception to Section 202.2 (Uses by Special Exception) in order to operate a one-chair hair salon. The property is located at 37 Brewster Street in the R-8 zone.

John Menges indicated that the Applicant has discontinued their application.

Penn Township Zoning Hearing Board

Minutes for Tuesday, September 8, 2009

The Penn Township Zoning Hearing Board met on Tuesday, September 8, 2009, at 7:00 p.m. to hear three requests.

The meeting was called to order and roll call was taken.

Members present were as follows: Timothy Dunn, Chairman; Michael Brown, Vice Chairman; Frederick Stine, Member; and Joseph Klunk, Member. John Beil was absent without notice. Also present was Charles Rausch, Esquire, Solicitor to the Zoning Hearing Board; and Kristina Rogers, Zoning Officer's secretary.

All properties were properly advertised and posted and all legal notices properly published. Michael Brown made a motion to approve the Minutes from August 11, 2009. The motion was second by Joseph Klunk and approved unanimously.

Z09-14 – David E. Waldrup, 39 Center Street, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct a pool house/outside dining area that encroaches into the setbacks. The property is located at 39 Center Street in the R-8

zone.

Frederick Stine made a motion to deny the request in that it does not meet the requirements of Section 502.3 (a) through (f). The motion was second by Joseph Klunk and denied unanimously.

Z09-15 – David Hunt, 600 Spring Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to allow an existing swimming pool that encroaches into the rear setbacks. The property is located at 600 Spring Avenue in the R-8 zone.

Joseph Klunk made a motion to deny the request in that it does not meet the requirements of Section 502.3 (a) through (f). The motion was second by Frederick Stine and denied by a vote of 2-2.

Review request from McNees Wallace & Nurick LLC for an extension to their variance to Sections 608 (e)(3b) & 608 (e)(5) (Communication, Transmitting and Receiving Facilities) and 204.2 (Use Regulations) and a special exception to Section 310 (Number of Principal Uses on a Lot) in order to construct a communications antennas and equipment building on property located at 550 Beck Mill Road which was previously granted in Case #Z09-04.

Frederick Stine made a motion to grant the request for one six-month extension. The motion second by Michael Brown and

approved unanimously.

The meeting was adjourned at 8:55 p.m.

Respectfully Submitted,

Christine M. Myers
Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, October 13, 2009

The Penn Township Zoning Hearing Board met on Tuesday, October 13, 2009, at 7:00 p.m. to hear one requests.

The meeting was called to order and roll call was taken. Members present were as follows: Timothy Dunn, Chairman; Michael Brown, Vice Chairman; Frederick Stine, Member; and Joseph Klunk, Member; and John Beil, member. Also present was John Baranski, Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Frederick Stine made a motion to approve the Minutes from September 11, 2009. The motion was second by Joseph Klunk and approved unanimously.

Z09-14 – Timothy Peck, 47 Little Knoll Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a front porch with a handicap ramp that encroaches into the front setbacks. The property is located at 47 Little Knoll Drive in the R-15 zone.

Joseph Klunk made a motion to grant the request in that it does meet the requirements of Section 502.3 (a) through (f). The motion was second by Michael Brown and approved unanimously.

The meeting was adjourned at 7:15 p.m.

Respectfully Submitted,

Christine M. Myers
Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, November 10, 2009

The Penn Township Zoning Hearing Board met on Tuesday, November 10, 2009, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken.

Members present were as follows: Timothy Dunn, Chairman; Michael Brown, Vice Chairman; Frederick Stine, Member; and Joseph Klunk, Member; and John Beil, member. Also present was Charles Rausch, Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Frederick Stine made a motion to approve the Minutes from October 13, 2009. The motion was second by Joseph Klunk and approved unanimously.

Z09-17 – Michael S. & Christine L. Cooper, 848

Baltimore Street, Hanover, PA 17331. Applicant is requesting a variance to Section 208.3 (Area and Bulk) and 612b (Expansion of Nonconformity) in order to construct a building addition/expansion that encroaches into the rear setbacks and it will exceed the maximum percentage for expansion of

nonconformity. The property is located at 848 Baltimore Street in the H/B zone.

Frederick Stine made a motion to grant the Applicant's request for postponement. The motion was second by John Beil and approved unanimously.

Z09-18 – Charles Anders & Carol Drolsum, 16 E. Granger Street, Hanover, PA 17331. Applicant is requesting a special exception to Section 611 (Conversion of Dwelling for Additional Family Members) in order to convert a single-family dwelling unit for additional family members. The property is located at 16 E. Granger Street in the R-8 zone.

Frederick Stine made a motion grant the Applicant's request in that it meets the requirements for special exception under Section 503.3 (a) through (e) and Section 611. The motion was second by John Beil and approved unanimously.

The meeting was adjourned at 7:30 p.m.

Respectfully Submitted,

Christine M. Myers
Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, December 8, 2009

The Penn Township Zoning Hearing Board met on Tuesday, December 8, 2009, at 7:20 p.m. to hear three requests.

The meeting was called to order and roll call was taken. Members present were as follows: Timothy Dunn, Chairman; Frederick Stine, Member; and Joseph Klunk, Member; and John Beil, member. Michael Brown was absent with notice. Also present was John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board; and John Menges, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Frederick Stine made a motion to approve the Minutes from November 10, 2009. The motion was second by Joseph Klunk and approved unanimously.

Z09-17 – Michael S. & Christine L. Cooper, 848 Baltimore Street, Hanover, PA 17331. Applicant is requesting a variance to Section 208.3 (Area and Bulk) and 612b (Expansion of Nonconformity) in order to construct a building addition/expansion that encroaches into the rear setbacks and it will exceed the maximum percentage for expansion of

nonconformity. The property is located at 848 Baltimore Street in the H/B zone.

Frederick Stine made a motion to deny the Applicant's request in that it does not meet all the standards under Section 502.3, specifically (c), as well as Section 612 (d). The motion was second by Joseph Klunk and carried by a 3-1 vote with John Beil dissenting.

Z09-19 – LCL Management, LLC, 199 Baldwin Road, Suite 140, Parsippany, New Jersey 07054-2397. Applicant is requesting a variance to Section 206.2 (Uses) in order to convert a multi-family dwelling that does not meet the front setback. The property is located at West Alvin Avenue and Mumma Avenue in the A/O zone.

Joseph Klunk made a motion to grant the Applicant's request in that it meets the requirements under Section 503.3 (a) through (e). The motion was second by John Beil and carried by a 3-1 vote with Frederick Stine dissenting.

Z09-20 – Brian & Sandy Brenneman, 15 Ann Street, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct an addition that encroaches into the side setbacks. The property is located at 15 Ann Street in the R-8 zone.

Joseph Klunk made a motion to grant the Applicant's

request in that it meets the requirements under Section 502.3 (a) through

(f) . The motion was second by Frederick Stine and approved unanimously.

The meeting was adjourned at 9:05 p.m.

Respectfully Submitted,

Christine M. Myers
Court Reporter