

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 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 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:

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

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

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 (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,

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Christine M Myers

Court Reporter