

PENN TOWNSHIP  
ZONING HEARING BOARD  
TUESDAY, JUNE 13, 2006  
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, June 13, 2006, to hear five requests. Roll call was taken and the following members were present: David Spector, Vice-Chairman; Frederick Stine, Member; Donna Scott, Member; and Michael Brown, Member. Timothy Dunn is absent with notice. Also present were John C. Menges, II, Zoning Officer, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board

Donna Scott motioned to approve the May, 2006 Minutes, seconded by Michael Brown, and approved three to zero, with David Spector abstaining.

John Menges was duly sworn and testified that all the properties have been posted and all the legal notices were properly published.

Case Z06-11 Glaxo SmithKline, 26 Barnhart Drive, Hanover Pa., 17331. Greg McCauley was present on behalf of the applicant requesting a variance to Section 300.3 (Fences and Walls) to erect a fence that exceeds the maximum height. The property is located at 29 Barnhart Drive, in the Industrial Zone.

Donna Scott motioned to approve the request, that it meets the standards for a variance under Section 502.3 (a) through (f). Frederick Stine seconded the motion and added the words "for safety and vandalism purposes;" Donna Scott amended the motion, again

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seconded by Frederick Stine, and it was approved three to one, Michael Brown dissenting

Case Z06-12 - Gerald and Diane Wensel, 762 Lion Drive, Hanover, Pa., 17331. The applicants were present with Les Hagerty requesting a variance to Section 203.3 (area and bulk) to construct a deck that encroaches into the back setbacks. The property is located in the R-15 zone.

Frederick Stine motioned to approve the request to enlarge an 8 x 10 wood deck to the rear of the property to the size of 12 x 16, which would mean a three foot encroachment into the rear setback, that it meets the standards for a variance under Section 502.3 (a) through (f). Michael Brown seconded the motion, and it was approved unanimously, four to zero.

Michael Brown motioned to deny the request for the second lower portion at grade level, that it does not meet the standards of 502.3. Frederick Stine seconded the motion and the motion carried four to zero for denial.

Case Z06-13 - Garland W. Halter, 819 - 819 ½ York Street, Hanover, Pa., 17331. D. J. Hart, Esquire was present with two sons of the applicant requesting a variance to Section 206.3 (area and bulk) to relocate an existing garage that will not meet the current required setbacks. The relocation of the garage is a result of the future installation of a traffic signal. The property is on the corner of York Street and Center Street, in the A/O zone.

Donna Scott motioned to approve the request, that it does

meet Section 502.3 (a) through (f), with a condition that the shrubbery be placed and be included so that it does not interfere with the sewer laterals, as per Exhibit C. Frederick Stine seconded the motion, and it was approved unanimously, four to zero.

Case Z06-15 - Eric L. Fischbach, 54 Cardinal Drive, Hanover, Pa., 17331. The applicant was present with his wife requesting a variance to Section 203.3 (area and bulk) to construct a home addition that encroaches into the building setbacks. The property is located in the R-15 zone

Donna Scott recused herself from the hearing. Michael Brown motioned to approve the request of an encroachment into the front, rear and side setbacks by two feet, that it does meet the requirements of 502.3 (a) through (f). Frederick Stine seconded the motion, and the request was approved with a three to zero vote

Case Z06-14 - Capital Property Investment, L.P., 298 M Street, Harrisburg, Pa., 17112. Tim Mellot of Mellot Engineering was present with Gary Gardner, vice-president of Capital Property Investments, requesting a variance to Section 639C (shopping center/mall/plaza) and a special exception to Section 639 (shopping center/mall/plaza) to construct a stand alone commercial building and shopping plaza that encroaches into the building setback. The property is located at the corner of Broadway and Hickory Lane, in the Shopping/Commercial zone.

Donna Scott motioned to deny the request for a variance under 639C, that it does not meet Section 502.3 (a) through (f).

Frederick Stine seconded the motion, and the vote was unanimous, four to zero.

A motion was made by Frederick Stine to deny the special exception, that it does not meet all the standards of Section 503.3 (a) through (e). After discussion, a recess was called to discuss legal matters, from 9:20 to 9:35 p.m

Frederick Stine withdrew his original motion and stated a new motion to deny the Applicant's request under 639 for a special exception to construct a stand-alone commercial building in a shopping plaza that encroaches into the building setback, that it does not meet the conditions under Section 503.3, specifically Section A, Paragraphs 1 and 3; Section B, Paragraph 6. Michael Brown seconded the motion, and the vote was unanimous, four to zero to deny the special exception.

Frederick Stine motioned to adjourn the proceedings, seconded by Donna Scott, and approved unanimously.

(The proceedings were concluded at 9:39 p.m.)

Respectfully submitted,



Bonnie C. Fuhrman, Court Reporter