

Penn Township Zoning Hearing Board

Minutes for Tuesday, March 12, 2013

The Penn Township Zoning Hearing Board met on Tuesday, March 12, 2013, at 7:00 p.m. to hear five requests.

The meeting was called to order and roll call was taken and members present were as follows: Michael Brown, Chairman; Frederick Stine, Vice Chairman; David Colgan, Member; Gary LeFevre, Member; and Paul McAndrew, member. Also present was John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board; Matthew Swanner, 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 December 11, 2012. The motion was second by David Colgan and approved unanimously.

Frederick Stine made a motion to nominate Michael Brown as Chairman for 2013. The motion was second by Paul McAndrew and approved unanimously. David Colgan made a motion to nominate Frederick Stine for Vice Chairman of 2013. The motion was second by Gary LeFevre and approved unanimously.

Z13-01 – Bruce Martin, Jr., 824 McAllister Street, Hanover, PA 17331. Applicant is requesting a variance to Section 618 (Home Occupation)

requirements and building height requirements. The property is located on the east side of Brookside Avenue in the R-8 zone.

Paul McAndrew made a motion to approve the request for variance Section 306.2 (f)(3) (Driveway Location) in that it meets the requirements as set forth in Section 502.3 (a) through (f). Gary LeFevre second the motion and the motion failed by a vote of 2 to 3.

David Colgan made a motion to deny the request for variance Section 306.2 (f)(3) (Driveway Location) in that it does not meet the requirements as set forth in Section 502.3 (a) through (f). Frederick Stine second the motion and it was carried by a vote 3 to 2.

Michael Brown made a motion to deny the request for variance Section 202.3 (Building Height) in that it does not meet the requirements as set forth in Section 502.3 (a) through (f). Frederick Stine second the motion and it was carried by a vote 4 to 1.

Z13-04 - High Pointe, LLC, on behalf of the Hanover Area YMCA, 500 North George Street, Hanover, PA 17331. Applicant is requesting a variance to Section 205.2 (Use) and a special exception to Section 201.2 (Uses Not Provided for) and Section 310 (Number of Principal Uses on a Lot) in order to construct a traditional YMCA Facility that does not fall within the ordinance use definitions. The property is located at the SE corner of Beck Mill Road and

Grandview Road in the R-40 zone.

Attorney Frey was present on behalf of the YMCA and announced to the Zoning Hearing Board and members of the public that they were withdrawing their application at the present time and may present another application in the future.

Z13-05 - David B. Hicks, 412 Wirt Avenue, Hanover , PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct a garage that does not meet the front setbacks requirements. The property is located at 412 Wirt Avenue in the R-8 zone.

Frederick Stine 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) . David Colgan second the motion and it was approved unanimously.

The meeting was adjourned at 10:20 p.m.

Respectfully Submitted,

Christine M. Myers

Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, April 9, 2013

The Penn Township Zoning Hearing Board met on Tuesday, April 9, 2013, at 7:00 p.m. to hear one request.

The meeting was called to order and roll call was taken and members present were as follows: Michael Brown, Chairman; Frederick Stine, Vice Chairman; David Colgan, Member; Gary LeFevre, Member; and Paul McAndrew, member. Also present was John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board; Matthew Swanner, 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 March 12, 2013. The motion was second by David Colgan and approved unanimously.

Z13-06 – Martin Garcia & Blanca Barajas, 308 Wirt Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 202.2 (Use Regulations) and Section 202.3 (Area and Bulk) in order to operate a used car dealership. The property is located at 299 Wirt Avenue in the R-8 zone.

PENN TOWNSHIP
ZONING HEARING BOARD

Minutes for May 14, 2013

The Penn Township Zoning Hearing Board met on Tuesday, May 14, 2013, at 7:00 p.m., to hear one request.

The meeting was called to order and roll call was taken. Members present were as follows: David Colgan, Member; Gary LeFevre, Member; Paul McAndrew, Member, Frederick Stine, Vice Chairman; and Michael Brown, Chairman. Also present were John J. Baranski, Jr., Esquire, Solicitor to the Zoning Hearing Board, and Matthew Swanner, Zoning Officer.

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

Frederick Stine made a motion to amend the Minutes from April 9, 2013. With regard to the Garcia/Barajas matter, the amendment was to include the language: "First, any outside lighting is restricted to 6:00 a.m. to 6:00 p.m. daily." There was a motion to approve the amendment by David Colgan, seconded by Frederick Stine, and it was approved unanimously.

CASE Z13-07 - THOMAS ALLISON, 970 York Street, Hanover, PA 17331. Applicant is requesting a variance to Section 208.3 (Area and Bulk Regulations) and a special exception to Section 612(b)(g) (Expansion of Nonconformity) in order to construct a garage/storage building that does not meet the rear setback requirements. The property is located at 970 York Street in the H/B zone.

Frederick Stine made a motion to approve the request, with the following amendment: With regard to the rear setback, that a 19-foot setback from the middle of the alley to the rear be approved, and that the present alignment shown on Exhibit B next to the existing macadam parking spot be approved as a starting point, but that the proposed building shown on the plan be reduced to 900 square feet, 30 x 30; and that the variance be approved, with the exceptions noted, under Section 502.3 (a) through (f); and the approval for special exception regarding the items noted, that it be approved under Section 503.3(a) through (e).

David Colgan did second the motion.

The motion carried unanimously with a 5-0 vote.

A motion was made for adjournment at 7:40 p.m. There was a second to the motion. It was approved unanimously with a vote of 5-0.

Respectfully Submitted,

Judith A. Greenholt
Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, June 11, 2013

The Penn Township Zoning Hearing Board met on Tuesday, June 11, 2013, at 7:00 p.m. to hear three requests.

The meeting was called to order and roll call was taken and members present were as follows: Michael Brown, Chairman; Frederick Stine, Vice Chairman; David Colgan, Member; Gary LeFevre, Member; and Paul McAndrew, member. Also present was Seth E. Springer, Esquire, Solicitor to the Zoning Hearing Board; Matthew Swanner, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Paul McAndrew made a motion to approve the Minutes from May 14, 2013. The motion was second by Frederick Stine and approved unanimously.

Z13-08 – Milton E. Smith, 37 Cardinal Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) and to Section 400.3 (Setback on Corner Lot) in order to construct a two-car garage that does not meet corner lot setback requirements. The property is located at R-15 zone.

David Colgan made a motion to approve the request for variance Section 203.3 (Area and Bulk) and 400.3 (Setback on Corner Lots) with modification of the garage depth to be reduced from 24 feet to 21 feet and 15 and a half feet from the curb in that it meets the requirements as set forth in Section 502.3 (a) through (f). Gary LeFevre second the motion and it was approved unanimously.

Z13-09 - George Voll, 72 Gardenia Drive, Hanover, PA 17331.

Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a garage/laundry room that does not meet front setback requirements. The property is located at 72 Gardenia Drive in the R-15 zone.

Paul McAndrew made a motion to approve the request for variance in that it meets the requirements of Section 502.3 (a) through (f). Michael Brown second the motion and it was approved unanimously.

Z13-03 - NCR, Inc. d/b/a Ryan Homes, 11403 Cronridge Drive, Suite 200, Owings Mills, MD 21117. Applicant is requesting a variance to Section 306.2 (f) (3) (Driveway Location) and Section 202.3 (Building Height) in order to construct single-family attached townhouses that do not meet driveway location requirements and building height requirements. The property is located on the east side of Brookside Avenue in the R-8 zone.

David Colgan made a motion to approve the request for

variance Section 306.2 (f) (3) (Driveway Location) and Section 202.3 (Building Height) according to plan submitted on May 22, 2013 titled Final Subdivision Plan Brookside Heights Phase I and II and also the driveways proposed in the typical driveway plan as submitted on February 20, 2013 which is titled Zoning Plan Brookside Heights Driveway Plan in that it meets the requirements as set forth in Section 502.3 (a) through (f). Gary LeFevre second the motion and the motion carried by a vote of 3 to 2.

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

Respectfully Submitted,

Christine M. Myers

Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, July 9, 2013

The Penn Township Zoning Hearing Board met on Tuesday, July 9, 2013, at 7:00 p.m. to hear three requests.

The meeting was called to order and roll call was taken and members present were as follows: Michael Brown, Chairman; Frederick Stine, Vice Chairman; Gary LeFevre, Member; and Paul McAndrew, Member. David Colgan was absent with notice. Also present was John Baranski, Esquire, Solicitor to the Zoning Hearing Board; Matthew Swanner, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Gary LeFevre made a motion to approve the Minutes from June 11, 2013. The motion was second by Frederick Stine and approved unanimously.

Z13-11 – Aldus Brewing Co., 101 Little Bridge Road,
Hanover, PA 17331. Applicant is requesting a special exception to Section 407.3 (Replacement) and to Section 634 (Replacement of Nonconformity by Another Nonconformity) in order to operate a brewery. The property is located at 555 Centennial Avenue in the R-15 zone.

Frederick Stine made a motion to approve the request for special exception Section 407.3 (Replacement) and 634 (Replacement of Nonconformity by Another Nonconformity) in that it meets the requirements as set forth in Section 503.3 (a) through (e) as well as Section 634. Gary LeFevre second the motion and it was approved unanimously.

Z13-12 - Byron Bankert, 111 Hirtland Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a utility shed that does not meet rear setback requirements. The property is located at 111 Hirtland Avenue in the R-15 zone.

Paul McAndrew made a motion to deny the request for variance Section 203.3 (Area and Bulk) in that it does not meet the requirements of Section 502.3 (a) through (f). Frederick Stine second the motion and it was denied unanimously.

Z13-13 - Snyder's-Lance, 1401 York Street, Hanover, PA 17331. Applicant is requesting a variance to Section 209.2 (Use Regulations) in order to herd sheep on solar field property. The property is located at 1401 York Street in the Industrial zone.

Frederick Stine made a motion to deny the request for variance Section 209.2 (Use Regulations) in that it does not meet the requirements as set forth in Section 502.3 (a) through (f). Michael Brown second the motion and the

motion had a vote of 2 to 2 and failed.

Gary LeFevre made a motion to approve the request for variance Section 209.2 (Use Regulations) in that it meets the requirements as set forth in Section 502.3 (a) through (f). Paul McAndrew second the motion and the motion had a vote of 2 to 2. A tie is not sufficient to reach that level of passage by majority vote. So a motion to approve the request fails on a tie and therefore the request is denied.

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Christine M. Myers

Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, September 10, 2013

The Penn Township Zoning Hearing Board met on Tuesday, September 10, 2013, at 7:00 p.m. to hear one request.

The meeting was called to order and roll call was taken and members present were as follows: Michael Brown, Chairman; Frederick Stine, Vice Chairman; David Colgan, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Also present was John Baranski, Esquire, Solicitor to the Zoning Hearing Board; and Matthew Swanner, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. Gary LeFevre made a motion to approve the Minutes from July 9, 2013. The motion was second by Michael Brown and approved unanimously.

Z13-14 – Michael L. Bealing, 305 Beck Mill Road, Hanover, PA 17331. Applicant is requesting a variance to Section 203.2 (Uses by Special Exception) as it does not meet the requirements of Section 618 (f) and (j) (Home Occupation) in order to operate a motorcycle repair, service and state inspection business. The property is located at 305 Beck Mill Road in the R-15 zone.

Paul McAndrew made a motion to approve the request for variance Section 203.2 (Uses by Special Exception) as it does not meet the requirements of Section 618 (f) and (j). Michael Bealing may have a home occupation in the accessory structure with several stipulations. Motorcycles may be sold, but there will be no front yard public display of motorcycles. The business hours would be Monday through Saturday within the hours of 8:00 a.m. to 8:00 p.m. Michael Bealing will be the only employee. When Michael Bealing has been approved to do state inspections, he must submit the information to the township. David Colgan second the motion and it was approved by a vote of 4 to 1.

The meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Christine M. Myers

Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, October 8, 2013

The Penn Township Zoning Hearing Board met on Tuesday, October 8, 2013, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken and members present were as follows: Michael Brown, Chairman; Frederick Stine, Vice Chairman; David Colgan, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Also present was John Baranski, Esquire, Solicitor to the Zoning Hearing Board; and Matthew Swanner, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. David Colgan made a motion to approve the Minutes from July 9, 2013. The motion was second by Frederick Stine and approved unanimously.

Z13-15 – Daniel Rill, 101 West Granger Street, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct a new trailer that does not meet corner lot setbacks. The property is located at 101 W. Granger Street in the R-8 zone.

David Colgan made a motion to approve the request for variance Section 202.3 (Area and Bulk) as it does meet the requirements of Section 502.3 (a) through (f). Frederick Stine second the motion and it was approved unanimously.

Z13-16 – Larry G. Jensen, 350 Manor Street, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) and 400.3 (Setback on Corner Lots) in order to construct a garage that does not meet setback requirements. The property is located at 350 Manor Street in the R-8 zone.

Paul McAndrew made a motion to approve the request for variance Section 202.3 (Area and Bulk) and 400.3 (Setback on Corner Lots) as it does meet the requirements of Section 502.3 (a) through (f). Gary LeFevre second the motion and it was approved unanimously.

The meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Christine M. Myers

Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, November 12, 2013

The Penn Township Zoning Hearing Board met on Tuesday, November 12, 2013, at 7:00 p.m. to hear one request.

The meeting was called to order and roll call was taken and members present were as follows: Michael Brown, Chairman; Frederick Stine, Vice Chairman; David Colgan, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Also present was John Baranski, Esquire, Solicitor to the Zoning Hearing Board; and Matthew Swanner, 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 8, 2013. The motion was second by David Colgan and approved unanimously.

Z13-17 CFR Partners, L.P., 1623 Potsprings Road, Lutherville, MD 21093. Applicant is requesting a variance to Section 207.2 (Use Regulations) and a special exception to Section 207.2 (Use Regulations) in order to construct a professional office building and Mini-storage warehouse. The property is located at the Grandview Plaza, Unit 16 in the S/C zone.

David Colgan made a motion to continue the matter until further submitted. Frederick Stine second the motion and it was approved unanimously

The meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Christine M. Myers

Court Reporter