

Penn Township Zoning Hearing Board

Minutes for Tuesday, April 11, 2023

The Penn Township Zoning Hearing Board met Tuesday, April 11, 2023, at 7:00 p.m. to hear four requests.

The meeting was called to order and roll call was taken and members present were as follows: Ronald Fanelli, Chairman; William Gill, Vice Chairman; Troy Thomason, Member; and Mary Welsh, Member. Also present was Scott Lineberry, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer. John N. Elliot, Esquire was present as solicitor to the Zoning Hearing Board in case ZHB23-02 only.

All properties were properly advertised and posted and all legal notices properly published. Ronald Fanelli made a motion to disapprove the Minutes from February 14, 2023, and requested several corrections and resubmittal. The motion was second by William Gill and approved unanimously.

ZHB23-02 – Jackson Investment Properties, LLC C/O John L. Senft, Esquire, 150 Farm Lane, Suite 100, York, PA 17402. Applicant is requesting interpretation of 407.1 (Continuance) regarding two lots identified as one parcel. The property is located at 786 and 788 Baltimore Street, Hanover, PA 17331 in the

HB zone.

Troy Thomason made a motion to continue the Applicant's request in order to obtain the proper survey and with no time constraints as long as the survey is in process. Mary Welsh second the motion and it was approved by a vote 3-1 with William Gill dissenting.

ZHB23-01 – George A. Riley, III, 17 S. Vail Drive, Hanover, PA 17331. Applicant is requesting a special exception under Section 407.2 (Expansion and Alteration) and a variance to Section 612 G (Dimensional Nonconformities) in order to enlarge a deck on the back of the home. The property is located at 17 S. Vail Drive, Hanover, PA 17331 in the R-15 zone.

William Gill made a motion to deny the variance under Section 612 G in that the Applicant has not met the standards for a variance under Section 502.3; and as modified, there are alternatives available in replacing the deck that does not require a variance. Mary Welsh second the motion and it was approved by a vote 3 to 1 with Troy Thomason dissenting.

William Gill made a motion to deny the special exception under Section 407.2 in that the Applicant has not met the standards for a Special Exception under Section 612 C, as it will create new dimensional nonconformities and B, as the request exceeds the expansion by more than 35 percent. Mary Welsh second the

motion and it was approved by a vote 3 to 1 with Troy Thomason dissenting.

ZHB23-03 – Debora Tuthill, 571 Blooming Grove Road, Hanover, PA 17331. Applicant is requesting a special exception under Section 205 (R-40 Rural Residential Zone) in order to convert a dwelling for additional family members. The property is located at 571 Blooming Grove Road, Hanover, PA 17331 in the R-40 zone.

Mary Welsh made a motion to approve the special exception under Section 205 in that it meets the standards under Section 611 and inclusive the General Standards of Section 503.3. William Gill second the motion and it was approved unanimously.

ZHB23-04 – David Kurtz, Jr. & Brandi Kurtz, 120 Hufnagle Drive, Hanover, PA 17331. Applicant is requesting a variance under Section 300.9C (Utility Sheds and Gazebos) in order to have a shed with a height of 12 feet which exceeds the zoning ordinance height regulations. The property is located at 120 Hufnagle Drive, Hanover, PA 17331 in the R-8 zone.

Mary Welsh made a motion to approve the variance under Section 300.9 in that it meets the requirements for a variance in Section 502.3 (a) through (f). Troy Thomason second the motion and it was approved by a vote 3 to 1 with Ronald Fanelli dissenting.

The meeting was adjourned at 9:50 p.m.

Respectfully Submitted,

Christine Myers, RPR