

The regular meeting of the East Hempfield Township Zoning Hearing Board was held on Monday, March 21, 2016, at 7:00 p.m. in the Township Municipal Building. Members present were Elam M. Herr, Mark E. Hansen, Kenneth L. Beard, and Brett D. Jackson. Andrew Loose was absent. Also present were Attorney William Crosswell, Planning Director Andrew Stern, and a court reporter.

The meeting was called to order at 7:05 p.m. by Chairman Elam Herr, who led the Pledge of Allegiance.

The first order of business was the 2016 reorganization of the Zoning Hearing Board. Mr. Beard made a motion to retain Elam Herr as Chairman, Mark Hansen as Vice-Chairman, and Kenneth Beard as Secretary. Mr. Jackson seconded the motion. Motion carried 4-0.

Mr. Beard made a motion to retain William Crosswell and the firm of Morgan, Hallgren, Crosswell, & Kane, P.C. as legal counsel to the Board. Mr. Hansen seconded the motion. Motion carried 4-0.

Mr. Jackson made a motion to approve the board minutes of November 15, 2015, as submitted. Mr. Beard seconded the motion which carried 3-0-1 with Mr. Herr abstaining due to absence.

For the record, there were no cases for December 2015, January 2016, or February 2016 and therefore there are no minutes.

New Business:

Case #2344 – Galen & Marie Burkholder have filed an application requesting a Special Exception to permit an Accessory Dwelling Unit (ADU) and Variances for relief from the ADU side and rear yard setback requirements for the property located at 165 Cooper Avenue, Landisville, PA, located within the Village Residential Zone (VR) zoning district.

Mr. Burkholder reviewed the request stating that he and his wife propose to move into the existing carriage house located on the property and their son and his family will reside in the principal dwelling.

Mr. Hansen made a motion in Case #2344, Galen & Marie Burkholder, 165 Cooper Avenue, Landisville, PA to grant the Special Exception pursuant to Section 270-3.7(D1) to permit an accessory dwelling unit and to grant a variance of Section 270-3.7(E2) to allow a rear yard setback from the required ten (10) ft. to three (3) ft. for a seven (7) ft. variance and to allow a side yard setback from the required five (5) ft. to three (3) ft. for a two (2) ft. variance, conditioned on recording of a legal document stipulating the requirements of the ordinance for potential future ownership upon sale of the property, and the board's standard conditions. Mr. Beard seconded the motion which carried 4-0.

Case #2345 – Brian Lehman has filed an application seeking a Special Exception to permit an Accessory Dwelling Unit (ADU), and a Variance to permit an accessory structure in the front yard, for the property located at 2751 Marietta Avenue, located within the Low Density Residential Zone (RL) zoning district.

Mr. Lehman reviewed the request. The front yard setback required under the ordinance is 30' and the applicant is requesting a 23 ft. setback from Dorsea Road for a variance of 7 ft. and also a variance to allow an accessory structure in a front yard.

After discussion, the applicant withdrew the Special Exception request for ADU.

Mr. Hansen made a motion to approve the withdrawal request. Mr. Jackson seconded the motion which carried 4-0.

Mr. Hansen made a motion in Case #2345, Brian and Iris Lehman, 2751 Marietta Avenue, Lancaster, PA to grant a variance of Section 270-3.5(E2) to allow for placement of an accessory structure (patio/deck) in a front yard facing the Dorsea Road side of the property, leaving 23 ft. from the edge of the roadway pavement, with conditions (a) the applicant shall obtain all required/necessary permits, and (b) the Board's standard conditions. Mr. Beard seconded the motion which carried 4-0.

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Kenneth L. Beard
Secretary