

**WEST HEMPFIELD TOWNSHIP
ZONING HEARING BOARD
July 18, 2017**

The West Hempfield Township Zoning Hearing Board met in the meeting room of the West Hempfield Township Building at 3401 Marietta Avenue, Lancaster, PA, on Tuesday, July 18, 2017. Gary Lintner called the meeting to order at 7:30 p.m. Board members Daryl Peck and Tony Crocarno were also present, along with Brandon Harter, Alternate Solicitor for the Board, Rhonda Adams, Court Reporter, and Jodi Heffner, Zoning Officer.

Approval of Minutes

Motion: Tony Crocarno moved, seconded by Daryl Peck, to approve the minutes as presented for the meeting held June 13, 2017. Motion carried, 3-0.

Case 1259 – St. Mary’s Coptic Orthodox Church (continued)

Mr. Lintner introduced Attorney Brandon Harter of Russell, Krafft & Gruber Law Firm who was filling in for Julie Miller. Mr. Harter explained that subsequent to the close of testimony at the June 13, 2017 meeting, Julie Miller, acting as solicitor on behalf of the Zoning Hearing Board, polled the Board members individually and prepared a written opinion, a portion of which Mr. Harter read aloud for the Board’s consideration.

Mr. Lintner noted for the record that various case law information pertaining to this application was submitted to the Board via email from Josele Cleary, Solicitor for the Township, and from Jill Nagy of Summers Nagy Law Offices as counsel for the Applicant. Sean Summers was present as counsel for the Applicant. Mr. Harter confirmed that said case law was received and was reviewed.

Mr. Harter read the following statement:

In the matter of Application Number 1259, the following findings of fact are proposed and summarized here:

1. Applicant is St. Mary’s Coptic Orthodox Church, subject property address is 750 Summit Drive, West Hempfield Township.
2. A Zoning hearing on the Applicant’s application was convened on June 13, 2017.
3. The Applicant has appealed the decision of the Zoning Officer relating to the interpretation of Zoning Ordinance Section 701.5 – Height, Lot Area and Coverage exceptions, and as requested, a variance from Zoning Ordinance Section 403.3.B.2.e – Maximum Building Height to enable Applicant to construct a church with a domed roof with a height of at least eighty (80) feet.
4. After having an opportunity to poll the members of the Board, the Solicitor has prepared a written decision indicating the Applicant has failed to sustain its burden proving entitlement to a variance of the Zoning Ordinance.

5. Based upon the foregoing Findings of Fact in conclusions of law, the Zoning Hearing Board determines the dome proposed by the Applicant is not exempt from the height requirements of the Zoning Ordinance.
6. Applicant's request for a variance under Section 403.3.B.2.e – Maximum Building Height is denied.

Mr. Lintner asked if there was any discussion on the proposed decision. Mr. Crocamo and Mr. Peck both said no.

Motion: Tony Crocamo moved, seconded by Daryl Peck, in Case 1259 to adopt the draft decision as the Board's decision as presented. Motion carried, 3-0.

The Board provided the Applicant with a signed copy of the decision.

Case 1261 – Carmen Parra

Carmen Parra of 933 Edinburgh Drive, Lancaster, PA 17601 was sworn in to provide testimony. For her property at 4620 Oriole Avenue, Columbia, she is seeking a variance from Section 303.3.A.2 – Area and Lot Width Requirements in order to build a residential dwelling on a lot area less than 25,000 square feet. She purchased the property in May 2016 and said she was not told about the zoning requirements or possible expiration dates. She has finally found a builder only to discover that the variance to build on a smaller lot size (ZHB Case 1223, issued in February 2016 to the previous property owner) had expired. Mrs. Parra showed the plans for the potential house to be built on the lot. Two different requests for a variance on this undersized lot have come before the ZHB, and both times the Board granted the variance of 6,000 plus square feet to the applicants.

Motion: Daryl Peck moved, seconded by Tony Crocamo, in Case 1261 to approve a variance of 6,843 square feet to build on a lot less than 25,000 square feet at 4620 Oriole Avenue, Columbia, with condition that everything be carried out to the satisfaction of the Board as described in this hearing process. Motion carried, 3-0.

A copy of the decisions will be made a part of these minutes.

There being no further business to come before the Board, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,



Tony Crocamo
Secretary