

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
3417 MARIETTA AVENUE
LANCASTER, PA 17601
October 9, 2018

The West Hempfield Township Zoning Hearing Board met in the meeting room of the new West Hempfield Township Municipal Building at 3417 Marietta Avenue, Lancaster, PA, on Tuesday, October 9, 2018. Board members Gary Lintner, Anthony Crocamo and Daryl Peck were present, along with Matthew J. Creme, ZHB Solicitor; Dwayne Steager, Zoning Officer; Lisa Miller, Court Reporter; and Judy Carrier, Recording Secretary.

Call to Order

The meeting was called to order by Chairman Gary Lintner at 7:30 p.m.

Approval of Minutes – September 11, 2018

- ❖ **Motion:** Anthony Crocamo moved, seconded by Daryl Peck, to *approve* the minutes as amended for the meeting held September 11, 2018. Motion carried (3-0).

Case 1278

Applicant: Chiquesville LLC
Owner: Chiquesville LLC
Description: Request for a Variance for a rear yard setback, Section 301.5.C.
Location: 4650 Marietta Ave., Mt. Joy, PA
Zoned: RA

Chairman Gary Lintner began with an explanation of the Hearing process, rules and regulations and the purpose of the Hearing. Mr. Leon Gehman 1648 Nolt Road, Mt. Joy and Mr. Seth Gehman, 1650 Nolt Road, Mt. Joy were present and sworn in as witnesses on behalf of Chiquesville LLC. Seth Gehman presented the request for a variance for a rear yard setback at 4650 Marietta Avenue, Mt. Joy, on behalf of the applicant, Chiquesville LLC. All information and exhibits submitted were entered and made part of the official record of the Hearing. A court stenographer was present to record the testimony and the stenographic transcript will be the official record of the hearing.

Chiquesville LLC is requesting to reduce the rear yard setback upon replacing a single wide mobile home with a small doublewide mobile home. The previous home was about nineteen (19) feet from the rear property line and has been removed due to old age and poor condition. Requirement is twenty-five (25) feet. The previous home was already inside the rear yard setback and the applicant is requesting to reduce the rear yard setback further to accommodate the doublewide format. A plot plan of the subject property was submitted and discussed. At the close of witness testimony and Board discussion, the following action was taken:

- ❖ **Motion:** Moved by Daryl Peck and seconded by Anthony Crocamo to *approve* the Chiquesville LLC Request for a Variance for a Rear Yard Setback, Section 301.5.C variance to be twenty (20) feet of the required twenty-five (25) feet to place structure known as Lot 1, with the condition that applicant obtain any remaining permits and

approvals required pertaining to removal of the existing structure, construction of the new structure and connections to utilities and that said permits be made a precise record of this proceeding. The motion passed (3-0). Solicitor Creme advised that Chiquesville LLC will receive a written decision.

Case 1279

Applicant: Jane and Bruce Murray
Owner: Jane and Bruce Murray
Description: Request for a Variance for placement of a pool, Section 704.3.A
Location: 4418 Fairview Rd., Columbia, PA
Zoned: RR

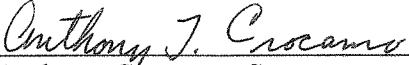
Mr. Bruce Murray, 4418 Fairview Road, Columbia, Mrs. Jane Murray, 4418 Fairview Road, Columbia Applicant/Owners, and Mr. Jason Annibali, Anthony Sylvan Pools, were present and sworn in as witnesses. Mr. Murray presented the Request for a Variance for placement of pool, Section 704.3.A. All information and exhibits submitted were entered and made part of the official record of the Hearing. A court stenographer was present to record the testimony and the stenographic transcript will be the official record of the hearing.

The applicants have decided to relocate the 'proposed' inground pool from the previous approved submission (rear yard) to a location not entirely to the rear plane of the dwelling location, as required by the ordinance. They are willing to install privacy fence around the pool so as not to be seen from the road and are looking for leniency due to the fact of substantial rock and a utility pipeline that has been installed on their property. A new Plot Plan – Revised 8-15-18 – Proposed Inground Pool, Deck and Fence, Applicant Exhibit #1, prepared by Anthony Sylvan Pools, was entered into the record and discussed. At the close of witness testimony and Board discussion, the following action was taken:

- ❖ **Motion:** Moved by Daryl Peck and seconded by Anthony Crocamo to grant the Request of Bruce and Jane Murray for a Variance for placement of a pool, Section 704.3.A which requires a private, inground pool to be located to the rear of the back of the dwelling on property at 4418 Fairview Road, Columbia, with the condition that it be placed in accordance with the application, testimony and exhibits provided at this Hearing; most specifically, not in the front yard, meaning no closer to Fairview Road than the front of the house. The motion passed (3-0). Solicitor Crème advised Mr. and Mrs. Murray that a written decision will be forthcoming; however, they did not have to wait to start construction.

There being no further business to come before the Board, the meeting was unanimously adjourned at 8:18 p.m.

Respectfully submitted,



Anthony Crocamo, Secretary