

**WEST HEMPFIELD TOWNSHIP
ZONING HEARING BOARD
April 9, 2013**

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, April 9, 2013. Gary Lintner called the meeting to order at 7:30 P.M. Board members Amelia Swiernik and Daryl Peck were also present, along with Bernadette Hohenadel, Solicitor; Lisa Miller, Court Reporter; Jodi Grove, Zoning Officer; and Darlene Diffenderfer, Recording Secretary.

Approval of Minutes

Motion: Daryl Peck moved, seconded by Amy Swiernik, to approve the minutes of the meeting of March 12, 2013 as presented. Carried 3-0.

Case 1165 – Ironstone Homes, LLC

This application was submitted by Trevor Eby of Ironstone Homes, LLC, 1480 Ironstone Drive, East Earl, PA for a variance of 7200 square feet to Section 303.3 for lot size to be able to build a single family dwelling on a lot located at 450 Druid Hill Road currently owned by Don Miller, 6 Lehey Forest Place, Leola, PA. The property is zoned R-2.

Larry Eby, Ironstone Homes LLC, 1480 Ironstone Drive, East Earl, PA and Ron Hershey, PLS with Hershey Surveying, Inc., 325 Broad Street, East Earl, PA were present to represent the applicant and both were sworn to provide testimony.

Mr. Hershey stated that the lot owned by Mr. Miller was created as lot 38 of the Falcon Ridge development in 1988 when the zoning requirement was 10,000 square feet for a building lot in the R-2 zoning district. He stated the lot was one of the largest in this development at 17,800 square feet, but was never developed.

Mr. Hershey stated that Mr. Miller recently purchased the lot to build a single family detached dwelling and needs a dimensional variance of 7200 square feet to meet the current zoning requirement of 25,000 square feet. He added that Mr. Miller's plans for the dwelling will meet all setback requirements. He stated that public sewer and public water are available for this lot.

Mr. Hershey stated that this lot is a pre-existing non-conforming lot and no add-on land is available to make the lot larger.

Ms. Swiernik stated that her main concern would be the site distances for the driveway entering Druid Hill Road. She stated that the speed of traffic on this road is sometimes excessive and could present a hazard.

Mr. Lintner stated that he did not see any problem since this lot was created before the current zoning requirements.

Mr. Peck agreed and added that it was also good that all setbacks can be met for the dwelling.

Motion: Daryl Peck moved, seconded by Amy Swiernik, to grant a variance of 7200 square feet to Section 303.3 for lot size at 450 Druid Hill Road with the condition that all things be carried out as described before the Board. Carried 3-0.

Case 1166 – Steven Bitts

This application was submitted by Steven Bitts, 2145 Oswego Drive, Columbia, PA for a variance of 8 feet to Section 304.4.B.1 for setback from house and a variance of 2 feet to Section 304.4.B.1 for side yard setback to construct a detached garage on his property zoned R-3.

Mr. Bitts and his neighbor, Helen Howard, 2135 Oswego Drive, Columbia, Pa were sworn to provide testimony.

Ms. Hohenadel stated that the correct Section of the Ordinance to reference for the setback between the house and the garage is 704.A.

Mr. Bitts stated that he would like to replace an existing shed on his property with a larger building to be used as a garage. He stated that he cannot place the garage directly behind his house due the steep grade of the lot, and the far end of his property is within the flood plain. Photographs of the lot were reviewed.

Mr. Lintner questioned whether Mr. Bitts had considered attaching the garage to his house which would eliminate the need for the one variance. Mr. Bitts stated that it had been suggested he consider that option. He stated he thought a small breezeway would be possible.

Mr. Lintner stated the Board wants to keep variances to a minimum. He added that Mr. Bitts had no hardship to warrant the granting of a variance for the setback from the house since he did have the space to place the garage to the rear of his house. He stated he did not see the sideyard setback as problematic.

Ms. Swiernik stated that there are certain requirements that must be met to allow the Board to grant a variance request.

Mr. Peck stated that the Board is supposed to grant the least possible amount for a variance. He questioned whether Mr. Bitts had considered reducing the size of the proposed garage in order to meet the required setbacks. Mr. Bitts replied that he had plans for the garage, other than for his cars, which includes placing a hot tub inside the structure.

Mr. Bitts revised his application to withdraw his request for the variance to Section 704.A for the setback between the house and the garage.

Ms. Howard, Mr. Bitts neighbor, stated that she understood what Mr. Bitts was proposing and did not have any problem with his plans.

Motion: Amy Swiernik moved, seconded by Daryl Peck, to grant a variance of two feet to Section 304.4.B.1 for the south sideyard setback to allow placement of a garage at 2145 Oswego Drive with the condition that the proposed garage be built as described before the Board and the garage be attached to the existing dwelling. Carried 3-0.

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There being no further business to come before the Board, the meeting was adjourned at 8:15 P.M.

Respectfully submitted,

Daryl Peck
Secretary

