

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
3401 MARIETTA AVENUE
LANCASTER, PA 17601
August 13, 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, August 13, 2013. Gary Lintner, Chairman, called the meeting to order at 7:30 P.M. Board members Amy Swiernik and Daryl Peck were also present, along with Rhonda Adams, 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 held July 9, 2013 as presented. Carried 3-0.

Case 1176 – Todd McCarty

This application was submitted by Todd McCarty, 4652 Breezyview Road, Columbia, PA for a variance of one foot to Section 701.4 to allow a fence four feet high in his front yard. The property is zoned R-3.

Terry McCarty, mother of Todd McCarty, 913 Chestnut Street, Columbia, PA was sworn to provide testimony.

Mrs. McCarty stated that the house on her son's property faces Old Chickies Hill Road and the side of the house faces Breezyview Road and has a Breezyview Road address. She stated there is an existing fenced area, which is four feet high, on the north side behind the garage which borders Breezyview Road. She added that her son wants to extend the fenced area to enclose a larger portion of his yard because he now has a bigger dog.

Mr. Lintner questioned the drawing submitted with the application in comparison to the aerial photograph also submitted with the application. Mrs. McCarty stated the drawing should show the garage partially behind the house.

Ron Youtz, Township Manager, was present and stated that the house on this property is non-conforming in that it is barely out of the right-of-way and does not meet the current zoning requirements. He stated this house was built before the current zoning ordinance.

Mrs. McCarty stated they do not know when the existing four foot fence was erected; that it was placed by a former owner. Ms. Grove stated that no permit was granted for the existing fence.

Mrs. McCarty presented a letter from their veterinarian which stated the large Pit Bull dog owned by the McCarty's would require a fence higher than three feet to keep it confined to the McCartys' property.

Motion: Daryl Peck moved, seconded by Amy Swiernik, to grant a variance of one foot to Section 701.4 to allow a fence four feet high in the front yard on the north side of 4652 Breezyview Road with the following conditions: 1) the fence be constructed on existing fence line and be no closer to street right-of-way than existing fence; 2) all things be carried out as described before the Board; and 3) applicant must submit measurement from edge of street to fence to the zoning officer. Carried 3-0.

There being no further business to come before the Board, the meeting was adjourned at 7:50 P.M.

Respectfully submitted,

Daryl Peck, Secretary

