

**WEST HEMPFIELD TOWNSHIP
3401 MARIETTA AVENUE
LANCASTER, PA 17601**

**WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
May 14, 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, May 14, 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 Rhonda Adams, Court Reporter; Jodi Grove, Zoning Officer; Bernadette Hohenadel, Solicitor; and Darlene Diffenderfer, Recording Secretary.

Approval of Minutes

Motion: Daryl Peck moved, seconded by Amy Swiernik, to approve the minutes of the meeting of April 9, 2013 as presented. Carried 3-0.

Case 1167 – Jason R. Miller

This application was submitted by Jason R. Miller, 524 Mockingbird Drive, Columbia, PA for a Special Exception to Section 705.2.A to allow expansion of a non-conforming use and a variance to Section 705.2.A to exceed a 25% expansion to replace an existing garage in the front yard with a larger structure. Mr. Miller's property is zoned R-2.

Mr. Miller was sworn to provide testimony.

Mr. Miller stated that he wanted to add a request for a one year time extension to his application to ensure he had adequate time to complete his project.

Mr. Miller stated that he wanted to replace the garage to improve the appearance of his property and to provide space for his personal vehicles as well as a boat and camper to allow removal of these vehicles from his driveway.

Following discussion, it was determined that the existing structure is 756 square feet and the proposed new building would be 1429 square feet which would be an expansion of 90% of the non-conforming use.

Mr. Miller stated his lot is .96 acres. He added that the new garage would be 13 feet from the existing house with only 10 feet required by the ordinance.

Motion: Daryl Peck moved, seconded by Amy Swiernik, to grant a Special Exception to Section 705.2.A to allow the expansion of a non-conforming use to replace a garage at 524 Mockingbird Drive. Carried 3-0.

Motion: Daryl Peck moved, seconded by Amy Swiernik, to grant a variance of 65% to Section 705.2.A to allow the expansion of a non-conforming use to construct a new garage at 524 Mockingbird Drive with the condition that it be built as described before the Board. Carried 3-0.

Motion: Daryl Peck moved, seconded by Amy Swiernik, to grant a one year time extension under Section 1005.3.H for a Special Exception for completion of the project at 524 Mockingbird Drive. Carried 3-0.

Motion: Daryl Peck moved, seconded by Amy Swiernik, to grant a one year time extension under Section 1005.4.G for a variance to allow completion of the project at 524 Mockingbird Drive. Carried 3-0.

Mr. Miller amended his application to add the request for the time extensions.

Case 1168 – Trademark Contractors, Inc. (Wilmer Martin)

This application was submitted by Wilmer Martin of Trademark Contractors, Inc., 114 Ciera Drive, Lititz, PA for a variance of 22 feet to Section 702.5.G for setback between homes in a mobile home park to construct a deck and ADA ramp on lot 3, 670 Hempfield Hill Road, owned by Keystone Kommunities, zoned Rural Agricultural. The mobile home is owned by Lori A. Bartley.

Mr. Martin was sworn to provide testimony.

Mr. Martin stated he was hired by a caseworker with County Homemakers to construct a small deck or landing and an ADA ramp for their client Shasta Shenberger who resides with her mother in a mobile home on lot 3 at 670 Hempfield Hill Road.

Mr. Martin stated a ramp currently exists within a screened porch, but the grade is too steep to maneuver the motorized wheelchair and makes it too difficult to push the chair manually. He stated the existing ramp would remain in place and he would construct a new ramp from the outside of the screened porch to the driveway. He stated the existing ramp could not be modified to accommodate Ms. Shenberger without compromising the requirement of two off-street parking spaces.

Photographs of the site were reviewed as well as the deck/ramp plan submitted with the application. Mr. Martin stated there would be no roof over the new ramp, but it would be covered with a grooved vinyl surface to prevent slipping.

It was determined that the Ordinance requires 30 feet between mobile homes in a mobile home park, but the lots in this mobile home park were created before the Ordinance changed. Mr. Martin stated there is only 21 feet 8 inches between the Bartley/Shenberger home and the neighboring home. He added that the screened porch and existing ramp further reduces that space to 13 feet 6 inches. He stated the new ramp would add another four feet leaving nine feet 6 inches between the ramp and the neighboring home, requiring a variance of 22 feet.

Phyllis Stone was present and stated she lived two doors away from lot 3. She stated she wanted the Board to be aware that access to the rear of the home is required for propane delivery and mowing the grass.

Donna Brown was present and stated she lived next door to lot 3. She stated that the existing ramp had been a wider dimension for a previous tenant and questioned whether returning it to the wider width would be possible. Mr. Lintner replied that the problem was with the slope of the ramp, not the width.

Ms. Hohenadel explained party status to Ms. Stone and Ms. Brown. Both declined requesting party status.

A discussion followed regarding the need for a disabled person to have access to their home versus the safety of having the homes too close together. Ms. Swiernik stated that the new ramp would allow the disabled occupant to get out of the home more quickly in case of a fire.

Mr. Martin stated the construction costs would not allow removal of the existing ramp because the project is State funded and the funds may not be available to Ms. Shenberger if costs are too extreme.

Motion: Daryl Peck moved, seconded by Amy Swiernik, to grant a variance of 22 feet to Section 702.5.G for setback between mobile homes to allow construction of a deck and ADA ramp on lot 3, 670 Hempfield Hill Road with the condition that the new deck and ramp be removed if the person with a disability no longer resides in the home at lot 3 and with the condition that all things be carried out as described before the Board. Carried 3-0.

Zoning Hearing Board Minutes
May 14, 2013
Page 3

There being no further business to come before the Board, the meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Daryl Peck
Secretary