

## **Salisbury Township Zoning Hearing Board Minutes from June 21 + 22, 2021 Meeting**

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Monday and Tuesday, June 21 + 22, 2021, at 1:00 PM and 6:00 PM.

Chairman Peter Horvath called the meeting to order at 12:58 PM and 5:57 pm.

Members present: Larry Martin, Dennis Eby, and Peter Horvath. Also present was Julie Miller, ZHB Council and Damian Clawser, Township Zoning Officer.

Members absent: John Wanner

Meeting minutes of May 24 + 25, 2021 ZHB meeting was reviewed. A motion was made by Larry Martin to approve the minutes as written. Motion was seconded by Dennis Eby.

Damian Clawser was sworn in and presented three exhibits and requested that they be marked as Township Exhibits 1. Copies of ZHB Applications, 2. Newspaper publication certification and 3. Property posting certification sheets.

### **APPLICATIONS REVIEWED:**

#### **Hearing 1 – Monday, June 21, 2021, beginning at 1:00 PM**

##### **New Business:**

1. 06-21-01 Michael F. Stoltzfus of 6011 Wanner Road, Narvon, PA 17555 (Subject Property) is requesting a Special Exception under §340-12.C(10) to subdivide a residential lot from a parent tract, subject to Section §340-110 and a Variance from §340-110 and a Variance from §340-12.L to allowed to exceed maximum permissible subdivision rights and a Variance from §340-12.B to allow subdivision to occur for a lot containing no subdivision rights, and a Variance from §340-12.B to allow an existing building containing storage units to be located on a lot as a principal use, a Variance from §340-12.E (Attachment 1) to allow both the lot containing a non-agricultural non-residential (other principal use) use and the proposed residential lot to exceed maximum permissible size and a Variance from 340-33 to not be required to meet access drive requirements for the agricultural lot as well as any other Special Exceptions and/or Variances required to complete the proposed subdivision and retain existing uses. The Subject Property is located within the A – Agricultural district.

Application Presented By: Kevin Whitmer and Michael Stoltzfus

Testimony: Zoning decision allowed that another subdivision was permitted 5 years from approved subdivision, lot is 38 acres, Michael now owns property his dad owned when subdivision occurred, would like to create a two acre lot instead of 1.1 acre max, remaining acreage would be 36 acres, wants to put a new dwelling up further on the property where it is flat, putting building up on the flat area would allow him to better utilize land for AG purposes, subdivision would create a 1.5 acre on north side of road and remaining 5 acre would be on south side, storage units will continue to exist as this after subdivision used for contractor storage total of 4 unites, 3 dwellings .

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

2. 06-21-05 David S. Fisher of 6124 Meadville Road, Narvon, PA 17555 is requesting a Special Exception under §340-12.C(10) to be permitted to subdivide a parent tract to create two new lots and a Variance from §340-12.E (Attachment 1) and 340-12.L(1)(b) to allow one newly created lot to be less than permissible size for an agricultural lot and a Variance from §340-30 to allow a single family semi-detached (2-family) dwelling to exist on a residential lot not meeting individual lot requirements for each principal use. The Subject Property is located at 5576 Seldomridge Road, Gap, PA 17527 and is within the A – Agricultural district.

Application Presented By: Kevin Whitmer and David Fisher

Testimony: Property is 88 acres currently, lot 1, 22.1 ac lot 2, 1.1 ac, esixting dwelling would be kept on residential lot, lot 3 proposed has no dwelling on it, has AG building on it now, desire is to put new dwelling in middle of lot 3

more central on lot, neighbor farms both proposed lots 1 and 3 david gets crops, wants to make lot 2 two acres, would take additional land on north of proposed lot 2.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved

3. 06-21-02 Samuel S. Beiler of 5081 Strasburg Rd, Kinzer, PA 17535 (Subject Property) is requesting a Special Exception under §340-12.C(12) to construct an addition to a single-family dwelling to complete a Farmhouse Expansion, subject to Section §340-80. The Subject Property is located within the A – Agricultural district.

Application Presented By: Samuel and Jacob Beiler

Testimony: Existing house built in 1890 is 45'x39', Samuel will be living in old part and one of his sons would live in the new end, 55 acres, new unit would be 38'x32', is served by onlot sewer, will meet setbacks as required.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with specific conditions

4. 06-21-03 Springton Enterprises, LLC c/o Nathan Smucker of 5490 Elam Road, Gap, PA 17527 is requesting modification of a prior decision to grant additional time to obtain permits from the date of the prior decision which granted permission to construct a billboard or in the alternative, a Special Exception under §340-18.C(3) to construct a billboard, subject to Section §340-117, including a Variance from Section §340-117.C to allow the proposed billboard within minimum separation distance to another billboard. The Subject Property is located at 4992 Lincoln Highway, Gap, PA 17527 and is within the I – Industrial district.

Application Presented By: John Mateyak and Nate Smucker

Testimony: Asking for additional year from date of signing of decision, would continue to maintain conditions and evidence.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved

## **Hearing 2 – Tuesday, June 22, 2021, beginning at 6:00 PM**

5. 06-21-04 Simeon King of 594 Hensel Road, Kinzer, PA 17535 (Subject Property) is requesting a Special Exception under §340-12.C(16) to construct additional residential accessory structure, subject to §340-118 & §340-24.I. The Subject Property is located within the A – Agricultural district.

Application Presented By: Simeon King

Testimony: Wants to add 1200 sf to the 1200 sf he already has in a barn, run in shed 8'x8', 432 sf of run in sheds will remain, addition to be two story, peak would be approximately 27', total accessory would be 2832, personal use only, no dwelling, no business.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved

6. 06-21-06 Paul S. Blank of 6281 Meadville Road, Narvon, PA 17555 (Subject Property) is requesting a Special Exception under §340-12.C(12) to be permitted to construct an addition to the existing dwelling to complete a Farm House Expansion, subject to §340-80 and a Variance from §340-12.E (Attachment 1) to be permitted to construct a horse and carriage barn (residential accessory) structure within minimum required setbacks. The Subject Property is located within the A – Agricultural district.

Application Presented By: Paul Blank

Testimony: 97' from house to property line, wants to add 48' of house and then add a 26' barn beyond that, would put barn 23' from western property line, height of barn to be 27', house would overlap existing dwelling by 4'

making its distance from western property line approximately 53', no rental, barn may or may not be connected to the new dwelling unit, son lives on property to the west, ok with condition requiring submission of sewage module.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with specific conditions

7. 06-21-07 Melvin L. Houck of 622 Narvon Road, Gap, PA 17527 (Subject Property) is requesting a Special Exception under §340-21.C(17) to be permitted additional residential accessory structure space, subject to §340-118 and §340-24.I. The Subject Property is located within the OS – Open Space district.

Application Presented By: Melvin Houck

Testimony: 14'x36' and 6'x6' existing sheds to be removed, total accessory space will be 1760, 25' min from property line.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved

8. 06-21-08 Alvin Jay King of 90 Slaymaker Hill Road, Kinzer, PA 17535 (Subject Property) is requesting modification of a prior decision and a Special Exception under §340-12.C(13) to operate a roofing construction business as a Rural Occupation, subject to §340-106. The Subject Property is located within the A – Agricultural district.

Application Presented By: Alvin King

Testimony: Has a roofing business, horse barn not attached is on north side of property, house is on west of property, shoe is attached on east side of house, 2-3 employees drive and park there, there are two trucks and van associated with business that are kept in the shop, deliveries 2-3 times a year, 5 non resident employees, shoe is 3000 sf, no materials, there is a bathroom in shop, no signage, no customers on property, 30 yd container used, no outdoor storage, trash is roofing debris, would only be able to see wall from Harristown Rd after construction.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved

The meeting was adjourned at 2:47 PM and 7:05 PM.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer