

Salisbury Township Zoning Hearing Board Minutes from March 26, 2019 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, March 26, 2019, at 7:00 PM in the Salisbury Township Municipal Building, White Horse.

Chairman Peter Horvath called the meeting to order at 7:02 PM

Members present: Larry Martin, Dennis Eby, and Peter Horvath, and John Wanner. Also present was Julie Miller, Solicitor and Damian Clawser, Township Zoning Officer and Allen Blank, Court Reporter.

Members absent:

Meeting minutes of February 26, 2019 ZHB meeting were reviewed. A motion was made by Larry Martin to approve the minutes as written. Motion was seconded by Peter Horvath.

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. A motion was made by Peter Horvath and seconded by John Wanner to accept the Exhibits. Motion carried unanimously.

APPLICATIONS REVIEWED:

Old Business:

1. 02-19-04 B. Allen Stoltzfus of 790 Mt. Vernon Road, Gap, PA 17527 is requesting modification of a prior decision and a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 203.3.H to be permitted additional residential accessory structure space, subject to Sections 302.9 and 469 or in lieu of this, a Variance from Sections 203.2.F and 469.5 and a Variance from Section 203.2 to allow a construction business to operate from the property as well as any other Special Exceptions and/or Variances required. The subject property is located within the R-1 – Residential district

Motioned by: Larry Martin

Seconded: John Wanner

Decision: Both requests Denied

New Business:

1. 03-19-01 Abram M. Stoltzfus of 625 Spring Garden Road, Gap, PA 17527 is requesting modification of a prior decision and a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.2 to be permitted the ability to subdivide a portion of land from a Parent Tract to add to a residential property, a Variance from Section 201.12.A to be permitted to complete the subdivision without use of a subdividable right, a Variance from Section 201.12.D to be permitted to increase the size of a lot of record as well as a Variance from Section 201.5 to allow a lot size that exceeds maximum permissible residential lot requirements and is less than minimum permissible agricultural lot requirements as well as any other Special Exceptions and/or Variances needed to complete the subdivision. The subject properties are located at 705 and 725 White Horse Road, Gap, PA 17527 and are both within the A – Agricultural district.

Application Presented By: Abram Stoltzfus and Roger Fry

Testimony: Requesting to add 13 acres to the lot of 2 acres to total 15 acres, the proposed lot line is surveyed along existing fence line.

Motioned by: John Wanner

Seconded: Larry Martin

Decision: Approved with specific conditions

2. 03-19-02 John J. Lapp of 862 Brackbill Road, Gap, PA 17527 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.B to establish an Echo house, subject to Section 429 and a Variance from Section 429.2 to allow the structure to exceed maximum permissible floor area. The subject property is located at 407 Old Mill Drive, Gap, PA, 17527 and is within the A – Agricultural district.

Application Presented By: John Lapp

Testimony: Wants to put an echo house on property for mother in law, he does not live on property now, but moving over in summer, the echo home is larger than permitted 62' x 15' x 9 = 976.5 sf, mother in law is 80 and only occupant Hannah Glick, ok with conditions construction may not occur prior to living on the property, must be removed 90 days after Ms. Glick no longer occupies home, must comply with SEO requirements.

Motioned by: John Wanner

Seconded: Larry Martin

Decision: Approved with specific conditions

3. 03-19-03 Philip E. Weaver of 419 Meetinghouse Road, Gap, PA 17527 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.12.A to subdivide an agricultural lot off of a Parent Tract, subject to Section 201.12 and a Variance from Section 112 to consider the new lot a Parent Tract, containing a subdividable right as well as any other Special Exceptions and/or Variances to complete the subdivision. The subject property is located at 5576 Seldomridge Road, Gap, PA 17527 and is within the A – Agricultural district.

Application Presented by: Jason Shaner

Testimony: Creating 47 and 88 acre farms, wants to have one subdivision right to remain with the 47 acre, David Fisher and Betty Weaver both present and sworn in, land is entirely crop farm and some pasture, dwelling is unoccupied.

Motioned by: John Wanner

Seconded: Larry Martin

Decision: Approved with specific conditions.

4. 03-19-04 Amos F. Beiler, Jr. of 5588 Old Philadelphia Pike, Gap, PA 17527 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Sections 201.2.A.(3) - (4) to not be required to complete land development planning demonstrating area for construction of a proposed second single-family detached structure meeting residential lot requirements as well as a Variance from Section 308 to not be required to meet individual lot requirements for a second principal use. The subject property is located within the A – Agricultural district.

Application Presented By: Jason Shaner

Testimony: Requesting modification of application to eliminate the request for 308, 201 A 4 two principal uses, increase proposed impervious surfacing is 1.9.

Motioned by: Larry Martin

Seconded: John Wanner

Decision: Denied

5. 03-19-05 David J. Blank of 5145 Martin Road, Kinzer, PA 17535 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.P to be permitted additional residential accessory structure space, subject to Sections 302.9 and 469 and a Variance from Sections 201.7.C and 302.9.B to exceed maximum permissible height. The subject property is located within the A – Agricultural district.

Application Presented By: Sam Stoltzufs

Testimony: Requested a continuance.

Motioned by: Peter Horvath

Seconded: John Wanner

Decision: Granted

6. 03-19-06 Ivan R. King of 6184 Meadville Road, Narvon, PA 17555 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 203.5 to be permitted to construct a new single-family

detached dwelling within minimum required setbacks. The subject property is located at 678 Churchtown Road, Narvon, PA 17555 and is within the R-1 – Residential district.

Application Presented By: Ivan King and John Wayne Esh

Testimony: Existing double wide will be removed, one shed has already been removed, will be building a stick home, proposing a 4 bedroom home, ok with the condition that they must maintain 25' setback on southern property line.

Motioned by: John Wanner

Seconded: Larry Martin

Decision: Approved with conditions

The meeting was adjourned at 8:50 pm.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer