

Salisbury Township Zoning Hearing Board Minutes from September 24, 2019 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, September 24, 2019, at 7:00 PM in the Salisbury Township Municipal Building, White Horse.

Chairman Peter Horvath called the meeting to order at 7:01 PM

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

Members absent: John Wanner

Meeting minutes of August 27, 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 Larry Martin and seconded by Dennis Eby to accept the Exhibits. Motion carried unanimously.

APPLICATIONS REVIEWED:

Old Business:

New Business:

1. 09-19-01 The Poppin' Shop, LLC / John Mark Zook of 693 Gault Road is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 211.3.I, subject to Section 439 and a Variance from Section 439.10 to allow external storage of a trailer associated with the business. The subject property is located within the OS – Open Space district.

Application Presented By: John Zook and Linda Kling

Testimony: Wholesaling of popcorn, no trucks will be coming onto property, 8'x20' trailer, would be popping popcorn in trailer on property, nothing visible from the road, no sign proposed, finished product stored in trailer and delivered by truck, raw product stored in attached garage 4'x4' skid, oils stored in trailer, no other employees except family, trailer stored next to attached garage, trash removed once per week, waste water must be dumped at dumping station.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

2. 09-19-02 Samuel B. Stoltzfus of 563 Meetinghouse Road, Gap, PA, 17527 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 211.4 to be able to complete a lot add-on that would create a lot that would not meet minimum lot size requirements as well as any other Special Exceptions and/or Variances required to complete the subdivision. The subject properties are located at 555 and 563 Meetinghouse Road, Gap, PA 17527 and both are within the OS - district.

Application Presented By: Samuel Stoltzfus and John Marshal

Testimony: Proposing a lot add on, proposed property line to barn would be 17', proposed property line would be 13' from dwelling on John Marshalls property, .05 acres will be added, survey was recently completed.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

3. 09-19-03 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.

Application Presented By: B. Allen Stoltzfus and Dave Mersky

Testimony: Property is 5.3 acres, AA Renovations began in 2003, has continued to operate remodeling and construction of additions, 2 ft, 3 pt and son are employees, hours are M-F 6-5, employees are there at the beginning and end of work day, no work being done at the property, 2 pickups Pettibone track hoe and 2 trailers, no signage on property or trucks, equipment stored in gravel area trailers are next to the barn, most deliveries to the job site, every 6-8 weeks a delivery occurs, trash is left at job site, no waste brought to property, business space is shed 160 sf and 2nd floor of stables/garage 1916sf, variance required for accessory structure space, outdoor storage is 30,000 sf of gravel paving, includes driveway and parking area to north of driveway.

Motioned by: Larry Martin

Seconded: Peter Horvath

Decision: Denied

4. 09-19-04 Timothy L. Zook of 5617 Old Philadelphia Pike, Gap, PA 17527 is requesting modification of a prior decision and variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.2 to expand a metal fabrication/machining business as well as any other Special Exceptions and/or Variances required to expand the use. The subject property is located at 5302 Denlinger Road, Gap, PA 17527 and is located within the A – Agricultural district.

Application Presented By: Nick Guard and Tim Zook

Testimony: Proposing a 25'x60' addition, would like to add another employee, addition is for storage of raw materials, some of the pieces that he makes now are larger than what he originally started out making, there would be no increase in impervious surfacing resulting from addition, makes mobile chicken coops 12'x20', most items he makes are agricultural products, 3900 sf would be total business space after addition is built, no outside storage is proposed, hours 7-5, east setback would be 20' and match existing building addition would be 60' from southern line, ok with condition for removal of shed if application granted, no new equipment, makes corn planter parts engine heads, works for white horse machine.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

5. 09-19-05 John and Sadie Ebersol of 5270 Peters Road, Kinzer, PA 17535 are requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.B to install Echo Housing, subject to Section 429 and a Variance from Section 429.8 to locate the proposed Echo Home within the front yard. The subject property is located within the A – Agricultural district.

Application Presented By: John and Sadie Ebersol

Testimony: Sadies parents are to be living in it, 1.2 acres, proposed 24'x28 dwelling temporary, will have an attached porch around east and south sides, 103' to Peters Rd and 87' for Snake Ln, home will be accessed from neighboring property, working with SEO to install new sewage system.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

6. 09-19-06 Amos Mast of 5863 Mast Road, Narvon, PA 17555 is requesting a Variance from the Salisbury Township Code of Ordinances, Part 2, Section 211.4 to construct an addition to the dwelling that will encroach within front and side yard setbacks. The subject property is located within the OS – Open Space district.

Application Presented By: Amos Mast

Testimony: 2012 new house was built, building on west side is limited by septic tank and field and garage, addition to be 18'x68' porch and covered deck, no full kitchen proposed only kitchenette, addition to be located on east side, 3 bedrooms in dwelling, SEO discussed addition of 500 gal tank, proposed addition would be 12.6' to eastern property line and 51' to Mast Rd, no locked door between addition and existing swelling.

Motioned by: Peter Horvath

Seconded: Larry Martin

Decision: Approved with specific conditions

7. 09-19-07 Jonas H. Lantz of 5620 Umbletown Road, Gap, PA 17527 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 203.2 to construct an addition to a dwelling for the purposes of creating a single family semi-detached dwelling (two-family). The subject property is located within the R-1 – Residential district.

Application Presented By: Jonas Lantz and John W Esh

Testimony: Proposed addition is to be for his daughter and son-in-law, property is on public sewer, HC barn and 3 bay attached garage, bakery still operating, proposed addition 1100 sf + 12'x12' deck, would be on east side of existing home, addition would be 30' from east property line.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

8. 09-19-08 The Board of Supervisors of Salisbury Township request a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.2 to complete a subdivision/add-on plan for the purpose of relocating a public street, a Variance from Section 201.12.A to complete a subdivision from a Parent Tract whereby no subdividable rights would be used, a Variance from Section 201.12.D to allow a subdivision to occur that will increase lot size of lots of record utilized for residential purposes, a Variance from Section 201.5 to allow resultant lots to exceed maximum permissible lot size requirements as well as any other Special Exceptions and/or Variances required to complete the subdivision/add-on. The subject properties are located at 5335 Martin Road, Kinzer, PA 17535 and 5338 and 5354 Old Philadelphia Pike, Kinzer, PA 17535 and all are located within the A – Agricultural district.

Application Presented By: Damian Clawser

Testimony: Described lot sized currently and went through each request.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific condition

The meeting was adjourned at 10:25 pm.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer