

## Salisbury Township Zoning Hearing Board Minutes from August 22, 2023 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, August 22, 2023 at 6:00 PM.

Peter Horvath called the meeting to order at 6:00 PM.

Members present: Peter Horvath, Dennis Eby, Larry Martin Absent: John Wanner. Also present was Julie Miller, ZHB Council, Damian Clawser, Township Zoning Officer and Allen Blank, Stenographer.

Minutes of the July 25, 2023 ZHB Meeting were read and approved.

Damian S. Clawser, Zoning Officer for Salisbury Township, was sworn in.

Zoning Hearing Board exhibits were presented. Copies of ZHB Applications, 2. Newspaper publication certification and 3. Property posting certification sheets.

Motion to accept: Peter Horvath Seconded: Dennis Eby

### New Applications:

#### 1. 08-23-01

Barbara S. King of 5465 Friendship Lane, Kinzer, PA 17535 (Subject Property) is requesting Variances from §340-12.B(5)(f), §340-110 and §340-12.L(1) to allow subdivision of lots not containing an existing dwelling as well as to exceed maximum allotted subdivision of a Parent Tract, a Variance from §340-110.G(2) to exceed maximum pole length for a proposed lot, a Variance from §340-12.E for a resultant lot to be under minimum size requirements, Variances from §340-19.B and §340-19.B(10) to allow construction (replacement) of a single-family dwelling and to not meet lot size and setback requirements, a Variance from §340-30 to not demonstrate compliance with lot requirements for two principal uses on a single lot, a Variance from §340-19.M to not be required a residential buffer strip as well as any other Special Exceptions and/or Variances needed to complete the subdivision and construct proposed improvements on the Subject Property and subdivide lots. The Subject Property is located within the A – Agricultural and RE – Rural Enterprise Districts.

*Presenting:* Jason Shaner, Impact Engineering; Barbara King, Property Owner: Emanuel Zook, Israel Beiler and J. Daniel Stoltzfus, representing the King family.

*Testimony:* The King family has been working with Jason on subdivision plans since 2019. The family is proposing to separate the Hardware Store into it's own lot and also two residential lots. They are proposing to rebuild a dwelling that was demolished and need a variance for the setback for that to be 35'. The new proposed flag lot would have a driveway (pole) of 1340' for which a variance is also being requested. The residual net area proposed is to be 38.1 acres.

*Recess:* A recess was called by the ZHB at 6:32 and reconvened at 6:48

Due to the complexity of this project a continuance was requested and granted.

*Motioned by* Peter Horvath Seconded by Dennis Eby/Approved

#### 2. 08-23-02

Samuel R. Stoltzfus of 675 Meetinghouse Road, New Holland, PA 17557 (Subject Property) is requesting a Special Exception under §340-21.C(17) to be permitted additional residential accessory structure, subject to §340-118 and §340-24.I and including a Variance from §340-118 to allow the proposed accessory structure within required setback. The Subject Property is located within the OS – Open Space district.

*Presenting:* Jason Shaner, Impact Engineering; John K. Stoltzfus, father and adjoining property owner; Samuel R. Stoltzfus, property owner.

*Testimony:* Property owner looking to add about an acre from his father's adjoining lot to his four acre lot. Proposes to build a new barn with a 15' setback allowance within new sized lot. Barn to be 2016 SF for horses and personal use. Height to peak 29' and 18' to eaves. Two story, no dormers.

*Decision:* Approved with specific conditions

*Motioned by* Dennis Eby *Seconded by* Larry Martin

*Conditions:* Subdivision plan and Deeds must be recorded prior to issuance of any permits to construct the barn. Perimeter deed must be recorded within thirty days of recording of plan.

3. 08-23-03

Dale Nolt of 28 Hellers Church Road, Leola, PA 17540 is requesting a Variance from §340-14.E (Attachment 2A) to be permitted to place a single-family dwelling within a minimum required setbacks. The Subject Property is located at 668 Kennedy Street, Honey Brook, PA 19344 and is located within the R-1 – Residential district.

*Presenting:* Tony Luongo, Brecknock Builders; Dale Nolt, property owner

*Testimony:* Applicants Exhibit 1 – Plans with survey (new). Full stormwater plan will be presented. Requesting side yard setback to be 20' as they would be if public sewer were onsite. Proposing dwelling to be nearer northern property line.

*Decision:* Approved with standard conditions

*Motioned by* Dennis Eby *Seconded by* Larry Martin

4. 08-23-04

Alvin Lapp of 238 Cut Road, Gap, PA 17527 (Subject Property) is requesting a Variance from §340-12.E (Attachment 1) to be permitted within minimum required setback for a single family dwelling and detached garage. The Subject Property is located within the A – Agricultural district.

*Presenting:* Alvin Zook, Zook Home Builders

*Testimony:* Requesting allowance for house to be 12' from property line instead of 50' and barn to be 35'. Nothing but trees and hills between this property and neighboring property.

*Decision:* Approved with standard conditions

*Motioned by* Dennis Eby *Seconded by* Larry Martin

5. 08-23-05

John L. Esh of 6168 Beaver Dam Road, Narvon, PA 17555 (Subject Property) is requesting a Special Exception under §340-12.C(16) to be permitted additional residential accessory space, subject to §340-188 and §340-24.I. The Subject Property is located within the A – Agricultural district.

*Presenting:* Jason Shaner, Impact Engineering; John Esh, property owner

*Testimony:* Wants to build Horse and Carriage Barn, 1568 SF, 29' to peak and 18' to square. Lot coverage will be met. Existing residential accessory space is 5422 and the total proposed would be 6990. New barn would be 100' from Beaver Dam Road, one story from driveway but would have a basement due to grade. Barn would have water for horses. Existing barn on property is used for business, JMS Construction, the office portion of the business is in John's home.

*Decision:* Approved

*Motioned by* Dennis Eby *Seconded by* Larry Martin

The meeting was adjourned at 8:08 PM

Respectfully Submitted,

Damian Clawser  
Zoning Officer