

## Salisbury Township Zoning Hearing Board Minutes from December 28, 2023 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Thursday December 28, 2023 at 2:00 PM.

Peter Horvath called the meeting to order at 2:01 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 Lisa Miller, Stenographer.

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

Zoning Hearing Board exhibits were presented. 1. 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. 12-23-02

Steven J. Stoltzfus of 5680 Umbletown Road, Gap, PA 17527 (Subject Property) is requesting a Special Exception under §340-14.C(6) to be permitted additional residential accessory space, subject to §340-118 and §340-24.I. The Subject Property is located within the R-1 – Residential district.

Presenting: Steven Stoltzfus

Testimony: Wants to build where existing barn is. Height 26' to peak and approx. 16' to eaves with an overhang of 8' on front. There will be no business use, electric or plumbing with the exception of a hose bib. There is a tarp structure and small barn there now. Existing barn 300 SF, hoop 10'X12' is to be removed.

Decision: Approved with standard conditions.

Motioned by: Dennis Eby, Seconded by Larry Martin

2. 12-23-03

Mine Road Church c/o Timothy Beiler of 5101 Mine Road, Kinzer, PA 17535 (Subject Property) is requesting a Special Exception under §340-13.C(8) to (re)build a church, subject to §340-61. The Subject Property is located within the RR – Rural Residential district.

Presenting: Timothy Beiler, Chris Falencki/McCarthy Engineering

Testimony: Church is 3617 SF and built in 1968. Plans dated 10/26/23 were submitted as well as letter from Sadsbury Twp deferring all action to Salisbury Twp. Use of church will remain the same. There are 74 parking spaces (44 are needed). 176 seats are proposed. A new well will be drilled. Church will be one story w/basement. Height will be under 35'4". Lot coverage within Salisbury Twp will be reduced 30%.

Decision: Approved with condition that sewage requirements are met according to SEO.

3. 12-23-04

Bruce F. Bolich of 902 Red Hill Road, Narvon, PA 17555 (Subject Property) is requesting a Variance from §340-21.D (Attachment 7) to be permitted to complete an addition that places single-family dwelling within required yard setback. The Subject Property is located within the OS – Open Space district.

Presenting: Bruce Bolich

Testimony: Garage was built 25 years ago and was built 22'6" from property line. Mr. Bolich presented photos of project.

Decision: Approved with standard conditions.

Motioned by: Dennis Eby, Seconded by Larry Martin

4. 12-23-05

Juana Ward of 6051 Old Philadelphia Pike, Gap, PA 17527 (Subject Property) is requesting modification of prior decision to allow construction of a building to accommodate special events as well as any other Special Exceptions and/or Variances necessary to accommodate the change in use. The Subject Property is located within the A – Agricultural district.

Presenting: Juana Ward

Testimony: Requests to build a 30'X60' barn for events limited to guests of the B&B only. Guest count would be limited to 60. Barn would be located in area that outdoor tent events are now held. There are 20 parking spaces but the property can accommodate up to 37 parked vehicles. No plans to install electric or plumbing in new structure. Guests will use B&B bathrooms or in the case of larger gatherings a porta-pot would be brought in. Events are limited to ten each year.

**Executive Session held from 2:55 – 3:02**

Conditions: All events must be related to B & B guests. Ten events per year. Guests limited to 60. Obtain Commercial Building Permit. Comply with all SEO requirements.

Decision: Approved with conditions

Motioned by: Peter Horvath, Seconded by Larry Martin

5. 12-23-09

Ivan S. Petersheim of 626 Mt. Vernon Road, Gap, PA 17527 (Subject Property) is requesting Variances from §340-12.B to allow completion of a subdivision add-on between two residential use lots as well as §340-12.E (Attachment 1) to allow lot sizes to exceed maximum permissible size. The Subject Properties are as noted and also include 610 Mt. Vernon Road, Gap, PA 17527 both being located within the A – Agricultural district.

Presenting: Ivan Petersheim, Roger Fry, Fry Surveying

Testimony: Shifting lot lines to match fence lines. Ivan lives on approx. ten acres. Lot sizes will not change.

Conditions: Record Deeds within sixty days of recording of plans.

Decision: Approved with conditions

Motioned by: Dennis Eby, Seconded by Larry Martin

6. 12-23-10

Melvin Stoltzfus OF 5268 Diem Road, New Holland, PA 17557 (Subject Property) is requesting a Special Exception under §340-12.C(16) to be permitted additional residential accessory space, subject to §340-118 and §340-24.I and including a Variance from §340-118.B to allow proposed building nearer to property line than required. The Subject Property is located within the A – Agricultural district.

Presenting: Melvin Stoltzfus

Testimony: Property is 1.7 acres. Existing 12'X32' barn to be removed. Site plan and building plans entered into evidence. Mr. Stoltzfus wants to be 15' from southern property line. The building is to be 28'5" in height. Sewage bed to south of house and tanks to east of dwelling. No business use is proposed with the exception of a personal office for his home improvement business (he is a sole proprietor). No bathrooms are proposed. The first floor would be for animal use and there would be an attic.

Conditions: No business use and existing barn must be removed.

Decision: Approved with conditions.

Motioned by: Dennis Eby, Seconded by Larry Martin

The meeting was adjourned at 4:15 PM

Respectfully Submitted,

Damian Clawser

Zoning Officer