

## **WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES**

**February 13, 2013**

Acting Vice-Chairman Scott Goldman convened the February 13, 2013 meeting of the Warwick Township Zoning Hearing Board at 6:30 p.m. Present were Board Members Scott Goldman, Dane St. Clair, Mark Will, Thomas Matteson, and Brent Schrock. Also present were Township Manager Daniel Zimmerman, Mark Deimler, Jason Kline, and Mark Brubaker.

**MINUTES APPROVAL:** On a motion by Goldman, seconded by Will, the Board voted unanimously to approve the minutes of the December 12, 2012 meeting as submitted.

**ELECTION OF OFFICERS FOR 2012:** The Acting Vice-Chairman opened the nominations for Chairman and Vice-Chairman of the Zoning Hearing Board. On a motion by Goldman, seconded by St. Clair, the Board voted unanimously to nominate and re-elect Gary Lefever as Chairman of the Zoning Hearing Board. On a motion by Will, seconded by St. Clair, the Board voted unanimously to nominate and re-elect Scott Goldman as Vice-chairman of the Zoning Hearing Board.

Vice-Chairman Scott Goldman conducted the remainder of the Zoning Hearing Board meeting.

**POSTING, PROOF OF PUBLICATION AND NOTICE:** The Township Manager confirmed the posting, notice and proof of publication of the case to be heard at this evening's hearing.

**HEARING PROCEDURES:** For the benefit of those present, the Chairman explained the procedure to be followed for the evening's hearing.

**CASE #792, JASKI PROPERTIES - VARIANCE:** The Chairman read the zoning notice for the application from JASKI Properties LLC, Jason Kline, 1018 Main Street, Akron, PA 17501. The applicant is the owner of the property located at 120 Chestnut Street, Lititz. The applicant is seeking a Variance to the Warwick Township Zoning Ordinance under Section 340-14.E, pertaining to design standards in a R-1 Zoning District. The applicant would like to subdivide the property into three lots and is asking relief of frontage, lot size and setbacks due to the lack of public water.

Mark Deimler and Jason Kline were sworn in. Deimler explained that the project site is a 3.725 acre tract located on the south side of Chestnut Street and the east side of Union House Road that contains an existing dwelling. The property owner is proposing a 3 lot subdivision of the tract. The existing home on the property would be located on one of the tracts, and the other 2 lots would be for new single-family dwelling units. The existing dwelling is currently connected to public sewer and on-lot water supply. The proposed lots will also be connected to public sewer and on-lot water supply. Deimler explained that a hydro-geologic study was done to verify that adequate water exists to serve the lots. He explained that the site does not have adequate frontage along Chestnut Street for two proposed lots, which is the basis for one of the Variance requests. He added that Lot 1, which would contain the existing home, does not meet the minimum lot size requirement of 1-acre. Deimler explained that a Variance of side yard is requested for all of the lots. The ordinance requires one side yard setback to be 140' and the second to be 25'. They are requesting a Variance to allow one side yard setback to be 50' and the second to be 25'. Deimler expressed the opinion that the proposal would have no adverse impact to the health, safety or

welfare of the Township or neighboring properties.

Matteson expressed concern that the lot coverage for Lot 1 could be over the required minimum of 20% with the provision of additional right-of-way. He inquired whether the Applicant would be agreeable to modifying the lot lines to enlarge the lot slightly so that it meets the minimum 1-acre lot size requirement. Deimler explained that he could not move the lot line farther south due to the lot width requirement for Lot 3. He explained that he could pivot the lot line slightly to modify Lot 1. He noted that he could pivot the lot line between Lots 1 and 2 as well.

The Township Manager stated that the purpose of the increased lot width of 140' is to accommodate another lot if public water is extended to the area. He noted that there are no current plans to extend water into this area of the Township. Matteson inquired why a side yard of 50' is provided. Deimler stated that they simply wanted to reduce the required Variances. Matteson inquired whether the Applicant would be agreeable to 30' side yard setbacks to comply with current requirements of the Ordinance, since the Applicant has indicated that the lots would not be further subdivided at this time. Deimler stated that the Applicant would be agreeable to the 30' side yard setback provision.

St. Clair stated that the only provision he would request is that the Applicant increase the size of Lot 1 to ensure that the lot coverage requirement would be met. Matteson explained that the Zoning Hearing Board would prefer the minimum lot size of each of the lots meet the 1-acre minimum rather than meeting adequate lot width of Lot 3 since it would not be further subdivided. He suggested that the lot line between Lots 1 and 3 be extended straight due east to square-off the lots. Although a Variance of lot width would be needed, the proposal would still maintain the number of requested Variances since it would eliminate the need for a Variance of lot size. Matteson suggested that the side yard setback be established at 50' since the hydro-geologic report recommends that the well for each lot meet a minimum 100' of separation. Deimler stated that he would like to amend the Variance request by moving the lot line between Lots 1 and 3 further south to a point closer to the lot line between the Hoover and Risser properties across Union House Road from the site (which would square-off the lots); and withdraw the request for minimum lot size for Lot 1 (since the relocated lot line would create a net 1-acre lot), to amend the Variance for lot width to include Lot 3, and to amend the request for side yards to 50' on each side.

On a motion by Matteson, seconded by Goldman, the Zoning Hearing Board voted unanimously to grant the Variances as amended.

**REQUEST FOR EXTENSION OF TIME FOR KELLER BROTHERS DODGE (CASE**

**#777)**: The Board reviewed the request. On a motion by St. Clair, seconded by Goldman, the Board voted unanimously to grant an extension of time until August 8, 2013 for Keller Brothers Dodge.

**ADJOURNMENT:** With no further business to come before the Board, the meeting was adjourned at 7:17 p.m.

Respectfully submitted,

Daniel Zimmerman  
Township Manager