

WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES
May 14, 2014

Vice-Chairman Scott Goldman convened the May 14, 2014 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. Gary Lefever was absent. Also present were Zoning Officer Thomas Zorbaugh, Zoning Hearing Solicitor Neil Albert, Court Reporter Brenda Pardon, Steven Gergely, Gary Willier, Janet Willier, Cynthia Rice and Ron Rice.

MINUTES APPROVAL: On a motion by Goldman, seconded by Matteson, the Board voted unanimously to approve the minutes of the April 9, 2014 meeting as submitted.

POSTING, PROOF OF PUBLICATION AND NOTICE: The Zoning Officer 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 Zoning Hearing Solicitor explained the procedure to be followed for the evening's hearing.

CASE #806, GARY & JANET WILLIER - VARIANCE: The Vice-Chairman read the zoning notice for the application received from Gary & Janet Willier, 610 Water Edge Road, Lititz, PA 17543. The applicant is seeking relief to the Warwick Township Zoning Ordinance in the R-1 Residential Zoning District: a Variance of Section 340-14.I to allow the dwelling unit to be closer than 100' from an agricultural zone in the rear yard and 340-46 to allow flag lots in a R-1 zoning district.

Steven Gergely, Gary Willier and Janet Willier were sworn in. Gergely provided an overview of the project for the benefit of the Board. He stated that the Lots 1-4 were already approved with rear access off of Water Edge Road. Lots 1-4 are facing Woodcrest Avenue and since they are reverse frontage lots the rear yard and right-of-way for the private street has been set and approved. The Williers are now completing the subdivision adding an additional 7 lots. Lot 5 is the existing residence, proposed Lots 6-9 are the lots needing the relief from the 100' agricultural setback to 60', proposed Lot 10 is the flag lot and Lots 11 & 12 will meet the reversed frontage lots matching the existing Lots 3 & 4.

Dane St. Clair stated that he had an issue with Lots 6-9 being only 60'. He asked if the road can be moved forward. Gergely stated that the road could move forward but the right-of-way was set do to the reverse frontage lots. St. Clair asked since a new plan was proposed could the road & right-of-way be relocated.

Tom Matteson stated that the road could possibly be relocated within the right-of-way but that was not the issue. The measurements are from the right-of-way and the right-of-way is set do to the reverse frontage lots that require a 75' rear yard setback. The Zoning Officer confirmed that this was correct.

Mark Will stated that he had no problem with the flag lot request but did feel that the 60' request was to great.

The Zoning Officer stated that the Board has approved a 75' relief for agricultural setbacks and has reduced the front yard setbacks to 30' in the past. He asked the applicant if they were willing to amend the request and then asked the Solicitor if this was proper. The Solicitor stated that if the applicant amended and the Board approved it could be done, but possibly could be challenged. Matteson and Will stated that they would support the application if amended.

Gergely stated that the applicant is requesting the application to be amended as follows: Lots 6-8 have a reduced front yard to 30' and an agricultural setback of 75'; Lot 9 removed from setback reliefs; and Lot 10 remain as a flag lot as shown.

On a motion by Will, seconded by Goldman, the Board voted unanimously to grant the request to amended the application as requested.

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On a motion by Goldman, seconded by Will, the Board voted unanimously to grant a Variance of Section 340-46 to allow Lot 10 to be a flag lot; a variance of Section 340-14.I to allow a reduced agricultural setback from 100' to 75' for Lots 6-8; and a variance of Section 340-14.E to allow a front yard setback be reduced from 40' to 30' on Lots 6-8.

REQUEST FOR EXTENSION OF TIME FOR DEMMY-SMITH (CASE #758): The Board reviewed the request. On a motion by Goldman, seconded by St. Clair, the Board voted unanimously to grant an extension of time until December 14, 2014.

ADJOURNMENT: With no further business to come before the Board, the meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Thomas Zorbaugh
Zoning Officer