

WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES
August 11, 2014

Chairman Gary Lefever convened the August 11, 2014 meeting of the Warwick Township Zoning Hearing Board at 6:00 p.m. Present were Board Members Gary Lefever, Scott Goldman, Dane St. Clair, Mark Will, Thomas Matteson and Brent Schrock. Also present were Zoning Officer Thomas Zorbaugh, Court Reporter Brenda Pardon, Justin Oberholtzer, Mike Garman, Jared Garman, Ron Tropasso, Scott Hain, Andrea Covey and Dave Covey.

MINUTES APPROVAL: On a motion by Will, seconded by Goldman, the Board voted unanimously to approve the minutes of the May 14, 2014 meeting as submitted.

POSTING, PROOF OF PUBLICATION AND NOTICE: The Zoning Officer confirmed the posting, notice and proof of publication of the cases to be heard at this evening's hearing.

HEARING PROCEDURES: For the benefit of those present, the Zoning Officer explained the procedure to be followed for the evening's hearings.

CASE #807, LESTER & NANCY GUYTON - VARIANCE: The Chairman read the zoning notice for the application received from Lester & Nancy Guyton, 35 Red Oak Drive, 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 340-59.F to allow the dwelling and deck to be closer than 10' from a side property line as was built.

Scott Hain & Justin Oberholtzer were sworn in. Hain provided an overview of the project for the benefit of the Board. He stated that the applicant was unable to make tonight's meeting due to poor health. He stated that the applicant is in the process of selling the two properties they own located at 35 & 37 Red Oak Lane. The potential buyer's mortgage company is requiring the two lots to be joined together and, in the process of surveying the lots, it was determined that the dwelling was within 5' of the side property line and the deck was within 3' of the side property line. He stated that they have been before the Planning Commission and need zoning approval prior to going before the Board of Supervisor's for final approval.

Goldman asked if the lot could be considered a nonconforming lot. The Zoning Officer replied that the placement of the dwelling and the deck never legally existed; therefore, this is not a legally existing nonconforming use. Matteson & Will agreed.

Will asked about the accessory structure and pool. The Zoning Officer stated that once the two lots would be joined together, the nonconforming status for those two structures would be eliminated.

Matteson asked who owns the adjoining lot. Hain stated that it is privately owned but not by the applicant. The Zoning Officer stated that the applicant's son owns the adjoining lot.

Lefever asked when the home was built. Hain answered 2003.

Matteson stated he has no problem with the proposal, but is concerned that this project was completed without approval.

Lefever asked if the deck could be brought back to 5'. Oberholtzer stated it would ruin the appearance and was not sure if the potential buyer would want that.

After a brief discussion between the Board members, Matteson stated that the Board would like to continue this hearing until the September meeting, to allow the applicant a chance to review with the son if a property line adjustment could be made. The applicant was willing to continue but was concerned with the timing.

The Zoning Officer stated that the Board could continue the meeting on Tuesday evening, September 2, which would allow the plan to be seen by the Board on September 3rd if the Zoning Hearing Board approved the Variance.

On a motion by Matteson, seconded by St. Clair, the Board voted unanimously to grant the applicant a continuation until September 2nd.

CASE #808, RONNIE TROPASSO - VARIANCE: The Chairman read the zoning notice for the application received from Ronnie Tropasso, 1 Picnic Woods 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.G.(2) to allow an accessory structure to be closer than 10' from a rear property line.

Ronnie Tropasso was sworn in. Tropasso provided an overview of the project for the benefit of the Board. He stated that he had spoken with surrounding neighbors and had received approval from the Rothsville Fire Company Board. He stated that even though he is not required to, he is going to install a small storm water pit to hinder water runoff into the Fire Company's park. Tropasso indicated the location of the addition for the benefit of the Board. He added that the accessory structure roof would be made of tin.

Will asked how far the structure is from the rear property line. Tropasso stated 5'. He added that his well is located between his home and the accessory structure.

On a motion by Lefever, seconded by Goldman, the Board voted unanimously to grant the applicant a 5' foot Variance from the rear yard setback.

CASE #809, JARED GARMAN - VARIANCE: The Chairman read the zoning notice for the application received from Jared Garman, 813 Pine Hill Road, Lititz, PA 17543. The applicant is the owner of the property located at 237 E. Lexington Road. The applicant is seeking relief to the Warwick Township Zoning Ordinance in the CC Community Commercial Zoning District: a Variance of Section 340-17.B to allow a dwelling in a CC zone and Section 340-15.E, to allow a duplex unit without public water.

Jared Garman was sworn in. Garman provided an overview of the project for the benefit of the Board. He stated that he had purchased this property at auction and would like to build a duplex unit which he believes is not out of character with the surrounding properties. For the benefit of the Board, he indicated the locations of apartments and duplex units within less than a mile of this site. He felt that it was not out of character with the Brunnerville Road and Chestnut Street homes.

Matteson asked about the duplex layout and if he was considering subdividing the lot. Garman stated that he was going to lay it out for future subdivision but not at this time.

The Zoning Officer state that the Township's staff did not have any objections but highly recommended that two wells be drilled and adequate water be located. Garman agreed to drill two wells to adequately serve the proposed homes.

Will commended the applicant with his presentation.

On a motion by Lefever, seconded by Matteson, the Board voted 4-1 to approve the case as submitted contingent upon the homes being connected to public sewer, that two wells would be drilled, and that all proper permits be applied for and received. St. Clair voted against the motion.

ADJOURNMENT: The Zoning Officer stated that since the Board is meeting on the 2nd of September he would like to move the other two cases that had been applied for, the Board agreed. With no further business to come before the Board, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Thomas Zorbaugh
Zoning Officer