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## Lycoming County Zoning

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David Hubbard  
County Zoning Administrator

Fred A. Holland, J.D.  
Zoning Hearing Board Solicitor

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**LYCOMING COUNTY ZONING HEARING BOARD MEETING MINUTES**  
**Executive Plaza Building**  
**1<sup>st</sup> Floor Commissioner's Board Room**  
**April 27, 2022**  
**6:00pm**

**I. CALL TO ORDER**

Bill Klein called the meeting to order at 6:00pm.

**II. ROLL CALL (Members & Alternates)**

**Members Present:** Bill Klein, Christopher Logue, Stephan Brady

**Members Present via Conference Call:** none

**Members Absent:** Leslie Whitehill, Dan Clark

**III. MINUTES OF PREVIOUS MEETING**

The March 23, 2022 meeting minutes were approved.

Bill Klein asked for motion to approve, Chris Logue motioned to approve, Stephan Brady second to motion. Motion carried.

**IV. NEW BUSINESS**

**A. ZHB Case 2022-004**

**Old Mainville Boys, Inc.**

**McHenry Township**

**Variance**

**Seated Members:** Bill Klein, Stephan Brady, Chris Logue

David Hubbard presented to the Zoning Hearing Board case number 2022-004. Mr. Thomas Arnold II, representing the organization, is requesting a Variance to permit the construction of a 6'x12' furnace room addition to their existing dwelling. Table 4140A; Table of Residential Bulk Standards provides standards that govern the construction of single-family dwellings. The Variance request is as follows: the applicants are requesting a dimensional variance from Table 4140A of the Ordinance

relating to the rear yard setback. The rear yard setback for the addition to the existing dwelling is proposed at 19FT from the Southeast property line, requiring 31FT of dimensional relief. The rear property line fronts vacant woodland.

**SUBJECT PROPERTY:** The subject property Tax Parcel #28-283-113 contains approximately 0.58 acres and is located in the Resources Protection (RP) Zoning District in McHenry Township. The property currently contains a Single Family Dwelling (cabin). The applicant's cabin fronts a local road.

**CONCLUSION:** General Standards for a Variance are listed in the Lycoming County Zoning Ordinance, Section 10420.

David Hubbard reviewed the following communications:

1. Zoning Permit Application received February 18, 2022
2. Variance Application received March 15, 2022
3. Notices sent to interested parties: Lycoming County Planning Commission, Lycoming County Commissioners, McHenry Township Supervisors, Applicant, and the Zoning Hearing Board
4. Legal notice published in the Williamsport Sun-Gazette on 4/12/2022 and 4/19/2022.
5. Property posted – March 30, 2022.

The following are exhibits presented by David Hubbard:

1. Copy of the Variance Application
2. Copy of the Zoning Permit Application
3. Sketch drawing (back of zoning permit)
4. Overhead Parcel view
5. Response from LCPC, Director Shannon Rossman (correct address is 842 Francis Farm Road)

David Hubbard read Shannon Rossman's letter, which stated that the proposed change of use will not change the essential character of the neighborhood. Staff recommends that the Zoning Hearing Board take into consideration the following when making their decision regarding the applicant's zoning variance request:

- If the variance is granted there will not be a change to the essential character of the neighborhood
- If the variance is granted it does represent the minimum variance needed by the applicant to afford relief from the regulation
- It does not appear that the applicant has created their own hardship, as this was an existing structure when the property was purchased

Fred Holland listed exhibits as the following:

- Z#1 Zoning packet
- Z#2 Shannon Rossman's letter
- Z#3 Property posting
- Z#4 Legal Notices from the Williamsport Sun-Gazette
- Z#5 Photographs(2)

Bill Klein asked David if it was a non-conforming lot. David confirmed it is.

Tom Arnold pointed out that there was a typo in the address in Shannon's letter. The correct address is 842, not 852. Fred Holland stated it would be corrected in the decision.

Stephan Brady ask to clarify that this variance will put them within 19FT of the current property line to a property they already own. The only time it would cause a problem is if someone buys the property they would be closer to so someone else's property. David stated the structure would be a legal non-conforming. An alternative would be an add-lot.

Tom Arnold, Treasurer for the cabin, described the reason for the location of the 6'x12' addition, didn't realize they were that close to the other lot that they also own. They cannot go out the west side due to the sewer line and cannot go out the east side due to the power, leaving only to go to the south-west.

Stephan Brady questioned the down-side of doing an add lot. Tom Arnold stated the costs was anywhere between \$4,000 - \$11,000.

Fred spoke on behalf of the Board. The consensus is to grant the Variance without conditions. Stephan Brady motioned to approve, Chris Logue second the motion. Motion carried.

**B. ZHB Case 2022-005**

**Euro-Optic LTC**

**Muncy Township**

**Special Exception/Variance from Section 3220F/6440 respectively**

**Seated Members:** Bill Klein, Stephan Brady (Chris Logue had to recluse himself since he works for the company who prepared the plans)

David Hubbard presented to the Zoning Hearing Board case number 2022-005 – Special Exception, located in Muncy Township. The applicant is requesting a Special Exception to permit a Multi-Family residential use, Section 3220F, of the Lycoming County Zoning Ordinance, in the Regional Commercial (CR) Zoning District. The Special Exception request was received March 22, 2022. Special Exception in the Regional Commercial (CR) Zoning District permits the use. The property is located at 1203 Lycoming Mall Circle Muncy PA and currently used for warehousing and office space, a vacant building and pavilion.

**SUBJECT PROPERTY:** The subject property, tax parcel #41-352-111.07 contains approximately 21.33 acres and is located in Muncy Township. The property currently contains an existing principle commercial building, an existing vacant accessory building and an open-air accessory structure. The property fronts a principal arterial road.

**CONCLUSION:** General Standards for Special Exception are listed in the Lycoming County Zoning Ordinance, Section 10310. A-C.

David Hubbard reviewed the following communications:

1. Special Exception Application, received March 22, 2022
2. Notices sent to interested parties:  
Lycoming County Planning Commission, Lycoming County Commissioners, Muncy Township Supervisors, Applicant/Property Owner and the Zoning Hearing Board
3. Legal notice to be published in Sun-Gazette April 12 & April 19, 2022
4. Property posted April 11, 2022

The following are exhibits presented by David Hubbard:

1. Special Exception Application
2. Applicant Site Plan – Copy of General Site Plan sheet
  - A) Aerial Map – property parcel image
  - B) Archt Structure Plan
3. Notifications & Recommendation
  - A) Public Hearing Poster photograph
  - B) Copy of Comments from Shannon Rossman, LCPC

David Hubbard read Shannon Rossman's letter, which stated that the proposed change of use will not change the essential character of the neighborhood. Staff recommends that the Zoning Hearing Board take into consideration the following when making their decision regarding the applicant's special exception and variance request:

- The applicant should detail how they will meet the recreation component required for a multi-family use
- The applicant should provide information regarding any changes to water or sewer needs
- If the variance is granted there will not be a change to the essential character of the neighborhood
- If the variance is granted it does represent the minimum variance needed by the applicant to afford relief from the regulation
- It does not appear that the applicant has created their own hardship, as this was an existing structure when the property was purchased

Fred Holland listed exhibits as the following:

- Z#1 Zoning packet, Special Exception
- Z#2 Shannon Rossman's letter
- Z#3 Posting
- Z#4 Legal Notice
- Z#5 Variance
- Z#6 Photograph

Representatives Ryan Heimbach from Hawbaker stated that the water and sewer is more than adequate and has been confirmed with LCWSA. Regarding the buffer yard, they are proposing five times the required planting units, combination of trees and shrubs and adequate parking.

Euro-Optic owner, Alex Roy, stated that the building currently serves no purpose. The problem is that Muncy Township does not have a full-time police staff. The idea is to have employees live on site to augment security.

Fred spoke on behalf of the Board. The consensus is to grant the Special Exception & Variance with one condition that 5000 square feet of recreation space be provided.

Bill Klein motioned to approve, Stephan Brady second the motion. Motion carried.

**V. ADJOURNMENT**

Meeting adjourned at 7:00pm

Respectfully submitted,

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Sherrie Hook, Recording Secretary

\_\_\_\_\_  
Bill Klein, Chairman

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_