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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**  
**March 23, 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, Dan Clark, Stephan Brady, Leslie Whitehill

**Members Present via Conference Call:** none

**Members Absent:** none

**III. MINUTES OF PREVIOUS MEETING**

The January 26, 2022 meeting minutes were approved.

Bill Klein asked for motion to approve, Chris Logue motioned to approve, Dan Clark second to motion. Motion carried.

**IV. NEW BUSINESS**

**NOMINATIONS:**

Nominations were asked for Chairman, Chris Logue motioned for Bill Klein, Leslie Whitehill second motion. Motion carried. Nominations for Vice-Chairman. Dan Clark nominated Chris Logue. Leslie Whitehill second motion. Motion carried. Dan Clark moved from alternate to member.

**A. ZHB Case 2022-002**  
**Bernard Dera**  
**Penn Township**  
**Variance**

**Seated Members:** Bill Klein, Stephan Brady, Leslie Whitehill, Chris Logue, Dan Clark

Heather George presented to the Zoning Hearing Board case number 2022-002, located in Penn Township. Mr. Bernard Dera is requesting a Variance hearing to allow for a Single Family Dwelling in the Countryside Zoning District. The applicant is requesting a Variance from the front yard setback of the building lot. Table 4140A of the Lycoming County Zoning Ordinance calls for a minimum front yard setback of 50 feet from the front property line. The variance request is as follows: the Single Family Dwelling to be 44 feet from the proposed front property line, which will require a variance of 6 feet of dimensional relief on the Southern property line. The property fronts a local road along the property's Southern lot line.

**SUBJECT PROPERTY:** The subject property, Tax Parcel #44-316.1-286 contains approximately 1.07 acres and is located in the Countryside (CS) Zoning District in Penn Township. The property is a building lot for a proposed Single Family Dwelling. Access is via Lakeview Drive from Beaver Lake Road.

**CONCLUSION:** General Standards for a Variance are listed in the Lycoming County Zoning Ordinance, Section 10420. Procedures for a Variance and appeals are listed in Section 10430.

Heather George reviewed the following communications:

1. Variance Request Application dated February 23, 2022
2. Notice send to interested parties: Lycoming County Planning Commission, Lycoming County Commissioners, Penn Township Supervisors, Applicant, Solicitor, and the Zoning Hearing Board
3. Legal Notice to be published in the Sun-Gazette 3/8/2022 and 3/15/2022
4. Property posted – 03/04/2022

The following are exhibits presented by Heather George:

1. Copy of applicant's Variance application
2. Comment letter from LCPC (Shannon Rossman) dated – 03/09/2022
3. Overhead view/parcel
4. Copy of proposed subdivision plan

Heather George stated that at this time there was no comment from Penn Township.

Fred Holland listed exhibits as the following:

- Z#1 Zoning packet, including Shannon Rossman's letter, survey
- Z#2 Published notices
- Z#3 Photograph of posting

The zoning permit for construction was issued in November of 2021. Zoning was notified by the President of the Association that he believed the foundation was closer than it should have been and requested Zoning look at it. The President wanted it addressed, but was not at the meeting.

Brent Watson, representing Bernard Dera, stated he was unsure how the foundation was not placed properly. Currently there is just the foundation in place. Brent became aware that there are springs running into the hill, if he would dig farther back it would cause more water issues. The neighbor also has springs and is having water problems. Brent Watson provided photographs of the current foundation. Bill Klein asked how the springs will be addressed. There is currently internal inside footer drain that is constantly draining. The excavator thinks the spring starts in the back left corner of the over dig. Excavator will do probes to determine where it is the wettest. He will start back three feet, but can't go back farther than ten feet due to the slope. The plan is to trench dig, fill with gravel and a daylight drain to go around on top. The excavator will work with the property next door to tie them together. The problem moving the foundation back is the steepness of the slope to keep a crawl space. Moving back would require removing the last four mature trees, which would also effect the erosion. Brent stated there was a discrepancy on where the actual property lines and the right of way of the road. Since the foundation was installed, the road has been widened towards the property. David Hubbard asked if the roof water would be mitigated into the infiltration trench. Brent Watson stated that the roof water would be on a separate trench towards the culvert.

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

**V. ADJOURNMENT**

Meeting adjourned at 6:56pm

Respectfully submitted,

\_\_\_\_\_  
Sherrie Hook, Recording Secretary

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

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

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