



Lycoming County Zoning

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Zoning Hearing Board Solicitor

LYCOMING COUNTY ZONING HEARING BOARD MEETING MINUTES

Executive Plaza Building

1st Floor Commissioner's Board Room

June 28, 2023

6:00pm

I. CALL TO ORDER

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

II. ROLL CALL (Members & Alternates)

Members Present: Bill Klein, Chris Logue, Leslie Whitehill, George Logue, Stephan Brady

Members Present via Conference Call: None

Members Absent: Dan Clark

III. MINUTES OF PREVIOUS MEETING

The April 26, 2023 meeting minutes were approved; Chris Logue motioned to approve, Leslie Whitehill second to motion. Motion carried.

IV. NEW BUSINESS

A. ZHB Case 2023-006

Troy Musser (TA Musser Inc.)
Porter Township
Variance

Seated Members: Bill Klein, Chris Logue, Leslie Whitehill, George Logue

David Hubbard presented to the Zoning Hearing Board case number 2023-006. The applicant, Troy Musser, is requesting a variance – dimensional relief to permit a Single Family Detached Dwelling in the Agricultural Zoning District, Tax Parcel #49-385-119, Porter Township, 1535 Pine Creek Ave, Jersey Shore, containing approximately 0.87 acres and is currently vacant. The applicant is requesting a Variance from the side yard setbacks of the northern and southern property lines. Table 4140A of the Lycoming County Zoning Ordinance calls for a minimum side yard setback of 20-foot minimum and 50 feet overall from the side property lines. The Variance request is to allow a single family detached dwelling to be 17.5 feet from the side property lines, which will require a variance of 15 feet overall of dimensional relief.

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

David Hubbard reviewed the following Communications:

1. Variance Request Application dated May 23, 2023
2. Notices sent to interested parties: Lycoming County Planning Commission, Lycoming County Commissioners, Porter Township Supervisors, Applicant, Solicitor, and the Zoning Hearing Board.
3. Legal notice published in Sun-Gazette June 13 & June 20, 2023
4. Property posted on June 15, 2023

David Hubbard read Shannon Rossman's letter at the meeting.

The following are exhibits presented by David Hubbard:

- Z#1 – Zoning packet
- Z#2 – Shannon's Letter
- Z#3 – Property Posting dated 6/15/2023
- Z#4 – Hearing Legal Ad dated 6/13/2023 & 6/20/2023

DISCUSSION:

David Hubbard, using a photo as a visual, discussed dimension of lot, location of the proposed new single family dwelling on the lot, setbacks, perk information and time line of the clean-up of the property.

Stephan Brady questioned the add-lot subdivision. David clarified they are adjoining lots, but does not affect the property line on this lot.

Fred Holland questioned the application 17 ½' setbacks from each side. David stated that is the minimum setback, but now the proposed house will have 18' on each side but not adjusting the application.

Thomas Dunlap questioned the minimum lot size in AG Zone. David stated it is an acre, but it is a non-conforming existing lot when Porter Township came into our partnership. Thomas also questioned notifying neighboring property owners. David stated the property was posted, legal notices were in the local paper and is not required for a variance hearing.

Troy Musser submitted a parcel map and discussed the new conventional septic, the clean-up done on the lot, new home will up the hill and out of floodplain. Fred Holland entered parcel map provided by Troy Musser as Exhibit ZA#1. Troy is requesting variance for a 40' x 40' home.

Bill Klein confirmed with Troy Musser that the original home that was torn down did not meet the front or side yard set-backs and moving the proposed home back makes the lot less non-conforming with a new septic and out of flood area. Bill also asked if the design of the house could be narrowed. Troy Musser said it was narrowed as much as possible. He is requesting that the Deed restrictions be a minimum of 2000 square feet with three spec homes to choose from when building.

Janet Dunlap (1181 Pine Creek Avenue, Jersey Shore) spoke for Joanne Crist asking if this hearing will affect her property. It was noted, that Mrs. Crist's property does not adjoin this parcel.

After deliberation, Fred Holland stated Stephan Brady was not seated to vote. Mr. Holland stated that the consensus of the board is to grant the Variance with the condition that the maximum width of the house be 40 feet and no more than 18 feet of setback on each side. Chris Logue motioned to approve, George Logue second the motion. Motion carried.

V. ACTION ITEMS

- A. Signatures on updated By-Laws. Bill Klein asked for motion to approve, Stephan Brady first to motion and Leslie Whitehill second motion. Motion carried. Signed Bill Klein, Chair and Leslie Whitehill, Secretary.

VI. ADJOURNMENT

Meeting adjourned at 6:41 PM
Respectfully submitted,

Sherrie Hook, Recording Secretary

Bill Klein, Chairman

DATE: _____

DATE: _____