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Lycoming County Zoning

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

LYCOMING COUNTY ZONING HEARING BOARD MEETING MINUTES
Executive Plaza Building
1st Floor Commissioner's Board Room
July 27, 2022
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, Leslie Whitehill, Stephan Brady and Dan Clark

Members Present via Conference Call: None

Members Absent: Chris Logue

III. MINUTES OF PREVIOUS MEETING

The June 22, 2022 the meeting minutes were approved as presented. Dan Clark motioned to approve, Bill Klein second to motion. Motion carried.

Old Business – Fred Holland made board aware that they needed to move to ratify previous meeting issue with regards to Benuel Stoltzfus, Special Exception ZHB Case 2022-009. Stephan Brady gave a second motion. Motion Carried

David Hubbard let the Board know that Herm Logue had sent in an ZHB application and that the Commissioners would need to make a decision. Bill Klein asked that be moved as soon as possible.

IV. NEW BUSINESS

A. ZHB Case 2022-010
Gregory Hendrickson
Penn Township
Variance – Dimensional Relief

Seated Members: Bill Klein, Leslie Whitehill, Stephan Brady and Dan Clark

Heather George presented to the Zoning Hearing Board case number 2022-010, located in Penn Township, in the Countryside District (CS) Zoning District. The applicant Gregory Hendrickson is requesting a Variance from the front yard setback of the building lot. Table 4140A of the Lycoming County Zoning Ordinance calls for minimum front yard setbacks of 50 feet from the front property line. The variance request is as follows: the Single Family Dwelling to be 25 feet from the proposed front property line, which will require a variance of 25 feet of dimensional relief on the northernmost property line. The property front a local road along the property's Northern lot line.

The subject property contains approximately 2 acres and is located in the Countryside (CS) Zoning District in Penn Township, Tax Parcel #44-316.1-302. The property is a vacant lot for a proposed Single Family Dwelling use. Access is via Lakeside Drive.

General Standards for Special Exception are listed in the Lycoming County Zoning Ordinance, Section 10420.

Heather George reviewed the following communications:

1. Variance Request Application received, June 1, 2022.
2. Notices sent to interested parties: Lycoming County Planning Commission, Lycoming County Commissioners, Penn Township Supervisors, Applicant/Property Owner, Zoning Hearing Board
3. Legal notice published in Sun-Gazette July 12 & July 19, 2022
4. Property posted on July 8, 2022

The following are exhibits presented by Heather George:

1. Copy of applicant's Variance application
2. Copy of applicant's Zoning permit application
3. Overhead view/parcel viewer
4. Surveyors Plot Plan
5. GIS steep slope parcel view
6. Comment letter from LCPC dated July 11, 2022

Heather George read Shannon Rossman's letter at the meeting.

Fred Holland listed exhibits as the following:

- Z#1 – ZHB Packet with Shannon's letter
- Z#2 – Legal posting Sun-Gazette
- Z#3 – Property Posting

Bill Klein questioned the dimensions of the structure on the zoning permit application to acknowledge to total square footage of the structure as 2784 square feet, not 1774 square feet. Bill Klein asked if a site visit was done. David confirmed that beyond the back stake there it is 5½ to 7 foot downhill slope as shown on the map provided in the ZHB packet. Gregory Hendrickson confirmed that square foot is 1774 square feet and is an L-shaped structure. The square footage was provided by the builder. Mr. Hendrickson also stated that the builder suggested due to drainage that the property be a safe distance from the steep slope and advised to apply for a variance. The house will be angled in such a way that no part of the structure will be closer than the 25 foot setback to the road.

Fred spoke on behalf of the Board. The consensus is to grant the Variance with no stipulations. Leslie Whitehill motioned to approve, Stephan Brady second the motion. Motion carried.

B. ZHB Case 2022-012

Ian Andrews

Gamble Township

Variance – Dimensional Relief

Seated Members: Bill Klein, Leslie Whitehill, Stephan Brady and Dan Clark

David Hubbard presented to the Zoning Hearing Board case number 2022-012, located in Gamble Township, in the Countryside District (CS) Zoning District. The applicant Ian Andrews is requesting a Variance from the front yard setback of the front property line. Table 4230 of the Lycoming County Zoning Ordinance calls for minimum front yard setbacks of 35 feet from the centerline of the road or 20 feet the front property line whichever is greater. The 20-foot measurement would apply in this case. The variance request is as follows: the accessory structure to be 8 feet from the property line, which will require a variance of 12 feet of dimensional relief. The property front a minor collector road along the property's southeastern lot line.

The subject property contains approximately 2 acres and is located in the Countryside (CS) Zoning District in Gamble Township, Tax Parcel #14-249-101.C. The property currently contains a Single Family Dwelling, animal shed, garage an existing accessory structure, and the subject new accessory structure.

General Standards for Special Exception are listed in the Lycoming County Zoning Ordinance, Section 10420. Section 10420A lists five facts and conditions that must be met in order to authorize a Variance request to be approved by the Zoning Hearing Board. Procedures for a Variance and appeals are listed in Section 10430.

David Hubbard reviewed the following communications:

1. Variance Request Application received, June 24, 2022.
2. Notices sent to interested parties: Lycoming County Planning Commission, Lycoming County Commissioners, Gamble Township Supervisors, Applicant/Property Owner, Zoning Hearing Board
3. Legal notice published in Sun-Gazette July 12 & July 19, 2022.
4. Property posted on July 8, 2022

The following are exhibits presented by David Hubbard:

1. Copy of applicant's Variance application
2. Copy of applicant's Zoning permit application
3. Overhead view/parcel viewer
4. Picture of existing structure conditions
5. Comment letter from LCPC dated July 11, 2022

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

Fred Holland listed exhibits as the following:

- Z#1 – ZHB Packet with Shannon’s letter
- Z#2 – Legal posting Sun-Gazette
- Z#3 – Property Posting
- Z#4 – Highway Occupancy Permit

David Hubbard discussed the various places where the road width would go from 33 feet to 50 feet. This property falls where the road is within the 50 feet road width. David stated that Highway Occupancy Permit approval is for the regress and egress. Stephan Brady questioned if the fruit stand was temporary. David clarified that the permit is for the farm stand, but the structure is a permanent structure. Ian Andrews stated that the Highway Occupancy Permit was granted with parking spaces. Mr. Andrews stated that the original plan was to push the structure back, but the excavators could not go back farther due to the drain field. Bill Klein asked Mr. Andrews if the flower garden could be removed. Mr. Andrews agreed he could take it out, however the HOP was approved by PennDot with the flower garden.

Fred spoke on behalf of the Board. The consensus is to grant the Variance with no stipulations. Stephan Brady motioned to approve, Leslie Whitehill second the motion. Motion carried.

ADJOURNMENT

Meeting adjourned at 7:00pm.

Respectfully submitted,

Sherrie Hook, Recording Secretary

Bill Klein, Chairman

DATE: _____

DATE: _____