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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**  
**June 23, 2021**  
**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, Dan Clark, David Hines, Rom Andraka

**Members Present via Conference Call:**

**Members Absent:** Chris Logue, Leslie Whitehill

**III. MINUTES OF PREVIOUS MEETING**

The May 26, 2021 the meeting minutes were approved as presented. Dan Clark motioned to approve, David Hines second to motion. Motion carried.

**IV. NEW BUSINESS**

**A. ZHB Case 2021-007**

**Megan Miller**  
**Porter Township**  
**Variance – Dimensional**

**Seated Members:** Bill Klein, David Hines, Rom Andraka, Dan Clark

David Hubbard presented to the Zoning Hearing Board case number 2021-007, located in Porter Township in the Neighborhood Preservation (NP-10) Zoning District. The applicant Megan R Miller is requesting a Variance for a private swimming pool located at 408 Elm Street, Tax Parcel 49-001-313.

Lycoming County Zoning Ordinance Section 3420A establishes the requirements for Private Swimming pools. Ms. Miller is requesting a Variance from Section 3420A stating, "pool shall not be located in any front yard nor closer than fifteen (15) feet to any property line". The Variance request is as follows: the applicant is requesting a dimensional variance from property line setbacks. The

northern side yard setback for the pool is proposed at 8ft. from the property line, requiring 7 ft of dimensional relief, and a southern side yard setback of 8 ft. also requiring 7 ft of dimensional relief. The applicant is requesting a 14 ft overall encroachment into the side yard setbacks.

The subject property of tax parcel #49-001-313 contains approximately 0.16 acres and is located in the Neighborhood Preservation (NP-10) Zoning District in Porter Township. The property currently contains a Single Family Dwelling, and a garage. This is a non-conforming lot. The applicant's home fronts Elm Street, which is a local road.

General Standards for Variance uses are listed in the Lycoming County Zoning Ordinance, Section 10420.

David Hubbard reviewed the following communications:

1. Zoning Permit Application received 5/14/2021.
2. Variance Application received 5/14/2021.
3. Notices sent to interested parties: Lycoming County Planning Commission, Lycoming County Commissioners, Porter Township Supervisors, Applicant, Solicitor, Zoning Hearing Board.
4. Legal notice published in Sun-Gazette 6/8/2021, 6/15/2021.
5. Property posted 6/11/2021.

The Zoning Hearing Board packet containing the Variance application, copy of LCPC comments from Shannon Rossman, Zoning Permit application, Overhead Tax Parcel from 2012, Overhead Tax Parcel from 2018.

The following are exhibits presented by David Hubbard:

- Z#1 – ZHB packet including letter from Shannon Rossman
- Z#2 – Property posting
- Z#3 – Legal posting Sun-Gazette
- Z#4 – Digital copy of picture to Fred Holland

David Hubbard explained to the board the picture of the parcel from standing on the corner looking back, you can see the back property line. Looking at the overhead from 2012 you can see there was an inground pool there. Somewhere between the time that she owned and the last people who owned it the pool was filled in. The inground pool, if it would have stayed there would have been nonconforming. To know for sure that when they put the pool in that the side yard setbacks will be as proposed. This will make sure that when she does it that's the way it has to be. There is plenty of room even for when she puts a fence around or the deck coming off the back of the house it doesn't meet those setbacks. It is a small lot at .16.

Bill Klein asked about the height of 52' or the height of 5'2".  
It was clarified as 52".

David Hines stated according to the map this lot is smaller than the other lots in the area, narrower. Is this lot smaller than the other lots in the area.

David Hines also stated this is one of the townships we took over with our map, we took over Porter. David Hines stated this may be conforming in their ordinance. David Hubbard stated we took over in 2017, David was not familiar with their ordinance. Rom Andraka stated previously it was an inground pool it wasn't clear in the writing that the new pool assuming will be an above ground pool because of the deck.

OFF THE RECORD

Fred spoke on behalf of the board, the consensus is to grant the Variance request without any conditions.

Dan Clark motioned to approve, Rom Andraka second the motion. Motion carried.

**ADJOURNMENT**

Meeting adjourned at 6:13 pm.

Respectfully submitted,

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Heather George, Recording Secretary

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

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

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