

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, JANUARY 11, 1005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, January 11, 2005, at 7:00 p.m. to hear five requests. Roll call was taken and the following members were present: Timothy Dunn, Member; Stede Mummert, Acting Chairman; and David Spector, Member. Frederick Stine was absent with notice. Also present was Kristina J. Rodgers, Township Secretary, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

Stede Mummert motioned to approve the Minutes from the December 14, 2004 meeting as written. Since Mr. Mummert was the only member present at the December meeting, he also accepted them as submitted.

Kristina Rodgers was duly sworn and testified that all the properties were properly posted and advertised.

Nominations for officers: Stede Mummert nominated Timothy Dunn as Chairman, seconded by David Spector and approved unanimously. Timothy Dunn nominated David Spector as Vice-Chairman, seconded by Stede Mummert and approved unanimously.

Case Z04-40. Patricia Johnson, 537 S. High Street, Hanover, Pa., 17331. Applicant requests a variance to Section 202.3 (area and bulk) to approve an existing deck that encroaches into the

side setbacks. The property is located in the R-15 zone.

Stede Mummert motioned to deny the request in that it doesn't meet the standards of 502.3 (a) through (f). David Spector seconded the motion, and it was denied unanimously, three to zero.

Case Z05-01. Regional Homes, LLC Eric Levitt, 8 Green Springs Valley Road, Suite 200, Owings Mills, MD 21117. The applicant requests a special exception to section 202.2 (uses) to allow construction of age restricted multi-family dwellings. The property is located at Moulstown Road, in the R-8 zone.

David Spector motioned to table the case until next month, February 8, 2005. Stede Mummert seconded the motion, and it was approved unanimously, three to zero.

Case Z05-02. Dennis E. Grove, 431 Park Heights Blvd., Hanover, Pa., 17331. The applicant requests a special exception to Section 20.32 (use) to allow construction of a beauty salon/Florida Room. The property is located in the R-15 zone.

Stede Mummert motioned to grant the request, that it meets the specific standards of 618 (a) through (q), and also the general standards for special exception of 503.3 (a) through (e). David Spector seconded the motion, and it was approved unanimously, three to zero vote.

Case Z05-03. James A. Miller, III, 760 Black Rock Road, Hanover, Pa., 17331. The applicant was present requesting a variance to Section 203.3 (area and bulk) to enlarge a front porch that will encroach into the front setback by eight feet. The property is located in the R-15 zone.

David Spector motioned to approve the request, that it meets the requirements of Section 502.3 (a) through (f). Stede

Mummert seconded the motion. Timothy Dunn motioned to amend the motion, that it have a condition that the porch not be enclosed. Stede Mummert also seconded the amendment. The request was granted and approved unanimously, with a three to zero vote.

Case Z05-04. Jeff Stern, 63 Red Run Church Road, East Berlin, Pa., 17316. The applicant was present with Rick Free and Jack Pyle presenting the variance request to Section 303.1 (Off-street parking) to allow construction of additional indoor batting cages with inadequate off-street parking spaces. The property is located at 110 Hickory Lane, in the RC zone.

Stede Mummert motioned to grant the request, that it meets the standards of 502.3 (a) through (f). David Spector seconded the motion and it was approved unanimously, three to zero.

Stede Mummert motioned to adjourn the meeting at 7:54 p.m., seconded by David Spector and approved unanimously.

(The proceedings were adjourned at 7:54 p.m.)

Respectfully submitted,

Bonnie C. Fuhrman, Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, FEBRUARY 8, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, February 8, 2005, at 7:00 p.m. to hear two requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; David Spector, Vice-Chairman; and Stede Mummert, Member. Frederick Stine was absent with notice. Also present were Kristina J. Rodgers, Township Secretary, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

Kristina Rodgers was duly sworn and testified that all the properties were properly posted and advertised.

David Spector motioned to approve the Minutes with the correction in the heading of the year of 1005 be changed to 2005. Stede Mummert seconded the motion and it was approved unanimously, three to zero.

Case Z05-05. Bob Morris Furniture, Inc., 777 Baltimore Street, Hanover, Pa., 17331. The applicant was present requesting a variance to Section 407.4 (restoration) to replace an existing building which was destroyed by fire that will encroach into the side setbacks. The property is located in the SC zone.

Stede Mummert motioned to approve the request for a variance to replace an existing building destroyed by fire and also

to add a section 303.1 off-street parking, that it meets the standards under 502.3 (a) through (f). David Spector seconded the motion and it was approved unanimously, three to zero.

Z05-06. Trone & Seifert L.L.C., 398 York Street, Suite 5, Hanover, Pa., 17331, requesting a variance to Section 207.2, (use regulation) and Section 407.5 (abandonment) to operate an existing abandoned motel.

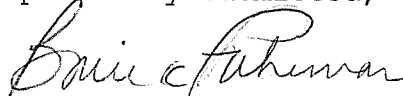
Z05-01. Regional Homes, requesting a special exception to 202.2.

Stede Mummert motioned to grant extensions of one month, to March 8th, for both cases Z05-01 and z05-06. David Spector seconded the motion and the extensions were granted unanimously, with a three to zero vote.

Stede Mummert motioned to adjourn the proceedings at 7:24 p.m. David Spector seconded the motion, and the vote was three to zero to adjourn at 7:24 p.m.

(The proceedings were concluded.)

Respectfully submitted,



Bonnie C. Fuhrman, Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, MARCH 8, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, March 8, 2005, at 7:00 p.m. to hear two requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; David Spector, Vice-Chairman; and Stede Mummert, Member. Frederick Stine was absent with notice. Also present were John C. Menges, II, Zoning Officer, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

John Menges was duly sworn and testified that all the properties were properly posted and all legal notices were properly published.

Stede Mummert motioned to approve the February 8, 2005 Minutes as submitted. David Spector seconded the motion and the Minutes were approved as submitted unanimously, three to zero vote.

Case Z05-01. Regional Homes, LLC Eric Levitt, 8 Green Springs Road, Suite 200, Owings Mills, MD, 21117. Attorney Charles E. Zaleski presented the request for a special exception to Section 202.2 (uses) to allow construction of age restricted multi-family dwellings. The property is located at Moulstown Road, in the R-8 zone.

Stede Mummert motioned to approve the request for a special exception to 202.2 to allow construction of age restricted multi-family dwellings, that it meets the standards of Section 628 (a) through (h) and also the general standards of 503.3 (a) through (e), with the condition that the property be used solely for age restricted housing as presented by the applicant. Timothy Dunn seconded the motion and it was approved with a two to one vote, David Spector dissenting.

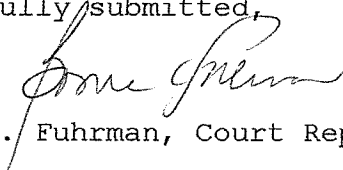
Case Z05-06. Trone and Seifert, LLC, 398 York Street, Suite 5, Hanover, Pa., 17331. Chris Trone was present requesting a variance to Section 207.2 (use regulations) and Section 407.5 (abandonment) to operate an existing abandoned motel. The property is located at 1016 Baltimore Street, in the SC zone.

David Spector motioned to approve the request, in as much as it complies with the standards in Section 502.3 (a) through (f). Stede Mummert seconded the motion and it was approved with a two to one vote, Timothy Dunn dissenting.

Stede Mummert motioned to adjourn the meeting at 8:43 p.m., seconded by David Spector and approved unanimously.

(The proceedings were adjourned at 8:43 p.m.)

Respectfully submitted,


Bonnie C. Fuhrman, Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, APRIL 12, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, April 12, 2005, at 7:00 p.m. to hear eight requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; David Spector, Vice-Chairman; Frederick Stine, Member; Donna Scott, Member; and Stede Mummert, Member. Also present were John C. Menges, II, Zoning Officer, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

John Menges was duly sworn and testified that all the properties were properly posted and all legal notices were properly published.

Stede Mummert motioned to approve the March 8, 2005 Minutes as submitted. David Spector seconded the motion and the Minutes were approved as submitted with a three to zero vote, Dunn, Mummert and Spector voting for approval; Scott and Stine abstaining because they were absent from the last meeting.

Case Z05-08 - Mark and Helen Pernice, 113 Lion Drive, Hanover, Pa., 17331. The applicants were present requesting a variance to Section 203.3 (area and bulk) to allow construction of a garage and breezeway that encroaches into the side setbacks. The property located in the R-15 zone.

Donna Scott motioned to deny the request, that it does not meet the standards of 502.3 (a) through (f). David Spector seconded the motion and the request was denied with a vote of four to one, Mummert dissenting.

Case Z05-09 - Philip C. And Penny Servary, 4205 Grandview Road, Hanover, Pa., 17331. The applicants were present requesting a variance to Section 300.3 (fences and walls) to allow a six foot fence in height in the front of the home. The property is located in the R-15 zone.

Stede Mummert motioned to approve the request, that it meets the standards of 502.3 (a) through (f), with the condition that the first 35 feet from the property line be three foot high, and the rest can be six foot high. David Spector seconded the motion, and the request was denied with a vote of two to three, Dunn and Mummert for the motion, and Scott, Spector and Stine against.

Case Z05-10 - Donald E. Bankert, 571 Blooming Grove Road, Hanover, Pa., 17331. Randy Hilker was present with the applicant requesting a variance and special exception to Section 311 (street access) to allow construction of a single family structure on an access road that does not meet minimum requirement of fifty foot right-of-way. The property is located in the R-40 zone.

David Spector motioned to deny the request for the special exception, that it does not meet the general standards for a special exception as set forth in Section 503.3 (a)(1) with regard to future street. Frederick Stine seconded the motion and the request was denied with a vote of four to one, Mummert dissenting.

Case Z05-11 - Mummert Enterprises, c/o Tim Mummert, 8 Stuart Avenue, Hanover, Pa., 17331. The applicant was present

requesting a special exception to Section 202.2 (uses by special exception) to allow construction of single family attached dwellings. The property is located on Brookside Avenue between Charles Street and Wayne Avenue, in the R-8 zone.

Donna Scott motioned to approve the request, that it meets the standards of Section 503.3, (a) through (e), and also Section 640 (a) through (g). Stede Mummert seconded the motion and it was approved unanimously, five to zero.

Case Z05-12 - Deb Lonczynski, 20 Benjamin Drive, Hanover, Pa., 17331. The applicant was present requesting a variance to section 203.3 (area and bulk) to allow construction of a porch that encroaches into the front setbacks. The property is located in the R-15 zone.

Stede Mummert motioned to approve the request, that it meets the standards of 502.3 (a) through (f), with the condition that the front porch never be enclosed. Donna Scott seconded the motion and it was approved unanimously, five to zero vote.

Case Z05-13 - Sylvia A. Gower, 311 Martin Drive, Hanover, Pa., 17331. The applicant was present with Attorney Matthew Guthrie, requesting a variance to Section 203.3 (area and bulk) and a special exception to Section 311 (street access) to allow construction of residential lot on an access road that does not meet minimum requirement of fifty foot right-of-way. The property is located in the R-15 zone.

David Spector motioned to approve the request, that it does meet the requirements of Section 503.3 (a) through (e) and Section 502.3 (a) through (f). Donna Scott seconded the motion, and the motion was approved with a five to zero vote.

Case Z05-14 - Hanover Eagles, 105 Park Street, Hanover, Pa., 17331. Barry Groft was present requesting a variance to Section 300.3 (fences and walls) to allow a fence that exceeds the maximum height in a residential zone. The property is located in the R-8 zone.


Frederick Stine motioned to approve the request, that it meets all the standards of 502.3 (a) through (f). David Spector seconded the motion and suggested an amendment that the fence is not woven with tape material so you can always see through the fence. Fred Stine agreed to make that part of the motion. The request was approved unanimously, with a vote of five to zero.

Case Z05-15 - Bill and Dawn Kephart, Jr., 4 Loop Drive, Hanover, Pa., 17331. The applicants were present requesting a variance to Section 203.3 (area and bulk) to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

David Spector motioned to approve the request, that it meets the standards of a variance as stated in Section 502.3 (a) through (f), and so long as they agree to build a twelve foot wide pool. Stede Mummert seconded the motion and it was approved with a three to two vote, Dunn, Mummert and Spector for, and Scott and Stine against.

Frederick Stine motioned to adjourn the proceedings, seconded by Donna Scott and approved unanimously. The proceedings were adjourned at 9:45 p.m.

Respectfully submitted,


Bonnie Fuhrman, Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, MAY 10, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, May 10, 2005, at 7:00 p.m. to hear three requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; David Spector, Vice-Chairman; Stede Mummert, Member; Donna Scott, Member; and Frederick Stine, Member. Also present were John C. Menges, II, Zoning Officer, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

Donna Scott motioned to approve the April 12, 2005, Minutes as submitted; seconded by Frederick Stine, and approved unanimously.

John Menges was duly sworn and testified that all properties were posted and legal notices were properly published.

Case Z05-15. Barbara J. VanBuren, 535 Bankert Road, Hanover, Pa., 17331. The applicant was present requesting a variance to Section 205.3 (area and bulk) to create a single family residential lot that does not meet the minimum lot area and width requirements. The property is located in the R-40 zone.

Stede Mummert motioned to grant the request for a variance, that it does meet the standards of 502.3 (a) through (f). Donna Scott seconded the motion and it was approved unanimously, five

to zero vote.

Case Z05-17. Donald and Sheila Hildebrand, 13 Quail Ridge Court, Hanover, Pa., 17331. The applicants were present requesting a variance to Section 203.3 (area and bulk) to construct a two-story addition and front porch that encroaches into the front setback. The property is located in the R-15 zone.

David Spector motioned to approve the request to encroach into the front setback by two feet, on the grounds that they meet the standards of a variance, 502.3 (a) through (f). Stede Mummert seconded the motion and it was approved unanimously, five to zero vote.

Case Z05-18. Angela R. Miller, 616 Fulton Street, Hanover, Pa., 17331. The applicant was present requesting a special exception to Section 202.2 (uses by special exception) to operate a family day care home. The property is located in the R-8 zone.

Frederick Stine motioned to approve the request, that she meets the general standards for a special exception, 503.3 (a) through (e), and 613. Stede Mummert suggested to add the condition that all pick-ups and drop-offs be done offstreet. Frederick Stine amended his motion to include that condition. David Spector seconded the motion, and it was approved unanimously, five to zero vote.

Stede Mummert motioned to adjourn the proceedings at 7:42 p.m. Frederick Stine seconded the motion and it was approved unanimously, five to zero vote.

(The proceedings were adjourned at 7:42 p.m.)

Respectfully submitted,

Bonnie C. Fuhrman, Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, JUNE 14, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, June 14, 2005, at 7:00 p.m. to hear two requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; David Spector, Vice-Chairman; and Frederick Stine, Member. Stede Mummert and Donna Scott were absent with notice. Also present were John C. Menges, II, Zoning Officer, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

Frederick Stine motioned to approve the May 10, 2005 Minutes as written. David Spector seconded the motion and the Minutes were approved unanimously.

John Menges was duly sworn and testified that all the properties have been posted and all the legal notices were properly published.

Case Z05-19. Marion Basta, 47 Cardinal Drive, Hanover, Pa., 17331. The Applicant was present requesting a variance to Section 203.3 (area and bulk) to construct a sunroom that encroaches into the rear setbacks. The property is located in the R-15 zone.

Frederick Stine motioned to approve the request for a variance to construct a sunroom that encroached into the rear setback by seven feet, that she meets the standards for a variance under

Section 502.3 (a) through (f). David Spector seconded the motion and the requested was granted unanimously, three to zero vote.

Case Z05-20. Wade A. Eckert, 786 Blooming Grove Road, Hanover, Pa., 17331. The Applicant was present requesting a variance to Section 300.7 (decks) to construct a deck on the side of the home. The property is located in the R-40 zone.

David Spector motioned to approve the request for a variance to construct a deck on the side of the home in the R-40 zone, that it meets the standards set forth in Section 502.3 (a) through (f), with a condition that it be one deck on the east side of the house. Frederick Stine seconded the motion and it was approved unanimously, three to zero vote.

Frederick Stine motioned to adjourn the proceedings, seconded by David Spector and approved unanimously.

(The proceedings were adjourned at 7:45 p.m.)

Respectfully submitted,



Bonnie C. Fuhrman, Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD

Minutes for July 12, 2005

The Penn Township Zoning Hearing Board met on Tuesday, July 12, 2005, at 7:00 p.m. to hear four requests.

The meeting was called to order and roll call was taken. Members present were as follows: Frederick Stine, Chairman; Stede Mummert, Member; and Donna Scott, Member. Also present were John Menges, Zoning Officer; and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

John Menges was duly sworn and testified that all the properties were properly advertised and posted and all legal notices properly published.

Frederick Stine accepted the Minutes from June 14, 2005 of the Zoning Hearing Board.

Z05-22 - Chad Sackett, 1308 Baltimore Street, Hanover, PA 17331. The Applicant requests a variance to Section 207.2 (Use) to use an existing

house for commercial purposes, which was previously approved a residential use only. The property is located in the S/C zone.

Stede Mummert made a motion that we hold this case over until next month August of 2005. Donna Scott second the motion, and it was carried by a vote of 3-0.

Z05-23 - Michael & Jill Altland, 65 Lion Drive, Hanover, PA 17331. The Applicant requests a variance to Section 203.3 (Area and Bulk Regulations) to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

Stede Mummert made a motion that the variance be granted. It does meet the standards in Section 502.3 (a) through (f) with the requirement that the pool be four feet from the rear of the deck. Frederick Stine second the motion, and it was denied by a vote of 2-1.

Z05-24 - Judy Chamberlain, 222 Moore Drive, Hanover, PA 17331. The Applicant requests a special exception to Section 203.2 (Uses by Special Exception), to operate a home occupation. The property

is located in the R-15 zone.

Donna Scott made a motion for a favorable recommendation as it meets the standards for the special exception in Section 503.3 (a) through (e) with the stipulation that the operation of this business be only on Tuesday, Wednesday, and Thursday; no off street parking; no commercial signs; and no commercial lights; for the home occupation, it also meets Section 618, Home Occupation, (a) through (q). Stede Mummert second the motion, and it was carried by a vote of 3-0.

Z05-25 - Matthew Barnes, 1 Iris Court, Hanover, PA 17331. The Applicant requests a variance to Section 203.3 (Area and Bulk Regulations) to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

Stede Mummert made a motion for a favorable recommendation in that it does meet the standards in Section 502.3 (a) through (f). Donna Scott second the motion, and it was denied by a vote of 2-1.

Donna Scott made a motion to adjourn the

meeting at 7:59 p.m. Stede Mummert second the motion, and it was approved unanimously.

Respectfully Submitted,

Christine M. Myers

Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, AUGUST 9, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, August 9, 2005, at 7:00 p.m. to hear four requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; David Spector, Vice-Chairman; Frederick Stine, Member; Donna Scott, Member, and Stede Mummert, Member. Also present were Kristina Rodgers, Administrative Assistant, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

Donna Scott motioned to approve the July 2005 Minutes with a correction on Page 3, where it says "no off-street parking" should be changed to "no on-street parking." Stede Mummert seconded the motion and correction, and the July Minutes were approved with a three to zero vote, Timothy Dunn and David Spector abstaining because of their absence from the July meeting.

Kristina Rodgers was duly sworn and testified that all the properties have been posted and all the legal notices were properly published.

Case Z05-22 - Chad Sackett, 1308 Baltimore Street, Hanover, Pa., 17331. The applicant was present requesting a variance to Section 207.2 (use) to use an existing house for commercial purposes, which was previously approved as residential use only. The property

is located in the S/C zone.

David Spector motioned to deny the request, in that it does not meet the standards in Section 502.3 (a) through (f). Frederick Stine seconded the motion. The motion was denied two to three, Frederick Stine, Donna Scott and Stede Mummert voting against.

Donna Scott motioned for approval of the variance, that it does meet the standards under Section 502.3 (a) through (f), with the stipulation that Mr. Sackett keep this building as office space, and only have seven spaces for employees or parking at one time. Frederick Stine seconded the motion and then made an amendment to the motion to show the nine spaces as shown on the drawing, Exhibit B, for 1308 Baltimore Street. Donna Scott seconded the amended motion. The requested was approved with a three to two vote, Timothy Dunn and David Spector dissenting.

Case Z05-26 - Christopher L. Weaver, 543 Baltimore Street, 1st floor, Hanover, Pa., 17331. The applicant was present requesting a variance to Section 206.3 (area and bulk) to construct a two-unit apartment building w/garages that will encroach into side setbacks. The property is located at the rear of 852 York Street, in the A/O zone.

After discussion with the applicant, Stede Mummert motioned to hold the case over to the next month, seconded by Donna Scott, and approved unanimously.

Case Z05 - Robert Morris, 777 Baltimore Street, Hanover, Pa., 17331. The applicant was present with Dean Hempfing requesting a variance to Sections 207.3, 303.1, 303.2(g), 306.3(b) and 307 to allow reconstruction of a retail furniture store previously destroyed by fire. The property is located at 777 Baltimore Street, in the S/C

zone.

David Spector motioned to approve the request for a variance to Section 207.3 to increase lot coverage from 80 to 85 percent, that they meet the standards of Section 502.3 (a) through (f). Donna Scott seconded the motion and the motion carried with a four to one vote, Stede Mummert dissenting.

David Spector motioned to approve the request for a variance to Section 303.1, off-street parking, in that it meets the standards for a variance to Section 502.3 (a) through (f). Donna Scott seconded the motion, and the motioned carried with a four to one vote, Frederick Stine dissenting.

Donna Scott motioned to approve the request for a variance to Section 303.2(g), that it meets the standards for a variance in Section 502.3 (a) through (f). David Spector seconded the motion and it was approved unanimously, five to zero vote.

Donna Scott motioned to approve the request for a variance to Section 306.3(b), that it meets the standards for a variance to Section 502.3 (a) through (f). David Spector seconded the motion, and it was approved unanimously, five to zero vote.

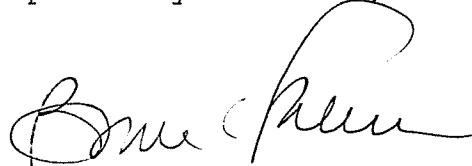
Donna Scott motioned to approve the request for a variance to Section 307, that it meets the standards for a variance under Section 502.3 (a) through (f). David Spector seconded the motion and it was approved unanimously, five to zero vote.

Case Z05-01 - Regional Homes, LLC, Frederick Stine motioned to approve the request for a six-month extension per their letter of July 28, 2005. Stede Mummert seconded the motion and it was approved unanimously, five to zero vote.

Stede Mummert motioned to adjourn at 8:50 p.m., seconded by Frederick Stine, and approved unanimously.

(The proceedings were concluded at 8:50 p.m.)

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Bonnie C. Fuhrman". The signature is written in dark ink and is positioned above the printed name.

Bonnie C. Fuhrman, Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, SEPTEMBER 13, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, September 13, 2005, at 7:00 p.m., to hear four requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; David Spector, Vice-Chairman; Frederick Stine, Member; Donna Scott, Member; and Stede Mummert, Member. Also present were John C. Menges, II, Zoning Officer, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

Donna Scott motioned to approve the August, 2005 Minutes, seconded by David Spector and approved unanimously.

John Menges was duly sworn and testified that all the properties have been posted and all the legal notices were properly published.

Case Z05-26 - Christopher L. Weaver, 543 Baltimore Street, 1st Floor, Hanover, Pa., 17331. The applicant was present requesting a variance to Section 206.3 (area and bulk) to construct a two-unit apartment building w/garages that will encroach into the side setbacks, and also a special exception to Section 311 (street access).

Frederick Stine motioned to not approve the requests, that they do not meet all the standards for a variance of Section 502.3 or

the standards for a special exception for Section 311. Donna Scott seconded the motion and the motion carried with a four to one vote, David Spector dissenting.

Case Z05-28 - Anna Smith, 212 Morningstar Court, Hanover, Pa., 17331. The applicant was present requesting a variance to Section 202.3 (area and bulk) to allow construction of a garage that will encroach into the side setbacks. The property is located in the R-8 zone.

David Spector motioned to approve the request, that it does meet the standards in Section 502.3 provided the garage be 12 feet wide or encroach the side setback by no more than five feet. Stede Mummert seconded the motion and the request was denied with a vote of two to three, Stede Mummert and David Spector voting for approval, and Donna Scott, Frederick Stine and Timothy Dunn voting for denial.

Donna Scott motioned to deny the request, that it does not meet the standards in Section 502.3 (a) through (f). Frederick Stine seconded the motion and the motion for denial of the request was granted with a three to two vote, Donna Scott, Frederick Stine and Timothy Dunn voting for the motion for denial and Stede Mummert and David Spector voting against motion for denial.

Case Z05-29 - Jeffrey Garber and Todd Grim, 300 Frederick Street, Hanover, Pa., 17331. The applicants were present requesting a variance to Section 207.2 (use) and Section 207.3 (area and bulk) to allow construction of single family attached dwellings that will encroach into setbacks. The property is located west of the intersection of Manor Street and Hammond Avenue, in the S/C zone.

During the case Donna Scott was called out for an

emergency.

Stede Mummert motioned to grant the request of 207.2, that it does meet the standards of 502.3 (a) through (f). Timothy Dunn seconded the motion and the motion failed with a one to three vote, Stede Mummert voting for and Frederick Stine, David Spector and Timothy Dunn voting against.

Stede Mummert motioned to grant the request of 207.3, that it meets the standards of 502.3 (a) through (f). Timothy Dunn seconded the motion and the motion failed with a one to three vote, Stede Mummert voting for and Frederick Stine, David Spector and Timothy Dunn voting against.

David Spector motioned to deny the request with regard to 207.2, based on Section 502.3 (a) through (f). Frederick Stine seconded the motion and the motion carried with a three to one vote, Frederick Stine, David Spector and Timothy Dunn voting for and Stede Mummert dissenting.

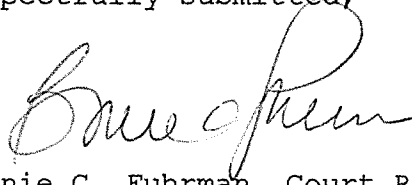
Case Z05-30 - George H. And Anna A. Smith, 425 Westminster Avenue, Hanover, Pa., 17331. The applicant was present requesting a variance to Section 407.3B (replacement) in order for a proposed reverse subdivision and add-on plan to be approved due to the existing nonconformity of a garage infringement on Lot #2. The property is located at 400 Wirt Avenue, in the R-8 zone.

Frederick Stine motioned to approve the request, that it meets the standards for a variance under Section 502.3. David Spector seconded the motion and it was approved with a four to zero vote.

Stede Mummert motioned to adjourn the proceedings at 8:50 p.m., seconded by Frederick Stine and approved unanimously.

(The proceedings were adjourned at 8:50 p.m.)

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Bonnie C. Fuhrman". The signature is written in dark ink and is positioned above the typed name.

Bonnie C. Fuhrman, Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, OCTOBER 11, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, October 11, 2005, at 7:00 p.m., to hear three requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; David Spector, Vice-Chairman; Frederick Stine, Member; and Stede Mummert, Member. Donna Scott was absent with notice. Also present were John C. Menges, II, Zoning Officer, and Penny Ayers, Esquire, Solicitor for the Zoning Hearing Board.

David Spector motioned to approve the September, 2005 Minutes with a correction on Page 3, indicating that a paragraph was repeated. Stede Mummert seconded the motion and the Minutes were approved unanimously with the removal of the duplicate paragraph.

John Menges was duly sworn and testified that all the properties have been posted and all the legal notices were properly published.

Case Z05-31 - Donald E. Bankert, 571 Blooming Grove Road, Hanover, Pa., 17331. The applicant was present with Attorney James T. Yingst requesting a variance to Section 311 (street access), a special exception to Section 311 (street access), and an interpretation to Section 311 (street access) due to the

determination of zoning officer that applicant cannot secure a building permit without obtaining a variance and/or a special exception from the Zoning Hearing Board. The property is located on Slaughter House Road, in the R-40 zone.

Frederick Stine motioned to approve the request for a variance and special exception to Section 311, that it meets all the requirements of Section 502.3 and 503.3. Stede Mummert seconded the motion and the request was approved unanimously, four to zero vote.

Case Z05-32 - Worthington Investments, LLP, 8 Greenspring Valley Road, Suite 200, Owings Mills, MD, 21117. The applicant was present with James R. Holley, Architect, requesting a variance to Section 202.3 (area and bulk) to construct multi-family condominium structures that will exceed the maximum building height. The property is located on the north side of Moulstown Road, west of Gitts Run Road, in the R-8 zone.

Stede Mummert motioned to grant the request for a variance to Section 202.3 to construct multi-family structures that exceed maximum building height, that it meets the standards of 502.3 (a) through (f). Frederick Stine seconded the motion and the request was approved unanimously, four to zero vote.

Case Z05-11, Mummert Enterprises, requesting a six-month extension to their special exception to Section 202.2. Stede Mummert motioned to grant the six-month extension, seconded by Frederick Stine, and approved unanimously, four to zero vote.

Frederick Stine motioned to adjourn the proceedings at 8:44, seconded by David Spector, and approved unanimously.

(The proceedings concluded at 8:44 p.m.)

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Bonnie C. Fuhrman".

Bonnie C. Fuhrman,

Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, NOVEMBER 8, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, November 8, 2005, at 7:00 p.m., to hear five requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; Frederick Stine, Member; and Donna Scott, Member. Stede Mummert and David Spector were absent with notice. Also present were John C. Menges, II, Zoning Officer, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

Frederick Stine motioned to approve the October, 11, 2005 Minutes as written, seconded by Timothy Dunn, and approved with a two to zero vote, Donna Scott abstaining from the vote.

John Menges was duly sworn and testified that all the properties have been posted and all the legal notices were properly published.

Case Z05-33, MMS Management, LLC, 731 Fame Avenue, Hanover, Pa., 17331. Jerry Funke was present, on behalf of the applicant, requesting a special exception to Section 209.2 (uses by special exception) to construct a medical center. The property is located at Hillside Medical Center, in the Industrial Zone.

Frederick Stine motioned to approve the request for special exception, that it meets all the general standards of Section

503.3 (a), (b), (c), (d) and (e), and Section 624. Donna Scott seconded the motion and it was approved unanimously, three to zero.

Case Z05-34, Eleanor Deck, Fair Havens Assisted Living Center, 3101 Grandview Road, Hanover, Pa., 17331. Attorney Thomas Shultz was present on behalf of the applicant requesting a special exception to Section 407.2a (expansion and alteration) to construct an addition to an assisted living home. The property is located in the R-15 zone.

Frederick Stine motioned to grant a continuance until the next regularly scheduled meeting of the Zoning Hearing Board. Donna Scott seconded the motion and it was approved unanimously, three to zero.

Case Z05-35, Colleen Kress, 6840 Cannery Court, Spring Grove, Pa., 17362. Attorney D.J. Hart was present on behalf of the applicant requesting a special exception to Section 208.2 (uses by special exception) to operate a child care center. The property is located at 719 Frederick Street, in the H/B zone.

Donna Scott motioned to approve the request for a special exception, that it meets the general standards for a special exception in 503.3 (a) through (e), and also Section 606, that before opening the facility they must meet all the requirements set forth in Section 606, Child Care Center, with the exception of the Department of Labor and Industry, which comes from a letter of approval by Jan Cromer. Frederick Stine seconded the motion, and it was approved unanimously, three to zero.

Case Z05-36, John and Sheila Kalkbrenner, 117 Little John Court, Hanover, Pa., 17331. The applicant was present requesting a special exception to Section 203.3 (uses by special exception) to

operate a hair salon. The property is located in the R-15 zone.

Donna Scott motioned to approve the request, that it meets the general standards for a special exception in Section 503.3 (a) through (e), and the home occupation, Section 618, with the stipulation that this will be only a one chair operation, and only the applicant can be employed there, no one else; and that at least eight off-street parking spaces be provided at all times. Frederick Stine seconded the motion, and it was approved unanimously, three to zero.

Case Z05-37, Sheron Smith, 318 N. Franklin Street, Hanover, Pa., 17331. This application was withdrawn.

Donna Scott motioned to adjourn the proceedings, seconded by Frederick Stine, and approved unanimously.

(The proceedings were adjourned at 8:20 p.m.)

Respectfully submitted,



Bonnie C. Fuhrman, Court Reporter

PENN TOWNSHIP
ZONING HEARING BOARD
TUESDAY, DECEMBER 13, 2005
7:00 P.M.

The Penn Township Zoning Hearing Board met on Tuesday, December 13, 2005, at 7:00 p.m., to hear four requests. Roll call was taken and the following members were present: Timothy Dunn, Chairman; Frederick Stine, Member; Stede Mummert, Member; and Donna Scott, Member. David Spector was absent with notice. Also present were John C. Menges, II, Zoning Officer, and John J. Baranski, Esquire, Solicitor to the Zoning Hearing Board.

John Menges was duly sworn and testified that all the properties have been posted and all the legal notices were properly published.

Donna Scott motioned to approve the November 8, 2005 Minutes as written, seconded by Frederick Stine, and approved with a three to zero vote, Stede Mummert abstaining from the vote.

Case Z05-34, Eleanor Deck, Fair Havens Assisted Living Center, 3101 Grandview Road, Hanover, Pa., 17331, requesting a special exception to Section 407.2a (expansion and alteration) to construct an addition to an assisted living home. The property is located in the R-15 zone; and Case Z05-40, Eleanor Deck, R. D. #3, Tamarind Drive, Spring Grove, Pa., 17362, requesting a variance to Section 612(b) (expansion of nonconformity) and to Section 635

(retirement village) to construct an addition to an assisted living home that exceeds the maximum area of expansion. The property is located at 3101 Grandview Road, in the R-15 zone.

The applicant was present with Attorney Thomas Shultz.

Stede Mummert motioned to grant the special exception to expand and construct an addition to the assisted living home under Section 503.4, and that there is no need to have a variance under Section 612(b) and 635, and stated the following restrictions:

1) That the building must be acceptable to the Department of Welfare; and 2) that any applicable building and safety fire codes of the Federal, State and local governments be adhered to; and 3) that any future expansion would not be permitted.

Donna Scott seconded the motion and the motion carried with a three to one vote, Timothy Dunn dissenting.

Case Z05-38, Adam Bixler, 310 Manor Street, Hanover, Pa., 17331. The applicant was present requesting a special exception to Section 202.2 (uses by special exception) to construct a duplex. The property is located at 326 Manor Street, in the R-8 zone.

After some discussion, there was a motion by Donna Scott to table the case until the applicant re-applies under whatever section of the ordinance is applicable. Frederick Stine seconded the motion and it was approved unanimously.

Case Z05-39, Jill R. Williams, 330 Jasmine Drive, Hanover, Pa., 17331. The applicant was present requesting a special exception to Section 203.3 (uses by special exception) to operate a family day care home. The property is located in the R-15 zone.

Donna Scott motioned to approve the request, that it meets the standards under Section 503.3 (a) through (e); and also meets

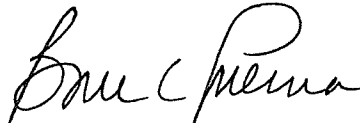
Section 613 (a) through (f); that the days of operation will be Monday through Friday, with hours of operation being 7:00 a.m. to 5:00 p.m.; that she will childproof the hot tub and stair areas leading to the hot tub; that there will be no use of the hot tub during the day care hours; that off street parking is provided so there will be drop off and pick up in that area. Frederick Stine seconded the motion and it was approved unanimously, four to zero.

A public thank you was given to Stede Mummert for his 21 years of service to the Township and to the Zoning Hearing Board.

Donna Scott motioned to adjourn the proceedings, seconded by Stede Mummert, and approved unanimously.

(The proceedings were adjourned at 9:20 p.m.)

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Bonnie C. Fuhrman".

Bonnie C. Fuhrman, Court Reporter