



PENN TOWNSHIP ZONING HEARING BOARD  
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## ZHB MINUTES OF MARCH 8, 2006

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The Penn Township Zoning Hearing Board (ZHB) met on Thursday, March 8, 2007 at 7:00 p.m. in the Penn Township Municipal Building to conduct a hearing concerning the Duncannon Investment Group and Furnley Frisch variance request. A list of visitors is on file in the Township Office.

Secretary conducted the roll call of the ZHB.

Present:       Furnley Frisch  
                  Carl Heller  
                  Jonathan Bigley  
                  Gerald Hirt  
                  Leonard Sizer – Zoning Officer  
                  Dennis Shatto – Zoning Solicitor  
                  Helen Klinepeter- Secretary

**MINUTES** – Secretary presented the minutes of January 11, 2007 for review. After discussion, and upon a Heller/Hirt motion, the ZHB voted unanimously to approve the ZHB minutes of January 11, 2007 with changes.

Chairman Bigley informed the Board that he would like to mention that the Mr. John Jones withdrew his application for a variance.

### HEARINGS

The ZHB opened the Duncannon Investment Group hearing at 7:03 p.m. Chairman explained that Mr. Roberts is appealing the Zoning Officer’s decision for denial of a zoning permit. Mr. Joseph Roberts the owner of Duncannon Investment Group offered that he would like to have three signs placed on his place of business.

**Visitors Sworn In:**       Joe Roberts  
                                  Carol Holler  
                                  Lenny Sizer – Zoning Officer  
                                  Helen Klinepeter – Secretary

### Evidence Submitted:

Penn Township:   #1       Proof of Publication of the legal notice in the Patriot News

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**Summary** – Mr. Roberts informed the Board that he would like to place three oversized signs on his place of business. He explained that due to the location of the building with road frontage on both SR 11/15 and Inn Road. He would like to place a 48 square foot sign on the back and front of the building with a portable billboard on the roof.

After discussion on the advertisement of an appeal versus the advertisement of a variance, Mr. Roberts requested a continuance of his hearing to modify his request and in the meantime he would work with the Zoning Officer on his request. Upon a Frisch/Hirt motion, the ZHB agreed to a continuance until April 5, 2007 at 7:00 p.m.

After discussion, and upon a Frisch/Heller motion, the ZHB voted unanimously to close the hearing at 7:45 p.m.

Present: Carl Heller  
Jonathan Bigley  
Gerald Hirt  
Leonard Sizer – Zoning Officer  
Dennis Shatto – Zoning Solicitor  
Helen Klinepeter- Secretary

The ZHB opened the Furnley Frisch hearing at 7:47 p.m. Chairman explained that Mr. Frisch is requesting a variance for Article XVII, Section 1703, Non-conforming Lot Area.

**Visitors Sworn In:** Furnley Frisch  
William Warner  
Vicky Stone  
Lenny Sizer – Zoning Officer  
Helen Klinepeter – Secretary

### **Evidence Submitted:**

Penn Township: #1 Copy of recorded plan of Lot 5  
# 2 Proof of Publication of the legal notice in the Patriot News

Applicant 31 Sewage Enforcement Officer Report for 11/23/02-12/13/02

**Summary** – Mr. Frisch informed the Board that he purchased the Gary Lysaght Plan in 1989. The plan approved and recorded in 1984. At the time of purchase the lot was in compliance. He continued that in 1984 a proper perc and probe was done. In 1989 the Township said that until the driveway was blacktopped the Township would not issue second permit. In 1998 he worked with the Township and blacktopped Barrick Drive. At this time he was informed that he needed new percs and probes due to the original expired. In 2002 Mr. McKinney performed a new perc and probe. When Mr. McKinney left the Township the records were lost. After a search of records, Mr. Madden performed new percs and probes in 2005. In December 2005 the zoning ordinance was changed to a requirement of one and half-acre minimum lots and this area became Agricultural/Rural (AR). Mr. Frisch concluded that prior to this change the lot complied with the zoning. He is asking for variance to build a ranch house on

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lot. Mr. Frisch offered that he didn't create any of these problems and has been trying to build since 1989.

The Solicitor asked if Mr. Frisch would need any other variances for the lot other than the one before the Board tonight. Mr. Frisch replied in the negative. Solicitor asked if the plan was recorded. Mr. Frisch replied in the affirmative. Solicitor asked if the lot meets the road frontage. Mr. Frisch replied in the affirmative. Solicitor asked what the acreage of this lot was. Mr. Frisch replied .762 acres, a little over three quarters of an acre.

Mr. William Warner offered that Barnett Drive does not continue up the mountain and ends at the intersection of Barnett Drive and "Barnett Drive Intersection" (Husley Drive). Mr. Warner continued that there has been a stormwater problem coming from the mountain ever since Mr. Frisch has been working on the mountain. Chairman Bigley offered that he appreciates Mr. Warner's information but that the Zoning Hearing Board is not the forum for the remedy of these matters.

After discussion upon a Hirt/Heller motion, the ZHB agreed to grant the Furnley Frisch variance request. After discussion, and upon a Hirt/Heller motion, the ZHB voted unanimously to close the hearing at 8:42 p.m.

The ZHB set the next ZHB meeting for April 5, 2007 at 7:00 p.m.

Upon the completion of all business, and upon a Hirt/Heller motion, the ZHB voted by majority to adjourn the ZHB meeting at 8:47 p.m.

Respectfully Submitted,

Helen Klinepeter  
ZHB Secretary