

PENN TOWNSHIP ZONING HEARING BOARD

MINUTES OF JULY 9, 2009

Page 1 of 3

The Penn Township Zoning Hearing Board (ZHB) met on Thursday, July 9, 2009, at 7:00 p.m. in the Penn Township Municipal Building to conduct hearings for Ryan Rohrer and Shermanata Grange.

Mr. Bigley opened the meeting at 7:05 with the announcement that the third board member is on his way and that some housekeeping items could be attended to.

Secretary conducted the roll call of the ZHB.

Present: Jonathan Bigley, Chairman
Vince Bernhard, Member
JoAnn Glossner, Member
Dennis Shatto – Zoning Solicitor
Helen Klinepeter- Secretary

MINUTES – Secretary presented the minutes of June 11, 2009 for review. After discussion, and upon a Glossner/Bigley motion, the ZHB voted unanimously to approve the ZHB minutes of June 11, 2009.

Mr. Bigley offered that there is no Old Business and the New Business is that there will be a hearing on August 13th.

RYAN & JENNIFER ROHRER HEARING, DOCKET 2009-04 Continuation

The ZHB opened the continuation at 7:09 p.m.

Visitors Sworn In: Helen Klinepeter, Sonny Klinepeter, Kermit Kissinger, Ryan Rohrer, Betty Smith, Henry Holman, Board of Supervisors and Edward Chism, Planning Commission.

Evidence Submitted: None

See Transcript for testimony.

Synopsis:

Mr. Bigley reminded the audience of the request from Mr. Rohrer and offered that the hearing was continued so that Mr. Rohrer could consider other options and have time to amend the application if desired. Mr. Rohrer explained that an entrance off of SR 849 (Newport Road) would not be feasible due to the steep slopes and the property does not have enough frontage on that road. He continued that he also considered moving the right-of-way and has decided to keep the proposed right-of-way in the same location for a number of reasons; least affect to neighbors, keep the trees between the 20 foot right-of-way and the proposed right-of-way.

Ms. Smith offered that her comments were made at the last hearing. Mr. Kissinger offered that he did not understand why the proposed 2nd lot could not access from the 20 foot right-of-way.

PENN TOWNSHIP ZONING HEARING BOARD

MINUTES OF JULY 9, 2009

Page 2 of 3

Mr. Holman offered that he wanted to clarify that the number of vehicles was not an issue with the Board of the Supervisors. He offered that the request is in direct violation of the Subdivision and Land Development Ordinance of the number of private right-of-ways accessing on the private right-of-way. Mr. Holman asked the Zoning Hearing Board to help uphold the Township Ordinances. Mr. Bigley offered that his understanding was that there were three lots on this private right-of-way. Mr. Holman offered that there are a private right-of-way for the cemetery, the 20' private right-of-way, the existing house and now is proposing two more lots.

Mr. Rohrer offered that the lot with the garage could be assessable from Eisenhower Blvd and therefore would only be three lots on a private right-of-way.

Mr. Chism offered there is Mr. Rohrer property, cemetery and the private right-of-way on a private right-of-way as it exists now totals three. The 20 foot private right-of-way has eight or more lots accessing from the private Cemetery Street. Therefore the number of units entering to a private right-of-way exceeds the three lots or units limit as stated in the Subdivision and Land Development Ordinance.

Mr. Shatto offered the existing driveway could be extended to the second lot. Mrs. Klinepeter explained that when more than one lot uses a driveway, the driveway then becomes a private right-of-way with different regulations to be considered under both the Subdivision and Land Development Ordinance and the Zoning Ordinance.

Mr. Rohrer reiterated the reasons he chose to keep the proposed request. Mr. Shatto offered that at the last hearing, the possibility of placing the right-of-way to the north of the existing house was discussed. Mr. Rohrer stated that he is not interested in this suggestion.

Ms. Glossner asked if a road could be made from Eisenhower to the existing driveway. Mr. Chism offered that if the sight distance was met and the road was being brought up to township specifications, then perhaps this would help the situation.

Mr. Bernhard offered that to access Eisenhower Blvd of a street for lots 1, 2 and 3 would then have an intersection that anyone could use. He asked if this scenario would work. Mr. Chism offered that this could cause more problems.

Mr. Bigley recessed the hearing from 7:54 p.m. until 8:27 p.m.

Upon a Glossner/Bernhard motion, the ZHB voted unanimously to deny the variance of Mr. Rohrer. He continued that Mr. Rohrer had met some but not all of the criteria necessary for granting the variance and that there are other options available for the subdivision of this property.

After discussion, and upon a Bernhard/Glossner motion, the ZHB voted unanimously to close the hearing at 8:31 p.m.

PENN TOWNSHIP ZONING HEARING BOARD

MINUTES OF JULY 9, 2009

Page 3 of 3

SHERMANATA GRANGE, DOCKET # 2009-06

The ZHB opened the continuation at 8:32 p.m.

Visitors Sworn In: Helen Klinepeter, Deedra Rhoads and Henry Holman Jr.

Evidence Submitted:

APPLICANT 1 – Sketch of Sign

See Transcript for testimony.

Synopsis: Ms. Rhoads offered that there is 32 square foot existing sign and the Grange would like to have an additional 32 square feet. The new portion would have the name of the Grange, an emblem and the dates and times of the meeting. Ms. Rhoads presented a picture of the sign that is wanted by the Grange. Mr. Shatto asked questions on the applicant's exhibit 1. Mr. Shatto offered that there may be a height problem also. Mr. Bernhard offered that the proposed portion of the sign would not be lighted.

The ZHB researched the different types of sign that could be classified for this matter.

Mr. Holman offered that as a private citizen, he is in favor of the sign being granted and gave a brief history of the start up of the grange.

Mr. Shatto asked about any homes around the Grange. Ms. Rhoads offered that there are homes but they are behind Grange. Mr. Shatto asked about other commercial entities. Ms. Rhoads offered that there is a church and a nursing home behind the Grange. Ms. Glossner asked if the sign would obstruct the sight distance. Ms. Rhoads offered that no; the sign would be on a bank to the rear of the sight alignment.

Mr. Bigley recessed the hearing from 9:00 p.m. until 9:23 p.m.

Upon a Glossner/Bernhard motion, the ZHB voted unanimously to deny the variance of the Shermanata Grange for a 4' x 8' addition to the sign. The ZHB has determined that the Grange could have a Business Sign with the total of the size being 50 square feet.

After discussion, and upon a Glossner/Bernhard motion, the ZHB voted unanimously to close the hearing at 9:27 p.m.

Upon the completion of all business, and upon a Glossner/Bernhard motion, the ZHB voted by majority to adjourn the ZHB meeting at 9:28 p.m.

Respectfully Submitted;

Helen Klinepeter
ZHB Secretary