

PENN TOWNSHIP ZONING HEARING BOARD

MINUTES OF NOVEMBER 14, 2013

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The Penn Township Zoning Hearing Board (ZHB) met on Thursday, November 14, 2013, at 7:00 p.m. in the Penn Township Municipal Building to conduct a hearing concerning Karen Tilkens, Docket 2013-03 and Giovanni Ortenzi, Docket 2013-04. A list of visitors is on file in the Township Office.

Secretary conducted the roll call of the ZHB.

Present: JoAnn Glossner, Chairman
Brian Foster, Vice-Chairman
Barbara Van Horn, Alternate
Larry Watts, Alternate
Lenny Sizer –Zoning Officer
Dennis Shatto – Zoning Solicitor
Helen Klinepeter- Secretary

HEARINGS

The ZHB opened the hearing for Karen Tilkens at 7:00 p.m.

See Transcript for testimony.

Visitors Sworn In: Karen Tilkens, Charles Tilkens, Helen Klinepeter, Lenny Sizer

Evidence Submitted:

Applicant:

1 4 pages of pictures showing the property.

Mrs. Tilkens explained that she would like to place a shed on her property. She explained that the only place to place a 10'x12' shed in front of her house. She explained that the property behind her house is a hill. The septic and well is located on the sides of the house. The Solicitor reviewed the pictures presented to show the slopeage and the location of the well and septic. Mr. Foster asked if the slopes in the back of the property would be considered steep slopes. The Zoning Officer stated that yes the slopes would be steep slopes. The Zoning Officer notified the applicant that the shed has to be 25 feet from the Right-of-Way.

The Zoning Hearing Board went into deliberation from 7:15p.m. until 7:20 p.m.

Upon a Foster/Watts motion, the Zoning Hearing Board voted unanimously to grant the Zoning Variance to Mrs. Tilkens to place a shed in front of her property in compliance with the setback requirements of the Zoning Ordinance.

The ZHB voted unanimously to close the hearing at 7:22 p.m.

The ZHB opened the hearing for Giovanni Ortenzi at 7:23 p.m.

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See Transcript for testimony.

Visitors Sworn In: Giovanni Ortenzi, Helen Klinepeter, Lenny Sizer

Evidence Submitted: None

Mr. Ortinezi explained that he and his wife purchased his property and his wife had purchased and installed a shed in the present location. Mrs. Glossner asked what the depth of his property was. Mr. Ortenzi offered that the property is 100 feet deep. Mrs. Glossner asked how far back the house was placed on the property. Mr. Ortenzi offered that there is only 10 feet from the back of the house to the property line. He offered that the on the well is on the side of the house and the land is very soft there. The grinder pump housing is in front of the house and the sewer line is under the driveway. In front of the house are two boulders. The shed could be shifted back approximately 10 feet to the boulders or perhaps closer to the side of the house. In either case, the shed would still be in front of the house.

Zoning Officer offered the right-of-way from SR 11/15 is 25 feet. The plot shows that the shed is 10 feet from the right-of-way. The Zoning Officer would like to see the shed moved back as far as possible. Mr. Ortenzi offered that the well is on the left side of the house and that there is a water runoff from the mountain through the same area. Mr. Foster asked if PennDOT has voiced any concerns regarding the shed. Secretary stated that question tied in with some questions from the Board of Supervisors. The Township does not know what the right-of-way is at that location. There was a question if there was a sight distance issue with the shed in place where it stands. The Roadmaster reviewed the sight distance and stated that there is not a sight distance problem. Secretary stated that the third item is that the Board would like to see the shed moved further back into the property to lessen the variance request.

Mr. Foster asked if there was a concern in regards to other property lines. Zoning Officer offered that a shed this size could be within 5 feet of the side and back propety. Solicitor asked what the shed is sitting on. Mr. Ortenzi offered that there is a bed of stone and wood. Solicitor asked if the rear edge of the shed is 10 feet from the boulders. Mr. Ortenzi offered maybe a little more or less. It is a variable as the boulders swing around and are not even. Solicitor offered that the ZHB does not have the authority of granting anything to be the PennDOT right-of-way. If you put anything in the right-of-way, you run the risk that PennDOT could make you move the shed. Solicitor explained that the best the ZHB could do would to grant a varainace to have the shed in front of the house and closer to the right-of-way. Mr. Ortinzi asked that if PennDOT objects he could go through all of this again. Solicitor reiterated that PennDOT could make you move the shed out of their right-of-way.

The Zoning Hearing Board went into deliberation from 7:36p.m. until 7:47 p.m.

Upon a Foster/Watts motion, the Zoning Hearing Board voted unanimously to grant the Zoning Variance to Mr. Ortinzi to place a shed in front of his property and to allow the shed to be placed closer to the PennDOT right-of-way.

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The ZHB voted unanimously to close the hearing at 7:49 p.m.

MINUTES – Secretary presented the minutes of May 9, 2013 for review. After discussion, and upon a Foster/Watts motion, the ZHB voted unanimously to approve the ZHB minutes of January 10, 2013.

NEW BUSINESS

Reappointment- Secretary offered that Mrs. Glossner term expires and that recommendation is needed for reappointment. Upon Watts/Foster motion, the ZHB recommended to reappoint Mrs. Joann Glossner to the ZHB.

Barbara Van Horn – Unsightly situation on Petersurg Commons. There are lots that have eclectic rough-ins installed and present a nuisance. Secretary recommends that she place a nuisance complaint into the Township.

Upon the completion of all business, and upon a Foster/Watts motion, the ZHB voted unanimously to adjourn the ZHB meeting at 7:55 p.m.

Respectfully Submitted;


Helen Klinepeter
ZHB Secretary