



Hellam Township Planning Commission
May 23, 2024
6:00 P.M.

1. Opening Agenda

- A. Call to Order
- B. Pledge of Allegiance

2. Minutes Approval

- A. May 9, 2024 draft meeting minutes

3. New Business

- A. Land Development SL-24-02 Lincoln Highway @ Bairs Mill Rd (LL-51E) Sketch plan review

4. Old Business

- A. Variance Z-2024-3 880 N Front St 08-38A, Jordan Good

5. Ongoing Business

- A. Solar Ordinance Amendment
- B. EAC Checklist
- C. Riverland 1&2 Ordinance
- D. Ordinance review Restaurant, Drive-through §490-109 & Restaurant, Fast-Food §490-110
- E. Logistics/Warehouse Ordinance
- F. Understanding the Township (review of prior research and tasks to continue and validate research)

6. Correspondence/Reports

- A. Zoning Monthly report April 2023

7. Upcoming Meetings

Next Planning Commission Meeting – June 13, 2024

8. Adjournment

Zoom Log In

Meeting ID: 634 220 1697

Password: Hellam44

**HELLAM TOWNSHIP
PLANNING COMMISSION MEETING
Minutes of May 9, 2024**

The meeting was called to order at 6:00 PM by Devin Winand. The meeting was held at the Hellam Township Municipal Building. Devin Winand led the Pledge of Allegiance. Other members present were Jay Kokiko, Michael Shillott, Steve Fetrow, Rick Cooper, John Eifert, and Christopher Altland who attend the meeting via Zoom. Other attendees included Corina Mann, Township Manager, Jason Test, Zoning Officer, and Supervisor Nedette Otterbein

Minutes Approval:

Upon a motion by Mr. Shillott and seconded by Mr. Kikiko, the minutes from the April 25, 2024 meeting were approved, with changes. Motion carried unanimously.

Public Comment

Zachary Salsgiver addressed the Commission concerning the recent information that was provided concerning the operation of ATVs in the area of Chimney Rock Rd. This would be in reference to the public comments made on April 25, 2024.

Mr. Salsgiver said that the trail that is closest to the property line is approximately 100 feet from the line. He said that his family does ride their property, but does not ride on other's property or the roadway. He told the Planning Commission that he, his family, and any guests that ride on his property operate the vehicles safely with proper safety equipment.

He was concerned that the information provided at the previous meeting was one sided and that the information could result in additional legal troubles.

It was explained to Mr. Salsgiver that the Planning Commission is an advisory board and not a governing body. The addressed his concern about the information being posted and advised him that it was posted because it was stated in a meeting.

Mr. Salsgiver was told that the Township is currently in the process of reviewing the Comprehensive Plan and that he should become involved with that process. Mr. Salsgiver was made aware of ways to follow the Comprehensive Plan process via social media.

Michelle McClain then spoke and stated that she feels Hellam Township is looking for ways to be unique and that the comments made about ATVs on April 25, 2024 were erroneous. She also asked that the Planning Commission and the Township listen to the public.

Steve McClain then spoke and stated that the only information that may be true was about the gathering on July 4, 2023. He also expressed that Hellam Township should listen to the residents.

New Business

Variance Z-2024-03 880 N Front St Ext.

Jordan Good, applicant, spoke to the Commission and explained the purpose of this variance. Mr. Good stated that he is attempting to purchase the parcel at 880 N Front St ext. He stated that the sale is contingent on obtaining the requested variance. The variance is to allow construction on slopes greater than 25%.

Mr. Good stated that he would like to build a residence at the top of the hill on this parcel. The driveway that would be constructed would go through slopes greater than 25%. He said that the driveway would be a switchback drive and this would be used to mitigate the flow of any stormwater.

Mr. Eifert asked if the location of the house could be moved closer to the front, east side, of the parcel. He said that this would reduce the length of the driveway and it would eliminate passing through some of the steeper slopes on the property. Mr. Good stated that it was considered, but that he would need to seek a variance for the setbacks.

There was a discussion concerning stormwater controls due to the potential of rock on the parcel. A concern was expressed concerning the sight triangle at the driveway. The Commission was advised that these concerns would be addressed during the permitting phase of the project.

It was then discussed that the parcel is to have a use not necessarily the applicant's desired use.

Mike Leahy then spoke and stated that he does not know the applicant, but that he would like to speak about the parcel. He said that he has done excavating work not on this parcel, but parcels in the area. He stated that there is rock in the area, but the rock moves easily. He said that he completed work in the Wildcat Falls area and everyone said there would be issues with flooding due to disturbing the slopes. He that as far as he is aware there have been no issues with flooding in that area.

There was a discussion of recommended the variance to the Zoning Hearing Board with the recommendation that the residence location be moved.

It was stated that an additional variance may be needed due to lot coverage. The lot area should be reduced by removing the area of all slopes greater than 25%. Mr. Good was asked to provide to Mr. Test the total area of all slopes over 25%.

There was a motion to table this variance until the May 23, 2024 Planning Commission meeting. To allow Mr. Good to obtain the area greater than 25% and to consider relocating the location of the residence.

The motion was made by Mr. Shillott and seconded by Mr. Kokiko. Motion passed unanimously.

On-going Business:

The discussion concerning the solar ordinance continued. The Use Table for Principal solar Energy System (PSES) was reviewed. It was stated that any system greater than 15 kW is not allowed in the Residential or Village Overlay.

Conditional use approval would be needed to have a PSES in the Mixed-Use 1 or 2 zone. It was stated that conditions would need to be conditions for a conditional use. Mr. Shillott stated that he and Mr. Cooper would work on the conditions.

PSES would be a permitted use in the Commercial/Industrial Zone and in the Interchange and Kreutz Creek Interchange.

The was discussion on making PSES a conditional use in the Rural Agriculture Zone (RA). Mr. Shillott said that there are additional safeguards for the Rural Agriculture Zone. The proposal states that in the RA zone a parcel greater than 20 acres needs to obtain an conditional use and a PSES is a permitted use on a parcel 20 acres or less. It was discussed that no matter the acreage all PSES should be a conditional use. The thought being that the community should have an opportunity to express their concerns for any PSES going into the RA zone.

There was a discussion on removing the restricted development overlay as that overlay already restricts development.

Correspondence/Reports

None

Meeting adjourned at 7:50 PM.

Respectfully submitted,

Jason Test
Zoning Officer



Hellam Township Planning Commission Sketch Plan Briefing

Application Number:	SL-24-02	Meeting Date:	May 23, 2023
Applicant(s):	Kyle Grinestaff – ELA Group In	Parcel ID:	LL-51-E0
Property Owner(s):	Robert & Wayne Blessing	Lot Size:	14.59 Acres
Property Location:	Intersection of Lincoln Highway and Bairs Mill Road	Zoning:	MU-2

Project Narrative:

1. The applicant is requesting a review of a land development sketch plan, attached hereto as **Exhibit A.**
2. Waivers listed as follows:

§280-11.B.2 Landscaping. Waiver to not install buffer strip "B" along rear property line. Buffer to be provided along residential property.

Attached Exhibits:

- A. Land Development Sketch Plan, SL-2024-02
- B. Engineer's review letter from Chad Peters at CS Davidson dated May 20, 2024

Property Characteristics:

Existing Land Use: Agriculture
 Floodplain: No
 Steep Slopes: No
 Wetlands: No
 Streams: Yes, provided by applicant. Upon checking our GIS system no stream was located on the property.
 Woodlands: No
 Unique Geological Features: No

1. Adjacent properties:

	Use	Zoning
North	Commercial	C/I
West	Residential	RA
South	Commercial (golf course)	MU-2
East	Residential/Commercial	MU-2

Project Background:

The site is located at the intersection of Lincoln Highway and Bairs Mill Road and is an unimproved lot being used for agriculture. The Cool Creek Golf Club is located to the south of the parcel. A single-family residential area is located to the west. A residence and an commercial garage are located to the east. A commercial property is located to the north.

The project involves the development of a multi-family attached rental unit and commercial space, with a total land area of 14.59 acres and a developed land area of 6.37 acres. The development includes 1445 linear feet of new roads, all access drives, with public sewage disposal and water supply.

Plan Notes:

1. The applicant is seeking to construction a church on this parcel. A conditional use will need to be secured for this use.
2. Approximately 280,000 square feet of new impervious surface is being added. This results in 44% lot coverage.
3. The resident from 6290 Lincoln Highway, west of parcel in question, expressed his concerns about the additional impervious surface. He stated that his parcel is inundated by stormwater if there is a moderate rain event He is concerned that this situation will worsen if proper stormwater controls are not in place. He is not against the church just wants to ensure that the stormwater issue is addressed.

This briefing represents the views and comments of the Hellam Township staff only and should not be construed as a final approval or denial of this application. The Planning Commission Members may have additional questions and/or comments with regard to this proposal. The applicant and/or his/her representative should be prepared to address comments or concerns raised by the Planning Commission Members.

RCVD: _____

PLAN #: _____

PC: _____

BOS: _____

HELLAM TOWNSHIP SKETCH PLAN APPLICATION

Applicants are urged, but not required, to discuss possible development sites and plans with the Township Planning Commission prior to submission of the Preliminary or Final Plans. The purpose of the Sketch Plan meeting is to afford the applicant an opportunity to receive the recommendations of the Township, while the proposal is at an early stage. **Request for a Sketch Plan review shall not constitute formal filing of a Plan.**

A request for a Sketch Plan review shall be submitted to the Township Zoning Officer, at the Township Municipal Office at least fifteen (15) days prior to the Township Planning Commission meeting in order to be placed on the agenda. The request shall include one (1) application form and a filing fee as set by resolution of the Board of Supervisors. To aid in the effectiveness of the Sketch Plan review, it is recommended that the application include at least eight (8) paper copies of a Plan.

In addition to the above, applicants may request that the Sketch Plan review be submitted to the Board of Supervisors for comments following the Township Planning Commission meeting.

CONTACT INFORMATION


Applicant Name: Kyle Grinestaff - ELA Group, Inc. **Phone:** 717-626-7271
Address: 743 South Broad Street, Lititz, PA **Fax:** _____
17543 **E-mail:** KJGrinestaff@elagroup.com

PROPERTY INFORMATION

Address or Location: Site is located at the intersection of Lincoln Highway and Bairs Mill Road. Surrounded by Cool Creek Golf Club and a single family residential. **Parcel ID:** 31-000-LL-0051.E0-0000
Description: Club and a single family residential. **Zoning:** Mixed-Use 2
Existing Land Use: AG
Restricted Development: Yes (specify) → Floodplain Steep Slopes Wetlands
 No Streams Woodlands Unique geological features
 Ephemeral drainage swale

PROJECT INFORMATION

Plan Type: New Revision Other (specify): _____
Total length of new roads (linear feet): 1,445 Linear Feet - all access drives
Total Land Area (acres): 14.59 Acres **Total Developed Land Area** (acres): 6.37 Acres
Method of Sewage Disposal: Public **Method of Water Supply:** Public
Land use and number of lots and/or units (indicate answer by number of lots or units):
 _____ Single family (detached) _____ Industrial
 _____ Multi-family (attached-sale) _____ Institutional
 _____ Multi-family (attached-rental) 1 _____ Commercial
 _____ Other (specify): _____



 Signature of Applicant

5/2/2024

 Date

May 20, 2024

Jason Test, Township Zoning Officer
44 Walnut Springs Road
York, PA 17406

RE: Wrightsville Assembly of God Church
Sketch Plan
Hellam Township, York County, PA
Engineer's Project No. 1253.3.01.06

Dear Mr. Test:

I have reviewed the above-referenced Sketch Plan and offer the following general comments:

Summary of information provided for review is as follows:

- Sketch Plan for Wrightsville Assembly of God Church, prepared by ELA Group, Inc., dated April 29, 2024.

I. General Comments:

1. Churches within the Mixed Use 2 Zoning district are a permitted use only via the conditional use process.
2. The plan sheet calls out specific phase of the project, is it the intention of the Applicant to submit the eventual formal Land Development plan as a phase plan?
3. All uses within the Mixed Use 2 Zoning district are required to be provided with public water and sewer and to also provide adequacy of sewage disposal and are to provide written documentation of PA DEP planning module approval or acceptance of sewage planning waiver.
4. A minimum of 15-foot-wide landscape buffer is required along all property lines including street frontage.
5. A Traffic Impact Report will need to be submitted in accordance with Chapter 430, the Subdivision and Land Development.
6. Corner lots along the Lincoln Highway (S.R. 462) require 1,00 feet of frontage in order to create a new point of access.
7. Per the Subdivision and Land development ordinance, no vehicular access is permitted along an arterial street when alternative access is possible from a street of less classification.
8. Road widening for both Lincoln Highway and Bairs Mill Road will be required, along with Street Trees.
9. A fully developed interior landscape plan is required for the depicted parking facility.
10. A lighting plan will be required.
11. A buffer yard is required along the Lincoln Highway that is 100 feet form and parallel to the center line of the Lincoln Highway.
12. A Highway Occupancy permit from PennDOT is required for each of the proposed access drives along Lincoln Highway (SR 0462).



C.S. DAVIDSON, INC.

13. General review and approval of the proposed site access and fire protection facilities by the Fire Department will be required during the land development process.
14. A culvert exists under Lincoln Highway and discharges at the location of the proposed access drive.
15. It should be noted that the proposed project site contains an existing vegetated swale that conveys runoff from an outlet on the south side of Lincoln Highway and then flows southwest to a multi-barreled culvert under Bairs Mill Road. This swale and subsequent flow path to the Kruetz Creek has been a document stormwater management issue for many years. An extensive evaluation of this swale and watershed would be requested of any future land development plan.
16. It is understood that stormwater management facilities have not been fully designed at the sketch plan phase of the project. That being said the plan is calling for the addition of nearly 280, 000 square feet of impervious cover that will generate a significant volume of water to be captured and controlled based on the Township's stormwater management ordinance. The Applicant should provide some information regarding the anticipated from of stormwater management control along with approximate location.
17. An NPDES Permit will need to be acquired from PA DEP for the proposed activities. Additionally, it may be required that the Applicant discuss with PA Dep the need for any additional permitting required for the potential encapsulation and or redirecting of the existing vegetated swale.

If you have questions related to the enclosed information or require any clarification, please do not hesitate to contact me directly at (717) 814-4516 or cdp@csdavidson.com.

Respectfully,

Chad D. Peters, P.E.
Township Engineer

CDP/cdp

Copy to: File

K:\125330106\Correspondence\Letters-Reports\2024-05-20 Wrightsville Assembly Sketch Plan Review.docx



Hellam Township Planning Commission Variance Application Briefing

Application Number:	Z-2024-03	PC Meeting Date:	May 23, 2024
Applicant(s):	Jordan Good	Tax Map Parcel:	08-38A
Property Owner(s):	Jordan Good	Lot Size:	1.6 Acres
Property Location:	880 N Front St Ext	Zoning:	Rural Agricultural

Project Narrative:

The applicant is requesting a variance from the following:

§490-21-F(a) Restricted Development Overlay Steep Slopes. Slopes exceeding 25%

Construction of a residential structure with a switchback driveway on a steeply sloped lot (over 25% grade). This development requires a variance due to the constraints imposed by the slope, which exceeds the zoning ordinance limits for building on steep slopes.

Attached Exhibits:

- A. Zoning Hearing Application received April 25, 2024
 - B. Letter from Timber Ridge Homes LLC for land area with slopes greater than 25%
-

Property Characteristics:

- 1. The subject property contains about 1.6 acres located in the Rural Agricultural Zone.
- 2. The subject property is currently an unimproved parcel.
- 3. Applicant provided information that 21% of the parcel area has slopes less than 25% which equals 14,637 square feet.
- 4. Adjacent properties:

	Use	Zoning
North	Residential	RA
South	Residential	RA
West	Unimproved/Agriculture	RA
East	Residential	RA

Variance Provisions

According to the variance application submitted, the applicant reports the following:

- 1. **The nature of the unique physical circumstances or conditions peculiar to the property in question and not shared by other properties in the vicinity.** The property is uniquely affected by a steep slope exceeding 25% grade, not commonly found in neighboring properties. This necessitates special construction approaches like a switchback driveway and a retaining wall for stability.
- 2. **Why there is no possibility that the applicant can develop or make reasonable use of the property in strict conformity with the provisions of the Zoning Ordinance.** Compliance with the strict zoning regulations would prevent reasonable use of the property for residential purposes due to the steep slope, making construction of a standard driveway and house placement

impossible without modifications.

3. **Why the unnecessary hardship has not been created by the applicant.** The unnecessary hardship arises from the inherent natural topography of the property, specifically its steep slope. This was an existing condition prior to the purchase and not a result of any action taken by the applicant.
4. **Why the variance, if authorized, will not alter the essential character of the zone or neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property, nor be detrimental to the public welfare.** The variance will allow the undeveloped parcel to improved with a residential structure which is keeping with the essential character of the neighborhood.
5. **Why the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue.** The requested variance is limited to adjustments necessary to accommodate the unique topographical challenges of the property. It represents the least modification necessary for the reasonable use of the property.
6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.** The parcel is not located in the floodplain

Information:

1. The lot coverage is 13.7% with the building dimensions provided.

This briefing represents the views and comments of the Hellam Township staff only and should not be construed as a final approval or denial of this application. The Zoning Hearing Board Members may have additional questions and/or comments with regard to this proposal. The applicant and/or his/her representative should be prepared to address comments or concerns raised by the Zoning Hearing Board Members.



FOR TOWNSHIP USE ONLY		
ZONING CASE #	_____	
Application Filed	<u>25 Apr 2024</u>	Planning Commission _____
Hearing Advertised	_____	ZHB/BOS Hearing _____
Notices Mailed	_____	Decision Rendered _____
Site Posted	_____	Notification Sent _____

APPLICATION FOR HEARING

A. APPLICANT'S NAME: Jordan Good
 ADDRESS: 223 Owl Hill Rd, Litz Pa, 17543
 PHONE NUMBER: 717 - 304-6574 EMAIL ADDRESS goodjordan840@gmail.com

B. PROPERTY OWNER'S NAME
 (If different than applicant): _____
 ADDRESS: _____
 PHONE NUMBER: _____

C. CONSULTANT'S NAME
 (If different than applicant): _____
 ADDRESS: _____
 PHONE NUMBER: _____ EMAIL ADDRESS _____

D. Tax Map: Eastern York county Parcel: 31-000-08-0038-A0-00000 Zoning District: Hellam Township
 Property Address: 880 N Front St, Wrightsville Pa 17368
 Date purchased: 3/25/24
 Lot size: acres 1.62 - or - _____ sq. ft.
 Present use: vacant lot
 Proposed use: Single family Home
 Date of previous application (if any): _____

- E. Please choose the following:
- | | | |
|--|---|---|
| <input type="radio"/> APPEAL
(Refer to Section 1) | <input type="radio"/> CONDITIONAL USE
(Refer to Section 2) | <input checked="" type="radio"/> VARIANCE
(Refer to Section 3) |
| | <input type="radio"/> SPECIAL EXCEPTION
(Refer to Section 2) | <input type="radio"/> OTHER - Curative or
Zoning Amendment
(Refer to Section 4) |

**SECTION 1
REQUEST FOR AN APPEAL
(REFER TO ZONING ORDINANCE SECTION 490-143.D)**

Appeal of the Zoning Officer or Municipal Engineer's determination, dated _____, regarding Section(s) _____ of the Zoning Ordinance.

Basis for appeal by applicant:

Lined area for writing the basis of the appeal.

_____ Date

* If other than property owner, authorization from owner to sign must be attached.

SECTION 2

REQUEST FOR SPECIAL EXCEPTION
(REFER TO ZONING ORDINANCE SECTION 490-143.B)

OR

REQUEST FOR CONDITIONAL USE
(REFER TO ZONING ORDINANCE SECTION 490-152)

Applicant must provide the following information:

- Name of specific sections of the Zoning Ordinance under which application is being filed:

- Brief description of proposed use:

- Attach scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of the Zoning Ordinance. For Conditional Use applications for residential uses, show those areas of a lot or lots that can be built upon, in lieu of actual building placement.
- Ground floor plans and elevations of any proposed structures (excluding residential structures).
- Attach list of names and addresses of adjoining property owners including properties across a public right-of-way.
- Give a brief explanation of how the proposed use will:
 - A. Comply with all applicable provisions and be consistent with the purpose and intent of the Zoning Ordinance:

- B. Not detract from the use and enjoyment of adjoining or nearby properties:

- C. Not substantially change the character of the subject property's neighborhood:

D. Have adequate public facilities available to serve the proposed use (e.g., schools, fire, police, and ambulance protection; sewer, water, and other utilities; vehicular access, etc.)

E. Comply with requirements for development within the Floodplain Overlay Zone listed in Section 490-12 of the Zoning Ordinance:

F. Comply with those criteria specifically listed in Article 4 and all other applicable regulations contained in the Zoning Ordinance:

G. Not substantially impair the integrity of the Township's Comprehensive Plan:

I hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

* Signature

Date

* If other than property owner, authorization from owner to sign must be attached.

**SECTION 3
REQUEST FOR VARIANCE
(REFER TO ZONING ORDINANCE SECTION 490-143.C)**

Applicant must provide the following information:

- Name of specific sections in Zoning Ordinance for which Variance is requested:

We would like to apply for a Variance for zoning Ordinance Section 490-143.C section F. (1)

Conservation of Steeply Sloped Lands.

- Brief description of nature of Variance requested:

Requesting a variance to construct a residential structure with a switchback driveway on a lot with a slope exceeding 25% grade,

which exceeds the limits set by the zoning ordinance for building on steep slopes.

- A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Ordinance.
- Ground floor elevations of existing and/or proposed structures (excluding residential structures).
- Names and addresses of adjoining property owners, including property owners directly across a public right-of-way.
- If it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant due to unique physical circumstances or conditions peculiar to the property, then briefly explain or describe:

- A. The nature of the unique physical circumstances or conditions peculiar to the property in question and not shared by other properties in the vicinity:

The property is uniquely affected by a steep slope exceeding 25% grade, not commonly found in neighboring properties, necessitating special construction approaches like a switchback driveway and a retaining wall for stability on the building structure

Strict compliance with the zoning regulations would prevent the reasonable use of the property for residential purposes due to the steep slope, making construction of a standard driveway and house placement impossible without modifications.

The hardship is due solely to the natural topography of the lot, and has not been created by any previous development or modifications by the applicant.

Granting this variance will not alter the essential character of the neighborhood, as the design incorporates elements like a retaining wall for minimal grading and a landscaped driveway to blend with the natural environment, nor will it impair the use of adjacent properties.

- B. Why there is no possibility that the applicant can develop or make reasonable use of the property in strict conformity with the provisions of the Zoning Ordinance:

The property is characterized by a steep slope of over 25% grade, which severely limits the type of construction possible without modifications to the standard building requirements. The slope's severity restricts the feasible locations for building a structure and installing a driveway. Compliance with the strict letter of the zoning ordinance would render the property unusable for residential purposes, as a traditional, straight driveway would have a gradient that is both unsafe and impractical for vehicular access, and the house placement would either impinge on setback limits or require extensive and environmentally damaging earthworks."

C. Why the unnecessary hardship has not been created by the applicant:

The unnecessary hardship arises from the inherent natural topography of the property, specifically its steep slope, which was an existing condition prior to purchase and not a result of any actions taken by the applicant. The challenging gradient and the configuration of the lot have necessitated seeking a variance as there has been no modification to the terrain or other environmental factors by the applicant that would contribute to the existing conditions.

D. Why the Variance, if authorized, will not alter the essential character of the zone or neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property, nor be detrimental to the public welfare:

The proposed construction would be build off a retaining wall, and the driveway to the structure would include a switchback driveway and is designed to integrate harmoniously with the natural landscape, minimizing environmental impact and maintaining the aesthetic character of the neighborhood. The design ensures that the variance will not obstruct views, decrease property values, or alter the use of adjacent properties. Furthermore, the development will comply with all other zoning requirements regarding utilities, access, and safety, ensuring no detriment to the public welfare.

E. Why the Variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue:

The requested variance is strictly limited to adjustments necessary to accommodate the unique topographical challenges of the property. The switchback driveway is essential for safe access, and the retaining walls are minimal but necessary to ensure the stability of the construction on the slope. No additional concessions beyond what is essential to make the property usable are being requested, ensuring this represents the minimal necessary alteration to existing zoning regulations.

F. How the Variance, if within the Floodplain Overlay Zone, will comply with the Section 490-19 of the Zoning Ordinance:

I hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.



* Signature

4/25/24

Date

* If other than property owner, authorization from owner to sign must be attached.

**SECTION 4
REQUEST FOR A ZONING OR CURATIVE AMENDMENT
(REFER TO ZONING ORDINANCE SECTION 490-151)**

Present Use _____ Proposed Use _____

Statement explaining need for amendment:

Additional Information Requested for Zoning Amendment (Rezoning):

- Legal description of property or proposed zoning district
- Names and addresses of owners of property within 500 feet of the boundaries of the area requested for zoning amendment.

* Signature _____
Date

* If other than property owner, authorization from owner to sign must be attached.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

*Application #: _____

APPLICATION FOR AN ON-LOT SEWAGE SYSTEM PERMIT

(Please PRINT using ALL CAPS, If completing a paper copy.)

PART I. APPLICANT AND SITE INFORMATION

<p>1. Applicant: Name: <u>Jordan Good</u> Address: <u>223 Owl hill Rd</u> City: <u>Lititz</u> Pa State <u>17543</u> Zip Telephone # Preferred <input type="checkbox"/> Home/Work Preferred <input checked="" type="checkbox"/> Cell (717) 304-6574 Email Address <u>goodjordan840@gmail.com</u></p>	<p>2. Site: Address: <u>880 N Front St.</u> Street or Route # City: <u>Wrightsville</u> PA State <u>17368</u> Zip Subdivision Name _____ Lot # _____ Municipality: <u>Hellam</u> York County Tax Parcel # <u>31-000-08-0038-A0-00000</u></p>
<p>3. Direction to the Site: <u>Lot has road frontage on front st. and is more accessible on the left side of the lot.</u></p>	

<p>4. Lot Size: <u>1.62</u> acres</p>	<p>5. Type of Facility to be Served by the System: <input type="checkbox"/> Single-family Residential <input type="checkbox"/> Multi-family Residential <input type="checkbox"/> System or Component Modification <input type="checkbox"/> System or Component Repair <input type="checkbox"/> Commercial/Non-residential # of Bedrooms _____ Design Flow _____ gal/day</p>
<p>6. Type of Permit: <input type="checkbox"/> New Construction <input type="checkbox"/> System or Component Repair <input type="checkbox"/> System or Component Modification <input type="checkbox"/> BTG (use only with repair)</p>	
<p>7. Facility Water Supply: <input type="checkbox"/> Public Authority <input type="checkbox"/> Well <input type="checkbox"/> Spring <input type="checkbox"/> Cistern <input type="checkbox"/> Surface</p>	
<p>8. Distance to the Nearest Water Supply (existing or proposed as listed in # 7, on or off the property): _____ ft. <input type="checkbox"/> Well Isolation Distance Exemption</p>	
<p>9. Chapter 102 Requirements: Permit or coverage under Chapter 102 Erosion and Sedimentation Control: <input type="checkbox"/> Required <input type="checkbox"/> Obtained</p>	

PART II. LOCAL AGENCY USE ONLY

<p>10. Sewage Planning <input type="checkbox"/> Approved Planning Module DEP Code # _____ Date _____ <input type="checkbox"/> No Planning Required (lot created before May 15, 1972) <input type="checkbox"/> Area Not Planned (lot created between May 15, 1972 and June 10, 1989) <input type="checkbox"/> Limitations in Effect _____</p>	<p>12. Site Suitability NRCS Soil Series _____ Slope (steepest within the absorption area or spray field) _____ % Type of Limiting Zone _____ Depth to Limiting Zone _____ inches Land Use (for IRSIS only) (see 25 Pa. Code § 73.163) _____</p>	<p>13. Application Actions and Dates</p> <table style="width:100%;"> <tr> <td><input type="checkbox"/> Application Received</td> <td>_____ / _____ / _____</td> </tr> <tr> <td><input type="checkbox"/> Complete Application</td> <td>_____ / _____ / _____</td> </tr> <tr> <td><input type="checkbox"/> Permit Issued</td> <td>_____ / _____ / _____</td> </tr> <tr> <td><input type="checkbox"/> Permit Denied</td> <td>_____ / _____ / _____</td> </tr> <tr> <td><input type="checkbox"/> Interim Inspection</td> <td>_____ / _____ / _____</td> </tr> <tr> <td><input type="checkbox"/> Interim Inspection</td> <td>_____ / _____ / _____</td> </tr> <tr> <td colspan="2">Final Inspection: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved</td> </tr> <tr> <td colspan="2">_____ / _____ / _____</td> </tr> <tr> <td><input type="checkbox"/> Unsuitable for an on-lot sewage system. Reason:</td> <td>_____</td> </tr> <tr> <td><input type="checkbox"/> Revoked Permit</td> <td>_____ / _____ / _____</td> </tr> <tr> <td colspan="2">Reason for Revocation: _____</td> </tr> </table>	<input type="checkbox"/> Application Received	_____ / _____ / _____	<input type="checkbox"/> Complete Application	_____ / _____ / _____	<input type="checkbox"/> Permit Issued	_____ / _____ / _____	<input type="checkbox"/> Permit Denied	_____ / _____ / _____	<input type="checkbox"/> Interim Inspection	_____ / _____ / _____	<input type="checkbox"/> Interim Inspection	_____ / _____ / _____	Final Inspection: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		_____ / _____ / _____		<input type="checkbox"/> Unsuitable for an on-lot sewage system. Reason:	_____	<input type="checkbox"/> Revoked Permit	_____ / _____ / _____	Reason for Revocation: _____	
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<p>11. Fees Paid</p> <table style="width:100%;"> <tr> <td>Application</td> <td>\$ _____</td> </tr> <tr> <td>Testing</td> <td>\$ _____</td> </tr> <tr> <td>Inspection(s)</td> <td>\$ _____</td> </tr> <tr> <td>Other</td> <td>\$ _____</td> </tr> <tr> <td>Total</td> <td>\$ _____</td> </tr> </table>	Application	\$ _____	Testing	\$ _____	Inspection(s)	\$ _____	Other	\$ _____	Total	\$ _____														
Application	\$ _____																							
Testing	\$ _____																							
Inspection(s)	\$ _____																							
Other	\$ _____																							
Total	\$ _____																							

PART III. SYSTEM DESIGN		
14. System or Component Classification <input type="checkbox"/> Conventional <input type="checkbox"/> Experimental <input type="checkbox"/> Alternate Classification #A _____ Classification #A _____ Classification #A _____	15. Treatment/Tankage <input type="checkbox"/> Septic Tank _____ gal. <input type="checkbox"/> Aerobic Tank _____ gal. <input type="checkbox"/> Holding Tank _____ gal. <input type="checkbox"/> Equalization Tank _____ gal. <input type="checkbox"/> Privy Vault _____ gal. <input type="checkbox"/> Nitrogen Reduction _____ gal. <input type="checkbox"/> Other _____ (list) _____ gal.	16. Type of Filter <input type="checkbox"/> Buried Sand (IRSIS only) <input type="checkbox"/> Free Access (IRSIS only) <input type="checkbox"/> Other Media _____ <input type="checkbox"/> Effluent
17. Type of Disinfection Does the system use disinfection? <input type="checkbox"/> No <input type="checkbox"/> Yes Type _____	18. Effluent Distribution <input type="checkbox"/> Pressure <input type="checkbox"/> Pump (Electric) <input type="checkbox"/> Pump (Pneumatic) <input type="checkbox"/> Siphon <input type="checkbox"/> Gravity	19. Absorption Area Absorption Area Size: _____ sq. ft. <input type="checkbox"/> Elevated Sand Mound Beds <input type="checkbox"/> Elevated Sand Mound Trenches <input type="checkbox"/> Standard Trench <input type="checkbox"/> Seepage Bed <input type="checkbox"/> IRSIS <input type="checkbox"/> Drip Dispersal <input type="checkbox"/> At-Grade <input type="checkbox"/> Other _____
20. Other Toilets <input type="checkbox"/> Chemical Toilet <input type="checkbox"/> Incinerating Toilet <input type="checkbox"/> Composting Toilet <input type="checkbox"/> Recycling Toilet	21. Attach the Following Documentation Soil Tests - Copies of all 3850-FM-BCW0290A forms (and B, or morphological evaluation report when required, See Part II). Design Plan - A detailed sewage system design (including cross sections, plan reviews and comments) and plot plan. See instructions for required details. On-lot Sewage System Design Report - A report containing a detailed description of the selected system design. See instructions for contents. Other - Copies of any other documentation that is required when the conditions identified in any of the above sections are met, such as but not limited to: well isolation distance waiver, proof of authorized agent; reason for revocation; comments on special conditions not specifically covered. Pages - Indicate the total # of pages attached to this form _____.	
PART IV. SIGNATURES		
12. Owner's Authorization (to be completed when applying for permit) I am the owner of record (or the authorized agent of the owner) of the lot described in Part I of this application. I intend to install an on-lot sewage system on this property. The information provided as part of this application is true and correct to the best of my knowledge. I understand that providing false information on this application is subject to the penalties of 18 PA C.S.A. § 4904, relating to unsworn falsification to authorities. Submission of this form grants authorized representatives from the local agency and DEP access to the lot to inspect and conduct tests of 1) the site; 2) the system and structures under construction; 3) the completed sewage system; and, 4) the operational status of the system. Property Owner's Signature _____ Date <u>4/25/24</u>		
13. SEO's Review (to be completed when the form is initially reviewed for the issuance of a permit) I am currently a Local Agency SEO for the jurisdiction encompassing the lot identified in this permit application and my SEO certification is current. The information in this application is true and correct to the best of my knowledge. SEO's Signature _____ Date _____ Certification No. _____		
14. SEO's Final Inspection (to be completed after final site inspection) I certify that I have inspected the final installation of the system proposed and permitted in this form. Based on my inspection, the system complies with the proposed and permitted system as reflected in this document and complies with the relevant portions of Pennsylvania's Sewage Facilities Act, and its implementing regulations. SEO's Signature _____ Date _____ Certification No. _____		

*See the instructions for completion of this form and to get direction on how to generate the application number.



HEARING APPLICATION & INSTRUCTIONS

An "APPLICATION FOR HEARING" form must be filled out completely and filed with the Township Zoning Officer for a hearing.

- 1) The Township strongly encourages scheduling a pre-application meeting with the Zoning Officer prior to submitting an application.
- 2) Only completed applications will be scheduled for a hearing. A completed application will be typed or written ink, legible and contain the following:
 - a) **Application (12 copies required):**
 - i) Complete all information for each item in sections A, B, C, and D on page 2 of the application.
 - ii) Complete the appropriate section(s) (1, 2, 3, or 4) depending on your request. **DO NOT LEAVE ANY INFORMATION BLANK.**
 - iii) The property owner must sign and date the appropriate section(s) of the application. If the applicant is using a representative, a signed letter must be attached indicating the right of the representative to make decisions for the property owner.
 - b) **Site Plan (12 copies required):**
 - i) Location and use of open spaces and structures and other improvements on the lot. Identifying required and existing setbacks, dimension of buildings, and lot coverage.
 - ii) The names, widths, and right-of-way of abutting streets and highways.
 - iii) Proposed off-street parking and loading areas, access drives, and walks.
 - iv) It is preferred to have a plan size no larger than 11" x 17". Larger plans may be submitted, but reduced copies must also be provided.
 - v) No rolled plans will be accepted.
 - c) **Additional information (12 copies required):**
 - i) Building plans, ground floor plans and elevations of existing and/or proposed (if applicable).
 - ii) Photographs showing site conditions.
 - d) **Names and addresses of adjoining property owners**, including properties across a public right-of-way and cater-corner from the property.
 - e) **Filing fee (this must be paid at the time of filing the application).**
 - i) An Appeal, Special Exception, Conditional Use or Variance is **\$500.00**. Each additional variance request for the same property is **\$100.00**. Up to a maximum of **\$750.00**.
 - ii) A Curative or Zoning Amendment is **\$750.00**
 - iii) Sign deposit of **\$200** per sign. This will be returned to you as long as the signs are returned to the Township.
 - iv) The fee will be returned only if the Application for Hearing is withdrawn within twenty-four (24) hours of submission.
 - v) These fees help to offset the cost of required notifications.
- 3) Once all items are complete, the applicant will be notified of the scheduled hearing date.
 - a) The Planning Commission meets on the 2nd Thursday of the month at 6:00 pm.
 - b) The Zoning Hearing Board meets on the 4th Tuesday of the month at 6:00 pm.
 - c) The Board of Supervisors meets on the 1st and/or 3rd Thursday of the month at 6:30 pm.



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APPLICATION FOR HEARING

FOR TOWNSHIP USE ONLY			
ZONING CASE # <u>Z-2024-03</u>			
Application Filed	<u>25 April 2024</u>	Planning Commission	<u>9 May 24</u>
Hearing Advertised	_____	ZHB/BOS Hearing	<u>25 June 24</u>
Notices Mailed	_____	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: Jordan Good
ADDRESS: 223 Owl Hill Rd. Lititz Pa. 17543
PHONE NUMBER: 717 - 304-6574 **EMAIL ADDRESS** goodjordan840@gmail.com

B. PROPERTY OWNER'S NAME
 (If different than applicant): _____
ADDRESS: _____
PHONE NUMBER: _____

C. CONSULTANT'S NAME
 (If different than applicant): _____
ADDRESS: _____
PHONE NUMBER: _____ **EMAIL ADDRESS** _____

D. Tax Map: Eastern York county **Parcel:** 31-000-08-0038-A0-00000 **Zoning District:** Hellam Township
Property Address: 880 N Front St. Wrightsville Pa 17368
Date purchased: 3/26/24
Lot size: acreage 1.62 - or - _____ **sq. ft.**
Present use: vacant lot
Proposed use: Single family Home
Date of previous application (if any): _____

- E. Please choose the following:**
- | | | |
|---|--|---|
| <input type="radio"/> APPEAL
(Refer to Section 1) | <input type="radio"/> CONDITIONAL USE
(Refer to Section 2) | <input checked="" type="radio"/> VARIANCE
(Refer to Section 3) |
| | <input type="radio"/> SPECIAL EXCEPTION
(Refer to Section 2) | <input type="radio"/> OTHER – Curative or Zoning Amendment
(Refer to Section 4) |

**SECTION 1
REQUEST FOR AN APPEAL
(REFER TO ZONING ORDINANCE SECTION 490-143.D)**

Appeal of the Zoning Officer or Municipal Engineer's determination, dated _____, regarding
Section(s) _____ of the Zoning Ordinance.

Basis for appeal by applicant:

Lined area for writing the basis for appeal.

* Signature Date

* If other than property owner, authorization from owner to sign must be attached.

SECTION 2

REQUEST FOR SPECIAL EXCEPTION
(REFER TO ZONING ORDINANCE SECTION 490-143.B)

OR

REQUEST FOR CONDITIONAL USE
(REFER TO ZONING ORDINANCE SECTION 490-152)

Applicant must provide the following information:

- Name of specific sections of the Zoning Ordinance under which application is being filed:

- Brief description of proposed use:

- Attach scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of the Zoning Ordinance. For Conditional Use applications for residential uses, show those areas of a lot or lots that can be built upon, in lieu of actual building placement.
- Ground floor plans and elevations of any proposed structures (excluding residential structures).
- Attach list of names and addresses of adjoining property owners including properties across a public right-of-way.
- Give a brief explanation of how the proposed use will:
 - A. Comply with all applicable provisions and be consistent with the purpose and intent of the Zoning Ordinance:

- B. Not detract from the use and enjoyment of adjoining or nearby properties:

- C. Not substantially change the character of the subject property's neighborhood:

D. Have adequate public facilities available to serve the proposed use (e.g., schools, fire, police, and ambulance protection; sewer, water, and other utilities; vehicular access, etc.)

E. Comply with requirements for development within the Floodplain Overlay Zone listed in Section 490-12 of the Zoning Ordinance:

F. Comply with those criteria specifically listed in Article 4 and all other applicable regulations contained in the Zoning Ordinance:

G. Not substantially impair the integrity of the Township's Comprehensive Plan:

I hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

* Signature _____
Date

* If other than property owner, authorization from owner to sign must be attached.

**SECTION 3
REQUEST FOR VARIANCE
(REFER TO ZONING ORDINANCE SECTION 490-143.C)**

Applicant must provide the following information:

- Name of specific sections in Zoning Ordinance for which Variance is requested:

We would like to apply for a Variance for zoning Ordinance Section ~~490-143.C~~ section F. (1)

~~Conservation of Steeply Sloped Lands.~~ §490-21-F9(a) Restricted Development Overlay Steep Slopes. Slope greater than 25%

- Brief description of nature of Variance requested:

Requesting a variance to construct a residential structure with a switchback driveway on a lot with a slope exceeding 25% grade, which exceeds the limits set by the zoning ordinance for building on steep slopes.

- A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Ordinance.
- Ground floor elevations of existing and/or proposed structures (excluding residential structures).
- Names and addresses of adjoining property owners, including property owners directly across a public right-of-way.
- If it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant due to unique physical circumstances or conditions peculiar to the property, then briefly explain or describe:
 - A. The nature of the unique physical circumstances or conditions peculiar to the property in question and not shared by other properties in the vicinity:

The property is uniquely affected by a steep slope exceeding 25% grade, not commonly found in neighboring properties, necessitating special construction approaches like a switchback driveway and a retaining wall for stability on the building structure

Strict compliance with the zoning regulations would prevent the reasonable use of the property for residential purposes due to the steep slope, making construction of a standard driveway and house placement impossible without modifications.

The hardship is due solely to the natural topography of the lot, and has not been created by any previous development or modifications by the applicant.

Granting this variance will not alter the essential character of the neighborhood, as the design incorporates elements like a retaining wall for minimal grading and a landscaped driveway to blend with the natural environment, nor will it impair the use of adjacent properties.

- B. Why there is no possibility that the applicant can develop or make reasonable use of the property in strict conformity with the provisions of the Zoning Ordinance:

The property is characterized by a steep slope of over 25% grade, which severely limits the type of construction possible without modifications to the standard building requirements. The slope's severity restricts the feasible locations for building a structure and installing a driveway. Compliance with the strict letter of the zoning ordinance would render the property unusable for residential purposes, as a traditional, straight driveway would have a gradient that is both unsafe and impractical for vehicular access, and the house placement would either impinge on setback limits or require extensive and environmentally damaging earthworks."

C. Why the unnecessary hardship has not been created by the applicant:

The unnecessary hardship arises from the inherent natural topography of the property, specifically its steep slope, which was an existing condition prior to purchase and not a result of any actions taken by the applicant. The challenging gradient and the configuration of the lot have necessitated seeking a variance as there has been no modification to the terrain or other environmental factors by the applicant that would contribute to the existing conditions.

D. Why the Variance, if authorized, will not alter the essential character of the zone or neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property, nor be detrimental to the public welfare:


The proposed construction would be build off a retaining wall, and the driveway to the structure would include a switchback driveway and is designed to integrate harmoniously with the natural landscape, minimizing environmental impact and maintaining the aesthetic character of the neighborhood. The design ensures that the variance will not obstruct views, decrease property values, or alter the use of adjacent properties. Furthermore, the development will comply with all other zoning requirements regarding utilities, access, and safety, ensuring no detriment to the public welfare.

E. Why the Variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue:

The requested variance is strictly limited to adjustments necessary to accommodate the unique topographical challenges of the property. The switchback driveway is essential for safe access, and the retaining walls are minimal but necessary to ensure the stability of the construction on the slope. No additional concessions beyond what is essential to make the property usable are being requested, ensuring this represents the minimal necessary alteration to existing zoning regulations.

F. How the Variance, if within the Floodplain Overlay Zone, will comply with the Section 490-19 of the Zoning Ordinance:

I hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.


* Signature

4/25/24
Date

* If other than property owner, authorization from owner to sign must be attached.

**SECTION 4
REQUEST FOR A ZONING OR CURATIVE AMENDMENT
(REFER TO ZONING ORDINANCE SECTION 490-151)**

Present Use _____ Proposed Use _____

Statement explaining need for amendment:

Additional Information Requested for Zoning Amendment (Rezoning):

- Legal description of property or proposed zoning district
- Names and addresses of owners of property within 500 feet of the boundaries of the area requested for zoning amendment.

* Signature

Date

*** If other than property owner, authorization from owner to sign must be attached.**



Timber Ridge Homes LLC

*Quality Built Custom Homes
& Renovations*

513 Ridge Avenue • Ephrata, PA 17522

PA#001071

Helam Township
35 Walnut Springs Rd
York PA 17406

May 17 2024

Subject lot Address
880 N Front St EXT D
Wrightsville PA

Upon doing onsite lot surveying on the lot located at 880 N Front St EXT D, there is approximately 21% of area that has a slope less than 25% which equals to around 15,000 sq ft.

Erik Zelset

A handwritten signature in red ink, appearing to read 'Erik Zelset', is written over a horizontal line.

Zoning Department Summary April 2024

PERMIT APPLICATIONS: (Prior year listed in ())	
<ul style="list-style-type: none"> • Received: 15 (13) • Issued: 14 (12) • In process: 1 	<ul style="list-style-type: none"> • Denied: 0 • YTD Issued: 44 (59)
COMPLAINTS:	
<ul style="list-style-type: none"> • Complaints/violations: 2 • Resolved: 1 	<ul style="list-style-type: none"> • Carried Over: 3 • YTD Complaints/Violations Submitted: 5
OLDS PUMPING COMPLETE:	
District 2: 324/343 (94%)	District 3: 85/294 (29%)
ZONING CASES:	
<ul style="list-style-type: none"> • <u>Z-2024-03</u>: Variance 880 N Front St Ext 	
SALDO CASES:	
PENDING ORDINANCES/RESOLUTIONS:	
<ul style="list-style-type: none"> • None 	

OLDS	1	2	3	4
REPORT YEAR	2022	2023	2024	2025
Pumped	391	316	84	21
New System	1	3	0	0
Exemption	4	2	0	0
Vacant/Fore	2	3	1	0
Total	398	324	85	21
# OLDS/District	405	343	294	578
% Complete	98%	94%	29%	4%
Issues identified				

NOTE:

District 1 –

District 2 – Reminder postcards mailed 9/7/23, Final Notice mailed 3/14/24

District 3 – Reminder postcards mailed 3/14/24

District 4 –

Septic Permits Issued –

110 Ducktown Road – New System

6554 Shimmel Lane – New System

1480 Tower Road – New System

880 N Front St – New System

Exemption Requests – none

Notification Schedule

February '24: District 3 Initial Letter

February '24: District 2 Final

Postcard Reminder

Spring '24: District 2 Final

Notice/Violation Letter

Summer '24: District 3 Reminder

Postcard