



Hellam Township Planning Commission
November 14, 2024
6:00 P.M.

1. Opening Agenda

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

2. Minutes Approval

- A. October 24, 2024 draft meeting minute

3. New Business

- A. Sewer Planning Module, Woodshead Ter. Lot #7, Joseph Kiely
- B. Z-2024-05 – Variance 100 Shannon Lane, Jennifer & Brandon Stanchock

4. Old Business

- A. Short-Term Rental Ordinance review (started Oct 24, 2024)

5. Ongoing Business for Future Meetings

- A. EAC Checklist
- B. Riverland 1&2 Ordinance
- C. Logistics/Warehouse Ordinance
- D. Understanding the Township (review of prior research and tasks to continue and validate research)

6. Upcoming Meetings

Next Planning Commission Meeting – December 12, 2024

7. Adjournment

Zoom Log In

Meeting ID: 634 220 1697

Password: Hellam44

**HELLAM TOWNSHIP
PLANNING COMMISSION MEETING
Minutes of October 24, 2024**

The meeting was called to order at 6:00 PM by Chairman Devin Winand. The meeting was held at the Hellam Township Municipal Building. Chairman Winand led the Pledge of Allegiance. Other members present were Michael Shillott, Bob Searer, John Kokiko, Chris Atland, and Steve Fetrow. Other attendees included Jason Test, Zoning Officer, and Kate Nopulos, Admin.

Minutes Approval:

- Discussion on the minutes from the October 10th meeting.
- Amendment suggested: "60 days" should be revised to "60 continuous days" under the solar ordinance.
- A motion was made by Mike Shillott to approve the minutes with the amendment. Motion was seconded by John Kokiko and passed unanimously with the amendment.

New Business:

Short-Term Rental (STR) Ordinance Review

Background: Ordinance initially approved after extensive discussion. Concerns have since been raised by residents regarding the ordinance's provisions and enforcement.

Emphasis on maintaining constructive discussion and recognition of the advisory committee's role.

- **Review of Resident Concerns**
 - Document Review: Multiple lists of concerns from residents were presented for clarity.
 - Procedure: Agreement to review each document line by line, mark relevant items for discussion, and prioritize actionable items.
- **Key Topics for STR Ordinance Amendments**
 - Privacy and Safety: Distance and setback requirements, proximity of STRs to neighbors, and occupancy limits were discussed.
 - Flood Zones: The possibility of restricting STRs in flood-prone areas.
 - Violation Tracking: Agreement to establish limits on the number of permissible violations before revocation of the STR license.
 - Owner Proximity: Consideration for adjusting the required proximity of STR owners or managers to properties.
 - Inspection Frequency: Suggestion to mandate more frequent inspections for safety compliance upon license renewal.
 - Trespassing Concerns: Addition of trespassing as a specific nuisance under the ordinance for enforceability.

- **Public Commentary**
 - Residents raised concerns about specific incidents, such as trespassing, noise, and environmental impact on neighboring properties due to STR usage.
 - Discussed residents' responsibilities versus municipal enforcement, emphasizing the need for direct police reporting for immediate issues.
- **Action Items**
 - Committee will continue reviewing potential ordinance adjustments based on resident input.
 - Consider further defining conditional use permits for STRs, particularly in areas with high community impact.
 - Address nuances in nuisance definitions to ensure actionable and enforceable guidelines.

Motion to adjourn passed, and the meeting concluded at approximately 7:46 PM.

Respectfully submitted,

Jason Test
Zoning Officer



October 15, 2024

Hellam Township Board of Supervisors
35 Walnut Springs Road
York, PA 17406

Re: Denial Letter – Technically Deficient Application
Act 537 Planning – Component 3s Revision
Joseph T. Kiely
DEP CODE NO. A3-67929-241-3s
APS ID No. 1123447, AUTH ID No. 1502577
Hellam Township, York County

Dear Supervisors:

The Department of Environmental Protection (DEP) has reviewed the above referenced application and determined that it continues to be technically deficient. The applicant failed to provide sufficient information and supporting documentation as required by Act 537, The Clean Streams Law (CSL), and regulations promulgated thereunder, for DEP to conduct a technical review and act upon the application, and it is therefore denied. This information required is as follows:

Technical Deficiencies

1. The Pennsylvania Natural Diversity Index (PNDI) search included with the planning submission predates March 31, 2023, and does not ensure screening sensitive to the listing change for the Northern Long-Ear Bat. The United States Fish & Wildlife Service (USFWS) issued a final rule on March 31, 2023, to reclassify the federal listing of the Northern Long-Ear Bat as an Endangered Species under the Endangered Species Act. The Northern Long-Eared Bat, listed as Threatened in 2015, now faces extinction due to the range-wide impacts of the white-nose syndrome, a deadly disease affecting hibernating bats across North America. Habitat screening for the Northern Long-Eared Bat is now required in all counties of the Commonwealth of Pennsylvania and must be completed by the applicant using the PNDI environmental review within the Pennsylvania Conservation Explorer. To ensure your project considers potential impacts to this federally listed species, the U.S. Army Corps of Engineers is requiring projects reviewed prior to March 31, 2023, to be re-screened.
2. The planning submission lacks documentation of site conditions, particularly slope, that cause the lot in question to not be suitable for on-lot sewage disposal.

3. The planning submissions does not have a copy of the public notice, which is required in Section O of the Component 3s and by Chapter 71, Section 71.53(d)(6) for new land development submissions.
4. The planning submission fails to address operation and maintenance of the proposed Small Flow Treatment Facility as required by Section Q.1 of the Component 3s and by Chapter 71, Section 71.64.(c)(5).
5. For any future submission of this project, the planning review fee, as required by Section R of the Component 3s and by Chapter 71, Section 71.83(a)(4), will be:
$$1 \text{ proposed EDU} \times \$35/\text{EDU} = \$35$$

Any reconsideration of this project shall occur only if a complete and updated set of planning modules is submitted. The new DEP Code No. B3-67929-241-3s must be used. All materials must be newly adopted by resolution, and otherwise meet the requirements of Chapter 71 of DEP's regulations.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED

**WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF
NOTICE OF THIS ACTION.**

If you have any questions or concerns, please call Carrie Wilt at 717.705.4755, and refer to DEP Code No. A3-67929-241-3s, Application No. 1123447 and Authorization No. 1502577.

Sincerely,

Maria D. Bebenek, P.E. (electronically signed 10/15/2024)

Maria D. Bebenek, P.E.
Program Manager

cc: Joseph T. Kiely (pdf)
Keith Heigel, Light-Heigel & Associates, Inc. (pdf)
Patrick Buhl (pdf)
York County Planning Commission (pdf)



TRANSMITTAL LETTER FOR SEWAGE FACILITIES PLANNING MODULE

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) USE ONLY				
DEP CODE #	CLIENT ID #	SITE ID #	APS ID #	AUTH. ID #

TO: Approving Agency (DEP or delegated local agency)

Date May 1, 2024/Rev 10-18-24

PADEP

150 Roosevelt Ave. Suite 200

York, PA 17401

Dear Sir/Madam:

Attached please find a completed sewage facilities planning module prepared by Light-Heigel & Assoc., Inc.

(Name)

Engineering and Surveying

(Title)

for Joseph Kiely

(Name)

a subdivision, commercial, or industrial facility located in Hellam Township

York

(City, Borough, Township)

County.

Check one

- ☒ (i) The planning module, as prepared and submitted by the applicant, is approved by the municipality as a proposed ☐ revision ☒ supplement for new land development to its Official Sewage Facilities Plan (Official Plan), and is ☒ adopted for submission to DEP ☐ transmitted to the delegated LA for approval in accordance with the requirements of 25 Pa. Code Chapter 71 and the *Pennsylvania Sewage Facilities Act* (35 P.S. §750),

OR

- ☐ (ii) The planning module will not be approved by the municipality as a proposed revision or supplement for new land development to its Official Plan because the project described therein is unacceptable for the reason(s) checked below:

Check Boxes

- ☐ Additional studies are being performed by or on behalf of this municipality which may have an effect on the planning module as prepared and submitted by the applicant. Attached hereto is the scope of services to be performed and the time schedule for completion of said studies.
- ☐ The planning module as submitted by the applicant fails to meet limitations imposed by other laws or ordinances, officially adopted comprehensive plans and/or environmental plans (e.g., zoning, land use, 25 Pa. Code Chapter 71). Specific reference or applicable segments of such laws or plans are attached hereto.
- ☐ Other (attach additional sheet giving specifics).

Municipal Secretary: Indicate below by checking appropriate boxes which components are being transmitted to the approving agency.

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Resolution of Adoption | <input type="checkbox"/> 3 Sewage Collection/Treatment Facilities | <input checked="" type="checkbox"/> 4A Municipal Planning Agency Review |
| <input checked="" type="checkbox"/> Module Completeness Checklist | <input checked="" type="checkbox"/> 3s Small Flow Treatment Facilities | <input checked="" type="checkbox"/> 4B County Planning Agency Review |
| <input type="checkbox"/> 2 Individual and Community Onlot Disposal of Sewage | | <input type="checkbox"/> 4C County or Joint Health Department Review |

Municipal Secretary (print)

Signature

Date



RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of HELLAM
(TOWNSHIP) (BOROUGH) (CITY), YORK COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS Joesph Kiely
land developer has proposed the development of a parcel of land identified as

Lot 7 Woodshead Terrace, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☐ sewer tap-ins, ☐ sewer extension, ☒ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify). Small Flow Wastewater Treatment Facility

WHEREAS, Hellam Township
municipality finds that the subdivision described in the attached

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the (Supervisors) (Commissioners) (Councilmen) of the (Township) (Borough) (City) of Hellam hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I _____, Secretary, _____
(Signature)

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # _____, adopted, _____, 20____.

Municipal Address:

35 Walnut Springs Road

York, PA 17406

Telephone 717-434-1300

Seal of

Governing Body

OPERATION AND MAINTENANCE

Operation and maintenance is required in accordance with approved Act 537 planning, manufacturer- specific requirements, and DEP NPDES and WQM permits.

Any person receiving permit(s) to construct and operate an SFTF to treat and discharge sewage is responsible for the operation and maintenance of the facility and for any health nuisances or pollution problems that may result. To assure proper operation and maintenance, this SFTF will require a level of inspection monitoring and maintenance to be conducted by the Owner(Permittee) or a contracted company by the permittee.

Key factors with respect to operation and maintenance are:

A. General

To minimize water usage, water conservation fixtures should be installed (such as 1.6 gal. flush toilets, shower and faucet flow restrictors and front-loading washers).

B. Septic Tanks

1. An operation and maintenance manual, from ORENCO (manufacturer's manuals and instructions) shall be given to and reviewed with the Owner/Permittee after the system installation that shall include, as a minimum, that septic tanks, dosing tanks, lift pump tanks and UV disinfection shall be inspected every 6 months for structural integrity of the tank, inlet and outlet baffles, solids retainer, pumps and electrical connections:
2. The depth of sludge and scum in the septic tank should be measured at least once a year.
3. When the top of the sludge layer in the tank or any compartment of the tank is found to be less than 12 inches below the bottom of the outlet baffle, or if the bottom of the scum layer is within 3 inches of the outlet baffle, the tank should be pumped by a Contractor on the Township approved list.
4. Annual pumping may be substituted for measurement. This cleaning is recommended to minimize plugging of solids and to avoid deterioration of the treated effluent.
5. Failure to pump treatment, dosing tanks and/or treatment tanks often results in costly repairs or replacement.
6. Following septic tank cleaning, all interior surfaces of the tank should be inspected for leaks and cracks using a strong light.
7. Pumped-out septic tanks may contain toxic gases; therefore, only a properly equipped, trained and experienced person should attempt to enter or repair

a septic tank if this should become necessary. THE HOMEOWNER SHOULD NOT ENTER A SEPTICTANK.

8. The use of biological or chemical additives in the septic tank is neither recommended nor necessary.

C. Aerobic Tanks

1. An ORENCO operation and maintenance manual shall be provided by the manufacturer. Manuals and instructions shall be provided to the Owner/Permittee that includes, as a minimum, the following required standards for operation and maintenance to be met by the Owner/Permittee:
 - a. Aerobic tanks should be inspected every 6 months for structural integrity of the tank, inlets and outlet baffles, buoyed solids retainer, pumps and electrical connections.
 - b. The inspection and concurrent pumping of excess solids should be conducted in accordance with manufacturer's and NSF requirements.
2. Aerobic treatment system should be maintained in accordance with the manufacturer's instructions and be pumped at least once a year to remove excess solids in order to minimize plugging and avoid deterioration of the discharge.
3. For mechanical equipment (such as aerobic treatment units, spray nozzles, etc.), a service contract with the equipment representative shall be executed so that periodic inspection and "as needed" services are provided.

D. Ultraviolet Disinfection

1. Monthly cleaning and inspection of the water contact surface is required.
2. An annual inspection of the system and changing of the UV bulb by the service provider is required.



Order Confirmation

Not an Invoice

Account Number:	1493987
Customer Name:	Light Heigel & Associates Inc
Customer Address:	Light Heigel & Associates Inc 2921 Windmill RD # 2 Pamela Boltz Sinking Spring PA 19608-1678
Contact Name:	Pamela Boltz
Contact Phone:	
Contact Email:	pamelab@light-heigel.com
PO Number:	Joseph Kiely

Date:	10/28/2024
Order Number:	10715639
Prepayment Amount:	\$ 0.00

Column Count:	2.0000
Line Count:	33.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
YOR York Daily Record	1	10/31/2024 - 10/31/2024	Public Notices
YOR York Dispatch	1	10/31/2024 - 10/31/2024	Public Notices
YOR yorkdispatch.com	1	10/31/2024 - 10/31/2024	Public Notices
YOR ydr.com	1	10/31/2024 - 10/31/2024	Public Notices

Total Cash Order Confirmation Amount Due	\$278.24
Tax Amount	\$0.00
Service Fee 3.99%	\$11.10
Cash/Check/ACH Discount	-\$11.10
Payment Amount by Cash/Check/ACH	\$278.24
Payment Amount by Credit Card	\$289.34

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Order Confirmation Amount

\$278.24

Public Notice

Joseph Kiely is proposing to build a residence on Lot 7 on Woodshead Terrace in Hellam Township, York County, PA. Lot 7 was subdivided and recorded as a Final Subdivision, entitled Woodshead, and recorded in Plan Book Y, Page 913 on September 13, 1976. The lot contains 1.214 acres.

The residence proposes a daily design flow between 400 gpd – 500 gpd. The SEO, Patrick Buhl provided documentation indicating the lot is not suitable for a conventional or alternate on-lot system.

The lot is not situated in an HQ or EV watershed. Not enough area is less than 25% to accommodate an IRSIS system on the Lot. The proposed effluent discharge point is on an unnamed tributary to Kreutz Creek.

The Small Flow Treatment Facility (SFTF) proposed will utilize a septic tank, aerobic treatment and ultraviolet light disinfection prior to discharge to the unnamed tributary. The Facility will be purchased, owned, operated and maintained by the lot owner.

This sewage treatment is the only viable solution for Lot 7. Lot 7 was subdivided as a single family residential lot with a private on-lot sewage system proposed. All on-lot options were exhausted by the Township SEO.

Separating black water/gray water for treatment will still require treatment and an effluent stream discharge.

The “do nothing” option is also not viable given the lot owner’s desire to use the lot as a residential use.

It is not anticipated the SFTF will be replaced within 5 years by some other method of sewage disposal. This is proposed as the ultimate method of sewage disposal.

The Planning Module packet is available for inspection at the Hellam Township Municipal Building, 35 Walnut Springs Road, York, PA, 17406.



4A

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Hellam
(TOWNSHIP) (BOROUGH) (CITY), York COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS Rexroth Limited Partnership has proposed the development of a parcel of land identified as
land developer

Final Subdivision Plan for Rexroth LP, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☐ sewer tap-ins, ☐ sewer extension, ☐ new treatment facility, ☒ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify). _____

WHEREAS, Hellam Township finds that the subdivision described in the attached
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the (Supervisors) (Commissioners) (Councilmen) of the (Township) (Borough) (City) of Hellam hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I _____, Secretary, _____
(Signature)

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # _____, adopted, _____, 20____.

Municipal Address:

Seal of

Governing Body

Telephone _____



Hellam Township Planning Commission Variance Application Briefing

Application Number:	Z-2024-05	PC Meeting Date:	November 14, 2024
Applicant(s):	JJ's Custom Builders LLC	Tax Map Parcel:	KL-64-M0
Property Owner(s):	Jennifer & Brandon Stanchock	Lot Size:	6.3 Acres
Property Location:	100 Shannon Lane	Zoning:	Rural Agricultural

Project Narrative:

The applicant is requesting a variance from the following:

§490-12 G.2 Rural Agricultural Zone Maximum Permitted Heights Accessory Buildings and Structures

Applicant wants to construct an accessory structure, garage, that will have an average height of no more than twenty-eight (28) feet. The variance is being sought due to the slope of the parcel

Attached Exhibits:

- A. Zoning Hearing Application received October 3, 2024
-

Property Characteristics:

1. The subject property contains about 6.3 acres located in the Rural Agricultural Zone.
2. The parcel is improved with a residence
3. Adjacent properties:

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

Variance Provisions

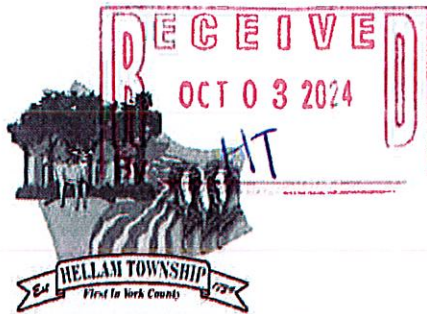
According to the variance application submitted, the applicant reports the following:

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 parcel slopes from front to rear. The total elevation difference from front to rear of the proposed structure is seven (7) feet. A portion of the parcel is in a floodplain. The proposed construction area is not.
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.** The slope would reduce the twenty (20) foot maximum height by 3'5". The structure is designed with an attic averaging the slope increases the height on average to 27'5" to 28'
3. **Why the unnecessary hardship has not been created by the applicant.** The existing grade and lot topography cause the loss of height distance
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 proposed structure's design, construction material, and color have been chosen to harmonize with existing residential dwelling and surrounding natural settings of the neighborhood. The applicant feels that the proposed height increase will not adversely affect the character of the neighborhood and the design will be sensitive to the existing surroundings.

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.** Adjustment in the design, such as modifying the roof slope or removing floor trusses, to alter or lessen the building height were explored and found to be impractical.
6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.** A portion of the parcel is located in the floodplain, but the construction is not occurring in the floodplain.

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.



APPLICATION FOR HEARING

FOR TOWNSHIP USE ONLY			
ZONING CASE # <u>2024-Z-2024-05</u>			
Application Filed	<u>3 Oct 24</u>	Planning Commission	<u>14 Nov 24</u>
Hearing Advertised	_____	<u>CHP</u> /BOS Hearing	<u>24 Dec 24</u>
Notices Mailed	_____	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: JJ's Custom Builders LLC.
ADDRESS: 13 Martic Heights Drive, Holtwood PA 17532
PHONE NUMBER: 717-740-9570 EMAIL ADDRESS: info@teamjjs.com

B. PROPERTY OWNER'S NAME
(If different than applicant): Jennifer & Brandon M Stanchock
ADDRESS: 100 Shannon Lane, York PA 17406
PHONE NUMBER: 570-594-4530

C. CONSULTANT'S NAME
(If different than applicant): Robert Porterfield, JJ's Custom Builder's Project Manager
ADDRESS: 13 Martic Heights Drive
PHONE NUMBER: 717-666-4315 EMAIL ADDRESS: bob@teamjjs.com

31-000-KL-0064.M0-00000
D. Tax Map: KL Parcel: 0064.M0 Zoning District: RA
Property Address: 100 Shannon Lane, York 17406
Date purchased: 10-31-2018
Lot size: acreage 6.39 - or - _____ sq. ft.
Present use: Residential
Proposed use: Residential
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 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:

§ 490-12 Rural Agricultural Zone (RA),

G. Maximum permitted height,

(2) Accessory buildings and structures: 20 feet.

- Brief description of nature of Variance requested:

Applicant is requesting relief from the maximum height of the ordinance, to construct an accessory building having an average height of no more than 28'.

- 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 parcel slopes from front to rear, the total elevation difference from front to rear of the proposed building is 7'.

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 slope would reduce the 20' maximum height by 3.5' when averaging front and rear height measurements allowing only 16.5" maximum. The applicant wishes to construct a garage with attic an storage area. The structure's design requires 24' above grade, averaging the slope would increase the build's height as measured on average to a height of approximately 27.5'-28'.

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

The existing grade and lot topography causes the loss of height distance.

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 structure's design, construction materials and colors have been chosen to harmonize with the existing residential dwelling and surrounding natural settings of the neighborhood. The applicant feels that the proposed height increase will not adversely affect the character of the neighborhood and the design will be sensitive to the existing surroundings.

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:

Adjustments in the design (such as modifying the roof slope or removing floor trusses) to alter or lessen the building height were explored and found to be impractical.

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

N/A

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

09/30/2024

Date

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



OWNER: JENNIFER & BRANDON M STANCOCK
PARCEL ID: 31-000-KL-0064.M0-00000
CLASS: Residential

PROPERTY ADDRESS: 100 SHANNON LANE, YORK PA 17406
ACRES: 6.39 **LAND USE:** R - Split-level House
ZONING: RA- Rural Agriculture

JJ's Custom Builders
13 A Martic Heights Drive
Holtwood PA 17532
717-740-9570



ADJOINING PROPERTY OWNERS for Brandon & Jennifer Stanchock:

Michael S & Cheryl A McGuckin
145 Shannon Dr, York PA 17406

Archie E Jr & Barbara L Seats
115 Shannon Ln, York PA 17406

Eid Talaat & Ferial
301 Ducktown Rd, York PA 17406

Craig G & Brenda S Stone
5840 Pheasant Run Rd, York PA 17406

James R & Nada R Seidon Fowler
180 Shannon Ln, York PA 17406

JJ's Custom Builders
13 A Martic Heights Drive
Holtwood PA 17532
717-740-9570



Authorization to make application on behalf of Landowner

NOTICE: PA CRIMES CODE (18 Pa.C.S. § 4904) PROVIDES CRIMINAL PENALTIES FOR MAKING A FALSE STATEMENT

TO PUBLIC OFFICIALS.

I/We, the undersigned Property Owner(s) or agent thereof, do hereby affirm as follows:

1. I am (we are) the lawful owner(s), or its agent, of the property located at the following address
(Subject Property):

Address of Subject Property: 100 Shannon Ln

York PA 17406

2. The individual named below (Applicant) has my/our permission to apply for an application for the purpose described below at the Subject Property:

Name of Applicant: Robert Porterfield, JJ's Custom Builders, LLC

Title: Project Manager

Phone Number: (717) 666-4315

Application purpose:

Variance hearing for § 490-12, G. Maximum permitted height .

Ownership type (check one box and complete applicable section only):

Brandon Stanchock

Owner name (Print)

Signature

09/18/24
Date

Jennifer Stanchock

Owner name (Print)

Signature

09/18/24
Date