



Hellam Township Planning Commission
May 14, 2026
6:00 P.M.

1. Opening Agenda

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

2. Public Comment

3. Minutes Approval

- A. April 23, 2026 draft meeting minutes approval

4. New Business

- A. **Z-2026-09** – 794 Grand Manor Drive UPI #31-03-10. Zajac Variance
- B. **Z-2026-10** – 6114 River Drive UPI #31-MK-37. Whitley Variance/Special Exception

5. Old Business

- A. Logistics/Warehouse Ordinance

6. Ongoing Business for Future Meetings

- A. Open Burning
- B. Understanding the Township (review of prior research and tasks to continue and validate research)
- C. Signs
- D. Riverland 1&2 Ordinance

7. Reports

8. Upcoming Meetings

Next Planning Commission Meeting – May 28, 2026

9. Adjournment

Zoom Log In

Meeting ID: 634 220 1697

Password: Hellam44

**HELLAM TOWNSHIP
PLANNING COMMISSION MEETING
MINUTES OF April 23, 2026**

The meeting was called to order at 6:00 PM by Chairman Devin Winand. Vice Chair John Kokiko, along with members Robert Searer, Steven Fetrow, Mike Shillott, Rick Cooper, and alternate Adrienne Johnson, were present. Township staff in attendance included Zoning Officer Jason Test.

There was no public comment.

On April 23, the Planning Commission held a work session focused on the development of an updated warehouse ordinance, with discussion centered on warehouses and distribution facilities. The Commission began by discussing sound and noise impacts associated with warehouse operations, particularly backup alarms. A threshold of 65 decibels was generally supported, and the Commission considered whether to require noise studies as part of the review process. The potential for existing buffer standards to mitigate noise impacts was also discussed.

The Commission briefly reviewed lighting considerations, and Mr. Searer indicated that he would compare the proposed lighting provisions with existing standards. A substantial portion of the meeting was devoted to air quality impacts related to warehouse uses. The Commission discussed when air quality studies should be required, what standards should be applied, and how operational characteristics—particularly truck traffic—may trigger such studies. The importance of incorporating measurable performance standards was emphasized, and reference was made to applicable federal regulations, including the Clean Air Act.

Truck-related impacts were discussed in detail, including idling and emissions. The Commission noted that federal law already regulates idling but explored additional mitigation measures, such as requiring electric hookups for trucks to reduce idling and encouraging the use of electric forklifts and similar equipment. The Commission also discussed incorporating electric vehicle infrastructure into the ordinance, including a concept that approximately 10 percent of parking spaces be EV-ready, as well as requirements for electrical connections for refrigerated trucks, with clarification that such hookups would be located externally.

Buffering requirements and the protection of sensitive receptors were also key components of the discussion. The Commission considered the use of buffer yards and the potential application of enhanced buffer strips, as well as expanding the definition of sensitive receptors to include features such as historic properties. The need to ensure that warehouse development remains compatible with the character of the Township was emphasized, including considerations related to building design, façade treatment, and overall site layout. It was noted that changes to commercial properties would continue to require land development plan approval.

The March 2026 permit report was provided for the Commission's review. There were no comments.

The next Planning Commission meeting is scheduled for May 14, 2026. The meeting was adjourned at 8:00 PM.

Respectfully submitted,

Jason Test
Zoning Officer



Hellam Township Zoning Hearing Board Variance Application Briefing

Application Number: Z-2026-09

Applicant(s): Jon Zajac II

Property Owner(s): ZAJAC JON II & AMY B

Property Location: 794 Grand Manor Dr,
Wrightsville, PA, 17368, USA

PC Meeting Date: May 7, 2026

Tax Map Parcel: 31-000-03-0010.00-00000

Lot Size: 1.03 acres

Zoning: Rural Agricultural (RA)

Ordinance Section:

§ 490-12 – Rural Agricultural (RA) District

(including applicable impervious coverage limitation of 15%)

Relief Sought: The Applicant requests a variance from the maximum impervious coverage requirements of Chapter 490 of the Township Zoning Ordinance to permit the expansion of an existing driveway. The proposed improvement is intended to improve on-site vehicle circulation and provide a designated turnaround area.

The Applicant indicates that the existing driveway configuration results in limited maneuvering space, requiring vehicles to back onto Grand Manor Drive or maneuver within constrained areas of the property. The proposed driveway expansion would increase the total impervious coverage on the property to approximately 7,448 square feet, representing 17.39% lot coverage.

Project Narrative: The subject property is a single-family residential lot located at 794 Grand Manor Drive in Wrightsville, Pennsylvania. The property is currently improved with a residential dwelling and an existing driveway configuration that provides limited maneuvering space for vehicles entering and exiting the site.

The Applicant proposes a driveway expansion of approximately 89 feet by 15 feet, utilizing a compacted stone base designed to improve on-site circulation, provide safe turning movements, and reduce reliance on backing maneuvers onto the public roadway. The proposed improvement is intended solely to support safe residential access and parking functionality.

Stormwater runoff from the proposed improvement will continue to sheet flow into existing grass areas, wooded areas, and an existing drainage ditch. The design is intended to maintain existing drainage patterns and minimize environmental impact.

The Applicant seeks zoning relief solely to the extent necessary to permit the proposed improvement in compliance with applicable impervious coverage limitations.

Attached Exhibits:

- **Exhibit A:** Application submitted May 4, 2026

Property Characteristics:

The subject property is located in a rural residential setting within the Rural Agricultural (RA) Zoning District and is utilized as a single-family residential lot. The parcel contains an existing dwelling and an established driveway system providing primary access from Grand Manor Drive.

The surrounding area is predominantly composed of similarly zoned residential properties with a mix of open space, wooded areas, and low-density single-family development. Adjacent properties maintain residential uses consistent with the character of the RA District.

	Use	Zoning
North	Residential/Agricultural	RA
South	Residential/Agricultural	RA
West	Residential/Agricultural	RA
East	Residential/Agricultural	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 contains an existing curved driveway alignment and limited on-site maneuvering area near the residence. These conditions restrict safe vehicle turning and circulation within the confines of the existing impervious surface limits. The configuration results in functional constraints not typically present on similarly sized residential lots with more conventional driveway layouts or designated turnaround areas.

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.**

Strict compliance with the impervious coverage limitation would prevent the Applicant from expanding the driveway to provide safe on-site turnaround and circulation. Without the proposed relief, vehicles would be required to continue backing onto the public roadway or maneuvering within confined areas of the yard, creating ongoing safety concerns and limiting reasonable and safe residential use of the property.

3. **Why the unnecessary hardship has not been created by the applicant.**

The existing driveway configuration and site conditions predate the proposed improvement. The Applicant did not create the underlying physical constraints necessitating the expansion. The requested variance arises from the need to address pre-existing safety and functional limitations of the site, not from any self-created condition.

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 improvement is consistent with the residential character of the surrounding Rural Agricultural (RA) District. The property will remain a single-family residence, and the driveway expansion is a typical residential improvement. The project will not introduce any new or non-residential use, and will not negatively impact adjoining properties. Stormwater will continue to infiltrate into existing grassed, wooded, and drainage areas, maintaining existing drainage patterns and avoiding adverse impacts to neighboring properties or public infrastructure.

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 proposed driveway expansion represents the minimum area necessary to provide safe vehicle maneuvering and on-site turnaround capability. The design follows the existing driveway alignment and is limited strictly to the area required to eliminate unsafe backing movements. Any further reduction would fail to resolve the safety and functional deficiencies at the property.

6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.**

The subject property is not located within a Floodplain Overlay Zone. Accordingly, §490-19 is not applicable to this request.

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 # _____

Application Filed	_____	Planning Commission	_____
Hearing Advertised	_____	ZHB/BOS Hearing	_____
Notices Mailed	_____	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: Jon Zajac II

ADDRESS: 794 Grand Manor Drive, Wrightsville Pa 17368

PHONE NUMBER: _____ EMAIL ADDRESS: _____

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: See Parcel Parcel: 310000300100000000 Zoning District: Rural Agriculture

Property Address: 794 Grand Manor Drive, Wrightsville Pa 17368

Date purchased: Monday July 14th 2025

Lot size: acreage 1.03 - or - 44,867 sq. ft.

Present use: Primary Residence

Proposed use: Primary Residence but with larger driveway for parking and turning around

Date of previous application (if any): _____

E. Please choose the following:

☐ APPEAL (Refer to Section 1)	☐ SPECIAL EXCEPTION (Refer to Section 2)	☒ VARIANCE (Refer to Section 3)
		☐ 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:

Chapter 490 – Maximum Impervious Coverage (15%) requirements of the Township Zoning Ordinance

- Brief description of nature of Variance requested:

Requesting a variance from the maximum impervious coverage requirement to allow a driveway expansion necessary to provide safe vehicle maneuvering, on-site turnaround, and to eliminate the need for vehicles to back onto the roadway or into unsafe areas of the yard due to limited maneuvering space.

- 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 subject to an existing curved driveway layout and limited maneuvering space near the residence, which restricts the ability for vehicles to safely turn around on-site. The configuration of the driveway and surrounding area creates a constraint that is not typical of properties with adequate frontage or turnaround areas, resulting in limited usable space for safe vehicle movement.

- 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:

Due to the existing driveway alignment and limited maneuvering space, it is not possible to provide safe vehicle turning and on-site turnaround while remaining within the impervious coverage limits. Strict compliance would require vehicles to continue backing onto the roadway or into unsafe areas of the yard, which presents a safety concern for residents, visitors, and delivery drivers.

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

The unnecessary hardship has not been created by the applicant. The existing driveway layout and site conditions were established prior to the proposed improvement, and the need for expansion is based on correcting an existing safety issue related to limited maneuvering space.

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 driveway expansion will not alter the essential character of the neighborhood.

The property will continue to be used as a single-family residence, and the improvement is consistent with typical residential driveway use.

The expansion maintains appropriate setbacks from neighboring properties and will not negatively impact adjoining properties.

Drainage will be directed to existing grass, wooded areas, and a drainage ditch, ensuring no adverse effect on surrounding properties or public areas.

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 proposed driveway expansion represents the minimum variance necessary to allow safe vehicle maneuvering and on-site turnaround.

The design follows the existing driveway alignment and only extends where needed to eliminate the requirement for vehicles to back onto the roadway or into unsafe areas of the yard.

The size and layout have been kept as limited as possible while still addressing the safety concerns associated with the current configuration.

Any further reduction in the proposed area would not provide sufficient space for safe turning movements.

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

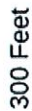
N/A – Property is not located within a Floodplain Overlay Zone

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.





Hellam Township Planning Commission Variance Application Briefing

Application Number: Z-2026-10

Applicant(s): Christopher Whitley & Erica Whitley

Property Owner(s): Christopher Whitley & Erica Whitley

Property Location: 6114 River Dr, York, PA 17406

PC Meeting Date: May 7, 2026

Tax Map Parcel: 31-000-MK-0037.00-00000

Lot Size: 2 acres

Zoning:

Rural Agricultural (RA)

Project Narrative:

The Applicant seeks variance relief to permit a front yard setback encroachment associated with the expansion and remodeling of an existing single-family dwelling in the Rural Agricultural (RA) Zoning District along River Drive. The subject property consists of a 2-acre lot with significant topographic constraints, including a steeply sloped front yard and proximity to the river, which limit the ability to improve or modernize the existing structure in strict compliance with setback requirements. The front yard setback variance will be 15 feet.

The proposed improvements include a front deck extension generally aligned with existing site features, including an existing stone wall, and are intended to support continued residential use of the property. Surrounding properties are similarly zoned RA and developed with rural residential and agricultural uses. The Applicant indicates the request is the minimum variance necessary due to existing site conditions and is not anticipated to adversely affect adjacent properties or alter the character of the area.

Attached Exhibits:

- A. Application submitted April 30, 2026

Property Characteristics:

The subject property consists of an existing single-family residential dwelling situated on a 2-acre lot within the Rural Agricultural (RA) Zoning District. The site is served by existing roadway access along River Drive and is located in proximity to the river, with varied topography including a sloped front yard. Adjacent properties are similarly zoned RA and are primarily developed with rural residential and agricultural uses.

1. Adjacent properties:

	Use	Zoning
North	Rural/Agricultural	RA
South	Rural/Agricultural	RA
West	Rural/Agricultural	RA
East	Rural/Agricultural	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 contains significant slope and, due to the configuration of the lot, expansion or remediation of existing conditions cannot be reasonably achieved without encroaching upon a required setback or areas of steep slope.

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 Applicant indicates that there is limited ability to remodel or modernize the existing dwelling without encroaching into the required front yard setback. The proposed expansion is generally aligned with an existing stone wall located along the front of the property.

3. **Why the unnecessary hardship has not been created by the applicant.**

The Applicant did not create the existing physical characteristics of the property. The existing deck requires repair, and the conditions on site cannot be reasonably addressed without the requested relief.

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 alterations are consistent with the surrounding homes on River Drive.

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 Applicant is proposing modest additions to the existing dwelling to meet functional needs and is requesting the minimum variance necessary to accommodate the proposed improvements.

6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.**

The development is compliant with the Floodplain Overlay Zone.

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.



Hellam Township Planning Commission Special Exception

Application Number: Z-2026-10

Applicant(s): Christopher Whitley & Erica Whitley

Property Owner(s): Christopher Whitley & Erica Whitley

Property Location: 6114 River Dr, York, PA 17406

PC Meeting Date: May 7, 2026

Tax Map Parcel: 31-000-MK-0037.00-00000

Lot Size: 2 acres

Zoning:

Rural Agricultural (RA)

Project Narrative: The Applicant seeks special exception approval pursuant to §490-134 of the Township Zoning Ordinance to permit the expansion of an existing nonconforming use. The proposed improvements consist of additions and alterations to the existing structure and site improvements as depicted on the plans submitted with the application. The requested expansion appears to satisfy the applicable criteria of §490-134 as summarized below.

§490-134(A)(1) – Expansion Confined to the Original Lot

The proposed expansion is located entirely within the boundaries of the existing parcel on which the nonconforming use is presently situated. No portion of the expansion extends onto adjoining properties or additional lots.

§490-134(A)(2) – Expansion Limited to 35% of Existing Nonconforming Area

Based upon the information submitted by the Applicant, the proposed expansion does not exceed 35% of the existing nonconforming area. The accompanying site plan identifies the existing nonconforming area and the extent of the proposed expansion.

§490-134(A)(3) – Vehicular Access, Off-Street Parking, and Loading

The application does not propose modifications to the existing vehicular access points, off-street parking areas, or loading facilities serving the property. Existing access and parking arrangements are proposed to remain substantially unchanged, and the expansion does not appear to create additional deficiencies related to circulation or parking.

§490-134(A)(4) – Yards, Building Height, and Building Area

The Applicant indicates that the proposed improvements are designed to comply with the applicable yard, height, and building area requirements of the zoning district, with the exception of the dimensional variance relief requested separately before the Zoning Hearing Board. No additional building height nonconformities are proposed as part of the expansion.

§490-134(A)(5) – Harmonious Appearance with Surrounding Properties

The proposed addition appears to be designed in a manner generally consistent with the existing structure and surrounding development pattern within the area.

§490-134(A)(6) – Buffers and Screens for Neighboring Properties

The proposed areas of expansion are located to the front and rear of the property and do not appear to necessitate additional buffering or screening measures based on the information submitted. Should the Board determine that supplemental buffering or screening is appropriate, such improvements may be addressed through conditions of approval.

§490-134(A)(7) – New or Further Dimensional Nonconformities

The proposed expansion includes a dimensional nonconformity for which separate variance relief has been requested in conjunction with this application. Other than the requested variance relief, the application does not appear to introduce additional dimensional nonconformities.

Attached Exhibits:

1. Application submitted April 30, 2026
-

Property Characteristics:

The subject property consists of an existing single-family residential dwelling situated on a 2-acre lot within the Rural Agricultural (RA) Zoning District. The site is served by existing roadway access along River Drive and is located in proximity to the river, with varied topography including a sloped front yard. Adjacent properties are similarly zoned RA and are primarily developed with rural residential and agricultural uses.

1. Adjacent properties:

	Use	Zoning
North	Rural/Agricultural	RA
South	Rural/Agricultural	RA
West	Rural/Agricultural	RA
East	Rural/Agricultural	RA

Special Exception Provisions:

1. **Comply with all applicable provisions and be consistent with the purpose and intent of the Zoning Ordinance:**

The Applicant proposes the expansion and remodeling of an existing single-family dwelling. The application includes a request for variance relief from the required 40-foot front yard setback to permit a proposed front deck extension located approximately 25 feet from the roadway. The Applicant indicates the remaining proposed improvements will comply with the applicable provisions of the Township Zoning Ordinance.

2. **Not detract from the use and enjoyment of adjoining or nearby properties:**

The Applicant indicates the proposed expansion will not adversely affect neighboring properties or the surrounding area. The proposed deck extension is generally aligned with the existing stone wall along the frontage of the property. The application materials further indicate the front yard contains a significant slope and that the dwelling is situated between the roadway and the river, limiting potential impacts to adjoining properties.

3. **Not substantially change the character of the subject property's neighborhood:**

The Applicant indicates that neighboring dwellings within the area maintain a similar relationship to the roadway and that the proposed improvements are generally consistent with the existing development pattern of the neighborhood.

4. **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.):**

The property is served by adequate utility services for the proposed improvements.

5. **Comply with requirements for development within the Floodplain:**

The development is compliant with the Floodplain Overlay Zone.

6. **Comply with those criteria specifically listed in Article 4 and all other applicable regulations**

contained in the Zoning Ordinance:

The application has been reviewed against the applicable special exception standards contained within Article 4 of the Township Zoning Ordinance. Based upon the information submitted, the proposed expansion appears to comply with the applicable requirements of §490-134, subject to the variance relief requested in conjunction with this application and any conditions imposed by the Zoning Hearing Board.

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

Based upon the information submitted, the requested relief does not appear to substantially impair the intent or integrity of the Township Comprehensive Plan.

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 # 2-2026-16

Application Filed	_____	Planning Commission	_____
Hearing Advertised	_____	ZHB/BOS Hearing	_____
Notices Mailed	_____	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: Christopher R. Whitley and Erica E. Whitley
 ADDRESS: 6114 River Drive, York PA 17406
 PHONE NUMBER: _____ EMAIL ADDRESS: _____

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

C. CONSULTANT'S NAME
 (If different than applicant): Derek P. Dissinger, Esq., Stevens & Lee
 ADDRESS: 51 S. Duke Street, Lancaster, PA 17602
 PHONE NUMBER: _____ EMAIL ADDRESS: _____

D. Tax Map: 31-000-MK---37.00-00000 Parcel: _____ Zoning District: _____
 Property Address: 6114 Rive Drive
 Date purchased: 07/22/13
 Lot size: acreage 2 - or - _____ sq. ft.
 Present use: Residential
 Proposed use: Residential
 Date of previous application (if any): _____

E. Please choose the following:

☐ APPEAL (Refer to Section 1)	☐ CONDITIONAL USE (Refer to Section 2)	☒ VARIANCE (Refer to Section 3)
	☒ SPECIAL EXCEPTION (Refer to Section 2)	☐ OTHER – Curative or Zoning Amendment (Refer to Section 4)

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:

§ 490-134 - Expansion of non-conforming

- Brief description of proposed use:

Applicant is proposing to expand the residence at depicted on the attached site plan, which includes an expansion in the front of the property as well as the rear. The expansion is consistent with the neighborhood and will not exceed 35% of the building area.

- 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:

The special exception and variance requested relate to expansion and remodel of an existing home, which will be done in compliance with all applicable zoning ordinances. The front yard setback variance will be 15 feet (the front deck extension will be 25 feet from the road).

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

The expansion of the non-conforming use will not detract from nearby properties. The deck expansion is roughly the same distance from the road as the existing stone wall. The front yard is on a large slope and will have no impact on any neighboring properties as the home is fronted by the road and river.

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

Many homes in the neighborhood are similarly aligned to the road and the proposed development is consistent with the 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.)

The property is served by adequate utilities.

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

The development is compliant with the Floodplain Overlay Zone.

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

See attached narrative.

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

The relief requested is consistent with the comp plan. The property is listed as "local" on Exhibit N.

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.

Erica W

Apr 30, 2026



Christopher Whitney (Apr 30, 2026 14:06:20 EDT)

* Signature

Apr 30, 2026

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:

Section 490-12

- Brief description of nature of Variance requested:

15 foot front yard setback

- 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 built on a large slope and due to the configuration of the lot, makes it impossible to provide any sort of expansion or remediation of the existing conditions without encroaching on a setback or a steep slope.

- 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:

There is no possibility to remodel and modernize the home without encroaching on the front yard setback. The proposed expansion is largely aligned with the stone wall in the front of the property.

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

The applicant did not create the physical peculiarities of the property. Additionally, the deck is in need of repair and it is not possible to remediate the existing conditions without the relief requested.

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 alterations are consistent with the surrounding homes on River Road.

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 Applicant is proposing modest additions to the home to accommodate its needs and is requesting the minimum variance to accomplish this modest renovation.

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.


Christopher Whitley (Apr 30, 2026 14:06:20 EDT)

Apr 30, 2026


Erica Whitley (Apr 30, 2026 13:46:13 EDT)

Apr 30, 2026

* Signature

Date

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

Narrative in Support of Special Exception Application

Hellam Township Zoning Ordinance § 490-134

The Applicant respectfully submits this narrative in support of the pending application for a Special Exception under § 490-134 of the Hellam Township Zoning Ordinance, which governs the expansion or alteration of existing nonconforming structures. The Applicant seeks approval to expand the existing nonconforming use and structure as depicted on the site plan submitted herewith. As set forth below, the proposed expansion satisfies each of the criteria enumerated in § 490-134(A) and, accordingly, the Applicant respectfully requests that the Zoning Hearing Board grant the requested Special Exception relief.

Compliance with § 490-134(A) Criteria

§ 490-134(A)(1) — Expansion Confined to the Original Lot

The ordinance requires that any expansion of a nonconformity be confined to the lot on which the nonconforming use was located on the effective date of the ordinance or any amendment thereto creating the nonconformity. The proposed expansion fully complies with this requirement. All proposed improvements, additions, and alterations are located entirely within the boundaries of the existing lot on which the nonconforming use has historically been situated.

§ 490-134(A)(2) — Expansion Does Not Exceed 35% of the Existing Nonconforming Area

The ordinance limits the total of all expansions or alterations of a nonconforming use to no more than 35% of the area of the buildings, structures, or land devoted to the nonconforming use as they existed at the time the nonconformity was created. The proposed expansion does not exceed 35% of that existing nonconforming area. The site plan submitted herewith depicts the historic nonconformity and proposed expansion.

§ 490-134(A)(3) — Vehicular Access, Off-Street Parking, and Off-Street Loading

The ordinance requires that provision for vehicular access, off-street parking, and off-street loading be consistent with the standards required by this chapter. The proposed expansion does not alter, reduce, or otherwise affect the existing vehicular access points, off-street parking areas, or off-street loading facilities currently serving the property. All access and parking configurations will remain as they presently exist and continue to satisfy applicable dimensional and design standards. No new deficiencies in access or parking will be created by the proposed expansion.

§ 490-134(A)(4) — Yards, Building Height, and Building Area

The ordinance requires that yards, building height, and building area associated with the expansion be consistent with the standards required for permitted uses within the zoning district in which the nonconformity is located. The proposed improvements comply with the applicable yard, height, and building area standards of the zoning district. The expansion does not introduce any new height exceedances, and the proposed building area is consistent with what is otherwise permitted for uses in the zone. The Applicant has designed the proposed expansion with these standards in mind, and the site plan reflects compliance with each of these dimensional requirements.

§ 490-134(A)(5) — Harmonious Appearance with Surrounding Properties

The ordinance requires that the appearance of the proposed expansion be harmonious with surrounding properties, taking into account landscaping, enclosure of uses, height control, sign control, architectural control, and the maintenance of all improvements and open spaces. The proposed addition has been designed to complement the existing structure and to blend with the character of the surrounding neighborhood.

§ 490-134(A)(6) — Buffers and Screens for Neighboring Properties

The ordinance requires that adequate buffers and screens be provided as necessary to protect neighboring properties from any adverse impacts of the expansion, including fences, walls, plantings, and open spaces. The proposed expansion is situated at the rear and front of the property. The areas of expansion are not in proximity to affected adjoining property owners in a manner that would necessitate the installation of supplemental fencing, walls, or plantings. To the extent the Board identifies any specific concern with respect to buffering or screening, the Applicant is prepared to address such concerns through reasonable conditions of approval.

§ 490-134(A)(7) — New or Further Dimensional Nonconformities

The ordinance requires that the expansion not create new dimensional nonconformities or further increase existing dimensional nonconformities. The Applicant acknowledges that the proposed expansion does involve a single dimensional nonconformity for which a variance is being separately sought before the Zoning Hearing Board in conjunction with this special exception application.

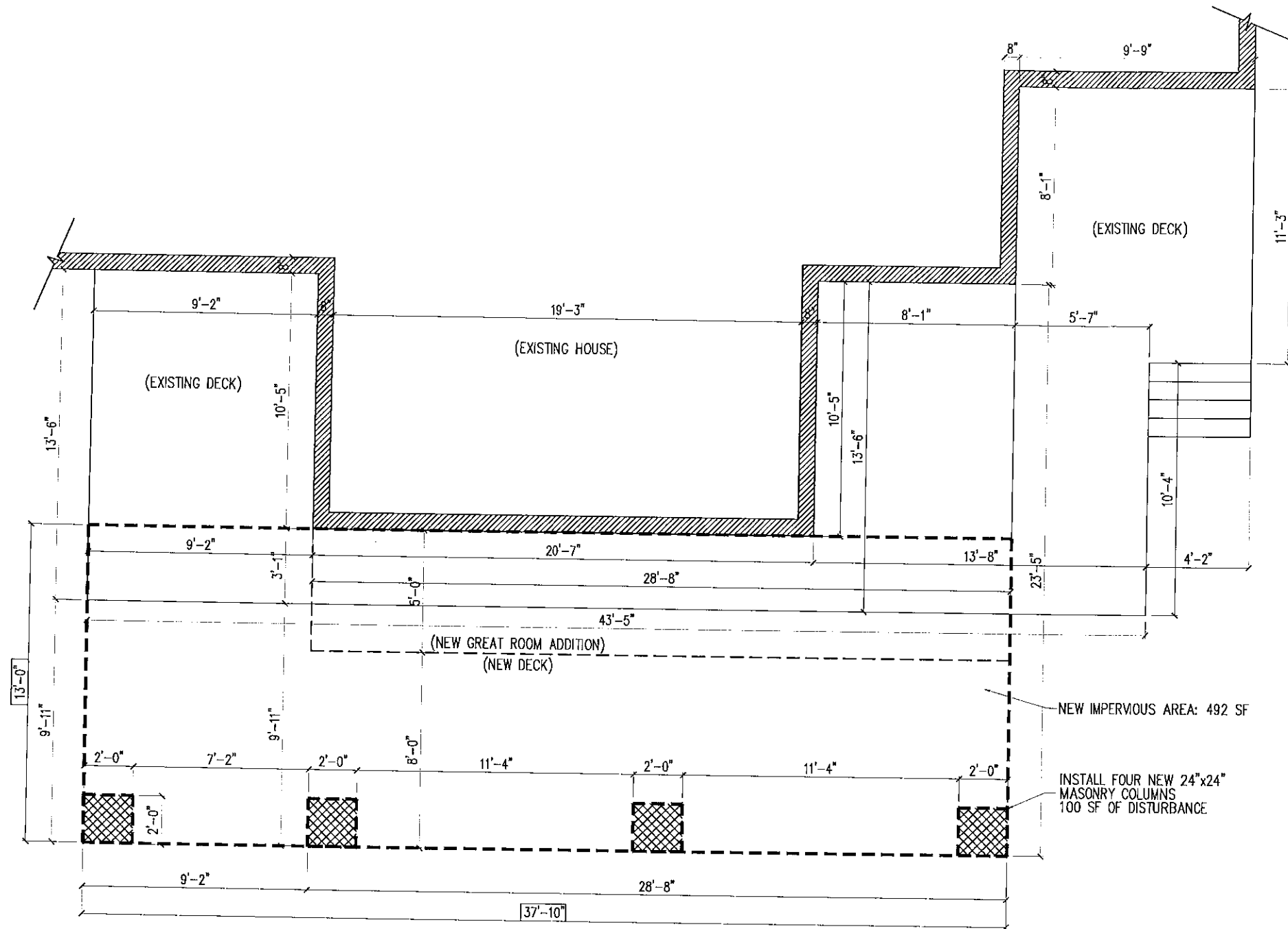
Conclusion

For all of the foregoing reasons, the Applicant respectfully submits that the proposed expansion of the existing nonconforming structure satisfies each of the criteria set forth in § 490-134(A) of the Hellam Township Zoning Ordinance, as well as the applicable criteria of Article VI.



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FRONT ELEVATION



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PLAN VIEW

