



**Hellam Township Planning Commission
Meeting Agenda
January 12, 2023
6:00 P.M.**

1. Opening Agenda

- A. Call to Order
- B. Pledge of Allegiance
- C. Re-organization

2. Minutes Approval

- A. December 22, 2022

3. New Business

- A. Z-2023-1: Gambler Variance Request for 1085 Accomac Road
- B. Z-2023-2: Kauffman Rezoning Request for Campbell Road, Parcel KK-2A
- C. Z-2023-3: Riedy/White Clover Family Farm Variance Request for 327 Campbell Road

4. Old Business

- A. None

5. Correspondence/Reports

- A. December Zoning Report

6. Upcoming Meetings

Next Planning Commission Meeting – 1/26/23. No items for this agenda at this time.

7. Adjournment

Zoom Log In

Meeting ID: 634 220 1697

Password: Hellam44

HELLAM TOWNSHIP
PLANNING COMMISSION MEETING
Minutes of December 22, 2022

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, Fred Owens, John Eifert, Christopher Altland, Rick Cooper, Jay Kokiko and Michael Shillott. Other attendees included Rachel Vega, Zoning Officer and William Conaway, Supervisor.

Approval of Minutes

The Planning Commission reviewed draft minutes from the December 8, 2022 meeting. Mr. Eifert pointed out that under "approval of minutes" it should not say "as presented" but instead "with the above-mentioned changes." Upon a motion by Mr. Shillott, seconded by Mr. Kokiko, the Planning Commission approved the minutes with the above-mentioned change. Motion carried unanimously.

Old Business

River Lands Zone

The Planning Commission began its second review of the proposed River Lands Zone. Mr. Winand began by stating that the properties proposed for rezoning back up to steep slopes and have the floodplain on the other side. This severely limits the uses in this area. For example, a marina requires a lot of space. The marina in Long Level is 14 acres and not located in the floodplain. There are no properties available for this type of use and therefore should not be a use in this zone. Also, due to the shallow nature of the river in this area, it is not the appropriate area for power craft. It was also suggested that small shops should be located in Wrightsville Borough and not scattered along the river. Mr. Owens stated that people use power boats for fishing in this area. Should we limit the use of power boats? Does the ordinance apply to private boat launches? Ms. Vega responded that we can specify commercial motorized boat launch in the definitions and that would apply to all mentioning of boat launch/dock. Mr. Eifert suggested allowing a small-scale marina to provide river access for kayaks and similar craft. We could do this by limiting the size of the facility.

Supervisor Conaway mentioned that public water is in a portion of the area proposed for rezoning and we should find out who, exactly, is serviced. He also suggested that the purposes of each of the zones be changed as they are both the same. The dimensions proposed are similar to those in the Rural Agricultural Zone however these properties more closely resemble the properties in the Residential Zone. Supervisor Conaway went on to explain that former Supervisor Weibley requested this ordinance to accommodate the existing lots due to the number of dimensional variances being requested in the area. Most of these properties are non-conforming since they do not meet the minimum lot size requirements. Since the original conception of this rezoning, the area has changed with the acquisition of land for preservation and park use. DCNR and Lancaster County Conservancy are not likely to put a hotel on their properties. There should be some business ventures near the park and conservation land. The ordinance looks more like a Mixed-use and Residential Zone but the dimensions are suited more for Rural Agricultural properties. Supervisor Conaway discussed these issues with Supervisor Otterbein and they both agreed the Board of Supervisors should have looked at this and provided better direction. He agrees with Mr. Winand's stance on marinas and suggest letting the Board of Supervisors decide what to do before the Planning Commission wastes any additional time on this ordinance. The Planning Commission should look at other items on the agenda.

Mr. Winand feels there is a fine line with this zone. DCNR and Lancaster County Conservancy acquired these properties because they are not developed. Supervisor Conaway feels we need to provide space for small businesses so people can buy camping supplies and such. We should look at short term rentals (STR) and regulate these. We could charge a fee for registration. Mr. Shillott suggested looking at DCNR and what they are looking to do to renovate the parks. Some of them will have camping, stores and other accommodations.

Mr. Owens stated that he is unclear and wants clarification on what the Board wants for dimensional requirements and permitted uses. He feels this ordinance is a step forward and it is a loss of effort if the Planning Commission

halts review of this ordinance. Mr. Winand suggested creating a better zone out of these discussions. Mr. Cooper requested DCNR and Lancaster County Conservancy lands be noted on the map.

Prioritize Ordinances for Review

The Planning Commission discussed other ordinances and research provided to them. It was decided that short term rentals (STR) and accessory dwelling units (ADU) should be reviewed next and should be reviewed together. Mr. Shillott mentioned that Penn State Extension is hosting webinars on solar facilities. He will watch the webinars and report back to the Planning Commission. Mr. Eifert would like to have the engineer and solicitor present when we discuss fee-in-lieu of curbing and sidewalks. He would like to know what areas would be targeted for placement of sidewalks and curbing. Ms. Vega stated that Board approval would be needed to authorize the solicitor and engineer's attendance.

Correspondence/Reports

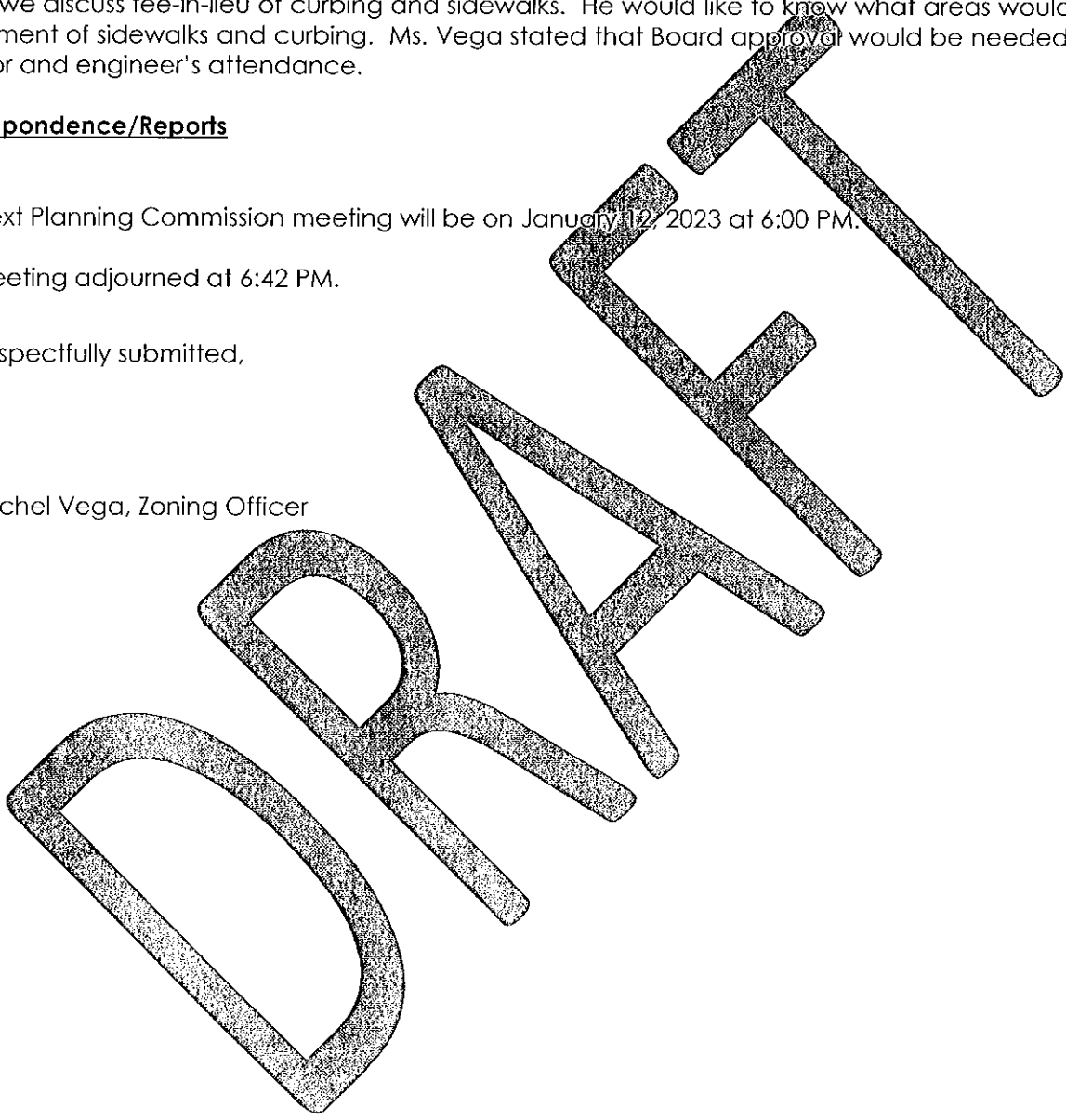
None

The next Planning Commission meeting will be on January 12, 2023 at 6:00 PM.

Meeting adjourned at 6:42 PM.

Respectfully submitted,

Rachel Vega, Zoning Officer





Hellam Township Planning Commission Variance Application Briefing

3A

Application Number:	Z-2023-1	PC Meeting Date:	January 12, 2023
Applicant(s):	Daniel & Angela Gambler	Tax Map Parcel:	LK-152A
Property Owner(s):	Daniel & Angela Gambler	Lot Size:	0.53 Acres
Property Location:	1085 Accomac Road	Zoning:	Rural Agricultural

Project Narrative:

The applicant is requesting a variance from §490-12 Table of Dimensional Requirements to allow a 1% increase in lot coverage from 23% to 24% in the Rural Agricultural Zone. The applicant proposes to construct a 240 square foot addition to increase the size of the master bedroom.

Attached Exhibits:

- A. Zoning Hearing Application (received December 27, 2022).
- B. Denied Permit Application (received December 6, 2022).

Property Characteristics:

1. The subject property contains about 0.53 acres in the Rural Agricultural Zone. This is a non-conforming lot as the minimum lot size is 2 acres in the Rural Agricultural Zone.
2. There are no records of a subdivision of this parcel although it appears to have been part of parcel LK-152 which contains about 300 acres (FKA Wizard Ranch) in 1969.
3. The subject property is not located in a Restricted Development Overlay Zone.
4. The subject property is improved with a single-family dwelling, garage and driveway.
5. Adjacent properties:

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

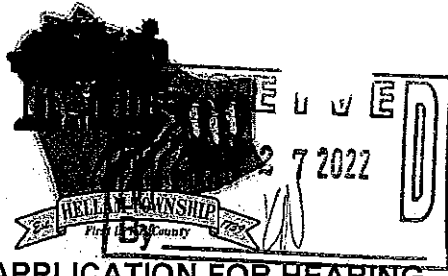
Variance Provisions

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.** This property is non-conforming for lot size as it is 0.53 acres. The minimum lot size in the Rural Agricultural Zone is 2 acres.
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.** Due to the small lot size, no further development can occur on the property.
3. **Why the unnecessary hardship has not been created by the applicant.** The current Rural Agricultural regulations do not take into account for parcels that are under two acres.

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.** This variance will not alter the essential character of the zone or neighborhood. Single-family dwellings are permitted in the RA Zone. The surrounding properties are residential and agriculture.
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 variance, if authorized, will represent the minimum variance as this is a small addition of only 240 square feet being added to a modestly sized house.
6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.** This property is not located 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>2-2023-1</u>			
Application Filed	<u>12/27/22</u>	Planning Commission	<u>1/12/23</u>
Hearing Advertised	_____	<input checked="" type="checkbox"/> ZHB/BOS Hearing	<u>1/24/23</u>
Notices Mailed	_____	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: Daniel and Angela Gambler
 ADDRESS: 1085 Accomac Rd
 PHONE NUMBER: [REDACTED] EMAIL ADDRESS: [REDACTED]

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

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

D. Tax Map: LK Parcel: 152A Zoning District: RA
 Property Address: 1085 Accomac Rd
 Date purchased: 10/7/2010
 Lot size: acreage 0.53 - or - 23,087 sq. ft.
 Present use: Residential
 Proposed use: Residential
 Date of previous application (if any): none

- 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 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 Table of dimensional requirements

- Brief description of nature of Variance requested:

240 sq. ft of addition to home to enlarge master bedroom. Current lot coverage is 23%. The proposal will increase lot coverage to 24%.

- A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Ordinance. see attached
- 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. see attached
- 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 0.53 acres in size. The RA zone requires a minimum two acre lot size therefore the property is non-conforming.

- 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 small lot size no further development can occur on the property. The current RA zone regulations are written to apply to properties that are at least two acres.

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

The current RA zoning regulations do not accomodate small parcels.

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 use will remain residential and the addition will blend seamlessly with the house's original architecture and decor. All other dimensional requirements will be met.

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 addition is minimal, only 240 sq. ft, being added to a modestly sized house.

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

The property is not in the floodplain.

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.

Akole Gambler

12/25/22

Daniel K. Gambler

12/26/2022

* Signature

Date

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

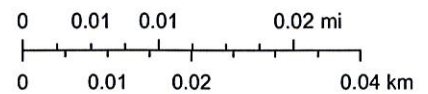
1085 Accomac Road



1/3/2023, 2:33:46 PM

1:1,128

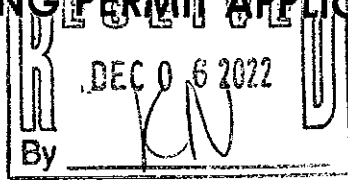
- Land Join
- State Road
- County PA_MD Boundary
- Local Road
- Tax_Parcel
- Roads**
- US Route
- PA Turnpike
- Interstate
- Image**
- Red: Band_1
- Green: Band_2
- Blue: Band_3



York County Planning Commission: Joe Simora, Maxar, Microsoft, Parcel Updated: 12/19/2022

ZONING (office use)
 APPLICATION FEE: \$25
 DATE RECEIVED: 12/6/22
 DATE COMPLETE: _____
 PERMIT #: _____
 SENT FOR UCC: _____

HELLAM TOWNSHIP ZONING PERMIT APPLICATION



TOWNSHIP FEES		BUILDING CODE FEES	
ZONING:	\$ _____	BUILDING:	\$ _____
SWM @ \$25	\$ _____	OTHER:	\$ _____
C of O:	\$25.00	TOTAL:	\$ _____
OTHER:	\$ _____		
TOTAL:	\$ _____		

PRINT LEGIBLY - USING BLUE OR BLACK INK

An incomplete application will not be reviewed until all missing information is submitted. This includes all signatures. If information is not submitted the application can be deemed incomplete and can be denied. Mark N/A if a section is not applicable.

CONTACT INFORMATION

Check box to indicate main contact

	Name	Address	Phone(s)	E-mail
<input type="checkbox"/> Property Owner	Dan Gambler Dan Gambler	1085 Accorse Rd	717 814 0976	Dan.gambler@comcast.net
<input type="checkbox"/> Applicant				
<input type="checkbox"/> Contractor	Justin Sankin	1145 Inwood Church Rd Columbia PA	917-381-6012	Evergreen101@comcast.net

PA Act 132 Registration # _____

Provide a list of sub-contractors if any are being used.

Indicate insurance and attach a copy:

- Self - provide copy of homeowners insurance
- Contractor's Workers Compensation or Waiver

EXISTING SITE INFORMATION

Site Address: 1085 Accorse Rd Tax Parcel ID #: 31-000-LR-0152A-40 Lot Area: _____ acres

Zoning District: Rural-Ag Res. Comm/Ind MU-1 MU-2 Interchange Quarry
 Floodplain Historic Village TDR Steep Slopes Woodlands/Canopy Riparian

Overlay Zone: Buffer

Utilities: Sewer Service: Public Private Water Service: Public Private

- Are there any easements or right-of-ways on the property? Yes No
- Are any utility poles on your property? Yes No
- Are there any underground utilities through the property? Yes No
- Are there any deed restrictions or homeowner's association for the property? Yes No
- What type of road does the site access? Township State Private

Attach a copy of documents (deed, restriction, HOP permits, driveway permits, etc).

PROPOSED IMPROVEMENTS

STRUCTURAL ACTIVITY

- New Structure
- Addition
- Alteration
- Demolition
- Replacement
- Other _____

TYPE OF IMPROVEMENT

- Accessory Structure
- Alternative Energy
- Deck
- Fence/Wall
- Single Family Residence
- Sidewalk/Patio/Pavers
- Sign
- Swimming Pool/Spa
- Other _____

OTHER DEVELOPMENT ACTIVITIES

- Fill, Grading, Excavation
- Pond
- Watercourse Alteration Drainage Improvements
- Well
- Timber Harvesting
- Other _____

USE

- Change of Use
- Home Occupation
- Special Event
- Temporary Use
- Other _____

Exhibit B

SIZE OF IMPROVEMENT	DISTANCE FROM PROPERTY LINES	DESCRIPTION OF WORK
Length: <u>17</u>	Front: <u>60</u>	<u>Addition</u>
Width: <u>16</u>	Rear: <u>75</u>	
Height: <u>16ft</u>	Right: <u>75</u>	
Total Area: <u>240 SF</u>	Left: <u>75</u>	

- Is a construction entrance being utilized for this project? No Yes - provide details of location and method
- Is the proposed land disturbance (construction entrance, grading, etc.) over 500 s.f. in area? No Yes - submit Stormwater Management Application
- Is a Knox Box for Emergency Access installed at the site? Yes No - submit necessary paperwork (required for all business in the Township)

"Total cost of construction" means the actual cost incurred by the owner, all contractors, subcontractors and other parties for labor, material, equipment, profit and incidental expenses for the entire project.


TOTAL COST OF CONSTRUCTION: \$ 60,000

STATEMENTS AND VERIFICATION BY APPLICANT

Initial by each paragraph, then sign & date below

Initials	I hereby understand and agree to the following:
	This application authorizes any municipal representative of Hellam Township to access the above property as stated within this application during normal business hours, without an administrative warrant; to inspect and verify that any proposed use and/or structure contained within this application complies with all Hellam Township Zoning Ordinance.
	The Township office is not responsible for any property dimensions shown on the site plan and establishment of property lines is the sole responsibility of the property owner and applicant.
	The failure to adhere to any and all provisions of the Hellam Township Ordinances shall constitute a violation as to any Permit issued per this Application, which shall cause any Permit to become Null and Void, and revocable by Hellam Township via its Zoning Officer or other designated agent.
	No construction, including moving of earth, can begin until the appropriate permits are acquired.

The application, together with the signed site plan and construction documents, is made part of this application by the undersigned. I/We hereby certify that as applicants, owners, or others that I/we completed and read the foregoing Application, that the information and statements provided on this application is true and correct to the best of their knowledge or belief. I/We do hereby certify under penalty of perjury.

Signature of Applicant 
 Signature of Property Owner _____

Date 12/6/22
 Date _____

The property owner(s) must sign this application to verify the contractor or tenant has permission from the property owner(s) to do all construction work authorized by the issuance of this permit.

ZONING OFFICER ACTION

(office use only)

_____ The application is in accordance with the Hellam Township Zoning Ordinance and is hereby **approved**.

_____ The application is hereby **disapproved** for the following reason(s): _____

_____ in violation of §490-

Signature of Zoning Officer _____ Date _____

Special Instructions or Restrictions: _____

LOT COVERAGE WORKSHEET

Directions: Complete this worksheet after taking accurate measurements of all existing impervious surfaces. All dimensions should be consistent with the attached site plan. If this worksheet is not completed or if information is left off, the Zoning Officer may deny the application or complete the worksheet using aerial photographs, previous building permits and any available site information (which may be inaccurate).

ADDRESS: 1085 Accomac Rd. PIDN: LK-152 A

ZONING: RA

1. **Lot Size (1 acre = 43,560 s.f.)** Lot size can be found on deed or tax assessment paperwork. Multiply the number of acres by 43,560 to obtain the total square feet (s.f.) of the lot.

0.53 ac. 23,087 s.f.

EXISTING (Indicate dimensions of existing structures/surfaces then multiply the dimensions to obtain s.f.)

2. House
3. Attached Garage
4. Attached Deck
5. Driveway (including stone)
6. Sidewalk/Patio
7. Detached Garage(s)
8. Decking (not attached to house)
9. Shed(s) or other accessory buildings
10. Pool (including surrounding concrete deck)
11. Barn(s)
12. Other _____

Dimensions

Square Feet

	<u>50</u>	ft	x	<u>32</u>	ft	
	_____	ft	x	_____	ft	_____
	_____	ft	x	_____	ft	_____
	_____	ft	x	_____	ft	<u>2600</u>
	<u>3</u>	ft	x	<u>30</u>	ft	<u>90</u>
	<u>41</u>	ft	x	<u>24</u>	ft	<u>984</u>
	_____	ft	x	_____	ft	_____
	_____	ft	x	_____	ft	_____
	_____	ft	x	_____	ft	_____
	_____	ft	x	_____	ft	_____

13. **Total Existing Lot Coverage** (add lines 2-12)

5274 s.f.

14. **Total % of Existing Lot Coverage** (line 13 divided by line 1, then multiply by 100)

23 %

PROPOSED (Identify structure, i.e. addition, deck, garage, etc.)

Dimensions

Square Feet

15. <u>Addition</u>	<u>15</u>	ft	x	<u>16</u>	ft	
16. _____	_____	ft	x	_____	ft	_____

240

17. **Total Proposed Lot Coverage** (add lines 15 & 16)

240 s.f.

18. **Total Coverage in s.f. – existing & proposed** (add lines 13 & 17)

5514 s.f.

19. **Total % Lot Coverage** (line 18 divided by line 1, then multiply by 100)

24 %

20. **Total % Lot Coverage permitted** (provided on Page 2 of the application directions)

15 %

21. **Total Coverage in s.f. – permitted** (multiple line 20 by line 1)

3463 s.f.

Lot Coverage is a percentage of the lot area which may be covered with an impervious surface. An **impervious surface** is made of materials which prevent the percolation of water into the ground. These materials include semi-impervious materials such as gravel stone and block. Examples of surfaces that should be included in lot coverage are buildings, driveways, parking areas, sidewalks, concrete pads, etc.

GR Mitchell

BUILDING SUPPLIES • ARCHITECTURAL MILLWORK • CABINETS

GRMITCHELL.COM | 717-464-2999

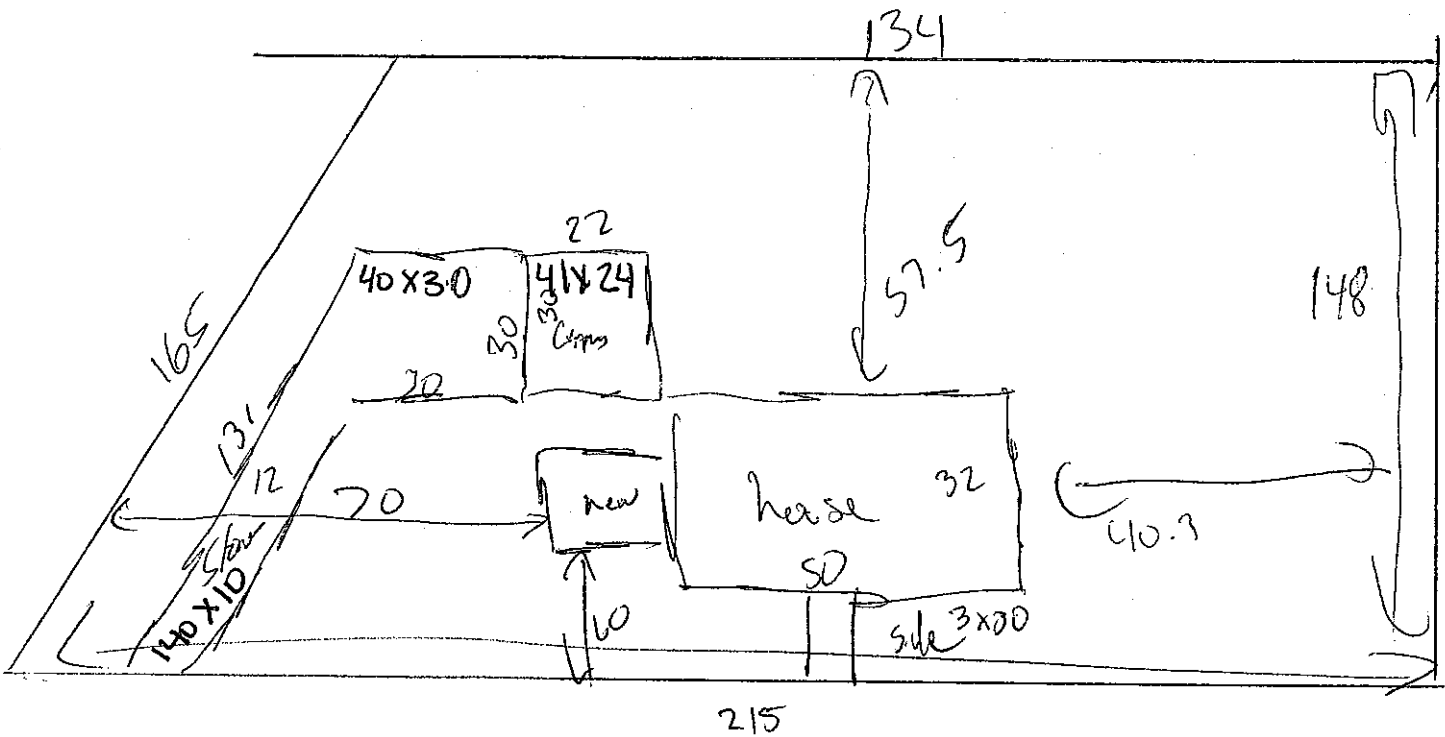
DATE:

CUSTOMER:

JOB:



6 Mich



Road

APPLICATION FOR BUILDING PERMIT / USE CERTIFICATE

PA. UCC and referenced INTERNATIONAL BUILDING CODE SERIES is enforced

MUNICIPALITY _____

Application Date _____

Application No. _____

1. PROPERTY INFORMATION

Tax Map _____

Site Address 1085 Accomac Road, Yorky PA.

Parcel No. _____

Zone: Agricultural _____ Commercial _____ Conservation _____ Industrial _____ Residential

2. OWNER'S INFORMATION

First Name: Dan Mi.: _____ Last Name: Gambler Phone No.: 717 814 8976

Street Address: 1085 Accomac Drive City: York State: PA Zip: 17406

3. BUILDING PERMIT APPLICATION

Description of Work: (provide details on plot plan along with existing structures on lot)

Build Addition on side of home as shown on plans.

ESTIMATED COST OF CONSTRUCTION: \$ 60,000

ESTIMATED START DATE 1/15/22

ESTIMATED COMPLETION DATE 3/15/22

4. CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I understand and assume responsibility for the establishment of official property lines for required setbacks prior to the start of construction, and agree to conform to all applicable laws of this jurisdiction. I further certify that this information is true and correct to the best of my knowledge.

APPLICANT SIGNATURE [Signature] DATE 12/6/22

Address 145 narrow church Rd columbus Phone No 717 3816012.

(TURN PAGE OVER)

5. CONTRACTOR INFORMATION

Please list additional general contractor information on additional sheet(s) if applicable

Name of Contractor Evergreen Custom Carpentry Justin Saulters Phone No 717 381 6012

Chief Executive Officer Justin Saulters Phone No 717 381 6012

Person in Charge of Work _____ Phone No. _____

Contractor Address 145 manson church rd

City Columbia State PA Zip 17512

Proof of "Workman's Compensation" Insurance _____

6. SUBCONTRACTOR INFORMATION

Please list subcontractors for major trades, use additional sheet(s) if applicable

Contractor Dave Men Electric Columbia PA 717 629 7059
City, State, Zip Phone No

Contractor _____ City, State, Zip Phone No

Contractor _____ City, State, Zip Phone No

Contractor _____ City, State, Zip Phone No

Contractor _____ City, State, Zip Phone No

7. OFFICE INFORMATION

APPLICATION FEE: \$ _____

ISSUANCE DATE _____ / _____ / _____

PERMIT FEE: \$ _____

EXPIRATION DATE _____ / _____ / _____

INSPECTION FEES \$ _____

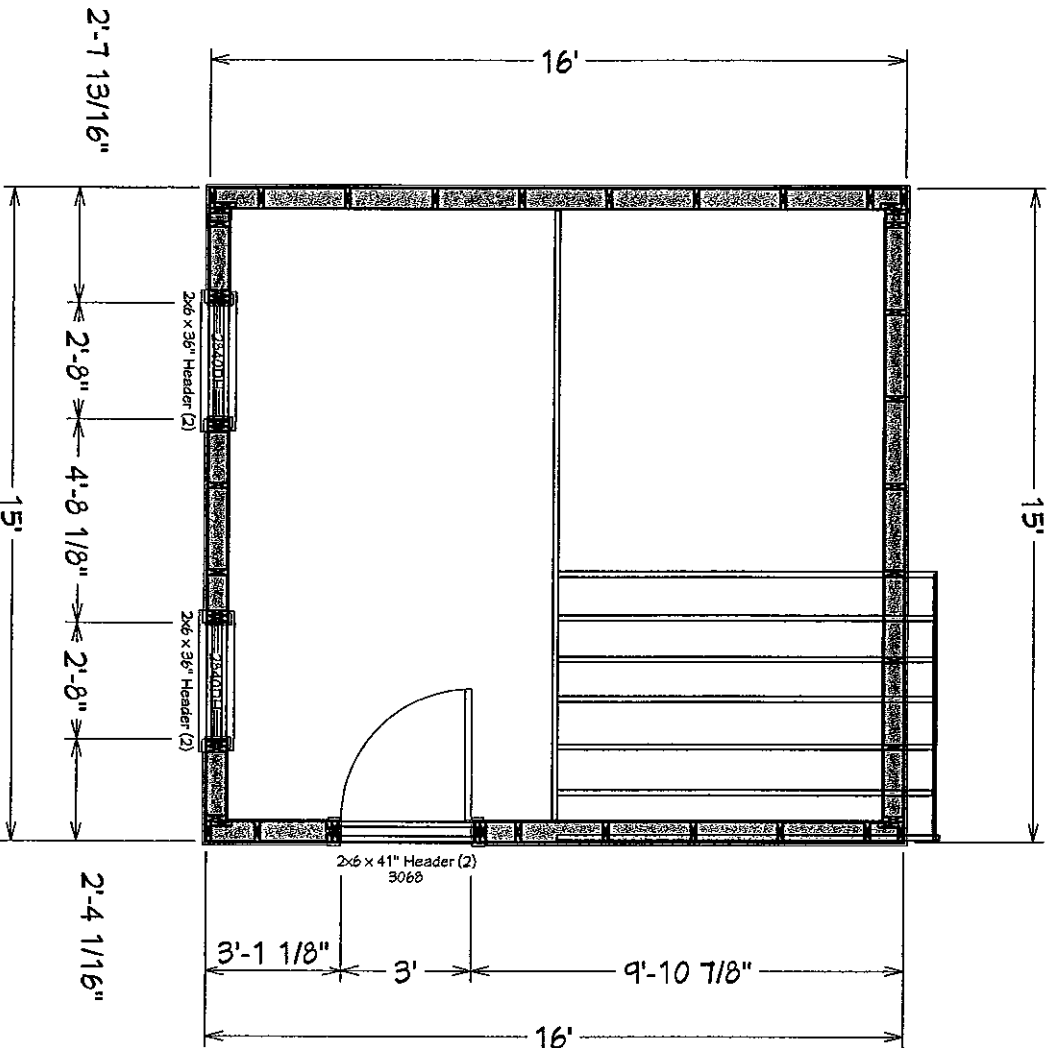
EXTENSION DATE _____ / _____ / _____

TOTAL FEES \$ _____

APPLICATION IS: GRANTED _____ DENIED _____

SIGNATURE OF PERMIT OFFICER _____ DATE _____

APPLICANT OR AUTHORIZED AGENT IS RESPONSIBLE FOR CONTACTING BUILDING INSPECTOR FOR REQUIRED INSPECTIONS.



LIVING AREA
240 SQ FT

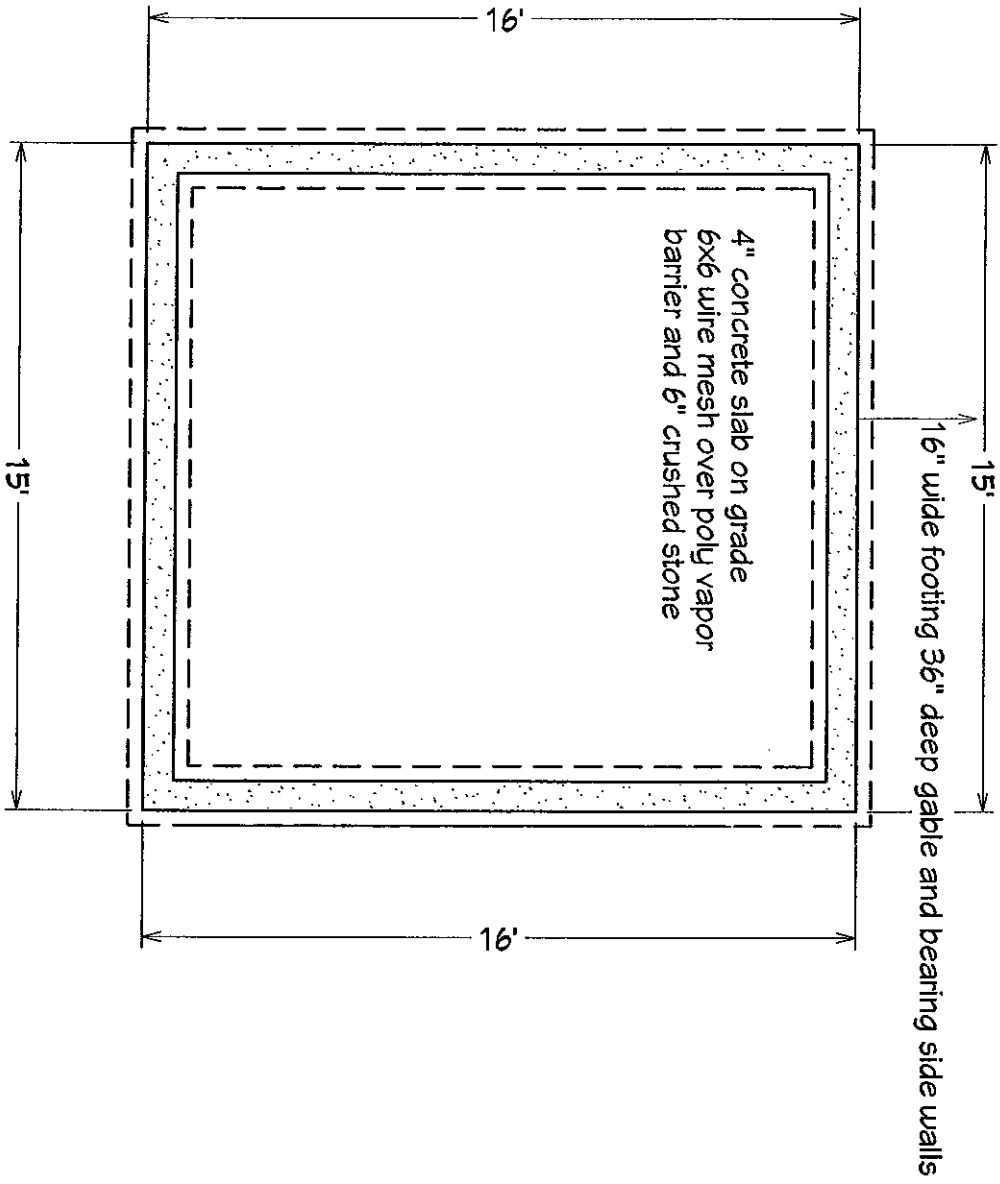
ROOF-

14 inch LVL structural ridge bearing into existing home and new gable wall
 2x12 rafters 16" Center 8 inch pitch, rafters to be tied to walls with ledger lock

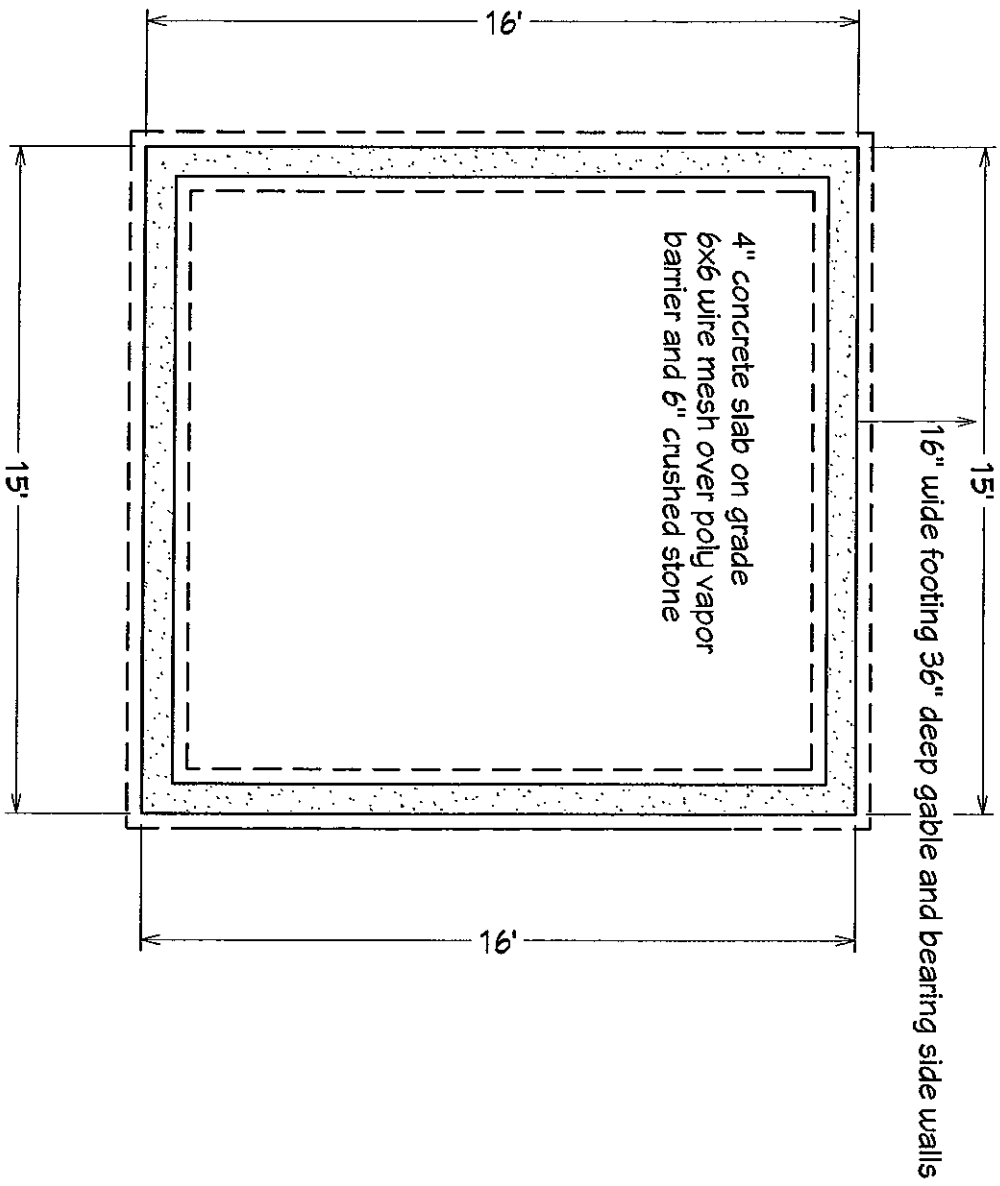
.5" osb sheathing on roof, r42 insulation in ceiling

Walls-
 2x6 framing, treated bottom plate with double top plate. walls fastened with j bolts poured into foundation
 16" center framing with .5 inch osb sheathing Insulation to code

Electrical- new circuit for outlets and switched receptacle and fan



LIVING AREA
240 SQ FT



LIVING AREA
240 SQ FT



Hellam Township Planning Commission Rezoning Application Briefing

3B

Application Number:	Z-2023-2	PC Meeting Date:	January 12, 2023
Applicant(s):	Nathan & Kristen Kauffman	Tax Map Parcel:	KK-2A
Property Owner(s):	Nathan & Kristen Kauffman	Lot Size:	23.46 Acres
Property Location:	Campbell Road	Zoning:	Rural Agricultural

Project Narrative:

The applicant is requesting a rezoning of 23.46 acres on Campbell Road from Rural Agricultural to Commercial/Industrial.

Attached Exhibits:

- A. Application submitted December 27, 2022.
- B. Current Zoning Map.
- C. Aerial Map.
- D. Draft Ordinance.

History:

The Hellam Township Official Zoning Map shows the subject property was zoned Farming and Agriculture back as far as July 6, 1978. The surrounding properties were zoned a mixture of Commercial and Industrial at this time. The property is currently used for agriculture and is surrounded by commercial uses to the north, south and part of the west side of the property. There are residences to the west of the property and agriculture to the east. As shown on the current zoning map attached hereto as **Exhibit B**, the properties directly adjoining the subject property to the north, south and west are zoned Commercial/Industrial. The subject property is not located within any Restricted Overlay Zone or the Floodplain. There are no records of any prior approvals, subdivisions, zoning cases, etc. for this property.

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.



APPLICATION FOR HEARING

FOR TOWNSHIP USE ONLY			
ZONING CASE # <u>Z-2023-2</u>			
Application Filed	<u>12/27/22</u>	Planning Commission	<u>1/12/23</u>
Hearing Advertised	_____	ZHE/BOS Hearing	<u>3/16/23</u>
Notices Mailed	<u>12/29/22</u>	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: Nathan A. & Kristen D. Kauffman
ADDRESS: 95 Walnut Springs Road, York PA 17406
PHONE NUMBER: [REDACTED] **EMAIL ADDRESS:** [REDACTED]

B. PROPERTY OWNER'S NAME
 (If different than applicant): Nathan A. & Kristen D. Kauffman
ADDRESS: Campbell Road, York, PA 17406
PHONE NUMBER: [REDACTED]

C. CONSULTANT'S NAME
 (If different than applicant): Craig S. Sharnetzka, Esquire.
ADDRESS: CGA Law Fir, 135 N. George St, York PA 17401
PHONE NUMBER: 717-848-4900 **EMAIL ADDRESS:** csharnetzka@cgalaw.com

D. Tax Map: 31-000-KK **Parcel:** 0002.A0-00000 **Zoning District:** Rural Agricultural (RA)
Property Address: Campbell Road
Date purchased: May 11, 2016
Lot size: acreage 23.46 - or - 1,021,917.6 sq. ft.
Present use: Vacant Agricultural
Proposed use: Industrial
Date of previous application (if any): N/A

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

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

Present Use Vacant Agricultural Proposed Use Industrial

Statement explaining need for amendment:

See attached exhibits

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.

DocuSigned by:
Nathan Kauffman

12/22/2022 | 9:35:40 AM CST

* Signature

Date

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

EXHIBIT A

PROPOSED REZONING AMENDMENT RE: 199 CAMPBELL ROAD, YORK, PA 17402 UPI #: 31-000-KK-0002.A0-00000

This proposed rezoning amendment pertains to an approximately twenty-three (23) acre tract of land located directly off of Campbell Road, just south of the Lincoln Highway/Campbell Road intersection (UPI #: 31-000-KK-0002.A0-00000) (“Property”). The Property is owned by Nathan A. and Kristen D. Kauffman, and the precise legal description of the Property can be found in the deed provided to the owners when the Property was purchased on May 11, 2016. **Exhibit C.** The Property is currently being used for agricultural purposes. However, the Owners are proposing that the Property be rezoned as Commercial/Industrial, so that the Property can be utilized for those uses permitted in the Township’s Commercial/Industrial (“C/I”) Zone.

First, the nature of the surrounding uses demonstrate that the Property would be appropriately zoned as commercial/industrial. The Property is located in the southwest region of Hellam Township and on the outermost edge of Township’s Rural Agricultural (“RA”) Zone, where it borders the Township’s C/I Zone. In fact, the Township’s Zoning Map illustrates that the Property appears to be carved out of the C/I Zone and delineated as RA. **Exhibit D.** Currently, the Property is surrounded by various types of land uses, including residential, agricultural, industrial, and commercial uses. To the north, the Property is bordered by commercial and industrial uses, such as an auto repair shop, an excavation company, and an aluminum sand casting foundry. Immediately to the east, the Property is bordered by agricultural land under common ownership with the Property. To the south, the Property is utilized for a mix of commercial and industrial uses by American Hydro Corp., UWS Properties LLC, Rose Land Development, Inc., and Billet Industries. Finally, the land to the west of the Property is utilized for a mix of residential and industrial uses. A complete list of the adjoining property owners can be found on **Exhibit B.**

Second, the proximity of the Property to Lincoln Highway and the Township’s existing C/I Zone demonstrates that the Property would be ideally zoned commercial/industrial. The Township recognizes that commercial and industrial uses are essential for the continuing economic development of the Township, and for that reason, has encouraged development of this sort in appropriate locations within the Township. Notably, the Township’s Comprehensive Plan appreciates the limited amount of commercial and industrial activity within the Township, which is either concentrated west of Hallam Borough to the Springettsbury Township line or scattered along Route 462 between Hallam and Wrightsville Borough. As such, the Township has identified the Route 30 and Route 462 corridor as the ideal location for commercial and industrial development, largely due to the high capacity access roadways and the availability of public services. Accordingly, the access that Lincoln Highway provides to the Property and the availability of public services indicate that rezoning the Property to be C/I would implement the objectives of the Township’s Comprehensive Plan.

For these reasons, the applicant respectfully requests that the Property be rezoned from the current RA Zone designation to become part of Hellam Township’s C/I Zone.

EXHIBIT B

**COMPLETE LIST OF ADJOINING PROPERTY OWNERS
199 CAMPBELL ROAD, YORK, PA 17402
UPI #: 31-000-KK-0002.A0-00000**

Property Owner	Property Address	Uniform Parcel Identifier	Current Land Use
Daniel & Gail Wade	220 Bovary Drive	31-000-KJ-0111.00.00000	Residential
William Gibbons IV	140 Campbell Road	31-000-KJ-0109.00-00000	Residential
Dennis Leber, Sr.	214 Bovary Drive	31-000-KJ-0110.00-00000	Exempt – Veterans
Ronnie Guthrie	146 Campbell Road	31-000-KJ-0108.A0-00000	Residential
Christina & Carl Knaub	152 Campbell Road	31-000-KJ-0108.00-00000	Residential
Christina & Carl Knaub	Campbell Road	31-000-KJ-0108.B0-00000	Residential
Stephanie & James Johnson	184 Campbell Road	31-000-KJ-0107.00-00000	Residential
Sharon Geltz	140 Mimosa Drive	31-000-KJ-0106.B0-M1040	Residential
Rose Land Development, Inc.	245 Campbell Road	31-000-KJ-0107.A0-00000	Industrial – Small Shop
UWS Properties, LLC.	216 Gartner Lane	31-000-KK-0001.B0-00000	Industrial- Light Manufacturing/Processing

Nathan & Kristen Kauffman	300 Gartner Lane	31-000-KK-0002.00-00000	Farm – Crops and General Farming
Metropolitan Edison Co.	Campbell Off Road	31-000-KJ-0112.B0-00000	Exempt – Utility
WCA Campbell Road Associates	4300 Lincoln Rear Hwy	31-000-KJ.0112.K0-00000	Industrial – Vacant Land
WCA Campbell Road Associates	107 Campbell Road	31-000-KJ-0112.D0-00000	Commercial – Mixed Residential/Commercial
66 Campbell Properties LLC	66 Campbell Road	31-000-KJ-0112.E0-00000	Commercial – Specialty Auto Repair
Jesse Dellen and Susan Andes	65 Campbell Road	31-000-KJ-0112.00-00000	Residential – Ranch House
Water Street Investments	4300 Lincoln Highway	31-000-KJ-0112.C0-00000	Industrial – Light Manufacturing/Processing
Ronald and Marcie Shindler	4470 Lincoln Highway	31-000-KK-0003.00-00000	Farm – Crops and General Farming
John and Linda Holden	327 Campbell Road	31-000-KK-0001.00-00000	Farm – Horse Farm
Keith and Karen Billet	247 Campbell Road	31-000-KK-0001.A0-00000	Industrial – Light Manufacturing/Processing
American Hydro Corp.	135 Stonewood Road	31-000-KJ-0105.A0-00000	Industrial – Heavy Manufacturing/Processing

19099



THIS IS THE SECOND PART OF A TAX-DEFERRED, LIKE-KIND EXCHANGE PURSUANT TO SECTION 1031 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

4p

- UPI: 31000JK0009A000000
Freysville Road, Hellam Township
- 31000JK0009F000000
Freysville Road, Hellam Township
- 31000KK00020000000
300 Gartner Lane, Hellam Township
- 31000KK0002A000000
Campbell Road, Hellam Township

9p
3N

THIS DEED

Made the 11th day of May, in the year Two Thousand Sixteen (2016)

BETWEEN BROOKS K. POMPER, single man, of York County, Pennsylvania,

--GRANTOR

AND

NATHAN A. KAUFFMAN and **KRISTEN D. KAUFFMAN**, husband and wife, of York County, Pennsylvania,

--GRANTEES

WITNESSETH, that in consideration of the sum of **ONE MILLION FIVE HUNDRED SEVENTY-FIVE THOUSAND (\$1,575,000.00) DOLLARS** lawful money of the United States, in hand paid, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantees, their heirs and assigns,

UPI: 31000JK0009A000000:

ALL THAT CERTAIN tract of land situate in Hellam Township, York County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a concrete marker at the corner of property now or formerly of Mrs. J. W. Allison, and also at the corner of property now or formerly of Frank J. King; thence by said land now or formerly of Mrs. J. W. Allison North three (03) degrees forty-two (42) minutes zero (00)

seconds West four hundred forty-nine and sixty one-hundredths (449.60) feet to an iron pin at the corner of other lands now or formerly of Hortense Head Pomper; thence by said other lands now or formerly of the Grantor herein; thence by said other land now or formerly of the Grantor herein, North sixty (60) degrees twenty-five (25) minutes ten (10) seconds East three hundred fifty-five and fifty-six one-hundredths (355.56) feet to an iron pin; thence by the same North forty-four (44) degrees zero (00) minutes ten (10) seconds East one hundred forty-five and twenty one-hundredths (145.20) feet to an iron pin; thence by the same North eighty-nine (89) degrees fifty-two (52) minutes fifty (50) seconds East one hundred fifty-nine and seventy-three one-hundredths (159.73) feet to an iron pin; thence by the same North eighty-four (84) degrees seventeen (17) minutes ten (10) seconds East one hundred forty-six and sixty-four one-hundredths (146.64) feet to an iron pin; thence by the same South eighty (80) degrees forty-seven (47) minutes fifty (50) seconds East one hundred thirty-three and ninety-six one-hundredths (133.96) feet to an iron pin; thence by the same land and bearing thirty-two and sixty one-hundredths (32.60) feet to a spike in the centerline of a public road known as Freysville Road (Legislative Route 66019); thence by and through said public road South thirty-two (32) degrees fourteen (14) minutes fifty (50) seconds West two hundred thirty and zero one-hundredths (230.00) feet to a point in said centerline; thence by and through said public road South twenty-nine (29) degrees one (01) minute ten (10) seconds West one hundred fifty and eighty-eight one-hundredths (150.88) feet to a point in said centerline; thence by and through said public road South fifteen (15) degrees three (03) minutes fifty (50) seconds West one hundred ninety-nine and three one-hundredths (199.03) feet to a point in said centerline; thence by and through said public road South three (03) degrees forty-two (42) minutes ten (10) seconds West one hundred fifty and sixty-one one-hundredths (150.61) feet to a point in said centerline; thence by and through said public road South zero (00) degrees twenty-eight (28) minutes ten (10) seconds West five hundred thirty-four and zero one-hundredths (534.00) feet to a spike in said centerline; thence by and through said public road South three (03) degrees fifty-five (55) minutes thirty (30) seconds West four hundred fifty-four and eighteen one-hundredths (454.18) feet to a spike in said centerline; thence through said public road and by other lands now or formerly of the Grantor herein, North seventy-five (75) degrees sixteen (16) minutes fifty (50) seconds West thirty and fifty-four one-hundredths (30.54) feet to an iron pin; thence by the same land and bearing two hundred ninety-nine and fifty-two one hundredths (299.52) feet to an iron pin; thence by the same North eighty seven (87) degrees sixteen (16) minutes forty (40) seconds West one hundred ninety-six and sixty-one one-hundredths (196.61) feet to an iron pin at the corner of other land now or formerly of the Grantor herein, the corner of land now or formerly of James W. Woodend, and the corner of land now or formerly of Arthur Barakos; thence by land now or formerly of said Arthur Barakos and land now or formerly of Noreen E. Reuse North three (03) degrees ten (10) minutes ten (10) seconds West three hundred seventy-six and ninety-five one-hundredths (376.95) feet to an iron pin at corner of said land now or formerly of Noreen E. Reuse, and the corner of land now or formerly of Frank J. King; thence by said land now or formerly of Frank J. King North two (02) degrees eighteen (18) minutes fifty (50) seconds West four hundred seventy-two and forty-one one-hundredths (472.41) feet to a concrete marker, the place of **BEGINNING**.

IT BEING the same premises which Hortense Head Pomper, widow, by Deed dated 2/2/82 and recorded 2/3/82 in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Record Book 83-Z, page 641, granted and conveyed unto Brooks K. Pomper, Grantor herein.

UPI: 21000JK0009F000000:

ALL THAT CERTAIN tract of land situate in Hellam Township and Springettsbury Township, York County, Pennsylvania, more particularly bounded and described as Follows:

BEGINNING at a concrete monument in Springettsbury Township at corner of lands now or formerly of William L. Lutes and Lois Ann Lutes, and at other lands now or formerly of Grantee; thence North three (03) degrees ten (10) minutes ten (10) seconds West nine hundred fifty-nine and eighty-one one-hundredths (959.81) feet by lands now or formerly of the said William L. Lutes and Lois Ann Lutes, lands now or formerly Carl F. Garner and Denise K. Garner, lands now or formerly of Dale K. McCullough, lands now or formerly of Richard C. Gudat and Lori L. Gudat, and lands now or formerly of William T. Craddock and Carol A. Craddock, to an iron pin in Hellam Township at corner of other lands now or formerly of Grantee; thence by said other lands now or formerly of Grantee, South eighty-seven (87) degrees sixteen (16) minutes forty-five seconds East one hundred ninety-six and sixty-one one-hundredths (196.61) feet to an iron pin at said other lands of now or formerly Grantee; thence by the same South seventy five (75) degrees sixteen (16) minutes fifty (50) seconds East two hundred ninety-nine and fifty-two one-hundredths (299.52) feet to a spike in the centerline of Freysville Road, having passed through an iron pin thirty and fifty-four one-hundredths (30.54) feet before said spike in the centerline of Freysville Road; thence by the said Freysville Road, along lands of now or formerly of Gardner Pomper and Gale Pomper, his wife, South three (03) degrees twenty-one (21) minutes thirty-three (33) seconds West four hundred fifty-nine and seven one-hundredths (459.07) feet to a point in the centerline of Freysville Road at lands now or formerly of Gardner Pomper and Gale Pomper, his wife; thence by the Freysville Road, along lands now or formerly of Gardner Pomper and Gale Pomper, his wife, South one (01) degree forty-six (46) minutes forty-eight (48) seconds West two hundred eighty-six and twenty-two one-hundredths (286.22) feet to a spike in the centerline of the said Freysville Road at corner of other lands now or formerly of Grantee; thence by other lands now or formerly of Grantee, and passing out of Freysville Road, and through an iron pin thirty (30) feet from the centerline of Freysville Road South seventy-two (72) degrees four (04) minutes seven (07) seconds West four hundred seventeen and fifty one- hundredths (417.50) feet to a concrete monument in Springettsbury Township, the place of **BEGINNING**.

IT BEING the same premises which Hortense Head Pomper, widow, by Deed dated 12/29/95 and recorded 12/29/95 in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Record Book 1242, page 337, granted and conveyed unto Brooks K. Pomper, Grantor herein.

UPI: 31000KK00020000000:

ALL THAT CERTAIN tract of land, with the improvements thereon erected, situate in Hellam Township, York County, Pennsylvania, bounded described as follows:

BEGINNING at a stone in the line of land now or formerly of Samuel Landis; thence by land now or formerly of said Landis South seventy seven (77) degrees West seventy-eight and seven tenths (78.7) perches to a hickory; thence by lands now or formerly of Michael Rudy and of Samuel Rudy South thirteen and one-half (13 ½) degrees East eighty-eight and two-tenths (88.2) perches to a post; thence by land now or formerly of Samuel Rudy North fifty and one-fourth (50 ¼) degrees East seventeen and two-tenths (17.2) perches to a post; thence by land of same South thirty-one and one-half (31 ½) degrees East fifty-eight (58) perches to a post; thence by same South forty-nine and three-fourths (49 ¾) degrees West eleven and five-tenths (11.5) perches to a stone; thence by same South ten and one-half (10 ½) degrees East one hundred twenty-one and two-tenths (121.2) perches to a post; thence by same South eight and one-half (8 ½) degrees East two hundred twenty seven and three-tenths (227.3) perches to a stone; thence by land now or formerly of David Stoner and now or formerly of John Houser North sixty-nine and three-quarters (69 ¾) degrees East fifty-seven and two-tenths (57.2) perches to a hickory; thence by lands now or formerly of Michael and Samuel Rudy, Michael Ream, Henry Jacobs and the heirs of Henry Musser, deceased, North two (2) degrees West two hundred thirty-eight (238) perches to a post; thence by lands now or formerly of the heirs of Henry Musser, deceased, and of David Stoner North three (3) degrees West fifty-seven (57) perches to a stump; thence by land now or formerly of David Stoner North twenty-two and three-quarters (22 ¾) degrees West one hundred ninety six (196) perches to the place of **BEGINNING**.

LESS, HOWEVER, the following adverse conveyances:

1. Tract of land conveyed by Hortense Head Pomper, widow, to Brooks K. Pomper, single man, by Deed dated February 2, 1982 and recorded February 3, 1982 in the Office of the Recorder of Deeds aforesaid in Record Book 83-Z, page 641, said tract being bounded and described as follows: Beginning at a concrete marker at corner of property now or formerly of Mrs. J. W. Allison, and also at corner of property now or formerly of Frank J. King; thence by said land now or formerly of Mrs. J. W. Allison North three (03) degrees forty two (42) minutes zero (00) seconds West four hundred forty-nine and sixty one-hundredths (449.60) feet to an iron pin at corner of other land now or formerly of Hortense Head Pomper; thence by said other land now or formerly of Hortense Head Pomper North sixty (60) degrees twenty-five (25) minutes ten (10) seconds East three hundred fifty-five and fifty-six one-hundredths (355.56) feet to an iron pin; thence by same North forty four (44) degrees zero (00) minutes ten (10) seconds East one hundred forty-five and twenty one-hundredths (145.20) feet to an iron pin; thence by same North eighty-nine (89) degrees fifty-two (52) minutes fifty (50) seconds East one hundred fifty-nine and seventy-three one-hundredths (159.73) feet to an iron pin; thence by same North eighty-four (84) degrees seventeen (17) minutes ten (10) seconds East one hundred forty-six and sixty-four one-hundredths (146.64) feet to an iron pin; thence by same South eighty (80) degrees forty seven (47) minutes fifty (50) seconds East one hundred thirty-three and ninety-six one-

hundredths (133.96) feet to an iron pin; thence by same land and bearing thirty-two and sixty one-hundredths (32.60) feet to a spike in the centerline of a public road known as Freysville Road (Legislative Route 66019); thence by and through said public road South thirty-two (32) degrees fourteen (14) minutes fifty (50) seconds West two hundred thirty and zero one-hundredths (230.00) feet to a point in said centerline; thence by and through said public road South twenty-nine (29) degrees one (01) minute ten (10) seconds West one hundred fifty and eighty-eight one-hundredths (150.88) feet to a point in said centerline; thence by and through said public road South fifteen (15) degrees three (03) minutes fifty (50) seconds West one hundred ninety-nine and three one-hundredths (199.03) feet to a point in said centerline; thence by and through said public road South three (03) degrees forty-two (42) minutes ten (10) seconds West one hundred fifty and sixty-one one-hundredths (150.61) feet to a point in said centerline; thence by and through said public road South zero (00) degrees twenty-eight (28) minutes ten (10) seconds West five hundred thirty-four and zero one-hundredths (534.00) feet to a spike in said centerline; thence by and through said public road South three (03) degrees fifty-five (55) minutes thirty (30) seconds West four hundred fifty-four and eighteen one-hundredths (454.18) feet to a spike in said centerline; thence through said public road and by other land now or formerly of Hortense Head Pomper North seventy-five (75) degrees sixteen (16) minutes fifty (50) seconds West thirty and fifty-four one-hundredths (30.54) feet to an iron pin; thence by same land and bearing two hundred ninety-nine and fifty-two one-hundredths (299.52) feet to an iron pin; thence by same North eighty-seven (87) degrees sixteen (16) minutes forty (40) seconds West one hundred ninety-six and sixty-one one-hundredths (196.61) feet to an iron pin at corner of other land now or formerly of Hortense Head Pomper, corner of land now or formerly of James W. Woodend and corner of land now or formerly of Arthur Barakos; thence by land now or formerly of said Arthur Barakos and land now or formerly of Noreen E. Reuse North three (03) degrees ten (10) minutes ten (10) seconds West three hundred seventy-six and ninety-five one-hundredths (376.95) feet to an iron pin at corner of said land now or formerly of Noreen E. Reuse and corner of land now or formerly of Frank J. King; thence by said land now or formerly of Frank J. King North two (02) degrees eighteen (18) minutes fifty (50) seconds West four hundred seventy-two and forty-one one-hundredths (472.41) feet to a concrete marker and the place of beginning; containing 20.416 acres, more or less;

2. Tract of land conveyed by Hortense Head Pomper, widow, to Gardner Pomper, single man, by Deed dated December 26, 1991 and recorded the same date in the Office of the Recorder of Deeds aforesaid in Land Record Book 290, page 360, said tract of land being bounded and described as follows: Beginning at a point in Freysville Road; thence by and through said Freysville Road North two (02) degrees ten (10) minutes one (01) second West two hundred eighty-six and twenty-two one-hundredths (286.22) feet to a point in said road; thence by same North zero (00) degrees forty-four (44) minutes forty-five (45) seconds West four hundred fifty-nine and seven one-hundredths (459.07) feet to a point in said road; thence by same North zero (00) degrees six (06) minutes twenty-five (25) seconds West three hundred seventy-five and zero one-hundredths (375.00) feet to a point in said road; thence by other land now or formerly of Hortense Head Pomper North seventy-seven (77) degrees forty-four (44) minutes ten (10) seconds East four hundred ninety-three and twenty-nine one-hundredths (493.29) feet to a point at land now or formerly of Edward F. and Doretha L. Peters; thence by

land now or formerly of Edward F. and Doretha L. Peters, other land now or formerly of Hortense Head Pomper, land now or formerly of S. B. Paules and land now or formerly of V. L. Frey South one (01) degree five (05) minutes ten (10) seconds East one thousand thirty and zero one-hundredths (1030.00) feet to a point at land now or formerly of V. L. Frey, having crossed through an iron pin two hundred forty-three and nine one-hundredths (243.09) feet from the last mentioned point at land now or formerly of V. L. Frey; thence by said land now or formerly of V. L. Frey and land now or formerly of Robert L. Schlag, Sr. South sixty-eight (68) degrees three (03) minutes twenty-five (25) seconds West five hundred twenty-one and eighty-seven one-hundredths (521.87) feet to the point and place of beginning; containing 12.09 acres;

3. Tract of land conveyed by Hortense Head Pomper, widow, to Gardner Pomper, single man, by Deed dated November 17, 1992 and recorded the same date in the Office of the Recorder of Deeds aforesaid in Land Record Book 513, page 512, said tract of land being bounded and described as follows: Beginning at a point in Freysville Road (Legislative Route 66019) at land now or formerly of E. E. Heindel; thence by said land now or formerly of E. E. Heindel, as well as by land now or formerly of Richard E. Dietz, and land now or formerly of Edward F. and Doretha L. Peters South one (01) degree five (05) minutes ten (10) seconds East one thousand eight hundred thirty-three and seventeen one-hundredths (1833.17) feet to a point at corner of other land now or formerly of Hortense Head Pomper of which this tract was once a part; thence by said other land now or formerly of Hortense Head Pomper South seventy-seven (77) degrees forty-four (44) minutes ten (10) seconds West four hundred ninety-three and twenty-nine one-hundredths (493.29) feet to a point in Freysville Road; thence by and through Freysville Road North zero (00) degrees six (06) minutes twenty-five (25) seconds West seventy nine and eighteen one-hundredths (79.18) feet to a point in Freysville Road; thence by and through Freysville Road the following nine courses and distances: 1) North three (03) degrees thirty-three (33) minutes forty-five (45) seconds West five hundred thirty-four and zero one-hundredths (534.00) feet; 2) North zero (00) degrees nineteen (19) minutes forty-five (45) seconds West one hundred fifty and sixty-one one-hundredths (150.61) feet; 3) North eleven (11) degrees one (01) minute fifty-five (55) seconds East one hundred ninety-nine and three one-hundredths (199.03) feet; 4) North twenty-four (24) degrees fifty-nine (59) minutes fifteen (15) seconds East one hundred fifty and eighty-eight one-hundredths (150.88) feet; 5) North twenty-eight (28) degrees twelve (12) minutes fifty-five (55) seconds East two hundred thirty and zero one-hundredths (230.00) feet; 6) North twenty-seven (27) degrees ten (10) minutes twenty-three (23) seconds East one hundred forty-two and eighty-three one-hundredths (142.83) feet; 7) North twenty-four (24) degrees twenty-two (22) minutes thirty-six (36) seconds East one hundred forty-four and ninety-eight one-hundredths (144.98) feet; 8) North twenty-one (21) degrees three (03) minutes forty-three (43) seconds East one hundred forty-seven and thirty-seven one-hundredths (147.37) feet; 9) North twenty (20) degrees fifty-three (53) minutes fifteen (15) seconds East two hundred sixty and fifty-six one-hundredths (260.56) feet to the point in Freysville Road and the place of beginning; containing 15.13 acres;

4. Tract of land conveyed by Hortense Head Pomper, widow, to Brooks K. Pomper, married man, by Deed dated December 29, 1995 and recorded the same date in the Office of the Recorder of Deeds aforesaid in Land Record Book 1242, page 337, said tract of land being

bounded and described as follows: Beginning at a concrete monument in Springettsbury Township at corner of land now or formerly of William L. and Lois Ann Lutes and at other land now or formerly of Brooks K. Pomper; thence North three 03 degrees ten (10) minutes ten (10) seconds West nine hundred fifty-nine and eighty-one one-hundredths (959.81) feet by land now or formerly of said William L. and Lois Ann Lutes, land now or formerly of Carl F. and Denise K. Gamer; land now or formerly of Dale K. McCullough, land now or formerly of Richard C. and Lori L. Gudat and land now or formerly of William T. and Carol A. Craddock, to an iron pin in Hellam Township at corner of other land now or formerly of Brooks K. Pomper; thence by said other land now or formerly of Brooks K. Pomper South eighty-seven (87) degrees sixteen (16) minutes forty-five (45) seconds East one hundred ninety-six and sixty-one one-hundredths (196.61) feet to an iron pin at said other land now or formerly of Brooks K. Pomper; thence by same South seventy-five (75) degrees sixteen (16) minutes fifty (50) seconds East two hundred ninety-nine and fifty-two one-hundredths (299.52) feet to a spike on the center line of Freysville Road, having passed through an iron pin thirty and fifty-four one-hundredths (30.54) feet before said spike on the center line of said Freysville Road; thence by said Freysville Road, along land now or formerly of Gardner and Gale Pomper South three (03) degrees twenty-one (21) minutes thirty-three (33) seconds West four hundred fifty-nine and seven one-hundredths (459.07) feet to a point on the centerline of Freysville Road at land now or formerly of Gardner and Gale Pomper; thence by Freysville Road along land now or formerly of Gardner and Gale Pomper South one (01) degree forty-six (46) minutes forty-eight (48) seconds West two hundred eighty-six and twenty-two one hundredths (286.22) feet to a spike on the centerline of said Freysville Road at corner of other land now or formerly of Brooks K. Pomper; thence by said other land now or formerly of Brooks K. Pomper and passing out of Freysville Road and through an iron pin thirty (30) feet from the centerline of Freysville Road, South seventy-two (72) degrees four (04) minutes seven (07) seconds West four hundred seventeen and fifty one-hundredths (417.50) feet to the concrete monument in Springettsbury Township and the place of beginning; containing 8.735 acres;

5. The premises which Jean McDowell Head, widow, by her Deed dated 11/28/47 and recorded 12/10/47 in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Regard Book 33-O, page 214, granted and conveyed unto Earnest C. Boyce and Eliza C. Boyce, his wife.

IT BEING the same premises which Brooks K. Pomper, Executor of the Last Will and Testament of Hortense H. Pomper, a/k/a Hortense Head Pomper, by Deed dated 2/26/13 and recorded 2/27/13 in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Record book 2218, page 7019, granted and conveyed unto Brooks K. Pomper,

IT ALSO BEING the same premises which Brooks K. Pomper, Executor of the Last Will and Testament of Hortense H. Pomper, a/k/a Hortense Head Pomper, by Corrective Deed dated 5/11/16 and recorded 5/11/16 immediately prior hereto, granted and conveyed unto Brooks K. Pomper, Grantor herein.

UPI: 31000KK0002A000000:

ALL THAT CERTAIN tract or parcel of land situate in Hellam Township, York County, Pennsylvania, as shown on an unrecorded Survey of Property prepared for Hortense Head Pomper Estate by David A. Hoffman, Land Surveyor, Drawing No. A353-P98. dated December 14, 2012, bounded and described as follows:

BEGINNING at a spike set in Campbell Road at the corner of lands now or formerly of Craig W. Adams; thence along the same the following two (2) courses and distances: 1) North seventy-five (75) degrees fifty-six (56) minutes thirty-four (34) seconds East through an iron pin set twenty-five and thirty-four one-hundredths (25.34) feet from the beginning of this course, sixty-seven and fifty one-hundredths (67.50) feet to an iron pin set; 2) North eighty-one (81) degrees seven (07) minutes thirty-eight (38) seconds East two hundred fifteen and seventy-four one-hundredths (215.74) feet to an iron pin found at the corner of other property now or formerly of Craig W. Adams; thence continuing along the same and property now or formerly of Met-Ed through a concrete marker found at the corner of property now or formerly of Met-Ed North eighty-one (81) degrees seven (07) minutes thirty-eight (38) seconds East nine hundred eighty-three and eighty-five one-hundredths (983.85) feet to an iron pin set by a forty (40) inch cherry tree at a stone found at the corner of other property now or formerly of the Hortense Head Pomper Estate; thence continuing along the same South nine (09) degrees thirty-four (34) minutes five (05) seconds East seven hundred eighty-eight and thirteen one-hundredths (788.13) feet to an iron pin set in the center of a right-of-way now or formerly of the Pennsylvania Railroad; thence continuing along the center of the right-of-way now or formerly of the Pennsylvania Railroad South seventy (70) degrees fifty-four (54) minutes zero (00) seconds West through an iron pin set twenty-five and seven one-hundredths (25.07) feet from the terminus of this course one thousand forty-two and three one-hundredths (1,042.03) feet to a spike set in Campbell Road; thence continuing through said Campbell Road North twenty-three (23) degrees twenty-five (25) minutes eight (08) seconds West, nine hundred ninety-nine and two one-hundredths (999.02) feet to a spike set in Campbell Road at the corner of property now or formerly of Craig W. Adams, the point and place of **BEGINNING**.

IT BEING the same premises which Brooks K. Pomper (1/2 interest) and Gardner C. Pomper, Trustee of the Testamentary Trust created in the Last Will and Testament of Hortense H. Pomper (1/2) interest by Deed dated 2/13/13 and recorded 2/27/13 in the Office of the Recorder of Deeds in and for York County, Pennsylvania, in Record Book 2218, page 6991, granted and conveyed unto Brooks K. Pomper, Grantor herein.

RESERVING AND EXCEPTING all stone and minerals of any kind or character lying in or under the surface of the premises hereby conveyed, which however, shall not be removed in any manner to affect the surface of said premises or interfere in any way with the use and enjoyment of said premises by the Grantee, his heirs and assigns;

TOGETHER with all and singular the ways, water, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever thereunto belonging, or in any wise appertaining,

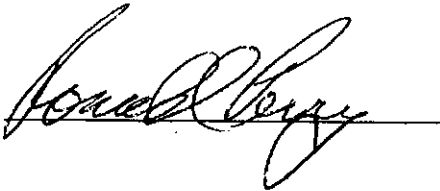
and the reversions, and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever of Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

TO HAVE AND TO HOLD the said tracts of land, the hereditaments and premises hereby granted or mentioned and intended so to be with the appurtenances, unto the said Grantees, their heirs and assigns forever.

AND the said Grantor will **WARRANT SPECIALLY** the property hereby conveyed.

IN WITNESS WHEREOF, the Grantor has hereunto caused this Deed to be executed the day and year first above written.

Signed, Sealed and Delivered
in the presence of:


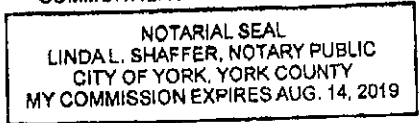


 L.S.
BROOKS K. POMPER

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF YORK :

ON THIS, the 11th day of May, 2016, before me, a Notary Public, the undersigned officer, personally appeared Brooks K. Pomper, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

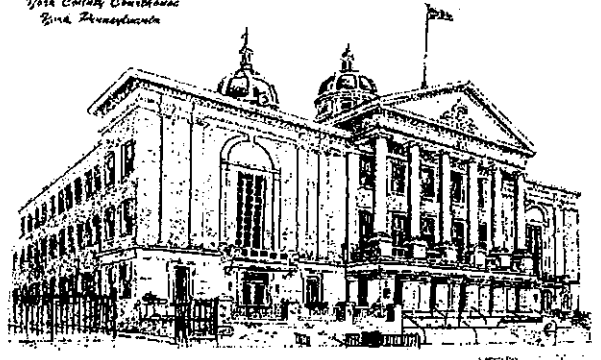

COMMONWEALTH OF PENNSYLVANIA NOTARY PUBLIC

NOTARIAL SEAL
LINDA L. SHAFFER, NOTARY PUBLIC
CITY OF YORK, YORK COUNTY
MY COMMISSION EXPIRES AUG. 14, 2019

I hereby Certify that the precise residence and complete post office address of the Grantees herein is:

95 Walnut Springs Road, York, PA 17406


Attorney for Grantees

York County Courthouse
York, Pennsylvania



YORK COUNTY RECORDER OF DEEDS
28 EAST MARKET STREET
YORK, PA 17401

Randi L. Reisinger - Recorder
Bradley G. Daugherty - Deputy

Instrument Number - 2016019099
Recorded On 5/11/2016 At 3:43:24 PM

* Instrument Type - DEED

Invoice Number - 1184506

* Grantor - POMPER, BROOKS K

* Grantee - KAUFFMAN, NATHAN A

User - DMH

* Customer - KATHERMAN HIME PERRY

Book - 2367 Starting Page - 7405

* Total Pages - 10

* Received By: COUNTER

*** FEES**

STATE TRANSFER TAX	\$15,750.00
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$35.50
RECORDING FEES	\$23.00
AFFORDABLE HOUSING	\$11.50
PIN NUMBER FEES	\$40.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
EASTERN YORK SCHOOL	\$7,875.00
REALTY TAX	
HELLAM TOWNSHIP	\$7,875.00
TOTAL PAID	\$31,615.50

PARCEL IDENTIFICATION NUMBER

31000JK0009A000000

31000JK0009F000000

31000KK00020000000

31000KK0002A000000

Total Parcels: 4

I Certify This Document To Be
Recorded In York County, Pa.



Randi L. Reisinger
Recorder of Deeds

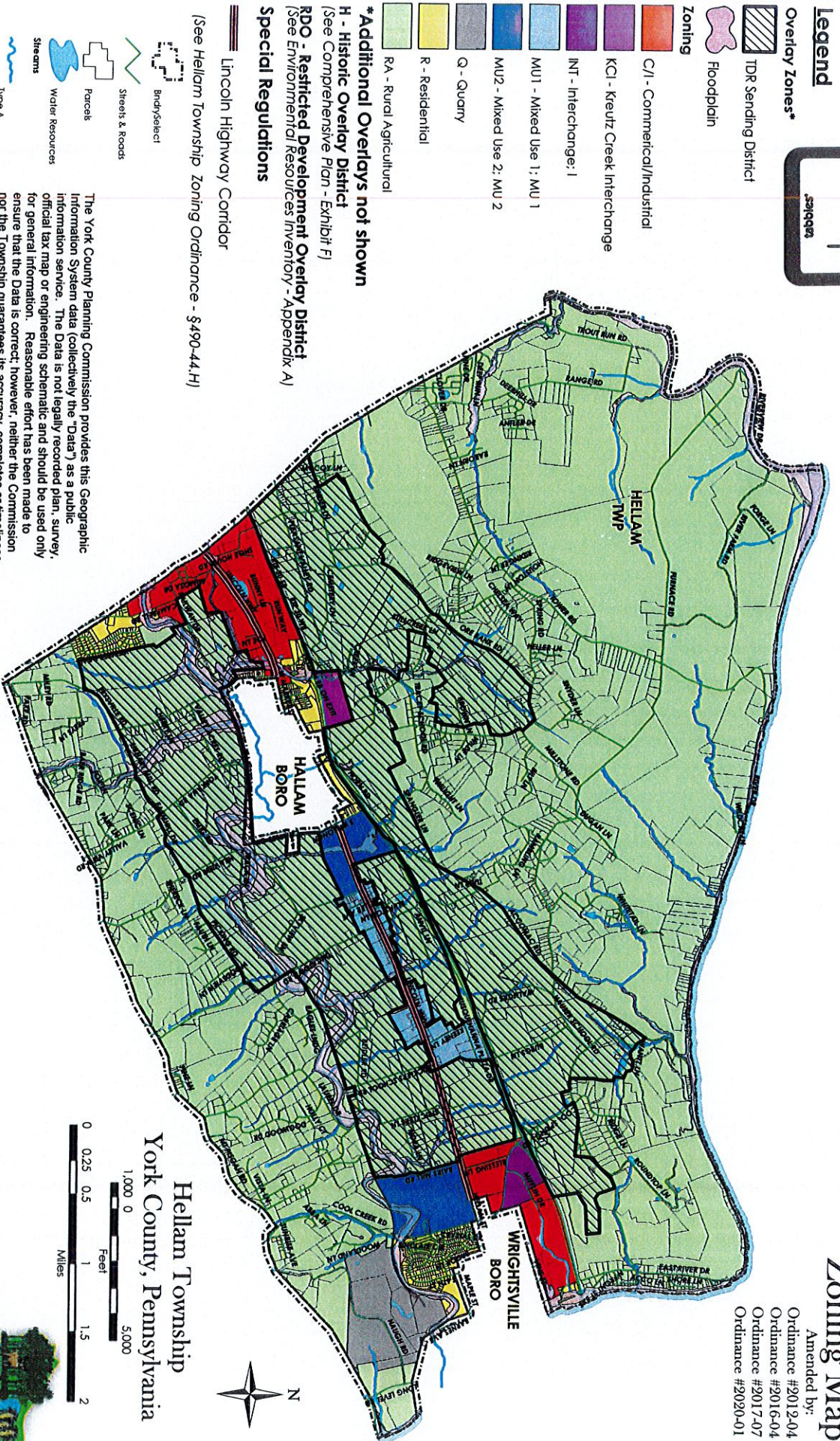
THIS IS A CERTIFICATION PAGE
PLEASE DO NOT DETACH
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

Book: 2367 Page: 7414

Zoning Map

Amended by:
 Ordinance #2012-04
 Ordinance #2016-04
 Ordinance #2017-07
 Ordinance #2020-01



(See Hellam Township Zoning Ordinance - §490-44.H)

*** Additional Overlays not shown**
H - Historic Overlay District
 (See Comprehensive Plan - Exhibit F)
RDO - Restricted Development Overlay District
 (See Environmental Resources Inventory - Appendix A)
Special Regulations

Lincoln Highway Corridor

The York County Planning Commission provides this Geographic Information System data (collectively the "Data") as a public information service. The Data is not legally recorded plan, survey, official tax map or engineering schematic and should be used only for general information. Reasonable effort has been made to ensure that the Data is correct, however, neither the Commission nor the Township guarantees its accuracy, completeness or timeliness. The Township or Commission shall not be liable for any damages that may arise from the use of the Data.

Hellam Township
 York County, Pennsylvania

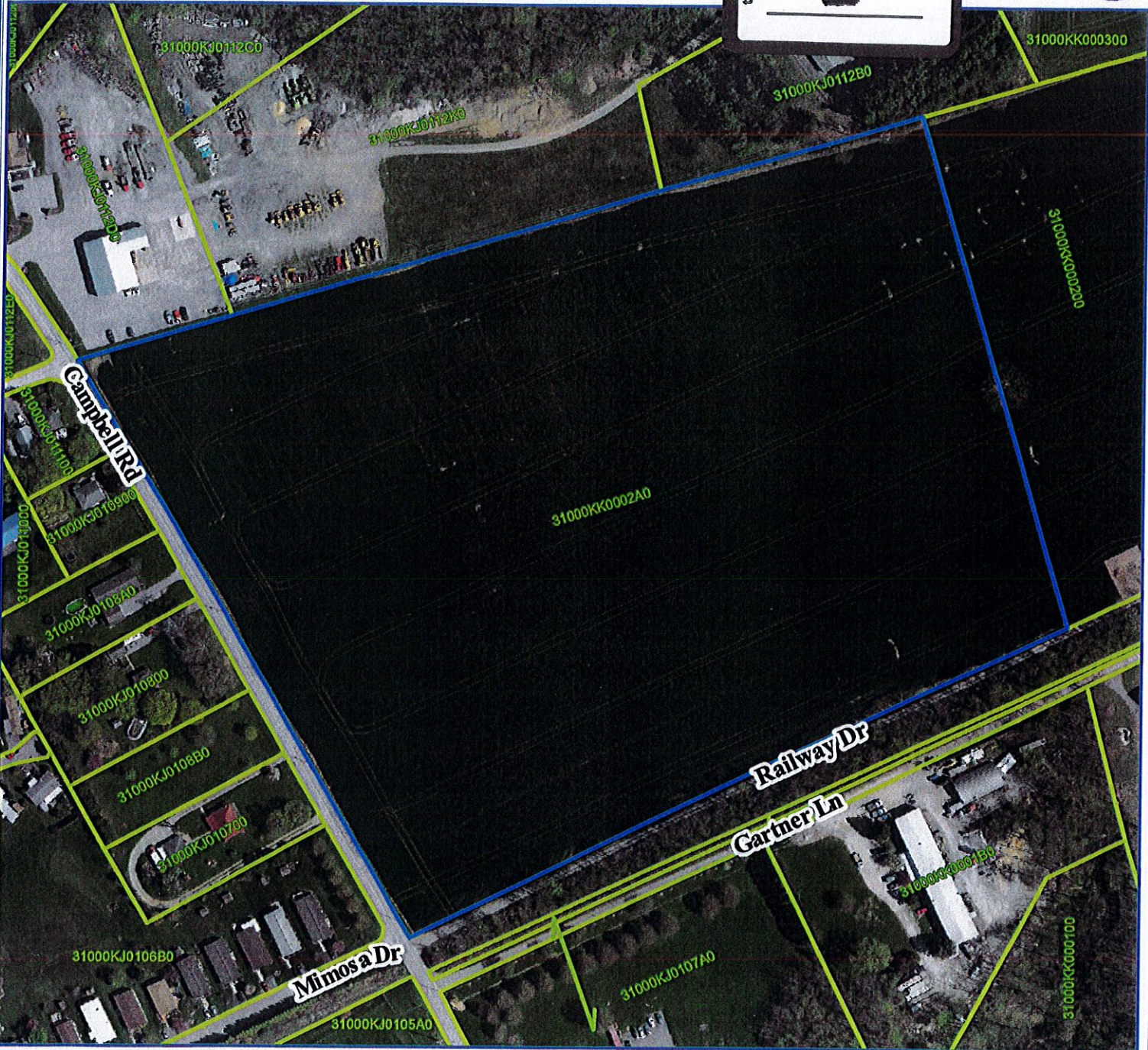


Date Revised: 06/01/2020
 Data Sources: YCPC & PASDA



Parcel - 31000KK0002A000000

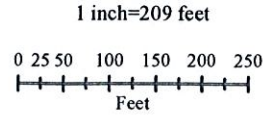
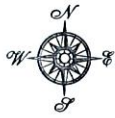
EXHIBIT
E



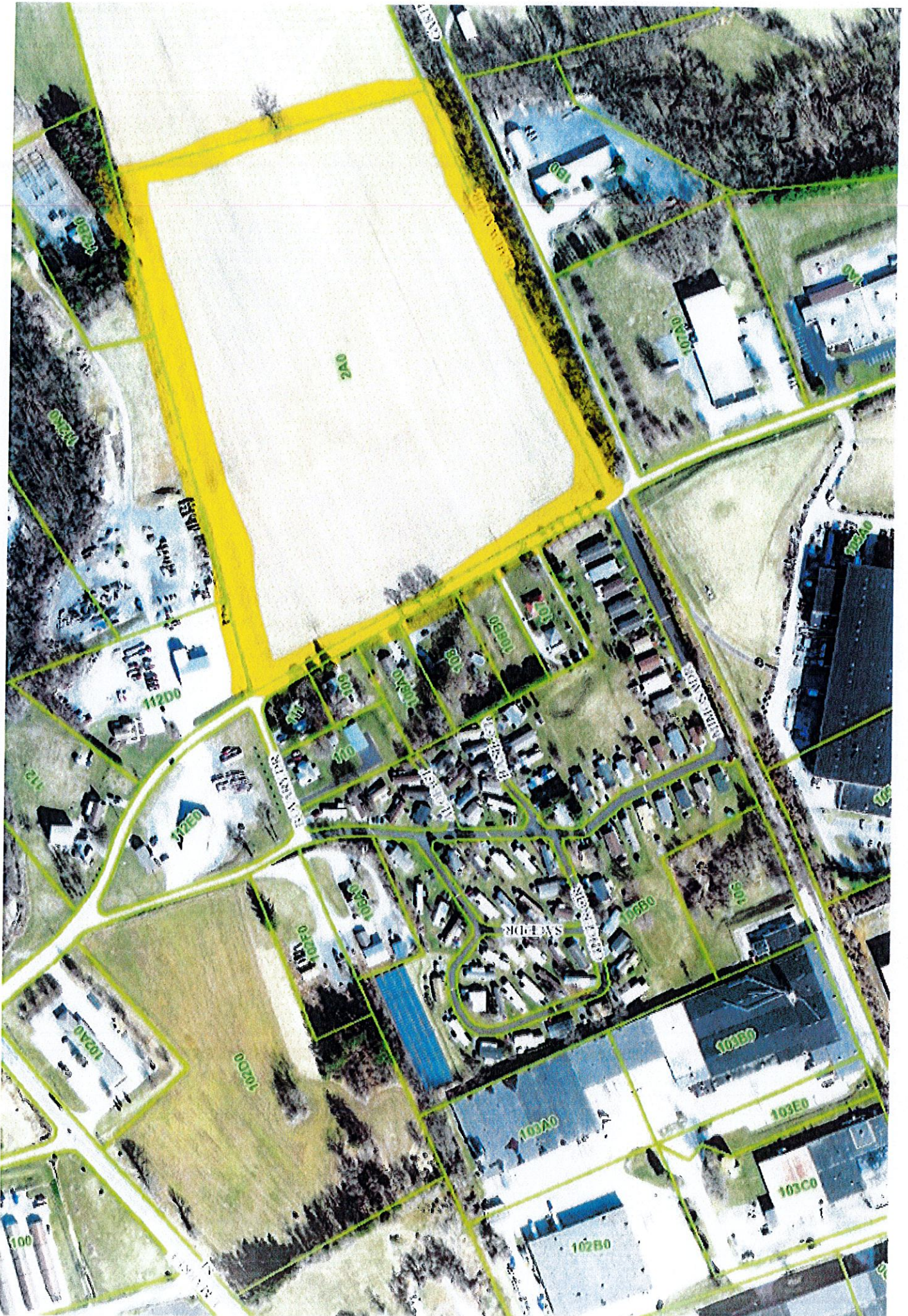
Owner - KAUFFMAN NATHAN A & KRISTEN D
Address - CAMPBELL RD
Tax Municipality - Hellam Twp
School District - Eastern School District
Class - Farm
Land Use - F - Vacant Agricultural
Acres - 23.46
Assessed Land Value - 14690
Assessed Building Value - 0
Assessed Total Value - 14690
Sale Date - 11-MAY-2016
Sale Price - 1575000
Deed Book - 2367
Deed Page - 7405

- Legend**
- Selected Parcels
 - Parcels
 - US Route
 - Interstate
 - PA Turnpike
 - State Road

Mapping Provided by
YORK COUNTY
YCPC
PLANNING
COMMISSION
 Last Updated: 2/7/2020
 Layers should not be used at scales larger than 1:2400
 (Note: Pixilation will occur at scales 1" = below 200 Ft.)
 Aerial Photography - 2018



Disclaimer:
 The York County Planning Commission provides this Geographic Information System map and/or data (collectively the "Data") as a public information service. The Data is not a legally recorded plan, survey, official tax map, or engineering schematic and should be used for only general information. Reasonable effort has been made to ensure that the Data is correct, however the Commission does not guarantee its accuracy, completeness, or timeliness. The Commission shall not be liable for any damages that may arise from the use of the Data.



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Legend

Hellam Twp Zoning Classifications

ZNAME

- Commercial/Industrial
- Interchange
- Kreutz Creek Interchange Zone
- Mixed Use 1
- Mixed Use 2
- Quarry
- Residential
- Rural Agricultural

Parcel KK-2A Rezoning Request

December 29, 2022



Hellam Township
York County, Pennsylvania



Exhibit B

Map Data Source: York County Planning Commission



Hellam Township
York County, Pennsylvania

Parcel KK-2A Rezoning Request

December 29, 2022

0 0.03 0.06 0.12 Miles



Exhibit C

Map Data Source: York County Planning Commission

ORDINANCE NO. 2023-XX

**HELLAM TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE HELLAM TOWNSHIP ZONING MAP TO
REZONE A PARCEL OF LAND FROM RURAL AGRICULTURAL TO
COMMERCIAL/INDUSTRIAL**

WHEREAS, pursuant to Section 609 of the Municipalities Planning Code, 53 P.S. §10101 et. seq., the Board of Supervisors of Hellam Township has received from Nathan and Kristen Kauffman, a request to rezone a parcel of land located on Campbell Road, Parcel Number, from Rural Agricultural to Commercial/Industrial.

WHEREAS, The Board of Supervisors of Hellam Township finds that it is in the best interest of the Township to rezone said parcel of land as requested.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Board of Supervisors of Hellam Township as follows:

SECTION 1: The Zoning Map for Hellam Township is hereby amended to change the zoning of Parcel Number 31-000-KK-0002-A0-00000 located on Campbell Road, from Rural Agricultural to Commercial/Industrial.

SECTION 2. Upon adoption of this ordinance, the Zoning Map of Hellam Township shall be so modified and amended.

SECTION 3. This Ordinance shall become effective five (5) days after adoption.

ENACTED and ORDAINED by the Board of Supervisors of Hellam Township, York County, Pennsylvania, in lawful session assembled, this _____ day of _____, 2023.

TOWNSHIP OF HELLAM

Attest:

Board of Supervisors

Corina Mann, Secretary

Todd Trimmer, Chairman

Exhibit D



Hellam Township Planning Commission Variance Application Briefing

3C

Application Number:	Z-2023-3	PC Meeting Date:	January 12, 2023
Applicant(s):	Nathan Riedy, White Clover Family Farm	Tax Map Parcel:	KK-1
Property Owner(s):	John Holden, White Clover Family Farm	Lot Size:	31.55 acres
Property Location:	327 Campbell Road	Zoning:	Rural Agricultural

Project Narrative:

The applicant is requesting a variance from §490-12 Table of Dimensional Requirements to allow a 20-foot front yard setback for an accessory structure in the Rural Agricultural Zone. The Ordinance requires a 100-foot front yard setback for accessory structures. The applicant would like to construct a 30-foot x 48-foot greenhouse to better serve the patrons of White Clover Family Farm.

Attached Exhibits:

- A. Zoning Hearing Application (received January 3, 2023).

Property Characteristics:

1. The subject property contains about 31.55 acres in the Rural Agricultural Zone. About 2/3 of the property is located in the regulated floodplain and riparian buffer. The majority of the remaining land is used for farming.
2. On November 18, 2021, the applicant received conditional use approval for the operation of a roadside stand under application Z-2021-8.
3. The subject property is improved with a single-family dwelling and various out buildings. The property owners grow produce, flowers and other items on their property. The prior owner kept horses on the property.
4. Adjacent properties:

	Use	Zoning
North	Commercial	C/I
South	Residential	R and RA
West	Residential	R
East	Agriculture	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.** Meeting the setback requirements would put the proposed greenhouse in the floodplain, riparian buffer or crop field. Placing the greenhouse outside of the floodplain and riparian buffer would be about 250 feet from the cartway. Placement of the greenhouse outside of the floodplain and riparian buffer would also be set back about 330 feet from the roadside stand which is to work in conjunction with the greenhouse. This would create a great deal of unnecessary impervious cover to provide extra driveway and parking to service the greenhouse.

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.** Much or all of the unused accessible areas of the farm that fall within the setback are in the floodplain and riparian buffer making them impossible locations for a greenhouse that is accessible to the public or farm equipment.
3. **Why the unnecessary hardship has not been created by the applicant.** The hardship has not been created by the applicant as the hardship deals with the lack of available land outside of the floodplain and riparian buffer.
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.** This variance will not alter the essential character of the zone or neighborhood. Farms are permitted uses in the Rural Agricultural Zone. There are no dwellings within 500 feet of the road frontage in question. Additionally, the farm serves the community and provides food, plants and fellowship. The proposed greenhouse will improve upon this service.
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 variance, if authorized, will represent the minimum variance as all other zoning requirements are being met such as lot coverage and building height. Approval of this variance would also result in the least amount of land disturbance and impervious cover.
6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.** Approval of this request would place the greenhouse outside of 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>Z-2023-3</u>			
Application Filed	<u>11/3/23</u>	Planning Commission	<u>11/12/23</u>
Hearing Advertised	<u>11/9 & 11/16</u>	<input checked="" type="radio"/> ZHB/BOS Hearing	<u>11/24/23</u>
Notices Mailed	<u>11/4/23</u>	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: Nathan Riedy, White Clover Family Farm
 ADDRESS: 327 Campbell Road, York pa 17402
 PHONE NUMBER: [REDACTED] EMAIL ADDRESS [REDACTED]

B. PROPERTY OWNER'S NAME
 (If different than applicant): John Holden, White Clover Family Farm
 ADDRESS: 327 Campbell Road, York pa 17402
 PHONE NUMBER: [REDACTED]

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

D. Tax Map: _____ Parcel: 31-000-KK-0001.00-00000 Zoning District: RA
 Property Address: 327 Campbell Road, York pa 17402
 Date purchased: 2017
 Lot size: acreage 31.55 - or - _____ sq. ft.
 Present use: Rural Ag
 Proposed use: _____
 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:

Accessory building setback, 100 feet from road.

§ 490-12 Table of Dimensional Requirements

- Brief description of nature of Variance requested:

We are requesting a variance to the front road setback for an accessory building for our farm (a greenhouse). The current setback is 100 feet. We are requesting a setback variance of 20 feet.

- 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 reason for the request is that 100 feet would put our greenhouse into

either A. a flood plain, or B. into our current crop fields and hundreds of feet out of reach of our current parking and driveway.

This would create a Hardship for our farm in multiple ways.

- 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:

Much or all of the unused accessible areas of our farm that fall within the setback are in a flood plain, making them impossible locations for a greenhouse, accessible to the public or to our own equipment.

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

The hardship has not been created by the applicant as it is primarily the result of flood plains.

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:

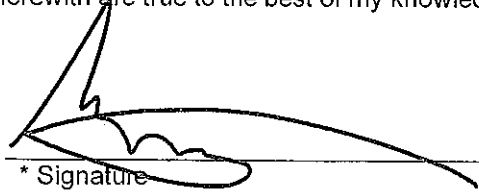
This variance will not only alter negatively the essential character of the neighborhood or be detrimental to its welfare, but it will enhance that character, and improve that welfare. there are no houses within 500 feet of the road frontage in question. In addition, the property is a community-based farm, where the surrounding community comes for food, plants, and fellowship. The greenhouse will improve our ability to provide this service to our community.

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 variance requested is the minimum variance that would afford relief due to the nature of the flood plain of the property.

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

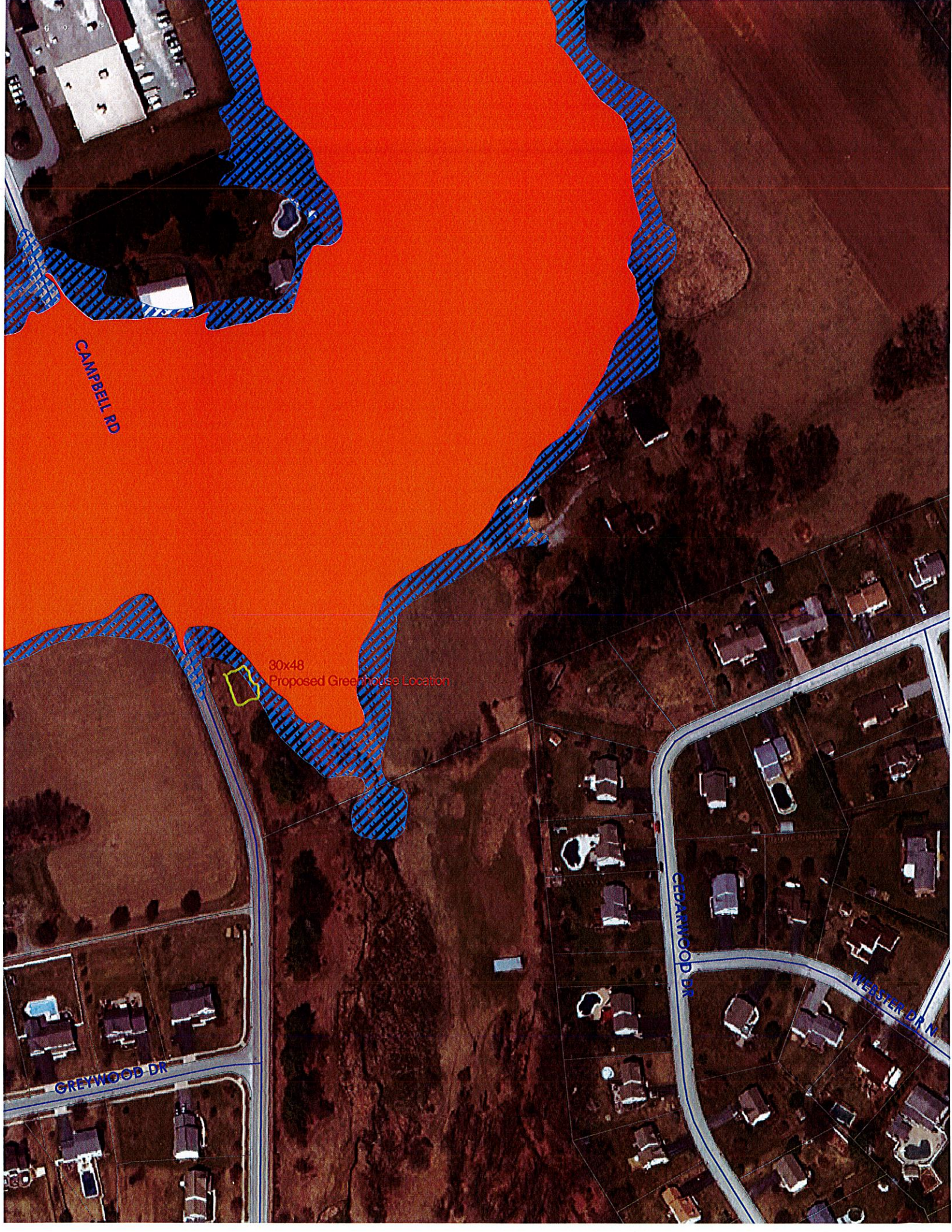
I hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.


* Signature

1/1/2023

Date

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



CAMPBELL RD

30x48
Proposed Greenhouse Location

GREYWOOD DR

DEARWOOD DR

WEBSTER DR NW

Zoning Department Summary December 2022

5

PERMIT APPLICATIONS: (Prior year listed in ())	
<ul style="list-style-type: none"> • Received: 13 (11) • Issued: 11 (17) • In process: 1 	<ul style="list-style-type: none"> • Denied: 1 • YTD Issued: 163 (176)
<ul style="list-style-type: none"> • Zoning Turn Around Time: 1 days • CCIS Turn Around Time: 11 days • BIU Turn Around Time: 3 days 	
COMPLAINTS:	
<ul style="list-style-type: none"> • Complaints/violations: 1 • Resolved: 1 	<ul style="list-style-type: none"> • Carried Over: 6 • YTD Complaints/Violations Submitted: 23 (28)
OLDS PUMPING COMPLETE:	
<p>District 4: 572/574 (99%)</p> <p>Criminal citations filed 9/20/22</p>	<p>District 1: 334/405 (82%)</p>
ZONING CASES:	
<ul style="list-style-type: none"> • Z-2022-14, Friendship, LLC SE & VAR: PC on 12/8/22 & ZHB on 12/27/22 Approved • Z-2023-1, Gambler, VAR: PC on 1/12/23 & ZHB on 1/24/23 • Z-2023-2, Kauffman, Rezoning: PC on 1/12/23 & BOS on 3/16/23 • Z-2023-3, White Clover Farm, VAR: PC on 1/12/23 & ZHB on 1/24/23 	
SALDO CASES:	
<ul style="list-style-type: none"> • SL-20-03 4100 Lincoln Hwy, LLC (SD): In House 10/20/20; PC 12/9/21; BOS 12/16/21 Conditional Approval • SL-20-04 4100 Lincoln Hwy, LLC (LD): In House 10/20/20; PC 12/9/21; BOS 12/16/21 Conditional Approval • SL-21-03 Spagnola (SD): In House 9/21/21 • SL-21-05 Witmer Automation (LD): In House 11/16/21; PC 6/9/22; BOS 7/21/22 Conditional Approval 	
PENDING ORDINANCES/RESOLUTIONS:	
<ul style="list-style-type: none"> • River Lands Zone: PC 12/8/22 & 12/22/22 	

Abstracts of Building Permits
for the month (s) of December 2022

Hellam Township - County #67
Building Permits for Hellam Township

Property Owner	Property Address	Parcel ID	Permit #	Date	Improvement	Total Cost
Tom and Sue Bair	245 Bair's Mill Road	31000LL0020F0	2022-150	12/1/22	Certificate of Occupancy	\$0.00
Greg & Jeanne Hammer	102 Springhouse Lane	3100002001600	2022-151	12/2/22	Fence	\$5,500.00
Joanne Lafferty	1123 Tower Road	31000LJ003900	HT2022-2	12/14/22	Roof	\$27,142.00
Christopher & Tracy Meckley	600 S. 6th Street	3100002022000	HT2022-3	12/14/22	Roof	\$9,250.00
Scott and Kelli Sellers	100 Claire Avenue	3100006002200	2022-152	12/13/22	New SFD	\$180,000.00
Michael Miller	4637 Fahringer Drive	31000LJ005100	2022-153	12/14/22	Shed	\$24,000.00
Dan Gamble	1085 Accomac Road	31000LK0152A0	DENIED	12/8/22	Addition - variance required	\$0.00
Edwin & Debra Pope	451 Rockhill Lane	31000KJ0013300	HT2022-4	12/19/22	Electrical repair	\$2,000.00
Monica Johnson	116 Fisherman's Lane	Solicitation	2022-154	12/20/22	Solicitation	\$0.00
Strategic Logistics	5989 Susquehanna Plaza Drive	31000LL0058C0	2022-155	12/20/22	C of O for professional offices	\$0.00
Michael Donaghy	5520 Pheasant Run Road	31000040001	4093-22	1/3/23	Electric	\$1,800.00
Timothy Pasch	4535 Lincoln Highway	3100KK000700	2022-15	12/27/22	Permit Extension #1	\$55,000.00
Brian Wood	113 Chelsea Way	31000LJ0042K0	2022-156	12/29/22	Roof mounted solar	\$11,840.00