



**Hellam Township Planning Commission
Meeting Agenda
April 13, 2023
6:00 P.M.**

1. Opening Agenda

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

2. Minutes Approval

March 23, 2023

3. New Business – PLEASE RETURN THESE ITEMS FOR RE-USE

- A. Z-2023-07, Kirk and Tracy Lavetan, 6052 River Drive (MK-30B) Variance
- B. Z-2023-08, B&T Cheese, 5890 Lincoln Highway (LL-31A) Variance
- C. Z-2023-09, Susquehanna Heritage, 202 Cool Creek Road (LL-70E) Special Exception

4. Ongoing Business

- A. Hellam Township Vision Statement
- B. Short-term Rentals and Accessory Dwelling Units Ordinance Amendment
- C. Solar Ordinance Amendment
- D. Fee-in-lieu of Curbing and Sidewalks Ordinance
- E. Riverland Zone Ordinance

5. Correspondence/Reports

March 2023 Zoning Report

6. Upcoming Meetings

Next Planning Commission Meeting – 4/27/23, continue to review short-term rentals

7. Adjournment

Zoom Log In

Meeting ID: 634 220 1697

Password: Hellam44

2

**HELLAM TOWNSHIP
PLANNING COMMISSION MEETING
Minutes of March 23, 2023**

The meeting was called to order at 6:01 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, Rick Cooper, Steve Fetrow (alternate), John Eifert, Susan Enrico (alternate) and Michael Shillott. Other attendees included Rachel Vega, Zoning Officer, Nedette Otterbein, Supervisor and Bill Conaway, Supervisor.

Approval of Minutes

The Planning Commission reviewed draft minutes from the March 9, 2023 meeting. Mr. Cooper pointed out that on the last page under "correspondence/reports" Mr. Fetrow's name is spelled incorrectly. Upon a motion by Mr. Cooper, seconded by Mr. Owens, the Planning Commission approved the minutes with the above addition. Motion carried unanimously.

New Business

None

Ongoing Business

Mr. Winand began reviewing draft two of the Short-term Rental (STR) Ordinance. Under item "D" Mr. Winand stated that there are existing STRs that are less than 700 sf apart and wondered if they would be grandfathered in under this provision. Ms. Vega suggested that we add language to item "D" stating those STRs existing at the time of adoption would be grandfathered from only the distance provision. Some Commissioners feel that requiring STRs to be 700' apart is too restrictive. Mr. Owens suggested 350'. Some Commissioners suggested having an overlay zone where only STRs are allowed. It was agreed by the majority that this would be difficult to do because you would want to allow them along the river but what about David Kin's property and around the new park areas? Creating an overlay zone for STRs would be difficult to accomplish. The majority of the Commissioners agreed to keep the 700' distance and add language that those existing at the time of adoption would be grandfathered from only the distance requirement of the ordinance. It was also agreed that language should be added to item "D" stating this distance would be measured from structure to structure and not from property line to property line.

The Commissioners discussed item "E". The majority feel that requiring the property owner to own the property for six months prior to offering it as an STR is unrealistic as this would prevent investors from purchasing properties to use as STRs. This item is to be removed from the ordinance.

A discussion was had regarding item "G." The commissioners would like to allow kids to camp outside in a tent but a tent cannot be offered as an STR individually. Also, mentioning recreational vehicles might imply that someone can use one as an STR. This item is to be removed from the ordinance.

Item "L" was discussed next. Some were concerned about the word "tenant" and felt it should be replaced with "guest." Neither of the terms are defined in the Zoning Ordinance. A general definition of "tenant" is a person whose name is on the lease. A "guest" is someone invited by the tenant. Definitions of guest and tenant will be added to the ordinance. In item "L" the first sentence, add the word "guests" after tenant. Item "L.a" was also discussed. Although hard to enforce, the Commissioners like the language in East Manchester's STR Ordinance that states "two persons per bedroom plus four additional persons per dwelling unit." This language will be added to the ordinance.

Under item "S" the Commissioners feel that the STR should also apply for a license when there is a change in ownership as well as annually. That language will be added to the ordinance. Item "S.f" does not really fall under items that are required for a license. This item will be changed to letter "T."

The Commissioners discussed the possibility of renting each room individually. It was decided that if the unit is

owner occupied then individual rooms can be rented however if it is not owner occupied then only the entire structure can be offered for rent. Having the STR owner occupied with multiple tenants would ensure the safety and integrity of the STR and it's tenants. This stipulation will be added to the ordinance.

Supervisor Otterbein commented that she would like another item added under "ongoing business." She would like the Planning Commission to inventory how many properties we have in each zone and their uses. She mentioned that the York County Planning Commission has a useful tool on their website that identifies properties and undeveloped and underdeveloped.

The next meeting is scheduled for April 13, 2023. So far there is one variance application for review. Ms. Vega expects another application to be submitted prior to the deadline. The STR ordinance will be discussed at the April 27th meeting.

Meeting adjourned at 8:09 PM.

Respectfully submitted,

Rachel Vega, Zoning Officer

DRAFT



Hellam Township Planning Commission Variance Application Briefing

3A

Application Number:	Z-2023-7	PC Meeting:	April 13, 2023
Applicant(s):	Kirk & Tracy Lavetan	Tax Map Parcel:	MK-30B
Property Owner(s):	Kirk & Tracy Lavetan	Lot Size:	0.45 Acres
Property Location:	6052 River Drive	Zoning:	Rural Agricultural (RA)

Project Narrative:

The applicant is requesting a Variance from §490-12 Table of Dimensional Requirements, to allow a zero-foot right side yard setback where a 20-foot setback is required for construction of a 20' x 29' detached garage in the Rural Agricultural Zone.

Attached Exhibits:

- A. Zoning Hearing Application (received March 10, 2023).
- B. Denied permit application.

Property Characteristics:

1. The subject property is in the Rural Agricultural Zone and is improved with a single-family dwelling, driveway, basketball court and accessory structures.
2. The subject property is also located in the Riparian Buffer Overlay Zone however no additional impervious area is being added with this request and no removal of vegetation is proposed. This property is mostly in a vegetative state.
3. This lot was created in 1967 prior to the existence of a Zoning Ordinance in Hellam Township (created in 1968).
4. The dwelling was constructed in 1968.
5. Adjacent properties:

	Use	Zoning
North	River	River
South	Wooded Area	RA
West	Residential	RA
East	Residential	RA

Variance Provisions

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

1. **The nature of the unique physical circumstances or conditions peculiar to the property in question and not shared by other properties in the vicinity.** This property is nonconforming for lot size and width. The ordinance requires two acres minimum lot size with 100' of frontage. This property is 0.45 acres with about 80' of frontage.
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 narrow nature of the lot the side yard setbacks cannot be met on either side of the dwelling. Placing the garage in the rear yard would also not be feasible as that would require disturbance of a 43% grade slope which would also require a variance.

3. **Why the unnecessary hardship has not been created by the applicant.** This property is nonconforming and was created prior to zoning in Hellam Township.
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.** Granting this variance will not alter the character of the neighborhood as the use will continue as residential.
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.** This request is the minimum needed because there is no other location for the garage and a reduced setback would have less impact than adding additional impervious coverage or disturbing a 43% grade slope. The garage will be constructed on the existing driveway.
6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.** This property is located within a floodplain however the location of the proposed garage is 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>2-2023-07</u>		
Application Filed	<u>3/10/23</u>	Planning Commission
Hearing Advertised	<u>4/10 & 4/17</u>	<input checked="" type="radio"/> ZHB/BOS Hearing
Notices Mailed	<u>3/24/23</u>	Decision Rendered
Site Posted	_____	Notification Sent

A. APPLICANT'S NAME: Kirk & Tracy Lavetan
 ADDRESS: 6052 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): _____
 ADDRESS: _____
 PHONE NUMBER: _____ EMAIL ADDRESS: _____

D. Tax Map: York County Parcel: 31000MK0030B000000 Zoning District: Hellam Township
 Property Address: 6052 River Drive York, PA 17406
 Date purchased: Dec. 31, 1999
 Lot size: acreage 0.45 ac - or - _____ sq. ft.
 Present use: Residential
 Proposed use: Residential
 Date of previous application (if any): None

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

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

Applicant must provide the following information:

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

490-12 Table Of Dimensional Requirements

- Brief description of nature of Variance requested:

Request for a zero feet side yard variance vs. the current 20' requirement.

The variance request is associated with the construction of a new ~~attached~~ detached garage.

- 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:

This property is nonconforming for lot size and lot width. The ordinance requires two acres minimum lot size with 100' of footage. This property is 0.45 acres with about 80 foot of frontage.

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

The current side yard setback of 20' is currently utilized by the residents driveway. The proposed garage will be located on the existing driveway – thereby consuming the current 20' side yard setback. Due to the narrowness of the property, the side yard setback cannot be met.

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

Construction of the dwelling likely pre-dated the zoning ordinance.

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:

Currently the side yard property line is containing a retaining wall comprised of interlocking telephone poles. The proposed garage will replace this wall with a new concrete poured wall – which doubles as an integral component of the new garage structure. The use will remain residential.

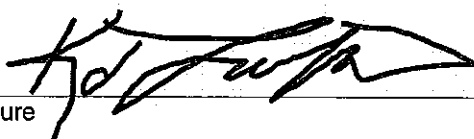
E. Why the Variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue:

With the main home's footprint sitting on or near the 20' setback line, the variance is necessary to construct the proposed garage. As shown on the drawings, the 20' wide garage will consume the current side yard setback.

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

N/A – please reference drawing "A001" (Flood Hazard drawing)

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

2/9/23
Date

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



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THE LAVETAN RESIDENCE

NEW GARAGE ADDITION

6052 RIVER DRIVE
 YORK, PA 17406

HELLAM TOWNSHIP

NEW ATTACHED GARAGE ADDITION
 LAVETAN RESIDENCE

6052 RIVER DRIVE
 YORK, PA 17406

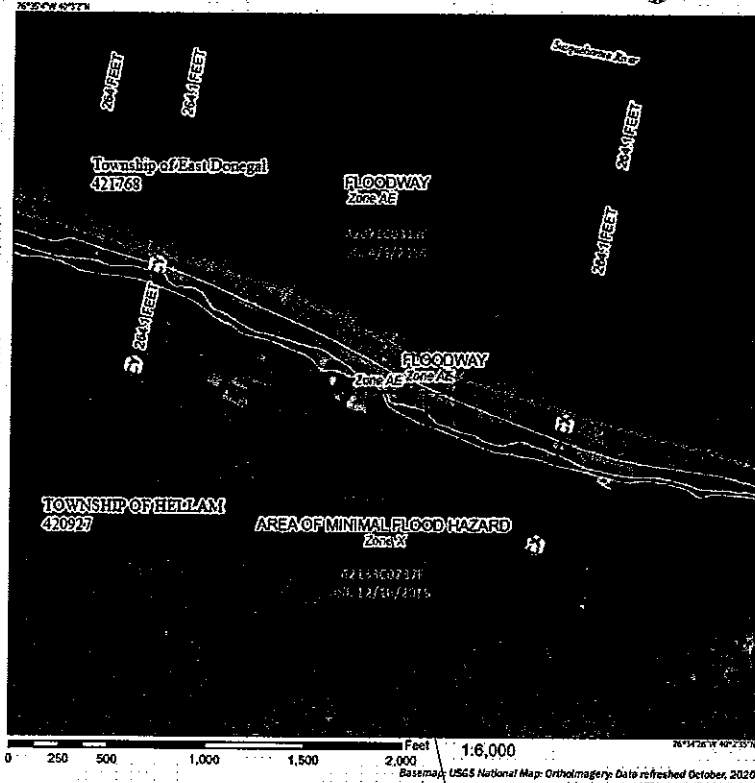
REVISIONS

Designed By: KLA
 Drawn By: KLA
 Approved By: KLA
 Date: 12.29.2022
 Scale: AS_NOTED
 Project Number: LAV-0100
 Sheet Number:

A000

COVER

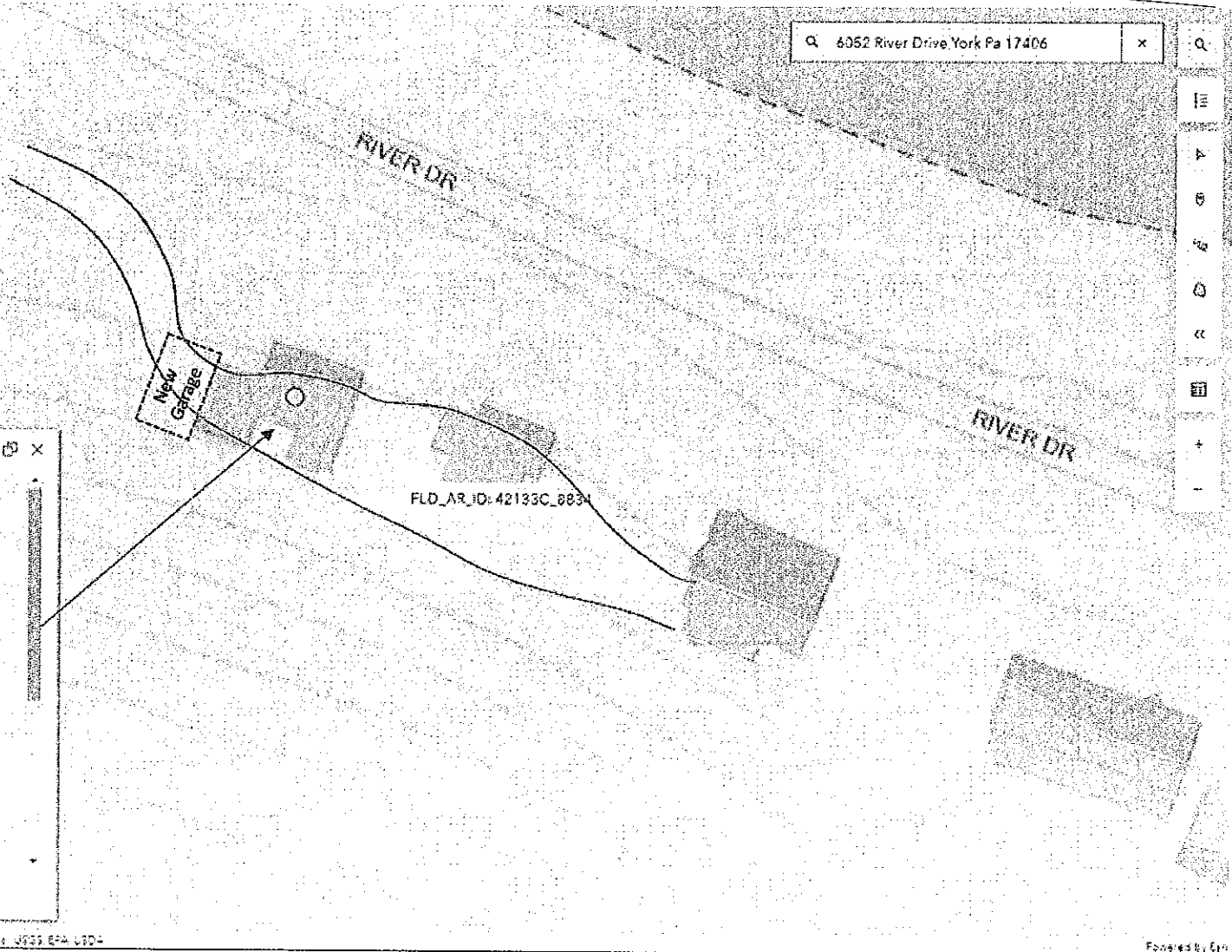
National Flood Hazard Layer FIRMette



Legend

- SEE FIRM REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LOCATIONS
- SPECIAL FLOOD HAZARD AREAS**
 - 100 Year Flood Elevation (BFE) Zone A, V, X, Y
 - With AFE or Depth Zone AE, AH, XE, XEAF
 - Regulatory Threshold
 - OTHER AREAS OF FLOOD HAZARD**
 - 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone A
 - Future Conditions 1% Annual Chance Flood Hazard Zone A
 - Area with Reduced Flood Risk due to Levees, Sea Walls, etc.
 - Area with Flood Risk due to Levee Loss
 - OTHER AREAS**
 - Area of Minimal Flood Hazard Zone A
 - Effective LOM Ra
 - Area of Undetermined Flood Hazard Zone A
 - GENERAL STRUCTURES**
 - Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall
 - CROSS SECTIONS WITH 1% ANNUAL CHANCE WATER SURFACE ELEVATION**
 - 0.2% Annual Chance
 - Base Flood Elevation Line (BFE)
 - Limit of Study
 - Anticipation Boundary
 - Channel Transverse Baseline
 - Profile Baseline
 - Hydrographic Feature
 - OTHER FEATURES**
 - Digital Data Available
 - No Digital Data Available
 - Unmapped
 - MAP PANELS**
 - The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps. It is not valid as described below. The base map does not comply with FEMA's base map accuracy standards. The flood hazard information is derived directly from the authoritative FIRMette web services provided by FEMA. This map was updated on 11/7/2022 at 10:45 AM and does not reflect changes or amendments subsequent to this date and time. The FIRMette and effective information may change or become superseded by new data over time. This map image is valid if the one or more of the following map elements do not appear: satellite imagery, flood zone labels, legend, scale bar, map creation date, coordinate identifiers, FIRMette panel number, and FIRMette effective date. Map images for unapproved and unregistered areas cannot be used for regulatory purposes.



Flood Hazard Zones	
OBJECTID	3128188
FIRM_ID	42133C
FLD_AR_ID	42133C_8834
STUDY_TYP	NP
FLD_ZONE	X
ZONE_SUBTY	0.2 PCT ANNUAL CHANCE FLOOD HAZARD
SEHA_TP	F
STATC_BFE	-9.999
V_DATUM	
DEPTH	-9.999
LEN_UNIT	
VELOCITY	-9.999
VEL_UNIT	
is_boulder	
Zoom to	

NEW GARAGE
FLOOD PLAN DRAWING



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NEW ATTACHED GARAGE ADDITION
LAVETAN RESIDENCE
6052 RIVER DRIVE
YORK, PA 17406

REVISIONS

Designed By:	KLA
Drawn By:	KLA
Approved By:	KLA
Date:	12.29.2022
Scale:	AS NOTED
Project Number:	LAV-0100
Sheet Number:	

A001

FLOOD_HAZARD_DRAWING



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NEW ATTACHED GARAGE ADDITION
 LAVETAN RESIDENCE

6052 RIVER DRIVE
 YORK, PA 17406

REVISIONS

Designed By: KLA
 Drawn By: KLA
 Approved By: KLA
 Date: 12.29.2022
 Scale: AS_NOTED
 Project Number: LAV-0100
 Sheet Number:

SITE PLAN

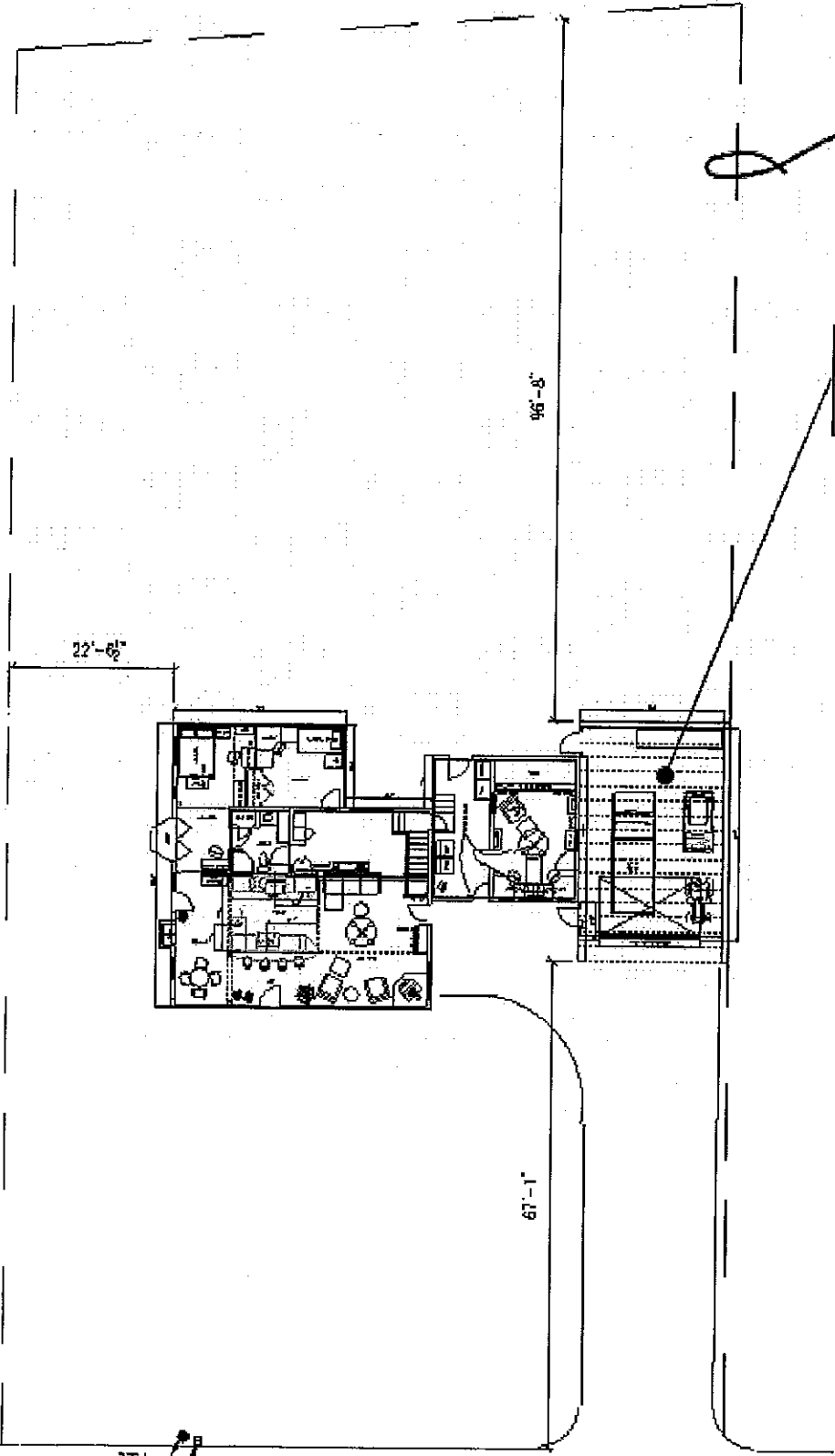
A002

PROPERTY LINE (TYP)

NEW MONOTRUSS GARAGE
 ADDITION - 20' x 29' x 16' high (580sf)

John Henry Svensson
 6056 River Drive
 York, PA 17406

Rick & Donna Paules
 6042 River drive
 York, PA 17406

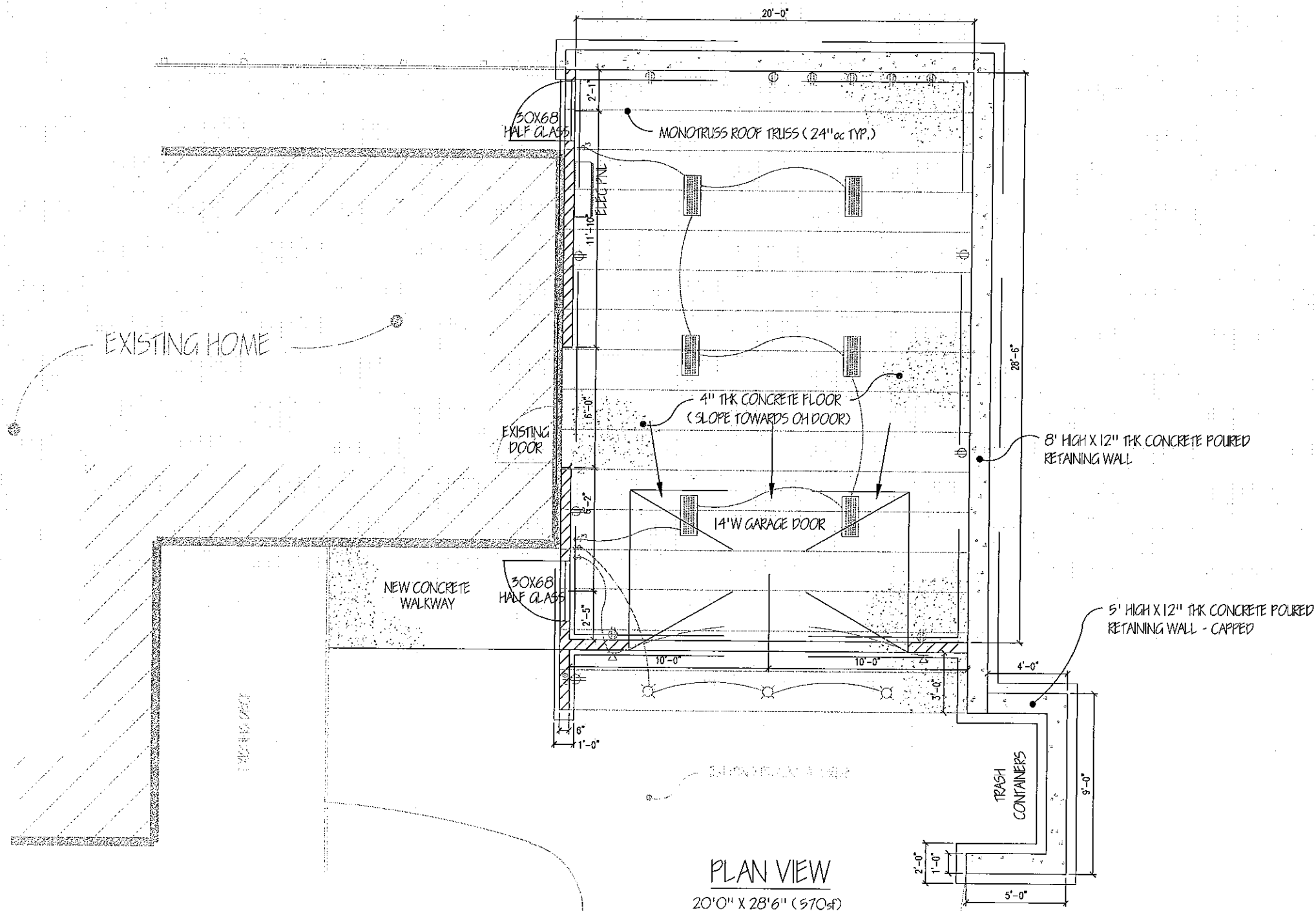


SITE PLAN

RIVER DRIVE

NEW ATTACHED GARAGE ADDITION
LAVETAN RESIDENCE

6052 RIVER DRIVE
YORK, PA 17406

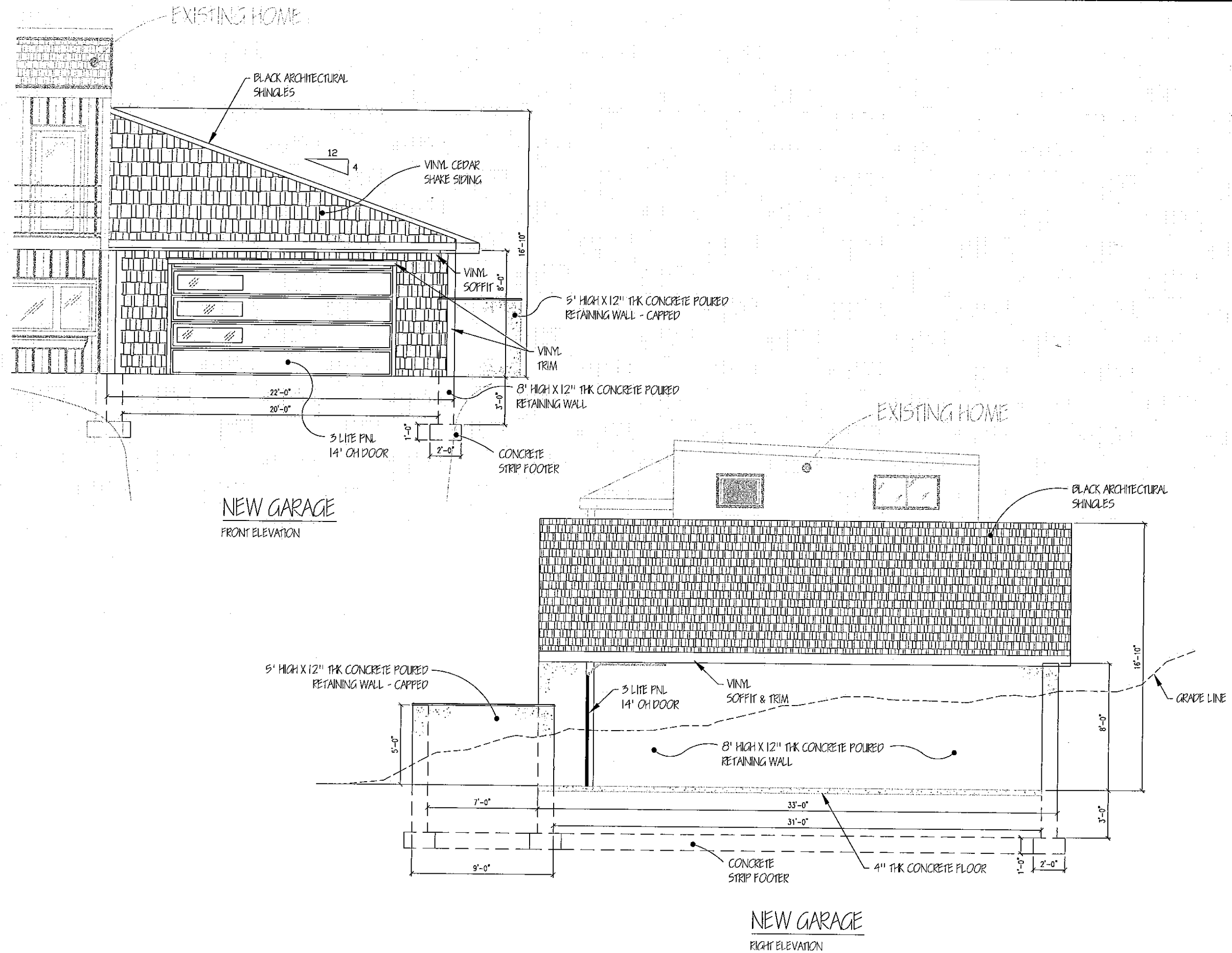


REVISIONS

Designed By:	KLA
Drawn By:	KLA
Approved By:	KLA
Date:	12.29.2022
Scale:	3/8"=1'-0"
Project Number:	LAV-0100
Sheet Number:	

A003

PLAN



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**NEW ATTACHED GARAGE ADDITION
LAVETAN RESIDENCE**

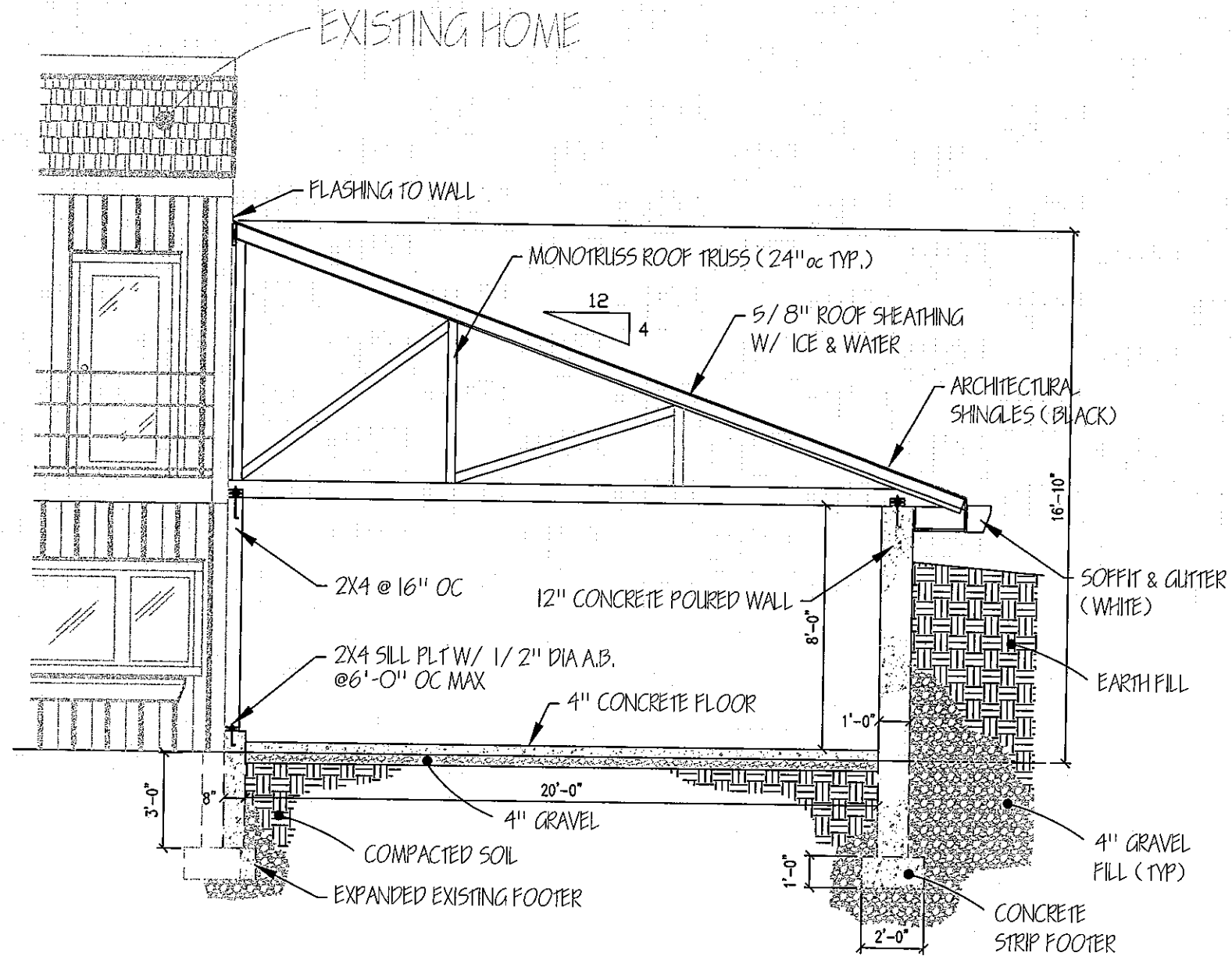
6052 RIVER DRIVE
YORK, PA 17406

REVISIONS

Designed By: KLA
 Drawn By: KLA
 Approved By: KLA
 Date: 12.29.2022
 Scale: 3/8"=1'-0"
 Project Number: LAV-0100
 Sheet Number:

ELEVATION_VIEWS

A004



SECTION VIEW

NEW ATTACHED GARAGE ADDITION
LAVETAN RESIDENCE

6052 RIVER DRIVE
YORK, PA 17406

REVISIONS

Designed By: KLA
Drawn By: KLA
Approved By: KLA
Date: 12.29.2022
Scale: 1/2"=1'-0"
Project Number: LAV-0100
Sheet Number:

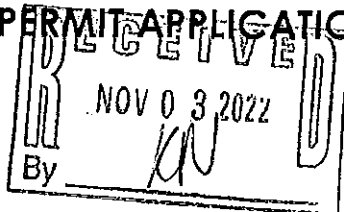
SECTION_VIEW

A005

ZONING (office use)
 APPLICATION FEE: \$25
 DATE RECEIVED: 11/3/22
 DATE COMPLETE: 11/3/22
 PERMIT #: Denied
 SENT TO CCIS:

#25
 CASH

HELLAM TOWNSHIP
 ZONING PERMIT APPLICATION



TOWNSHIP FEES		CCIS 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 checked="" type="checkbox"/> Property Owner	Kirk & Tracy Lavetan	6052 River Dr. York, PA 17406	717.881.6697 717.324.4393	klavetan@gmail.com tlavetan@gmail.com
<input checked="" type="checkbox"/> Applicant (s)	same as above			
<input checked="" type="checkbox"/> Contractor	Springdale Construction LLC	315 Zion Church Rd Red Lion 17356		

PA Act 132 Registration # 000015

- Indicate insurance and attach a copy:
- Self - provide copy of homeowners insurance
 - Contractor's Workers Compensation or Waiver

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

EXISTING SITE INFORMATION

Site Address: 6052 River Dr. York, Pa. 17406 Tax Parcel ID #: 31-000-MK-0030-B0 Lot Area: 0.45 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

<p>STRUCTURAL ACTIVITY</p> <input type="checkbox"/> New Structure <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Demolition <input type="checkbox"/> Replacement <input type="checkbox"/> Other	<p>TYPE OF IMPROVEMENT</p> <input type="checkbox"/> Accessory Structure <input type="checkbox"/> Alternative Energy <input type="checkbox"/> Deck <input type="checkbox"/> Fence/Wall <input type="checkbox"/> Single Family Residence <input type="checkbox"/> Sidewalk/Patio/Pavers <input type="checkbox"/> Sign <input type="checkbox"/> Swimming Pool/Spa <input type="checkbox"/> Other <u>Garage</u>	<p>OTHER DEVELOPMENT ACTIVITIES</p> <input type="checkbox"/> Fill, Grading, Excavation <input type="checkbox"/> Pond <input type="checkbox"/> Watercourse Alteration Drainage Improvements <input type="checkbox"/> Well <input type="checkbox"/> Timber Harvesting <input type="checkbox"/> Other	<p>USE</p> <input type="checkbox"/> Change of Use <input checked="" type="checkbox"/> Home Occupation <input type="checkbox"/> Special Event <input type="checkbox"/> Temporary Use <input type="checkbox"/> Other
--	--	--	---

Exhibit B

SIZE OF IMPROVEMENT	DISTANCE FROM PROPERTY LINES	DESCRIPTION OF WORK
Length: <u>29'-0"</u>	Front: <u>70'-0"</u>	
Width: <u>20'-0"</u>	Rear: <u>99'-0"</u>	
Height: <u>16'-0"</u>	Right: <u>0'-0" (on prop. line)</u>	<u>Poured retaining wall located on property line ~ variance permitted by neighbor</u>
Total Area: <u>580 SF</u>	Left: <u>78'-0"</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 EST. CONSTRUCTION: \$50,000

STATEMENTS AND VERIFICATION BY APPLICANT
Initial by each paragraph, then sign & date below

Initials	I hereby understand and agree to the following:
<u>HM</u>	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.
<u>HM</u>	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.
<u>HM</u>	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.
<u>HM</u>	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] Date: 9/8/22
 Signature of Property Owner: [Signature] Date: 9/8/22

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.

X The application is hereby disapproved for the following reason(s): 490-12 Side yard setbacks, Chapter 230 Floodplain Management & Chapter 360 Riparian Buffer.

in violation of §490-

Signature of Zoning Officer: Rachel Vega Date: 11/3/22

Special Instructions or Restrictions: _____

PROPERTY DRAWING

Provide a sketch in the box below (or on a separate sheet of paper) depicting the following information.

All information must be displayed on the Zoning Permit Application may be deemed incomplete and may be denied.

1. Rough sketch of the property boundary lines and dimensions, include any roads.
2. Depict all existing & proposed buildings, driveways and sidewalks. Include the location of well, septic system and any easements on the property.
3. Distance in feet from the proposed structure to:
 - All property lines (front, rear, & both sides)
 - Any other accessory structures
 - The primary residence
 - Well and septic systems
4. Outline the area of disturbance and provide location of E&S measures (ex. silt fences or sedimentation trap).
5. Draw the location of any proposed SWM facilities.

SEE INCLUDED DRAWINGS

1 box = ___ feet (example 1 box = 2 feet)

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: _____ PIDN: _____ ZONING: _____

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

0.45 ac. _____ 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 _____

	<u>Dimensions</u>	<u>Square Feet</u>
_____	ft x _____	ft
_____	ft x _____	ft
_____	ft x _____	ft
_____	ft x _____	ft
_____	ft x _____	ft
_____	ft x _____	ft
_____	ft x _____	ft
_____	ft x _____	ft
_____	ft x _____	ft
_____	ft x _____	ft

13. **Total Existing Lot Coverage** (add lines 2-12) _____ s.f.
14. **Total % of Existing Lot Coverage** (line 13 divided by line 1, then multiply by 100) _____ %

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

- 15. _____
- 16. _____

	<u>Dimensions</u>	<u>Square Feet</u>
_____	ft x _____	ft
_____	ft x _____	ft

17. **Total Proposed Lot Coverage** (add lines 15 & 16) _____ s.f.
18. **Total Coverage In s.f. – existing & proposed** (add lines 13 & 17) _____ s.f.
19. **Total % Lot Coverage** (line 18 divided by line 1, then multiply by 100) _____ %
20. **Total % Lot Coverage permitted** (provided on Page 2 of the application directions) _____ %
21. **Total Coverage In s.f. – permitted** (multiple line 20 by line 1) _____ 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.

⊛ Note from owner: The new garage addition will NOT add any new impervious surfaces to the property.

APPLICATION FOR BUILDING PERMIT / USE CERTIFICATE

Applicable Codes: 2009 IBC/IRC, 2012 IBC Chapter 11, 2009 ICC A11 7.1

Please print legibly – failure to do so may result in a denial, delay or rejection of this application.

Permit Application Date _____ Permit Application No. _____

1. PROPERTY INFORMATION

Owner: Kirk Lavetay Tax Map: York County Hellam TWP
Site Address: 6052 River Dr. Parcel No.: MK 0030B0
Municipality: Hellam TWP County: York Use Permit No. _____
Use: Single-Family Dwelling / Duplex Multi Family New Manufactured Home Relocated Manufactured Home
 Commercial Other _____ Floodplain present: Yes No
Improvement Type: New Addition Alteration Repair/Replacement Relocation Other _____

2. BUILDING OWNER'S INFORMATION

Kirk D. Lavetay 717.881.6697
First Name Mi. Last Name Phone No.
6052 River Dr. York PA 17406
Street Address City State Zip

3. BUILDING PERMIT APPLICATION

Provide below description of Work: (Also provide details on plot plan: Show all improvements on lot & approx. distances to lot lines)

New garage addition ~ see attached sketches.

Total Lot Area: 0.45 (Acres)/Sq. Ft. ESTIMATED COST OF CONSTRUCTION: \$ 50,000

ICC Use Group: _____ ICC Construction Type: _____

ESTIMATED START DATE: 12/15/22 ESTIMATED COMPLETION DATE: 06/01/22

4. CERTIFICATION

I certify that I am the owner of record, or that I have been authorized by the owner of record to submit this application and that the work described has been authorized by the owner of record. 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 local, state, and federal laws governing the execution of this project. I certify that the Code official or his representative shall have the authority to enter the areas in which this work is being performed, at any reasonable hour, to enforce the provisions of the Codes governing this project. I further certify that this information is true and correct to the best of my knowledge and belief. Ref. 18 Pa. Cons. Stat. § 4903.

APPLICANT SIGNATURE: Kirk Lavetay DATE: 11/03/22

PRINT NAME (legibly): Kirk Lavetay

Address: 6052 River Dr. York PA 17406 Phone No.: 717-881-6697

(TURN PAGE OVER)

5. CONTRACTOR INFORMATION

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

Additional sheet(s) attached

Name of Contractor: Springdale Construction LLC Phone No: _____
315 Zion Church Rd. Red Lion PA 17356
 Contractor Street Address City State Zip
 Person in Charge of Work: Wayne Sechrist Phone No.: 717-575-5286
 Email: WSechr@gmail.com Cell No.: A
 Workman's Compensation Insurance: Provided On Record Exempt PA Home Improvement Contr. Reg. # _____

6. PROJECT DETAILS

Trades: Building Electrical Work Plumbing Work Mechanical Work (HVAC) Fire Suppression/Fire Alarm System
 Heat Source (if applicable): _____ Fuel Type: _____
 Foundation Type: Crawlspace Foundation Slab at Grade Piers Other: _____

7. SUBCONTRACTOR INFORMATION

Please list subcontractors for major trades. Use additional sheet(s) if needed

Additional sheet(s) attached

Contractor	Address	Phone No	Pa HIC #
<u>Esh Masonry</u>			
Contractor	Address	Phone No	Pa HIC #
Contractor	Address	Phone No	Pa HIC #
Contractor	Address	Phone No	Pa HIC #
Contractor	Address	Phone No	Pa HIC #
Contractor	Address	Phone No	Pa HIC #

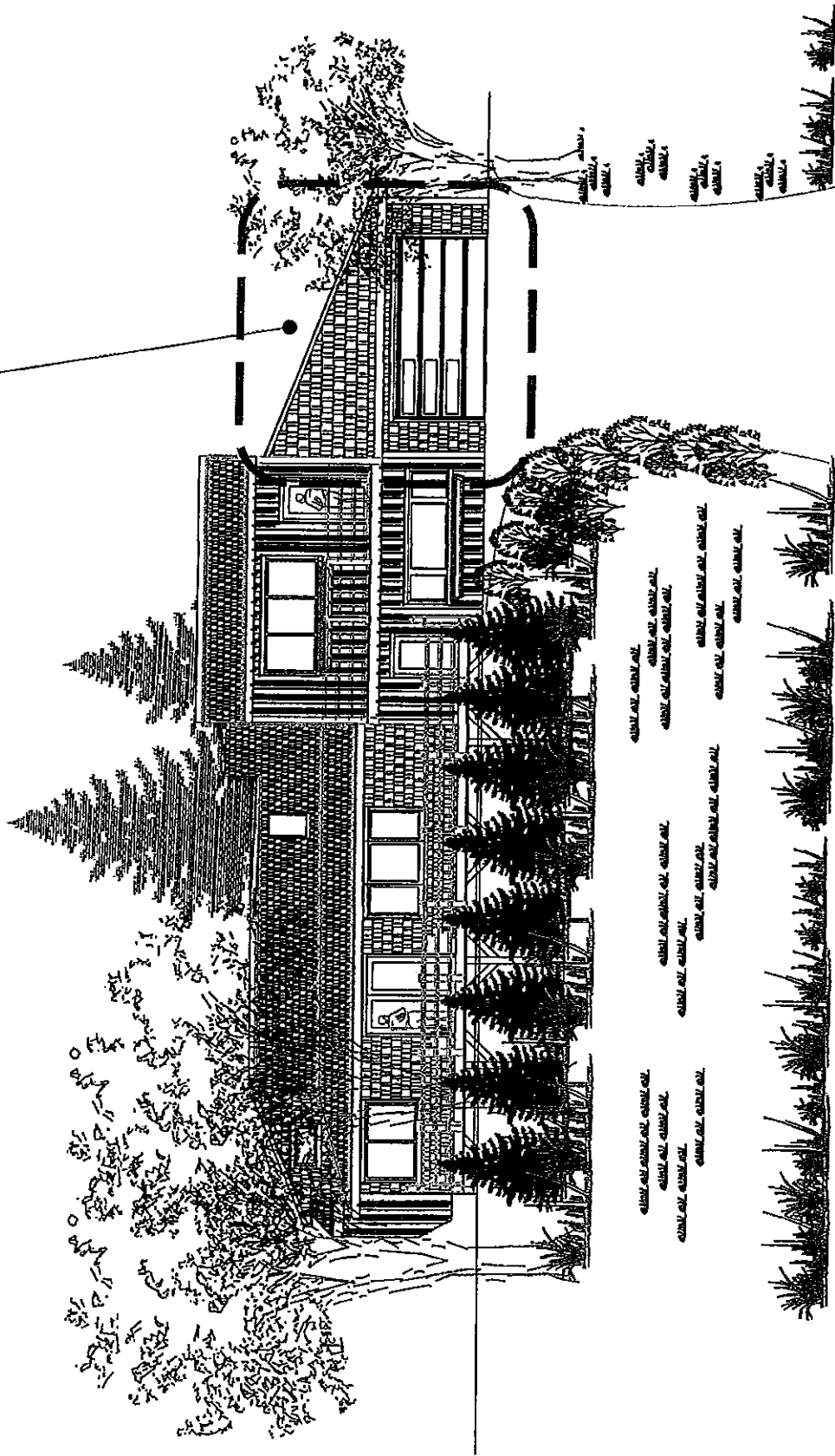
For official use only

8. OFFICE INFORMATION

APPLICATION FEE: \$ _____ ISSUANCE DATE _____/_____/_____
 PERMIT FEE: \$ _____ EXPIRATION DATE _____/_____/_____
 INSPECTION FEES \$ _____ EXTENSION DATE _____/_____/_____
 TOTAL FEES \$ _____
 APPLICATION IS: GRANTED DENIED INCOMPLETE: _____
 SIGNATURE OF PERMIT OFFICER: _____ DATE _____/_____/_____

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

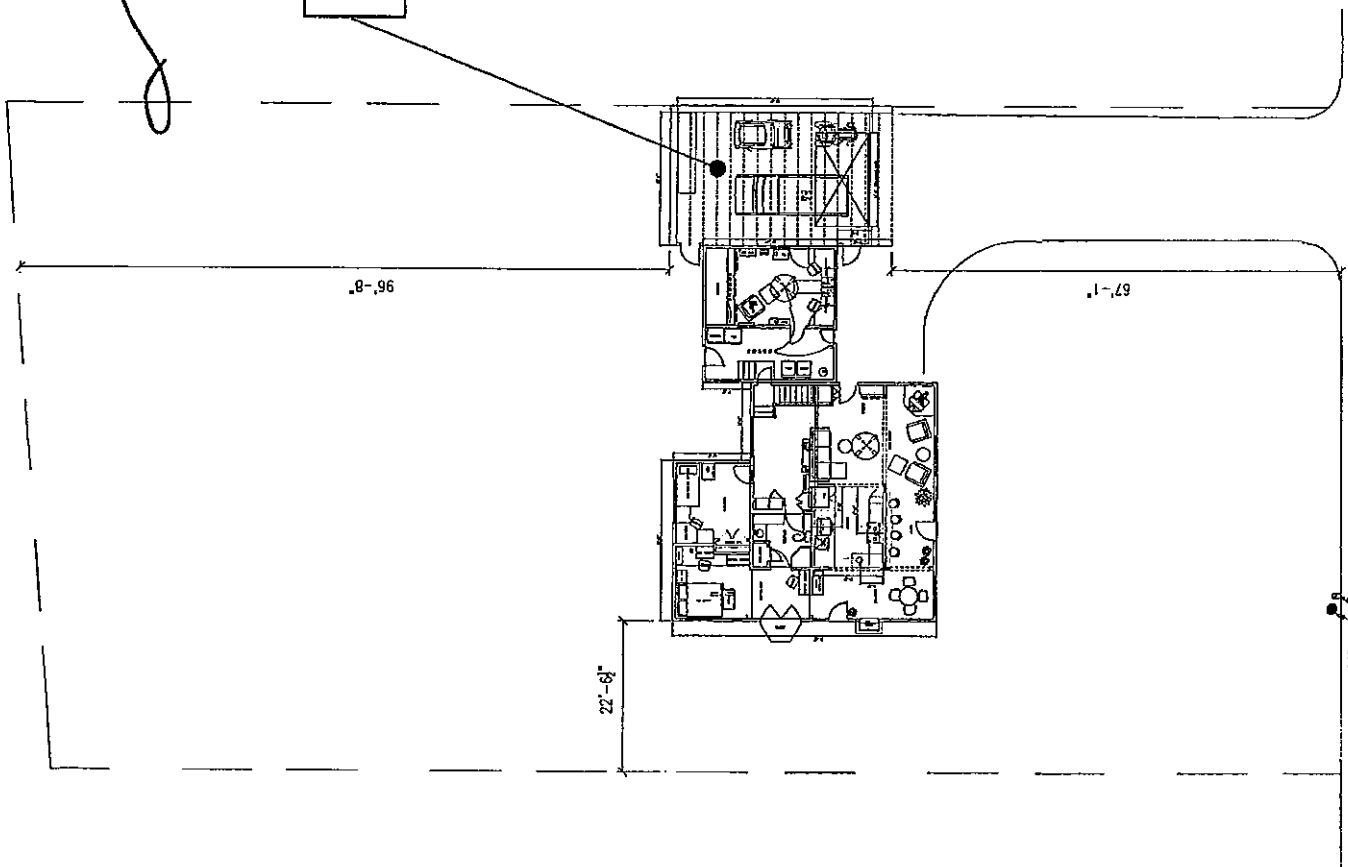
NEW MONOTRUSS GARAGE
ADDITION - 20' x 29' x 16' high (580sf)



FRONT ELEVATION - LOOKING SOUTH FROM RIVER DRIVE

PROPERTY LINE (TYP)

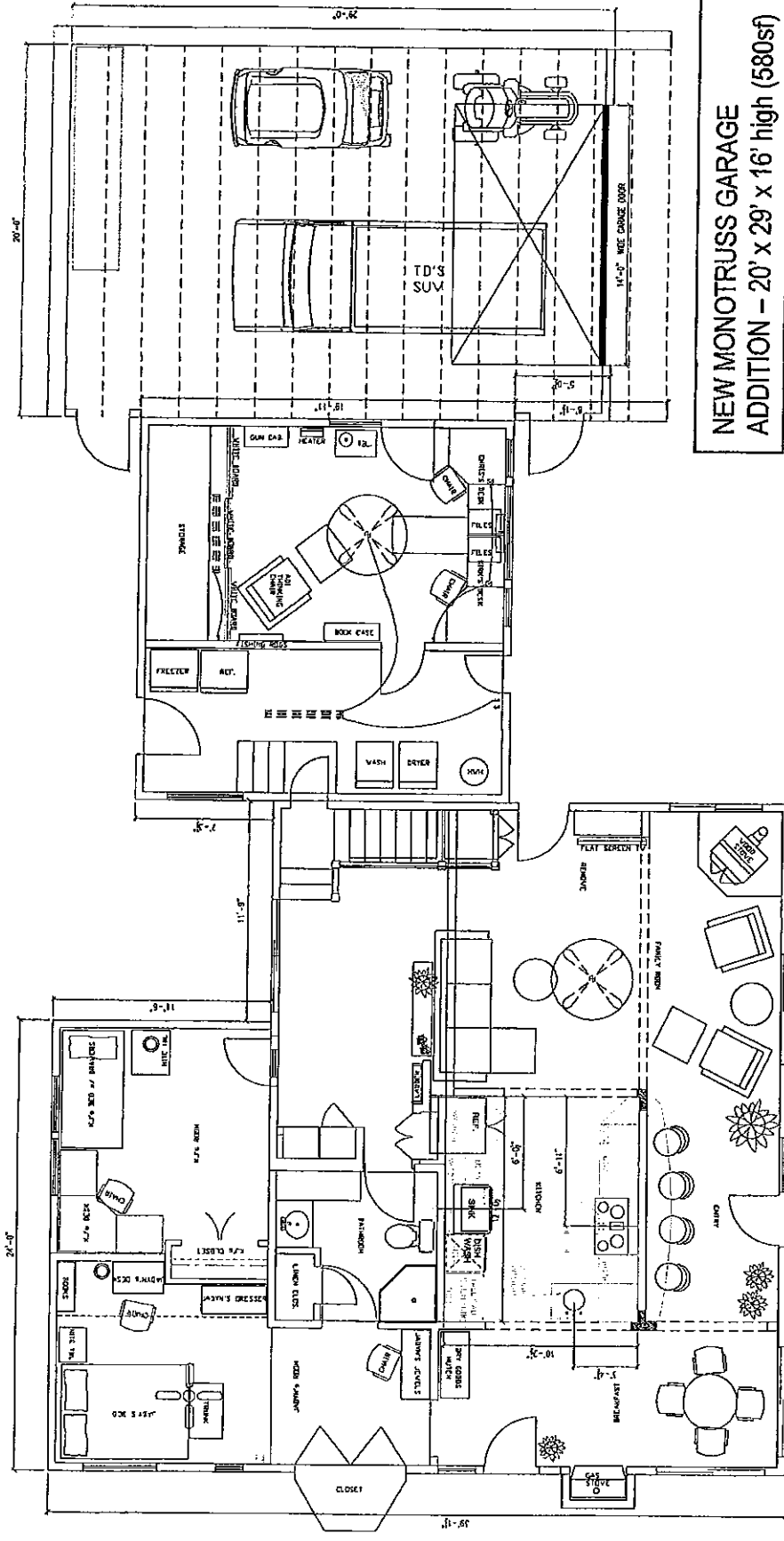
NEW MONOTRUSS GARAGE
ADDITION - 20' x 29' x 16' high (580sf)



RIVER DRIVE

SITE PLAN

3/16/04
NORTH
XDD TYP



**NEW MONOTRUSS GARAGE
ADDITION - 20' x 29' x 16' high (580sf)**

PLAN VIEW - The LAVETAN Residence

6052 River Drive York, PA 17406



Hellam Township Planning Commission Variance Application Briefing

3B

Application Number:	Z-2023-8	PC Meeting:	April 13, 2023
Applicant(s):	B&T Cheese Holdings LLC	Tax Map Parcel:	LL-31A
Property Owner(s):	B&T Cheese Holdings LLC	Lot Size:	0.88 Acres
Property Location:	5890 Lincoln Highway	Zoning:	Mixed-use 1

Project Narrative:

The applicant is requesting a Variance from §490-44.D(2) requiring a 100' setback from Lincoln Highway in the Mixed-use 1 Zone. The applicant proposes to construct a 38'x40' addition on the front of the building with a 75' setback from Lincoln Highway.

Attached Exhibits:

- A. Zoning Hearing Application (received March 30, 2023).
- B. September 10, 1973 survey creating subject property.
- C. Aerial image of existing conditions.

Property Characteristics:

1. The property is improved with an existing building, loading dock and parking lot used for offices and a warehouse for cheese and other food products.
2. The property was subdivided in 1973 prior to the enactment of §490-44. This ordinance was enacted after 1996. See attached **Exhibit B**.
3. Approval for a variance to convert one non-conforming use to another was granted in 1973. The prior use was a restaurant. The use granted was for offices and warehouse for cheese and other food products.
4. No additional impervious area will be created by this addition as it will be constructed on the existing parking lot, see attached **Exhibit C**.
5. Adjacent properties:

	Use	Zoning
North	Commercial	MU-1
South	Agriculture	RA
West	Agriculture	MU-1
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 nonconforming for lot size. The minimum lot size in the MU-1 zone is two acres and this property is 0.88 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, there is not enough room for the addition without encroaching on the setbacks.
3. **Why the unnecessary hardship has not been created by the applicant.** This property is

nonconforming and existed prior to the 100' setback from Lincoln Highway requirement. This requirement assumes the property is at least 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.** Granting this variance will not alter the character of the neighborhood as the use will continue as it has since 1973 and the property is surrounded by commercial and agricultural uses.
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.** This request is the minimum needed because there is no other location for the addition. The addition is appropriately sized for its use.
6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.** This property is not located within a 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>2-2023-8</u>			
Application Filed	<u>3/30/23</u>	Planning Commission	<u>4/13/23</u>
Hearing Advertised	<u>4/10 & 4/17</u>	<input checked="" type="checkbox"/> ZHB BOS Hearing	<u>4/25/23</u>
Notices Mailed	<u>3/30/23</u>	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: B3T Cheese Holdings, LLC
 ADDRESS: 5890 Lincoln Highway, York, PA 17406
 PHONE NUMBER: 717-845-1505 EMAIL ADDRESS: btcheese@comcast.net

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

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

D. Tax Map: LL Parcel: 31A Zoning District: MU-2
 Property Address: 5890 Lincoln Highway
 Date purchased: 7/19/19
 Lot size: acreage .88 - or - _____ sq. ft.
 Present use: Wholesale food distributor
 Proposed use: same
 Date of previous application (if any): _____

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

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

Applicant must provide the following information:

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

§ 490-44.D (2)

- Brief description of nature of Variance requested:

75' setback from the center of the road

- 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:

non-conforming for lot size. Minimum lot size in
MU-1 Zone is 2 acres. This parcel is .88 acres.

- 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:

Not enough space to meet setback requirements

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

Parcel was created prior to the current regulations and the regulations are tailored to a minimum 2 acre parcel.

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:

It will not alter the neighborhood as it is farmland on either side and commercial property across the street. There is no impact to adjacent property as we are not requesting a variance on the side setbacks. There is no impact to public welfare.

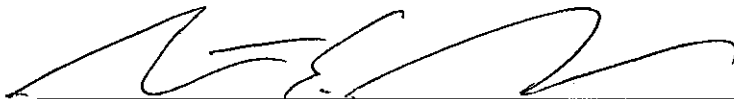
E. Why the Variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue:

We are not overbuilding, we are building on addition to exact specifications for the use.

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

not applicable

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.



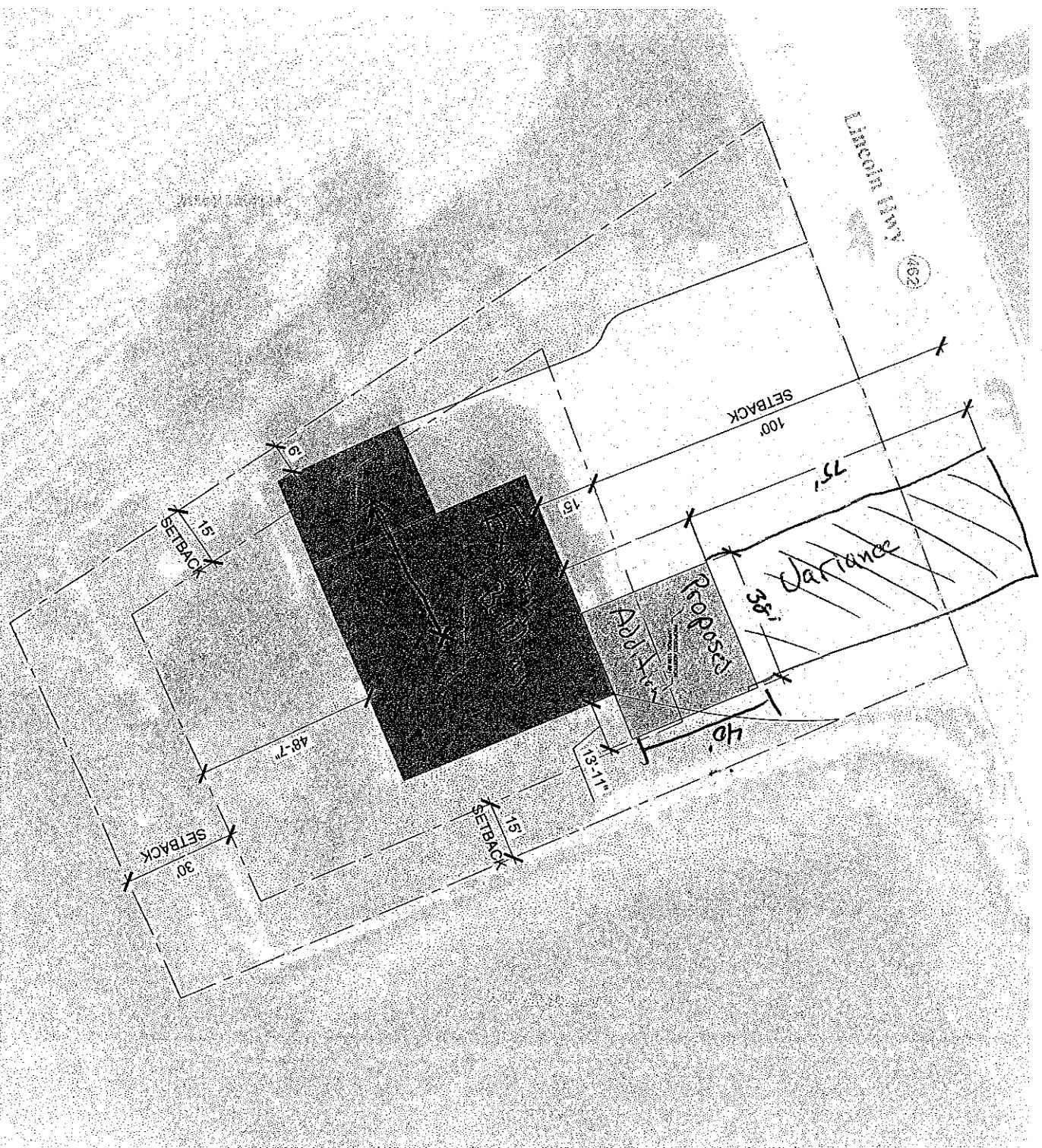
* Signature

Date


3/29/23

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

THIS DOCUMENT AND THE INFORMATION CONTAINED HEREIN ARE PREPARED BY THE ARCHITECT FOR THE CLIENT'S USE ONLY. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREIN, NOR DOES THE ARCHITECT ASSUME ANY LIABILITY FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DOCUMENT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT. THE ARCHITECT'S DESIGN IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE ARCHITECT'S WRITTEN CONSENT. THE ARCHITECT'S DESIGN IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE ARCHITECT'S WRITTEN CONSENT.



1 PROPOSED SITE PLAN

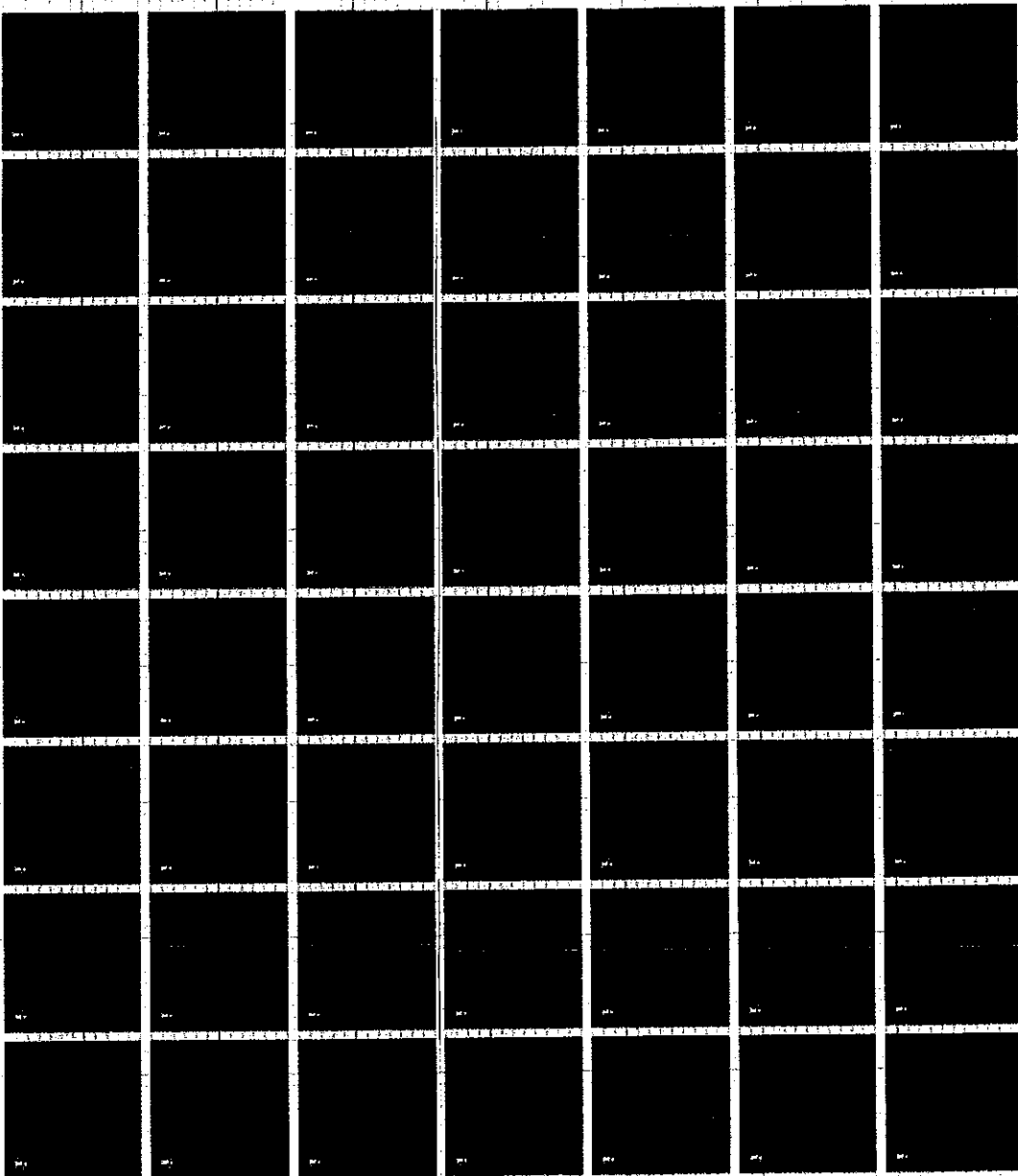
C102	REVISIONS <table border="1"> <tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	DESCRIPTION																												NEW BUILDING FOR B&T Cheese Co. 5890 LINCOLN HIGHWAY YORK, PA 17406 YORK COUNTY HELLAM TOWNSHIP	 858 STEEL CUP ROAD LANCASTER, PA 17603 TEL: 717-298-7422 FAX: 717-298-7422 WWW.SCENICRIDGE.COM	CONTRACTOR VOSBURGH ARCHITECTS 1708 WOODBINE ROAD, LANCASTER, PA 17602 TEL: 717-697-8600	DESIGN PROFESSIONAL SEAL
	NO.	DATE	DESCRIPTION																																
DATE: 11-18-11 DRAWN BY: JMM CHECKED BY: JMM APPROVED BY: JMM	1																																		

40'0"

LINCOLN HIGHWAY

38'0"

40'0"

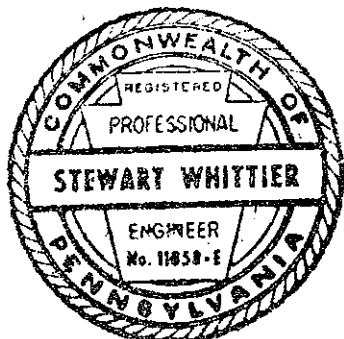
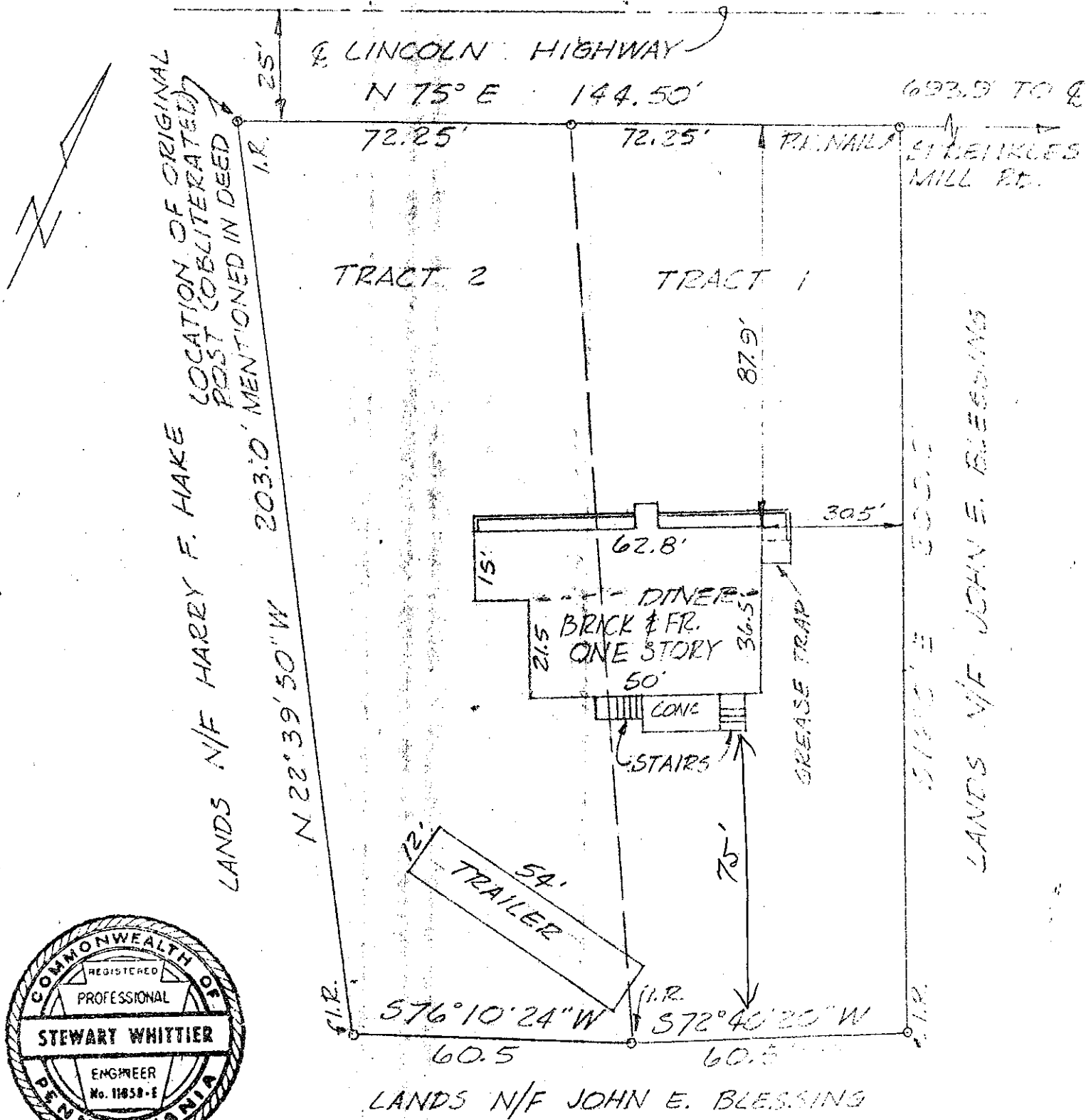


38'0"

27'5 1/2"

1

PLAT OF SURVEY A tract of land known as Randall's Diner situated in Hellam Township, York County, Pennsylvania
 Scale 1"=30 feet Surveyed Sept. 10, 1973



SURVEYORS CERTIFICATE

THIS IS TO CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, THAT THIS MAP WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECTION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Stewart Whittier

Tract of land about to be conveyed to Carl Lentz.

Exhibit B

STEWART WHITTIER
 169 Haines Road
 York, Penna. 17402



Exhibit C



Hellam Township Planning Commission Special Exception Briefing

3C

Application Number:	Z-2023-09	PC Meeting Date:	April 13, 2023
Applicant(s):	Susquehanna National Heritage Area	Tax Map Parcel:	LL-70E
Property Owner(s):	The Conservation Fund	Lot Size:	78.89 Acres
Property Location:	202 Cool Springs Road	Zoning:	Commercial/Industrial

Project Narrative:

The Applicant is requesting special exception approval, pursuant to §490-6 uses not provided for, to use the property as a semi-public park and visitor center. While the Zoning Ordinance provides for a public park it does not provide for a park owned by a non-profit. The Applicant falls under the definition of "semi-public" however there is not a use for a semi-public park that includes a visitor center, trails and all other proposed amenities.

Attached Exhibits:

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

Property Characteristics:

1. The subject property is known as the Mifflin House or Hybla House. This property is being preserved to retain its historic value.
2. The subject property consists of 78.89 acres in the Commercial/Industrial Zone. A portion of the property is located in the Steep Slope Overlay Zone and Riparian Buffer Overlay Zone.
3. A small portion of the property is also located in Wrightsville Borough.
4. This property has been the subject of many subdivision plans as part of the Wright's Crossing industrial development prior to its acquisition for preservation.
5. Adjacent properties:

	Use	Zoning
North	Route 30 & Agriculture	RA
South	Residential	Wrightsville Borough
West	Industrial	C/I and INT
East	Open Space	C/I

Special Exception Provisions:

1. **Comply with all applicable provisions and be consistent with the purpose and intent of the Zoning Ordinance:** The Applicant proposes to comply with the Zoning Ordinance requirements and upon obtaining this approval will move forward with a land development plan for phase one. A regional visitor center and heritage park is consistent with the Zoning Ordinance and Comprehensive Plan's purpose to promote, protect and facilitate coordinated and practical community development.
2. **Not detract from the use and enjoyment of adjoining or nearby properties:** Half of the adjoining properties are used as industrial and Route 30. This is the area where parking and major visitor facilities will be located. The remaining site will retain the rural character and provide opportunities for all and surrounding community members to enjoy. This property was previously slated for industrial development.

3. **Not substantially change the character of the subject property's neighborhood:** This property is being preserved and will retain most of the open space that currently exists.
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.):** There are adequate public facilities available to the property. Water and sewer were made available for the Wright's Crossing development. Vehicular access is provided by a PennDOT approved existing entrance. It is anticipated that this use will not strain existing public facilities.
5. **Comply with requirements for development within the Floodplain:** No development is proposed in the floodplain.
6. **Comply with those criteria specifically listed in Article 4 and all other applicable regulations contained in the Zoning Ordinance:** This is a use not provided for and does not have specific criteria listed in Article 4.
7. **Not substantially impair the integrity of the Township's Comprehensive Plan:** This use will not impair the integrity of the Township's Comprehensive plan and will also be in line with the Township's Comprehensive Recreation, Park, and Open Space Plan as this project protects the site's current open space, natural resource and scenic rural character.

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>2-2023-09</u>			
Application Filed	<u>4/13/22</u>	Planning Commission	<u>4/13/23</u>
Hearing Advertised	<u>4/10 & 4/17</u>	<input checked="" type="radio"/> ZHB BOS Hearing	<u>4/25/23</u>
Notices Mailed	<u>4/4/23</u>	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: Susquehanna National Heritage Area (Attn: Mark Platts, President)
ADDRESS: 1706 Long Level Rd.
PHONE NUMBER: 717-252-0229 x103 **EMAIL ADDRESS** mplatts@susqaha.org

B. PROPERTY OWNER'S NAME
 (If different than applicant): The Conservation Fund
ADDRESS: 1655 N. Fort Myer Drive, Suite 1300, Arlington, Virginia 22209
PHONE NUMBER: Contact: Kyle Shenk (Northeast Regional Director/PA State Director) 717-816-6451

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

D. Tax Map: LL **Parcel:** 31000LL0070E000000 **Zoning District:** C/I - Commercial Industrial
Property Address: 202 Cool Springs Rd, Wrightsville, PA 17368
Date purchased: Under contract – settlement anticipated by 10/19/23.
Lot size: acreage 78.89 ac - or - _____ sq. ft.
Present use: Agricultural Operation
Proposed use: Semi-Public Park (use not provided for)
Date of previous application (if any): _____

- E. Please choose the following:**
- | | | |
|---|---|---|
| <input type="radio"/> APPEAL
(Refer to Section 1) | <input checked="" type="radio"/> SPECIAL EXCEPTION
(Refer to Section 2) | <input type="radio"/> VARIANCE
(Refer to Section 3) |
| | | <input type="radio"/> 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:

Section 490.6 Uses not provided for. The proposed Susquehanna Discovery Center & Heritage Park at the historic Mifflin farmstead is a multi-use, non-profit-owned and managed project not otherwise provided for in the Hellam Township Zoning Ordinance. A Special Exception is requested to approve the project as a Semi-Public Park, including the uses, features, phasing timetable, and parking spaces outlined below and in Exhibits 1-7, as well as the attached project Concept Plan brochure.

- Brief description of proposed use:

The proposed use is a Semi-Public Park, to include adaptive use of the historic Mifflin house and barn complex as a National Heritage Area visitor education center with interpretive galleries and exhibits, program and event spaces, gift shop, café, non-profit offices, access drives, parking, walkways, trails, interpretive installations and signage, similar accessory uses supporting the complex, and scenic viewpoints within a 79-acre historic landscape. The property was acquired by The Conservation Fund (TCF) in 2022 for transfer to Susquehanna National Heritage Area (SNHA) anticipated in 2023, as may be extended, once all funding commitments are secured. The site and facilities will be owned and managed by SNHA as the Susquehanna Discovery Center & Heritage Park. This new regional visitor destination will be a place for travelers and local residents to learn about our region's important role in American history, experience Underground Railroad and Civil War heritage at the place where it happened, and contribute to the economic vitality of our local communities through heritage and outdoor tourism. The project is projected to generate \$18+ million in construction spending, create 10+ new on-site jobs, and help retain 10+ existing jobs relocated from other locations. Approximately 78% of the site is located in Hellam Township and 22% is located in Wrightsville Borough, with the primary visitor facilities situated in the Township. A heritage trail and greenway connected to a waterfront park on the Susquehanna River, also in Hellam Township, will be developed as future elements, along with a separate hospitality development site in Wrightsville Borough. This complex community project will be implemented in phases over 5-10 years as funding is secured through public grants, private gifts, and a capital campaign. The Special Exception will enable SNHA to complete final purchase of the property from TCF, proceed with a Land Development Plan for the first stage of public access improvements needed to host initial on-site programs, and begin planning, fundraising, and development of subsequent phases of the project. We anticipate the first building permit for initial public access improvements to be issued by June 1, 2024 and completion of the entire project by December 31, 2033. These time periods may be extended in the event of an appeal of any approvals or permits required for the project, as needed for the amount of time necessary to resolve the appeals.

- 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.

Exhibits attached.

- Ground floor plans and elevations of any proposed structures (excluding residential structures).
Exhibits attached showing concept plans.

- Attach list of names and addresses of adjoining property owners including properties across a public right-of-way.

Names and addresses of adjoining property owners and owners across public rights-of-ways are included on an attached list and keyed to lots on the attached Existing Features Plan (Exhibit 7).

- 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:

A Special Exception for a Semi-Public Park is required because the proposed multi-use, non-profit owned and managed project is not otherwise provided for in the Zoning Ordinance. Each phase of the project will be implemented in compliance with all applicable provisions of the ordinance through further review and approval of Land Development Plans specific to the phase under development. As a regional visitor center and heritage park open to the public for educational programs, exhibits, tours, and events, the project is consistent with the ordinance's purpose to promote, protect, and facilitate coordinated and practical community development.

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

The project site is bordered by commercial uses and an industrial park to the west, US Route 30 to the north, publicly-owned ball fields and woodlands to the east, and a residential neighborhood to the south. Currently farmed but previously slated for industrial development, the site will now be preserved as a heritage park open to the public for educational and recreational purposes. The project will provide almost 80 acres of community open space easily accessible to nearby residents and workers, along with visitor attractions that will enhance commerce for nearby retail and hospitality businesses and attract new economic vitality to surrounding communities through heritage and outdoor tourism. All vehicle access, parking, and major visitor facilities will be clustered along the western border of the site, adjacent to industrial uses, preserving views and open space for adjacent residential areas. Historic buildings will be renovated and adaptively used with additions, modifications, and new construction designed to enhance and support the proposed uses and visitor experience. An interpretive trail system connected to adjacent neighborhoods will also provide healthy exercise and learning opportunities for local residents.

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

As reviewed above, the project will preserve almost 80 acres of current farmland as community open space, with major redevelopment focused on adaptive use of the existing house and barn complex and most of the site conserved for outdoor learning and recreation uses. This will help ensure that the character of the surrounding neighborhood is not substantially changed. Preserving the existing character of the site is a primary goal of the project since the property's historic farm landscape is an essential part of its Underground Railroad and Civil War

significance. Preserving the site as a heritage park will also enhance quality of life for nearby residents by opening a previously private landscape to the public for the first time.

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.)

Public water and sewer facilities and other utilities are readily available at the site, having been developed as part of the industrial park previously proposed for the property. Primary vehicular access is available from Cool Springs Road via an existing PennDOT-approved entrance at the southwest border of the site, with secondary vehicular access available to the northwest via a recently constructed cul-de-sac at the eastern end of Mifflin Drive. Fire, police, and ambulance protection is available from Hellam Township and Wrightsville Borough municipal and volunteer services.

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

No development is proposed within a floodplain as part of this Special Exception request.

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

Criteria for the proposed Semi-Public Park are not provided for in Article 4 of the Zoning Ordinance. The Special Exception is requested to permit the specific uses, phasing timetable, and parking proposed for the project in this application. Compliance with core provisions of the Commercial/Industrial Zone are shown on Exhibit 7, Existing Features Plan. Compliance with all other applicable regulations contained in the ordinance will be further provided for through review and approval of Land Development Plans for each phase of the project as it is advanced.

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

Development of the Susquehanna Discovery Center & Heritage Park at the Mifflin site is consistent with and will help achieve the goals of the Township's Comprehensive Plan. This includes policies for the Commercial/Industrial future land use designated for this property. As a regional visitor destination, the project will serve local and regional residents, as well as travelers passing through the area. The site has excellent transportation access, proximity to complementary commercial uses, and availability of public utilities. Future project phases will promote integration of uses and access through shared drives and walkways. Signage, landscaping, and screening will be applied to create an attractive setting suitable for a high-quality visitor attraction. The project will also help advance major goals of the Township's Comprehensive Recreation, Park, and Open Space Plan. These include protecting the site's current open space, natural resources, and scenic rural character; establishing new park and recreation facilities where residents can have fun, experience nature, socialize, and lead active, healthy lifestyles; and helping to connect the community through a system of trails. SNHA is specifically referenced in the Recreation, Park, and Open Space Plan as an organization providing support and coordination for parks, recreation, and open space in the Township through our mission to connect people to the Susquehanna River and its history. The Susquehanna Discovery Center & Heritage Park will significantly advance this role along the riverfront, which is classified in the plan as a Priority Landscape for preservation. The plan also identifies SNHA's property at the US30 bridge as a

potential municipal park site, including a concept plan with paddle craft and fishing access, picnic areas, interpretive signage, and local trails connected to the Mason-Dixon Trail, all of which is proposed as a future element of the proposed heritage park.

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.



4/3/23

* Signature

Date

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

Authorization letter from the property owner, The Conservation Fund, is attached.

THE
CONSERVATION FUND

1655 North Fort Meyer Dr., Suite 1300
Arlington, Virginia 22209
Phone: 703-525-6300
www.conservationfund.org

March 29, 2023

Sent Via Email

Mark N. Platts, President
Susquehanna National Heritage Area
1706 Long Level Road, Wrightsville, PA 17368
717-252-0229 ext. 103

Re: Approximately 85.79 acres located in York County, Pennsylvania
Authorization for Special Exception Application

Dear Mr. Platts,

As you know, The Conservation Fund ("TCF") is the owner of the Property mentioned above by virtue of a deed recorded in the Office of the York County Recorder of Deeds office as instrument number 2022024201. Additionally, on April 22, 2022, TCF entered a Contract for Sale of Real Estate with the Susquehanna Heritage Corporation (D/B/A Susquehanna National Heritage Area) ("SNHA"). TCF expects to convey the Property to SNHA to be used for conservation, interpretation, and public recreation purposes.

As Property owner, TCF hereby authorizes SNHA to sign the Application for Hearing in connection with SNHA's request for a variance or Special Exception to the current use in order to advance plans for the acquisition and adaptive use of the Property for semi-public park use as proposed in the attached application.

We look forward to the successful completion of this project. Please do not hesitate to reach out should you have any questions.

Sincerely,



Sami Aboulhosn
Assistant Secretary

Cc: Kyle Shenk, The Conservation Fund

SUSQUEHANNA
NATIONAL HERITAGE AREA

Susquehanna Discovery Center & Heritage Park
EXHIBIT 1
SPECIAL EXCEPTION FOR SEMI-PUBLIC PARK USE

Semi-Public Park, to include adaptive use of the historic Wiffiin house and barn complex as a National Heritage Area visitor education center, with interpretive galleries and exhibits, program and event spaces, gift shop, café, non-profit offices, access drives, parking, walkways, trails, interpretive installations and signage, similar accessory uses supporting the complex, and scenic viewpoints within a 79-acre historic landscape.

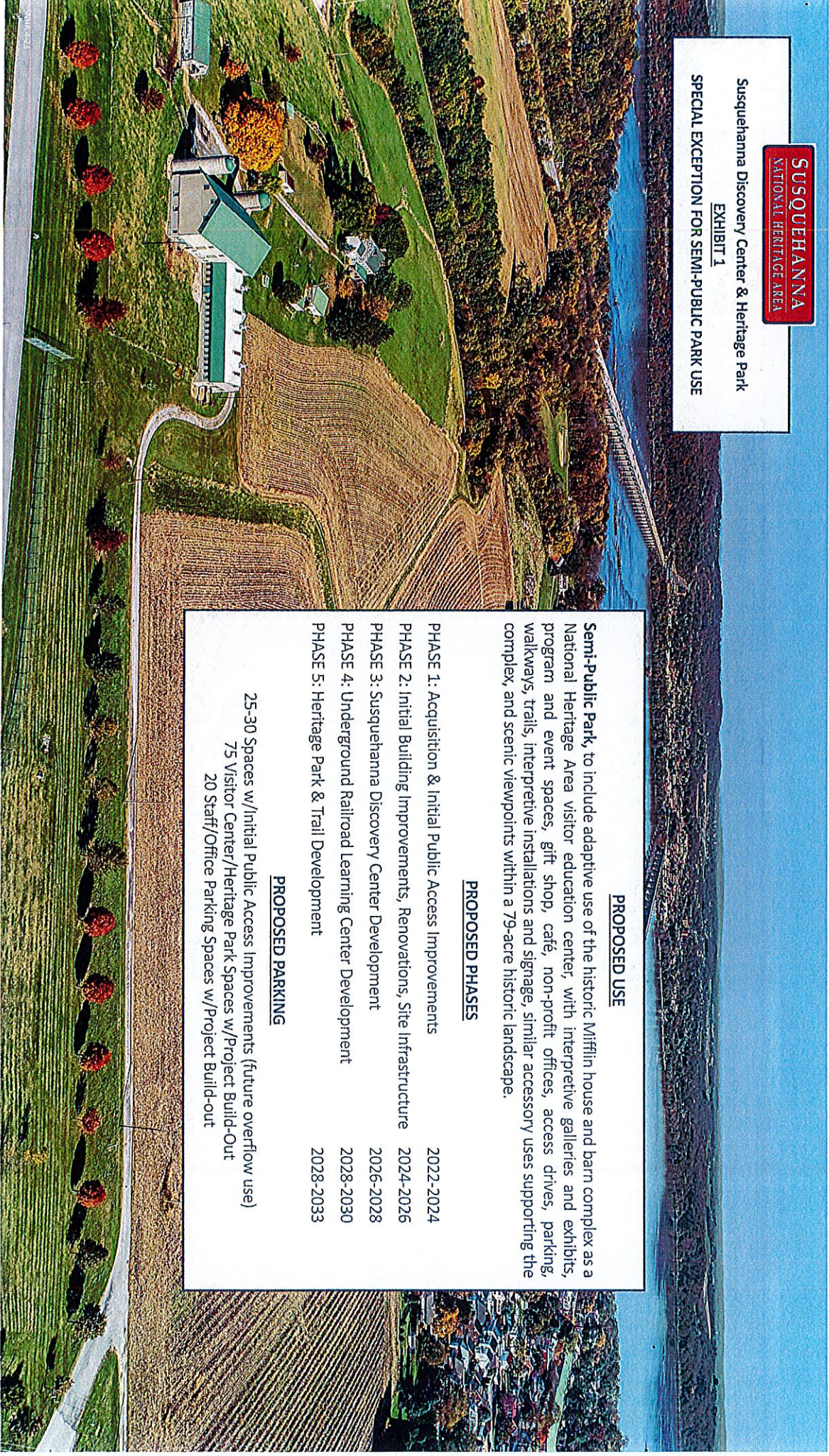
PROPOSED USE

PROPOSED PHASES

- PHASE 1: Acquisition & Initial Public Access Improvements 2022-2024
- PHASE 2: Initial Building Improvements, Renovations, Site Infrastructure 2024-2026
- PHASE 3: Susquehanna Discovery Center Development 2026-2028
- PHASE 4: Underground Railroad Learning Center Development 2028-2030
- PHASE 5: Heritage Park & Trail Development 2028-2033

PROPOSED PARKING

- 25-30 Spaces w/Initial Public Access Improvements (future overflow use)
- 75 Visitor Center/Heritage Park Spaces w/Project Build-Out
- 20 Staff/Office Parking Spaces w/Project Build-out



SUSQUEHANNA
NATIONAL HERITAGE AREA

Susquehanna Discovery Center & Heritage Park

EXHIBIT 2
CONCEPT PLAN

Susquehanna Discovery Center/Heritage Park 79 ac
Hospitality Business Development Site (Future) 8 ac

Total TCF/SNHA Acquisition: 87 ac

Greenway/River Park (Future-SNHA/PPU/PADOT) 7 ac

Total Project: 94 ac



± 500 ft.



SNHA-4-23

SUSQUEHANNA
NATIONAL HERITAGE AREA

Susquehanna Discovery Center & Heritage Park
EXHIBIT 3
CONCEPT PLAN - AERIAL PERSPECTIVE



Underground Railroad Learning Center

Susquehanna Discovery Center

UGRR & Civil War Heritage Trails

Parking

Entrance Drive

SUSQUEHANNA
NATIONAL HERITAGE AREA

Susquehanna Discovery Center & Heritage Park
EXHIBIT 4
SDC SITE LAYOUT CONCEPTS



SUSQUEHANNA
NATIONAL HERITAGE AREA

Susquehanna Discovery Center & Heritage Park
EXHIBIT 5

INITIAL PUBLIC ACCESS IMPROVEMENTS

- 1. Improved entrance drive
- 2. Initial visitor parking area (future overflow use)
- 3. Accessible walkways to barn/house
- 4. Portable restroom enclosure
- 5. Outdoor program space
- 6. Accessible trail/overlook

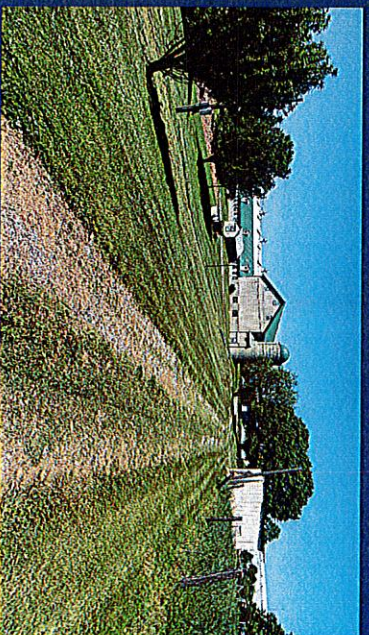
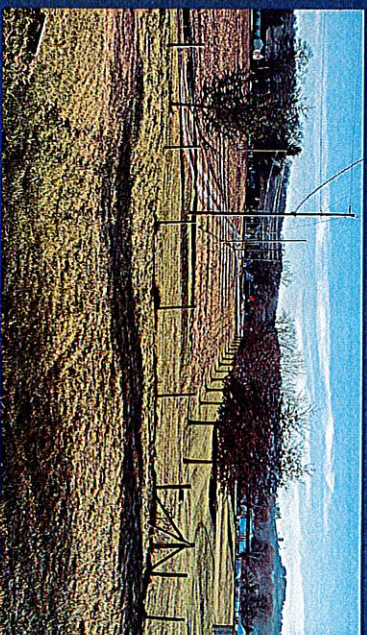
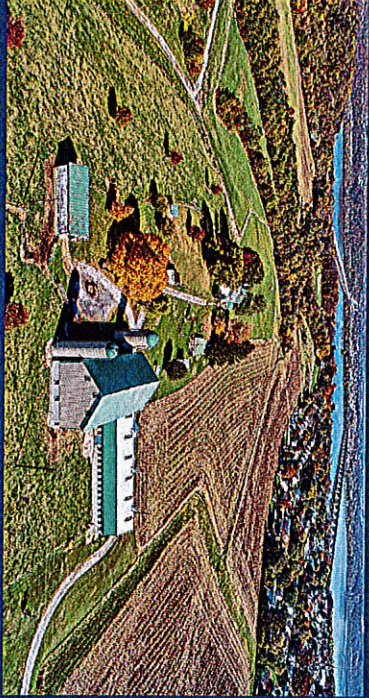
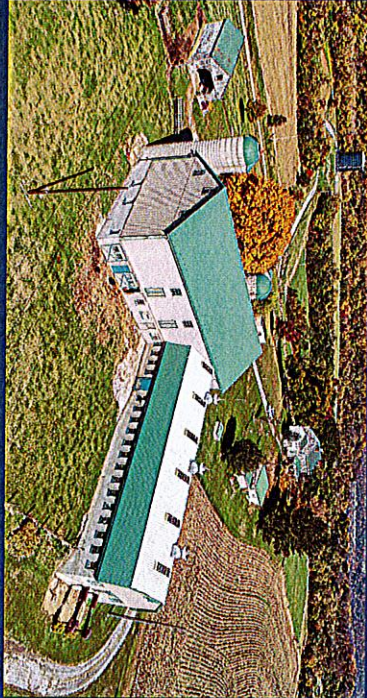
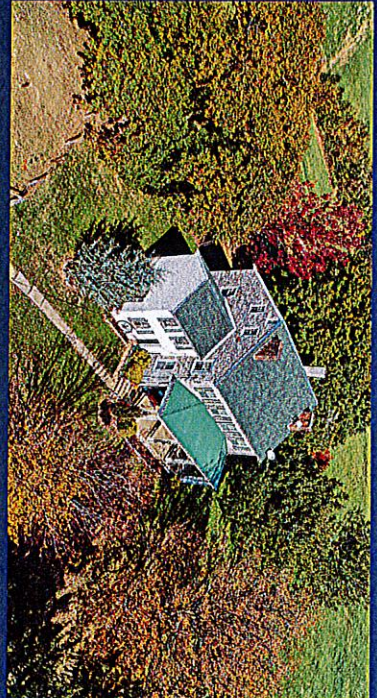
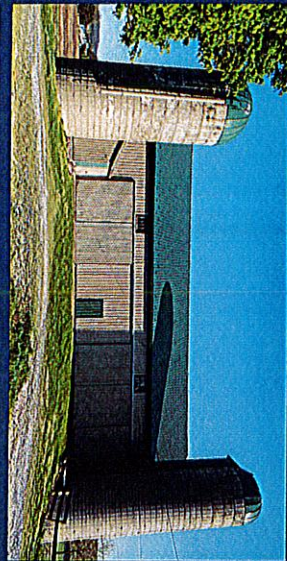
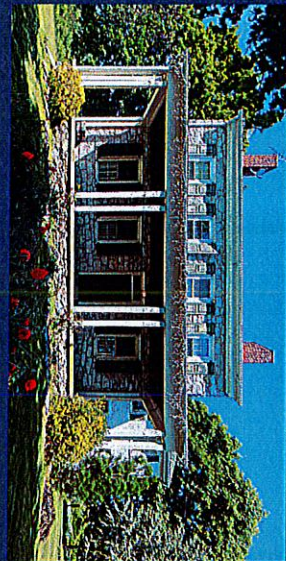


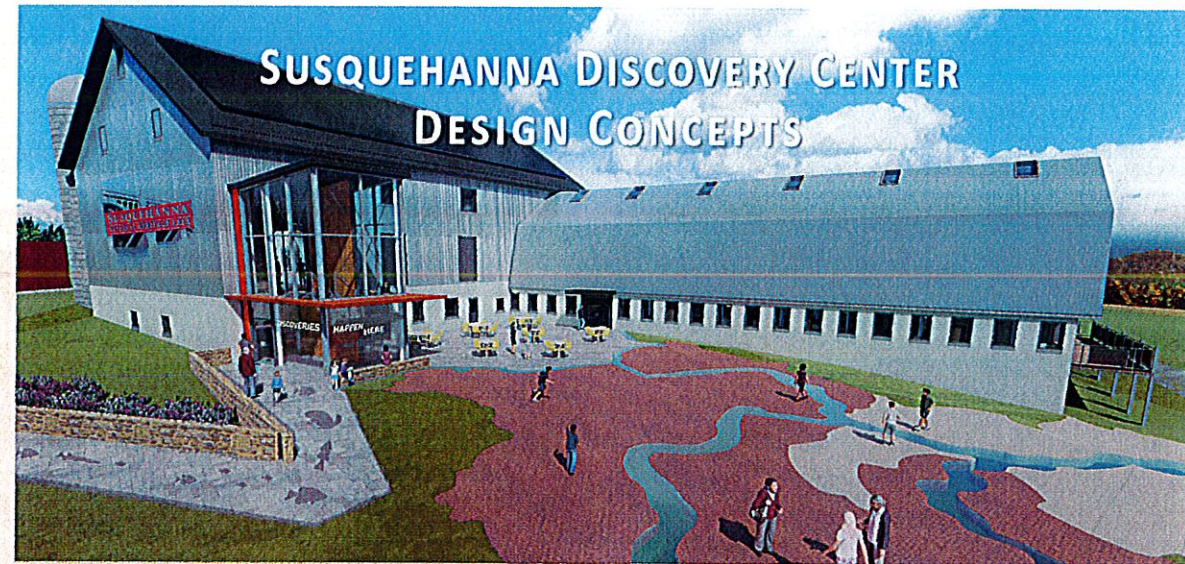
North
+/- 100 ft.



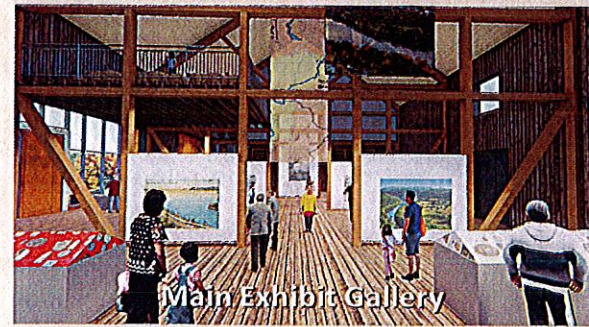
SUSQUEHANNA
NATIONAL HERITAGE AREA

Susquehanna Discovery Center & Heritage Park
EXHIBIT 6
PHOTOGRAPHS OF SITE CONDITIONS

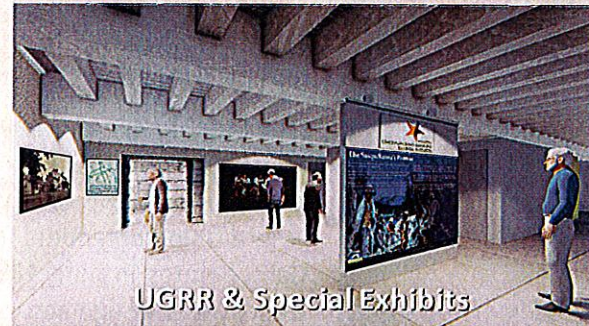




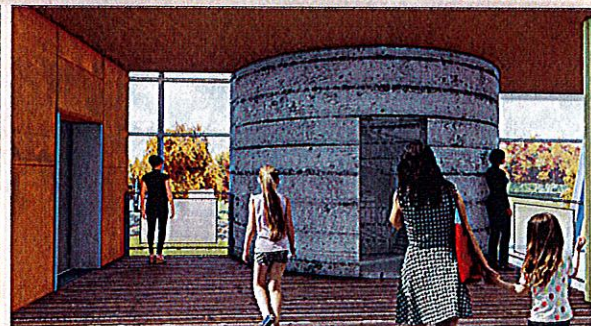
SUSQUEHANNA DISCOVERY CENTER
DESIGN CONCEPTS



Main Exhibit Gallery



UGRR & Special Exhibits



Silo Lookouts



Art & Program Gallery

PROJECT PARTNERS



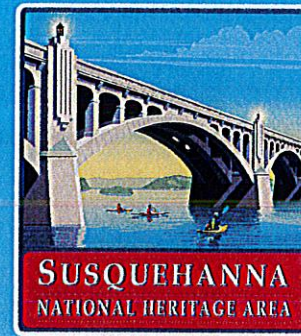
More Information:

Susquehanna National Heritage Area

www.SusqNHA.org

1706 Long Level Road, Wrightsville, PA 17368 / 717-252-0229 / info@susqnha.org

SNHA 4-23



SUSQUEHANNA DISCOVERY CENTER
AT THE HISTORIC MIFFLIN HOUSE & FARM

CONCEPT PLAN
April 2023

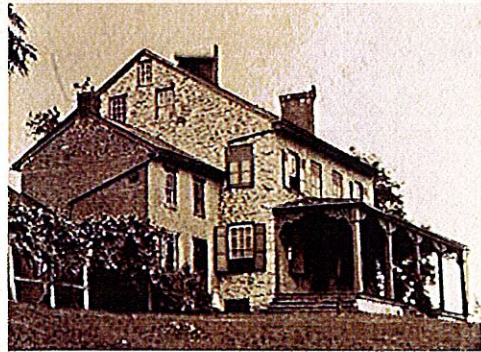


*"I would jump into the river rather than return to bondage."
— "Ensor Sam" Berry, enslaved man from Maryland who passed through Wrightsville*

A PARTNERSHIP TO PRESERVE A HISTORIC SITE & LANDSCAPE

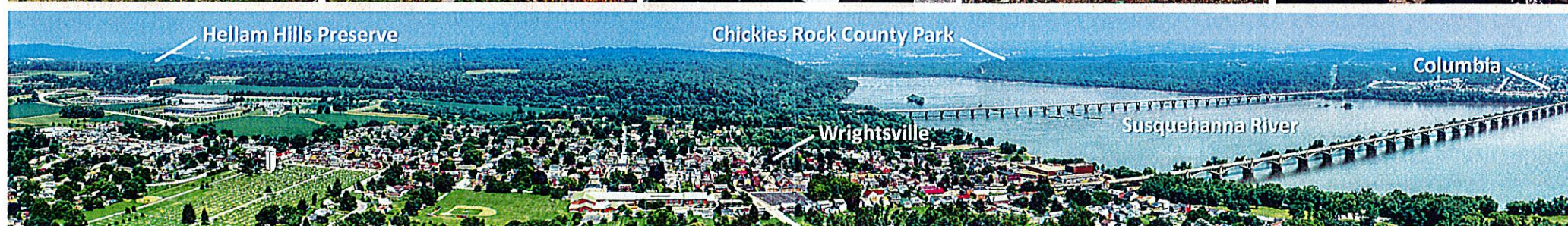
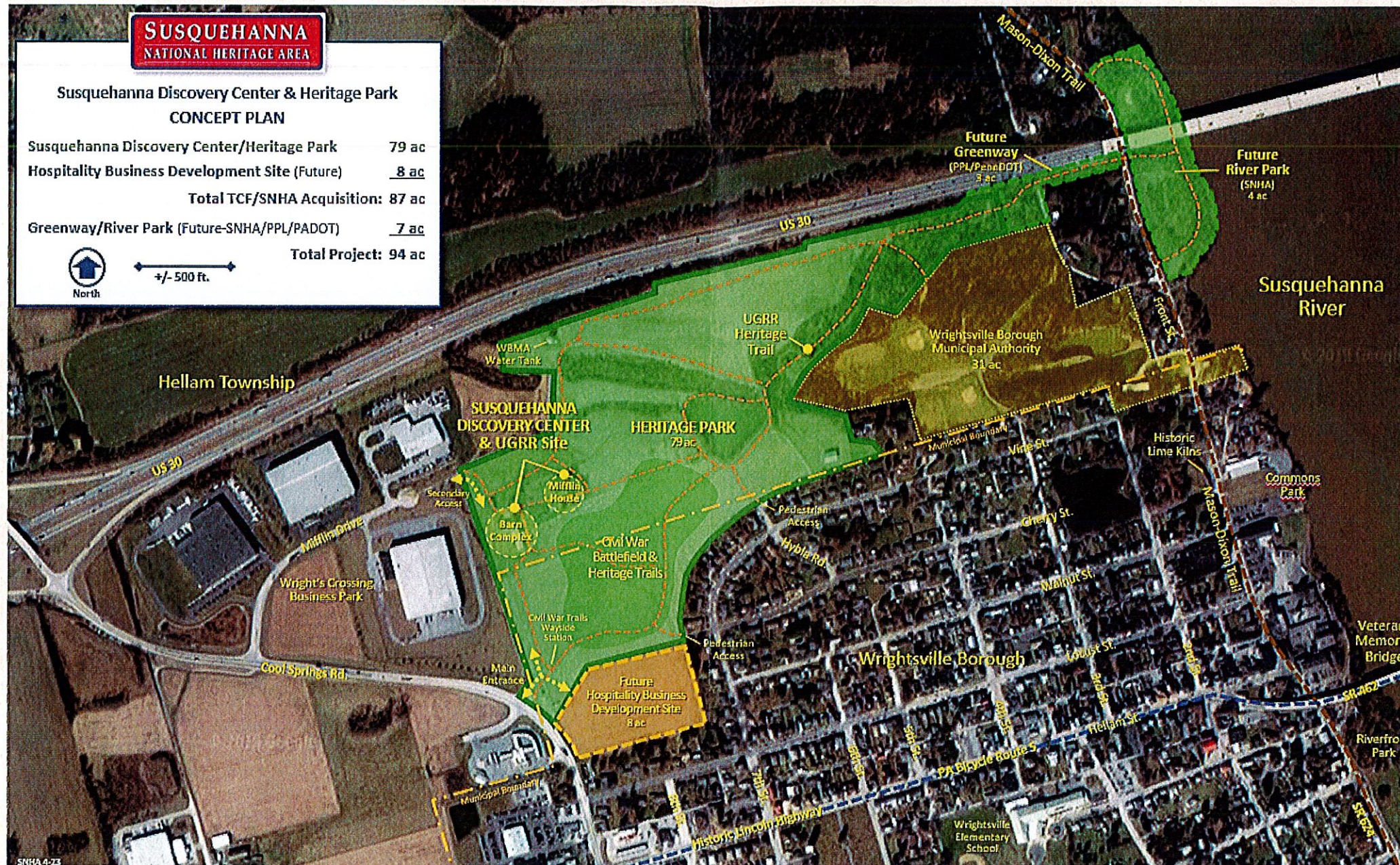
Susquehanna National Heritage Area (SNHA), Preservation Pennsylvania, The Conservation Fund (TCF), York County Economic Alliance, and other partners have worked since 2017 to preserve the Mifflin house and farm near the Susquehanna River in eastern York County, an historic Underground Railroad and Civil War site in Hellam Township and Wrightsville Borough.

Kinsley Properties of York had been developing a business park around the site since the 1990's with the Blessing family, long-time owners of the farm. As development moved east toward the historic farmstead, demolition of the house, barn, and outbuildings was proposed, leading to much community debate and legal challenges. In early 2019, the Blessings, Kinsley, and Hellam Township agreed to a two-year moratorium on demolition to allow preservation partners time to develop a concept plan and secure funding.



As an alternative to demolition and industrial development, the preservation partners proposed the acquisition and adaptive use of the farm by SNHA as a gateway visitor center and Underground Railroad/Civil War heritage park with trails to the river and an 8-acre parcel in Wrightsville reserved for future hospitality business development. The plan includes the 87-acre Mifflin farm and 7 acres of other public and semi-public lands, including riverfront land owned by SNHA. After acquisition funding was secured, TCF purchased the property in April 2022. The site will be transferred to SNHA in 2023 for implementation of the concept plan over the next 5-10 years.

SUSQUEHANNA DISCOVERY CENTER AT THE HISTORIC MIFFLIN HOUSE & FARM



A PLACE TO SHOWCASE AMERICA'S 55TH NATIONAL HERITAGE AREA

After community discussions, site tours, and feasibility studies, the project partners concluded that the Mifflin House and farm presents a unique opportunity for SNHA to lead the planning and development of a new regional visitor destination at the site - a place to learn about our region's significant role in American history and enhance our area's economic vitality. To realize this vision, the project's concept plan includes these features:

SUSQUEHANNA DISCOVERY CENTER - Adaptive use of the historic barns as a world-class visitor destination for America's 55th National Heritage Area, including heritage exhibits, river art galleries, program space, silo lookouts, gift shop, café, and SNHA headquarters.

UNDERGROUND RAILROAD LEARNING CENTER - Restoration of the Mifflin House as a place for learning about our region's role in the Underground Railroad, with an interpretive trail to the river tracing the historic route of those seeking freedom.

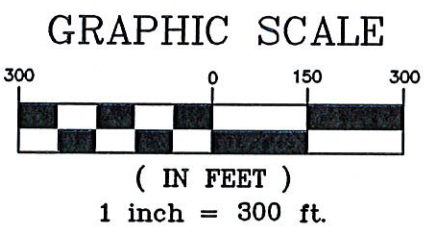
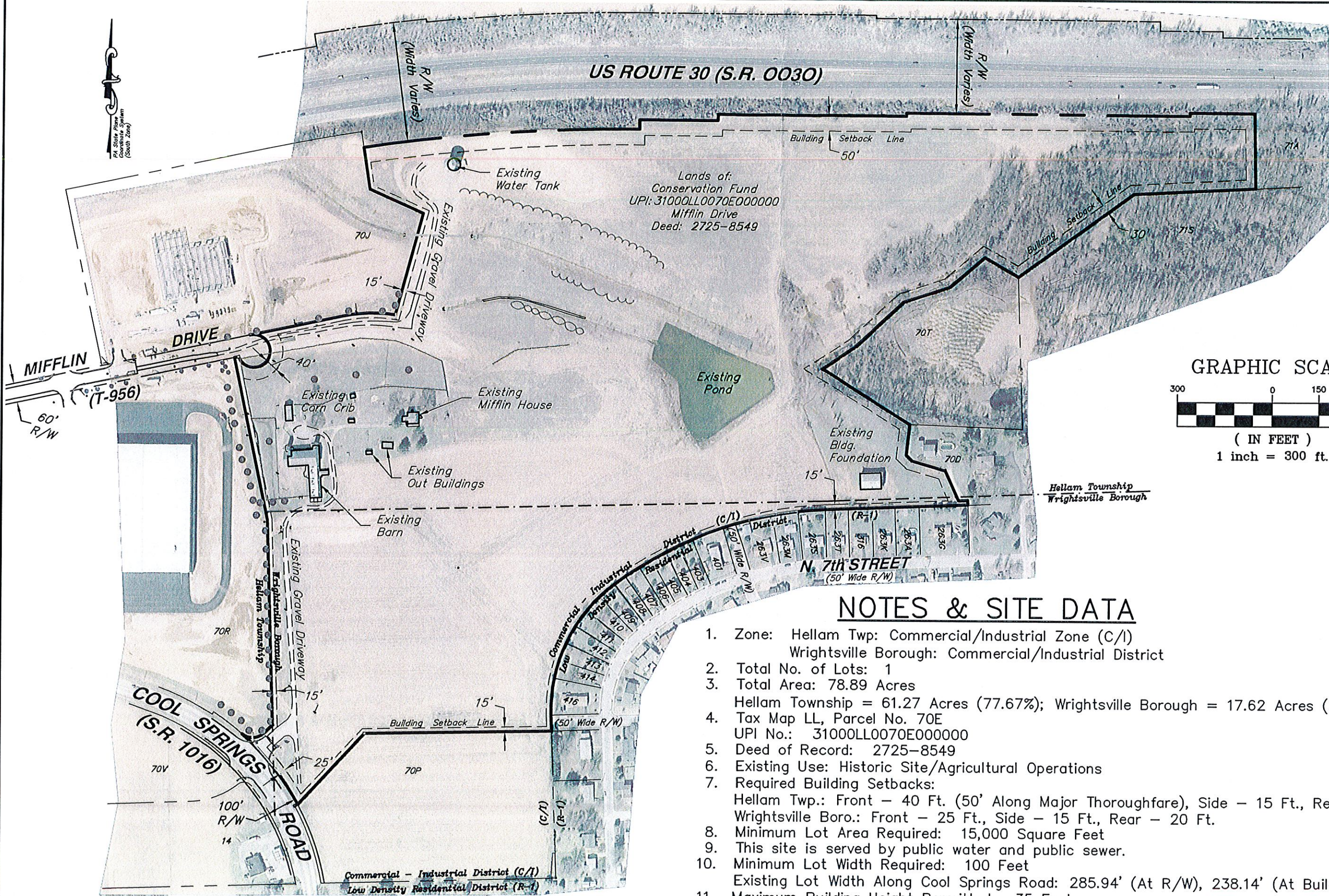
HERITAGE PARK - Preservation of the Mifflin farm landscape as a heritage park featuring the Civil War battlefield where Union defenders fought invading Confederates in June 1863, just before the covered bridge across the river was burned to stop their advance, setting the stage for the Battle of Gettysburg.

GREENWAY & RIVER PARK - Linking the Mifflin site to the Susquehanna with a greenway along US30 to a river park with paddle craft launch, viewpoints, picnic areas, and fishing access.

HOSPITALITY BUSINESS DEVELOPMENT - Future development of well-designed hotel, restaurant, and retail businesses that will attract economic investment and enhance tax revenue for Wrightsville.

ESTIMATED PROJECT COSTS

Acquisition & Related Costs	\$5,400,000
Design & Development (Buildings, Pkg, Exhibits, Trails,)	\$18,100,000
Total:	\$23,500,000



NOTES & SITE DATA

1. Zone: Hellam Twp: Commercial/Industrial Zone (C/I)
Wrightsville Borough: Commercial/Industrial District
2. Total No. of Lots: 1
3. Total Area: 78.89 Acres
Hellam Township = 61.27 Acres (77.67%); Wrightsville Borough = 17.62 Acres (22.33%)
4. Tax Map LL, Parcel No. 70E
UPI No.: 31000LL0070E000000
5. Deed of Record: 2725-8549
6. Existing Use: Historic Site/Agricultural Operations
7. Required Building Setbacks:
Hellam Twp.: Front - 40 Ft. (50' Along Major Thoroughfare), Side - 15 Ft., Rear - 30 Ft.
Wrightsville Boro.: Front - 25 Ft., Side - 15 Ft., Rear - 20 Ft.
8. Minimum Lot Area Required: 15,000 Square Feet
9. This site is served by public water and public sewer.
10. Minimum Lot Width Required: 100 Feet
Existing Lot Width Along Cool Springs Road: 285.94' (At R/W), 238.14' (At Building Line)
11. Maximum Building Height Permitted: 35 Feet
12. Maximum Lot Coverage Permitted: 40%
Existing Lot Coverage: 0.01% (41,725 SF)
13. Per the Flood Insurance Rate Maps for Hellam Township, York County, PA, Map Numbers 42133C0241F and 42133C0243F, Effective Date December 16, 2015, no floodplains exist on this site.

Gordon L. Brown & Associates, Inc.
Civil Engineers & Surveyors
2238 South Queen Street
York, PA 17402-4631
(717) 741-4621

Date	03/31/23	Scale	Scale: 1"=300'
Designer/Drafter	JDR/MEW	Twp./County	Hellam Township York County, PA.
Sheet No.	1 OF 1	Project No.	51.22.17511
		Dwg. No.	S-516

Zoning Department Summary

March 2023

5

PERMIT APPLICATIONS: (Prior year listed in ())	
<ul style="list-style-type: none"> • Received: 22 (25) • Issued: 22 (21) • In process: 0 	<ul style="list-style-type: none"> • Denied: 0 • YTD Issued: 47 (35) • Zoning Turn Around Time: 1 day • CCIS Turn Around Time: 9 days
COMPLAINTS:	
<ul style="list-style-type: none"> • Complaints/violations: 4 • Resolved: 2 	<ul style="list-style-type: none"> • Carried Over: 5 • YTD Complaints/Violations Submitted: 4 (1)
OLDS PUMPING COMPLETE:	
<p>District 1: 382/407 (94%) NOV in April/May</p>	<p>District 2: 90/345 (26%)</p>
ZONING CASES:	
<ul style="list-style-type: none"> • Z-2023-02 – Kauffman, Rezone : PC on 1/12/23 & BOS on 3/16/23 Denied • Z-2023-05 – Colla, Variance: PC on 3/9/23 & ZHB on 3/28/23 Approved • Z-2023-06 – Blessing, Variance : PC on 3/9/23 & ZHB on 3/28/23 Approved • Z-2023-07 – Lavetan, Variance: PC on 4/13/23 & ZHB on 4/25/23 • Z-2023-08 – B&T Cheese, Variance : PC on 4/13/23 & ZHB on 4/25/23 • Z-2023-09 – Susquehanna National Heritage : Special Exception: PC on 4/13/23 & ZHB on 4/25/23 	
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 Conditional Approval • SL-22-02 Blessing (SD): In House 1/17/23, waivers only to PC on 3/9/23 and BOS on 3/16/23. • SL-23-01 Smeltzer (SD): In House 4/18/23 	
PENDING ORDINANCES/RESOLUTIONS:	
<ul style="list-style-type: none"> • Short Term Rentals: PC on 2/23/23, 3/23/23, 4/27/23 	

Abstracts of Building Permits
for the month (s) of March 2023

Hellam Township - County #67
Building Permits for Hellam Township

Property Owner	Property Address	Parcel ID	Permit #	Date	Improvement	Total Cost
Loranna Hoffer	4964 Libhart Mill Road	31000KK0059B0	531-23	3/7/23	Upgrade electrical	\$4,600.00
Red Rose Restaurant	5370 Lincoln Highway	31000KK010500	2023-19	3/7/23	Replace sign	\$31,000.00
Zane Benton	4079 Deerhill Drive	31000LJ0003Y0	2023-20	3/7/23	New SFD and Driveway	\$379,607.00
Dave & Tara Byers	1155 Tower Road	31000LJ0039B0	2023-26	3/9/23	Equipment Garage	\$140,000.00
Ellie Zangari	870 N. Front Street	3100007003700	2023-27	3/9/23	Fence	\$10,000.00
Tom and Sue Bair	245 Bair's Mill Road	31000LL0020F0	2023-28	3/10/23	Certificate of Occupancy	\$0.00
Zachary Meckley	309 Brooklyn Drive	31000LJ0007A0M0114	2023-29	3/10/23	Shed	\$2,200.00
Randall & Kelly Fox	334 Laurel Drive	3100005005500	2023-30	3/16/23	Replace existing deck	\$17,000.00
Larry Mauck	493 Rockhill Lane	31000KJ0133A0	574-23	3/23/23	Generator	\$15,750.00
Jennifer Kelly	124 Crystal Drive	3100002003400	2023-31	3/16/23	Fence replacement	\$8,553.00
Lisa Rathell	74 Claire Avenue	3100006001900	2023-32	3/16/23	Fence	\$5,495.00