



Hellam Township Planning Commission
November 9, 2023
6:00 P.M.

1. Opening Agenda

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

2. Minutes Approval

- A. October 26, 2023 draft meeting minutes

3. New Business

- A. Z-2023-14: Variance 1250 Shore Ln

4. Ongoing Business

- A. Solar Ordinance Amendment
- B. Typical Flow for Ordinance Crafting
- C. Understanding the Township (review of prior research and tasks to continue and validate research)

5. Correspondence/Reports

None

6. Upcoming Meetings

Next Planning Commission Meeting – November 22, 2023

7. Adjournment

Zoom Log In

Meeting ID: 634 220 1697

Password: Hellam44

**HELLAM TOWNSHIP
PLANNING COMMISSION MEETING
Minutes of October 26, 2023**

The meeting was called to order at 6:00 PM by Chairman Devin Winand. The meeting was held at the Hellam Township Municipal Building. Chairman Winand led the Pledge of Allegiance. Other members present were Michael Shillott, Rick Cooper, Steve Fetrow, John Eifert, and Fred Owens. Other attendees included Jason Test, Zoning Officer.

Minutes Approval:

Upon a motion by Mr. Shillott and seconded by Mr. Fetrow, the minutes from the September 28, 2023 meeting were approved with corrections. Motion carried 5-0.

New-Business:

A discussion was had concerning Pennsylvania's Sunshine Law. Through the course of the discussion members were advised that they could discuss Planning Commission issues with the public outside of a formal meeting, but could not discuss Planning Commission issues with members outside of a formal meeting.

Mr. Eifert asked if an issue could be discussed outside of a formal meeting if a decision has already been given. It was felt that an issue could be discussed outside of a meeting if a decision had been provided. Mr. Owens felt the solicitor should be consulted.

On-going Business:

Solar Ordinance Amendment:

The Commission discussed the proposed survey concerning solar power in the Township. The provided survey is 21 questions with numerous questions having multiple sub questions. The discussion centered around the size and scope of the survey. The residents were identified as the target and that questions should be constructed with the residents in mind. It was suggested that the Board of Supervisor complete the updated survey and provide feedback.

The Commission then discussed the Pros and Cons list that was generated. The list contains 30 points and each point was reviewed. Mr. Shillott was asked give clarification on agrivoltaics, which is farming and solar on the same parcel and community solar which is a solar system placed in a neighborhood or commercial/industrial site which provides energy to the neighborhood or commercial/industrial site.

The Commission then discussed the comparison between the current ordinance and the proposed ordinance. The provided list is 72 points and each point was reviewed. Upon conclusion of the review, it was stated that technology and practices have progressed and that due to the progression the Township's solar ordinance should be updated.

Typical Flow for Ordinance Crafting:

Mr. Shillott provided a copy of the Typical Flow Chart he generated. He stated that there is some cosmetic work that needs to be completed as the chart is four pages.

State of the Township:

No discussion on this topic

Correspondence/Reports

The next Planning Commission meeting is scheduled for November 9, 2023

Meeting adjourned at 8:43 PM.

Respectfully submitted,
Jason Test, Zoning Officer

DRAFT



Hellam Township Planning Commission Variance Application Briefing

Application Number:	Z-2023-14	PC Meeting Date:	November 9, 2023
Applicant(s):	Steve Moore	Tax Map Parcel:	08-68
Property Owner(s):	Kimberly Bucher	Lot Size:	0.787 Acres
Property Location:	1250 Shore Ln	Zoning:	Rural Agricultural

Project Narrative:

The applicant is requesting a variance from §490-12. F Lot Area Requirements. Minimum Lot Area. The minimum lot area in the Rural Agricultural Zone is 2 acres this parcel is 0.787 acres in area.

Variance from §490-12 Table of Dimensional Requirements Setbacks. Due to lot area the setbacks cannot be met. The proposed setbacks are front setback 26 ft and a rear setback is 19 ft

Table of Dimensional Requirements to allow 18% lot coverage where the maximum permitted lot coverage is 15%.

The applicant proposes to construct a single-family dwelling with an attached garage.

Attached Exhibits:

- A. Zoning Hearing Application (received October 30, 2023).
 - B. York County Property Viewer Tax Parcel map of 1250 Shore Ln
-

Property Characteristics:

1. The subject property contains about 0.787 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. The subject property is located in the floodplain however the location of the proposed improvements is outside of the floodplain area.
3. The subject property is currently unimproved. The previous structure was destroyed in a fire.
4. Adjacent properties:

	Use	Zoning
North	Residential	River
South	Residential	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 non-conforming for lot size as it is 0.787 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.
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 to allow a single-family dwelling to be constructed.
6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.** The proposed area of disturbance 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 # _____			
Application Filed	<u>10/30/23</u>	Planning Commission	_____
Hearing Advertised	_____	ZHB/BOS Hearing	_____
Notices Mailed	_____	Decision Rendered	_____
Site Posted	_____	Notification Sent	_____

A. APPLICANT'S NAME: Steve Moore
 ADDRESS: 435 W. Beaver St., Hallam, PA 17406
 PHONE NUMBER: 717-478-4559 EMAIL ADDRESS sgrossmoore@gmail.com

Property is for sale. Presently under contract to purchase by applicant. Original house burnt down. Lot is vacant. Looking to build a home. Sale of lot is contingent on there being enough buildable area on the lot.

B. PROPERTY OWNER'S NAME
 (If different than applicant): Kimberly A. Bucher
 ADDRESS: 1250 Shore Lane, Wrightsville, PA 17368
 PHONE NUMBER: -----

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

D. Tax Map: 31-000-08 Parcel: 0068-00-00000 Zoning District: Rural Agricultural
 Property Address: 1250 Shore Lane, Wrightsville, PA 17368
 Date purchased: Under Contract - Settlement 10/27/23
 Lot size: acreage 0.79 - or - _____ 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:

490-12/490-13 Rural Agricultural Zone: Maximum Lot Coverage, Required Setbacks

- Brief description of nature of Variance requested:

Rural Agricultural setbacks are too restrictive for this size lot.

See attached proposed plan.

Maximum Lot Coverage: From Rural Agricultural of 15% to proposed 18%.

See attached Lot Coverage Worksheet.

- 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 lot is irregular shaped for 0.79 acre property. Most properties in the area are more rectangular shaped and had homes built prior to the subdivision of the property and the re-zoning to "Rural Agricultural".

- 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:

Because of the large setbacks required and max. lot coverage required in the "Rural Agricultural Zone", presently the lot is unbuildable.

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

Property was subdivided prior to the present "Rural Agricultural Zone" for the area was adopted.

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 neighborhood is a nice residential area. Building on this lot will have not affect on the surrounding lots, except to possible raise their value.

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:

Granting a variance for this property, will allow a home to be built which is continuing the original intended use of this property. Relief is being requested to continue the original intended use for a residence.

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

Except for a very small portion of the lot to east, the buildable zone is not within the Floodplain Overlay Zone.

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

See attached authorization from the owner to file a variance.

* Signature

Date

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

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: 1250 Shore Lane **PIDN:** 31-000-08-0068 **ZONING:** Rural Ag

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.

0.79 ac. 34,412 s.f.

PROPOSED

ultiply

Dimensions

Square Feet

2. House		<u>48</u>	ft	x	<u>57.6</u>	ft	<u>2765</u>
3. Attached Garage		<u>30</u>	ft	x	<u>30</u>	ft	<u>900</u>
4. Attached PORCH		<u>12</u>	ft	x	<u>40</u>	ft	<u>480</u>
5. Driveway (including stone)			ft	x		ft	<u>1877</u>
6. Sidewalk/Patio		<u>4</u>	ft	x	<u>46.5</u>	ft	<u>186</u>
7. Detached Garage(s)			ft	x		ft	
8. Decking (not attached to house)			ft	x		ft	
9. Shed(s) or other accessory buildings			ft	x		ft	
10. Pool (including surrounding concrete deck)			ft	x		ft	
11. Barn(s)			ft	x		ft	
12. Other _____			ft	x		ft	

13. **Total Existing Lot Coverage** (add lines 2-12) 6208 s.f.

14. **Total % of Proposed Lot Coverage** (ded by line 1, then multiply by 100) 18 %

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

~~Dimensions~~

~~Square Feet~~

15. _____		_____	ft	x	_____	ft	
16. _____		_____	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) 15 %

21. **Total Coverage in s.f. – permitted** (multiple line 20 by line 1) 5,162 s.f.

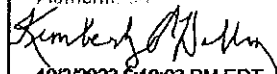
Lot Coverage is a percentage of the lot area which may be covered with an impervious surface. An **impervious surface** is made of materials which prevent the percolation of water into the ground. These materials include semi-impervious materials such as gravel stone and block. Examples of surfaces that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

October, 2, 2023

To whom it may concern at Hellam Township:

I Kimberly A Bucher NKA Kimberly A Willing give Steven R. Morre per mission to apply for a variance for the property I own located at 1250 Shore Lane Wrightsville PA 17368. If you have any questions or concerns you can reach me at (717) 826-5411 or Kimberlywilling@gmail.com.

Sincerely,

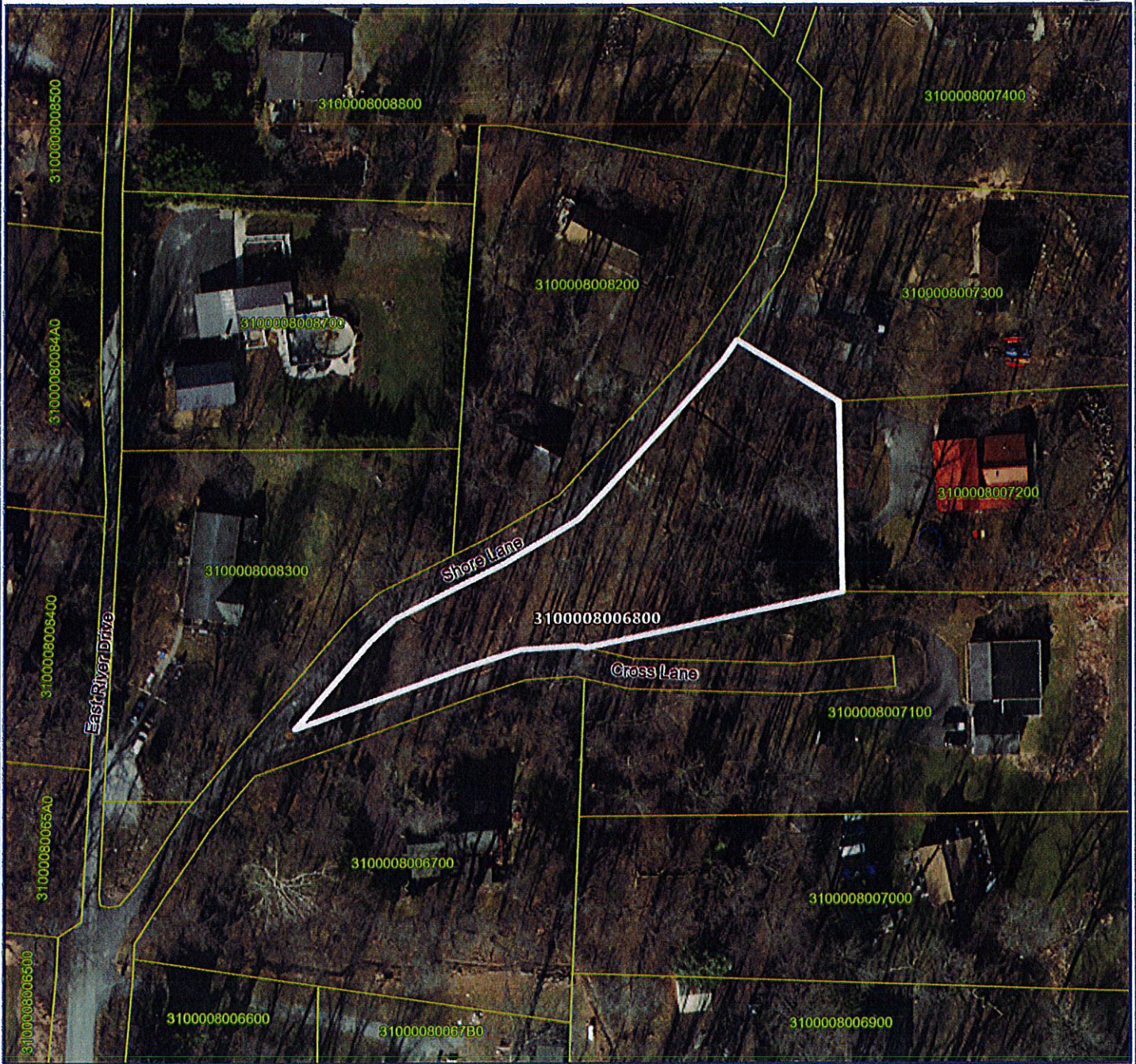
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10/3/2023 6:10:03 PM EDT

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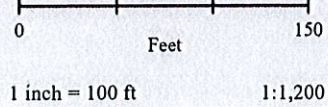
Kimberly A Willing



Parcel - 310000800680000000



Owner - BUCHER KIMBERLY A NKA KIMBERLY A WILLING
Property Address - 1250 SHORE LN
Tax Municipality - Hellam Twp
School District - Eastern School District
Class - Residential
Land Use - R - Residential Vacant Land
Acres - 0.787
Assessed Land Value - \$ 34,110
Assessed Building Value - \$ 0
Assessed Total Value - \$ 34,110
Sale Date - Aug. 30, 2004
Sale Price - \$ 26,500
Deed Book - 1673, Page 6340



- Legend**
- Selected Parcel
 - Parcels
 - Municipal Boundary

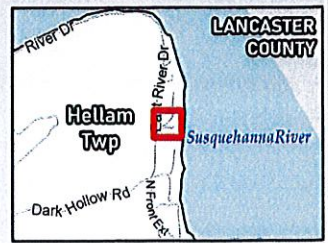
Layers should not be used at scales larger than 1:2400 (Note: Pixilation will occur at scales 1" = below 200 Ft.)



Aerial Photography - 2021

Last Updated: 12/22/2022

Inset Map



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, timeliness. The Commission shall not be liable for any damages that may arise from the use of the Data."



