



Hellam Township Zoning Hearing Board Variance Application Briefing

Application Number:	Z-2023-14	Zoning Hearing Date:	November 28, 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
 - C. Planning Commission Minutes November 9, 2023
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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	River	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.

Planning Commission Recommendation

The Planning Commission reviewed this application at its meeting on November 9, 2023. Total Lot coverage was discussed and the Planning Commission was pleased that Mr. Moore had reduced the lot coverage to 18% from 21.2% on his previous application. The Planning Commission recommended approval 6-0 The minutes are attached hereto as **Exhibit C.**

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.