



Hellam Township Planning Commission Variance Application Briefing

Application Number:	Z-2023-15	PC Meeting Date:	January 11, 2024
Applicant(s):	Nathan Riedy	Tax Map Parcel:	KK-01
Property Owner(s):	John Holden Jr	Lot Size:	31.55 Acres
Property Location:	327 Campbell Rd	Zoning:	Rural Agricultural

Project Narrative:

The applicant is requesting a variance from §490-31 Number of principal uses on a lot. Only one principal use is permitted per lot in the Rural Agricultural Zone.

The applicant proposes to construct a single-family ranch size dwelling. This structure is being proposed for accessibility issues and the preservation of the existing historic structure.

Attached Exhibits:

- A. Zoning Hearing Application (received December 8, 2023.)
- B. York County Property Viewer Tax Parcel map of 327 Campbell Rd.
- C. Hellam Township Overlay of the floodplain
- D. Hellam Township Overlay of the stream and riparian buffers

Property Characteristics:

- 1. The subject property contains about 31.55 acres in the Rural Agricultural Zone.
- 2. The subject property is located in the floodplain.
- 3. The subject property has a stream and riparian buffers
- 4. The subject property is currently improved with a residence that was constructed in the 1750s. This structure is considering historic and is known as the "House of the 12 twins".
- 5. Adjacent properties:

	Use	Zoning
North	Commercial	C/I
South	Residential	R
West	Commercial	C/I
East	Agricultural	RA

Variance Provisions

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

- 1. **The nature of the unique physical circumstances or conditions peculiar to the property in question and not shared by other properties in the vicinity.** The residence on this property was constructed between 1749 and 1765 and considered historic. Information provided by applicant states that the residence is referred to as "the house of the 12 twins".
- 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.** Applicant states that

conformance with the zoning ordinance would result in the demolition of the historic structure.

3. **Why the unnecessary hardship has not been created by the applicant.** The residence was constructed approximately 275 years ago thus making it not accessible to the current residents and their health concerns.
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 allow a more accessible single-family dwelling to be constructed and preserve the historic structure located on the parcel.
6. **How the variance, if within the Floodplain Overlay Zone, will comply with §490-19 of the Zoning Ordinance.** The exact location of the proposed structure has not been determined, but construction will not occur 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

FORTOWNSHIP USE ONLY		
ZONING CASE# <u>2023-15</u>		
Application Filed	<u>12-8-23</u>	Planning Commission ZHB/BOS Hearing
Hearing Advertised	<u>2-13+28-24</u>	<u>1-11-24</u>
Notices Mailed	<u>12 19</u>	<u>2-27-24</u>
Site Posted	_____	Decision Rendered _____
		Notification Sent _____

A. APPLICANT'S NAME: Nathan Riedy
ADDRESS: 381 Campbell Road, York PA 17402
PHONE NUMBER: 717-808-9004 **EMAIL ADDRESS:** _____

B. PROPERTY OWNER'S NAME
 (If different than applicant): John M, Holden Jr.
ADDRESS: 327 Campbell Road, York PA 17402
PHONE NUMBER: 717-887-9950

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

D. Tax Map: _____ **Parcel:** 31-000-KK-0001.00 **Zoning District:** _____
Property Address: 327 Campbell Road, York PA 17402
Date purchased: 2017
Lot size: acreage 33 - or - _____ sq. ft.
Present use: Farm and residence
Proposed use: Farm and residence
Date of previous application (if any): _____

- E. Please choose the following:**
- APPEAL** (Refer to Section 1)
 - CONDITIONAL USE** (Refer to Section 2)
 - VARIANCE** (Refer to Section 3)
 - SPECIAL EXCEPTION** (Refer to Section 2)
 - OTHER - Curative or Zoning Amendment** (Refer to Section 4)

**SECTION 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:

§ 490-31 Number of principal uses

- Brief description of nature of Variance requested:

Allow construction of a ranch size dwelling for accessibility leaving the existing historic dwelling on the property. The existing dwelling will not be occupied.

- A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Ordinance.
- Ground floor elevations of existing and/or proposed structures (excluding residential structures).
- Names and addresses of adjoining property owners, including property owners directly across a public right-of-way.
- If it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant due to unique physical circumstances or conditions peculiar to the property, then briefly explain or describe:
 - A. The nature of the unique physical circumstances or conditions peculiar to the property in question and not shared by other properties in the vicinity:

The property is improved with a dwelling built in the 1750's known as "the house of 12 twins"

- 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:

strict conformance with the zoning ordinance would require demolition of a historic structure.

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

The dwelling was constructed almost 300 years ago, it is 3 stories and not accessible.

D. Why the Variance, if authorized, will not alter the essential character of the zone or neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property, nor be detrimental to the public welfare:

The proposed dwelling would not change the character of the neighborhood as the property is surrounded by residential uses.

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 this variance allows the property owners to age on their farm while preserving a valuable piece of Hellam Township's history.

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

Nothing will be constructed within the floodplain.

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

John M Holden, Jr.

12/2/2023

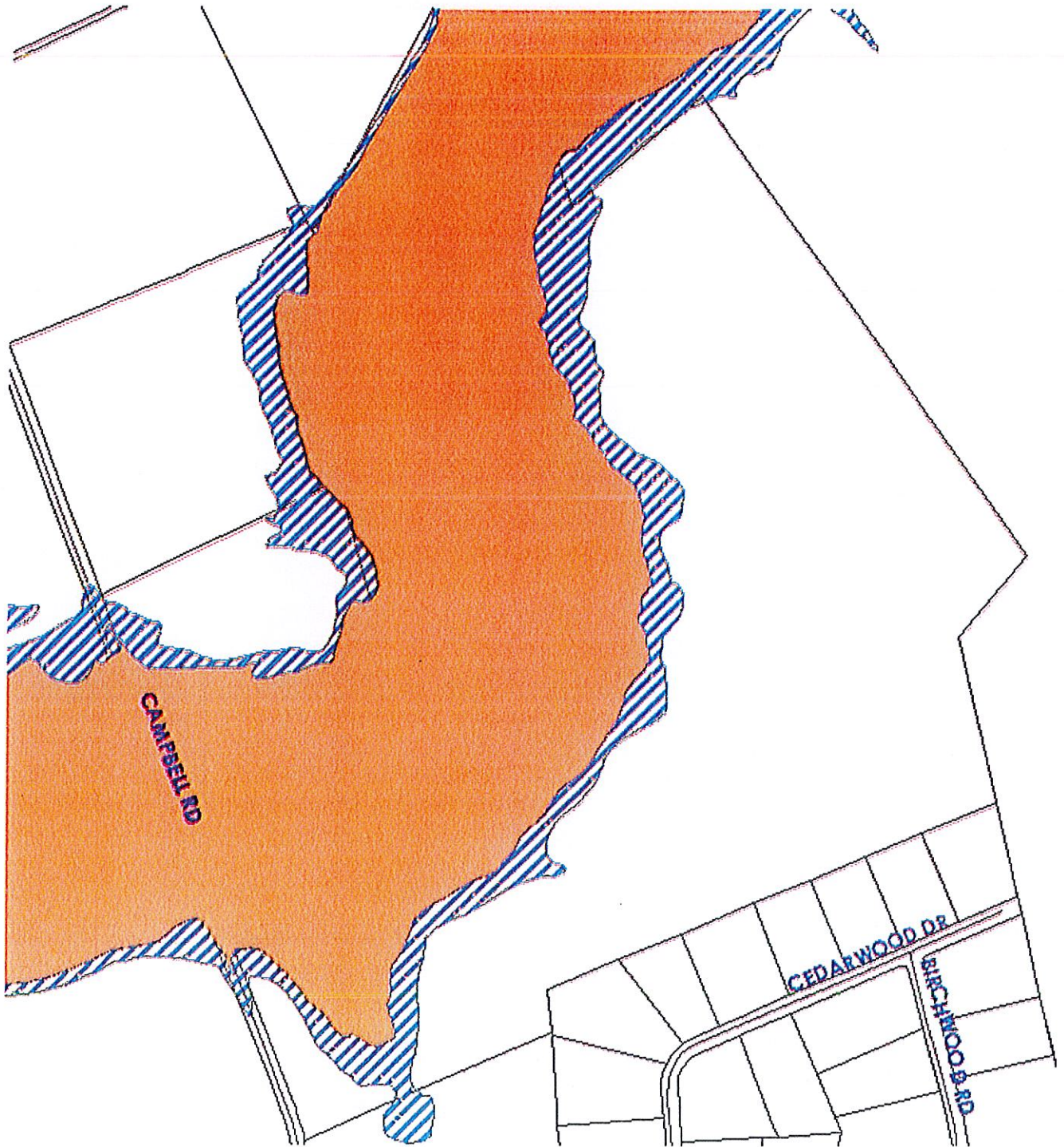
* Signature

Date

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

327 Campbell Rd

Flood Plain



327 Campbell Rd

Riparian Buffer 1 - Dark Red
Riparian Buffer 2 - Light Red
Stream - Blue

