

Lower Paxton Township
Zoning Hearing Board

February 27, 2020

Members Present:

David Dowling

Greg Sirb

Mark Emery

Ron Reeder

Also, In Attendance: James Turner, Nick Gehret, Kristi Focht

Docket 1429

Applicant: Dr. Luciano DiMarco

Address: 4214 Prosperous Dr.

Harrisburg, PA 17112

Property Owner: Dr. Luciano DiMarco

Property: 293 N. Lockwillow Ave

Harrisburg, PA 17112

Applicant: For a Variance from permitted number and square footage of accessory structures in a residential district. The parcel is located in the R-2, medium density residential zoning district.

Fees Paid: January 31, 2020

Property Posted: February 20, 2020

Advertised: Appeared in the Hummelstown Sun on February 12, 2020 and February 19, 2020. And was advertised on the Township website and Township media accounts.

The Hearing Began at 7:00 p.m.

Mr. Dowling swore in applicant Dr. Luciano DiMarco and James Snyder.

Mr. Dowling swore in Nick Gehret, Zoning Officer.

Mr. Dowling questioned Mr. Gehret on what Township Ordinance is at issue.

Mr. Gehret answered 203.306C, the number of permitted accessory structures.

Mr. Dowling questioned Mr. Gehret if the appropriate fees have been paid.

Mr. Gehret answered that the applicant paid the fees on January 31, 2020. Mr. Dowling questioned if the application had been properly advertised and hearing notices posted. Mr. Gehret answered that it was advertised in the Hummelstown Sun on February 12, 2020 and February 19, 2020; and it was posted on February 20, 2020. He noted that it was also advertised on the Township website and Township media accounts.

Mr. Dowling questioned that on this property there is not a residential building.

Mr. Snyder answered correct.

Mr. Dowling noted to the first time the applicant came to the Zoning Board for a variance. He questioned why the applicant is back.

Mr. Snyder explained that with the first variance in 2004 they were seeking a 6,000 square foot storage building and were granted a 3,000 square foot building with a driveway. Mr. Snyder noted the applicant has run out off room. He explained that the building is located in an R-2 district and sits on a 4-acre property with limited use due to wetlands and being adjacent to I-81. Mr. Snyder explained that the applicant is seeking to add a 1,200 square foot building but also will be removing a 400 square foot shed. Mr. Snyder noted this would only be adding 800 square feet of space to the property. Mr. Snyder continued that Dr. DiMarco is a good neighbor and noted for the record that he went to the ten surrounding neighbors who all signed a petition in support of the structure. He explained that the proposed structure would be located between the existing shed and I-81.

Mr. Dowling questioned Dr. DiMarco on the addition.

Dr. DiMarco answered that he has a hobby. He noted that he has cars restored elsewhere but houses his collection here.

Mr. Dowling questioned how many cars 1,200 square feet will hold.

Dr. DiMarco answered that the proposed shed has a 12-foot ceiling and he can put cars on lifts. He explained these are fun cars mainly for the summer.

Mr. Dowling questioned if any members of the Board had any questions.

Mr. Sirb questioned Mr. Gehret if he agreed there is significant wetlands, if this was a good use of the property and does it have a residential look.

Mr. Gehret agreed.

Mr. Dowling questioned Mr. Gehret if the Township had received any complaints about the property.

Mr. Dowling questioned Dr. DiMarco as to which neighbors he spoke with.

Dr. DiMarco answered he spoke the neighbors who are listed on the map with their names in the white boxes.

Mr. Gehret noted that until he drove by the property, he did not know that it even existed. He noted the Township has not received any complaints.

Mr. Dowling questioned Dr. DiMarco how often he visits the property.

Dr. DiMarco answered once or twice a week.

Mr. Dowling questioned his relationship with the neighbors.

Dr. DiMarco answered that he has a good relationship with the neighbors. He explained the next-door neighbor uses his driveway to walk on for exercise instead of walking on Lockwillow Ave. He continued that another neighbor uses his driveway to gain access to the rear of his neighbor's property to park a trailer on.

Mr. Emery questioned if all the vehicles on his property are registered and inspected.

Dr. DiMarco answered they are all registered and inspected. He noted that he takes the vehicles elsewhere for maintenance.

Mr. Emery questioned the look of the proposed building.

Dr. DiMarco answered it would be the same color and style as the existing building.

Mr. Turner noted for the record if there would be any hazardous materials, underground storage tanks, waste oil or gas stored on the property.

Dr. DiMarco answered no.

Mr. Dowling questioned if any members of the audience had any questions or comments.

No response was heard.

Mr. Dowling questioned if the Township had a position.

Mr. Gehret answered no.

Mr. Dowling questioned if any member of the Board wished to make a motion on the request for a docket 1429.

Mr. Sirb motioned to approve Docket 1429 with the condition that the property could not be intended for human occupancy.

Mr. Dowling questioned if there is a second to that motion.

Mr. Emery seconded the motion.

Mr. Dowling questioned if there is any further discussion by any member of the Board or audience.

No response was heard.

Mr. Dowling requested Mr. Turner to conduct a roll call vote: Mr. Reeder, aye; Mr. Emery, aye; Mr. Sirb, aye; Mr. Dowling, aye.

Mr. Dowling noted the application has been granted.

This hearing ended at 7:15 p.m.

Respectfully Submitted,

Kristi Focht

Recording Secretary