

Lower Paxton Township

Zoning Hearing Board

May 27, 2021

Members Present:

David Dowling

Allen Hansen

Greg Sirb

Mark Emery

Joe Murphy

Also, In Attendance: James Turner, Amanda Zerbe, Kristi Focht

Docket 1446

Applicant: Tritan Pool & Spa Inc.

Address: 447 Barbara Drive, Mechanicsburg, PA 17050

Property Owner: Justin Schaefer

Property: 5983 Candlestick Court

Applicant: For a Variance of dimensional requirements in a Residential Cluster District

Fees Paid: April 29, 2021

Property Posted: May 19, 2021

Advertised: May 12, 2021 and May 19, 2021 and 8 mailings were sent to surrounding neighbors

The Hearing Began at 7:00 p.m.

Mr. Dowling swore in applicants Crystal Schaefer and Bradley McAllister.

Mr. Dowling swore in Amanda Zerbe, Zoning Officer for Lower Paxton Township.

Mr. Dowling questioned Ms. Zerbe on what Township Ordinance is at issue.

Ms. Zerbe answered sections 307 A dimensional requirements in a Residential Cluster District.

Mr. Dowling questioned Ms. Zerbe if the appropriate fees have been paid.

Ms. Zerbe answered that the applicant paid the fees on April 29, 2021. Mr. Dowling questioned if the application had been properly advertised and hearing notices posted. Ms. Zerbe answered that it was posted on May 19, 2021; and advertised in the Hummelstown Sun on May 12, 2021 and May 19, 2021. She noted 8 mailings were sent to surrounding neighbors.

Mr. Sirb questioned if she had received anything back from the neighbors.

Ms. Zerbe answered no.

Mr. McAllister explained that the homeowners were not aware of a 100-foot PP&L right of way when they purchased the home. He continued that the homeowners have exhausted all efforts thru PP&L.

Mr. Sirb questioned if it is 100-foot or 50-foot.

Mr. McAllister explained that it is 50-foot on each side because it is a transmission line. He continued that the only place to put the pool encroached on the setback line because it is a corner lot.

Mr. Sirb questioned that the applicant is asking for a 3-foot variance, noting instead of a 25-foot setback it would be a 22-foot setback.

Mr. McAllister answered correct.

Mr. Dowling requested Mr. McAllister to show on the drawing where the pool will be placed.

Mr. McAllister approached the Board and drew on the plan to show the Board Members.

Mr. Sirb questioned Ms. Zerbe if a notice was sent to the neighbor of the encroachment.

Ms. Zerbe explained the encroachment is onto PPL site.

Mr. Turner noted to for the record that the drawing will be titled Applicant Exhibit A which is an overhead of property where we have sketched in a location of pool and a location of the right of way.

Mr. Dowling questioned the dimension of the pool.

Mr. McAllister answered 15x34.

Mr. Dowling questioned if the pool will be a poured pool.

Mr. McAllister answered fiberglass.

Mr. Sirb questioned if they had talked to PP&L.

Mr. McAllister explained the various attempts to contact PP&L but PP&L did not budge. He noted they questioned if they could do 25 feet and that the homeowner questioned if they could sign a personal liability.

Mr. Sirb questioned the transmission line.

Mr. McAllister explained that a transmission line is for the large towers and if a line ever snaps, they need to be able to get large cranes to hold the lines up.

Mr. Dowling questioned if they have a homeowner's association.

Ms. Schaefer answered they do not.

Mr. Dowling questioned if any member of the Board wished to make a motion on the request for a docket 1446.

Mr. Sirb motioned to approve Docket 1446 as submitted.

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

Mr. Hansen seconded the motion.

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

Mr. Dowling noted the application has been granted.

This hearing ended at 7:10 p.m.

Respectfully Submitted,

Kristi Focht

Kristi Focht, Recording Secretary