

LYCOMING COUNTY ZONING HEARING BOARD MEETING MINUTES

Executive Plaza Building

1st Floor Commissioner’s Board Room

September 23, 2020

6:00pm

1. CALL TO ORDER

Chairman Bill Klein called the meeting to order at 6:01pm.

1. ROLL CALL (Members & Alternates)

**Members Present**: Bill Klein, Chris Logue, David Hines, Dan Clark, Leslie Whitehill

**Members Present via Conference Call:** Rom Andraka

**Members Absent:**

1. MINUTES OF PREVIOUS MEETING

The July 22, 2020 meeting minutes were approved as presented. David Hines made motion to approve, Leslie Whitehill second motion. Motion carried.

1. NEW BUSINESS
2. **ZHB Case 2020-007**

**Ruth & Gary Moore**

**Penn Township**

**Variance – Front yard setbacks**

**Seated Members:** Bill Klein, David Hines, Chris Logue, Leslie Whitehill, Rom Andraka

David Hubbard presented to the Zoning Hearing Board case number 2020-007, located in Penn Township. The parcel is listed in Countryside (CS) Zoning District. The applicant is requesting dimensional variance from Table 4140A pertaining to the front yard setback.

The subject property tax parcel 44-316-156.G is currently a vacant lot that contains approximately 1.0 acre of land.

General Standards for Variance uses are specified in Section 10420 of the Lycoming County Zoning Ordinance.

David Hubbard reviewed the following communications:

1. Zoning Permit Application received August 25, 2020.
2. Variance Application August 25, 2020.
3. Notices sent to interested parties: Lycoming County Planning Commission, Lycoming County Commissioners, Penn Township Supervisors, Solicitor, Applicant and the Zoning Hearing Board.
4. Legal notices published in the Williamsport Sun-Gazette on 9/8/2020 and 9/15/2020.
5. The property was posted on 9/10/2020.

The Zoning Hearing Board packet containing the Zoning permit application, Variance request application, Copy of LCPC comments from Shannon Rossman, Overhead GIS sight plan view, Sketch plan.

The following are exhibits presented by David Hubbard:

Z#1 - ZHB packet and letter from Shannon Rossman

Z#2 – Copy of Legal notice Sun-Gazette

Z#3 – Copy of posting of property

David Hubbard noted the Houseknecht’s have closed on the property, Per Terry Houseknecht it was recorded as of last week. The property is in the name of Terry & Gary Houseknecht.

David reviewed the measurements that were taken from the center of the road to the property line, which is the ROW. All measurements are from the property line. The 20 ft difference was from the center of the road, to the property line which is 30 ft.

David read the comment letter from Director Shannon Rossman which states the recommendation to approve the Variance.

Terry Houseknecht spoke briefly of the variance request, with future planes to build, there is an existing well and sewage system, it was recommended to have it reperked with new sand mound septic system.

Steve Segear briefly stated how this would affect his life style that he has worked so hard to have.

OFF RECORD

ON RECORD

Fred Holland spoke on behalf of the board, for the Variance to be granted with no conditions.

David Hines made motion to approve, Leslie Whitehill second. Motion carried.

1. **ZHB Case 2020-008**

**Gurney Wagner for Kimberly J Hile ET AL**

**McHenry Township**

**Special Exception – Outdoor Recreation Use**

**Seated Members:** Bill Klein, David Hines, Chris Logue, Leslie Whitehill, Rom Andraka

David Hubbard presented to the Zoning Hearing Board case number 2020-008, located in McHenry Township. The parcel is listed in Neighborhood Protection (NP) Zoning District. The applicant is requesting a Special Exception hearing to permit Outdoor Recreation Use.

The subject property tax parcel 28-222-103 is approximately 1 acre after subdivision and is located on the southwestern side of the highway.

General Standards for Special Exception uses are specified in Section 10310 of the Lycoming County Zoning Ordinance.

David Hubbard reviewed the following communications:

1. Special Exception Application August 28, 2020.
2. Notices sent to interested parties: Lycoming County Planning Commission, Lycoming County Commissioners, McHenry Township Supervisors, Solicitor, Applicant and the Zoning Hearing Board.
3. Legal notices published in the Williamsport Sun-Gazette on 9/8/2020 and 9/15/2020.
4. The property was posted on 9/10/2020.

 The Zoning Hearing Board packet containing the Zoning permit application, Special Exception

 request application, Copy of LCPC comments from Shannon Rossman, Overhead GIS sight plan

 view, Sketch plan.

 The following are exhibits presented by David Hubbard:

Z#1 - ZHB packet and letter from Shannon Rossman

Z#2 – Copy of Legal notice Sun-Gazette

Z#3 – Copy of posting of property

 David reviewed the layout of the parcel, noted that the use needs to be established to continue

 the expansion of the parcel. David worked with Mr. Wagner to obtain a HOP for the

 entrance and exit for the driveway. He has already contacted Jamie Nolan, SEO, that if the

 subdivision does go thru the use is approved. The lot is being recognized for Outdoor Recreation

 use and used for outdoor recreation standards.

 David and the SD Administrator had questioned how the land would be used because of the

 dimensions of the lot, they looked at this as an institutional use as in other districts for accessory

 structure. The total width from the front property line to the rear of the property line is 60 foot.

 The front setback is 30 ft, rear of 20 ft. there would be only 10 ft for an RV pad. David noted that

 Mr. Wagner plans to have the deed written up as recreational use for one of the deed restrictions.

Question was raised as to the definition for Outdoor Recreation.

The definition of Outdoor Recreation:

*“Outdoor uses and activities include but not limited to hunting and fishing lodges, camps, recreational camps, youth recreation camps, golf courses, shooting ranges as a supplemental control it includes any independent structure, building, mobile home or recreational vehicle including a motor home, camping trailer, travel trailer, truck camper, park trailer being placed on a lot for a periodic or seasonal use as a camp, lodge, vacation home that shall be subject to the following requirements: permitted on a yearly basis to be done as an outdoor recreation use. If going to be on a foundation it has to meet all the standards of 4100, sewage and water, any solid waste has to be collected and picked up, not in the flood zone.*”

Concern from a member relating to the possibility of establishing a permanent address, David stated that no single-family dwellings will be permitted on the property therefore no permanent address can be established.

Gurney Wagner stated that PennDot has approved HOP permit for one entrance. It is marked as entrance and exit, the other permit is coming from Colorado.

Additional attachment of letters provided by Gurney Wagner

A1 – Kimberly Hile

A2 – Joanne Waite

A3 – Carolyn Wagner

David mentioned that use of an outdoor recreation permit that is not in the flood zone is 9 months. If applicant is there for 14 days in and out than the permit is good thru a year, a permit will be required yearly. More than one RV on a parcel is considered a campground, a mobile home trailer is allowed in the 10-foot area of the parcel.

 OFF RECORD

 ON RECORD

 Fred Holland spoke on behalf of the board, for the Special Exception to be granted with conditions:

1. The owner must comply with all applicable laws, ordinances, and regulations, including but not limited to regulations of the Pennsylvania Department of Environmental Protection. This condition requires, among other things, compliance with all subdivision requirements, setback requirements, regulations for septic disposal, regulations for providing water, by a well or otherwise, seasonal use regulations and permitting requirements.
2. Access to the property may only be permitted in an area that is approved by the Pennsylvania Department of Transportation with a highway occupancy permit that is in full force and effect.

 David Hines made a motion to approve, Chris Logue second motion. Motion carried.

1. ADJOURNMENT

Meeting adjourned at 7:25pm.

Respectfully submitted,

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Heather George, Recording Secretary Bill Klein, Chairman

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_