

Conewago Township Zoning Hearing Board

Minutes of Meeting, 04 March 2015, Case # 3-2015

Michael Sabaka, Chairman Conewago Township Zoning Hearing Board, after determining that a quorum was present, called the meeting to order at 7:00 p.m. It was also determined that the notice of hearing for this case was properly advertised and posted. The first order of business was to review minutes from the 04 February Meeting, Case #1-2015, which were then approved as written.

The purpose of the instant meeting was to hear a petition by New Hope Faith Community (Church) at 33 Sunday Drive, Hanover (Brushtown,) PA for granting of a dimensional variance from the side yard setback requirement for church buildings of fifty feet on each side, as set forth in subsection 155-65.A.(4) of the Conewago Township Zoning Code, as amended, for the proposed addition to the nonconforming church building.

The Applicant proposed to construct an addition of up to 2,700 square feet to the existing, nonconforming church building for its use as additional classroom space to be used in conjunction with church use. The location of the proposed addition is shown on sketch plan dated 11 January 2015 and presented by Apex Land Solutions. As reflected in this plan, the addition is proposed to be built in an area now occupied by a storage shed and a barbecue pit, both of which will be razed to facilitate the new construction. The proposed addition is larger than the structures to be razed, but the nonconformity will not be increased and it will not encroach into the side yard setback, which shall remain at fifteen feet from the rear property line of the adjoining residential property, as shown on the sketch plan, which was presented and received into evidence as Applicant's Exhibit No 1.

Testimony for the church was presented principally by Mr. Brett Graf, a member of this church, and by Mr. Timothy Kelley, the church Pastor. Mrs. Margie McMaster and her daughter, Ms. Karen McMaster, joint owners of the adjoining residence at 19 Sunday Drive, which is situated on the west side of the proposed construction, testified, asked questions of church representatives, and

exhibited concern for possible reduced value of their residence as well as line-of-sight privacy. Neither voiced outright objections to the proposed construction.

Based on evidence in the form of testimony and exhibits presented by and on behalf of the applicant, New Hope Faith Community, the Zoning Hearing Board of Conewago Township approved the applicant's petition for a dimensional variance from the side yard setback requirements for church buildings of fifty feet on each side, as set forth in subsection 155-65 A.(4) of the Conewago Township Zoning Ordinance. Motion for approval was made by Mr. Presley with a second from Mr. Fogle. Voting was as follows:

Mr. Presley – favor

Mr. Fogle – favor

Mr. Sabaka – favor

Opposed – none

Conditions specified for this approval are:

1. The church, in conjunction with the McMaster family, shall decide which, if any, native plants will be placed in the fifteen-foot, west side setback area to allay privacy concerns.
2. No outside lighting will be placed on the west side of the proposed construction, and no lighting will be directed toward the west and the adjoining residential property.

After determining that there was no new business, the chairman entertained a motion to adjourn. Motion was made by Mr. Fogle and a second by Mr. Presley.

Voting, as follows:

Mr. Fogle –favor

Mr. Sabaka – favor

Mr. Presley – favor

Opposed – none

Meeting was adjourned at 8:10 p.m.

Respectfully submitted,



Ray C. Presley

For Don Baker, Secretary, Conewago Township Zoning Hearing Board