Dover Township
Zoning Review Minutes
and
Planning Commission Minutes
November 7, 2012

The meeting started at about 6:10 p.m. Members present: Monica Love, Eric Harlacher, and alternate Carol Kauffman. Also present: Zoning Officer Georgia Sprenkel, Solicitor John Baranski, Engineer Karen Wilson, Recording Secretary, and one citizen. The first portion of the meeting was devoted to the Zoning Ordinance review. Livestock will no longer be prohibited in the Village Zone.
From the chart:

Landscaping Business/Contractor – put in the Business Park zone (that’s already in the list of proposed changes). Add to Commercial Zone as well. Heavy equipment and outdoor storage were discussed. Some members don’t necessarily want to see heavy, earth-moving equipment and lots of storage outside a business. How about requiring screening of that type of equipment? Mrs. Love noted that it’s not a good idea for landscaping customers to go through the Industrial area just to purchase a tree. That should be confined to the Business Park and Commercial zones.

Light and Heavy Industry – currently permitted in the Industrial zone. Definitions were discussed. Allow Light Industry in the Business Park? Yes.
From the chart, delete “light &”, leave Heavy Industry in the Industrial zone; add Light Industry in BP zone.

Manufacturing – same.
Medical Facilities – currently in Commercial. Add to Business Park.
Multi-Family Dwelling -- same.
Municipal Buildings, Facility, Uses – same
Natural Preserve – delete
Personal Services – Barber, Beauty, Music, Art, etc. – currently, it’s permitted as a Special Exception for a Home Occupation. Do we even need a Personal Services category, if it’s already included in the Home Occupation category? Add it as a Permitted Use in the Commercial and Business Park zones.
[Mr. Pinto arrived at this point, 6:47 p.m.]
Public and Non Profit Parks – permit this use in every zone EXCEPT in the Industrial and Commercial zones as a permitted use.
Public Conservation Areas/Structures - currently permitted in the Ag zone. Add to the Conservation zone, too.
[Chairman Hoffman arrived at 6:55 p.m.]
Retail Sales & Personal Service Shops will be changed to Retail Sales and Services, permitted in the Commercial Zone and Business Park by right; by Special Exception in Village and Crossroads Village zones.

Chairman Wayne Hoffman called the regular meeting to order at 7:04. Present: Chairman Wayne Hoffman, Monica Love, Eric Harlacher, Anthony Pinto, and alternate Carol Kauffman. Amy Brinton was absent with prior notice. Also present: Zoning Officer Georgia Sprenkel, Solicitor John Baranski, Engineer Karen Wilson, and four citizens.

It was noted that Mrs. Kauffman will be a voting member for tonight’s meeting.

I. Minutes
Correction to the minutes of October 3, 2012: on page 4, it states that “there is no minimum coverage for this use.” It should be “there is no maximum coverage for this use.”

Motion by Love, second by Harlacher, to approve the minutes of the meeting of October 3, 2012, as amended. All members voted aye; motion carried.

II. Plans
None this month.

III. Zoning Cases
None this month.

IV. Other Business
Dave Hoffman, parcel at Baker and Emig Mill Roads
Dave Hoffman was present on behalf of and with the Tolberts, who own a parcel of 5.5 acres on the southwest side of Baker Road, south of Emig Mill Road. Much of it is woods, mostly unimproved at this time. It’s zoned R3, and the ordinance says that to develop the property, it should have public water and sewer. Water’s available on Baker Road, but there’s no access to the sewer. Sewer is available on Emig Mill and in the development in the area. What is the possibility of obtaining a Variance to put a home on the lot without connecting to the sewer? There’s no reference to the size of the lot; this district requires public water and sewer. What’s the minimum to be done to put a home on the lot and use on-lot sewage disposal? How can the owners use the property if public sewer is not available? Density permitted is 5 per acre. If they wanted to do 5 per acre, is there anything in place for them to acquire ROWs through the adjoining properties for use of this lot to get access to the public sewer?

There is an existing drainage easement. It was noted that there’s enough road frontage for two additional homes on this lot. The sewage planning requirements would dictate the lot sizes permitted. Discussion was held on this issue and what the lot sizes would be. Minimum of 1.5 acres; maximum of 2 acres. The SEO will determine the type of system required. Mrs. Sprenkel’s interpretation is that a Variance is not required as the public sewer is not available to this lot, so the owner cannot use it as required by the ordinance.

It’s zoned R3 so it was obvious that it would be divided, but the Township didn’t want the lots to be served by on-lot systems.
How far is the lot from the Baker Road sewer line? Over 1000 feet. How about connecting to the manhole at Honey Run and using a low-pressure system?

In general, the Planning Commission would uphold Mrs. Sprenkel’s interpretation that no Variance is required, as public sewer is not currently available to this lot.

Re-zoning of parcels:

Discussion of the requests by the Board of Supervisors to re-zone three properties. The impetus behind all three requests is to decrease the total area of R-3 housing in the Township. From the audience, Board of Supervisor Madelyn Shermeyer took part in the discussion.

A. Horn Farm – part of it is R-3, part is Commercial. There’s a request to change it to all Commercial. It’s the largest lot in the Township that has public water and public sewer. Does it make sense to re-zone this entire lot to Commercial? It was noted that it wasn’t intended to be zoned R-3 in the first place, but the Township changed the zoning to R-3 to satisfy an applicant who wanted to put age-restricted housing on this lot. Mrs. Sprenkel was dissatisfied that the zoning was done for a use, not just for the zone. It was noted that this parcel is now up for sale by the owners who requested the age-restricted housing zoning.

Motion by Love, second by Kauffman, to recommend that the Board of Supervisors re-zone the entire Horn Farm, 24-000-KG-049-000000, to Commercial. All members voted aye; motion carried.

B. Miriam Lamparter, 83 acres, re-zone from R-3 to Agricultural. Mrs. Love noted that there are two small parcels within this larger parcel that would still be zoned R-3. From a planning perspective, it doesn’t make sense for this parcel to be zoned R-3. Does it make sense for it to be zoned Agricultural? Industrial? There’s already an industrial use on a part of this property.

Motion by Love, second by Pinto, to recommend that the Board of Supervisors re-zone the following Parcel 24-000-LG-0148C-000000 owned by Miriam Lamparter to Agriculture; Parcel 24-000-KF-107E-000000 owned by Thomas Lamparter to Industrial; Parcel 24-000-KF-0107C-000000 owned by Paul A. & Alyce E. Neiman to Agriculture. All members voted aye; motion carried.

C. Todd Lamparter, 103 acres; re-zone from R-3 to R-1. This parcel is served by public sewer and water. Is this property owner going to buck this decision if his property is re-zoned. If the property owner doesn’t like the change, he can plead his case to the Supervisors. Is there enough housing opportunity in this Township for young families, first-time home buyers, and recent graduates? Mr. Baranski is concerned that the property owner is accustomed to the fact that the lot is zoned R-3 and won’t look favorably on the change. He cautioned that it might be challenged. Apparently, the Supervisors changed this lot to R-3, which might not have been a wise idea. Why the change back to R-1 now? Discussion was held on the elimination of the R-2 zone. Mr. Baranski’s advice is to make a good decision to rule based on good planning sense. Is there a demand right now for R-1 lots in
this area? Mrs. Shermeyer, feels that this re-zoning would balance and increase the R-1 zone.

Motion by Harlacher, second by Pinto, to recommend that the Board of Supervisors re-zone the Todd Lamparter parcel, 24-000-KG-014-000000, from R-3 to R-1 to more evenly balance the two zones, within lands that already have public sewer and water. All members voted aye; motion carried.

Discussion was held on the Zoning Hearing Board’s denial of the Variance requests by Dollar General. This project is being reviewed, refigured, and likely resubmitted by applicant.

Motion by Love, second by Harlacher, to authorize Mr. Pinto to sign the Sam Crider planning module. All members voted aye; motion carried.

Mrs. Sprenkel reported that John Thornton doesn’t want the Three Monkeys Inflatables to use the Stauffer’s access but to use the farm lane. That’s not possible, want. That farm lane is not a commercial access. Mr. Thornton doesn’t want to have to ask his tenant, Stauffer’s, to move the mulch, etc. Discussion was held on the zoning of the property, the re-zoning of the property, and the proposed use and access. Mrs. Sprenkel should tell Mr. Thornton that the Township will not re-zone the parcel unless the proper access is utilized which would be the access at Stauffer’s. The Farm Lane is not to be used for Commercial activity. The Planning Commission already recommended to the Supervisors that this property be re-zoned, but the Board has not acted on it yet. The Township has worked with this applicant quite a bit; at some point, the policy must be adhered to.

Motion by Love, second by Pinto, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary