

Dover Township  
Zoning Hearing Board  
April 17, 2019

Vice Chairman Phillip Brown called the meeting to order at 7 p.m. Members present: Steve Barkdoll, Robert Wright, and Richard Pope. Absent with prior notice: Jane Ginter. Also present: Zoning Officer John McLucas, Solicitor Mike Craley, Stenographer Tammy Rinehart, Recording Secretary, and six citizens.

**I. Minutes**

**Motion** by Barkdoll, second by Wright, to approve the minutes of the meeting of October 4, 2018. All members voted aye; motion carried.

**II. Reorganization**

**Motion** by Barkdoll, second by Wright, to nominate Jane Ginter as ZHB Chairman for 2019;

**Motion** by Barkdoll, second by Pope, to nominate Phillip Brown as ZHB Vice Chairman for 2019; and

**Motion** by Wright, second by Pope, to nominate Steve Barkdoll as ZHB Chairman Pro Tem for 2019. All motions accepted by acclamation with no formal vote.

**III. Zoning Cases**

- A. ZHB 19-1, Myong Roberts, Special Exception request for home occupation/seamstress at 2540 Carriage Lane, R-3 District

Steve Roberts was present on this application. His wife, Myong, would like to have a part-time seamstress business in their home. She currently has a business on South Queen Street in York and is closed for business on Mondays. Some of her customers live in the Dover area and travel all the way to the South Queen Street shop for her services. She would like to provide the opportunity for local customers to do business at her home in Dover. There would likely not be more than one or two customers on Mondays.

Mr. Roberts provided photos to prove evidence of ample parking; there is space for two vehicles for off-street parking. The floorplan drawing of the house shows that the business will be on the second floor, but Mrs. Roberts will make allowances for anyone who cannot go up the steps. Fittings, etc., may be done in the downstairs bathroom area. How about backing onto the street? Does the ordinance prohibit? Section 632.D.3 governs – Mr. Craley feels that’s what the homeowner would do anyway, so this should not be a problem.

Any sign? No. No employees or pupils. The home is served by public water and public sewer, not that this business affects either of those utilities.

The Planning Commission unanimously recommended approval of this application for Special Exception by Myong Roberts. No audience testimony or questions.

Hearing closed.

**Motion** by Wright, second by Barkdoll, to approve the request for Special Exception by Myong Roberts for home occupation, seamstress, at 2540 Carriage Lane. All members voted aye; motion carried.

Mr. Roberts asked for some clarification on what might happen if they decide to move; does the approval run with the property? Does the buyer have to accept the property as an approved business location via special exception? Mr. Craley fully explained to Mr. Roberts' satisfaction.

B. ZHB 19-2, Jeff and Joan Dawson, Variance request for lot in excess of 2 acres at 5530 Harmony Grove Road, Agricultural District

Three members of the audience were sworn in.

Background from Mr. Craley: in 2003, the applicants were granted a Variance to subdivide a lot in excess of 2 acres; the two lots were a bit over 6 acres each. Changes to what was granted require a new Variance, which is why the applicant is here tonight.

Tammy Dawson, 2880 Schoolhouse Road, was present. They would like to move the property line to have the original property at 3.34 acres and the residual property at 10.42 acres. Joan Dawson is aging and looking to sell her property in the near future. They would like to keep more land in the family. The 3.34 acres includes a replacement area for the septic system; SEO will test for that replacement area at the end of April. The replacement area will be located on the same lot where the original system is. No additional buildings to be placed; this is merely a land swap. The current lot is already 6 acres; they will make it smaller, but still over two acres.

There was a question about the line on the application that indicated that they wanted to add a pole barn; Mrs. Dawson said that they would like to withdraw that request; that was a mistake. No problem.

No questions from the audience.

Charles Rodichok, Surveyor, clarified the confusion surrounding multiple lots being labeled Lot 1. He verified that replacement septic area testing is indeed being done.

Mr. Brown asked what if the replacement area can't be found on the desired lot? Seems to be enough land; could be a problem with soil. Maybe it would be a good idea to determine the replacement area's location before being granted permission to move the lot line. If this is a problem, that's out of the ZHB's purview.

Dave Wolverton, 5561 Harmony Grove Road, spoke in favor of the Zoning Hearing Board's granting the Variance. He feels that any future plans would receive little to no opposition from the neighbors.

The Planning Commission had a lengthy discussion of this application, and merely passed their comments to the ZHB, without any formal recommendation.

**Motion** by Pope, second by Barkdoll, to grant the Variance as requested by Jeff/Joan Dawson for lot in excess of 2 acres at 5530 Harmony Grove Road. All members voted aye; motion carried.

#### **IV. Other Business**

Nothing at this time. Welcome to John McLucas, new Zoning Officer Extraordinaire!

**Motion** by Wright, second by Barkdoll, to adjourn. All members voted aye; motion carried. The meeting adjourned at 7:31 p.m.

Respectfully submitted,

Julie B. Maher, Recording Secretary