



Planning Commission Meeting Minutes June 4, 2025

Chairman Wayne Hoffman called the Planning Commission meeting to order at 7:00 PM on June 4, 2025. Members Eric Harlacher, Justin Bigham, Monica Love, and Alternates Anthony Pinto and Stephen Stefanowicz were present. Other Township representatives in attendance included Solicitor John Baranski, Zoning Officer John McLucas, Township Engineer C.S. Davidson, Terry Myers, and the Recording Secretary, Tina Wagner. Mark Miller was absent with prior notice. Three members of the public were also present.

I. Approval of the minutes from the Planning Commission meeting held on May 7th, 2025.

Motion by Bigham, seconded by Harlacher, to table the approval of the minutes from the Planning Commission meeting held on May 7th, 2025. All members voted aye; motion carried.

II. Public Comment

Ean Julius, 485 Cabin Hollow Road, Dillsburg, PA 17019, and his wife recently purchased a 160-acre property located at 5421 Paradise Road, situated in the Agricultural district of Dover Township. They would like to subdivide a wooded section of the property that is divided by Pine Hill Road as a separate parcel. The lot would be 21.8 acres in size, and he would like it to remain in agricultural use. Due to Pine Hill Road passing through the property, he feels that it creates a hardship in subdividing a naturally broken-off section while maintaining agricultural use. The long-term goal is to place the property into an agricultural farmland preserve in York County. There are no plans to build or sell the subdivided property. The property is currently in Ag Security.

The consensus among the members was that the lot has unique physical characteristics, as specified in §22-1003, due to its narrowness, irregularity, and shallowness, which are attributed to the shape and size of the property.

III. Plans for Consideration

No Plans on the Agenda

IV. Zoning Hearing Cases

- a. *Informational Only*- ZHB 25-2- 4750 W. Canal Road- Agriculture District
 - i. A use variance for a Propane Filling Facility was granted at the Zoning Hearing Board meeting that was held on May 21st, 2025.
- b. *Informational Only*- ZHB 25-3- 2531B Conewago Road- Agriculture District



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- i. A special exception for an intensive agricultural operation was granted at the zoning hearing held on May 21, 2025.
- c. ZHB 25-4- 2525 Conewago Road- Agriculture District
 - i. Variance to permit an Accessory Family Dwelling Unit in an Accessory Structure

Jackie Smith, the property owner at 2525 Conewago Road in Dover, wishes to convert the existing detached garage into an accessory family dwelling. Previously, the garage was utilized as a gun shop by the former owner. She aims to create this space because both she and her husband have health issues and want to establish a livable area that allows them to stay close to their daughter, who has two small children with disabilities, in hopes of providing mutual support. It would provide 600 square feet of livable space, situated twenty-two feet from the property line, with the entrance located thirty-three feet from the property line. This conversion would create a fourth bedroom for the property. The space will not be rented at any time. The use would be discontinued in the future if the parents were to pass; it is not intended for rental purposes. It would serve as a bonus space for the property. There are no neighbors near the proposed accessory family dwelling; it is surrounded by woods. They plan to add windows, a bathroom, and a small kitchen. The structure's size will remain unchanged. However, the garage fails to meet the required setbacks. This property is unique in nature due to its previous use as a business under a former owner.

It was mentioned that they should have a site plan with dimensions to present to the Zoning Hearing Board, as well as photographs, so they have a visual representation of the property.

Motion by Bigham, seconded by Love, to recommend approval to the Zoning Hearing Board for the ZHB for 25-4, 2525 Conewago Road- Agriculture District, Variance to permit an Accessory Family Dwelling Unit in an Accessory Structure. All members voted aye; motion carried.

V. Ordinance(s) for Consideration

The Zoning Officer presented language to the Planning Commission members regarding ordinances that may need review and/or updating.

Home Occupation - The definition remains the same; changes to the requirements are included in numbers 2 and 3 to eliminate the square footage requirement, potentially. The building code will be checked for square footage requirements.

Home occupation - any use of a dwelling conducted solely by a member or members of the family residing therein, which is incidental or subordinate to the main use of the building(s) for residential purposes.

§ 27-636. Home Occupations.



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Subject to the requirements below, the following home occupations may be authorized in a dwelling unit or accessory structure by special exception in all zones: Physician, dentist, clergyman, lawyer, engineer, accountant, architect, teacher, artist, crafts person (excluding furniture, cabinetry, etc.) licensed insurance or real estate agent, seamstress, barber, beautician, baker, pet grooming, taxidermy and similar service occupations and professions. Firearm sales are allowed in all zones except residential.

1. The owner/resident shall be the operator and no more than one non-resident employee shall be permitted, nor may more than three pupils receive instruction at one time.
2. The character or external appearance of the dwelling unit **or** accessory structure must remain that of a dwelling/accessory structure. No display or products may be shown so as to be visible from outside the dwelling/accessory structure. A name plate not larger than two square feet in area is permitted. It must be illuminated only by indirect lighting.
3. Not more than **35%** of the habitable floor area of the dwelling unit, up to a maximum of 350 square feet, may be devoted to the home occupation **when located inside the dwelling**. If located in an accessory structure, the total area devoted to the home occupation shall not exceed an area equal to **50%** of the habitable floor area of the dwelling unit.
4. Besides the required parking for the dwelling unit, additional off-street parking is required as follows:
 - A. One space for the operation of the home occupation and one space for each nonresident employee.
 - B. Three additional spaces per 100 square feet of habitable floor area used for medical, dentistry or veterinary professions.
 - C. Garages shall not be considered a parking area for home occupations. Each space provided shall not have direct access to the street to avoid vehicles backing into the flow of traffic.
5. For home occupations utilizing on-lot wastewater systems and generating additional wastewater than the residential use, the Township Sewage Enforcement Officer (SEO) shall certify that the on-lot system will function with the additional volume and content of the wastewater generated by the home occupation.
6. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
7. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
8. The business may not involve any illegal activity.

Short-term Rentals - It was agreed that short-term rentals should not be permitted in an accessory structure. This will not be a standalone ordinance; instead, it will be included in the new zoning ordinance.

Add to Zoning Ordinance Definitions:



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Short-Term Rental - Any dwelling containing five bedrooms or less that is not owner-occupied and is utilized as a dwelling rented for the purpose of overnight lodging for a period of thirty (30) days or less, and which meets the definition of "Hotel" for the purpose of imposing an excise tax by the County of York as defined in the County of York Ordinance No. 2019-02, as amended.

Bedroom - A private room planned and intended for sleeping, separated from other rooms by a door, and accessible to a bathroom without crossing another bedroom. A bedroom will have at least one egress window and closet(s) and is physically separate from other rooms.

Add As Use by Right in All Zones:

Sections 401.2.T, 402.2.R, 403.2.T., 404.2.N., 405.2.R, 406.2.S, 407.2.PP, 408.2.LL, 409.2.BB, and 414.2.J shall be amended and read as follows: "Short-Term Rentals*" and current sections 303.b.10, 304.b.13, 305.b.5, 306.b.9, and 308.b.10 shall be amended to read as follows: sections 303.b.11, 304.b.14, 305.b.6, 306.b.10, and 308.b.11 "Accessory uses customarily incidental to the above permitted uses including but not limited to no-impact home based businesses, as defined herein."

*Add Section 6** To Zoning Ordinance:*

SECTION 6** SHORT-TERM RENTAL

- a) An owner of property that desires to convert an existing property into a Short-Term Rental or an owner of property that desires to build a dwelling for the sole purpose of operating a Short-Term Rental must apply for a Certificate of Use with the Township Zoning Officer and pay the cost thereof, which cost may be amended from time to time, prior to beginning operations as a Short-Term Rental.
- b) Compliance with the requirements of this section shall be considered conditions precedent of a Short-Term Rental Certificate of Use approval, the violation of which may result in a revocation of that Certificate of Use by the Township Zoning Officer.
- c) The Township Sewage Enforcement Officer shall certify the adequacy of on-lot wastewater systems to handle the additional volume generated by the Short-Term Rental in those areas dependent on on-lot wastewater systems.
- d) Approval for a Short-Term Rental shall be issued only to the owner of the subject property.
- e) Applicant shall comply with all applicable tax requirements including, but not limited to, County hotel excise tax and State sales and use tax.
- f) Overnight occupancy of a Short-Term Rental shall be limited to no more than two (2) adults per bedroom.
- g) Outdoor parking for overnight occupants and day guests shall be limited to available improved parking areas on the Short-Term Rental property. Parking shall be prohibited in any grass or lawn area.
- h) A minimum of one parking space for each bedroom shall be provided. In no event shall parking for Short-Term Rental guests include spaces in any public street right-of-way.
- i) A Short-Term Rental shall not have any outside appearance indicating a change of use from the surrounding residential uses, except that a Short-Term Rental may contain a sign that identifies the Short-Term Rental, however the sign cannot be larger than two (2) square foot and cannot be internally illuminated.



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- j) Fireworks and floating lanterns are prohibited.
- k) The owner shall provide a functioning 2A:10BC fire extinguisher and install smoke detectors in accordance with the standards and guidance of the National Fire Protection Association. If the Short-Term Rental uses a combustible fuel source, the owner shall install carbon monoxide detectors in accordance with the standards and guidance of the National Fire Protection Association.
- l) Subleasing all or a portion of the Short-Term Rental is prohibited.
- m) All Short-Term Rentals shall have a clearly visible and legible notice posted within the dwelling on or adjacent to the front door containing the following information:
 - 1. The name of the owner of the unit or the managing agency, agent, property manager, or local contact authorized in writing to accept service for the owner of the unit and a telephone number at which that party can be reached on a 24-hour basis.
 - 2. The 911 address of the property.
 - 3. The maximum number of adult occupants permitted to stay in the dwelling.
 - 4. The requirement that all occupants and/or guest parking must be parked in the available improved parking areas on the property and not in or along any private, community or public street right-of-way. Parking shall be prohibited in any grass or lawn area.
 - 5. The trash pick-up day and notification that trash and refuse shall not be left or stored on the exterior of the property.
 - 6. The use shall not involve any illegal activity.

Accessory Dwelling Units-

Accessory family dwelling unit - an additional dwelling unit, either attached or detached from the principal dwelling, placed on a property for occupancy by either an elderly, handicapped or disabled person related to the owners of the principal dwelling by blood, marriage or adoption as defined in § 27-603 of this Chapter.

§ 27-603. Accessory Family Dwelling Unit.

- 1. The principal dwelling unit must be occupied by the property owner.
- 2. A detached accessory family dwelling unit shall be of portable construction (excluding recreational vehicles, campers, or any other type of vehicle capable of being moved) and shall not exceed 900 square feet of floor area and shall not exceed 15 feet in height. A detached accessory family dwelling unit shall be located only in the side or rear yard.
- 3. All setbacks and total lot coverage for the relevant district must be met.
- 4. Adequate sewage disposal and water for both the principal dwelling and the accessory family dwelling unit must be maintained.
- 5. No more than two persons shall occupy the accessory family dwelling unit.
- 6. An accessory family dwelling unit shall be occupied only by the property owner's family members, defined as: great-grandparents, grandparents, parents, children, or lineal descendants (a family member's spouse and children are to be included in the definition).
- 7. A use permit shall be valid for a period of one year from the date of issuance, and shall be renewable in annual increments, provided that the medical hardship of the family member continues. A use permit that is issued shall become null and void if the property owner does not obtain a renewal thereof prior to the expiration date.
- 8. An accessory family dwelling unit shall not be rented under any circumstances.



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9. A use permit shall automatically expire, and a detached accessory dwelling unit must be removed from the property within six months upon the occurrence of any of the following:
 - A. Removal of the property owner from the principal dwelling unit.
 - B. A violation of the requirements of this Section.

Accessory Apartment - It was decided that additional requirements will be added to §27-602. It will be revised to be allowed by Special Exception only in R1, Agricultural, Village, and Conservation zones. It will not be permitted in R2, R3, R4, Industrial, or Commercial zones. The minimum lot size requirement of ½ acre will be added to the requirements. Must be owner-occupied.

Accessory apartment - an independent dwelling unit that has either been added onto or created within a single-family dwelling unit, containing a separate kitchen, bathroom, and sleeping area.

§ 27-602. Accessory Apartment.

1. The required two parking spaces per dwelling must be provided for this use.
2. The accessory apartment shall be part of the principle structure.
3. Only one accessory apartment is allowed per parcel or lot of record.

VI. Next Meeting

The next Planning Commission meeting will take place at the Dover Township Community Building, located at 3700 Davidsburg Road, on Wednesday, July 2, 2025, at 7:00 p.m. All Planning Commission meetings for 2025 will be held at the Dover Township Community Building at 3700 Davidsburg Road.

VII. Adjournment

Motion by Love, seconded by Bigham, to adjourn the meeting at 8:56 p.m. All members voted aye; motion carried.

Respectfully Submitted by,

Tina Wagner
Recording Secretary