



WARRINGTON TOWNSHIP ZONING HEARING BOARD MINUTES FOR THE MAY 23, 2016 MEETING

The regular meeting of the Warrington Township Zoning Hearing Board was called to order at 7:00 p.m. on May 23, 2016 at the Township Building located at 852 Easton Road, Warrington PA, 18976.

Pledge of Allegiance: The meeting opened with a pledge to the flag.

Introduction of Members: The members present were as follows:

Frank Shelly, Chair	Present
Janice DeVito, Vice-Chair	Present
Carol Facenda, Member	Absent
William Bell, Member	Present
Kevin Lawlor, Member	Present
Thomas Watkins, Alternate Member	Present
William Bolla, Esq., Solicitor	Present
Roy W. Rieder, P.E., Zoning Officer	Present

There were approximately 10 members of the public in attendance.

Stenographic Record: A stenographic record of the meeting will provide a record of the proceedings. Copies of the stenographic record may be purchased from Blum-Moore Reporting Services Inc.

Hearing 1 Richard Alsdorf

Subject Property: 1591 Stuckert Road

TMP: 50-030-010-004

Zoning – R-2

Applicant owns a property near the intersection of Stuckert Road and Warwick road. The applicant sought a permit to install a fence along a common property line with two of his neighbors. The fence was installed with the framework facing the neighbors rather than his own interior as required by the zoning ordinance. The applicant maintains that he had sought advice from the township and was informed that since he did not have access to the neighbors' properties to install the fence it was permissible to have the fence installed with the framework facing the neighbors. The applicant is requesting a variance from Section 2319 of the Zoning Ordinance to allow the fence to remain as constructed.

B 1 – Application

B.1.A GIS Map

B.1.B Google Map

B.1.C Hand-drawn property sketch

B.1.D Building permit application

B.1.E Construction Permit

B 2 – Proof of Publication

B 3 – Affidavit of Mailing provided for the hearing

B 4 – Affidavit of Posting

B 5 – Letter from the applicant dated April 13, 2016

B 6 – Letter from Steve Ware dated May 10, 2016

Ms. De Vito introduced the application, and Mr. Bolla provided an explanation of party status. Ronald and Jacqueline Koenig, 1597 Stuckert Road, and Mr. Gerald Bilker, 2284 Warwick Road, requested and were granted party status. No other persons requested party status.

Mr. Alsdorf applied for a permit to install a fence in March 2016 and installed it shortly thereafter. Mr. Alsdorf stated that in 2015, he had spoken with Steve Ware who was conducting zoning reviews for Warrington Township at that time while employed by Keystone Municipal Services. Mr. Alsdorf stated that Mr. Ware had told him that since Alsdorf was erecting a fence parallel to two existing fences that it would be permissible to install the fence with the framework facing the adjoining properties since Alsdorf did not have access from the adjoining properties. Section 2319 of the Zoning Ordinance requires fence framework to face the interior of the lot rather than the exterior. Mr. Alsdorf maintained that since Mr. Ware had informed him it would be permissible to install the fence with the framework on the outside, the variance should be granted.

Mr. Koenig presented seven photographs to the Board which were accepted into evidence as Exhibits K-1 through K-7. Mr. Koenig asked the Zoning Hearing Board not to grant the permit because Mr. Alsdorf would be incapable of maintaining the framework of the fence since he erected the fence in such a manner that Mr. Alsdorf could not access the framework. He also stated that he observed that wooden fences deteriorated relatively quickly, and that blighted or dilapidated fences would adversely affect the values of adjoining properties. Mr. Koenig also stated that he would have given Mr. Alsdorf permission for his contractors to enter the Koenig property if Mr. Alsdorf had asked, and if the contractors were adequately insured in order that Mr. Koenig would not be exposed to any liability.

Mrs. Koenig testified that she would have given permission if asked.

There was no further testimony. The Board withdrew for deliberation, and upon their return, Mr. Lawlor made a motion seconded by Mr. Bell to deny the request for a variance. The motion was approved by a vote of 5-0.

Approval of Minutes

Ms. De Vito made a motion, seconded by Mr. Lawlor, to approve the minutes of the April 25, 2016 Zoning Hearing Board meeting. The motion passed 4-0-1, with Mr. Watkins abstaining because he had not been present at that meeting.

There being no further business, a motion for adjournment was made and seconded and the meeting was adjourned at 8:30 PM.