



## WARRINGTON TOWNSHIP ZONING HEARING BOARD MINUTES FOR THE JANUARY 23, 2017 MEETING

The regular meeting of the Warrington Township Zoning Hearing Board was called to order at 7:00 p.m. on January 23, 2017 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	Absent
William Bell, Member	Absent
Kevin Lawlor, Member	Present
Dennis Gordon, Member	Present
Thomas Watkins, Alternate Member	Absent
William Bolla, Esq., Solicitor	Present
Roy W. Rieder, P.E., Zoning Officer	Present

**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.

### Reorganizing

The following items were all approved unanimously by a vote of 3-0:

Selection of Chairperson: Frank Shelly

Selection of Vice-Chairperson: Janice DeVito

Selection of Secretary: Dennis Gordon

Appointment of Solicitor: William J. Bolla, Esq., High Swartz, LLP

All members of the Zoning Hearing Board were appointed Hearing Officers in the event that a quorum of the ZHB was not possible.

### Approval of Minutes

There being only two members who could vote to approve the minutes of November 28, 2016, approval of minutes was tabled until the February 27, 2017 meeting.

**Hearing 1 – Deborah Farrell**

**Subject Property: 3142 Street Road**

**TMP: 50-008-061**

**Zoning – RA**

Ms. Farrell's home was constructed in 1968. At the time it was constructed, the home was built with 22-foot side yards with an aggregate side yard width of 44 feet. The current zoning ordinance requires a 50-foot aggregate side yard, causing Ms. Farrell's home to be a non-conforming structure. Ms. Farrell sought a special exception from Section 2301.3.B of the zoning ordinance to allow the expansion of a non-conforming structure as well as a variance from Section 405.1C to allow a total aggregate side yard of 44 feet where 50 feet is otherwise required. The Board voted 3-0 to grant the requested variance and special exception..

Mr. Bolla advised the applicant that he would issue a Decision and Order within 45 days and that a 30-day appeal period would begin on the day that the Decision and Order is issued. The applicant may proceed with obtaining building permits and begin construction at this time, but doing so will be at her own risk.

**Hearing 2 – James and Eileen Hughes**

**Subject Property: 409 English Ivy Drive**

**TMP: 50-013-231**

**Zoning – RA**

Mr. and Mrs. Hughes appeared before the Zoning Hearing Board to request a special exception of Section 2301.3.B and a variance of Section 2314.1.B(2) to enable the construction of a roof over a portion of an existing deck. The home was constructed in the early 2000's. At the time of construction, a 25-foot setback was established around existing wetlands on the property. The Hughes' purchased the property in 2009. At the time of purchase, a previous owner had erected a shed on the property without a permit and placed the shed in the transition area existing at that time. In 2011, the township passed a revision to Section 2314 of the Zoning Ordinance increasing the transition area to 50 feet, thus rendering the existing dwelling technically non-conforming. Mr. and Mrs. Hughes sought a special exception from Section 2301.3.B of the zoning ordinance to allow the expansion of a non-conforming structure as well as a variance from Section 2314.1.B(2) to allow the existing shed to remain in its current position within the transition area.

The Board voted 3-0 to grant the requested special exception. The Board also granted the requested variance and imposed the following two (2) conditions:

1. If the existing shed is ever reconstructed or replaced, it must be positioned outside the transition area; and,
2. The existing shed may not be expanded.

The applicant will apply for a permit for the existing shed.

Mr. Bolla advised the applicant that he would issue a Decision and Order within 45 days and that a 30-day appeal period would begin on the day that the Decision and Order is issued. The applicant may proceed with obtaining building permits and begin construction at this time, but doing so will be at her own risk.

There is at least one application to be heard at the next meeting of the Zoning Hearing Board to be held at 7:00 PM on Monday, February 27, 2017

There being no further business, a motion for adjournment was made and seconded and the meeting was adjourned at 8:00 PM.