

DILLSBURG BOROUGH
ZONING HEARING BOARD MINUTES
JANUARY 28, 2010
7:00 PM

The Dillsburg Borough Zoning Hearing Board held their business meeting at the Dillsburg Borough Office on the above-mentioned date. Zoning Hearing Board Members in attendance were Chairman Ken O'Connor and Jeff Beitzel. Also present were Solicitor Linus Fenicle, Stenographer Roxy Cressler, Borough Manager Karen Deibler, Borough Secretary/Treasurer Debbi Beitzel and Borough Council President Jeff Griffin.

The following visitors were present: Dale Hair from KD3 Design Studio representing Cocklin Funeral Home, Becky and Nancy Cocklin from Cocklin Funeral Home and Dillsburg Borough residents Connie Trostle and Debra McClain.

The meeting was called to order by Chairman Ken O'Connor at 7:00 PM.

The first item on the agenda was the approval of the May 28, 2009 meeting minutes. Jeff Beitzel moved to approve the minutes as presented. Chairman Ken O'Connor seconded the motion. – Motion carried.

Stenographer Roxy Cressler had sworn in one person (Dale Hair).

Chairman O'Connor asked if there was any unfinished or old business from the last meeting that needed taken care of. There was none.

Chairman O'Connor indicated the purpose of the meeting is C&B Properties/Cockling Funeral Homes, Inc. requesting a variance from Zoning Ordinance 171, section 413.B (1) – Front Setback Requirements in order to increase the size of the existing chapel, add an ADA approved restroom and add a carriage porch.

Chairman O'Connor asked the Borough Manager if the meeting was properly advertised. She indicated it was advertised and all the neighboring residents were notified by mail. Chairman O'Connor asked if the Borough received any feedback from the residents. Manager Deibler stated no feedback from the residents only the Planning Commission; they didn't see any problems with the plan.

Chairman O'Connor asked the applicants to present their case.

Mr. Dale Hair, KD3 Design Studios, 426 S Third St, Suite 101, Lemoyne, indicated Cocklin Funeral Home would like to make some renovations to the existing building. As part of these renovations they would like to do some additions to the building; enlarge the chapel, increase the size of their restrooms and add a carriage porch to protect the people waiting in line for a viewing and during the funerals when the casket is brought out to the hearse. He stated the existing building is already outside the front setback requirement.

He stated there are three areas that would be outside the existing front yard setback. The first area is to the left of the building where additions to the restrooms would be made

to add capacity. The existing restrooms do meet ADA requirements but the renovation will improve to meet ADA requirements. The area in which is being added won't extend past the existing front of the building. The front of the addition will be brick and the side will be siding with a shed roof to match the existing building.

The second area is in the main chapel area. Mr. Hair referred to map and indicated the shaded area shows the whole area which is being added on. There is a small portion which is in front of the setback and currently behind the existing canopy which goes up into the entrance of the building.

The third area is the carriage porch which is sitting outside the setback. The front column of the existing building will be part of the carriage porch and won't extend past the existing front of the building.

Chairman O'Connor asked what the total increase of square footage was. Manager Deibler indicated the chapel is 340 square feet, the restroom is 115 square foot and the carriage porch is 1,050 square foot. Chairman O'Connor stated he was curious what the square footage of the total lot and current structure was. Mr. Hair indicated CW Junkins did the original land development plan for Cocklin and they stated with the additions Cocklin would still meet the open area requirement. Manager Deibler stated the Borough engineer reviewed the plan land and no problems with the actual additions; they will work on a storm water plan for Cocklin. Mr. Hair indicated they already have the storm water plan finished and had preliminary met with Mr. Shelley.

Mr. Beitzel asked if the additions took up any of the existing parking. Mr. Hair stated no, they are adjusting the front spaces and making them have safer conditions. Chairman O'Connor asked if the parking would remain the same by area 3. Mr. Hair stated yes, but the cars would have to come in from the other side. Chairman O'Connor asked about the chimney in area 1. Mr. Hair stated the chimney will remain in place and isn't a concern. Chairman O'Connor asked the Borough Manager if she had any questions. She stated no.

Solicitor Fenicle indicated according to the application the restroom addition was going to be 21' 4" instead of the required setback of 30', so the variance request would be 8'8"; the main chapel addition variance request would be 5'8" and the new carriage porch addition variance request would be 14'8" as opposed to the requirement being 30' for the front yard setback. Mr. Hair indicated that was correct. Solicitor Fenicle indicated this is a nonconforming structure as it now sits because it doesn't meet the setback requirements. Solicitor Fenicle indicated the applicant wasn't going to extend the existing structure. Mr. Hair agreed.

Solicitor Fenicle indicated there are a few things the ZHB should go through on the variances for technicalities to include on the record. He indicated those requirements being:

There are unique physical circumstances or conditions of this property which create the unnecessary hardship and there is no ability to place the additions anywhere else on the property. Mr. Hair stated yes, they are reconfiguring the existing bathrooms and adding the additions. He continued by stated they are adding onto the main chapel and the carriage porch is over the existing entrance to the property. Solicitor Fenicle stated because of the circumstances of this building and how it is on the lot, the applicant can't place the additions in conformance with the zoning ordinance. Mr. Hair stated this was correct.

Solicitor Fenicle asked Mr. Hair if he would consider this to be a reasonable addition and uses for a funeral home. Mr. Hair stated yes. Solicitor Fenicle asked if the variance, if authorized, would alter the character of the neighborhood in any way. Mr. Hair stated no. Solicitor Fenicle asked if it would impair the use or development of an adjacent property. Mr. Hair stated no. Solicitor Fenicle asked if it would be detrimental to the public welfare in any way. Mr. Hair stated no. Solicitor Fenicle asked if this was the minimum variance the applicant needed to make the additions to the funeral home. Mr. Hair stated yes.

Solicitor Fenicle asked the Borough Manager if the property was posted. Manager Deibler stated yes.

Dillsburg Residents Connie Trostle, 116 Harrisburg Pike and Debra McClain, 22 N Chestnut Street indicated they don't have any problems with the renovations.

ZHB Member Beitzel indicated the funeral home has always been there as far as he remembers and well maintained.

Solicitor Fenicle asked how long the funeral home has been at this location. Someone in the audience stated 1949.

Chairman O'Connor stated the plan was well done and the carriage porch was going to be a noticeable structure and building when completed. He stated it is an odd lot; it's in a place where it won't impair any vision problems at the intersection.

Jeff Beitzel moved to grant the three variances requested from Dillsburg Borough Code Section 27-423.B, Setback Requirements, in order to extend a front porch and create uniformity of the existing building according to the sketch plan. Chairman Ken O'Connor seconded the motion. – Motion carried.

Chairman Ken O'Connor moved to adjourn the meeting at 7:20 PM. Jeff Beitzel seconded the motion. – Motion carried.

Respectfully Submitted,

Debbi L. Beitzel

Debbi L. Beitzel,
Secretary/Treasurer

cc: Zoning Hearing Board Members
Solicitor Fenicle
Dillsburg Borough Council Members
Dillsburg Borough Planning Commission
Mayor Snyder
Manager Deibler
Solicitor Allshouse
Engineer Knoebel