DILLSBURG BOROUGH
ZONING HEARING BOARD
MINUTES
JULY 24, 2008
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 Donald Will, Jeff Beitzel and Greg Wonders. Also present were Solicitor Linus Fenicle, Stenographer Roxy Cressler, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

The following visitors were present: Applicants Daniel and Jeannette Mikos, Chris Hoover from Hoover Engineering Services, and Dillsburg Borough Residents Ken and Ellen O'Connor.

The meeting was called to order by Chairman Donald Will at 7:00 PM.

The first item on the agenda was the approval of the June 26 2008 meeting minutes. Greg Wonders moved to approve the minutes as presented. Jeff Beitzel seconded the motion. – Motion Carried.

Stenographer Roxy Cressler had sworn in one person (Chris Hoover) and reminded the other people (Daniel & Jeannette Mikos, Ken O'Connor) they are still under oath.

Chairman Will indicated the purpose of this hearing was to continue the consideration on the request for variances received from Daniel and Jeannette Mikos for the property at 303 Harrisburg Pike/ 30 Greenbrier Lane.

Solicitor Fenicle stated the only request was for variances from Section 27, 509.2.A.1 & 4, the density requirements for a single family home and for a multifamily home. He indicated there had been a prior variance granted allowing the lots to be divided.

Mr. Chris Hoover indicated Lot 3 (the 5-unit apartment) will ultimately have a density of 13.5 units per acre and Lot 4 (single family home) will have a density of 8.2 units per acre. He stated density in this case is not applicable as it may be in other situations. He stated that density is used when creating units and how many units may untimely end up on a subdivision or development. Mr. Hoover stated they are starting with six units in this particular plan and there will be six units after the plan would be approved. He stated they aren't asking for an increase in number of units on the plan; the only thing that is occurring is a line is being drawn between two existing lines to separate them onto their own separate lots. He indicated there will not be a change in the usage. He stated this is a nonconforming situation and currently as the tract exists it has a density in excess of what the ordinance allows presently at 12.2 units per acre. Mr. Hoover stated the nonconforming issue is changing, but it's not changing what is on the property. Mr. Daniel Mikos indicated he asked some of the neighbors about what their feelings were. He stated they are in favor of

the property being subdivided, because they want to see the sidewalks and trees put into place.

Solicitor Fenicle and Chairman Will asked if there were any more testimonies. There weren't any. Chairman Will closed the record and stated the board would withdraw for a brief executive session at 7:05 PM.

The Zoning Hearing Board meeting reconvened at 7:22 PM.

Solicitor Fenicle stated the Board had to vote on the request for variance from Section 27, 509.2.A.1 & 4; a request from the density provisions for a single family detached dwelling and multifamily dwellings. The variance requested would provide a density of 8.2 dwelling units per acre on the single family detached unit and the multifamily unit would have a density of 13.5 dwelling units per acre as opposed to the requirements in the zoning ordinance.

Chairman Will indicated based on the density matters this would not create any public problems, so he moved to grant the variance as requested to Section 27, 509.2.A.1 & 4. Greg Wonders seconded the motion. Jeff Beitzel opposed the motion. – Motion Carried.

Donald Will moved to adjourn the meeting at 7:24 PM.

Respectfully Submitted,

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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