

MIDDLETOWN TOWNSHIP ZONING HEARING BOARD

Diane Beresford, Chairperson

Christian A. Davis, Vice Chair

John Kelley, Secretary

John Rayer

Jacquelyn S. Goffney,

Lawrence G. Strohm, Jr. Solicitor

Minutes of the Zoning Hearing Board

The regular meeting of the Middletown Township Zoning Hearing Board was held on **Wednesday, September 25, 2013**, beginning at 7:00 PM in the Township Building, 27 N. Pennell Road, Lima, PA

Members Present: Diane Beresford, Christian Davis, Jacquelyn Goffney, John Rayer

Staff Present: Lawrence G. Strohm, Solicitor, Meredith Merino, Zoning Officer.

Approval of Minutes: The minutes of the August 28, 2013 meeting were approved as submitted by a vote of 4-0.

Old Business: Case 2013-10: The hearing of Eric Pilkauskas, 36 Wyncroft Drive, for a variance from the minimum 20 ft. side yard setback in the R-2 zoning district was continued from the August 28 meeting. Applicant desires to construct a 24'x40' garage to be used for hobby custom car work. The garage was initially proposed to project to within 3 ft. of the side property line. After the board had voiced concerns about the size of the structure and the proximity of the proposed location to the side property line, the applicant returned with a revised plan showing the garage of the same dimensions located 14 ft. from the side property line, as opposed to 3 ft. After hearing concerns of a neighbor located to the rear of the subject property, the hearing was closed. The board granted the variance requested by submission of the updated plan by a vote of 4-0, with the condition that appropriate sized arborvitae be planted along the rear and side of the garage in accordance with recommendations provided by the Township's landscape consultant.

New Business: Case 2013-11: Paul Santangelo and Tina Makoulian, of 358 Darlington Rd, request a special exception pursuant to Section 275-203B(4)(b) of the Zoning Ordinance. Applicants desire to locate an in-ground pool within a portion of the 50 ft. required rear yard setback of the R-1A Zoning District. The pool is proposed to project to within 35 feet of the rear property line of this lot. The applicants represented themselves and presented testimony and exhibits in support of the application. The adjacent ground lot owner was present to comment on the application, voicing concerns about the proximity of the proposed pool to the lot line shared by his ground lot and the subject property. The hearing was closed, and the Board voted to approve the requested special exception as submitted by a vote of 4-0.

Case 2013-12: An application of Aerial Signs & Awnings, Inc./Sears, Roebuck and Co, requesting a variance pursuant to Section 275-195B(4)(d) of the Zoning Ordinance. Applicants desire to locate two 25 s.f. Avis/Budget signs on the west and south walls of the Sears Auto Store building located at 1067 W. Baltimore Pike in the B-2 Major Shopping Center Zoning District. Avis/Budget had been given Conditional Use approval by Township Council to locate a rental kiosk for cars and trucks to be rented out of the Sears Auto Store building. The sign ordinance allows each occupant (except for the principal occupant) of a multi-occupancy building one 50 s.f. sign. The applicants represented themselves and presented testimony and exhibits in support of the application. No one was present to comment on the

application, and the hearing was closed. The Board approved the requested variance by a vote of 4-0.

Case 2013-13: An application of Richard Sweeney, 98 Patricia Place, for a variance from the minimum 30 ft. rear yard setback in the R-3 zoning district. Applicant desires to construct a 24'x16' structure to house an indoor exercise pool/spa, as well as a bathroom. The structure is proposed to be detached from the main dwelling, connected only by an existing patio walkway and a proposed roof forming a breezeway. The proposed structure will project to within 10 ft. of the rear property line. The applicant had initially been granted a variance on an incorrectly noted rear distance of 26 ft, and reapplied to the board to correct the distance. The applicant, along with his contractor, presented testimony and exhibits in support of the application. No members of the public were present to comment and the hearing was closed. The application was approved by a vote of 3-0; Ms. Beresford abstained.

Adjournment: There being no further business the meeting was adjourned at 9:10 PM.

The next meeting of the Zoning Hearing Board is scheduled for Wednesday, October 23, 2013 beginning at 7:00 PM.

Respectfully Submitted,

Christian A. Davis, Acting Secretary