

**MINUTES OF THE MEETING OF THE  
UPPER ALLEN TOWNSHIP ZONING HEARING BOARD  
February 14, 2019**

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The March meeting of the Upper Allen Township Zoning Hearing Board was called to order by the Chairperson, Jean Foschi, at 6:02 p.m. on Thursday, February 14, 2019. In addition to the Chairperson, the following board member was present, to wit, Robert Melphis and Gerald Schultz. Also present was Robert Saidis, Esquire.

**REORGANIZATION**

A motion was made by Mr. Melphis and seconded by Mr. Schultz to appoint Jean Foschi as Chairperson and Gary Scicchitano as Vice-Chairperson. A roll call vote was taken and approved unanimously.

**MINUTES**

A motion was made by Mr. Melphis and seconded by Mr. Schultz to approve the Minutes from the November 8, 2018 meeting. A roll call vote was taken and passed unanimously

**VARIANCE NO. 19-01, 19-02 LINLO PROPERTIES XII, LP 5070 Ritter Road, Chapter 245-6.6.E and 245-17.6.A(5)(b)**

Linlo Properties XII, LP, Applicants subject property is 5070 Ritter Road, Upper Allen Township, Mechanicsburg, PA 17055, Professional Office (P-O) Zoning District, is requesting a Variance from the maximum impervious surface percentage requirement of 60% in Chapter 245-6.6.E. Applicant seeks no more than 70% impervious surface for this property.

Additionally, Applicant is requesting a Variance from the rear yard building setback of 50 feet in Chapter 245-17.6.A(5)(b). Applicant proposes a setback for parking spaces at 5 feet from the property line.

Michael C. Welt, Zoning / Codes Officer, announced that public notice was given, as required by law by publication in The Sentinel on January 31, 2019 and February 7, 2019, and the property was also posted.

Mr. Jamie Strong was sworn in to give testimony. Exhibits were handed out to the board. Exhibit A4, aerial was discussed. The Building to the east is the VA clinic in its entirety. The West is industrial flex space. This lot was developed in the late 1980's. The applicant wishes to provide additional parking spaces and a loop driveway for vehicles and buses.

Exhibit A1 was introduced and shows a plot plan with the proposed improvements. Applicant requires two variances. 1. Requesting 10% increase to impervious coverage. 2. Want to permit parking in rear yard setback along Rt 15 within 5' of property line, but not impacting highway

fence. Applicant also will be replacing the stormwater basin with an underground basin and will need Twp approval for this modification.

Mr. Lowell Gates was sworn in to testify. States that property was awarded a VA clinic contract and the facility opened last fall. Problem came up where buses wanted to drop off passengers directly at front entrance, not at the bus stop at the road. The buses then have a problem turning around and getting out of property. There are 211 existing spaces on site shared between the clinic and the other 5 tenants in the other building.

John Murphy, with Alpha Engineering was sworn in to testify. States that the improvements they are planning are similar to conditions on nearby properties with regard to parking spaces encroaching on setbacks, and impervious coverage.

A question was asked about required parking spaces. They state that they currently are required to have 226 spaces, but only have 211 right now.

Current conditions are that 1 space encroaches on the rear setback, and the entire row of westernmost parking spaces encroaches on the side setback. In the proposed conditions, all 15 of northmost proposed spaces will be within the setback, and the group of 14 rear spaces to the west side will partially be within the setback. The split between parking spaces and driveway is about 50/50 for new impervious coverage. Applicant is requesting more spaces than they need right now as they anticipate growth in demand.

Board went into executive session at 6:54pm. Board returned from executive session at 7:07pm

After discussion, it was determined that the Board would take action on the application, as presented.

A motion made by Mr, Melphis and seconded by Mr. Schultz is:

**RESOLVED,** that the variances, as requested from Section 245-6.6.E and 245-17.6.a(5)(b) are hereby granted.

The Applicant shall further

A roll call vote was taken, and Ms. Foschi, Mr. Melphis and Mr. Schultz voting in the affirmative (3-0).

### **OTHER BUSINESS**

There being no other business, a motion was made by Mr. Melphis and seconded by Mr. Schultz to adjourn the meeting at 7:09 p.m. (3-0).