MINUTES OF THE MEETING OF THE
UPPER ALLEN TOWNSHIP ZONING HEARING BOARD
September 12, 2019

The September meeting of the Upper Allen Township Zoning Hearing Board was called to order by the Chairperson, Jean Foschi, at 6:10 p.m. on Thursday, September 12, 2019. In addition to the Chairperson, the following board member was present, to wit, Gary Scicchitano, Robert Melphis, and Philip Falvo. Also present was Robert Saidis, Esquire. Gerald Schultz was absent.

MINUTES

A motion was made by Mr. Melphis and seconded by Mr. Scicchitano to approve the Minutes from the March 14, 2019 meeting. A roll call vote was taken and passed unanimously.

VARIANCE NO. 19-04 Michael A. Garman 303 Sleepy Hollow Drive, Chapter 245-16.2

Michael A. Garman, 303 Sleepy Hollow Drive, Mechanicsburg, PA 17055. Applicant is requesting a Variance of Section 245-16.2 to allow an existing accessory structure to remain two feet inside of the five-foot side setback, and two feet inside of the accessory structure ten-foot separation setback. This property is located in the Medium-Density Residential (R-2) Zoning District.

Michael C. Welt, Zoning / Codes Officer, announced that public notice was given, as required by law by publication in The Sentinel on August 29, 2019 and September 5, 2019, and the property was also posted and neighboring properties were notified by certified mail.

Mr. Michael Garman was sworn in to give testimony. Mr. Garman and his family live at 303 Sleepy Hollow Drive. Mr. Garman spoke to the physical situation of the property, and the history of the property ownership and previous owners installation of a shed. Mr. Garman wants to allow the shed to remain where it is which is at 3 feet from the side yard property line, and 8 feet from the primary structure.

Mr. Saidis asked if it could be moved, and how much it would cost. Mr. Garman has no estimate, but knows it would cost more than the variance. Mr. Garman believes it would need to be dismantled to be moved. Additionally, Mr. Garman does not know where he could move it to on his property.

An email in support of Mr. Garman from Mr. Peter Lazarus was entered to the record and distributed to the board.

Mr. David Kuhn was sworn in to testify. He and his wife Kara reside at 305 Sleepy Hollow Drive, closest to the shed. The owners support the variance request and do not have any plans to construct their own structure near the existing shed. Mr. Kuhn states no one in the neighborhood has a problem with the structure, to his knowledge.
After a (5-0) vote, the Board went into executive session at 6:31pm. The board returned from executive session at 6:49pm

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

A motion made by Mr. Scicchitano and seconded by Mr. Melphis is:

**RESOLVED**, that the Board approve the variance requested by the Applicant to Section 245-16.2 for an accessory building two feet from the nearest wall of the residence and two feet from the lot line.

The Applicant shall further comply with all applicable township, state and federal rules, regulations, ordinances and laws.

A roll call vote was taken, and Ms. Foschi, Mr. Scicchitano, Mr. Melphis and Mr. Falvo voting in the affirmative (4-0).

**OTHER BUSINESS**

There being no other business, the meeting was adjourned.