

ZONING HEARING BOARD MEETING
June 13, 2005
MINUTES

Members Present:

P. Andrew Diamond
Glen Geisel
Alan Tedesco
Charles Hawkins
Sharon Beck

Township Staff Present:

Jeffrey D. Winkle, Assistant Director
Planning & Community Development

Court Stenographer:

Leatte Cavalier

Mr. Diamond called the meeting to order at 7:35 p.m.

Old Business:

AP# 13394, Continuance of an appeal of Wal-Mart Stores, Inc.

Chairman Diamond read letter, dated June 9, 2005, from Allan K. Sable of Pepper Hamilton, LLP. into the record formally withdrawing the Wal-Mart Stores, Inc. appeal without prejudice.

Motion by Mr. Hawkins and seconded by Mr. Geisel to accept the withdrawing of the appeal. Vote in favor of the motion was unanimous

New Business:

AP # 13432, an appeal of Frank Sensenich for the construction, expansion and use of a nonconforming structure in the SP-1 zoning district.

Chairman Diamond read the application into the record.

Mr. Sensenich presented his variance request on his own behalf.

Motion made by Mr. Geisel and seconded by Mr. Tedesco to approve the variance request based upon the following findings:

- 1) Unnecessary hardship not created by the appellant
- 2) Character of the neighborhood will not change
- 3) Least variance request possible is being granted

Vote in favor of the motion was unanimous.

Discussion:

Chairman Diamond would like to see the language for the expansion of a nonconforming use reviewed by staff in regards to the fact that sections of the zoning ordinance for nonconforming uses and structures discuss the natural expansion of trade for a business but do not recognize the natural expansion of a residential use.

Mr. Hawkins made a motion to approve the May 9, 2005 minutes. Ms. Beck seconded the motion. The vote was unanimous.

A motion to adjourn was made.

Respectfully Submitted,

Jeffrey D. Winkle, AICP
Assistant Director
Planning & Community Development