

Conewago Township Zoning Board Minutes

July 9, 2012

The meeting was called to order at 7:00 PM with the Pledge of Allegiance.

Members present were Earl Miller, Sharon Beck, David Clouser, Hanson Quickel, and Margret Burg. Attorney John Elliot provided legal counsel for the ZHB.

The March 12, 2012 ZHB Minutes were approved as presented. There was no old business.

New Business-Case No. 02-2012- Charles R. Dickensheets and Denelle Dickensheets request for a variance from side and rear setbacks for the purposes of installing an in ground pool at 20 Stony Run Way, York Pa. 17406. Denelle Dickensheets of 20 Stony Run Way, York Pa., and Robin Ness from Fox Pool provided evidence for the case. The Dickensheets received approval for an in ground pool from the homeowners association when the home was purchased in 2008. Since then the Conewago Township Zoning Ordinance has changed, requiring larger setbacks. Four Exhibits were presented to the ZHB:

Exhibit 1- a two page petition labeled "Uncontested application for In-ground swimming pool"

Exhibit 2- a letter dated February 12, 2008 from Stonegate Commons owner association approving the property owner of 20 Stony Run Way's request to install an in ground pool.

Exhibit 3- a site drawing for 20 Stony Run Way.

Exhibit 4- a site drawing with handwritten square footage amounts of all impervious items on the property at 20 Stony Run Way.

Denelle Dickensheets and Robin Ness of Fox Pool stated the square footage numbers on Exhibit 4 are correct. The total square footage of all impervious areas at 20 Stony Run Way after the in ground pool is installed will be less than 50 percent.

The Planning Commission recommended approval of the variance to alter the side and rear setbacks.

David Clouser made a motion that Charles and Denelle Dickensheets' request for a variance to side and rear setback requirements for the purpose of installing an in ground pool at 20 Stony Run Way York Pa., 17406, pursuant to section 304.e of the Conewago Township Zoning Ordinance be granted subject to the following conditions:

A- The side setbacks from the outside of the concrete walkway will be no less than eleven feet.

B- The rear setback from the outside of the concrete walkway will be no less than eleven feet.

Sharon Beck seconded. The motion carried.

New Business-

Attorney John Elliot advised the ZHB his firm represents clients involved in Case 03-2012 an application for a variance that will be presented before the ZHB in August 2012. In order to prevent an appearance of a conflict of interest Attorney Elliot wanted to ask the ZHB for permission to be the ZHB's legal advisor in Case 03-2012. Attorney Elliot outlined for the ZHB what he could and could not do during the Case.

David Clouser made a motion the ZHB accept Attorney John Elliot as the ZHB legal representative for Case 03-2012 with our knowledge that his Firm represents Rutters LLC and CHR Corporation. Hanson Quickel seconded. The motion carried.

There was no further business and the meeting adjourned at 7:30 PM.

Respectfully Submitted

David Clouser, Secretary