

**Conewago Township
Zoning Hearing Board Minutes
September 10, 2012**

The ZHB meeting was called to order at 7:00 pm with the pledge of Allegiance. Members present were Earl Miller, Sharon Beck, Hanson Quickel and Margaret Burg. Member David Clouser was absent. Attorney John Elliot provided legal counsel for the Board.

A motion to table the reading of the minutes from the August 13, 2012 ZHB meeting was made by Sharon Beck and seconded by Margaret Burg. The motion was approved.

Old Business - None

New Business

Case No. 04- 2012 – Katalina Urresta - Request for a Special Exception to operate a Family Day Care in a Village zone pursuant to section 305©(13) of the Conewago Township Zoning Ordinance #322 for property located at 180 Hunter Creek Dr., York, PA 17406, Tax Map: 6 Parcel: 55

Mr. and Mrs. Urresta testified on their behalf. Angela Leese testified on behalf of the Urrestas. Harriet Davis, Hunter Creek Home Owners Association, testified on behalf of the Association.

The Urresta's provided Applicant's Exhibit 1 – A letter from the Hunter Creek Home Owners Association, Inc. dated January 11, 2011 giving the Urresta's an indication the Association would consider allowing the family day care use. They also provided Applicant's Exhibit 2 – A Petition in support of allowing the use.

Harriet Davis, HOA president, advised the Zoning Hearing Board members the Association has determined it will not allow the family day care.

Attorney Elliott advised a HOA can impose bylaws and rules that can supersede Zoning Hearing Board findings that meet the Zoning Ordinances.

Several Hunter Creek residents spoke on their personal behalf in opposition to allowing the use.

Margaret Burg made the motion to deny the Special Exception based on the applicant's failure to meet the following requirements of Section 628, Family Day Care Home criteria:

Subsection "c" – Client and passenger drop off and pick up areas;

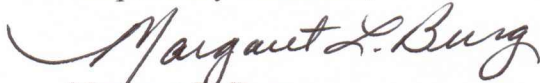
Subsection "d" – Outdoor play and exercise area square footage;

Subsection "g" – Required parking spaces.

The motion was seconded by Hanson Quickel and carried.

Motion to adjourn by Margaret Burg, second by Sharon Beck.

Respectfully submitted,

A handwritten signature in cursive script that reads "Margaret L. Burg". The signature is written in black ink and is positioned above the printed name and title.

Margaret L. Burg
Acting Secretary