

ZONING HEARING BOARD MINUTES

May 6, 2025

Call to Order By: Vice-Chairman Chris Neiles
Members' Present: Chris Neiles, Ken Dombach and Nevin Greiner
Legal Representation: Jason Hess, ZHB Solicitor

Motion by Chris Neiles, 2nd by Ken Dombach to approve the minutes of the February 4, 2025, meeting. The vote was unanimous.

APPLICANTS: Levi P. King

SITE ADDRESS: 1331 Shelly Road

CASE NUMBER: 250003

REQUEST: variances from Section 350-608.B(6) & (7) to allow construction of an accessory dwelling exceeding 900 square feet and set back less than 10 feet from the principal building.

ZHB Exhibit #1, Proof of Publication Yes ZHB Exhibit #2, Copy of Posted Notice Yes
Property Posted on April 24, 2025

TESTIFYING FOR APPLICANT: Levi P. King, Ted Cromleigh – Diehm and Sons

CONCERNS, COMMENTS AND QUESTIONS WERE HEARD FROM LEGAL COUNSEL AND THE APPLICANT.

Applicant requested an amendment to the application to add a variance from Section 350-608.D(2) to allow more than two family members to reside in the accessory dwelling unit.

Motion to allow amendment to application, close testimony and admit Exhibits by Chris Neiles, 2nd by Ken Dombach.

Motion by Nevin Greiner, 2nd by Chris Neiles: to Approve variances from Section 350-608.B(6) & (7) to allow construction of an accessory dwelling unit of up to 2,000 square feet, exceeding the 900 square feet permitted and to allow a set back less than 10 feet from the principal building and a variance from Section 350-608.D(2) to allow up to five family members to reside in the accessory dwelling unit.

CONDITIONS: In addition to the standard conditions, the Board imposed a condition that only family members may reside in the accessory dwelling.

The vote was unanimous.

APPLICANTS: Philip D. Nolt

SITE ADDRESS: 185 Oak Tree Road

CASE NUMBER: 250004

REQUEST: variances from Section 350-603.C(2), 350-603.C(2)(a) and 350-608.V to allow outside storage/display in the front yard, without the required screening and without an improved surface, in relation to a proposed ATV repair shop.

Verification of required notices by Zoning Officer Drew Keller
ZHB Exhibit #1, Proof of Publication Yes ZHB Exhibit #2, Copy of Posted Notice Yes
Property Posted on April 24, 2025

TESTIFYING FOR APPLICANT: Philip Nolt, Alex Vasilenko – Red Barn

CONCERNS, COMMENTS AND QUESTIONS WERE HEARD FROM LEGAL COUNSEL AND THE APPLICANT.

Fay Varna, 339 Oak Tree Road, spoke in favor of application.

Motion to close testimony and admit Exhibits by Nevin Greiner, 2nd by Chris Neiles.

Motion by Nevin Greiner, seconded by Ken Dombach, to approve in part and deny in part the requested variances as follows:

Requested variance from Section 350-603.C(2) to allow outside storage without a landscaped screening strip is denied.

Requested variance from Section 350-603.C(2)(a) to allow outside storage in front yard of building rather than the rear is granted

Requested variance from Section 350-608.V(3) to allow outside display without the requirement of an improved surface is granted

CONDITIONS: In addition to the standard conditions, the Board imposed the following conditions on approval of the variances: (1) The display of the ATVs must be setback at least 50 feet from the right-of-way; and (2) no more than two ATVs may be displayed at any time

The vote was unanimous.

Meeting adjourned at 8:58 pm.

Respectfully submitted:

Drew Keller
Zoning/Code Enforcement Officer