

MIDDLETOWN TOWNSHIP
ZONING HEARING BOARD

Christian A. Davis

Jacquelyn S. Goffney

Thomas Danzi

Joseph Klodarska

Gerry Gebhart

Minutes of the Zoning Hearing Board

The regular meeting of the Middletown Township Zoning Hearing Board was held on **May 25, 2022**, beginning at 6:00 PM at the Middletown Township Building, 27 N. Pennell Road, Lima, PA.

Members Present: Tom Danzi, Christian Davis, Gerry Gebhart, Jacqueline Goffney, Joseph Klodarska

Staff Present: Max O’Keefe, Solicitor, Meredith F. Merino, Zoning Officer

Approval of Minutes: Mr. Danzi made a motion to approve the minutes of the April 27, 2022 meeting, which was seconded by Mr. Klodarska. The minutes were approved as submitted by a vote of 5 – 0.

New Business:

Case No. 2022-03: An application of Rooster Diner LLC for property at 8 S. New Middletown Road, requesting a Special Exception pursuant to Section 275-195.C.(2), and in the alternative, a variance from Section 275-195.C.(2) and Section 275-195.B.(2)(a)[2] of the Zoning Code to permit alterations to an existing, nonconforming freestanding sign with the addition of a 9 s.f. rooster logo sign and a 32 s.f. message board panel. Applicant also requests a variance from Section 275-195.B.(2)(c)[2] for a new wall sign proposed to be 45 s.f. where 25 s.f. is permitted.

Applicant Onur Gundogdu was present and entered testimony and evidence into the record. He stated that the additional signage is needed to provide visibility to the diner business. For the wall sign, the sign company stated that 3’ high letters would be needed to give visibility from Rt 1, which is approximately 150 ft. from the building. In terms of the freestanding signage, applicant stated that the manual message board is not the diner’s sign and is therefore not part of the application. After no further discussion, the record was closed. Ms. Goffney made a motion to approve the 9 s.f. rooster on top of the freestanding sign and the 45 s.f. Wall sign as requested. Mr. Danzi seconded the motion, and the zoning relief was approved 5-0.

Case No. 2022-10: Troy Everly of 147 Barren Road is seeking a variance from Section 275-21.A.(6) for side yard setbacks in the R-1 Zoning District in order to construct a 26’3” x 36’ garage addition that will project to within 13’ of the side property line. Applicant was previously granted variances in Case 2021-05 from Section 275-21.A.(6) for the subject addition to project to within 18’9” of the side property line, Section 275-21.A.(5) for the subject addition to project to within 35’10” of the front property line, and a variance from Section 275-206.B.(1) for more than 10% expansion of a nonconforming structure.

The applicant and his wife were present and offered testimony and evidence in support of the application, including a letter of support from the adjacent affected property owner and the previous zoning decision for the subject addition project. The applicant explained that nothing changed with respect to the project dimensions, but that the measurement to the side

property line was initially incorrect, requiring a new variance for 13 ft. from the side property line instead of the original 18'9".

After no further discussion, the hearing was closed. Ms. Goffney made a motion to grant the variance for the 13 ft. side yard setback, which was seconded by Mr. Danzi. The Board voted 5-0 to approve the variance.

Adjournment: There being no further business, the meeting was adjourned at 6:30 PM.

The next meeting of the Zoning Hearing Board will be held on Wednesday, June 22, 2022 beginning at 6:00 PM.

Respectfully Submitted,

Meredith Merino, Zoning Officer