

MIDDLETOWN TOWNSHIP
ZONING HEARING BOARD

Christian A. Davis

Thomas Danzi

Gerry Gebhart

Jacquelyn S. Goffney

Joseph Klodarska

Lawrence G. Strohm, Jr., Solicitor

Minutes of the Zoning Hearing Board

The regular meeting of the Middletown Township Zoning Hearing Board was held on **June 23, 2021**, beginning at 6:00 PM at the Middletown Township Building, 27 N. Pennell Road, Lima, PA.

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

Staff Present: Lawrence G. Strohm, Solicitor, Meredith F. Merino, Zoning Officer

Approval of Minutes: Mr. Danzi made a motion to approve the minutes of the May 26, 2021 meeting, which was seconded by Ms. Goffney. The minutes were approved as submitted by a vote of 5 – 0.

Decision: Case No. 2021-04: Patricia Ann Cofiell, of 51 W. Forge Road is seeking a variance from Section 275-203.C.(3) to allow an existing barn (Class B Accessory Structure) to be located in the front, side or rear yard of a proposed lot of a 2-lot subdivision (to within 37.87' of new lot line); and Sections 275-15.A and B to allow for the creation of a second building lot containing an accessory structure as the only building. Applicant also seeks a Special Exception from Section 275-203.B(4)(b)(2) to allow an existing pool in the rear yard setback area of a newly subdivided lot, to within 12' 3" of the new lot line. Ms. Goffney made a motion to approve the application as submitted, which was seconded by Mr. Danzi. The board voted 5-0 to approve the application.

Old Business: Case 2021-05: Troy Everly of 147 Barren Road is seeking variances from Section 275-21.A.(5) for front yard setbacks and 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 18' 9" of the side property line and to within 35'10" of the front property line. Applicant also seeks a variance from Section 275-206.B.(1) for more than 10% expansion of a nonconforming structure. The hearing had remained open from the previous month's meeting to allow the applicant time to submit a rendering of the proposed garage, as well as photos of the property in the location of the proposed garage, which he had submitted in the interim for the board's review. Ms. Goffney made a motion to approve the application as submitted, which was seconded by Mr. Danzi. The board voted 5-0 to approve the application.

Case 2021-06: Carl Garritano, of 20 E. Glen Circle seeks a variance from Section 275-19.(A), (B) and (C) of permitted, accessory and conditional uses of the R-1 Zoning District for a proposed firearm safety training business to be operated from a residential property. A portion of the business would require client visits to the property in order for clients to receive pre-purchased firearms. Applicant also seeks a variance from Section 275-198.C for more than one principal use on a lot. Mr. Charles Miller, Esq. requested a continuance of the hearing on behalf of the Township in order to permit the Township additional time to further research the issues

involved in this unique case and to continue to discuss potential conditions of zoning relief. The hearing will be continued to the July 28, 2021 meeting date.

New Business: Case No. 2021-07: Gwen Thompson of 521 Ridge Ave. is seeking a variance from Section 275-203.C.(3) to allow a Class B accessory structure within a side yard, and Section 275-37.C(7) & (8) for side and aggregate side yard setbacks in the R-4 Zoning District in order to construct a 22' x 26' detached garage that will project to within 4 ft. of the side property line. The applicant was present and was represented by Walter J. Timby III, Esq. Testimony was given and exhibits were entered into the record. The applicant stated that the garage is proposed to be 14 ft. high with a small space for storage. No one appeared in favor of or opposed to the application. After no further discussion, the record was closed. Ms. Goffney made a motion to approve the variances as requested, which was seconded by Mr. Danzi. The board voted 5-0 to approve the application.

Case No. 2021-08: An application of Thomas J. Novelli, Jr., of 60 Cherrywood Lane, for a Special Exception pursuant to Section 275-203 B(4)(b) of the Zoning Ordinance. Applicant desires to locate a 20' x 40' in-ground swimming pool within a portion of the 35 ft. required rear yard setback of the R-2 Zoning District. The pool is proposed to project to within 20' of the rear property line of this lot. The applicant was present and offered testimony and exhibits which were moved into the record. No one appeared in favor of or opposed to the application. After no further discussion, the record was closed. Ms. Goffney made a motion to approve the Special Exception as requested, which was seconded by Mr. Danzi. The board voted 5-0 to approve the application.

Case No. 2021-09: Matthew Lesky and Kaitlyn Rogers of 42 Wyncroft Drive are seeking a variance from Section 275-203.C.(3) to allow a Class B accessory structure within a side yard, and Section 275-26.A.(2)(g) and (h) for side and aggregate side yard setbacks in the R-2 Zoning District in order to construct a 24' x 24' detached garage that will project to within 7 ft. of the side property line. The applicants were both present and offered testimony and exhibits for the record. The applicants explained that the 24' x 24' garage will accommodate two cars and will be one-story in height. The applicants further offered to provide an 8-10 foot tall landscape buffer on one side of the garage near the property line shared by 40 Wyncroft Drive to provide screening for that property. Bruce Clark, of 32 Wyncroft Drive, commented that a Zoning Hearing Board case for a similar structure on the same street a few years ago was approved with the condition that heavy landscaping be installed to screen that garage from adjacent properties. After no further discussion, the record was closed. Ms. Goffney made a motion to approve the variances, with the condition that a landscape buffer be installed with mature plantings the full length of the garage on the northeast side, adjacent to the 40 Wyncroft lot line to provide immediate screening. Mr. Danzi seconded the motion, and the board voted 5-0 to approve the application.

Adjournment: There being no further business, the meeting was adjourned at 7:30 PM.

The next meeting of the Zoning Hearing Board will be held on Wednesday, July 28, 2021 beginning at 6:00 PM.

Respectfully Submitted,
Meredith Merino, Zoning Officer