

IN THE MATTER OF : BEFORE THE LOWER ALLEN TOWNSHIP
THE APPLICATION OF : ZONING HEARING BOARD
SCOTT D. SHAFFER : CUMBERLAND COUNTY, PENNSYLVANIA
: :
: DOCKET NO. 2020-02

DECISION GRANTING A VARIANCE

The Applicant seeks a variance to install a second driveway. A hearing was held before the Board on January 16, 2020.

FINDINGS OF FACT

1. Notice of the hearing was properly advertised, the subject property was posted, and all property owners required to be notified of the hearing were notified in accordance with the Codified Ordinances.

2. The Applicant is Scott D. Shaffer, who resides at 920 S. 29th Street, Camp Hill, PA 17011.

3. The Applicant is the owner of the subject property.

4. The subject property is a lot located in an R-1 Zoning District, improved with a single family detached dwelling known as 920 S. 29th Street.

5. The subject property is bounded on the east by S. 29th Street, on which it has 85 feet of frontage, and is located within a residential neighborhood.

6. The subject property is improved with a driveway on its south side, leading to a carport.

7. Applicant has constructed a garage on the north side of the property, and proposes to install a second driveway on the north side of the dwelling.

8. The proposed driveway will be approximately 40 feet in length, and will allow Applicant to park all of his vehicles on his property.

9. Two nearby property owners appeared in support of the application. There was no objection to the requested relief.

CONCLUSIONS OF LAW

1. Under Sections 220-266 and 220-269(B)(5) and (C) of the Codified Ordinances, the Zoning Hearing Board has jurisdiction to hear and decide a request for a variance.

2. Section 220-244(A)(3) of the Codified Ordinances provides that only one driveway connection per 100 feet of lot frontage is permitted, with the exception of circular driveways for residential dwellings.

3. Creating a circular driveway would significantly increase impervious coverage, and result in paving over substantially all of the front yard.

4. The limited width of the subject property and the location of existing improvements combine to create an unnecessary hardship.

5. A variance is necessary to enable the installation of a second driveway.

6. The unnecessary hardship has not been created by the Applicant.

7. The requested relief will not alter the essential character of the district in which the subject property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

8. The requested variance represents the minimum variance to afford relief.

9. The requested variance is dimensional in nature.

DECISION

Based upon the foregoing findings and conclusions, and in consideration of the testimony and evidence presented to the Board, it is the decision of the Board that the Applicant's request for a variance be and is hereby granted, subject to the following

conditions: 1) that the remainder of the front yard continue to be maintained in grass; and 2) that the Applicant maintain strict conformance with the testimony, plans and evidence presented to the Board.

LOWER ALLEN TOWNSHIP ZONING
HEARING BOARD

Dated: 1-27-2020





Solicitor