

IN THE MATTER OF : BEFORE THE LOWER ALLEN TOWNSHIP
THE APPLICATION OF : ZONING HEARING BOARD
PENNSYLVANIA-AMERICAN : CUMBERLAND COUNTY, PENNSYLVANIA
WATER CO. : DOCKET NO. 2016-06

DECISION GRANTING A SPECIAL EXCEPTION AND A VARIANCE

The Applicant requests a special exception and a variance for a building project. A hearing was held before the Board on December 15, 2016.

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 Pennsylvania-American Water Co., 852 Wesley Drive, Mechanicsburg, Pennsylvania 17050.

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

4. The subject property consists of two contiguous parcels of land, each improved with a building, parking area and storage sheds, located in a C-2 Zoning District. The larger parcel has for many years been used by Applicant as an office and operations

facility. The smaller parcel was acquired in 2016. Applicant intends to consolidate the two parcels for its project.

5. The subject property is approximately 8.88 acres in area, triangular in shape, bounded on the south by Wesley Drive and on the west by Bethany Towers. There is an office complex east of the subject property.

6. Applicant's building project includes the demolition of approximately two-thirds of its existing building, erection of a substantial building addition, demolition of the improvements on the parcel acquired in 2016, and installation of parking area.

7. Applicant intends to consolidate at the subject property operations currently conducted in Hershey and elsewhere.

8. Upon completion, the improved building will be 45 feet in height.

9. Total gross floor area of the completed project is proposed to be 68,643 square feet.

10. Applicant proposes a three story building to minimize the building footprint and provide ample area for parking.

11. Current design requirements for office buildings result in each floor of the building having a height of 15 feet.

12. Currently, Applicant has 49 employees at the subject property, and 74 off-street parking spaces.

13. Applicant's facility in Hershey has 84 employees and 170 parking spaces.

14. Upon consolidation of Applicant's operations, there will be approximately 133 employees at the subject property, and Applicant anticipates future expansion to a total of 149.

15. Applicant also expects to conduct training operations on the property for up to 60 people at a time.

16. Applicant proposes to provide 240 off-street parking spaces on the subject property.

17. Based upon its operational experience over many years, Applicant is confident that 240 spaces will be sufficient to accommodate parking demand.

18. Other than Applicant, no one appeared at the hearing either in favor or in opposition to the requested relief.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to decide a request for a special exception under Sections 220-269 (B) (6) and 220-269 (D), and a request for a variance under Sections 220-269 (B) (5) and 220-269 (C) of the Codified Ordinances.

2. Section 220-239(A), as applied to Applicant's project, requires 306 off-street parking spaces.

3. Section 220-241 allows the Board to authorize, by special exception, a reduction in the number of off-street parking spaces

where the Applicant can justify the reduction and still provide adequate parking facilities to serve the use of the land.

4. The Applicant has justified the reduction to the satisfaction of the Board.

5. The Applicant has satisfied all of the standards and criteria for the granting of a special exception.

6. Section 220-59 of the Codified Ordinances provides that in a C-2 zoning district, no building shall be erected to a height in excess of 40 feet.

7. The unusual shape of the subject property creates an unnecessary hardship necessitating variance relief.

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

9. The requested variance 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.

10. The requested variance will represent the minimum variance to afford relief.

11. 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 special exception and a variance be and are hereby approved, subject to the condition that the Applicant shall maintain strict conformance with the testimony, plans and evidence presented to the Board.

LOWER ALLEN TOWNSHIP ZONING
HEARING BOARD

DATED: 12.21.2016





Solicitor