

IN THE MATTER OF : BEFORE THE LOWER ALLEN TOWNSHIP
 : ZONING HEARING BOARD
 : CUMBERLAND COUNTY, PENNSYLVANIA
THE APPLICATION OF :
 : DOCKET NO. 2018-09
YOUSSEF H. YOUSSEF :

DECISION GRANTING A SPECIAL EXCEPTION

The Applicant seeks a special exception to establish a tailor shop as a home occupation, with a sign. Hearings were held before the Board on December 20, 2018 and February 21, 2019.

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 Youssef H. Youssef, who resides at 1710 Carlisle Road, Camp Hill, PA 17011.

3. The Applicant is an owner of the subject property, which is located in an R-1 Zoning District.

4. The subject property is a lot improved with a single family detached dwelling known as 1710 Carlisle Road.

5. The subject property has 65 feet of frontage on the north side of Carlisle Road.

5. The Applicant wishes to establish a tailor shop as a home occupation.

6. The Applicant's hours of operation shall be from 8 o'clock A.M. to 3 o'clock P.M., Monday through Friday.

7. The Applicant will make no changes to the exterior of the dwelling, and will have no employees.

9. The Applicant proposes to have 3 off-street parking spaces in front of the dwelling, and a paved area for cars to turn around before entering Carlisle Road facing forward.

10. The Applicant proposes to erect a sign, not exceeding 6 square feet in area, in a location permitted by township codes and ordinances.

8. Several nearby residents expressed concerns about traffic, parking and the size of signage.

CONCLUSIONS OF LAW

1. The Board's jurisdictional authority to decide a request for a special exception is provided in Section 220-269(B)(6) and (D) of the Codified Ordinances.

2. Because Applicant will have customers come to his residence, his proposed use is not a "no impact home-based business", and can be established only by special exception under section 220-165(B) of the Codified Ordinances.

3. To establish such a special exception, the Applicant must satisfy the requirements of section 220-165(B), and demonstrate compliance with all applicable provisions of sections 220-165(A) and 220-269(D) of the Codified Ordinances.

4. The Applicant has established compliance with all of the standards and criteria for the requested special exception.

5. The proposed special exception will not be detrimental to the public health, safety or welfare.

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 Applicant's request for a special exception be and is approved, subject to the following conditions:

1. the Applicant shall establish 3 off-street parking spaces; and

2. the Applicant shall not permit customers to back vehicles from the property onto Carlisle Road; and

3. the Applicant shall designate customer traffic flow by painting arrows and/or appropriate lines and symbols on the paved

area, and shall erect a sign, visible from the parking spaces, indicating that vehicles shall not back onto Carlisle Road; and

4. the Applicant shall install a physical barrier (such as a curb or lip) to help to prevent vehicles from backing onto the sidewalk when turning around to exit the property; the zoning officer shall have discretion in the approval of the type and location of this barrier ; and

5. any sign erected by Applicant shall not be illuminated; and

6. consistent with other business signs in the vicinity, Applicant is encouraged to erect a sign smaller than 6 square feet in area; and

7. the Applicant shall maintain strict conformance with the testimony, evidence and plans submitted to the Board, except that the size and location of the sign may be changed as long as the new size and location comply with township codes and ordinances.

Dated: 3/15/2019

LOWER ALLEN TOWNSHIP ZONING
HEARING BOARD

Ann Everett

Solicitor

