

IN THE MATTER OF : BEFORE THE LOWER ALLEN TOWNSHIP  
THE APPLICATION OF : ZONING HEARING BOARD  
WILLIAM SECKINGER AND : CUMBERLAND COUNTY, PENNSYLVANIA  
SANDRA SECKINGER :  
: DOCKET NO. 2018-10

## **DECISION GRANTING A VARIANCE**

The Applicants seek a variance to erect a carport in the required side yard. A hearing was held before the Board on December 20, 2018.

### **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 Applicants are William Seckinger and Sandra Seckinger, whose address is 1302 Strafford Drive, Camp Hill, PA.
3. The Applicants are the owners of the subject property.
4. The subject property is a lot in an R-1 Zoning District, located on the north side of Strafford Drive, and improved with a single family detached dwelling known as 1302 Strafford Drive.
5. The subject property has only 55 feet of frontage on Strafford Drive.

6. The Applicants propose to erect an unenclosed carport, approximately ten and one-half feet wide, on the northern side of the dwelling.

7. The carport will be erected to a distance of only one foot from the northern property boundary.

8. There is insufficient space to erect a functional carport which will not encroach into the required side yard.

9. The Applicants presented a letter from the owner of the property immediately to the north of the subject property, indicating that said owner does not object to erection of the carport.

10. No one testified in opposition 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. For lots in an R-1 District, Section 220-15 (A)(2) of the Codified Ordinances requires total side yards of not less than fifteen feet with no one side yard less than five feet in width.

3. The width of the subject property, and the location of the existing dwelling combine to create an unnecessary hardship.

4. A variance is necessary to enable the erection of a functional carport on the subject property.

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

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 Applicants' request for a variance be and is hereby granted, subject to the condition that

the Applicants shall maintain strict conformance with the testimony, plans and evidence presented to the Board.

LOWER ALLEN TOWNSHIP ZONING  
HEARING BOARD

Ann Everettts

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LDW

Solicitor

Date: 1-14-2019