

IN THE MATTER OF : BEFORE THE LOWER ALLEN TOWNSHIP
THE APPLICATION OF : ZONING HEARING BOARD
TIM CALLAHAN, GOODALL POOLS : CUMBERLAND COUNTY, PENNSYLVANIA
: :
: DOCKET NO. 2021-01

DECISION DENYING VARIANCE

The Applicant seeks a variance from the impervious coverage limitation to construct a swimming pool and patio. A hearing was held before the Board on March 18, 2021.

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 Tim Callahan, Goodall Pools, whose address is 3607 Hartzdale Drive, Camp Hill, PA.

3. The Applicant is the contractor for the owners of the subject property.

4. The subject property, owned by Doug Baughman and Dana Baughman, is a lot located in an R-2 district, improved with a single family detached dwelling known as 3410 Canyon Creek.

5. The subject property is 19,426 square feet in area, with existing impervious coverage of 5,317 square feet (27.4%).

6. The Applicant wishes to install a swimming pool (785 square feet) and patio (1,152 square feet) behind the dwelling.

7. With these improvements, impervious coverage will be 37.3% of the lot area.

8. Applicant proposes to install a storm water infiltration pit which will completely mitigate runoff from the proposed improvements.

9. Applicant suggests that there is a hardship because the impervious coverage limitation renders it impossible to further develop the property.

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. Pursuant to Section 220-23 of the Codified Ordinances, impervious coverage shall not exceed 30% in the R-2 district.

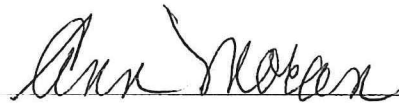
3. The Applicant did not establish that the requested variance represents the minimum variance to afford relief.

4. The Applicant did not establish that he met all of the criteria under section 220-269(C) for entitlement to variance relief.

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 denied.

LOWER ALLEN TOWNSHIP ZONING
HEARING BOARD





Solicitor

Date: _____

4.6.2021