

IN THE MATTER OF : BEFORE THE LOWER ALLEN TOWNSHIP  
THE APPLICATION OF : ZONING HEARING BOARD  
PRESBYTERIAN DEVELOPMENT LLC : CUMBERLAND COUNTY, PENNSYLVANIA  
:   
: DOCKET NO. 2021-10

### **DECISION GRANTING A VARIANCE**

The Applicant seeks a variance from the sign area limitation.  
A hearing was held before the Board on November 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 Presbyterian Development LLC, 5060 Ritter Road, Suite A3, Mechanicsburg, PA 17055.

3. The Applicant is the owner of the subject property, which is a parcel in an I-3 zoning district, improved with a commercial building known as 2500 Gettysburg Road.

4. The subject property is 8.12 acres in area, located on the north side of Gettysburg Road.

5. The building is occupied by three commercial tenants, whose location is identified by existing temporary signage.

6. The Applicant intends to erect an additional commercial building on the subject property, further from Gettysburg Road.

7. The existing building is oriented such that its frontage is perpendicular to Gettysburg Road. A sign on the front of the building, or anywhere on the proposed building, would not effectively apprise travelers on Gettysburg Road of the location of the businesses.

8. The subject property slopes downward from Gettysburg Road, causing an additional challenge to providing effective signage.

9. The Applicant desires to install a freestanding pylon sign, with sufficient space to effectively identify all of the tenants anticipated for the property.

10. The proposed sign will be located approximately ten feet from the right-of-way line of Gettysburg Road, generally opposite Lebanon Avenue.

11. The proposed sign will be 65.1 square feet in area, double sided, and will be comprised of multiple panels, each identifying a business tenant. It will not be lit.

12. No one opposed 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. The Zoning Ordinance Sign Table (attachment 2 to the ordinance) restricts the area of a freestanding sign in an I-3 district to a maximum of 40 square feet.

3. The location of the existing and proposed buildings on the subject property and its topography create an unnecessary hardship.

4. A variance is necessary to allow reasonably effective signage for the subject property.

5. The unnecessary hardship was not created by the Applicant.

6. 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.

7. The requested variance is the minimum variance to afford relief.

8. The requested relief is dimensional.

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. All existing signage shall be removed prior to or in conjunction with erection of the proposed sign;

2. The area of the sign shall not exceed 65.1 square feet;  
and

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

LOWER ALLEN TOWNSHIP ZONING  
HEARING BOARD

Date: \_\_\_\_\_

12.3.2021

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*Ann Moran*  
*L. Quinn*  
\_\_\_\_\_

Solicitor