

IN THE MATTER OF THE : BEFORE THE LOWER ALLEN TOWNSHIP
APPLICATION OF : ZONING HEARING BOARD
 : CUMBERLAND COUNTY, PENNSYLVANIA
APRIL A. KNEPP :
 : DOCKET NO. 2023-04

DECISION GRANTING SPECIAL EXCEPTION RELIEF

The Applicant seeks relief to establish a beauty salon as a home occupation, with a sign. A hearing was held before the Board on November 16, 2023.

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 April A. Knepp, who reside at 2409 New York Avenue, 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 in an established residential neighborhood. It is known as 2409 New York Avenue.

5. The Applicant wishes to establish a beauty salon as a home occupation.

6. The Applicant will offer cutting, chemical services and facial waxing.

7. The salon will operate six days a week, with the Applicant as the operator. She will not have any employees.

8. The Applicant proposes to erect a wooden identification sign, approximately 4 square feet in area.

9. The application requested a special exception for the salon and a variance for the sign. During the hearing, the Applicant amended the application to request either a special exception or variance for the sign.

10. There was no objection to the requested relief

CONCLUSIONS OF LAW

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

2. Because Applicant will have customers come to the residence, the proposed salon 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. Section 220-165(B)(3) provides, in part, that an exterior sign for the home occupation may be provided by special exception.

4. To establish the special exceptions, 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.

5. The Applicant has established that she can and will comply with all of the standards and criteria for the requested special exceptions.

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

DISCUSSION

The Board notes that the application includes a request for a variance for the sign. During the hearing, the Applicant amended the application to request either a variance or special exception for the sign. The Board has determined that a special exception is the proper relief, therefore finds it unnecessary to address the request for a variance.

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 for the home occupation and for the sign is approved, subject to the following conditions:

1. The sign shall not be lighted.
2. The Applicant shall maintain strict conformance with the testimony, evidence and plans submitted to the Board.

Dated: 12.11.2023

LOWER ALLEN TOWNSHIP ZONING
HEARING BOARD

Ann Moran
[Signature]

Solicitor