

BEFORE THE ZONING HEARING BOARD OF DICKINSON TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

In re: Application of : Docket No. 2013-02
Charles Vanauken :
: Application for Setback Variance

PRESIDING: Michael Gennett

PRESENT: Gerald Eby, Member; Ellen Colyer, Member

FINDINGS OF FACT AND CONCLUSIONS OF LAW

FINDINGS OF FACT

1. The Applicant is Charles Vanauken (hereinafter “applicant”), who owns and resides at 100 Lex Lane, Gardners, Pennsylvania. (hereinafter “property”).
2. The property is located in the Agricultural District.
3. The property is improved with a 40 foot by 60 foot pole building with electric service and the pole building was formerly used as a hay storage facility.
4. There are no neighbors immediately adjacent to the pole building.
5. Applicant desires to house 5 horses in the pole building, which is 60 feet from the applicant’s property line.
6. The ordinance requires that agricultural structures housing livestock be 100 feet from the property line.
7. Applicant seeks a variance to be permitted to house the horses in the pole building.

8. No one appeared at the hearing in opposition to the application.

9. A hearing was held on July 16, 2013 at 6:00 p.m. at the Dickinson Township Municipal Building, 219 Mountain View Road, Mount Holly Springs, PA 17065, with all notices provided as required by law.

CONCLUSIONS OF LAW

The Board believes that the applicant suffers a hardship in that he would be required to move the pole building at significant expense if he were to be expected to strictly comply with the ordinance; and since no neighbors are immediately affected by the location of the pole building, the Board will grant the application for a variance in this case.

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DECISION

A motion was made by Michael Gennett and seconded by Gerald Eby to approve the application, the motion carried with three votes in favor and none opposed. In approving the application, the Board imposed the following conditions:

Any storage of manure or animal waste must follow the one hundred (100ft) foot setback requirement set forth in Chapter 205-34(D) of the Dickinson Township Zoning Ordinance.


DICKINSON TOWNSHIP
ZONING HEARING BOARD

Date: 23 July 2013



Michael Gennett, Chairman

Date: 07/22/2013



Ellen Colyer, Member

Date: 07/23/2013



Gerald Eby, Member

APPLICANT SHALL ABIDE BY ALL FEDERAL, STATE AND LOCAL LAWS AND ORDINANCES PERTAINING TO PERMISSIONS GRANTED BY THIS DECISION.

APPLICANT SHALL PROCEED PURSUANT TO THIS DECISION IN ACCORDANCE WITH THE TESTIMONY AND EXHIBITS PRESENTED AT THE HEARING.

ANY PERSON AGGRIEVED BY THE DECISION OF THE DICKINSON TOWNSHIP ZONING HEARING BOARD MAY APPEAL TO THE COURT OF COMMON PLEAS OF CUMBERLAND COUNTY. THE APPEAL MUST BE FILED WITHIN 30 DAYS FROM THE MAILING DATE OF THESE FINDINGS OF FACT AND CONCLUSIONS OF LAW.

NO CONSTRUCTION MAY BEGIN UNTIL A BUILDING PERMIT IS ISSUED.

MAIL DATE: