

IN RE: : BEFORE THE ZONING HEARING
APPLICATION OF ALEXANDRU : BOARD OF DICKINSON TOWNSHIP
SURCICA : CUMBERLAND COUNTY, PENNSYLVANIA
: DOCKET NO. 2024-01

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DECISION GRANTING
APPLICANT'S REQUEST FOR A ZONING VARIANCE**

The Applicant is seeking a dimensional variance from a side yard setback requirement of 50 feet as set forth in Chapter 205-14 Agricultural Zone (required minimum yards in the (AG Agricultural Zoning District) as set forth in the Dickinson Township Zoning Ordinance. A hearing on the application was held by the Dickinson Township Zoning Hearing Board on Wednesday, February 12, 2024 at 5:00 p.m. at the Dickinson Township Municipal Building, 219 Mountain View Road, Mount Holly Springs, PA 17065.

FINDINGS OF FACT

1. The Applicant is Alexandru Surcica (the "Applicant"), who resides at 1124 Pine Road, Carlisle, Pennsylvania 17015.
2. The Applicant is the owner of property located at 1124 Pine Road Carlisle Pennsylvania 17015, (the "Subject Property"). The Parcel Identification Number is 08-12-0292-0336 024.
3. The Subject Property is rectangular in shape and is currently improved with a single-family dwelling, a concrete slab and several old buildings that are structurally deficient and unsightly.
4. The existing concrete slab was on the Subject Property prior to the Applicant

possessing the Subject Property.

7. The Subject Property is 26 acres in area.

8. There is an existing hedgerow bordering the side yard of the Subject Property, hedgerow the Applicant want to remove to provide more space for farmland.

9. The Applicant uses the existing concrete pad for loading and unloading farm equipment and produce.

10. The Applicant desires to build a pole building on the Subject Property, located at 1124 Pine Road Carlisle, PA.

11. The proposed pole building would be approximately 20 feet away from the property line and it would be erected onto an already existing concrete pad.

12. The natural slope of the terrain will shed storm water onto the Applicant's property into a grassy field.

13. The size of the proposed building is 50 feet wide by 98 feet long by 14 feet high to the rafters) with a 5/12 pitch roof.

14. The new building would be 5000 square feet in area.

15. This building will be used for storing farm equipment and produce.

16. The Applicant needs a side setback variance of 30 feet.

17. The side yard setback variance will encourage the use of prime agricultural land.

18. The Applicant is seeking a variance from Chapter 205-14 Agricultural Zone., which sets the minimum setback of 50 feet for an agricultural building in the Agricultural Zone.

19. The neighbors have no objection to the proposed variance for an agricultural building in the Agricultural Zone.

13. The property to the rear of the Subject Property is farmland.
14. The neighborhood surrounding the Subject Property is residential and agricultural in nature.
15. The general character of the neighborhood would not be altered by the proposed agricultural building
16. There was no opposition to the request for variance.
17. Notice of the hearing was duly advertised in The Sentinel, a newspaper of general circulation, on January 27, 2024 and February 3, 2024.
18. The Subject Property was posted on February 5, 2024.
19. Notification of the hearing was mailed to surrounding property owners within 200 feet of the Subject Property on January 17, 2024.

CONCLUSIONS OF LAW

1. Section 10910.2 of the Municipalities Planning Code (the "MPC"), 53 P.S. §10910.2, requires the Zoning Hearing Board to hear requests for variances. Section 910.2 further provides that in granting a variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the MPC and zoning ordinance.
2. Section 910.2 of the MPC further sets for the five (5) criteria, which must be satisfied in order to obtain a variance.
3. The Applicant has not created a hardship.
4. The requested variance would enable the Applicant to make a reasonable use of the

Subject Property by placing the proposed agricultural building on the Subject Property.

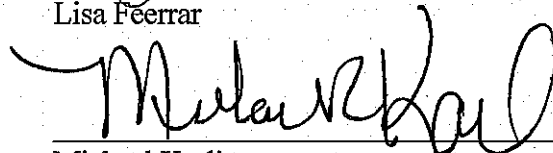
5. The variance would not alter the essential character of the neighborhood.
6. The variance would represent the minimum variance to afford relief.

DECISION

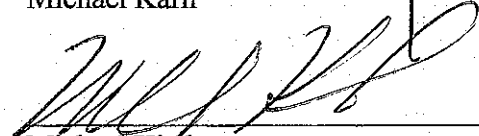
In view of the foregoing and having carefully considered the testimony and exhibits submitted to the Board, the request for a variance from the side yard setback requirement of 50 feet to allow proposed agricultural building to be 20 feet from the side property line of the Subject Property in the (AG Agricultural Zoning District) is granted in strict accordance with the testimony and exhibits.



Lisa Feerrar



Michael Karli



Michael Kistler