

**CARROLL TOWNSHIP ZONING HEARING BOARD
AGENDA**

Date: Monday September 26th, 2022, @ 6:00 PM

1. **Call to order:** Gary Reihart, Chairman
2. **Chairman:** Notice to all attendees; please sign the attendance sheet as you come into the Hearing room.
3. **MOTION TO ACCEPT** the August 22nd, 2022 ZHB business meeting minutes.
4. **Chairman:** Appoint an alternate ZHB member to be a voting member and secretary of the board this evening to replace Frank Setlak who could not attend.
5. Recess business meeting for Zoning Hearings

Docket No. 2022-011

6. **Applicant's name and address:** Matthew Simmons of 217 E. Walnut Street, Shiremanstown, PA 17011
7. **Owner's name and address:** Dusan & Kathleen Bratic of 5609 Pinehurst Way, Mechanicsburg, PA 17050
8. **Property location:** Route 15 & Harrisburg Street, Dillsburg, PA 17019 (Parcel OC0041.B)
9. **Statement of Hearing Purpose:** This is an application for seven (7) variance requests in relation to a proposed Drive-Through Restaurant (Rita's Italian Ice) in the Commercial (C) zoning district.
10. **Chairman:** Those of you who want to present a statement of standing to participate as a party to this hearing, please stand up and be sworn in by our stenographer. Those of you who only want to make a public comment will have opportunity at the end of hearing this docket.
11. **Stenographer:** Swearing in of Carroll Township Zoning Officer, applicant(s) and those in Standing
12. Application & Filing Requirements confirmed by the Zoning Officer:
 - a. Have the proper notifications been sent to adjoining property owners?
 - b. Has this Hearing been properly advertised as required?
 - c. Have the appropriate fees been paid by the applicant(s)?

13. Applicant's presentation to the Zoning Hearing Board as per their application request.
 - a. Those in Standing cross-examine applicant(s) and/or make their presentation.
 - b. Applicant and Board cross-examines those in Standing.
14. **Chairman:** Time for Public Comment
15. ZHB Solicitor's Comments - John R. Wilson
16. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** the Variance request of Article 2 (Zone Regulations) - Section 450-208.G (Landscaping and Screening), of the Carroll Township Zoning Code.
17. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** the Variance request of Article 4 (General Provisions) Section 450-412.B. (front landscape buffer) of the Carroll Township Zoning Code.
18. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** the Variance request of Article 4 (General Provisions) Section 450-412.C (parking lot buffer width) of the Carroll Township Zoning Code.
19. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** the Variance request of Article 4 (General Provisions) Section 450-412.F (side landscape buffer) of the Carroll Township Zoning Code.
20. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** the Variance request of Article 4 (General Provisions) Section 450-412.1 (parking lot in buffer) of the Carroll Township Zoning Code.
21. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** the Variance request of Article 4 (General Provisions) Section 450-416.E (required parking spaces) of the Carroll Township Zoning Code.
22. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** the Variance request of Article 4 (General Provisions) Section 450-419.E (parking lot l access drive in buffer) of the Carroll Township Zoning Code.
23. Hearing Adjournment

Docket No. 2022-010

24. **Owner/Applicant's name and address:** Inch's Properties, LLC (Attn: Joe Eisenhauer) of 2950 Lewisberry Road, York, PA 17404
25. **Property location:** Ore Bank Road & Siddonsburg Road, Dillsburg, PA 17019 (Parcels PC0048.0 and PC0055.U)

26. **Statement of Hearing Purpose:** This is an application for five (5) variances and one (1) request for an extension in relation to a proposed mixed-use development in the Mixed Use -1 (MU-1) zoning district.
27. **Chairman Gary:** Those of you who want to present a statement of standing to participate as a party to this hearing, please stand up and be sworn in by our stenographer. Those of you who only want to make a public comment will have opportunity at the end of hearing this docket.
28. **Stenographer:** Swearing in of Carroll Township Zoning Officer, applicant(s) and those in Standing
29. Application & Filing Requirements confirmed by the Zoning Officer:
 - a. Have the proper notifications been sent to adjoining property owners?
 - b. Has this Hearing been properly advertised as required?
 - c. Have the appropriate fees been paid by the applicant(s)?
30. Applicant's presentation to the Zoning Hearing Board as per their application request.
 - a. Those in Standing cross-examine applicant(s) and/or make their presentation.
 - b. Applicant and Board cross-examines those in Standing.
31. **Chairman:** Time for Public Comment
32. ZHB Solicitor's Comments - John R. Wilson
33. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** Article 4 (Specific Criteria & General Provisions) - Section 450-350.C(1) (building separation distance) of the Carroll Township Zoning Code.
34. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** Article 4 (Specific Criteria & General Provisions) - Section 450- 350.D. (building/ parking lot separation) of the Carroll Township Zoning Code.
35. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** Article 4 (Specific Criteria & General Provisions) - Section 450-412.C (parking lot buffer width) of the Carroll Township Zoning Code.
36. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** Article 4 (Specific Criteria & General Provisions) - Section 450-412.1 (Sidewalk located longitudinally in buffer) of the Carroll Township Zoning Code.
37. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** Article 4 (Specific Criteria & General Provisions) - Section 450-416.E (required parking spaces) of the Carroll Township Zoning Code.

38. **MOTION TO APPROVE/ DENY (WITH CONDITIONS)** A time extension as per Section 450-604.8(4) of the Carroll Township Zoning Code.
39. Hearing Adjournment
40. **Reconvene ZHB Business Meeting**
41. Procedure for withdrawing special exception/variance approval when conditions of approval are not complied with.
42. Discussion regarding fee schedule for ZHB hearing fees.
43. **Motion** to adjourn the business meeting.