

**MINUTES OF
SPRING GARDEN TOWNSHIP ZONING HEARING BOARD
February 15, 2022**

CALL TO ORDER: The monthly meeting of the Spring Garden Township Zoning Hearing Board was held on Tuesday, February 15, 2022 in the Township Municipal Building, 340 Tri Hill Road, York PA. Chairperson Michelle Poole called the meeting to order at 6:05 p.m.

Ms. Poole stated that the Zoning Hearing Board had Executive Session tonight, just prior to this meeting.

Present:	Michelle Poole	Devon Myers, Esq., Zoning Solicitor
	Michael Barton	Karen Meister, Key Reporters
	John Porter	Linda Keller, Zoning Officer
	Jonathan Pinkerton	12 persons were in the audience

PUBLIC COMMENT PERIOD: None

APPROVAL OF MINUTES: The minutes of the January 18, 2022 meeting were tabled

125-02-22: Lamar Advertising of Penn LLC has applied for a Variance to Section 310-13.D(4) Size Dimension to replace two existing billboards as one; a Variance to Section 310-13.E.1 Setback Requirement; a Variance to Section 310-13.F.3 Maximum Height, and Section 310-13.G.4 Dwell Time. The property is located on North State Street in the IP (Industrial Park) zoning district and is part of the I-83 widening project. The existing billboards must be removed from the area that PennDOT is acquiring.

Motion Mr. Barton to approve the Variance to Section 310-13.D(4), maximum size. Motion died due to lack of a second.

John C. Porter moved, and Jonathan Pinkerton seconded, to deny the Variance to exceed the maximum height for an outdoor advertising sign required by Section 310-13.F.3 of the Ordinance. The motion received a vote of 2-2, with John C. Porter and Jonathan Pinkerton voting in favor and Michael Barton and Michelle Poole voting in opposition. Accordingly, the request for relief was denied.

John C. Porter moved, and Jonathan Pinkerton seconded, to deny the Variance to exceed the maximum size dimension required by Section 310-13.D.4 of the Ordinance. The motion received a vote of 2-2, with John C. Porter and Jonathan Pinkerton voting in favor and Michael Barton and Michelle Poole voting in opposition. Accordingly, the request for relief was denied.

Michael Barton moved, and Michelle Poole seconded, to grant the Variance to construct an outdoor sign within the setback required by Section 310-13.E.1 of the Ordinance. The motion received a vote of 2-2, with Michael Barton and Michelle Poole voting in favor and John C. Porter and Jonathan Pinkerton voting in opposition. Accordingly, the request for relief was denied.

Michael Barton moved, and Michelle Poole seconded, to grant the Variance to provide a shorter dwell time on an electronic billboard than is required by Section 310-13.G.4 of the Ordinance. The motion received a vote of 2-2, with Michael Barton and Michelle Poole voting in favor and John C. Porter and Jonathan Pinkerton voting in opposition. Accordingly, the request for relief was denied.

125-03-22: Kevin Geraghty has requested a Special Exception to Section 310-10.C(4) in the IP zone, and to Section 310-9.C(5) in the Commercial zone, along with Section 310-52 for Special Exception Specific Standards. The proposal is to combine five existing single-family residential parcels into one and be improved as a Convenience Store use on one parcel. The properties are currently known as 1643, 1645, 1655, 1691 and 1693 Mt. Rose Avenue, York PA.

Motion Mr. Porter/ second Mr. Barton to approve the Special Exception to Section 310-9.C(5), convenience store in the Commercial zone. There were no public comments. Yes-4, No-0. Motion carried.

Motion Mr. Porter/ second Mr. Barton to approve the Special Exception to Section 310-10.C(4), convenience store in the IP zone. There were no public comments. Yes-4, No-0. Motion carried.

OTHER BUSINESS: None

ADJOURNMENT: The meeting was adjourned at 7:30 p.m.

Submitted by,
Linda S. Keller, Zoning Officer