

**TOWNSHIP OF DERRY**  
**ZONING HEARING BOARD MEETING MINUTES**  
**May 19, 2021**

**CALL TO ORDER**

The Wednesday, May 19, 2021 Derry Township Zoning Hearing Board meeting, which was conducted via video conference (Zoom Webinar) due to COVID-19, was called to order at 6:00 p.m. by Chairman Steve Seidl.

**ROLL CALL**

Board members in attendance (*via video conference*): Chairman Steve Seidl; Vice Chairwoman Sandy Ballard; Secretary Dean Morgan; Member Lindsay Drew; Member Michael Angello

Board members absent: None

Also present (*via video conference*): Megan Huff, Solicitor to the Board; Chuck Emerick, Director of Community Development; David Habig, Assistant Director of Community Development; Maria O'Donnell, Court Reporter

Public attendance (*via video conference*): Brian and Patricia Parr, 835 Grandview Drive; Ross and Sara Rodgers, 808 Grandview Drive; Susan Craft, 811 Grandview Drive

**APPROVAL OF MINUTES**

On a motion by Secretary Morgan, seconded by Member Drew, and a unanimous vote, the April 21, 2021 minutes were approved as written.

**OLD BUSINESS**

**A. Adoption of Decision in the Case of Hershey Square 2014, LP (2021-02)**  
**Property location: 1154 Mae Street, Hummelstown**

Chairman Seidl read the terms of the Decision into the record as follows:

- “1. *The applicant’s request for a variance from §225-307, Table 13, regarding maximum impervious coverage is GRANTED. The applicant may increase impervious coverage to 61.87%.*
2. *The applicant shall construct the improvements in strict compliance with the plans and specifications submitted to the Board during the hearing of this matter, provided, however, that if the improvements that are the subject of this hearing, as finally constructed, require less relief than granted by the Board herein, no additional relief from this Board shall be required.*
3. *Except as extended by applicable law, the relief granted herein shall be valid for one (1) year from the date hereof. In the event the applicant has not, within the*

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*time period provided herein, commenced operations, applied for a building permit relative to the improvements where permits are necessary, or constructed the improvements not requiring permits, the relief granted herein shall be deemed to have expired, and the applicant shall be required to comply with the then existing terms of the Zoning Ordinance.*

4. *Any violation of any condition imposed herein shall be a violation of the Township Zoning Ordinance and shall be enforced as provided in the Ordinance.”*

On a motion made by Secretary Morgan, seconded by Member Drew, and a vote of 3-2 (Secretary Morgan, Member Drew, and Member Angello vote AYE; Chairman Seidl and Vice Chairwoman Ballard voted NAY), the Decision was adopted as written.

On a motion made by Member Drew, seconded by Secretary Morgan, and a unanimous vote, Chairman Seidl was authorized to execute the Decision on behalf of the Board.

## **NEW BUSINESS**

### **A. Hearing in the Case of Brian and Patricia Parr (2021-03)** **Property location: 835 Grandview Drive, Palmyra**

This property, located in the Conservation zoning district, is improved with a single-family detached dwelling. The applicants are proposing to construct a 1,080-square-foot, 26-foot-high accessory structure on their property. Relief is sought from side and rear yard setback requirements and the maximum height permitted for an accessory structure in the Conservation zoning district.

*Member Angello left the meeting at this point.*

Brian and Patricia Parr were sworn in and gave testimony. Mr. Parr stated that his 3.68-acre lot is irregularly shaped. If the accessory building were to be built in compliance, it would be extremely close to the residence. The location of the proposed accessory building is in a portion of the property that is lower than the rest and will allow the building to be somewhat concealed from view from Grandview Drive and the adjacent neighbors.

Secretary Morgan questioned what the distance is from the residence to the proposed accessory building. Mr. Parr replied that he does not know the exact distance; however, he estimated it to be about 100 feet.

Secretary Morgan questioned whether that was the only flat area on the property. Mr. Parr agreed that it was.

Mr. Parr stated that the accessory building would not need a driveway to it as it would house lawn maintenance and other equipment.

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Mr. Parr clarified that while 50-foot setbacks are required, he is proposing an 18-foot side yard setback and a 26-foot rear yard setback. Mr. Parr also stated that the maximum height of the ridge line is limited to 20 feet and he is requesting relief for a height of 26.5 feet in order to construct a barn-like structure that would fit well in the country-side neighborhood.

Vice Chairwoman Ballard questioned why another area of the property that might allow for permitted setbacks cannot be used. Mr. Parr explained that due to the topography of the property, if the accessory building were to be built in compliance, it would be on the highest portion of the property and the elevation would create more impact in terms of visibility of the structure. The proposed placement would be less impactful and visible to neighbors.

Secretary Morgan questioned what the use would be for the second floor of the proposed structure and also asked what the dimensions of the structure would be. Mr. Parr stated that the second floor would be used for personal storage. The dimensions would be 36 feet by 30 feet, with the first floor having a height of ten feet.

Secretary Morgan asked if the proposed pitch of the roof was mainly aesthetic. Mr. Parr replied that in order to be more barn-like, the roof pitch needs to be higher. A height that would be in compliance would appear more warehouse-like and not in character with the neighborhood.

Chairman Seidl questioned whether a smaller structure was considered. Mr. Parr replied that the size is necessary to be able to house the equipment needed to maintain the property and for snow-plowing equipment to maintain Grandview Drive, which is privately owned by the neighbors along the street.

#### **PUBLIC COMMENT**

Ross and Sara Rodgers, adjacent neighbors at 808 Grandview Drive, were sworn in and gave testimony. Mr. Rodgers stated that the Parr's are good neighbors and permit the other residents of Grandview Drive to use the lawn equipment to maintain and beautify their neighborhood. The Rodgers support the proposed plan.

Susan Craft, an adjacent neighbor at 811 Grandview Drive, was sworn in and gave testimony. Ms. Craft believes the proposed structure will not interfere with the neighborhood and further believes the aesthetics will be in keeping with the feel of the area. Ms. Craft also stated that the Parrs are generous with the neighbors by sharing their equipment for the betterment of their little community.

No other persons offered testimony.

Chairman Seidl informed the applicants that the Board has 45 days to render a decision and if the applicants are aggrieved in any way, they have 30 days to appeal the decision.

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Hearings closed at 6:25 p.m.

**DELIBERATIONS**

The Board met to deliberate in the case of Brian and Patricia Parr (2021-03) and directed the Solicitor to prepare the draft decision on the case for formal action at the June 2021 meeting.

Submitted by:

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Dean Morgan, Secretary