

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS  
WORKSHOP MEETING  
November 28, 2007**

**CALL TO ORDER**

Present were Supervisors Donald Lerew, John Shambaugh, Naomi Decker, Edward Campbell, and Gary Brown. Also present were Solicitor Stacey MacNeal, Dominic Picarelli from KPI Technology, Zoning Officer Brian Fahey, and Secretary Nancy Zentmeyer. Visitors are on the attached sign-in sheet.

**ZONING TEXT AMENDMENTS**

The meeting was called to order at 8:32 p.m. This meeting is to review the zoning text amendments as submitted by Solicitor MacNeal. Solicitor MacNeal noted that the list was established when these issues came up over the last 9 months or so. The amendments were discussed as follows:

1. Section 444, Private Clubs §A – This section limits the floor area for any patron use in any club to 7,000 square feet. **It was noted that this was too small of a floor area and there is also a typo in the ordinance.**

Supervisor Decker noted that Section 444.B that the parking is different and that they need to look at the land in the MU zoning district for private clubs in Section 201.C but it is correction in Section 202. Section 201.C.3 was also discussed. Supervisor Shambaugh suggested that the square footage should be 15,000. Mr. Picarelli indicated that most Townships do not have a square footage. Solicitor MacNeal also discussed Section 444.B with the parking. Mr. Picarelli noted that with the parking in the front it has more to do with the storm water management practices. **It was suggested that the parking areas be omitted and the floor area be increased to 15,000 s.f.**

2. Section 203, Residential Zone, § I Driveways – Storm water management facilities and parking lots – This section requires all developers to design driveways that can be jointly used by adjacent land uses. **This is also in the MU zone. It was suggested to take out the requirement in the Residential Zone as there cannot be joint use driveways. All of I is to be omitted.**

3. Section 424, Flag-Lot Residences, § E, Requirements for the pole, §1 – This section requires that the pole maintain a minimum width of 25 feet. There is no maximum width stated. **It was questioned whether the maximum should be 50'.**

Supervisor Decker stated that it should be less than 50' as a 50' width could become a public street for development. Supervisor Decker stated that in the past it has been a maximum of 30'. Section 424.A, the requirements for the pole was read. Supervisor Brown proposed a maximum of 45'. This is to be added to Section 424.E.1.

4. Section 600, Powers and Duties of the Zoning Officer § D, Fees § 1 – Zoning Officer recommends that you add to the lists of fees that can be enacted a fee for certificates of non-conforming uses. **Supervisor Campbell stated that he felt that the Township should not**

**charge a fee. Mr. Fahey suggested a small fee for this certificate but after discussion it was noted to give the certificate at no cost.**

Mr. Fahey stated that he encourages everyone to do this and to coordinate this with the tax assessment office. Mr. Fahey stated that he has to know if there is a grace period and then if this is not done charge a small fee. It was noted that he is trying to prevent people from abusing the ordinance. Solicitor MacNeal also noted that this will make it easier to prove their non-conforming use before the ordinance was adopted. Supervisor Shambaugh stated that the County does not need to be notified of these certificates, but it is information only for the zoning officer. Section 503 already addresses the Certificate of Nonconformance.

5. Section 202, Open Space Zone § D, Special Exception Uses – It is recommended that a kennel be added to special exception uses within the open space zone. **Solicitor MacNeal noted that a kennel is not provided in the ordinance and which district should it be placed in. It was suggested to be in the Open Space as a conditional use. In Section 404 omit kennels from the title.**
6. It is recommended that referenced to “cottage industries” be replaced by “home business” throughout. **It was noted that this is just a housekeeping issue. Also there is no definition for cottage industries. It was noted that it should be changed to “home business”.**
7. Section 202 Open Space Zone § F Lot Area and Dimensional Requirements § 2 Lot Dimension Requirements § B Minimum Lot Width: One hundred and fifty (150’) fee – compare with § 203 Residential Zone § G Unit Layout and Lot Dimension Requirements § 2 Lot Dimensions Requirements § 4 Lot Served by Neither Public Water nor Public Sewer, § A, Minimum lot width: 200 feet. **After discussion it was noted to make both 150’.**
8. Section 202 Open Space Zone § F, Lot Area and Dimensional Requirements, § 2, Lot Dimension Requirements, § A, Minimum Lot Size – Address two (2) acre minimum versus clean and green issue. **Supervisor Shambaugh noted that this should be left alone.**
9. Insure that two (2) driveways may be permitted for residential uses. **This is being addressed in the SALDO.**
10. Section 201, Mixed Use Zone § F, Lot Dimension and Building Setback Requirements § 5, Maximum Building Setback. **Solicitor MacNeal stated that this is already in the proposed text amendment. It was noted that this should be taken out.**
11. Section 310, Off-Street Parking Requirements § E areas Separation from Streets and Sidewalks – Parking shall be placed on the side or rear of the lot. **It was noted that this ties into comment #10 and no further action is needed.**
12. Review uses permitted by conditional use to determine whether any of these can be moved to special exception uses. **There was discussion and it was noted that it may be too early to tell and Supervisor Shambaugh noted that after a couple of years the Board of**

**Supervisors may feel comfortable to move some of these uses to the Zoning Hearing Board. It was decided to hold off on this recommendation.**

13. An additional text amendment was suggested to give a definition to “Indoor Sports Facility” or a “Commercial Recreation Facility. **That was so noted and this definition will be added.**

### **VARIANCE APPLICATIONS REVIEW**

#### **Dillsburg Dental Office**

Mr. Fahey asked if a text amendment may be needed for the dental office. Dr. Wiggin’s wants to expand his business no more than 50% but he cannot go out 10’-15’ to the front of the building. Solicitor MacNeal indicated that he cannot encroach into the front yard. This is a non-conforming structure. Supervisor Shambaugh stated that a sketch plan should be submitted and also that the application does not state what section of the zoning ordinance a Variance is being requested.

#### **Steve & Deb Boyer**

Mr. Fahey noted that this variance is for construction in the steep slope area. Again it was noted that the Township needs a sketch plan with the application for the Zoning Hearing Board to review. Solicitor MacNeal stated that the lot is grandfathered but the construction is not.

The Supervisors are being advised of these applications in case they would want to actively pursue or be involved in the hearing.

There was discussion on re-zoning the Apple Blossom Estates to residential.

Mr. Picarelli stated that the zoning map is only a guide and that a field survey should be done. There was discussion regarding Section 205, Steep Slope Conversation Overlay to specify that a field survey be required. Solicitor MacNeal noted that would be good for new subdivisions but what about land that has already been subdivided. Mr. Picarelli read from Section 205.B.3 regarding should any dispute arise concerning the boundary of any steep slope area that the determination shall be made by the Township Engineer. A storm water management plan may be needed for the driveway.

Mr. Fahey asked if Engineer Knoebel could attend the Zoning Hearing Board meeting so he can present testimony on the steep slopes on behalf of the Township. It was noted that Engineer Knoebel be notified that he attend this hearing.

### **ADJOURNMENT**

**Motion:** Supervisor Brown made a motion to adjourn the meeting at 10:17 p.m. **Seconded** by Supervisor Shambaugh. The motion carried unanimously.

Respectfully submitted,

Nancy Zentmeyer  
Township Secretary

