

**FINAL**

**FRANKLIN TOWNSHIP YORK COUNTY PA  
BOARD OF SUPERVISORS (BOS)  
CONDITIONAL USE HEARING #2022-2 MINUTES  
April 7, 2022 6:00 PM**

**ROLL CALL:**

**PRESENT:**

Chairman Mark Wenrich, Vice Chairman David Buckwash, Supervisor Duane Anthony, Supervisor Naomi Decker, Supervisor Dave Christensen, Engineer Phil Brath, Solicitor Bret Shaffer, Treasurer/Asst. Secretary Pamela Williams, Secretary Traci Kauffman, Zoning Officer Wayne Smith, Stenographer Roxy Cressler

**ABSENT:** No one

**CALL TO ORDER:**

The April 7, 2022, Conditional Use Hearing, CUH2022-2 for Tim and Lisa Lupold for the property at 1099 County Line Road, Dillsburg, PA, was called to order at 6:00 PM by Chairman Mark Wenrich. The meeting was held at 150 Century Lane, Dillsburg, PA and via Zoom. For visitors attending via in-person attendance, please see the attached sign-in sheet. The application was submitted under Zoning Ordinance Sections 202.C.14 and 427 (accessory housing) and 202.C.1 (accessory use of 1,000 sq. ft. or larger).

**CUH 2022-2 MEETING MINUTES**

The CUH 2022-2 CUH Meeting Minutes will be approved at the regular Board of Supervisors meeting.

Solicitor Bret Shaffer gave an overview of the meeting rules.

Stenographer Roxy Cressler swore in all parties who would be testifying. She swore in Zoning Officer Wayne Smith, Engineer Phil Brath, Tim and Lisa Lupold, and Terry Sheldon, Applicant's Engineer, and Secretary Traci Kauffman and presented Exhibit 1, the first advertisement placed in the Dillsburg Banner for CUH2022-2 on March 17, 2022; Exhibit 2, the second advertisement placed in the Dillsburg Banner on March 24, 2022; Exhibit 3, picture of the posting on March 24, 2022, of CUH2022-02 provided by Zoning Officer Wayne Smith; and Exhibit 4 being the application and any paperwork attached to it at the time it was submitted to the Township office, Exhibit 5, Township Zoning Ordinance.

Engineer Terry Sheldon spoke on behalf of Tim & Lisa Lupold at 1099 County Line Road in Franklin Township. The Lupolds own 24 ½ acres and currently have one structure on the property. The property structure is approximately nine hundred square feet and consists of a garage and storage area on the first floor and an apartment on the second floor of approximately 704 square feet. The property is served by on lot water and sewer. The existing structure was to be used as a weekend retreat and a base of operations as they continued to develop the property. They have been planting a large number of trees for an orchard. The Lupolds would like to build a primary residence on the property and the other structure was never intended to be a primary structure. Zoning Ordinance Section 202.E state no more than one principal use shall be allowed on each lot. To be able to build their primary residence the current structure will need to be abandoned as an apartment or designated as accessory housing which

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is permitted as a conditional use in Section 427 of the Zoning Ordinance. The first conditional use for which they are applying is Section 202.E.14 designates accessory housing as a conditional use. The second conditional use they are applying for is Section 202.C.1 to erect an accessory structure in excess of 1,000 square feet. The Lupolds would like to build a 1,200 square foot barn/storage building.

Section 427 of accessory use has certain criteria that must be met. The plans were explained by Engineer Terry Sheldon and how they will meet the criteria. The accessory housing will only be used for temporary guests. The on-lot sewer was designed for a much larger unit, a new well will be drilled for the new structure, and the electrical utilities will be connected as from the new building. A minimum of one off street parking space is required. There are both indoor and outdoor spaces that are adequate for that requirement. The building setbacks will meet the criteria. There will be no more than one granny flat on the property.

Section 603.A sets forth criteria to conditional uses in general. The Engineer indicated they would meet those criteria.

Discussion ensued.

There were no further questions from the BOS. No other neighbors or residents asked any questions.

**A motion was made** by Vice-Chairman Dave Buckwash to approve the conditional use CUH2022-2 application with the stipulation that the granny flat never be used as a rental or commercial use.

**Second** by Supervisor Dave Christensen.

**No Discussion.**

**The motion passed.**

**A motion was made** by Vice-Chairman Dave Buckwash to approve the Conditional Use CUH2022-2 of the accessory structure over 1,000 square feet .

**Second** by Supervisor Dave Christensen.

**No Discussion.**

**The motion passed.**

**A motion was made** by Supervisor Mark Wenrich to adjourn at 6:27 p.m.

**Second** by Vice-Chairman Dave Buckwash.

**No discussion.**

**The motion passed.**

Respectfully submitted,

*Traci R. Kauffman*

Traci R. Kauffman, Secretary  
Franklin Township York County