

**LOWER PAXTON TOWNSHIP  
ZONING HEARING BOARD**

Meeting of September 23, 2010

Members in Attendance

Jeffrey Staub, Chairman  
David Dowling  
Sara Jane Cate, Vice Chairperson

Also in Attendance

Dianne Moran, Planning & Zoning Officer  
James Turner, Solicitor

**Docket #1287**

Applicant: Albert Pinamonti

Address: 14 Judy Lane

Property: 14 Judy Lane

Interpretation: The minimum side yard setback in the R-2 District is 5', with a combined total of the two side yards a minimum of 15'.  
The applicant proposes a 4' setback and 17'3" on the other side.

Grounds: Section 307.A of the Lower Paxton Township Zoning Ordinance pertains to this application.

Fees Paid: August 23, 2010

Property Posted: September 14, 2010

Advertisement: Appeared in The Paxton Herald on September 8 & 15, 2010

The hearing began at 7:03 pm.

Mr. Staub stated it is customary for the Board to enter as exhibits the application and site plans. The applicant had no objection to its doing so.

The following were sworn in: Albert Pinamonti, 14 Judy Lane; and Dianne Moran, Planning & Zoning Officer.

Mr. Pinamonti stated that the sewer line to the house will be right in the way if the garage is built conforming to the setbacks. Mr. Pinamonti stated he does not want to reroute the sewer line. The garage will also be one foot bigger inside.

Mr. Staub asked if the request is to reduce the side yard from five feet to four feet. Mr. Pinamonti answered that is correct. He added that he has 17'3" on the other side, but it is a hill.

Mr. Staub stated he was unable to visit the site, but asked about the concrete pad. Mr. Pinamonti stated that there is an existing one-car garage attached to the split level house. The garage will be the full length of the house, about two cars deep. The driveway will not be extended the whole way to the street, it will be angled from the existing driveway to the proposed garage. Mr. Pinamonti stated that he does not want to remove the tree if he doesn't have to. He also wants to preserve as much grass area of the yard as possible.

Ms. Cate asked about the Tyvek covering the house and if there is work being done to the house right now. Mr. Pinamonti stated he had the house resided, but he did not want to put siding up only to remove it if they are granted permission to build the garage. The sewer clean out trap is in the area, and it will be inside the garage wall. He explained that the footer has to be three feet deep and 16 inches wide.

Mr. Dowling asked if the Township has any issue with a sewer line under the building. Mr. Pinamonti stated it is already under the back part of the house. Mr. Dowling asked if the sewer line is deep enough that the slab won't interfere with it. Mr. Pinamonti explained that the sewer line is down three feet, so the only thing that will interfere is the footer.

Mr. Pinamonti explained that the exterior will match the existing siding and brick, and there will be two new garage doors so they match. He explained the roof will be peaked front-to-back to match the house, he will have trusses made for this project.

Mr. Turner asked if the applicant has spoken to the neighbors and if they have any objection to the proposal. Mr. Pinamonti stated he talked to the neighbor on the side where the garage will be located and they have no problem with it, they prefer he do it the way it is proposed than to put a driveway back to the rear yard and put a garage back there. He noted he is trying to keep the area nice and not rip up too much of the yard. He spoke to the other neighbors too, and they have no problem with it either.

Mr. Dowling asked if there is a timeline proposed. Mr. Pinamonti stated they will not pour concrete if it gets too cold, so they may start working, and then wait until spring to complete it. The contractor will do the majority of the work and Mr. Pinamonti will do the rest. He explained that there are windows on that side of the house, and the work has to be done just so, so that the contractors do not interfere with the inside of the house.

The Township had no position on the application.

Mr. Staub called for comments from the audience. Mr. Ulysses Bell, 10 Judy Lane, was sworn in. Mr. Bell stated he has no objections but has some questions. He asked if the variance is granted if it will apply to the whole neighborhood or just this property. Mr. Turner stated it only pertains to this property. Mr. Bell asked about the rule for setbacks. Mr. Turner explained that the two side yards of a property must add up to 15 feet, and one of them may be a few as five feet. Mr. Bell asked if one neighbor has 5 feet between their house and property line, does the neighbor have to have 10 feet. Mr.

Turner explained that the 15 feet applies to the two sides of one house, not the two yards between the houses.

Mr. Dowling made a motion to grant the application as submitted. Ms. Cate seconded the motion. Mr. Staub called for a role call vote: Mr. Dowling-Aye; Ms. Cate-Aye; and Mr. Staub-Aye.

The hearing ended at 7:22 pm.

Respectfully Submitted,

Michelle Hiner  
Recording Secretary