

**LOWER PAXTON TOWNSHIP  
ZONING HEARING BOARD**

Meeting of May 22, 2014

Members Present

Greg Sirb  
Jeff Staub  
Sara Jane Cate  
David Dowling  
Alan Hansen

Also in Attendance

James Turner  
Dianne Moran

**SE 14-03**

Applicant: Carol Kershner  
Address: 1204 Springfield Street  
Harrisburg, PA 17112  
Property Owner: Carol Kershner  
Property Address: 1204 Springfield Street  
Harrisburg, PA 17111

Section 306.B.1: Allowed Uses in Primarily Residential Zoning Districts

A Beauty Salon is considered a major home occupation. A major home occupation requires a Special Exception. .

The Applicant wishes to establish a Beauty Salon at 1204 Springfield Street in the R-1 Low Density Residential District

Grounds: Section 306.B.1  
Fees Paid: April 30, 2014  
Property Posted: May 12, 2014  
Advertisement: Appeared in The Paxton Herald on May 7, 2014 and May 14, 2014.

The hearing began at 7:03 p.m.

Mr. Sirb swore in Carol Kershner, and Scott Kershner, 1204 Springfield Street, Harrisburg, Pennsylvania, who are the owners of the residence.

Mr. Sirb swore in Dianne Moran, Planning and Zoning Officer for Lower Paxton Township.

Mr. Sirb questioned if the appropriate fees were paid for this application and was the property posted. Ms. Moran advised that the appropriate fees were paid on April 30, 2014, and the hearing was advertised in The Paxton Herald on May 7, 2014 and May 14, 2014. She noted that the hearing notices were posted on May 12, 2014.

Mr. Sirb requested Ms. Moran to explain what ordinances pertain to this application. Ms. Moran answered Section 306.B.1: Allowed Uses in Primarily Residential Zoning Districts. She noted that a Beauty Salon is considered a major home occupation, and a major home occupation requires a Special Exception. She noted that the Applicant wishes to establish a Beauty Salon at 1204 Springfield Street in the R-1 Low Density Residential District.

Mr. Sirb requested Ms. Kershner to explain why the Zoning Hearing Board should grant the special exception. Ms. Kerschner explained that she would like a variance to have a beauty salon in her home. She noted that there is a pre-existing structure that is available beside the garage, they have enough parking, and she would like the opportunity to have her own business at her residence.

Mr. Sirb questioned if Ms. Kershner had a business currently somewhere else. Ms. Kershner answered that she works for a business. She stated that she has been in the business for 19 years.

Mr. Sirb requested Ms. Kershner to explain where it would be located in the home. Ms. Kerschner provided a Google Map of the property noting that it is located at the very end of Devonshire Road behind Amber Fields. She presented pictures of her property and the proposed area showing the inside and where the doors would be located, beside the garage doors. She noted that she also has blueprints of the home. Mr. Turner explained that he would mark the Google Map as Applicant's Exhibit One; the series of photographs of the exterior and interior as Applicant's Exhibit Two, and the blueprint of the home as Applicant's Exhibit Three.

Mr. Sirb questioned if Ms. Kershner had a two car garage and if that is where the Beauty Salon will be. Ms. Kerschner answered no; noting that beside the garage there is an 11 foot by 31 foot workshop. She noted the last page of the picture package shows the current workshop. She noted that it is beside the garage. Mr. Sirb questioned if it is attached to the garage. Ms. Kerschner answered yes.

Mr. Sirb questioned if there is an outside door. Ms. Kerschner answered not at this time; however, she plans to add one beside the garage doors to make a separate entrance. She noted that she plans to block off the current door that leads into the garage.

Mr. Sirb questioned if there would be an entrance from the house into the shop. Ms. Kerschner answered yes. Mr. Sirb questioned if there would be an entrance from the driveway into the shop. Ms. Kerschner answered yes. She noted that would be the entrance to the shop as no clients would enter the shop from the house.

Mr. Sirb questioned how many chairs Ms. Kerschner would have in her shop. Ms. Kerschner answered that she would like to have two chairs, one for the client that she is working on; however sometimes she might be working on two clients at one time, so she would like to have two chairs, one for the client that is waiting while the other one could have color processing or something.

Mr. Sirb noted on the diagram attached to the application, there are four chairs. Ms. Kerschner explained that they are the waiting chairs. Mr. Sirb noted that they would be the two chairs closest to the entry doors. Ms. Kerschner pointed out the waiting area and the station area and the shampoo bowl. Mr. Sirb noted that the two chairs by the door would be waiting chairs and the two chairs in front of the mirrors would be working chairs. Ms. Kerschner answered that was correct and both chairs would not be in use all the time.

Ms. Cate questioned what the color bar is. Ms. Kerschner answered that is where she would mix her hair color.

Mr. Sirb questioned if the Board members had any questions.

Mr. Hansen questioned how supplies would be delivered to the shop. Ms. Kerschner answered that either once a week or every other week she would pick them up at the beauty supply house or they would be delivered UPS.

Mr. Hansen questioned if she would use the two-car garage. Ms. Kerschner answered not for access into the shop. Mr. Hansen questioned if she would use it for her vehicles. Ms. Kerschner explained that she is not closing the garage entry doors. She noted that the garage is totally separate as there is a wall that separates the garage from the workshop, as she would only be closing off the door from the garage to the workshop. She noted that she has another entry door that goes into a mud room in the house and one that goes into the workshop and that is the doorway that will be closed off.

Mr. Hansen questioned Ms. Kerschner if she would have any other employees. Ms. Kerschner answered no.

Mr. Hansen questioned how many customers she would have at one time. Ms. Kerschner answered that it would be one to two customers. Mr. Hansen questioned where the parking would be. Ms. Kerschner answered that the parking would be located at the top of the driveway. She noted that she has two parking spaces in that area.

Mr. Hansen questioned if she would have markings for the parking. Mr. Kerschner questioned if anything else would be required. Ms. Kerschner noted that she was going to put

extra stone at the top of the driveway to make it a little longer, but if she was required to have markings then she would do it. Mr. Sirb questioned Ms. Moran if they are required to have markings. Ms. Moran answered no. Ms. Kerschner answered that she would have a sign marked parking.

Mr. Sirb noted that is his issue with this. He questioned what would the hours of operation be. Ms. Kerschner answered that it would be Tuesday from 10 a.m. to 7 p.m.; Wednesday, from 10 a.m. to 6 p.m.; Thursday from 9:30 a.m. to 5 p.m.; Friday from 9:30 to 3 p.m.; and every other Saturday from 8:30 a.m. to 5 p.m. Ms. Kerschner answered yes.

Mr. Sirb questioned how will people know where the shop is located. Ms. Kerschner answered when she gets her client list and when it is approved she will email them with a map of where the shop is located. She noted that she would install whatever signage is allowed by the Township. Mr. Kerschner suggested that there is a sign size restriction. Ms. Kerschner noted that there is a height restriction as well. Ms. Moran noted that it would be a decision of the Board.

Mr. Sirb noted that he would not want any signage since the shop is located in an R-1 District. He noted that the last thing anyone needs to see is a flashing sign or poster. Ms. Kerschner noted that she would not have any signs in the neighborhood, but was thinking of an awning of some sort. Mr. Kerschner questioned if they could put lettering on the doors. Mr. Turner noted that he has an experience in another township, and the person testified that the Pennsylvania State Licensing Board requires some sort of a sign for the business. Mr. Sirb noted that the Cosmetology Board where she gets her license from may require it. He noted if it was up to him, the sign would be above the entry door. Ms. Kerschner noted that they were thinking about an awning. Mr. Sirb noted that there would be no awning, and she should try to be as discreet as possible since she was located in an R-1 Residential Neighborhood; to be discreet as she is applying for a very exclusive exception.

Ms. Kerschner noted that she also has the signature of the neighbors who are in support of her application. Mr. Sirb questioned if anyone disapproved. Ms. Kerschner answered no, the only signatures that she did not get are from two houses for sale on the street that have just sold. She noted that they are vacant at this point.

Mr. Staub questioned if this plan came before the PC. Ms. Moran answered yes and they found no issues with the application with no comments.

Ms. Moran noted that identification signage is permitted, one per building, the maximum area of four square feet.

Mr. Dowling questioned how big the lot is. Mr. Kerschner answered that it is 1.16 of an acre.

Ms. Cate questioned what the salon will be called. Ms. Kerschner answered Salon on Springfield.

Mr. Sirb questioned if anyone in the audience wished to be heard in regards to the application. No response was heard.

Mr. Sirb noted that the Board has 45 days to render a decision with respect to this application and he questioned if any members of the Board wish to take action at this time on SE 14-03.

Ms. Cate made a motion to approve the variance for SE 14-03. Mr. Sirb seconded the motion with the condition of the strict following of the signage of four square feet only, and that it shall be put in a designated spot above the entry door which would be the French doors on the outside, with no other signage. He noted that the signage shall not be light. He noted that the hours of operation shall be what were provided in testimony by the applicant and only two workable chairs with the two waiting chairs by the entry door.

Ms. Kerschner questioned if there are any requirement for the outside lighting and parking area. Mr. Sirb answered that there are no requirements but he would advise that she have a floodlight over the garage doorway. He noted that he wants it to be as simple as any other garage, putting it on a motion sensor.

Mr. Turner conducted a roll call vote: Mr. Hansen, aye; Mr. Staub, aye; Mr. Dowling, aye; Mrs. Cate, aye; and Mr. Sirb, aye. Mr. Sirb noted the application has been approved.

The hearing ended at 7:19 p.m.

Respectfully submitted,



Maureen Heberle  
Recording Secretary

IN RE: : BEFORE THE LOWER PAXTON  
: TOWNSHIP ZONING HEARING BOARD  
APPLICATION OF : DAUPHIN COUNTY, PENNSYLVANIA  
:  
CAROL KERSHNER : DOCKET NO. SE 14-03

**DECISION GRANTING SPECIAL EXCEPTION**

The applicant seeks a special exception to operate a beauty salon in an R-1 Residential District. A hearing on the application was held on May 22, 2014.

**Facts**

1. The applicant and owner of the property in question is Carol Kershner of 1204 Springfield Street, Harrisburg, Pennsylvania.
2. The property in question consists of a residential parcel located on the east side of Springfield Street. The property is improved with a single family dwelling known as 1204 Springfield Street. The home is setback a considerable distance from the street. There is an attached garage and paved parking area on the south side of the house.
3. The home has an 11 feet by 30 feet workshop which adjoins the existing garage. The applicant proposes to convert this space to a beauty salon. The applicant, who resides in the property, would be the sole employee of the business. There would be a maximum of two customers at a time on the premises. Business hours would be generally normal business hours, extending in to the early evening two days per week and mornings every other Saturday. Any signs required on the premises will be limited to a 4 square feet, non-illuminated sign posted on the entrance door.
4. Notice of the hearing was posted and advertisement made as required by the ordinance.
5. No one other than the applicant appeared to testify in favor of or against the proposed special exception.

**Conclusions**

1. Section 306.B.1 (e) of the ordinance regulates accessory uses in the Township. The proposed use of part of the home as a beauty salon is a major home occupation as defined in the ordinance requiring a special exception in the R-1 zoning district.

2. Section 116 of the ordinance grants to the Zoning Hearing Board the power to grant special exceptions in accordance with the standards set forth in Section 116.C.

3. The Board finds that the proposed home occupation complies with all relevant Township and state regulations. Prior to opening, the applicant will be required to have the premises inspected by the state licensing board. Traffic from the proposed use will be minimal, amounting to one or two vehicles per hour, and the applicant has demonstrated that she has sufficient off-street parking.

4. Granting the special exception will not substantially change the character of the neighborhood, nor create any public safety or health hazard. The proposed site has no natural features which would be disturbed by the use.

**Decision**

In view of the foregoing and having considered the plans and testimony submitted to the Board, it is the opinion of the Board that the special exception should be and is hereby granted allowing the applicant to conduct a beauty salon as a major home occupation on the subject premises, in strict accord with the plans and testimony submitted to the Board.

Date: 6/26/14

LOWER PAXTON TOWNSHIP  
ZONING HEARING BOARD

SJ Cate  
Sara Jane Cate

[Signature]  
Gregory P. Sibb

[Signature]  
Jeffrey W. Staub

[Signature]  
Alan Hansen

Board member Dowling dissents from the decision of the Board