

**BEFORE THE ZONING HEARING BOARD OF
MILLERSVILLE BOROUGH, LANCASTER COUNTY, PENNSYLVANIA**

IN RE:
APPLICATION OF
SATNAM II, LLC

:
:
Case No. 22-05
:

**DECISION OF THE
MILLERSVILLE BOROUGH ZONING HEARING BOARD**

A. FINDINGS OF FACT

1. Applicant is Satnam II, LLC, 52 Greenfield Road, Lancaster, Pennsylvania 17602.
2. The property which is the subject of this application is located at 36-38 Manor Avenue, in the Borough of Millersville, Lancaster County, Pennsylvania.
3. Applicant is the owner of the subject property.
4. On November 11, 2022, Applicant filed a request for a lot-coverage variance.
5. The application was advertised, the property was posted, and adjoining property owners were notified.
6. A hearing was held December 22, 2022.
7. The Board members present were Lindsay Gerner, chairman; James Kirk, member; Vickie Usciak, member; and W. David Sykes, alternate.
8. The hearing was stenographically recorded.

9. At the start of the hearing, Robert Moyer, the zoning officer, was sworn and testified that the application had been properly advertised and the property posted. He further testified that a copy of the agenda had been made available on the Borough website at least 24 hours before the hearing; that the agenda had been posted on the municipal building, which was the place of the meeting; and that copies of the agenda were available at the hearing for the public.

10. Mr. James Sanchez, of Sanchez Engineering, presented the case on behalf of the Applicant.

11. This case involves the same property as Case Number 21-01, which involved several dimensional variances associated with a lot add-on adding a small tract of residentially-zoned land to the rear of the subject property..

12. When this case was heard in 2021, the application did not involve a request for a lot coverage variance. Although the Board granted the other relief requested, it reserved decision on the requested lot-coverage variance.

13. Applicant is now requesting the lot-coverage variance omitted from the first application.

14. The existing lot coverage is 90.7 percent. The maximum lot coverage allowed under the ordinance in the Neighborhood Commercial zone is 80 percent. The request is to allow lot coverage of 89.4 percent.

15. The tract is approximately one acre in size.

16. Mr. Sanchez testified that the lot-coverage variance is necessary to have paving under the vehicle parking and dry-out area of the carwash portion of the business operation on the premises.

17. No one testified in opposition to the application.

18. The Board granted Applicant's request to allow lot coverage of 89.4 percent.

B. CONCLUSIONS OF LAW

1. The property is largely in the Neighborhood Commercial district, although a small portion is in the R-1 Residential district.

2. In its prior decision, the Board allowed Neighborhood Commercial uses in the portion of the tract zoned R-1 Residential.

C. DISCUSSION

In 2021, the Board carefully considered this matter and determined that allowing commercial uses in the small R-1 tract in the rear of the property did not create any significant adverse community impact in light of conditions imposed at that time. The only reason that the lot coverage request was not included in the 2021 permission was that it was omitted from the application. The Board feels that, for the same reasons the other variances were granted in 2021, the lot coverage variance is appropriate. Further, the impact is de minimis.

D. DECISION

AND NOW, this 22nd day of December, 2022, Applicant's request to be allowed a lot coverage variance up to 89.4 percent is granted, subject to the condition that

Applicant construct the improvements in accordance with the exhibits offered and testimony presented at the hearing.

MILLERSVILLE BOROUGH
ZONING HEARING BOARD

By: 
Lindsay Gerner, Chairman

By: 
Vickie Usciak, Member

By: 
James A. Kirk Jr., Member

By: 
W. David Sykes, Alternate

Member Karen Eckert did not participate because she was absent. Vice chairman James Sanchez recused himself from participation in the case because he represented the Applicant.