

**WEST LAMPETER TOWNSHIP  
ZONING HEARING BOARD  
July 11, 2023**

A meeting of the West Lampeter Township Zoning Hearing Board was held on July 11, 2023 at 6:00 p.m. in the Township Building at 852 Village Road in Lancaster County, PA. Members present were Raymond Lanas, Terry Kauffman and John Lines. Also present were Attorney Matthew J Creme, Jr. of Nikolaus & Hohenadel, LLP, representing West Lampeter Township Zoning Hearing Board, and Planning/Zoning Officers Kim Yepremian and Michele Neckermann.

Chairman Raymond Lanas called the meeting to order at 6:02 P.M.

**MINUTES APPROVAL** – John Lines, Vice-Chairman, made a motion to approve the June 13, 2023 minutes, seconded by Terry Kauffman. **Motion approved 3-0.**

Counsel for WLT Zoning Hearing Board, Matthew J Crème, Jr., gave instruction on how the meeting would proceed with regard to each applicant's presentation of their request for a variance.

**First Case WL2023-ZHB-006**

Chairman Raymond Lanas stated for the record that:

Township Exhibit 1 was the Application

Township Exhibit 2 was the Legal Notice/Proof of Publication in LNP

Township Exhibit 3 was the Posting Affidavit (posting of the property for public hearing)

Township Exhibit 4 Zoning Memo Analysis

Jeffrey Gieniec – 1608 Lampeter Road, Lancaster, PA. (Case No. WL2023-ZHB-006 Variance)

Three parties were sworn/affirmed by Mr.Danyo, the Court Reporter of record, for the first hearing.

Parties: Applicant Jeffrey Gieniec

Daniel Neff - builder/contractor (Business Address 715 Columbia Ave., Lancaster, PA) for applicant Jeffrey Gieniec

Matthew Preston- adjacent property owner at 1610 Lampeter Road

The applicant, Jeffrey Gieniec, along with his contractor, Daniel Neff, appeared and presented testimony and other evidence in support of the application to raise the apex of Mr. Gieniec's roof up several feet. Mr. Gieniec had an engineer out to look at the roof and determined that the roof was not up to standards and would need to be brought up to code if making adjustments to the roof. Mr. Gieniec stated that the current roof leaks into the garage where he stores items and that by making the improvements to the roof it would make the roof more functional and more attractive. The overall height is 13 feet from ground level to the top of the roof and the finished grade would be the same as the existing grade. The board asked Michele and Kim if they had any concerns with the direction of the flow of water with the improvements to the roof since there should be no increase to impervious surfaces, therefore, not triggering a need for stormwater management. It was noted, that in the past with the post-construction of projects, an inspection was done to evaluate that nothing happened with the flow. Mr. Gieniec stated that the water drains pretty well already into center of the backyard.

Based on testimony and evidence presented, the Zoning Hearing Board approved the applicant's request for a variance from Section 285-67C, to permit changes to the roof line by raising the apex of the roof up several feet with the following conditions:

- A. Applicants are bound by the testimony and evidence presented in the hearing.
- B. Applicants shall obtain all necessary permits and approvals as required by applicable ordinances and regulations.
- C. An inspection will be done upon completion of the roof project to evaluate that there were no changes to the waterflow with regards to the impervious runoff.

A motion was made by John Lines, seconded by Raymond Lanas, to approve the Applicant's request for a variance of Section 285-67C (1) & (2), which will allow for the improvements to be made to the roof of Mr. Gieniec's home. **Motion approved 3-0.**

### **Second Case WL2023-ZHB-007**

Chairman Raymond Lanas stated for the record that:

Township Exhibit 1 was the Application

Township Exhibit 2 was the Legal Notice/Proof of Publication in LNP

Township Exhibit 3 was the Posting Affidavit (posting of the property for public hearing)

Township Exhibit 4 Zoning Memo Analysis

Audrey Pabon – 1128 Willow Street Pike, Lancaster, PA (Case No. WL2023-ZHB-007 Special Exception)

Four parties were sworn/affirmed by Mr. Danyo, the Court Reporter of record, for the second hearing.

Parties: Applicant Audrey Pabon  
Applicant's husband Ramon J Pabon  
Greg Gerard, friend of the family and builder overseeing the demolition of proposed building being removed and conducting the construction of a new building  
Ira Shoop -adjacent property owner at 1115 Willow Street Pike

The applicant, Audrey Pabon, Audrey's husband Ramon, and Greg Gerard, the Pabon's builder/contractor appeared and presented testimony and other evidence in support of the application seeking a special exception for section 285-43D (19) The Pabon's request was to demolish a 24x24 old carriage house from the 1920's with a two-car garage and construct a new dwelling for in-law quarters that would house Audrey's mother. The structure would be 20 feet back from the front of the residence to back of the residence and 26 feet long adjacent to Willow Street Pike. It was stated that the existing structure in order to bring it up to code would be costly and outside of the family budget.

Vice Chairman, John Lines, spoke before the vote to express his concern that albeit a noble cause having Audrey's mother living there and it being important to both daughter and mother, that the ZHB would be granting a lot of relief in respect to the demolition of the old structure and adding a new structure being detached from the primary residence to be used as In-Law Quarters with a full kitchen and bathroom. John voiced concern regarding the future use of the Unit of Care when Audrey's mother moves out of the structure (i.e., the unit becomes a rental property maybe not by the Pabon family, but future owners of the property at 1128 Willow Street Pike, or possibly used as an Airbnb). Raymond Lanas and Terry Kauffman agreed to add the condition that the use of the new structure was for the Pabon family only and expires when the Pabons no longer own the property.

Based on testimony and evidence presented, the Zoning Hearing Board approved the applicant's request for a special exception and variance from Section 285-43D (19), to permit the demolition of an existing 24 x24 carriage house and garage, and the construction of a detached structure adjacent to the main residence to be used as a Unit of Care solely for the Pabon family, as well as, a 140 square foot shed being erected on the property for storage of the items that are currently housed in the garage and need to be removed for the demolition process with the following conditions:

- A. Applicants are bound by the testimony and evidence presented in the hearing.
- B Applicants shall obtain all necessary permits and approvals as required by applicable ordinances and regulations.

- C. The Township may require the Pabons to show permits from Lancaster City and/or SLSA for the installation of new lines or connection to existing house lines for water and sewer.
- D. The structure being used as a Unit of Care when vacated by Audrey's mother would need to be converted back and not leased to a new tenant. The newly constructed building is to be a dwelling limited solely to the use of the Pabon family.

A motion was made by Terry Kauffman, seconded by Raymond Lanas, to approve the Applicant's request for a special exception and variance for Section 285-43D (19) & (20) to demolish existing carriage house and construct a new building to be used as a Unit of Care for a Pabon Family member. Raymond Lanas and Terry Kauffman agreed to add the condition that the use of the new structure was for the Pabon family only and expires when the Pabon's no longer own the property.

**Motion approved 3-0.**

There being no further business before the Board, John Lines made a motion to adjourn the meeting at 7:02 pm, which was seconded by Terry Kauffman. **Motion approved 3-0.**

Respectfully submitted,  
Donna Haley  
Recording Secretary