

Manchester Township Zoning Hearing Board AGENDA

February 5, 2025 at 6:00 PM

CALL TO ORDER
PLEDGE TO THE FLAG
REORGANIZATION

NEW BUSINESS:

- ZHB 2025-01 Hugh Simpson, variance from §27-1408, Attachment 9, to permit a
 55 square foot residential freestanding sign where the permitted maximum sign
 size is 32 square feet at 2230 Susquehanna Trail, PIDN 36-000-07-0063.00-00000,
 located in the Residential High (RH) District.
- ZHB 2025-02 Penn Avenue Partners, LLC requests a variance from §27-409.2 to permit reduced minimum lot area, minimum lot width, minimum lot depth, front yard setbacks, and rear yard setbacks for a proposed residential development at 1201 Pennsylvania Avenue, PIDN 36-000-JH-0070.C0-00000, located in the Residential Low (RL) District.

REPORTS

2024 Zoning Hearing Board Annual Report

ADJOURN



Manchester Township Zoning Hearing Board Variance Application Briefing

Application Number:

2025-01

ZHB Hearing Date:

February 5, 2025

Applicant(s):

Hugh Simpson

Tax Map Parcel:

07-63 19 Acres

Property Owner(s): Property Location: Susquehanna Trail Apts LLC 2230 N. Susquehanna Trail

Lot Size: Zoning:

Residential High

Project Narrative:

The applicant is requesting a variance from §27-1408, Attachment 9, to permit a 55 square foot residential freestanding sign where the maximum permitted size is 32 square feet. The purpose of this sign is to identify the apartment complex and label its associated addresses. Properly identified and addressed properties assist emergency responders find the appropriate location to respond to. Additionally, being on a heavily traveled road, having an appropriately identified complex will assist visitors finding the complex and hopefully not create additional traffic congestion on the Susquehanna Trail. Chapter 4, Part 1 of the Manchester Township Code of Ordinances specifically outlines requirements for addressing buildings. Section 4-101 requires addressing at each entrance and Section 4-105 specifies the minimum requirements for addressing.

Property Characteristics:

- The subject property received land development approval, RVW# 2022-06, for seven apartment buildings. Four of the buildings consist of three stories and three of the buildings consist of four stories for a total of 240 units. There is one main access to the property and an emergency access to be constructed.
- 2. The applicant has provided photos of signs near the subject property on Susquehanna Trail that are larger than the proposed sign. The photos are attached hereto.

3. Adjacent properties:

	Use	Zoning
North	Office and residential	RH
South	Office and residential	RM and O
West	Commercial	E. Man. Twp.
East	Agriculture	O and C

This briefing represents the views and comments of the Manchester Township staff only and should not be construed as a final approval or denial of this application. The Zoning Hearing Board Members may have additional questions and/or comments with regard to this proposal. The applicant and/or his/her representative should be prepared to address comments or concerns raised by the Zoning Hearing Board Members.

MANCHESTER TOWNSHIP 3200 Farmtrail Road York, PA 17406-5699

Planning Commission Review

Continued Hearing Held

Application	200	25-01
Date of Hear	ing _	2/5/25
Time	of	Hearing

APPLICATION FOR ZONING HEARING ONTINUED HEARING
Date of Hearing
1. Applicant's Name hugh Simpson Address: 2230 Susquehama hail Time of Hearing
Remail Address Phone Number 15: 45 7110 C 100415
E-mail Address: Phone Number: hjt574@comeart.net
2. Property Owner's Name: Susquehanna trail Apartments, LLC Address: 2230 Susquehanna trail
2. Property Owner's Name: Susque hanna trail Aparlments, La
Address: 2230 Susyuchanna Trail
3. Property Location
4. Zoning District UPI# Zoning is R-H Resedented High PIDNis; 36-000-070063-00-0000/ \$230 Susquehama Wail
4. Zoning District UPI# 200000 / 72 20 Susanelianing Train (
The undersigned hereby makes application for a VARIANCE SPECIAL EXCEPTION / APPEAL under all applicable ordinances of Manchester Township, and hereby certifies, under penalties of perjury, that all facts set forth
herein and, in the plans, submitted herewith are true and correct.
Nothing in this application shall relieve the owners, or his agent, the developer or applicant or any other persons in possession or
control of the building, land, or any part thereof from obtaining such other permits or licenses or approvals as may be prescribed by law for the uses or purposes for which the land or building is designed or intended; nor from complying with any lawful order
issued with the object of maintaining the building or land in a safe or lawful condition.
/ . ^
Signature of Applicant / Authorized Representative
1/8/25 Date
10/47 5
OFFICE USE ONLY BELOW THIS LINE
Date Application Received 1113/25 Property Posted
Date Application Fee Received
notice mailed 1/17/25
Certified to ZHB Date
Newspaper Advertisement of Hearing Date Date - 122 \$ 1129
Notice Mailed to Twp. Supervisors & ZHB Date
Notice Mailed to Applicant & Adjacent Property Owners Date
Application Withdrawn Date Hearing Held
THE STREET TO TH

Date

Date

a Public

b On-Site Penn DEP Approved #

c. Other

NUMBER:
NUMBER: 1 S 27 Attactment 9, P-813 Freestanding residential sign, The maximum permitted sign size is 32 SF. We are proposing Sign face is 32 Sf. The Supporting Structure (landmark, including address Section) include sign face is 55 S.F. 6. Description of Proposed Work and Use: Tustall Freestandy residential sign Loidentify the Susquehama trail Apartment Complex. The Sign face of Sign is 32 SF. The total sign including address Section is 55 SF. 7. Existing Use of Land / Buildings:
The maximum permitted sign size is 32 St. We are proposing
Sign face is 3254. The supporting structure (landmark,
include address section socho significe is555.F.
6. Description of Proposed Work and Use: Tustall Freedland residential Sign
To identify the Susgrafiance Trail Sportment Complex.
The significant signing 31SE The total signinglydian
The sign is say the state of sign of
address section is 55 SF.
The state of the s
8. Number of Proposed Buildings / Structures: And:
a Height of Building / Structures Feet Stories
b Type of Construction
c Number of Families / Dwelling Units
e If Mobile Home, Title Holder's Name / Address
e it woode frome, The florder's Name? Address
9. Off Street Parking Spaces:
N/A
a Required b. Proposed
10. Water System: (check a, b or c)
The state of the state of
h On Site Well a Other (Specific)
b On-Site Well c Other (Specify)
11. Sewage System: (check a, b or c)

5. Nature of SPECIAL EXCEPTION VARIANCE /INTERPRETATION requested and SECTION

- 12. Please note that a land development plan must be filed or a building permit must be acquired within (six) 6 months of the date of the written decision of the board or the action is null and void.
- Please attach a complete list of property owners within 300 feet. (Please include homeowners' names, address, tax map and parcel number.)
- 14. Please attach a detailed site plan. (Include a complete plan showing all existing and proposed buildings, driveways, etc. with setback distances and dimensions. Note all property widths and depths (in feet) along appropriate property lines. Note all street name(s) and their locations. Note the compass directions. Note the

15. The applicant alleges that the proposed Special Exception use:
a) Would be in harmony with the character of the neighborhood because: (How will what I want to do fit in/my
neighborhood)
b) Would not be detrimental to the properties or persons in the neighborhood because:
c) If the special exception is granted, show how the provisions of Sectionof the Zoning Ordinance will be met. (Please attach a separate sheet of paper as needed.)
FOR VARIANCE APPLICATIONS ONLY (must answer all questions) (additional sheets may be used)

16. The applicant believes the variance should be granted because:

a) Applicant is unable to make reasonable use of his property or conform to strict application of the Zoning Ordinance because: (Why can't you use the property as it is?)

The approved development regimes signidentification. Since the complex is located off heavily traveled trail,

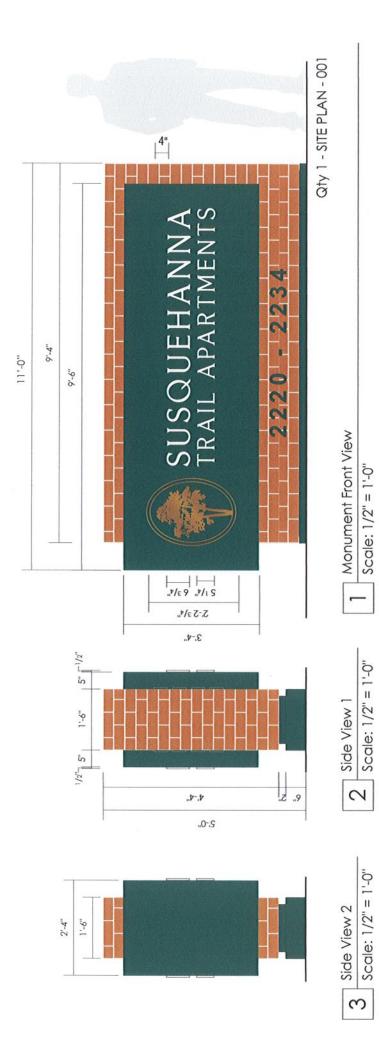
It is necessary to have a visible (raign) sign to permit EMS to early locate the complex and to not impede traffic flow when residents end/or visitors enter the complex.
b) The unnecessary hardship on your property is: (must be able to prove all of the items below)
 () The result of application of the Manchester Township Zoning Ordinance () Due to unique physical circumstances of the property in question not shared by neighboring properties such as: the shape of lot, the width of lot or the topography of the lot () Not financial in nature () Not self-created
c) The proposed variance will not alter the essential character of the neighborhood nor impair the use of adjacent properties for the following reasons: (for example: Why is this not harmful to the neighbors?)
The Susquehama Trail Apartmets were permitted by land development, as such, identification of the complex is required
d) The variance requested represents the minimum variance that will afford relief for the following reasons: (for example: Why does what you want to build have to be the size shown?)
Signage is regioned pursuant to Chapter 4 of the manchester Tup. Code of orienaces. To comply w/the addressing regionments of chapter 4, a larger sign to show address
of the buildys (a the entracers needed

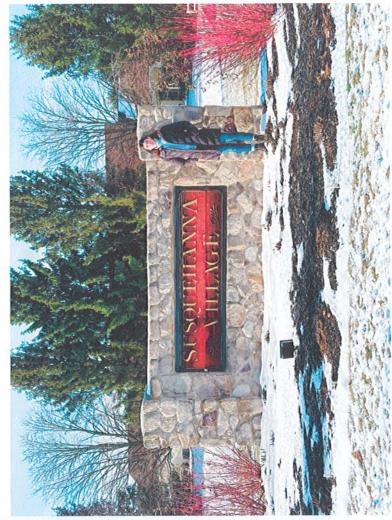
of the buildys atherentrare is needed

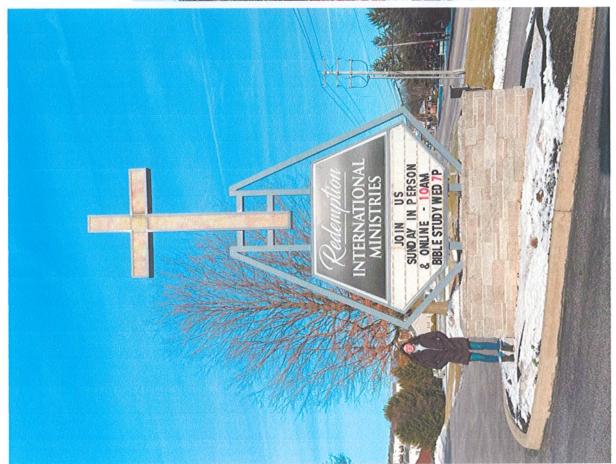
17. For an APPEAL of a decision(s) of the township's zoning officer or of an enforcement action of the township:

a. The applicant is hereby appealing: (may use additional sheets if necessary	
The following decision of the zoning officer:	
The following enforcement action of the township:	

b. The applicant does not a township for the follow	gree with the decision of the zoning officer or the enforcement action of the ring reasons: (may use additional sheets if necessary)

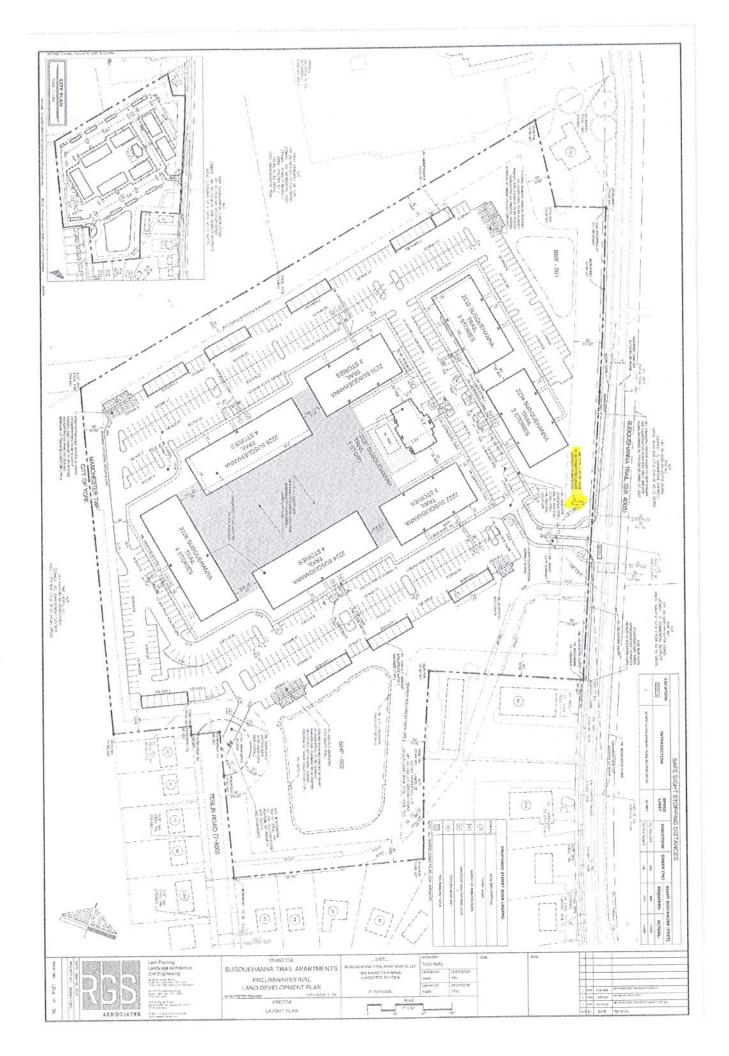






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SINKING SPRINGS
ELEMENTARY
SCHOOL
CENTRAL YORK
SCHOOL DISTRICT
2850 Nearby exa 虚





Applicant(s):

Manchester Township Zoning Hearing Board Variance Application Briefing

Application Number:

Property Owner(s):

Property Location:

2025-02

Penn Avenue Partners, LLC

Penn Avenue Partners, LLC

1201 Pennsylvania Avenue

ZHB Hearing Date: Tax Map Parcel:

February 5, 2025

JH-70C

52.7 acres

Lot Size: Zoning: Residential Low

Project Narrative:

The applicant is requesting a variance from the following:

- 1. §27-409.2.B(1) requesting a minimum lot area of 7,500 square feet where the minimum permitted is 12,500 square feet.
- 2. §27-409.2.B(2) requesting a minimum lot width of 75 feet where the minimum permitted is 80
- 3. §27-409.2.B(3) requesting a minimum lot depth of 100 feet where the minimum permitted is 125
- 4. §27-409.2.C(1) requesting a minimum front yard setback of 25 feet where the minimum permitted is 30 feet.
- 5. §27-409.2.C(3) requesting a minimum rear yard setback of 20 feet where the minimum permitted is 30 feet.

The applicant is proposing to construct a 100-unit residential development which is a use permitted by right in the Residential Low District. The property would be served by public water and public sewer, flowing to the York treatment plan. The applicant has provided a sketch of the proposed development attached hereto.

Property Characteristics:

- 1. The subject property is currently undeveloped. The portion of the property directly facing Pennsylvania Avenue contains a 300' wide Met-Ed easement which is improved with overhead power lines.
- 2. In 2021, the property received subdivision approval for a two-lot subdivision, RVW #2021-13.
- 3. This property is currently in litigation to resolve a rezoning from Residential Low to Industrial. The rezoning was overturned, and the property is currently zoned Residential Low. The Court of Common Pleas has upheld this decision.

4. Adjacent properties:

	Use	Zoning
North	Commercial & Residential	C and RL
South	Utility	RL
West	Residential	York City
East	Cemetery	RL

This briefing represents the views and comments of the Manchester Township staff only and should not be construed as a final approval or denial of this application. The Zoning Hearing Board Members may have additional questions and/or comments with regard to this proposal. The applicant and/or his/her representative should be prepared to address comments or concerns raised by the Zoning Hearing Board Members.

MANCHESTER TOWNSHIP 3200 Farmtrail Road York, PA 17406-5699

FOR OFFICE USE ONLY Application # 2025-02	
Date of Hearing 2/5/25	
Time of Hearing	
CONTINUED HEARING	
Date of Hearing	
Time of Hearing	

APPLICATION FOR ZONING HEARING

1.	Applicant's Name Penn Avenue Partners, LLC	
	Address: 2950 Lewisberry Road, York, PA 17404	
	Email Address: Joe@inchandco.com	Phone Number (717) 507-2753
2.	Property Owner's Name: Penn Avenue Partners, LLC	
	Address: 2950 Lewisberry Road, York, PA 17404	
3.	Property Location 1201 Pennsylvania Avenue	
4.	Zoning District Residential Low Density District	UPI# 36-000-JH-0070.C0-00000

The undersigned hereby makes application for a <u>VARIANCE</u> / SPECIAL EXCEPTION / APPEAL under all applicable ordinances of Manchester Township, and hereby certifies, under penalties of perjury, that all facts set forth herein and in the plans submitted herewith are true and correct.

Nothing in this application shall relieve the owners, or his agent, the developer or applicant or any other persons in possession or control of the building, land, or any part thereof from obtaining such other permits or licenses or approvals as may be prescribed by law for the uses or purposes for which the land or building is designed or intended; nor from complying with any lawful order issued with the object of maintaining the building or land in a safe or lawful condition.

Two (2) completed applications with the required application fee must be submitted to Manchester Township prior to the filing deadline. Signature of Applicant / Authorized Representative

Date 1/8/25

OFFICE USE ONLY BELOW THIS LINE

Certified to ZHB	Date
Newspaper Advertisement of Hearing	Date 1/22/25 Date 1/29/25
Notice Mailed to Twp. Supervisors & ZHB	Date
Notice Mailed to Applicant & Adjacent Property Owners	Date \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
Application Withdrawn	Date
Hearing Held	Date
Planning Commission Review	Date
Continued Hearing Held	Date
Permit (GRANTED / REFUSED)	Date

5 Nat	ure of SPECIAL EXCEPTION / VARIANC	E / INTERPRETATION requested and SECTION NUMBE	R:
		tting a minimum lot area of 7,500 instead of 12,500	
		minimum lot width of 75' instead of 80'	
		a minimum lot depth of 100' instead of 125'	
		minimum front yard setback of 25' instead of 30'	
		a minimum rear yard setback of 20' instead of 30'	
. Des	scription of Proposed Work and Use:		
100-L	Jnit residential development		
7. <u>Exi</u> s	sting Use of Land / Buildings:		
Vaca	ant/wooded		
8. N	lumber of Proposed Buildings / Structur	res: 100	And:
	a Height of Building / Structures	Feet S	tories
	b Type of Construction		
	c Number of Families / Dwelling	Units 100	
	d Habitable Floor Area for Each I	Dwelling Unit	
		•	
	e If Mobile Home, Title Holder's N		
9. <u>Off</u>			
9. <u>Off</u>	e If Mobile Home, Title Holder's N		
	e If Mobile Home, Title Holder's N	Name / Address	
	e If Mobile Home, Title Holder's Notice Parking Spaces: a Required	Name / Address	
	e If Mobile Home, Title Holder's Notice Parking Spaces: a Required ater System: (check a, b or c)	Name / Address b. Proposed	
10. <u>W</u>	e If Mobile Home, Title Holder's N Street Parking Spaces: a Required ater System: (check a, b or c) a Public √	b. Proposed Company Name York Water Co.	
10. <u>W</u>	e If Mobile Home, Title Holder's Notice Parking Spaces: a Required ater System: (check a, b or c) a Public √ b On-Site Well	b. Proposed Company Name York Water Co.	

ZHB Application #

- 12. Please note that a land development plan must be filed or a building permit must be acquired within (six) 6 months of the date of the written decision of the board or the action is null and void.
- 13. Please attach a complete list of property owners within 300 feet. (Please include homeowners' names, address, tax map and parcel number.)
- 14. <u>Please attach a detailed site plan.</u> (Include a complete plan showing all existing and proposed buildings, driveways, etc. with setback distances and dimensions. Note all property widths and depths (in feet) along appropriate property lines. Note all street name(s) and their locations. Note the compass directions. Note the names of the adjoining property owners.

FOR SPECIAL EXCEPTION APPLICATIONS ONLY (must answer all questions) (additional sheets may be used)

ould not be detrimental to the properties or persons in t	he neighborhood because:	
the special exception is granted, show how the provisio	ns of Section of the Zoning	
the special exception is granted, show how the provisio inance will be met. (Please attach a separate sheet of pa	ns of Section of the Zoning per as needed.)	
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ZHB Application # FOR VARIANCE APPLICATIONS ONLY (must answer all questions) (additional sheets may be used)

16. T	he applicant	believes	the var	iance s	should	be c	ranted	because:
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Ordinance because: (Why can't you use the property as it is?) As the Applicant is seeking de minimis and dimensional (as opposed to a use) variances, the Applicant does not need to seeking the Applicant does need to seeking the Applicant does need to seeking the Applicant does need to seek
that the strict application of the ordinance would result in making the property "practically valueless," as may be the case for
use variance. Rather, the standard is that of a rule of reason when considering a dimensional variance by permitting a
"slight relaxation, or less stringent application of the variance criteria." In this case the proposed reductions in lot size,
lot width and depth, and setbacks is necessitated by size, shape, and topographical issues unique to the property.
The unnecessary hardship on your property is: (must be able to prove all of the items below)
($\sqrt{}$) The result of application of the Manchester Township Zoning Ordinance
 (√) Due to unique physical circumstances of the property in question not shared by neighboring properties such as: the shape of lot, the width of lot or the topography of the lot (√) Not financial in nature
(√) Not self-created
The proposed variance will not alter the essential character of the neighborhood nor impair the use of adjacent properties for the following reasons: (for example: Why is this not harmful to the neighbors?)
The Property is within the RL Zoning District in which the proposed residential development is permitted by right. Therefore
the Applicant's proposal would not alter the essential character of the neighborhood or impair the use of adjacent properties
In fact, the requested variances will enable the use of the property for a residential development, which would be consiste
with the residential dwellings which adjoin the property on the other side of Pennsylvania Avenue.
The variance requested represents the minimum variance that will afford relief for the following reasons: (for example: Why does what you want to build have to be the size shown?)
The requested dimensional variances represent minimum variances that will afford relief to provide for a reasonable use
of the property consistent with the zoning district in which it is located.

ZHB Application	#

	olicant is hereby appealing: (may use additional sheets if necessary)
The followin	g decision of the zoning officer:
The followin	g enforcement action of the township:
THO TOHOTHI	g onlocement action of the formal pr
b. The a towns	oplicant does not agree with the decision of the zoning officer or the enforcement action of the hip for the following reasons: (may use additional sheets if necessary)
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b. The a towns	oplicant does not agree with the decision of the zoning officer or the enforcement action of the hip for the following reasons: (may use additional sheets if necessary)
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b. The al	oplicant does not agree with the decision of the zoning officer or the enforcement action of the hip for the following reasons: (may use additional sheets if necessary)
b. The all towns	oplicant does not agree with the decision of the zoning officer or the enforcement action of the hip for the following reasons: (may use additional sheets if necessary)



MANCHESTER TOWNSHIP ZONING HEARING BOARD RECAP OF ACTIONS 2024

CASE#	MONTH	APPLICANT	LOCATION	ZN	TYPE	SPECIFICS	RULING	
2024-01	January	Anthony R. Holbert	580 Sandstone Ln.	RL	SE	Construct a 54" high fence in the front yard, on a corner lot.	Approved	
						Add an additional attached business sign that exceeds the maximum		
2024-02	February	Shoe Fly York	1500 N. George	Ö	VAR	square footage. Re-do two existing	Approved	
		1 4				footage but still exceeding the		
						maximum square tootage permitted.		
2024-03	February	Laura & Steve Scullen	5 Martingale Dr.	RL	SE	Construct a 6' high fence in the front yard, on a corner lot.	Approved	
2024-04	February	Sovereign National LP	5 Bentzel Mill Rd.	OS/A	VAR	Reduced setbacks for three existing accessory agricultural buildings.	Approved	
2024-05	February	Sovereign National LP	5 Bentzel Mill Rd.	OS/A	SE	Private guest house as a use not provided for.	Approved	
2024-06	March	Christopher & Casey Albright	2890 Dewberry Rd.	RL	SE	Construct a 54" high fence in the front yard, on a corner lot.	Approved	
2024-07	April	John Hedges	812 Olivia Ct.	RL	SE	Construct a 54" high fence in the front yard, on a corner lot.	Approved	
2024-08	April	Garbon Inc. DBA Jims Auto Repair	110 E 11 th St.	С	VAR	Increase maximum sign height and increased sign size.	Approved	
2024-09	July	Harrisburg LIV Bacon LLC	80 W. 11 th Ave	C	VAR	To add an off-site business sign to an existing business sign with the on-site sign remaining.	Approved	
2024-10	July	Trone Advertising	3620 N. George St.	I	SE	To permit a CEVMS sign.	Approved	
2024-11	July	Tracked Lifts, LLC	3445 Board Rd.		SE	Construct a 6' fence in the front yard on a corner lot.	Approved	
								1

MANCHESTER TOWNSHIP ZONING HEARING BOARD RECAP OF ACTIONS 2024

				7	+707		
2024-12	July	Scannel Properties #691, LLC	85 Church Rd.	I	SE	Reduce the number of required parking spaces.	Approved
2024-13	July	Jackie Zirkle	702 Sinking Springs Ln.	RL	SE	Construct a 6 ' high fence in the front yard, on a corner lot.	Approved
2024-14	July	PA Landscape Group	3260 Wentworth Way	RL	SE	Reduce rear yard setback requirement for an accessory structure.	Approved
2024-15	August	Stoner Graphix	3300 Board Rd.	Н	SE	To permit a CEVMS sign.	Approved
2024-16	August	Ardent Mills, LLC	2800 Blackbridge Rd.	HI	VAR	To permit construction within the floodplain.	Approved
2024-17	Number						
2024-18	October	GN York Susquehanna LLC	3245 N. Susquehanna Trail	П	VAR	Increase the number of permitted signs.	Approved
2024-19	December	Shane & Marja Stroman	795 Church Rd.	RM	APPEAL	APPEAL Appeal Notice of Violation for home occupation.	NOV Overturned

THE TOWNSHIP OF MANCHESTER

YORK COUNTY



PENNSYLVANIA

MANCHESTER TOWNSHIP ZONING HEARING BOARD 2024 ANNUAL REPORT

MEETINGS

The Zoning Hearing Board held nine (9) meetings in 2024. No meetings were held in June, September, or November due to no applications being filed. An alternate, as a voting member, was not required to attend any hearings during the year.

SYNOPSIS

Eighteen (18) applications for hearings were received in 2024. One of which was an appeal to a Notice of Violation.

No decisions required the use of a "hearing officer" due to the absence of the other two officers.

The following is a breakdown of the applications by Zoning District.

<u>Agriculture/Open Space = 1; Residential Low = 6; Residential Medium = 1; Residential High = 0; Office = 0; Commercial = 3; Industrial = 5; Heavy Industrial = 1; PRD = 0</u>

REQUEST SUMMARY

Six (6) requests were special exceptions for taller fences in front yards on corner lots.

<u>Two (2)</u> requests were special exceptions related to signs.

Four (4) requests were variances related to signs.

One (1) request was a special exception to reduce the number of required parking spaces.

One (1) request was a variance to permit construction within the floodplain.

One (1) request was an appeal of a Notice of Violation for a home business.

One (1) request was to permit a private guest house.

<u>Two (2)</u> requests were related to setback reduction, one special exception and one variance.

DENIED/WITHDRAWN REQUESTS

No applications were denied or withdrawn.

ATTACHMENTS

Attached is the attendance log for 2024, and the recap of applications to the Manchester Township Zoning Hearing Board with a synopsis of the ruling of each case.

Respectfully submitted.

Rachel Vega for **Thomas Morley, Secretary**

MANCHESTER TOWNSHIP ZONING HEARING BOARD ATTENDANCE

Below is a recap of the attendance of members and staff at the nine (9) scheduled Zoning Hearing Board meetings held in 2024. No meetings were held in June, September, or November.

MEMBERS/ALTERNATES

ATTENDED/SCHEDULED	
Craig Wisherd – Member/Chairperson	8/9
Thomas Morley – Member/ Secretary	9/9
Kristen Beecher - Member	9/9
SUPPORT STAFF	
STENOGRAPHER ATTENDED/SCHEDULED	
ATTENDED/SCHEDULED Christine Myers	8/9
Alternate	1/9
	1/9
SOLICITOR (ANSTINE & SPARLER)	0.10
John R (Jack) Elliott	9/9
Township Staff	
Rachel Vega – Zoning/Planning Officer	8/9
Lisa Fuess – Assistant Zoning Officer End of employment 6/17/24	4/9
Marita McVay – Assistant Zoning Officer	3/9