Penn Township Zoning Hearing Board
Minutes of 6/11/26

The Penn Township Zoning Hearing Board (ZHB) met on Thursday, June 11, 2026, at 7:00 p.m. in the Municipal Building to conduct a Variance Hearing for 13 Twin Oaks Drive. A list of visitors attending is on file in the Township Office.

Present:
Brian Foster - Chairman
Julie Mackey - Vice-Chairman
Larry Watts – Board Member

Also Present:
Jennifer Blouch - Secretary
Justin Hayman - Operations Coordinator
Truman Heberlig - Zoning Officer
Rachel James – Solicitor
Hubert X. Gilroy, Esquire, Counsel for Objector Connie Betz

The Pledge of Allegiance was recited.

The Applicant submitted an application requesting variance relief from Article 13, Performance Standards, Section 1301 – Accessory Buildings and Structures. The ordinance states: "No accessory building or structure shall project nearer to the street on which the principal building fronts than such principal building."

Solicitor James confirmed that legal notice of the hearing was published in the *Duncannon Record* on May 28, 2026, and that all required parties received notice. Secretary Blouch affirmed publication and notification.

Mr. Sebasovich presented hand-drawn site sketches and a second drawing attached to his application. He described the proposed 40' x 40' one-story pole building and its intended location relative to his home and the cul-de-sac.

He testified that:

- The east side of his property contains geothermal lines, preventing construction in that area.
- The west side contains its sewage system, including tanks and sand mound, also preventing construction.
- The area further east contains a significant slope, making placement difficult.
- Measurements taken show the proposed building is 127 feet from the cul-de-sac, while the house sits 97 feet (east side) and 117 feet (west side) from the cul-de-sac. He stated this means the house is closer to the street than the proposed building.

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He stated he believes the proposed location complies with the ordinance because the accessory structure would be farther from the road than the principal dwelling.

Cross-Examination by Attorney Gilroy

Attorney Gilroy questioned whether the garage could be moved farther back on the lot to avoid the need for a variance. He suggested that fill could be added to address slope issues and noted that Ms. Betz had offered to contribute to the cost of fill. Mr. Sebasovich stated he did not believe the slope could be reasonably filled and that contractors previously advised against building in that area.

Public Comment by Craig Wolford

Mr. Wolford asked whether the Applicant had been notified that an attorney would be present. Solicitor James clarified that no legal requirement exists to notify an applicant that another party will be represented by counsel.

Testimony by Connie C. Betz

Ms. Betz, owner of 12 Twin Oaks Drive, testified in opposition.

She stated:

- The proposed structure is not compliant.
- The location would negatively affect her property value and resale opportunities.
- She requested the building be moved farther back so its frontage aligns with the Applicant's house.
- She offered to assist financially with fill to make the alternate location feasible.
- She and the Applicant previously discussed shifting the building; she stated he moved it closer to her property line, while he stated he moved it farther away.

Board Discussion

The Board asked both parties whether any evaluation had been done to determine the amount of fill required. Neither party had obtained estimates.

Attorney Gilroy noted that the Zoning Officer determined the proposal was not compliant, and the Applicant had applied for a variance, not an appeal of that determination.

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Board Decision

Upon a Mackey/Watts motion, the Board voted unanimously to deny the variance request and recommend that the Applicant engage with the neighbor and a contractor to determine the feasibility and cost of placing fill at the secondary proposed location. If the alternate location is not feasible, the Applicant may return to the Zoning Hearing Board.

The Applicant must obtain all other required permits and approvals prior to installation.

The hearing was adjourned at 7:56pm.

Minutes

Upon a Mackey/Watts motion, the Zoning Hearing Board voted unanimously to approve the minutes from 4/9/26.

Adjournment

Upon a Watts/Mackey motion, the Zoning Hearing Board voted unanimously to adjourn at 7:56pm.

Respectfully submitted,
Jennifer Blouch
Secretary

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