

# YORK TOWNSHIP

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The August meeting of the York Township Zoning Hearing Board was called to order by James Barnes, Chair.

Those in attendance were:

James Barnes, Chair  
John Myers, Vice Chair  
William Descar, Secretary  
Anthony Pantano, Asst. Secretary  
Timothy Salvatore, Member  
Albert Granholm, Member  
Jeffrey Rehmeier, Esquire, Solicitor  
Lisa Frye, Zoning Officer

## MINUTES OF JUNE 28, 2022

The Zoning Hearing Board minutes of the April 26, 2022, meeting were approved.

## DECISIONS OF JUNE 28, 2022

The Zoning Hearing Board decisions of the April 26, 2022, meeting were approved.

## SPECIAL EXCEPTIONS/VARIANCES/APPEALS

Application 2022-17: Holstein Capital Management LLC requests a Special Exception to construct a Vertical Self-Service Storage Facility on property located at 610 Chambers Road in a Commercial Shopping (CS) District.

Present: Daniel Von Bussenius  
Glen Williams

On Application 2022-17, Holstein Capital Management LLC requests a Special Exception to construct a Vertical


York Stenographic Services, Inc.  
2303 East Philadelphia Street, York, PA 17402 (717) 854-0077

York Township Zoning Hearing Board  
Tuesday, August 23, 2022  
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Self-Service Storage Facility on property located at 610  
Chambers Road in a Commercial Shopping (CS) District, that  
the application be approved.

MOTION MADE BY: Albert Granholm  
SECONDED BY: Anthony Pantano  
MOTION PASSED UNANIMOUSLY (James Barnes recused  
himself)

ATTEST:

  
\_\_\_\_\_  
William Descar, Secretary

# DECISION OF THE YORK TOWNSHIP ZONING HEARING BOARD

**Application Number:** 2022-17  
**Hearing Date:** August 23, 2022  
**Applicant:** Holstein Capital Management, LLC  
**Property Owner:** John and Luba Slaky  
**Property:** 610 Chambers Road  
UPI: #54-000-IJ-0078-00-00000  
**Existing Zoning District:** Commercial Shopping (CS)

**Relief Requested-** Special Exception under the York Township Zoning Ordinance of 2012 (the "Ordinance") and pursuant to Section 265-407.C.17. and Section 265-668.1 thereof.

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## FINDINGS OF FACT

Based upon the evidence presented, and its evaluation of the credibility of the witnesses, the Board finds as follows:

1. The foregoing information and the Application, including its attachments, are incorporated by reference.
2. James Barnes, Chair of the Zoning Hearing Board indicated that he lives on an adjoining property which consists of the Chambers Ridge Condominium. Mr. Barnes stated that he serves as President of the Condominium Association. To avoid even the appearance of bias, Mr. Barnes recused himself. Vice-Chairman, John D. Myers, assumed control of the meeting.
3. Daniel VonBussenius was present as project manager for the Applicant. Additionally, Glen Williams was present on behalf of the Applicant.
4. The Applicant is seeking a Special Exception to construct a Vertical Self-Service Storage Facility on the Property pursuant to Section 265-407.C.17, 265-668.1 and 265-1009.C. of the Ordinance (the "Facility" or "Proposed Use").
5. The Application included the following Exhibits:
  - a. Exhibit A – Partially redacted Agreement for the Purchase and Sale of Real Estate, evidencing the Applicant's equitable ownership interest in the Property.
  - b. Exhibit B – The Site Design Concepts Schematic Site Plan (the "Site Plan").
  - c. Exhibit C – SAA Architects Built Exterior Building Elevations.
  - d. Exhibit D – Aerial photograph of the Property.
6. Additionally, the Application presented one Exhibit during the hearing, which was the Moove In Self Storage Lease Agreement (the "Lease Agreement").
7. The Applicant provided the following information with regard to the Property:
  - a. It is currently used as a self-service storage facility and as a car wash.
  - b. The Applicant proposes to remove the car wash and all components thereof, including the tanks and put in its place the Proposed Use.
8. With regard to the Facility, the Applicant offered the following:

- a. It will be 1 building that is 3 stories in height.
  - b. The footprint would be 18,200 square feet.
  - c. The total square footage would be 54,600 square feet.
  - d. There would be 300 exterior units.
  - e. There would be 181 interior climate controlled units.
  - f. The total number of units would be 481.
  - g. The Facility would have a manager present during daytime hours from approximately 9:30 am until 5:30 pm.
  - h. When the manager is not on-site, there will be a phone number that can be used by customers.
  - i. It is expected that there would be 30 to 60 customers coming to the Facility per day.
9. With regard to the Property, Mr. VonBussenius offered the following:
- a. It consists of 2.36 acres.
  - b. Four structures exist thereon – 3 are self-service storage buildings and the fourth is the car wash.
  - c. The 3 self-service storage buildings would remain and would be operated in conjunction with the Facility.
  - d. The Property is surrounded by commercial and residential uses.
  - e. There is a substantial buffer between the Property and the residential uses to the South and Southwest of the Property.
  - f. There exists an 8 foot tall fence and trees that are approximately 30 to 40 feet in height.
10. With regard to the specific criteria for a Special Exception for a Vertical Self-Service Storage Facility pursuant to Section 265-668.1, the Applicant offered the following:
- a. The Building shall be 3 stories in height and approximately 30 feet tall.
  - b. Parking for the Facility shall consist of 12 spaces, as required by the Ordinance manager.
  - c. Trailer/truck rentals shall not be permitted.
  - d. All lighting shall be shielded to direct light away from adjacent properties and streets, and sufficient light levels shall be provided to ensure public safety during operations.
  - e. An accessory office for the Facility will be located in the Facility and consist of approximately 600 square feet.
  - f. If the Facility were built, the entirety of the Property would consist of multiple buildings, although only 1 would be vertical.
  - g. There shall be adequate area for loading and unloading provided in proximity to the exterior doors of the Facility.
  - h. The following uses shall not be permitted in or about the storage units and all rental and/or use contracts shall specifically prohibit the following uses:
    1. Bulk storage of flammable, combustible, explosive or hazardous material.
    2. Repair, construction, or reconstruction of fabrication of any item.
    3. Auctions, except as provided for in accordance with the Self-Service Storage Facilities Act, commercial, wholesale or retail sales not related to the storage activity on the premise, or garage sales.
    4. The operation of power tools, spray-tanning equipment, compressors, welding equipment, kilns or other similar tools or equipment.
    5. Any business activity in the storage units.
    6. Outdoor storage of any kind.

- i. The Applicant provided its sample Lease as Hearing Exhibit Number 1 to evidence that the above were prohibited.
11. In response to the General Standards for a Special Exception in Section 265-1009.C., the following was provided:
  - a. The intended purpose of the Proposed Use shall be consistent with the Township's development objectives as established in the Comprehensive Plan.
  - b. The Proposed Use is in the best interest of properties in the general area, as well as the community at large, when viewing the Proposed Use in relationship to and its potential effects upon surrounding land uses and existing environmental conditions regarding the pollution of air, land and water, noise, potential of hazards and congestion, illumination and glare, restrictions to natural light and circulation.
  - c. The Proposed Use is suitable for the Property in question and is designed, constructed and will be operated and maintained suitably for the anticipated activity and population served, numbers of participating population, frequency of use, adequacy of space and generation of traffic.
  - d. There are adequate and available utility services and facilities, such as sanitary and storm sewers, water, fire, police and other public facilities and the ability of the Township to supply such services.
  - e. The Proposed Use has adequate ingress, egress, interior circulation of pedestrians and vehicles, off-street parking and accessibility to the existing Township street system.
  - f. The Proposed Use shall be in conformance with all applicable requirements of the Ordinance and, where applicable, in accordance with the Township's Subdivision and Land Development Ordinance.
12. In response to questions from the Board, the Applicant offered the following:
  - a. The parking spaces are located around the edge of the Property and the 12 were in fact noted on the site plan.
  - b. The Applicant confirmed that there would be a door in the center on each side of the Facility.
13. In response to questions from the floor, the Applicant answered as follows:
  - a. The chain link fence will remain.
  - b. Existing pine trees will remain.
14. On behalf of the Township, the Zoning Officer indicated a few questions and concerns to include the following:
  - a. Land development planning will need to be completed if the zoning relief is granted.
  - b. Some issues that are envisioned to be substantial during land development planning include establishing appropriately sized and functional drive aisles and confirming turning radius via turning templates.
15. There was no testimony for or against the Applicant.

## CONCLUSIONS OF LAW

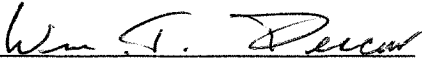
Based upon the Findings of Fact, and pursuant to applicable law, the Board concludes as follows:

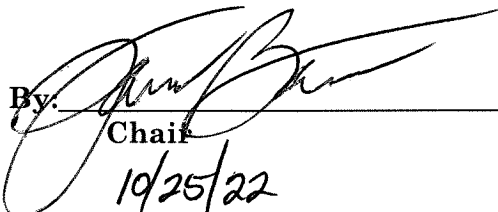
1. The specific criteria for a Special Exception in Section 265-668.1. have been met.
2. The general criteria for a Special Exception in Section 265-1009.C. have been met.

Accordingly, Al Granholm moved, and Anthony Pantano seconded, to grant the Special Exception to establish a Vertical Self-Service Storage Facility Use (for a single three-story building) on the Property located at 610 Chambers Road in a Commercial Shopping (CS) District. The motion passed with John D. Myers, William Descar, Timothy Salvatore, Anthony Pantano and Al Granholm voting in favor of the motion.

WITNESS/ATTEST

YORK TOWNSHIP  
ZONING HEARING BOARD

  
\_\_\_\_\_  
William Descar, Secretary

By:   
\_\_\_\_\_  
Chair  
10/25/22  
\_\_\_\_\_  
Date

The Special Exception granted herein shall expire if the Applicant fails to, where required to do so, obtain a Permit, submit a Land Development Plan or commence work within six (6) months of the date of the authorization of the Special Exception, pursuant to Section 265-1009. E. of the Ordinance.