



## ZONING HEARING BOARD MEETING MINUTES

Wednesday, January 24, 2024 at 7:00 pm | Borough Council Chambers

**Call to Order:** The meeting of the Gettysburg Borough Zoning Hearing Board was called to order at 7:04 p.m. by Zoning Hearing Board Chair Rodger Goodacre.

**Members Present:** Rodger Goodacre, John Butterfield, Michael Birkner, Darlene Brown, and Darren Glass.

**Members Absent:** None

**Staff Members:** Corrie Ondrizek, Court Reporter, John Whitmore, AICP, Director of Planning, Zoning, and Code Enforcement and Matthew Teeter, Zoning hearing Board Solicitor.

**Members of the Public:** Gary Shaffer.

### Introductions and Previous Meeting Minutes:

Rodger Goodacre began introductions of Zoning Hearing Board members and borough staff. Upon completion of introductions, Rodger Goodacre asked for modifications to the presented January 10, 2024 reorganization meeting minutes. Matthew Teeter identified a correction to the minutes regarding prior 2023 minutes and responsibility for investigation of those materials. After discussion regarding 2023 meeting minutes, Rodger Goodacre provided the addition of the material discussion regarding the vacant Zoning Hearing Board alternate member position and the Board's desire to have that position filled.

Rodger Goodacre then asked for a vote to approve the minutes as amended. Darren Glass made a motion to approve as amended, with Michael Birkner providing the second. The motion carried 5-0.

### ZHB-230005 / 202 Carlisle Street / Goony 45, LLC:

Following approval of the January 10, 2024 meeting minutes, the Chair began the public hearing portion of the meeting regarding application ZHB-230005 an application for special exception and related variances to permit a Conversion Apartment land-use at 202 Carlise Street by Goony 45, LLC.

Matthew Teeter provided John Butterfield the legal notice, and Butterfield read the notice into the record. Upon completion of the legal notice being read, Matthew Teeter provided exhibits 1, 2, and 3, providing the proof of publication of the legal notice, notice to the applicant of the public hearing, and the physical

positing provided on the 202 Carlise Street property. Chair Goodacre then asked Solicitor Teeter to address the procedures of the Board and conduct of the hearing, which was then provided to the Board and public. Discussion with Matthew Teeter and Michael Birkner regarding the property owner and legal representative was had following the board procedure information and was affirmed by Gary Shaffer, the representative present for Goony 45, LLC. Following discussion Gary Shaffer and John Whitmore were directed to be sworn in as witnesses.

Gary Shaffer provided the project overview and historic use of the property. The structure had previously been used in a multitude of non-traditional housing land-uses, with the most recent being a rental housing use with multiple tenants. As a result of a fire casualty, the structure is being planned to be renovated into a multi-family dwelling or two-family dwelling specifically catering to the Gettysburg College student population. A special exception to allow for the apartment conversion would be required as would variance from the minimum five-foot side yard setback requirements and variance from provisions to require the exterior fire stairway to be covered/ under roof.

Michael Birker asked the applicant's representative about the potential for three housing units as opposed to a two-family dwelling. Gary Shaffer indicated that the costs associated with a multi-family dwelling and the need to provide fire protection may preclude the structure being converted into more than two housing units. The overall intent will be for twelve bedrooms in the structure. Additional questions regarding on-site parking and the nature of the land-use change given enrollment changes at Gettysburg College were also discussed. Rodger Goodacre asked about the fire stairway and why it would not be under roof, with Gary Shaffer indicating the historic nature of the structure, the functional need for the stairway, and the changes that would be necessary for roofing. John Butterfield asked about the rear accessory building on-site and if the building would be razed, which Gary Shaffer indicated that the accessory building would be redeveloped into a single-family dwelling unit.

John Butterfield asked John Whitmore about the Planning Commission recommendation and the lack of any recommendation regarding the variance associated with the exterior stairway roof. John Whitmore indicated that the Planning Commission was directed to provide either a positive or negative recommendation, but that the Planning Commission felt best to not provide any recommendation. Darren Glass asked about the need for the roof with John Whitmore providing information related to building and fire code as one area that would potentially encourage the design of the stairwell as well as aesthetic concerns. Gary Shaffer provided historic context on the development of the zoning ordinance.

Matthew Teeter asked Gary Shaffer if a new apartment would be constructed with an exterior stairway, to which Gary Shaffer provided design justification information as it relates to architectural standards and development economics. Additional discussion with staff regarding student housing was provided.

The Zoning Hearing Board then entered executive session at 8:11 p.m. and resumed the public hearing at 8:31 p.m. Chair Goodacre asked for a motion, with Darren Glass recommending approval of the special

exception to allow the land-use on site and approval of the variances required for the development. Darlene Brown seconded. The motion passed unanimously.

**Adjournment:**

After discussion with Gary Shaffer, Chair Goodacre asked for a motion to adjourn the public hearing, with Darren Glass making a motion to adjourn, seconded by Darlene Brown. The motion passed unanimously and the meeting was adjourned at 8:34 p.m.