

**MOUNT JOY BOROUGH ZONING HEARING BOARD
MINUTES of JANUARY 26, 2022**

The Zoning Hearing Board met in the Council Chambers of the Mount Joy Borough Offices, 21 E. Main Street, Mount Joy, on the above date. The meeting was called to order at 7:00 p.m. by Bob Marker. Board members present including Ned Sterling and Alecia Hair. Borough officials in attendance included Stacie Gibbs, Zoning Officer. Zoning Hearing Board Solicitor, Joseph Kenneff, Esquire, was present. Michelle Parke, court stenographer was also present.

On a motion by Sterling and seconded by Hair, the Zoning Hearing Board recommended Borough Council accept the resignation of Bruce Haigh as Zoning Hearing Board Alternate. *Motion carried 3-0.*

MINUTES

Meeting minutes of September 22, 2021, were approved as corrected on a Motion by Sterling and a second by Hair. *Motion carried 3-0.*

REORGANIZATION

On a motion by Hair and seconded by Sterling the Zoning Hearing board approved to keep the positions of the Board the same. *Motion carried 3-0.*

NEW BUSINESS

Bob Marker read the Standard Board Procedures to all those present. There were no objections to the jurisdiction of the Zoning Hearing Board nor were there any challenges as to the personal or business interest of any member of the Board.

Stacie Gibbs, Zoning Officer was sworn in.

CASE NO. 1

The applicant Juan Chaparro, 529 Martin Ave, Mount Joy, PA 17552, requested a Special Exception of §270-63.D(7) General Home Occupation to operate a home hair salon. The property is in the Low-Density Residential Zoning District

EXHIBITS

BOARD:

- B-1 – Zoning Hearing Board Application
- B-2 – Legal Ad with Proof of Publication.
- B-3 - Neighbor Notification Letters

Juan Chaparro, 529 Martin Avenue, Mount Joy was sworn in.

QUESTIONS AND TESTIMONY

1. Juan Chaparro confirmed his name and address.
2. J. Chaparro confirmed his lot size of 21,780 sf.
3. J. Chaparro confirmed his property is in the Low-Density Residential Zoning District and contains a single-family dwelling, driveway, above ground pool and a shed.
4. J. Chaparro advised he is requesting a Special Exception for a General Home Occupation to operate a beauty salon in his basement.
5. Attorney Kenneff asked how many chairs he would have. J. Chaparro advised only one chair.
6. Attorney Kenneff asked how clients would access the basement. J. Chaparro advised there is a separate entrance, and he would be adding pavers that would go from the driveway to the entrance.
7. Attorney Kenneff asked if he plans to install signage. J. Chaparro advised it would be a small sign in compliance with the ordinance.
8. J. Chaparro advised he would have no employees.
9. J. Chaparro confirmed he resides at the property.
10. J. Chaparro advised he would only have one client at a time by appointment only.
11. Attorney Kenneff asked what his hours of operation would be. J. Chaparro advised the hours may be from 10AM-7PM 4 days a week with no set schedule because he has a full-time job.
12. Attorney Kenneff asked how many clients a day he may have. J. Chaparro advised he may have about three clients per day.
13. Attorney Kenneff asked if he had parking for the clients. J. Chaparro advised he has a driveway that can hold about four cars. So, he would have about three off-street parking spaces.
14. Attorney Kenneff asked what the square footage of the salon is. J. Chaparro advised it is about 593.68sf for salon which would be just under the 25%.
15. J. Chaparro advised there would be no deliveries by tractor trailer, no excessive traffic, noise, or odor.
16. J. Chaparro advised he would space out clients and use the waiting area for mothers with kids.
17. Sterling asked how many cars he had. J. Chaparro advised he only has one car right now. He advised it is his intention to park that on the street if necessary.
18. Sterling asked if the paver walkway was complete. J. Chaparro advised he has been working on it and it should be done within a week.
19. Sterling asked if there is any lighting at the entrance. J. Chaparro advised there is a floodlight and solar lights.
20. Sterling asked if there are any state requirements. J. Chaparro advised yes there are by the cosmetology board. He advised they come to make sure he has adequate space.
21. Sterling asked what kind of services he provides. J. Chaparro advised he does not do perms. Only color and cuts.
22. Bob Marker advised he is right at the 25% requirement with space allowed.

Attorney Kenneff opened the meeting up for public questions and public comment.

Marie Jacobs, 533 Martin Avenue, Mount Joy was sworn in. Ms. Jacobs advised she is not alarmed about a business coming in next door. She advised she was able to speak with Mr. Chaparro and he answered all her questions. She advised she has no problem with it.

**On a motion by Marker and a second by Sterling, the taking of testimony was closed.
*Motion carried 3-0.***

ACTIONS BY THE BOARD

On a motion by Sterling and a second by Hair, the Zoning Hearing Board approved the application of Juan Chaparro, 529 Martin Ave, Mount Joy, PA 17552, for a Special Exception of §270-63.D(7) General Home Occupation to operate a home hair salon subject to the following conditions:

1. The applicant shall always be bound by its plans and promises as presented to the Zoning Hearing Board, either in written or oral testimony, as part of the hearing and/or its application.
2. The applicant shall obtain any necessary approvals and permits as may be required by applicable laws and regulations, including but not limited to Borough Zoning/Building Permits and Water/Sewer Permits as per the Mount Joy Borough Authority Rules and Regulations.
3. A violation of any of the conditions of this decision shall constitute a violation of the Ordinance.
4. The decision shall bind the applicant, his heirs, successors, grantees and assigns.
5. The applicant shall not add additional space for the hair salon because he is at the 25% maximum area allowed.

Motion carried 3-0.

ADJOURNMENT

**On a motion by Sterling and a second by Hair, the meeting was adjourned.
*Motion carried 3-0.***

Respectfully submitted,

Adopted this ___ day of _____, 2022

Stacie Gibbs, Zoning Officer

Ned Sterling, Secretary