

## **PUBLIC NOTICE**

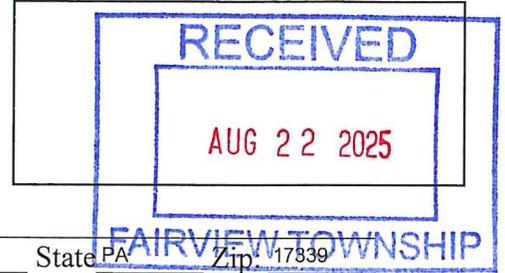
The Fairview Township Zoning Hearing Board will hold a Public Hearing on Thursday, **September 18, 2025**, at 6:00pm, at the Fairview Township Municipal Building, 599 Lewisberry Road, New Cumberland, PA 17070, to discuss the following:

**Docket No. 2025-05:** The applicants, Eric and Sue Unger, are requesting a Variance from Section §300.16 – Area and Design Requirements from the required lot width of 300’ for a single-family dwelling on a collector street in order to remove a neighbor’s driveway encroachment on their property. The subject property is located at 886 Moores Mountain Road, Lewisberry, Pa 17339, having a UPI No. 27-000-OE-0053.Q0-00000, which is located within the (RL) Rural Living Zoning District.



ZONING HEARING BOARD
APPLICATION
YORK COUNTY, PENNSYLVANIA

Please see instructions for further information on completing the application.



PART 1 - APPLICANT/OWNER AND PROPERTY INFORMATION

APPLICANT(S):

Name: Eric G. and Sue Z. Unger
Address: 886 Moores Mountain Road City Lewisberry State PA Zip 17839
Email: ericungerdds@gmail.com Phone: 717-648-9995

PROPERTY OWNER(S) (if other than applicant):

Name: same as applicant
Address: City State Zip
Email: Phone:

PROPERTY INFORMATION:

Address: 886 Moores Mountain Road City Lewisberry State PA Zip: 17339
Lot Size: 4.99 Date Purchased: 02/09/2022 Tax Parcel ID: 27-000-OE-0053.Q0
Current Use of Property: Residential Zoning Map District Designation: RL - Rural Living

PART 2 - ZONING REQUEST TYPE:

Please identify one or more of the following applicable type(s) of relief being requested.

[ ] SPECIAL EXCEPTION As required in Section(s) of the Zoning Ordinance.
The proposed use for the location is claimed by the applicant:

- a. To be considered with such other standards as required by the Zoning Ordinance in Section(s):
b. Will not detract from the use and enjoyment of adjacent or nearby properties for the following reasons:
c. Will not substantially change the character of the neighborhood for the following reasons:
d. To comply with various elements and objectives of the Comprehensive Plan, and/or any other applicable plans adopted by the Township of Fairview:

[x] VARIANCE of Section: 300.16 Subsection: Lot Width of 300'
Section: Subsection:
Section: Subsection:
Section: Subsection:

of the Fairview Township Zoning Ordinance.

Nature of Variance(s) requested: Reduction of the already non-conforming lot width of the Unger property to allow the driveway to the Brandt property to be located entirely on the Brandt property.

The applicant believes the Variance should be granted due to:

- Applicant is unable to make reasonable use of his property for the following reasons:  
Both the Brandt and Unger properties are currently non-conforming with regard to lot width. Both lots combined only have 315.27 feet of width and the requirement is 300' per lot.
- The unnecessary hardship on this property is:
  - The result of the application of the Zoning Ordinance;
  - Due to unique physical circumstances of the property in question not shared by other properties in the vicinity;
  - Not financial in nature;
  - Not self-created;
- The proposed Variance will not alter the essential character of the neighborhood nor impair the use of the adjacent property for the following reasons: overall use and ownership of the 2 affected lots will remain the same
- The Variance requested represents the minimum that will afford relief for the following reasons:  
This is the minimum amount or relief required to allow the driveway for the Brandt property to be entirely on the Brandt property.

APPEAL OF THE ZONING OFFICERS DECISION

The decision of the Zoning Officer dated: \_\_\_\_\_, 20 \_\_\_\_\_ based upon an interpretation of Section(s) \_\_\_\_\_ of the Zoning Ordinance. The nature of the appeal by applicant is as follows: \_\_\_\_\_

**PART 3 – PREVIOUS ZONING HEARING BOARD ACTIONS**

To the best of your knowledge, has there been any previous Zoning Appeals, Variances or Special Exceptions associated with this property? YES  NO .  
If yes, please provide dates or Case #'s \_\_\_\_\_



**PART 5 – APPLICANT/OWNER AUTHORIZATION AND AFFIDAVIT**

Commonwealth of Pennsylvania :

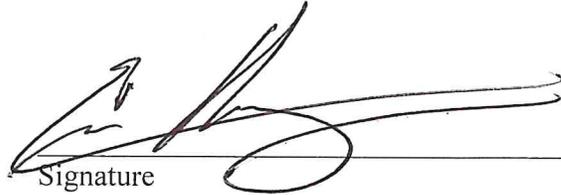
County of \_\_\_\_\_ :

The undersigned, being duly sworn according to law, deposes and says that he/she is the above-mentioned applicant/owner/representative, that they are the owner OR authorized to take this Affidavit on behalf of the owner and that the forgoing information and facts contained in the application are true and correct to the best of their knowledge.

Applicant/Owner/Representative

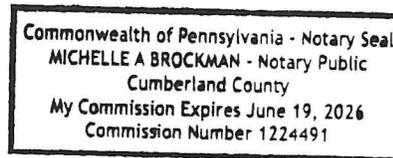
**Eric G. Unger / Owner**

\_\_\_\_\_  
Name/Title

  
\_\_\_\_\_  
Signature

Sworn to and subscribed before me  
this 21st day of August, 2025.

  
\_\_\_\_\_  
Notary Public



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*For office use only:*  
**ZONING HEARING BOARD CHECKLIST**

Application received: \_\_\_\_\_

Property Zoning District: \_\_\_\_\_

Request Type: Special Exception, Variance or Appeal: \_\_\_\_\_

Case No.: \_\_\_\_\_ Fee paid: \$ \_\_\_\_\_ Payment type: \_\_\_\_\_

Hearing date: \_\_\_\_\_

Draft Public Notice sent to Attorney for review: \_\_\_\_\_

Notice sent to newspaper: \_\_\_\_\_

Notice published in newspaper: \_\_\_\_\_

Notice mailed to property owners (225 ft. buffer): \_\_\_\_\_

Public Notice posted on property: \_\_\_\_\_

ZHB packets mailed and emailed: \_\_\_\_\_

Action taken: \_\_\_\_\_

**GENERAL NOTES:**

- THE INTENT OF THIS PLAN IS TO SUBDIVIDE PROPOSED LOT #1A FROM EXISTING LOT #1 AND PROPOSED LOT #2A FROM EXISTING LOT #2. PROPOSED LOT #1A WILL BE ADDED TO EXISTING LOT #2 AND PROPOSED LOT #2A WILL BE ADDED TO EXISTING LOT #1.
- TO THE BEST OF MY PROFESSIONAL KNOWLEDGE THERE IS NO ENVIRONMENTALLY SENSITIVE AREAS PRESENT.
- THERE IS NO 100 YEAR FLOOD PLAIN LOCATED WITHIN THE PROPERTY BOUNDARY OF THE PROJECT. THIS INFORMATION IS BASED UPON A REVIEW OF THE FLOOD BOUNDARY AND FLOODWAY MAP FOR THE TOWNSHIP OF FAIRVIEW, YORK COUNTY, PA. FEMA FLOOD INSURANCE RATE MAP PANEL 42133C0160F - COMMUNITY NUMBER 420923.
- THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE PACKET.
- NO KNOWN COVENANTS (OTHER THAN THESE SHOWN) EXIST NOR ARE PROPOSED BY THIS PLAN.
- THE FOLLOWING DATUMS ARE USED IN THE CREATION OF THIS PLAN, HORIZONTAL DATUM, NAD-83, VERTICAL DATUM, NAVD-88.
- MONUMENTS SHALL BE OF CONCRETE OR STONE AT LEAST 6 INCHES BY 6 INCHES BY 30 INCHES AND MARKED ON TOP WITH A COPPER OR BRASS DOWEL. THEY SHALL BE SET ON THE CORNERS OF THE PROPOSED PROPERTY LINE. MARKERS SHALL BE IRON PIPES OR BRASS DOWEL 30 INCHES BY 3/4 INCHES DIAMETER AND SET AT ALL CORNERS WHERE BOUNDARY LINES OR LINES CHANGE DIRECTION FOR EACH TRACT OR LOT.
- THIS PLAN PROPOSES NO EARTH MOVING ACTIVITIES. ANY EARTH MOVING ACTIVITIES MAY REQUIRE THE SUBMITTAL AND APPROVAL BY THE YORK COUNTY CONSERVATION DISTRICT PRIOR TO ANY EARTH MOVING ACTIVITIES OCCURRING.
- THIS PLAN DOES NOT OFFER ANY LANDS FOR DEDICATION TO PUBLIC USE.
- THERE ARE NO WETLANDS PRESENT ON THE SUBJECT PROPERTY.

**ZONING INFORMATION:**

ZONING DISTRICT:  
(RL) - RURAL LIVING  
EXISTING USE (LOT #1, #2): SINGLE-FAMILY DWELLING  
PROPOSED USE (LOT #1, #2): SINGLE-FAMILY DWELLING

**LOT AREA PER UNIT (MINIMUM):**

REQUIRED: 80,000 sq.ft.  
EXISTING LOT #1: 67,520.10 sq.ft.  
EXISTING LOT #2: 218,111.62 sq.ft.  
PROPOSED LOT #1: 67,514.63 sq.ft.  
PROPOSED LOT #2: 218,117.09 sq.ft.

**MINIMUM LOT WIDTH:**

REQUIRED: 300 ft. (Along Collector Street).  
EXISTING LOT #1: 187.61 ft. (Ex. Non-Conformity)  
EXISTING LOT #2: 127.66 ft. (Ex. Non-Conformity)  
PROPOSED LOT #1: 257.05 ft. VARIANCE REQUESTED  
PROPOSED LOT #2: 58.22 ft. VARIANCE REQUESTED

**BUILDING SETBACK REQUIREMENTS:**

Front Yard (min.) - 125 ft. (Along Collector Street).  
EXISTING / PROPOSED LOT #1: 125 ft.  
EXISTING / PROPOSED LOT #2: 125 ft.  
Side Yard (min. each side) - 30 ft.  
EXISTING / PROPOSED LOT #1: 30 ft.  
EXISTING / PROPOSED LOT #2: 30 ft.  
Rear Yard (min.) - 50 ft.  
EXISTING / PROPOSED LOT #1: 50 ft.  
EXISTING / PROPOSED LOT #2: 50 ft.

**ACCESSORY USE SETBACK REQUIREMENTS:**

Front Yard (min.) - Not Allowed in Front Setback or Front Yard if Principal Building is Less Than 150' From the Street Right of Way.  
Side Yard (min. each side) - 20 ft. - If Accessory to a Single Family Dwelling, 50 ft. for all other nonresidential and nonagriculture uses.  
Rear Yard (min.) - 20 ft. - If Accessory to a Single Family Dwelling, 50 ft. for all other nonresidential and nonagriculture uses.

**IMPERVIOUS LOT COVERAGE (MAXIMUM):**

ALLOWABLE: 20%  
EXISTING LOT #1: 10.20%  
EXISTING LOT #2: 6.68%  
PROPOSED LOT #1: 10.20%  
PROPOSED LOT #2: 6.68%

**VEGETATIVE COVERAGE (MINIMUM):**

ALLOWABLE: 60%  
EXISTING LOT #1: 89.80%  
EXISTING LOT #2: 93.32%  
PROPOSED LOT #1: 89.80%  
PROPOSED LOT #2: 93.32%

**MAXIMUM BUILDING HEIGHT (MAXIMUM):**

ALLOWABLE: 35 ft.  
EXISTING / PROPOSED LOT #1: < 35'  
EXISTING / PROPOSED LOT #2: < 35'

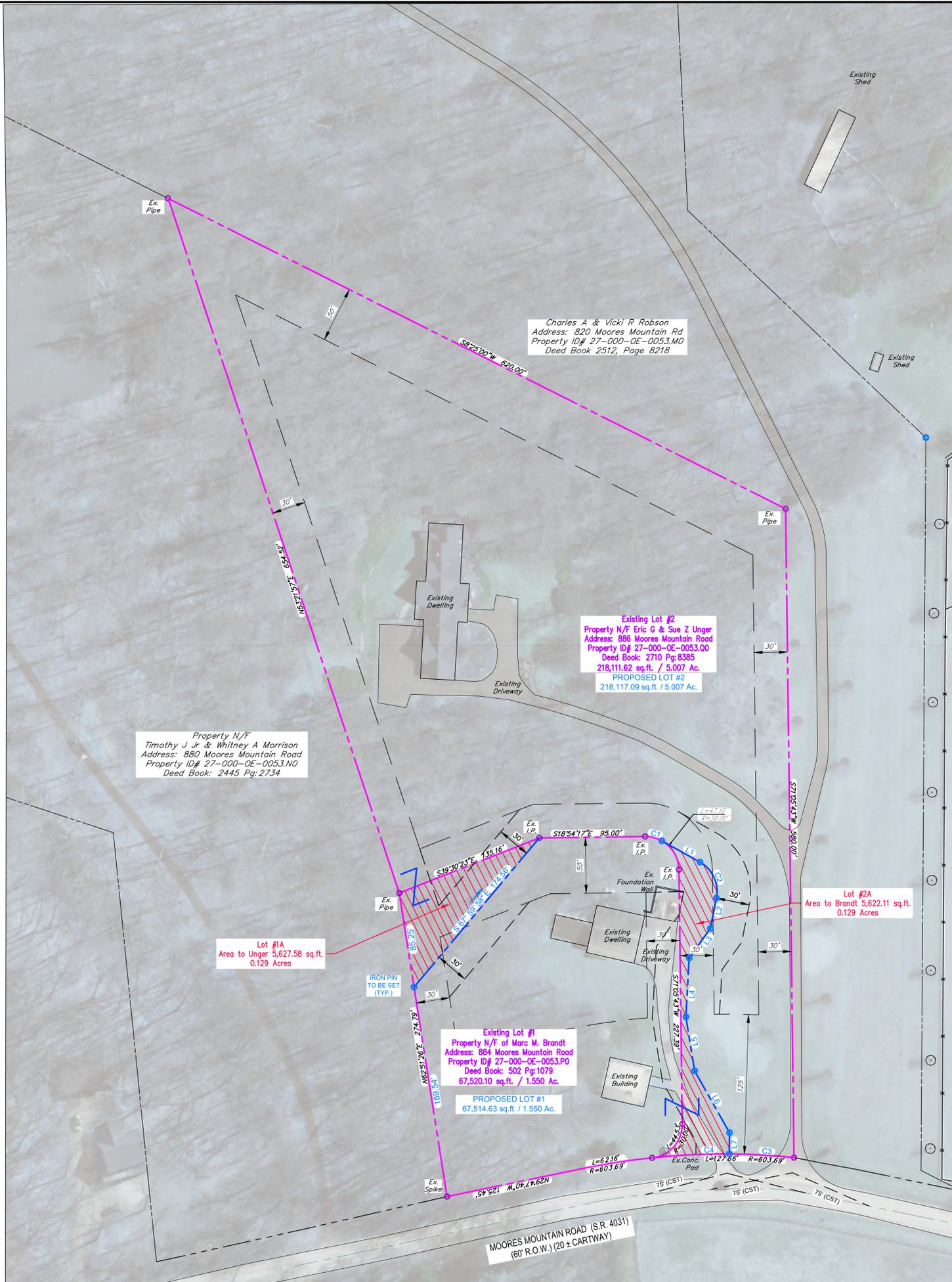
**UTILITIES:**

WATER SUPPLY: PRIVATE  
SANITARY SEWER: PRIVATE



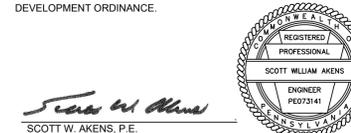
LOCATION OF EXISTING UNDERGROUND UTILITIES ARE BASED UPON SURFACE EVIDENCE AND EXISTING DRAWINGS AND ARE NOT GUARANTEED TO BE COMPLETE OR ACCURATE BY AKENS ENGINEERING ASSOCIATES, INC.  
CONTRACTOR SHOULD CONTACT THE PA. ONE CALL SYSTEM (1-800-421-7776) PRIOR TO ANY EXCAVATION AS REQUIRED BY PA. ACT 199 (2004).

PENNSYLVANIA LAW REQUIRES 3 WORKING DAYS NOTICE FOR CONSTRUCTION PHASE AND 10 WORKING DAYS NOTICE IN DESIGN STAGE - STOP CALL PENNSYLVANIA ONE CALL SYSTEMS, INC. PHONE: 1-800-242-1776, SERIAL NUMBER: 20252162743



**ENGINEER CERTIFICATION**

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE FAIRVIEW TOWNSHIP AND LAND DEVELOPMENT ORDINANCE.



**SURVEYOR CERTIFICATION**

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, THE SURVEY SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE FAIRVIEW TOWNSHIP AND LAND DEVELOPMENT ORDINANCE.



**APPLICANT DATA:**

MARC M. BRANDT  
884 MOORES MOUNTAIN ROAD  
LEWISBERRY, PA 17339-9773  
EMAIL: marc@mr-b-entertainment.com  
PHONE: 717-623-7777

**PARCEL INFORMATION:**

LOT #1: MARC M. BRANDT  
PARCEL ID: 27-000-OE-0053.P0  
SITE ADDRESS: 884 MOORES MOUNTAIN ROAD  
DEED BOOK 502, PAGE 1079  
LOT #2: ERIC G. & SUE Z. UNGER  
PARCEL ID: 27-000-OE-0053.Q0  
SITE ADDRESS: 886 MOORES MOUNTAIN ROAD  
DEED BOOK: 2710, PAGE 8385

**Parcel Line Table**

Line #	Length	Direction
L1	39.27	N10° 58' 58"E
L2	27.70	N83° 17' 21"E
L3	32.51	S72° 19' 58"E
L4	52.71	N75° 03' 49"E
L5	48.88	N62° 35' 42"E
L6	63.52	N42° 17' 45"E
L7	19.03	N72° 15' 55"E

**Curve Table**

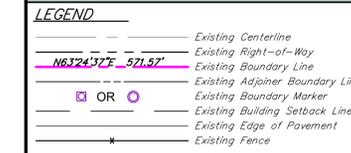
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	15.65	30.00	29.89	N3° 57' 39"W	15.47
C2	37.86	30.00	72.31	N47° 08' 09"E	35.40
C3	58.22	603.69	5.53	N14° 58' 19"W	58.20
C4	69.44	603.69	6.59	N21° 01' 48"W	69.40

**Akens Engineering Associates, Inc.**  
219 E. Main St. Shiremanstown, Pa. 17011  
(P) 717-975-9933 (F) 717-975-5507  
www.akensengineering.com  
"Providing Quality Engineering & Surveying Services since 1983."

**LOCATION MAP**



SCALE: 1" = 1000'

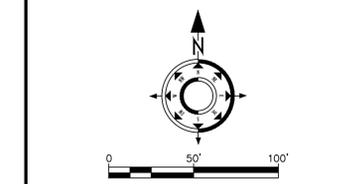


**PROPOSED LEGEND**



**PROJECT ENGINEER/SURVEYOR**

AKENS ENGINEERING ASSOCIATES, INC.  
SCOTT W. AKENS, P.E., P.L.S.  
219 E. Main St. Shiremanstown, Pa. 17011  
(P) 717-975-9933 (F) 717-975-5507  
www.akensengineering.com  
scott@akensengineering.com



**REVISIONS:**

**ZONING VARIANCE EXHIBIT FOR MARC M. BRANDT**

AND  
**ERIC G. & SUE Z. UNGER**

**FAIRVIEW TWP, YORK CO, PA**

EXISTING/PROPOSED CONDITIONS

SCALE:	SHEET NUMBER:
1" = 50'	1 of 1
PLAN DATE:	
AUGUST 4, 2025	
FILE NAME:	