



ZONING HEARING BOARD APPLICATION
YORK COUNTY, PENNSYLVANIA

Part 1:

APPLICANT(S)/EQUITABLE OWNER

Name: Maria Vajda
Address: 600 Buckhorn Court
Lewisberry, PA 17339
Phone: 717-683-6711

EXISTING OWNER OF PROPERTY:

Name: James A. & Maria R. Vajda
Address: 600 Buckhorn Court
Lewisberry, PA 17339

PROPERTY LOCATION:

Address: 600 Buckhorn Court
Lewisberry, PA 17339
Lot Size: .67 acre
Date Purchased: Feb. 19, 2002
Location: 600 Buckhorn Court
Lewisberry, PA 17339

PRESENT USE OF PROPERTY:

Single family residential dwelling.

EXISTING ZONE: single family residential

Part 2:

ZONING REQUEST (Identification of the applicable request(s)):

SUBSTANTIVE CHALLENGE

(XX) SPECIAL EXCEPTION

VARIANCE

APPEAL OF THE ZONING OFFICERS DECISION

SECTION(S) OF ZONING ORDINANCE WHICH APPLY TO THIS REQUEST - Please identify the specific section(s) of the Zoning Ordinance involved in the request):

Fairview Twp. Zoning Ord. Sect. 300-76, J. Home Occupations

Part 3:

DESCRIPTION OF REQUEST:

Applicant wishes to operate a skin care business from her home which will have extremely little to no impact on neighboring dwellings. Applicant is licensed esthetician. Please see attached detailed description of work to be performed at applicant's home business. Only one client shall be served at a time, no machinery will be used by applicant, and the business hours shall be Monday-Friday, 9:00 a.m. - 5:00 p.m. and

Saturday from 10:00 a.m. to 2:00 p.m. Please see attached plans evidencing location of business and its conformity with Township space and location requirements.

❖ Part 4

LIST ALL INDIVIDUAL PROPERTY OWNERS WITHIN 300 FEET OF THE PERIMETER OF THE ENTIRE PROPERTY. All addresses in Lewisberry, PA 17339:

NAME	ADDRESS	USE TYPE
✓ Kirk & Karen Ryan	603 Buckhorn Court	Single Fam.
✓ John Yanoviak	607 Black Powder Drive	Single Fam.
✓ Scott & Lisa Cubbler	605 Buckhorn Court	Single Fam.
✓ Justin & Lisa Frick	602 Black Powder Drive	Single Fam.
✓ Christopher & Jane Mannon	602 Buckhorn Court	Single Fam.
✓ Edward & Cynthia Vicker	603 Black Powder Drive	Single Fam.
✓ Donald & Janice Buxton	604 Black Powder Drive	Single Fam.
✓ Amanda Rogers Fetterhoff	649 Whitetail Drive	Single Fam.
✓ Marlin & Lorraine Forry	607 Buckhorn Court Gap Rd. (0110A)	Single Fam.
Craig & Theresa Reiter	609 Hunters Lane	Single Fam.
✓ Thomas & Wendy Lazzara	671 Hunters Lane	Single Fam.
Daniel J. Alderman	<sup>W057</sup> 695 Doe Lane	Single Fam.
✓ Steven & Doreen Merkt	609 Buckhorn Court	Single Fam.
✓ Greg Peters & April Pontius Peters	604 Buckhorn Court	Single Fam.
✓ Brian & Susan Good	609 Black Powder Drive	Single Fam.
✓ Lester & Jean Condon	673 Hunters Lane	Single Fam.

**IN THE MATTER OF** : **BEFORE THE FAIRVIEW TOWNSHIP**  
**THE APPLICATION OF** : **ZONING HEARING BOARD**  
**MARIA VAJDA** : **YORK COUNTY, PENNSYLVANIA**  
: **DOCKET NO. 2016-10**

**DECISION GRANTING A SPECIAL EXCEPTION FOR A HOME OCCUPATION**  
**IN THE SINGLE FAMILY RESIDENTIAL DISTRICT**  
**PURSUANT TO SECTION 300-20 OF THE ZONING ORDINANCE**

The Applicant applied for a special exception for a home occupation pursuant to Section 300-20 of the Fairview Township Zoning Ordinance for the purpose of operating a skin care salon at her residence located at 600 Buckhorn Court, Lewisberry, PA 17339, in the Single Family Residential Zoning District of the Township. The hearing on the application was held on January 19, 2017, at 7:00 p.m. at the Fairview Township Municipal Building, 599 Lewisberry Road, New Cumberland, PA 17070.

**FINDINGS OF FACT**

1. The Applicant is Maria Vajda, 600 Buckhorn Court, Lewisberry, Pennsylvania, 17339. The premises, which is the subject of the application, is the Applicant's residence.
2. The Applicant's residence is in the Single Family Residential Zoning District of Fairview Township on a lot 0.67 acres in area.
3. The proposed skin care salon will be operated by Ms. Vajda without employees. The business will be conducted weekdays during the hours of 9:00 a.m. until 5:00 p.m and Saturdays from 10:00 a.m. until 2:00 p.m., offering skin care services and supplies to her clientele. Only one client will be serviced at any one time. There is sufficient off-street parking for the Applicant's clientele to conform to the requirements of the Ordinance.

4. The proposed area for the skin care salon is in the Applicant's finished basement. The area for the salon will be approximately 470 square feet in area, which is less than 25% of the gross floor area of the dwelling and less than 500 square feet as required under the Ordinance. Ms. Vadja is licensed as an aesthetician by the Pennsylvania State Board of Cosmetology. Signage for the salon which is required by the licensing Board will conform with the requirements of the Township Ordinance.

5. Notice of the hearing was properly advertised; the property was properly posted; and all neighboring property owners required to be notified of the hearing were notified in accordance with the Township Ordinance and the Pennsylvania Municipalities Planning Code.

6. Home occupations in the Single Family Residential District of the Township require a special exception from the Zoning Hearing Board pursuant to Section 300-20 of the Zoning Ordinance. The Ordinance requirements for home occupations are delineated in Section 300-76.J and are applicable to this application. Each of the detailed specifications were addressed by Ms. Vajda in her testimony at the hearing and the Applicant demonstrated that the proposed skin care salon will comply in all respects with these Ordinance requirements.

7. The Applicant further demonstrated that the skin care salon will meet all the general requirements for special exceptions enumerated in the Fairview Township Zoning Ordinance Section 300-99.E.3.

### CONCLUSIONS

1. Pursuant to Section 300-20 of the Zoning Ordinance, home occupations are permitted in the Single Family Residential Zoning District by special exception, subject to compliance with the criteria of Sections 300-76.J and 300-99.E.3 of the Zoning Ordinance.

2. The Applicant demonstrated compliance with all of the standards established under Section 300-76.J of the Zoning Ordinance, and further established all of the general criteria for special exceptions set forth in Section 300-99.E.3 of the Zoning Ordinance. The requested special exception for a skin care salon should, therefore, be granted.

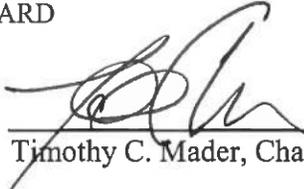
**DECISION**

On the basis of the foregoing findings and conclusions and on the basis of all the testimony and evidence presented at the Hearing, the Zoning Hearing Board hereby grants the application for a special exception authorizing a skin care salon as a home occupation at the Applicant's residence, 600 Buckhorn Court, Lewisberry, PA 17339.

The application was approved upon the motion made by Mr. Maxwell, seconded by Mr. Bashore and adopted 3-0 by the Board members present and voting.

FAIRVIEW TOWNSHIP ZONING HEARING  
BOARD

Dated: February 16, 2017

By:   
\_\_\_\_\_  
Timothy C. Mader, Chairman

Distribution:  
Applicant