

ATHENS TOWNSHIP ZONING HEARING BOARD

December 28, 2010

Zoning Hearing Board members in attendance were: Solicitor, Gerard A. Zeller, Esq., John Baird, Diane Marvin, Rita Jo Swingle, Marion Carling (Alternate), Laurie Bowen, Asst. Zoning Officer and Secretary, Elaine Daddona. Stenographer was Linda Wettlaufer. Sign-in sheet was available for all others in attendance and is hereby attached.

Chairman, John Baird, called the meeting to order at 6:38PM due to the fact that the Stenographer was delayed in arriving due to traffic. Motion by Diane Marvin to approve the minutes of the meeting on November 30, 2010 as read, second by Rita Jo Swingle, and motion was unanimously carried.

Allen P. Ervin, Sr.

Parcel #09-033.00-107-004-000

Hearing began at 6:40PM regarding the application of Allen P. Ervin, Sr. for a Special Exception to place a mobile home on an individual lot as a permanent independent dwelling unit and such other relief as determined by the Zoning Hearing Board for the property located at 1117 Macafee Road, Milan, PA.

Laurie Bowen, Assistant Zoning Officer, presented the application to the Zoning Hearing Board. The applicant was present with his attorney, Patrick Barrett, Esq. and testimony of Mr. Ervin commenced at 6:40PM and concluded at 6:55PM. The written comments of the Athens Township Planning Commission review were placed into evidence.

Testimony of adjoining property owners, George and Cynthia Rogers of Lot#23 in the Hickory Heights Subdivision began at 6:55PM and concluded at 7:31PM. The testimony concerned the Restrictive Covenants of the subdivision and the objection of these property owners to an approval of the application.

Executive session of the Zoning Hearing Board began at 7:32PM and the hearing was reconvened by Mr. Zeller at 7:50PM. Attorney Barrett, on behalf of his client Mr. Ervin, agreed to waive the 24-hr. written receipt of a Decision. Motion by Diane Marvin to grant **approval** of the Special Exception application as requested, second by Rita Jo Swingle, and motion carried by a unanimous roll call vote. Mr. Zeller explained that there was a 30-day appeal period following the Decision, and he instructed the applicant to contact the Zoning Officer, Ed Reid, concerning the placement of the mobile home and permit requirements.

Rita Jo Swingle and Diane Marvin stated that they would not be available for the next meeting date on January 25, 2011 due to prior commitments. It was decided to leave the date as it stands to see if there would be any new applications for hearing on that date prior to rescheduling the date.

The meeting was adjourned at 8:05PM as there was no further business to discuss.

Respectfully submitted,

Elaine J. Daddona, Secretary