

# Barley Snyder

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March 15, 2022

**VIA FIRST CLASS MAIL**

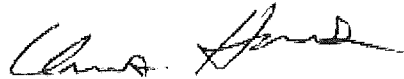
Mr. John S. Kauffman  
610 Pleasant View Road  
Honey Brook, PA 19344

**Re: Written Decision of 208 Suplee Road, Honey Brook Township, Chester County**

Dear Mr. Kauffman:

Enclosed please find a copy of the written decision for the hearing concerning the application for a variance regarding the above-referenced property.

Very truly yours,



Charles Haws

CBH:ag  
Enclosure

Cc: Beth Kohl, Esq., Township Solicitor  
Warren K. Obenski, Township Manager  
Technicon Enterprises, Inc., Zoning Officer

HONEY BROOK TOWNSHIP  
ZONING HEARING BOARD

: APPLICATION OF  
: JOHN S. KAUFFMAN

RESOLVED, that the application of John S. Kauffman for a variance from Sections 27-802.E.1 and 802.G.12 of the Honey Brook Township Zoning Ordinance, to allow the placement of a shed in the Flood Hazard District. The variance is hereby GRANTED on the basis of the following:

FINDINGS OF FACT

1. The Applicant is the owner of 208 Suplee Road, Honey Brook, PA, (hereinafter the "Premises") and resides at the same address.
2. The Premises is located in Agricultural zoning district.
3. A public hearing on the Application was held on February 21, 2022 at 8:00 P.M. in the Honey Brook Township Municipal Building, 500 Suplee Road, Honey Brook Township, Chester County Pennsylvania, pursuant to public notice, notice sent to adjoining property owners and posting of the premises.
4. The Applicant, Members of the Zoning Hearing Board and the Board's Solicitor attended the hearing.
5. The Applicant testified that his daughter and son in law live at the Premises and that he wanted to place a shed on the Premises to be used to house their horses.
6. The Applicant testified that the Flood Hazard District covers a significant portion of the Premises, as depicted in the application, including the existing dwelling, the driveway and the area where the proposed shed is to be located.
7. Applicant testified that it was not feasible to locate the shed on another portion of

the Premises, given the location of the home and the configuration of the Premises, these conditions are peculiar to the Premises.

9. The Board of Supervisors provided recommendation of approval regarding proposed variance, which was reviewed and considered by the Zoning Hearing Board.

10. The Applicant testified that the strict compliance with zoning ordinance would prohibit the placement of the shed, which would result in a hardship, which hardship was not created by the Applicant.

11. The Applicant testified that the requested variances if granted would not alter the essential character of the neighborhood or impair the appropriate use or development of adjacent property nor be detrimental to the public welfare.

12. The Applicant testified that the requested variance were the minimum variances that would afford relief.

#### CONCLUSIONS OF LAW

1. The Applicant is seeking a variance from Sections 27-802.E.1 and 802.G.12 of the Honey Brook Township Zoning Ordinance, to place a shed on the Premises within the Flood Hazard Zone, to house horses.

2. The Applicant demonstrated that there were particular site conditions including the existing residence and driveway, which along with significant portions of the Premises are located in the Flood Hazard District and that strict compliance with the zoning ordinance would cause a hardship.

3. The Applicant did not cause the hardship.


4. The requested relief is the minimum relief required to allow the proposed use.

5. The requested relief would not alter the essential character of the neighborhood or

impair the appropriate use or development of adjacent property nor be detrimental to the public welfare.

WHEREFORE, in consideration of the foregoing Findings of Fact and Conclusions of Law, the application of John S. Kauffman for a variance from Sections 27-802.E.1 and 802.G.12 to place a shed in the Flood Hazard District as depicted in the Application, is GRANTED to allow the proposed use in conformity with the Application marked as Exhibit 1 being the Applicant's Application to the Zoning Hearing Board.

Date: March 14, 2022

  
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Jeff Emberger

  
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John Riehl

  
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David Rodgers