

**BEFORE THE ZONING HEARING BOARD**  
**OF**  
**SCHUYLKILL COUNTY**

**RE:** Application of Susan A. Gibbons for a Variance to Section 202 of the Schuylkill County Zoning Ordinance (the "Ordinance").

**BEFORE:** Eric Seitzinger, David Ambrose, and Daniel Daub, Members of the Schuylkill County Zoning Hearing Board (the "Board").

**MINUTES OF HEARING**

Name of Applicant	Susan A. Gibbons 68 Brandonville Road Ringtown, Pa 17967
Location of Property	68 Brandonville Road Union Township Schuylkill County, Pa UPI No. 30-05-0105.001
Owner of Property	Applicant
Zoning Classification	A (Agricultural)
Date of Hearing	June 6, 2013
Place of Hearing	Commissioner's Board Room Schuylkill County Courthouse Pottsville, Pa
Appearance (for Board)	Christopher W. Hobbs, Esquire
Appearance (for Applicant)	pro se
Protestants	None

**BEFORE THE ZONING HEARING BOARD**  
**OF**  
**SCHUYLKILL COUNTY**

**RE:** Application of Susan A. Gibbons for a Variance to Section 202 of the Schuylkill County Zoning Ordinance (the "Ordinance").

**FINDINGS OF FACT**

After hearing all interested parties and consideration of the evidence presented, the Board finds as follows:

1. Susan A. Gibbons (the "Applicant") is the owner of the subject property (the "Property") situate a 68 Brandonville Road, Union Township, Schuylkill County, Pennsylvania and identified by UPI No. 30-05-0105.001.
2. The Property is located in an A (Agricultural) District under the Ordinance.
3. The Applicant filed a request for variance to §202 of the Ordinance that prohibits an accessory structure to be located on a lot without a principal use in advance of a subdivision plan that would allow the Applicant to subdivide the Property into two lots.
4. A hearing on the application was scheduled for June 6, 2013 at 7:00 p.m.
5. Public notice of the hearing was given by advertisement in the Pottsville Republican Newspaper on May 20, 2013 and May 27, 2013.
6. Notice was given by mail to the parties.
7. Notice was posted on the Property.
8. The application and notices are part of the Board's file and made part of the record.
9. At the hearing, the Applicant testified that two buildings exist upon the Property, one that her husband had used for a stained glass business and one which is a pole building she uses for storage.
10. The Applicant does not have any intentions on using the structure that her husband had used for his stained glass business but does intend on using the pole building for storage.

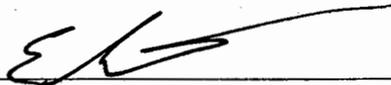
11. The Property is not located in a residential district nor would permitting the relief requested cause any detrimental effect on the public health, safety, and welfare.
12. Protestants did not appear to contest the application.

**CONCLUSIONS OF LAW**

1. The Board is empowered with exclusive jurisdiction to hear and render final adjudications in variance requests.
2. The Applicant is entitled to relief from the Ordinance's requirements.

**DECISION**

AND NOW, this 11<sup>th</sup> day of July, 2013, after consideration of all evidence presented, the Board **GRANTS** the Applicant's request consistent with her application. The Zoning Officer is directed to issue a permit consistent with this decision.



---

**ERIC SEITZINGER, Chairman**



---

**DAVID AMBROSE, Member**

---

**DANIEL DAUB, Member**