

PETITION FOR
VARIANCE
BEFORE THE ZONING HEARING BOARD
OF
NORTH ANNVILLE TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA

CASE # ~~1-22~~

DATE: March 23, 2022

APPELLANT/PETITIONER(S): Penssy Supply Inc.

ADDRESS: 1 Clear Spring Road, Annville, PA 17003

PROPERTY LOCATION: 1 Clear Spring Road, Annville, PA 17003 – North Annville Township, Lebanon County (the “Millard Mansion”)

OWNER(S): Penssy Supply Inc.

ADDRESS: 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110

Reasons for Appeal/Petition:

Petitioner, Penssy Supply Inc. (“Penssy”) by and through its counsel, Tucker R. Hull, Esquire of the Law Office of Tucker R. Hull, LLC, hereby requests a variance for a portion of the property located at 1 Clear Spring Road, Annville, Pa 17003. Specifically, Petitioner seeks a use variance for the building on the property commonly known as the “Millard Mansion” and for the areas immediately surrounding the Millard Mansion. The property on which the Millard Mansion sits has a property identification number of ~~25~~-2311003-366671-0000. The Property is owned by Penssy Supply Inc. and is located in the North Annville Township Manufacturing Zoning District.


The Millard Mansion is a historic home that was built in the early 20th century by the Millard family, which owned what was then known as the Millard Quarry. Over the years, ownership of the Millard Mansion has changed hands, with Penssy taking ownership in 2001. For many years, Penssy used the Millard Mansion as office space accessory to its quarrying operations. During this time period, Penssy made significant improvements to the building to make it compliant with the applicable codes and regulations. In 2018, however, as a part of Penssy’s internal initiative to centralize its operations and management team, the Millard Mansion was vacated. Since then, the structure has been empty, and Penssy no longer has a use for the space as offices. Given that the property is zoned Manufacturing, there is little to no use for the Millard Mansion as zoned.

In light of the foregoing, Penssy hereby requests a variance, pursuant to North Annville Township Zoning Ordinance Section 1106 to use the Millard Mansion and the grassy areas and parking lots around it for any use permitted in the General Commercial District. Penssy also

requests a determination pursuant to Section 304.5 of the Zoning Ordinance that use of the Millard Mansion as a bed and breakfast, as an Airbnb, and/or generally as an event space is sufficiently similar the uses specifically permitted in the General Commercial District (see Section 404.1(O) (Hotels, motels, and boarding houses) and Section 404.1 (J) (recreational or entertainment establishments)) so as to be a permitted use pursuant to Section 404.1(R) of the Zoning Ordinance.

Fee of \$^{\$400}~~400~~ received on 3/23/22 Check ^{#1871}~~#1870~~

I hereby certify the above to be correct and accurate. Furthermore, I waive my right to have a stenographic record of the hearing proceedings; in lieu thereof, I agree to the utilization of a sound recording tape to record the proceedings of the hearing. I further agree to payment of a fee of \$3.00 per page of hearing transcript, upon appeal of any decision in conjunction with this case and will pay the required minimum deposit fee.


Signature of Appellant/Petitioner

Name: DINO FAIOLA

Title: GENERAL MANAGER

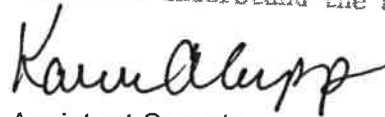
VARIANCE CRITERIA

The Pennsylvania Municipalities Planning Code allows a Zoning Hearing Board to potentially grant a variance (relief to a regulation) provided that all of the following findings are made where relevant in a given case:

- 1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.
- 2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- 3) That such unnecessary hardship has not been created by the appellant.
- 4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- 5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

In granting any variance, the board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the zoning ordinance.

I hereby acknowledge that I have read and understand the above criteria.



Assistant Secretary
Pennsy Supply, Inc.

Signature of Appellant/Petitioner