

**MINUTES OF THE REGULAR MEETING
OF THE UPPER PROVIDENCE TOWNSHIP ZONING HEARING BOARD HELD ON
May 26, 2021**

The Upper Providence Township Zoning Hearing Board was its regular month meeting on May 26, 2021. The meeting was held at the Rose Tree Fire Company, 1274 North Providence Road, Media, Pennsylvania. The meeting commenced at approximately 7:08 P.M. Present were Chairman Matthew Ryan, Vice-Chairman Mark Vakil, Edward Bierling, Michelle Ross, and Matthew Lake. Also present and participating were Greg Lebold, Township Manager, Code Enforcement Officer and Zoning Officer and Ernest S. Angelos, Esquire, Board solicitor, Carl Ewald, Esquire, Solicitor for Upper Providence Township and Edmund C. Campbell, Jr, Esquire, Counsel for Applicants. The hearing was record by court stenographer, Lori Defabio.

Chairman Ryan called the meeting to order and Vice-Chairman Vakil lead in the Pledge of Allegiance.

Next the Chairman proceeded with old business, that being Case No. 2021-02-03.

Case No. 21-02-03 is the application of J. Brian O’Niell, Jr., and Jennifer Gentilini, owners of 44 Shady Hill Road, located in the Township’s R-3 Residential Zoning District. Applicant requests a special exception and/or variance from the Township Code, Chapter 1256, Sections 1256.02, 1256.04, I3 and I5. Applicant is appealing the decision by the Township Zoning Officer that the accessory structure placed on his property is an accessory swelling unit, which is prohibited in the R-3 Zoning District.

A motion was duly made and seconded to deny the appeal J. Brian O’Niell, Jr and Jennifer Gentilini, owners of 44 Shady Hill Road, appealing the decision and Notice of Violation of the Township’s Assistant Enforcement Officer and to affirm the January 15, 2021, Notice of Violation issued by Michael D. Barnhart, Jr., LSIT, Assistant Township Enforcement Officer, determining that the subject building placed on the property at 44 Shady Hill Road in connection

with a permit issued for a storage shed is not an accessory structure and is rather an accessory dwelling unit as defined by the Upper Providence Township Zoning Code; and therefore, is not permitted in the Township's R-3 Zoning District. Motion carried 4-0-1 with Ms. Ross abstaining.

With no further old or new business to come before the Board, a motion was duly made and seconded and the meeting was adjourned.

**UPPER PROVIDENCE
TOWNSHIP ZONING HEARING
BOARD**

BY: 

**Ernest Spiros Angelos, Esq.
Recording Secretary**