
**BEFORE THE ZONING HEARING BOARD OF CARROLL TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

Re: 75 Spring Lane Road, :
Dillsburg, PA 17019; : Application #: 2026-002
UPI #: 20-000-PC-0340.00-00000); : Hearing Date: April 27, 2026
Variance request of Christopher :
and Rebecca Folk :
:

FINAL DECISION

AND NOW, this 27th day of April, 2026, after a hearing on and consideration of Christopher and Rebecca Folk's variance requests, pursuant to Section 450-407 of the Code of Carroll Township, the Zoning Hearing Board of Carroll Township hereby **CONDITIONALLY GRANTS** this request, as set forth more fully herein.

FINDINGS OF FACT

1. By filing dated March 31, 2026, Christopher and Rebecca Folk ("Applicant") submitted an application ("Application") to the Zoning Hearing Board of Carroll Township ("Board") requesting a variance from § 450-407(e) of the Zoning Ordinance of Carroll Township ("Ordinance").
2. The Applicant owns and controls the real property situate at 75 Spring Lane Road, Dillsburg, PA 17019 (UPI #: 20-000-PC-0340.00-00000) ("Property").
3. The Property is located in the Residential Suburban – 1 ("RS-1") Zoning District of Carroll Township.
4. Currently, the 5.11-acre Property is principally-used as Applicant's residence, being improved with a single-family residential dwelling.
5. Applicant requests approval for installation of a shared driveway ("Driveway") from Spring Lane Road to the vacant adjoining parcel, Lot 12 Chadwick Meadows, Spring Lane Road (UPI # 20-000-PC-0312.00-0000) ("Vacant Lot").
6. Applicant is the owner of record for both the Property and Vacant Lot.

7. The Driveway will be on both the Property and the Vacant Lot.
8. A hearing upon Application 2026-002 ("Hearing") was held before the Board on April 27, 2026 at approximately 6:05 p.m.
9. The Board conducted the Hearing at the Carroll Township Municipal Building located at 555 Chestnut Grove Road, Dillsburg, PA 17019.
10. Present at the hearing was Greg Taylor (Vice-Chairman); Richard Gensler (Secretary); and Mark Heishman (Alternate), together constituting a quorum of members that were able to attend the Hearing, participate in the proceeding, and vote on the Application.
11. Mark Heishman was appointed as a voting member of the Board pursuant to the Municipalities Planning Code ("MPC") § 906(b).
12. Attorney Brian C. Linsenbach was present on behalf of their clients, Applicants Christopher Folk and Rebecca Folk.
13. The following individuals expressed the intention to become a party to this Hearing and/or were sworn in for the purpose of providing testimony:
 - (a) Christopher Folk (Applicant), 75 Old Spring Lane, Dillsburg, PA 17019; and
 - (b) Brandon Slatt (Zoning Officer), 555 Chestnut Grove Road, Dillsburg, PA 17019.
14. Zoning Officer Slatt provided the following testimony:
 - (a) the Property was posted and notice was provided to the appropriate parties in accordance with the law;
 - (b) the Hearing was advertised in accordance with the Ordinance; and
 - (c) the application fee was paid by the Applicant.
15. Following Zoning Officer Slatt's testimony, Applicant provided testimony through its witness, as follows:
 - (a) The requested variance is for a shared driveway so that a house can be built for the Folk's family members on the Vacant Lot;
 - (b) The Vacant Lot will have its own well and electric system;
 - (c) A survey is actively being completed on the Vacant Lot;
 - (d) The Property's existing driveway is 12 feet wide and the Driveway will remain the same width;
 - (e) There is no impact that is expected on the neighbors or community;

- (f) Applicant is prepared to enter into a maintenance agreement with respect to the Driveway;
- (g) The Vacant Lot had a wetland delineation conducted which determined that wetlands run across the entire property line that borders Spring Lane Road; and
- (h) There would be substantial hardships incurred by the Applicant if the Driveway were not allowed between the two parcels, namely:
 - i. The wetland and watercourse delineation plan stated that the northern area of the Vacant Lot is covered in wetlands;
 - ii. The only right-of-way available for the Vacant Lot to connect with is Spring Lane Road to the north;
 - iii. Without the variance for a shared driveway, the Pennsylvania Department of Environmental Protection would need to issue a permit in order for the Driveway be constructed through wetlands; and
 - iv. The construction of the Driveway between the Vacant Lot and the Property is the only method to connect the Vacant Lot to a right-of-way without environmental degradation.

16. Applicant then orally amended their application to include a request for a variance to come within three (3) feet of the property boundary line between the Property and the Vacant Lot.

17. The Board admitted the following exhibits into the record:
- (a) A-1: Wetland and Watercourse Delineation;
 - (b) A-2: Driveway Sketch;
 - (c) A-3: Tax Parcel Map and Property Information of UPI#: 20-000-PC-0312.00-0000;
 - (d) A-4: Tax Parcel Map and Property Information of UPI#: 20-000-PC-0340.00-0000;
 - (e) A-5: Deed for Tax Parcel UPI#: 20-000-PC-0312.00-0000;
 - (f) A-6: Deed for Tax Parcel UPI#: 20-000-PC-0340.00-0000;
 - (g) A-7: A-Subdivision of Lands of Chadwick Meadows;
 - (h) A-8: Draft Declaration of Easement Agreement; and
 - (i) A-9: The Application Narrative.

18. At this time, Vice-Chairman Taylor closed testimony, and then the Board rendered its decision on the Application.


CONCLUSIONS OF LAW

1. Pursuant to § 450-407(e) of the Ordinance, “Joint use driveways are prohibited, except as set forth in § 435-56.”
2. Pursuant to § 450-407(j) of the Ordinance, a driveway may “not be within three feet of a property line.”
3. The Driveway, as proposed, would not comply with § 450-407(e) and § 450-407(j), as the Driveway would be jointly used by two separate parcels and would traverse the property line.
4. Applicant is seeking a dimensional variance to allow construction of a shared driveway and for it to be constructed within the three-foot restriction of a property boundary line.
5. The requested variance is dimensional in nature, in that, Applicant is asking only for a reasonable adjustment of the zoning regulations in order to utilize the Property in a manner consistent with the applicable regulations, as opposed to a use variance, which involves a proposal to use property in a manner that is wholly outside the zoning regulation. Hertzberg v. Zoning Bd. of Adjustment of City of Pittsburgh, 554 Pa. 249, 257, 721 A.2d 43, 47 (1998).
6. The quantum of proof required to establish unnecessary hardship is indeed lesser when a dimensional variance, as opposed to a use variance, is sought. Id. at 48.
7. Applicant has established that the traditional variance criteria, as set forth in § 450-605.C of the Ordinance, are satisfied in relation to the Application.

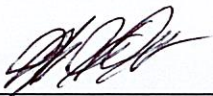
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A motion was made by Board Member Gregory Taylor, and seconded by Board Member Richard Gensler, to **CONDITIONALLY GRANT** Applicant's request for a variance from § 450-407(e) and § 450-407(j) of the Ordinance to construct a shared driveway within three feet of the property boundary line between the Property and the Vacant Lot, in the manner testified to at the Hearing, including the expected location in Exhibit A-2, with expected length and width testified to by Applicant, subject to the condition that Applicant enter into a driveway maintenance agreement, in a form approved by the Board's Solicitor, with respect to both the Property and that this driveway maintenance agreement be recorded prior to issuance of a zoning and/or driveway permit.

BOARD SIGNATURES:



Gregory Taylor, Vice-Chairman



Mark Heishman, Alternate



Richard Gensler, Secretary

Date of Mailing: 6-11-26

Note: Any party aggrieved by this decision may appeal to the Court of Common Pleas of York County within thirty (30) days of the date of this written decision.