

**WEST SADBURY TOWNSHIP
BOARD OF SUPERVISORS – SPECIAL MEETING 7:00 p.m.
September 4, 2018**

Attendees: Supervisors Ed Haas, John Keeseey, and Barry Edwards; Zoning Officer Bill Beers; plus Hank Cochran, Charlie Meyer, Jake King, Benuel Stolfus, Leon Glick, and Jeff Peterson.

The purpose of tonight's meeting is to review the conditions that lead to a Stop Work Order being issued to Jake King in regards to the Horse Barn that is currently being constructed on his property at 849 Zook Road. Issuance of the Stop Work Order was directed by a vote of the Supervisors at their Work Session Meeting on August 28, 2018.

Barry opened the meeting by giving a summary of the events and timeline of how we had arrived at this point. Topics covered included:

- Zoning Hearing held to request relief that would enable Mr. King to construct a horse barn on a property that is less than 2 acres and which would not be able to meet some of the specific setback requirements from property line and neighboring residence.
- Order issued by Zoning Hearing Board that granted relief with specific criteria for setbacks and restricting building to a one-story structure.
- Initial concerns that the location of the new building did not conform to the requirements specific in the ZHB Order. The Zoning Officer subsequently confirmed by measurement that the location was in compliance with the Order.
- An additional concern was raised during the Supervisors Work Session Meeting that the building was more than the one-story structure as required by the Order. There was a difference of opinion whether the area above the main floor was an attic or a second floor. Since not all of the Supervisors had seen the actual building and, accordingly, could not offer an opinion, it was decided to issue a Stop Work Order to prevent further work from being completed before a determination was made. The Supervisors voted to direct the Zoning Officer to issue a Stop Work Order until the issue was resolved.
- In the subsequent days, the Supervisors inspected the new building and are now meeting to determine if (1) the area above the main floor is actually a second floor and is not in compliance with the Order, or (2) the area above the main floor is an attic and is in compliance with the Order.

Barry stated that he believed the upper area was an attic and not a second floor. His opinion was based on the fact that the rafters run all the way down to the sill of the first floor and there are no "knee walls" or any similar structures on the upper level. The slope of the rafters allows only a small area in the center of the space where a person could stand upright. Because of the significant slope of the property, the building is dug into the hillside and on the rear side, the roofline is nearly at grade. The "dormer" on the rear side merely provides a unique access into the attic which would not be available if the building were situated on a flat lot.

John Keeseey stated that he had looked at the property and agreed that the upper area was an attic and not a second floor. Bill Beers stated he also believes it was an attic. Ed Haas had

some reservations and was not convinced that it was not a second floor. There were no comments from any of the other attendees.

After some discussions, John Keesey made a Motion that the Stop Work Order be rescinded and that Mr. King be permitted to continue to work on his building. Barry seconded the Motion. The Motion passed by a 2-0 vote with Ed Haas abstaining. Bill Beers will remove the Stop Work Order tomorrow morning.

There being no further business, the meeting was adjourned at 8:20 p.m.

Prepared by: E. Barry Edwards
Chairman, Board of Supervisors

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