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IRS No. 23-2274135

STREET ADDRESS:  
2320 NORTH SECOND STREET  
HARRISBURG, PA 17110

Writer's Direct Email:  
[jdc@cclawpc.com](mailto:jdc@cclawpc.com)

February 15, 2021

**VIA HAND DELIVERY**

Mr. Robert Ihlein  
Zoning  
Swatara Township  
599 Eisenhower Boulevard  
Harrisburg, PA 17111

RE: Application for Variance  
Route 441 Investors LLC  
Our File No:

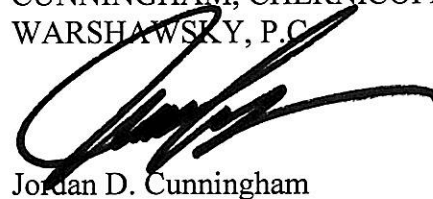
Dear Mr. Ihlein:

Enclosed are the following documents pertaining to the above matter:

1. Zoning Hearing Board Application with Addendum to Variance Application;
2. Site Drawing and Line of Sight Drawing for the proposed site; and
3. A check in the amount of \$750.00 representing the required processing fee.

Very truly yours,

CUNNINGHAM, CHERNICOFF &  
WARSHAWSKY, P.C.



Jordan D. Cunningham

JDC/ja  
Enclosure

F:\Home\AHEWITTD\DOCS\O-PORTENZIO\JOHN\BUSINESS\ROUTE 441 INVESTORS\SWATARA TOWNSHIP\021521.Letter to Swatara Township.wpd

*Jametrano@cclawpc.com.*  
*(Julie)*

**ZONING-HEARING BOARD APPLICATION  
TOWNSHIP OF SWATARA  
COUNTY OF DAUPHIN**

NAME OF APPLICANT Route 441 Investors, LLC

ADDRESS 4732 Gettysburg Road, Suite 302, Mechanicsburg, PA 17055 -- John Ortenzio (717) 972-1309

INTEREST IN PROPERTY (IF OTHER THAN OWNER) Equitable Title Owner Pursuant to an Agreement of Sale

OWNER OF PROPERTY (INDICATE IF DIFFERENT THAN ABOVE)

NAME Food Lion, LLC -- ATTENTION: Vice President, Real Estate Law

ADDRESS 1385 Hancock Street, Quincy, MA 02169 PHONE \_\_\_\_\_

TYPE OF APPLICATION

VARIANCE                                     APPEAL FROM MUNICIPAL ACTION  
 SPECIAL EXCEPTION                             OTHER \_\_\_\_\_

UNDER THE PROVISIONS OF THE SWATARA TOWNSHIP CODIFICATION OF ORDINANCES (AS AMENDED) CHAPTER 295- ZONING

ARTICLE VIII SECTION 295-123 ITEM D

ARTICLE \_\_\_\_\_ SECTION \_\_\_\_\_ ITEM \_\_\_\_\_

PROPERTY LOCATION 16.80 Acres Adjoining North Harrisburg Street and Orchard Drive

(Zoned Commercial General)

DAUPHIN COUNTY TAX MAP PARCEL 63- 024 - 128

ZONING-HEARING BOARD APPLICATION  
PAGE 2 OF 2

PROPERTY SIZE LOT WIDTH \_\_\_\_\_ LOT DEPTH \_\_\_\_\_ LOT AREA 16.08 Acres

PRESENT ZONING CLASSIFICATION Commercial General

PRESENT USE Undeveloped Property

PROPOSED USE Flex-Office -- Light Industrial

EXISTING IMPROVEMENTS ON PROPERTY None

(WHERE APPLICABLE, ATTACH PLOT PLAN INDICATING SIZE OF LOT(S),  
PRESENT IMPROVEMENTS, PROPOSED IMPROVEMENTS, AND RELEVANT SITE  
CHARACTERISTICS)

NATURE OR USE OF PROPERTY WITHIN 300 FEET Some Residential on Princeton Road  
adjacent to the subject property which is currently on a vacant and unimproved property

DESCRIBE FULLY THE NATURE OF YOUR REQUEST, THE GROUNDS THEREFOR,  
AND REASONS WHY IT SHOULD BE GRANTED. (ATTACH SUPPORTING  
DOCUMENTS AND ADDITIONAL SHEETS IF NEEDED) SEE ATTACHED SHEET

**NOTE:** THIS APPLICATION MUST BE ACCOMPANIED BY APPLICABLE FILING  
FEES AS ESTABLISHED BY RESOLUTION BY THE SWATARA TOWNSHIP BOARD  
OF COMMISSIONERS. APPLICANT SHALL ALSO BE RESPONSIBLE FOR COSTS  
INCURRED IN EXCESS OF THE INITIAL FILING FEE.

CERTIFICATION BY APPLICANT

I HEREBY CERTIFY THAT ALL OF THE ABOVE STATEMENTS AND THE  
STATEMENTS CONTAINED IN ANY PAPERS OR PLANS SUBMITTED HERewith  
ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Route 441 Associates, LLC

By: \_\_\_\_\_

  
SIGNATURE John M. Ortenzio, Manager

DATED February 12, 2021

## **ADDENDUM TO VARIANCE APPLICATION**

Applicant is seeking a Variance of Section 295-123 (Buffer Yards) regarding the Buffer Yard requirements to accommodate the construction of twenty-one (21) parking spaces required to meet the minimum off-street parking space requirements.

The Applicant is proposing to construct the Flex Office Buildings on the sixteen (16) acre site. The minimum off-street parking spaces required for the project are one hundred twenty-one (121) spaces. Specifically, the uniqueness of the boundaries of the Property as matched against the topography of the Property requires the siting of the footprint of the proposed two (2) buildings to be placed on the Property at such a location that the build-out of final twenty-one (21) parking spaces and the eastern end of the parking lot will result in an incursion of the Buffer Yard on the southwestern side of the Property paralleling Princeton Road. The proposed Flex Office Buildings cannot be placed on the Property in any other configuration in order to meet the minimum necessary off-street parking spaces in relation to the size of the proposed Flex Office Buildings without impinging on other set back requirements.

The proposed incursion into the Buffer Yard is triangular and wedged-shaped in design ranging from zero feet (0') to seventeen feet (17') in width for a distance of two hundred thirty-six feet (236'). The incursion is located behind a six foot (6') earthened mound with eight foot (8') high landscaping screening planted on top of the earthened mound. As a result, the twenty-one (21) parking spaces will not be visible to any of the Property owners located on Princeton Road, the adjacent road to the Property.

Finally, granting of the Variance will not create any significant impact upon the character of the neighborhood or the purpose of the Buffer Yard as the six foot (6') earthened mound and eight foot (8') landscape screening will not only obscure the entire two hundred thirty-six feet

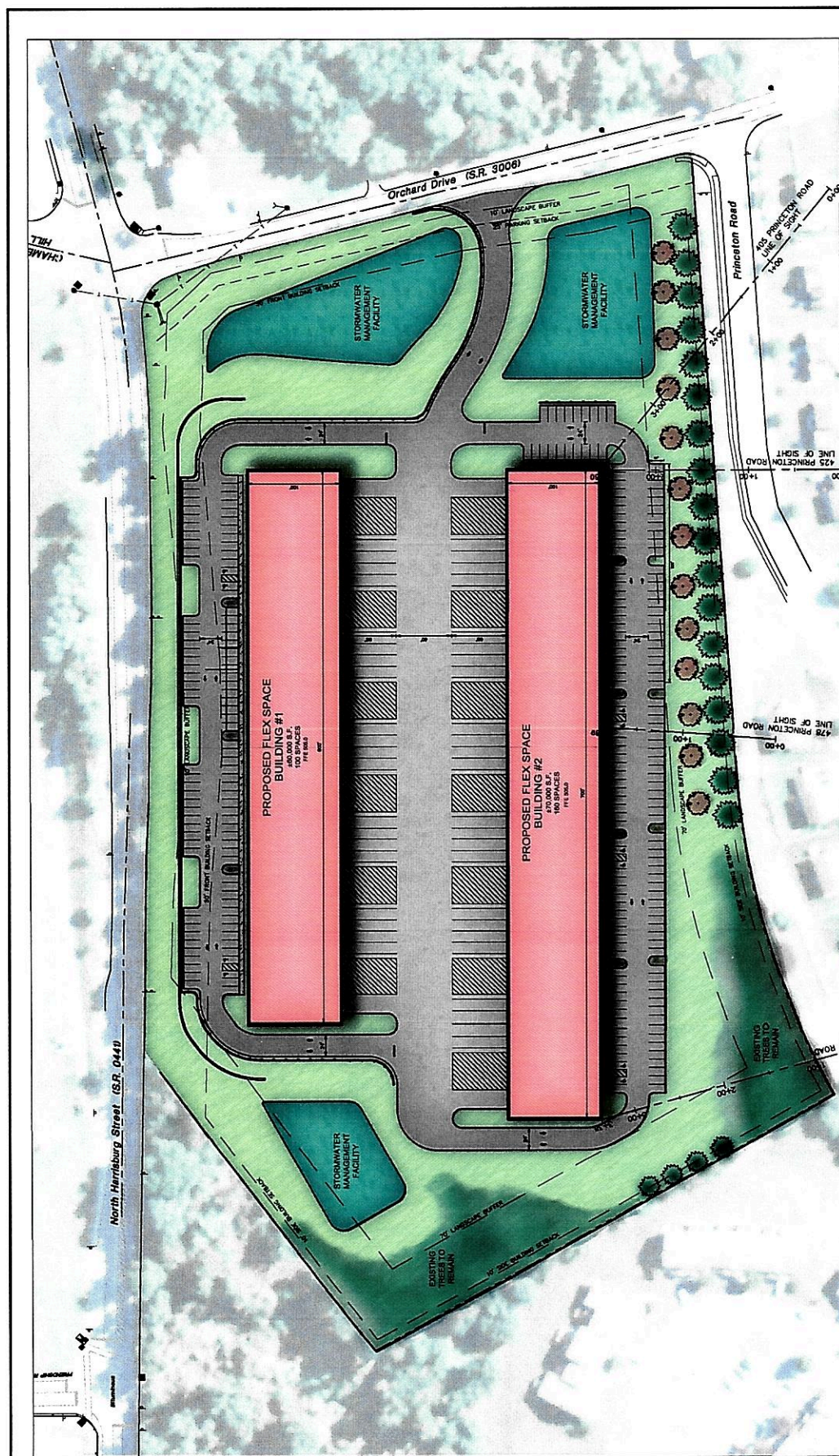
(236') length of the incursion into the Buffer Yard, but also the buildings themselves will not be in the line of sight of the Property owners on Princeton Road. (See, attached Site Drawing and Line of Sight Drawing for the proposed site)

Scaling back of the size of the Flex Office Building to eliminate the need for the parking spaces would result in an approximate twenty percent (20%) reduction of the total square feet of the proposed construction being developed. As a result, the failure to grant the Variance into the Buffer Yard would render the project economically infeasible. The failure to grant the Variance will result in the abandonment of the project as the loss Flex Office space square footage will not justify the cost of development.

**PROPOSED DEVELOPMENT**  
 NORTH HARRISBURG STREET AND ORCHARD DRIVE  
 SWATARA TOWNSHIP, DAUPHIN COUNTY, PA

Prepared: [ ]  
 Date: [ ]  
 Scale: 1" = 50'  
 Date: [ ]  
 Drawing No.: [ ]  
 Revision: [ ]

**SITE EXHIBIT**  
 SR-01



**ZONING INFORMATION**

LOCATION: SWATARA TOWNSHIP, DAUPHIN COUNTY  
 ZONE: (O-1) GENERAL COMMERCIAL DISTRICT  
 USE: FLEX SPACE OFFICE (LIMITED USE) AND MANUFACTURING / STORAGE OF A FINISHED USE (CONVENTIONAL USE)

ITEM #	ITEM	REQUIREMENTS	PROPOSED
1	MINIMUM LOT AREA	10,000 S.F.	122,643 S.F.
2	MINIMUM LOT WIDTH	60 FEET	60 FEET
3	MINIMUM FRONT SETBACK	25 FEET	352 FEET
4	MINIMUM SIDE SETBACK	15 FEET	240 FEET
5	MINIMUM REAR SETBACK	25 FEET	240 FEET
6	MINIMUM BUILDING COVERAGE	60 PERCENT	60 PERCENT
7	MINIMUM IMPERVIOUS COVERAGE	80 PERCENT	80 PERCENT
8	LANDSCAPE BUFFER	70 FEET	70 FEET

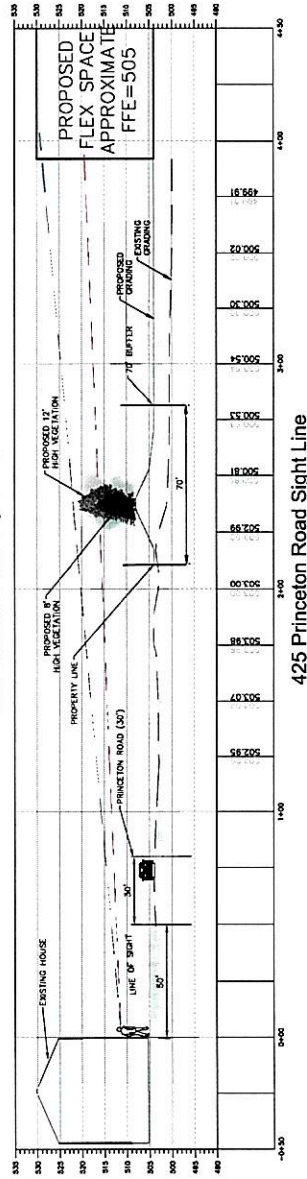
**PARKING INFORMATION**

ITEM #	ITEM	REQUIREMENTS	PROPOSED
1	BUILDING SIZE	100,000 S.F.	100,000 S.F.
2	PARKING REQUIRED BY TOWNSHIP	SPACES 1: 100 SPACES OF TOTAL FLOOR AREA SPACES 2: 115 SPACES MANUFACTURING / STORAGE OF FINISHED USE ON 5% OF FLOOR SPACE OF THE PLUS 4 PER 100 SQUARE FOOT BUILDINGS = 1 SPACE	241 SPACES
3	MINIMUM PARKING DIMENSIONS	9 FEET x 18 FEET	9 FEET x 18 FEET
4	MINIMUM AISLE WIDTH	22 FEET	24 FEET

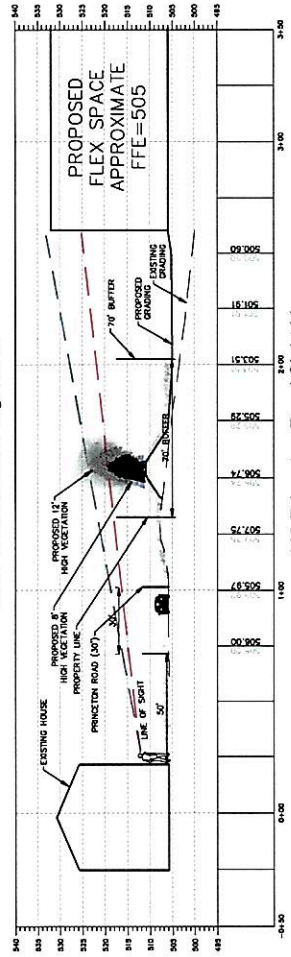


ALL INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION.

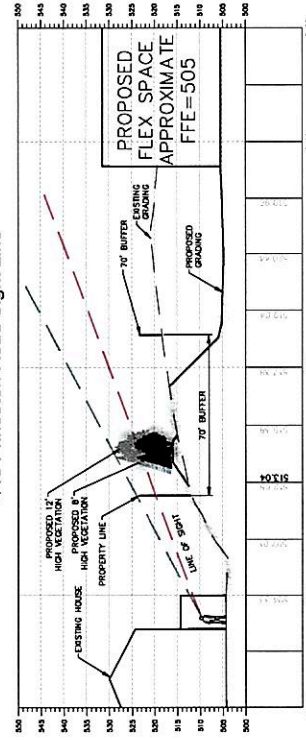
### 405 Princeton Road Sight Line



### 425 Princeton Road Sight Line



### 448 Princeton Road Sight Line



### 478 Princeton Road Sight Line

