

**LOWER ALLEN
ZONING HEARING BOARD**

IN THE MATTER OF: 960 Century Drive
 Zone: General Commercial District (C-2)
 Applicant/Owner: Century Park Investments, LP
 Application No. 2026-02

REQUEST FOR: **DIMENSIONAL VARIANCE FROM THE MINIMUM LOT
 WIDTH REGULATION FOR THE C-2 DISTRICT**

BEFORE: Moran, Chair
 Bonneville, Vice-Chair
 Massott, Member

DECISION

Applicant filed an application for a dimensional variance from the 50 ft. minimum lot width at the dedicated right-of-way line requirement (minimum lot frontage) for property located in the General Commercial District (C-2) pursuant to Section 220-60(B) Lower Allen Township Zoning Ordinance (Zoning Ordinance). The Board considered and decided Applicant's zoning request at the February 19, 2026 hearing.

EXHIBITS

- B-1 Certificate of Service of public notice and written notice of hearing on the application with attachments.
- B-2 Application with attached narrative and subdivision plan

FINDINGS OF FACT

1. On or about January 20, 2026, Century Park Investments, LP (Applicant) applied for a dimensional variance from Section 220-60(B) for zoning relief from the minimum lot frontage width requirement for the property located at 960 Century Drive, Mechanicsburg, which applicant proposes to subdivide into two (2) separate lots,
2. A hearing on the application took place on February 19, 2026.

3. Public notice of the hearing on the application was published in the Patriot News on February 3, 2026 and February 10, 2026. Notice of the hearing was posted at the Lower Allen Township Municipal Building and on the Township's website on January 27, 2026 and placed on the property on February 3, 2026.

4. Notice of the hearing was mailed to the Applicant and adjoining property owners on February 6, 2026.

5. No objections as to the method and timing of notice and advertising were raised.

6. No objections to any of the exhibits submitted into the record at the hearing were raised.

7. The property is located in the General Commercial District (C-2).

8. The Applicant has standing to pursue the zoning relief requested as it is the owner of the property.

9. Testimony at the hearing was taken from Adam Davis from Highland Engineering on behalf of Century Park Investments, LP (applicant) and Marcus Brandt, Lower Allen Township Zoning and Codes Administrator. Applicant was represented by David Jones, Esq. from Saxton & Stump, LLC.

10. The property is a 7.67 acre-lot featuring two (2) professional office buildings, parking lots/areas, landscaping, and access drives.

11. Applicant proposes to subdivide the property into two (2) separate lots; Lot 1 which would include the northwestern part of the property and feature one of the existing professional office buildings that houses Diakon Adoption & Foster Care Services, and Lot 2, which would

include the southeastern portion of the property and feature the other professional office building that houses Select Medical corporate headquarters¹.

12. The property is bounded by residential properties to the north, and east, and professional offices to the south and west.

13. The property was originally developed with an access drive extending from the cul-de-sac of Century Drive to the lot.

14. At the property line along Century Drive, the width of the lot frontage at the dedicated right-of-way line is fifty (50) ft., which is in compliance with the Township Zoning Ordinance².

15. After the subdivision, Lot 1 is designed to continue to have access through the existing connection with Century Drive, while Lot 2 would not have any frontage on a public street.

16. Lot 2 would continue to be served by the existing access drives through cross-easements from Lot 1 and through the private access drive through 4720 and 4718 Gettysburg Road³.

17. The only option to subdivide the property would be to redevelop the entire lot at a cost prohibitive expense in order to comply with the minimum lot width requirement applicable to the C-2 District.

¹ Select Medical has a street address of 4714 Gettysburg Drive Mechanicsburg.

² The Zoning Ordinance requires a minimum lot width of fifty (50) ft. at the dedicated right-of-way line in the C-2 District. Section 220-60(B).

³ The subdivision plan includes cross-access easements over the existing access drives and parking lots that currently serve the property that will become Lot 2

18. Applicant investigated the option of a potential access route through an unopened portion of Linden Avenue, however, this alternative would have only created a forty (40) ft. lot width at the dedicated right-of-way.

19. Also, creating an access way through Linden Avenue would be costly and would generate commercial traffic through a residential neighborhood.

20. The proposed subdivision of the property will cause Lot 2 to be landlocked, but the lot would still be served by existing access drives to Century Drive to the north, and Gettysburg Road to the south.

21. A commercial property that measures approximately 7.67 acres, with two (2) office building with their own off-street parking areas, typically has more than 50 ft. of lot frontage along a right-of-way.

22. The proposal does not involve any new development.

23. There will be no changes to access drives, traffic circulation, or parking on the proposed lots.

24. The existing office buildings appear to be on separate lots at the present time, each with their own separate off-street parking areas; which will continue unchanged if the requested variance is approved by the Board.

25. No one appeared in opposition to the application at the February 19, 2026 hearing.

CONCLUSIONS OF LAW

1. The Lower Allen Township Zoning Hearing Board has jurisdiction to hear the above-captioned application pursuant to 53 P.S. Section 10909.1(a)(5). (The Municipalities Planning Code).

2. Proper notice of the hearing was given to the public and to all interested parties.

3. Exhibits B-1 and B-2 were properly admitted into evidence.
4. Applicant sustained its burden of proof for the Variance requested for zoning relief from the minimum lot frontage width requirement for property located in the C-2 Zoning District in accordance with the attached discussion and decision.

DISCUSSION

The property is located in the General Commercial (C-2) Zoning District which is regulated by Article 9 of Chapter 220 – Lower Allen Township Zoning Ordinance (Ordinance). Applicant seeks a Dimensional Variance for zoning relief from the fifty (50) ft. minimum lot frontage requirement in order to subdivide the property located at 960 Century Drive, Mechanicsburg. Section 220-.60(B)

VARIANCE

In reviewing the variance application, the Zoning Hearing Board must take into account the criteria as set forth in Section 220-269 of the Township Zoning Ordinance which states the following;

C. Variances. The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of this chapter inflict unnecessary hardship upon the applicant. The Zoning Hearing Board may, by rule, prescribe the form of application and may require application to the Zoning Officer. The Zoning Hearing Board may grant a variance, provided that 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 this chapter in the 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 this chapter 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 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 represent the least modification possible of the regulation in issue. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this chapter.

Lower Allen Township Zoning Ordinance, Section 220-269.

Common law distinguishes between a dimensional variance and a use variance. A use variance applicant requests to use the property in a manner prohibited by the zoning regulation. *Hertzberg v. Zoning Bd. of Adjustment*, 721 A.2d at 47. A dimensional variance allows for the reasonable adjustment of the zoning regulation in order to utilize the property as desired. *Dunn v. Middletown Twp. Zoning Hearing Bd.*, 143 A.3d 494, 501 (Pa. Commw. 2016).

A professional office use is a permitted use in the C-2 Zoning District. Applicant's variance request for zoning relief from the minimum lot frontage width requirement is categorized as a dimensional variance. When considering a dimensional variance for purposes of determining unnecessary hardship, a Zoning Hearing Board is able to consider multiple factors not applicable to the use variance test, such as the financial hardship created by any work necessary to bring the property into strict compliance with the ordinance and the characteristics of the surrounding neighborhood. *Soc'y Created to Reduce Urban Blight v. Zoning Bd. of Adjustment*, 771 A.2d 874,

877 (Pa. Commw. 2001). A dimensional variance therefore compels a slightly lowered standard from a use variance, but must still address the aforementioned factors, including the showing of an unnecessary hardship. *Tri-Cnty. Landfill, Inc. v. Pine Twp. Zoning Hearing Bd.*, 83 A.3d 488, 520 (Pa. Commw. 2014).

The property is a 7.67 acre lot that features two (2) professional office buildings/structures; one on the northwestern portion of the lot (Diakon), and the other on the southeastern portion of the lot (Select Medical). These offices function independently of one another, and each has its own off-street parking areas that provide sufficient parking in compliance with the Zoning Ordinance. Applicant seeks to subdivide the property into two (2) lots; each one will feature a professional office building with its own off-street parking area. Lot 1 (Diakon) will have sufficient frontage to comply with the fifty (50) ft. minimum lot frontage at the dedicated right-of-way line along Century Drive. Lot 1 will continue to have access through the property's existing connection with Century Drive. After the subdivision, Lot 2 will not have any frontage on a public street, and will need zoning relief to comply with the minimum lot frontage requirement (50 ft.) applicable to the C-2 District. Applicant points out that the property is fully developed with structures, paved parking areas, landscaping, stormwater management inlets, drainage and sewer easements, and utility easements. The proposal would not involve any new development; no physical changes to the property or the traffic circulation on the property. The change would only be on paper to create a new property line which would essentially mirror the actual appearance and functioning of the proposed independent lots.

The only other alternative to subdivide the property without the necessity of a dimensional variance from the minimum lot frontage requirement would be to redevelop the entire property at prohibitive cost. Another option is to establish an access route through an

unopened portion of Linden Ave., however, this plan would only create a forty (40) ft. lot width at the right-of-way line; and be insufficient to comply with the zoning requirements of the C-2 District. Furthermore, opening this right of way would entail significant expense. The unique physical condition of the large commercial property having only 50 ft. of lot frontage and the financial hardship to comply with the Township Zoning Ordinance, or to reduce the amount of zoning relief necessary for compliance, creates the undue hardship and applicant's justification for the requested dimensional variance.

Although Lot 2 will be a landlocked property, it will continue to use the existing access drives to Century Drive and Gettysburg Road that it used prior to the subdivision. Lot 2 will have cross-easements from Lot 1 to the north and from the private access drive through 4720 and 4718 Gettysburg Road to the south. The requested dimensional variance allows applicant to subdivide the property without any disruption or change to the existing area. The subdivision of the property will essentially memorialize the manner in which the lot currently functions. The requested zoning relief will cause an alteration to the essential character of the surrounding area, nor will it substantially impair the appropriate use or development of adjacent properties, nor will it be detrimental to the public welfare.

Applicant has met its burden of proof for a dimensional variance from the minimum lot frontage requirement applicable to C-2 Zoning District for the proposed subdivision of the property in accordance with the above discussion.

ORDER

In accordance with the above discussion, and in accordance with the subdivision plan submitted with the application (See Ex. B-2), applicant's request for a Dimensional Variance for zoning relief from the fifty (50) ft. minimum lot width requirement in the C-2 Zoning District to subdivide the property located at 960 Century Drive, Mechanicsburg is granted. (See Section 220-60(B))

LOWER ALLEN TOWNSHIP ZONING HEARING BOARD

Date: 2/29/24

By: 
Richard Bonneville, Vice-Chair

Any parties that are aggrieved by this Decision may appeal same within thirty (30) days to the Court of Common Pleas of Cumberland County, PA