

RE: Logos School,	:	ZONING HEARING BOARD OF
	:	THE BOROUGH OF CARLISLE
Applicant	:	
	:	CASE NO. 2024-03
	:	
Request for Special Exception	:	Date of Decision: February 13, 2024

DECISION OF ZONING HEARING BOARD

I. Procedural and Factual Background

Logos School (the “Applicant”), has applied for a special exception pursuant to § 255-17.B. of the Carlisle Zoning Ordinance (the “Ordinance”), to permit a private school for grades kindergarten through eight grade (the “Application”). The Application was filed with the Carlisle Borough Zoning Hearing Board on December 7, 2023, and proposes to rent space at the First Church of God five days a week (Monday through Friday) for the purpose of regular education through a classical and Christ-centered model of education at the subject site. The Applicant has a lease option on a property located in the Borough’s R-1 Low Density Residential District, with an address of 705 Glendale Street, Carlisle, Pennsylvania (the “Property”).

A public hearing on the Application was held at 6:30 p.m. on January 4, 2024, in the Carlisle Borough Hall. The Zoning Hearing Board (the “Board” or the “ZHB”) was represented by Kurt E. Williams, Esq. of Salzmänn Hughes, P.C., and the Applicant was represented by Corey and Julie Gelbaugh, *pro se*. The hearing was stenographically recorded. Zoning Officer Jared Woolston testified that the public hearing was advertised in the *Sentinel* newspaper on December 21 and 28, 2023, that the Property was posted on December 20, 2023, and neighboring property

owners were notified of the Application by mail on December 18, 2023. Assistant Zoning Officer Jim Bennett was also present.

Members of the Board participating in the hearing on the Application were: Christopher Fowler (Chair), Dana Culbertson, Britt Erney-Muniz, and alternate Anna Knych participated in the hearing and decision. Aside from the Application submitted (Exhibit A-1), the Applicant offered a Grove Miller traffic summary report (Exhibit A-2) into the record. One other exhibit was accepted into the record by the Board (Exhibit Boro-1), the Zoning Officer Report for the Application. There were no objections to the admission of any exhibits. No other person or group requested party status.

Zoning Officer Jared Woolston ("Mr. Woolston") presented sworn testimony as follows:

1. Mr. Woolston noted that the Applicant is seeking a special exception pursuant to § 255-17.B. of the Ordinance to permit a private school for grades kindergarten through eighth grade at 705 Glendale Street. The subject tract is zoned R-1 Low Density Residential district.
2. Mr. Woolston explained that there are two entrances into the site. One is off Royer Road, which is the main road past the site, and the other is at the signalized intersection of Belvedere Road and Walnut Bottom Road. Mr. Woolston stated that the Borough Engineer would prefer not to have bus traffic turning into or out of the site using Royer Road.
3. Mr. Woolston explained further that the Applicant was not proposed to change the use of the church, rather they want to add another principal use.

Corey Gelbaugh, ("Mr. Gelbaugh"), having been sworn, presented testimony on behalf of the Applicant as follows:

1. Mr. Gelbaugh testified that he and his wife, Julie Gelbaugh, are representing Logos School. They are requesting a special exception to relocate from the Carlisle Evangelical Free Church to the First Church of God to provide education for kindergarten through eight grade and classroom preschool education five days per week, Monday through Friday. The Applicant will finish the school year at its current site and start at the Property in August 2024.
2. Property is an existing church, and they believe it has met the requirements to be occupied for educational purposes as a private school. The lot size is 3.2 acres, and the Applicant does not propose to extend the building with impervious coverage.
3. The existing building has a setback of 100 feet from all residential lot lines. It meets the requirement of less than 30 percent building coverage and less than 60 percent impervious coverage. Additionally, the building meets ADA requirements for accessibility. The Property is served by public water and sewer.
4. Mr. Gelbaugh explained that school staff will have access to the parking lot during the school day and their plan highlights ten parking spaces and two handicap spaces reserved for school use, which meets the requirement of one parking space per 15 students.
5. Mr. Gelbaugh testified that the Applicant currently has 80 students, and it would have no more than 117 students, which is the maximum amount for the square footage in the classroom.
6. School hours will be from 7:45 a.m. to 3:00 p.m. with aftercare until 5:00 p.m. The Applicant has one bus and two vans that come from other districts providing service to students.

7. Mr. Gelbaugh stated that requiring access to the site for bus traffic through the signalized intersection at Belvedere Road and Walnut Bottom Road was an acceptable condition, and it will not create a significant public safety hazard.
8. Mr. Gelbaugh indicated that the proposed use will not negatively impact the character of the neighborhood as there is an existing religious facility in the neighborhood. No design changes are proposed, it will involve adequate site sign design, and there will be screening setbacks.

II. Order and Decision of the Board

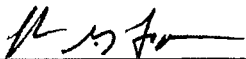
Based upon the Application as submitted and the testimony provided, the Board makes the above findings of fact and issues the following Order and Decision as set forth below.

It is hereby ordered and decided as follows:

1. In accordance with Ordinance §§255-17.B., the Board finds that the Applicant has met its burden of establishing those criteria necessary for the grant of a special exception use to permit a private school for grades kindergarten through eighth grade at 705 Glendale Street.
2. The representations made by the Applicant in the Application, the supporting documentation, and the testimony at the public hearing shall be considered conditions of the special exception granted. Changes from said representations, documentation, and testimony, other than minor technical changes, or failure to comply with the conditions of the special exception approval, shall be considered a violation of the special exception, and may result in revocation of the special exception approval if not brought into full compliance within sixty (60) days of written notice of non-compliance from the Borough.
3. In addition, the Applicant will limit the use to 117 students.
4. The Applicant shall ensure that bus traffic does not enter or exit the site from Royer Road.
5. The Board hereby decides by unanimous vote to grant the Application as presented with the above stated conditions of approval.

In addition to the above, the Applicant shall comply with all applicable federal, state, local and Borough laws, ordinances, and regulations, including building code occupancy limits.

Borough of Carlisle Zoning Hearing Board

By: 
Christopher Fowler, Chair

MAILING DATE: February 13, 2024

Any person aggrieved by this decision of the Zoning Hearing Board may appeal to the Court of Common Pleas of Cumberland County. The appeal must be taken within thirty (30) days of the mailing date of this Decision.