

RE: Natacha Seraphin : ZONING HEARING BOARD OF  
Applicant : THE BOROUGH OF CARLISLE  
:   
: CASE NO. 19-01  
:   
Request for Special Exception : Date of Decision: 2/25/19

DECISION OF ZONING HEARING BOARD

I. Procedural Background and Findings of Fact

Applicant, Natacha Seraphin, is a party to an Agreement of Sale to purchase real property located at 121 E. Louther Street in the Borough of Carlisle. The property is located in the Borough's R-4 Town Center Residential zoning district.

On December 20, 2018, the Applicant submitted to the Borough of Carlisle Zoning Hearing Board ("Board") a request for a special exception seeking relief from Article XXVII, Section 255-234.E.(4) of the Borough of Carlisle's Zoning Ordinance ("Zoning Ordinance"). The Applicant proposes a change in the existing nonconforming use of a business offering home entertainment sales, installation and repair services to another nonconforming use of retail sale of beauty supplies and ethnic food products and the operation of a beauty salon. The Zoning Ordinance sets forth that a nonconforming use may be changed to another nonconforming use only if permitted as a special exception. The Zoning Ordinance prescribes that the Board evaluate the Application using the criteria listed in Zoning Ordinance Article XXVII, Section 255-234.E.(4).

After proper advertisement and notice, a public hearing was held on February 7, 2019, in the Carlisle Borough Municipal Building, 53 West South Street, Carlisle, Pennsylvania, at which Hearing Board members Stephanie E. Chertok, Vincent Champion, Christopher Fowler, John Martin and Alternate Board Member Joel Hicks were present. Solicitor Jennifer B. Hipp was present on behalf of the Board. The hearing was stenographically recorded.

Pam Fisher testified in support of the Application. Ms. Fisher is a realtor who is assisting the Applicant. She noted that the property is the site of the former Cumberland Fire Company that was built in 1896. The property is adjacent to the former Penn Elementary School, which now houses apartment units.

Ms. Fisher testified that the Applicant would have two (2) employees at the business. Most of the customers would arrive by foot, with the Applicant deriving much of her business from Dickinson College students. The existing retail shop, KNR Beauty Supplies African & General MKT, LLC, currently operates at 162 N. West Street.

Ms. Fisher testified that the Applicant typically purchases supplies and brings them to her store, rather than supplies being delivered by tractor trailer. The Applicant proposes that her hours of operation would be from 10:00 a.m. until 6:00 p.m., Monday through Saturday. There are three (3) one-bedroom apartments located upstairs of the property, which would remain. Ms. Fisher testified that it would absolutely be more costly to convert the first floor of the property to a residential use than for its continued use as a business.

The Applicant testified that she is not planning any exterior remodeling, other than beautification which would include painting and flowers. Ms. Seraphin testified that she would sell beauty supplies, and gluten-free and African foods. She noted that she is the only supplier for African beauty supplies in the Carlisle area. She desires to move because she has outgrown her current space, where her business has been located for four (4) years. In terms of food, the Applicant intends to sell only packaged items.

Ray Porter, of 1340 Georgetown Circle, Carlisle, testified in support of the Application. Mr. Porter noted that Ms. Seraphin is a remarkable person, a legal immigrant, United States Army

Veteran, a nurse and is studying to become a realtor. He had high praise for the Applicant and noted that her current store is remarkable.

Dawn Flower-Webb, Chair, Borough Economic Development Committee, and Member, Borough Council, testified in support of the Application. Ms. Flower-Webb noted that she is ecstatic about successful businesses being located in the Borough.

There was no opposition from any person or organization to the Applicant's request.

Based upon the Application as submitted and the testimony presented, the Board makes the above Findings of Fact and issues the following Order and Decision.

## **II. Order and Decision of the Board**

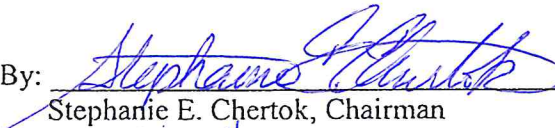
It is hereby ordered and decided as follows:

- A. The Board finds that the Applicant has met her burden of establishing those criteria necessary for the grant of a special exception pursuant to Zoning Ordinance Article XXVII, Section 255-234.E.(4).
- B. The Board decides by unanimous vote that the special exception pursuant to Zoning Ordinance Article XXVII, Section 255-234.E.(4) is hereby GRANTED.

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

Borough of Carlisle Zoning Hearing Board

By:

  
Stephanie E. Chertok, Chairman

Date: 2/25/19

**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 date of this Decision.**