

ZONING HEARING BOARD: March 27, 2017

Dave Alexander

Special Exception Request

The Providence Township Zoning Hearing Board meeting was held on Monday evening, March 27, 2017, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall and Albert Warfel. Connie Peiffer, Secretary/Zoning Officer, Melissa Anderson, court reporter, and four (4) observers were also present.

Mr. Duvall brought the meeting to order at 7:00 pm and announced there were two hearings tonight. The first order of business, a special exception request to replace and expand a nonconforming accessory structure for Dave Alexander at 290 Sawmill Road. Mrs. Peiffer and Mr. Dave Alexander were sworn in by the court reporter. Mrs. Peiffer stated the hearing had been legally advertised in the Lancaster Newspapers on February 27, 2017 and March 6, 2017 and then again, because of postponement of the hearing due to inclement weather, March 14, 2017 and March 19, 2017. Proof of publication was presented. The property had been properly posted. Entry of Appearance form was presented for Dave Alexander. Mrs. Peiffer explained the property is located at 290 Sawmill Road and is zoned agricultural. At this time, Mr. Alexander is requesting to replace an existing garage and expand in the rear a 12' x 26' shop area. The existing garage does not comply with the front yard setback of 66 ½' from the center of the road. Mr. Alexander explained that he will be demolishing the existing garage and adding on a 12' x 26" addition. Mr. Alexander may have to rebuild the foundation on the slab. The building will be a garage and storage for nails, equipment, shop and saws. No employees will work from the structure and there will be no identification as a business. Mr. Dave Gerhart, Chairman of the Board of Supervisors, asked if it would create a monetary hardship to move the structure back to comply with the setback. Mr. Alexander stated he plans on using existing slab and block walls.

Mr. Duvall made a motion to grant the special exception to allow the replacement and expansion of the garage using the existing footprint, with proposed structure no closer to the road than the existing structure, with the following conditions:

- a. The applicant shall at all times comply with and adhere to the evidence presented to the Board including, but not limited to, the plans, materials and testimony submitted at the hearing.
- b. The applicant must obtain all other permits, licenses, and approvals pursuant to any and all applicable federal, state and local laws, rules and regulations.
- c. Any violation of the conditions contained in this decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the Zoning Ordinance and the Municipalities Planning Code.
- d. This Decision shall bind the applicant, his heirs, successors, grantees and assigns.

Mr. Warfel seconded the motion and it was carried unanimously. The hearing was adjourned at 7:18p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Constance Peiffer, Secretary

Bradford Duvall, Vice Chairman

Albert Warfel, Member

ZONING HEARING BOARD: March 27, 2017
Glenn Robinson
Special Exception Request

At 7:20 p.m. Mr. Duvall introduced the second order of business, which was the consideration of a special exception to replace and expand a nonconforming use and structure to allow moving the existing dwelling located at 479 West Fourth Street to the property located at 128 Oak Bottom Road. The property located at 479 West Fourth Street is owned by Glenn Robinson and the property located at 128 Oak Bottom Road is owned by Joseph Little. Both properties are zoned commercial. Glenn Robinson was sworn in by the court reporter. Mrs. Peiffer confirmed the hearing had been legally advertised in the Lancaster Newspapers on February 27, 2017 and March 6, 2017 and then again, because of postponement of the hearing due to inclement weather, March 14, 2017 and March 19, 2017. Proof of publication was presented. Mrs. Peiffer stated the properties had been properly posted. Entry of Appearance form was presented for Glenn Robinson. Mrs. Peiffer explained that the dwelling located at parcel for 479 West Fourth Street would be moved to 128 Oak Bottom Road. The current trailer and addition on 128 Oak Bottom Road will be removed and scrapped. Mr. Robinson stated that the sale of the property at 128 Oak Bottom Road is contingent on the zoning hearing board decision. The dwelling will remain a rental residence with a slight expansion. Mr. Robinson stated the dwelling that is requested for moving is the Jacob Herr farmhouse. The moving of the property would not go over a stream or Oak Bottom Road or West Fourth Street.

Mr. Warfel made a motion to grant the special exception to allow moving the existing dwelling located at 479 West Fourth Street to the property located at 128 Oak Bottom Road, with the following conditions:

- a. The applicant shall at all times comply with and adhere to the evidence presented to the Board including, but not limited to, the plans, materials and testimony submitted at the hearing.
- b. The applicant must obtain all other permits, licenses, and approvals pursuant to any and all applicable federal state and local laws, rules and regulations.
- c. Any violation of the conditions contained in this decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the Zoning Ordinance and the Municipalities Planning Code.
- d. This Decision shall bind the applicant, his heirs, successors, grantees and assigns.

Mr. Duvall seconded the motion and it was carried unanimously. The hearing was adjourned at 7:33 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Constance Peiffer, Secretary

Bradford Duvall, Vice Chairman

Albert Warfel, Member