

ZONING HEARING BOARD: MARCH 8, 2016
RON FELPEL/MARK BRADY PROPERTY

The Providence Township Zoning Hearing Board meeting was held on Tuesday evening, March 8, 2016, in the Township Municipal office. Members present were Ralph DuBree, James Hess, and Bradford Duvall. Connie Peiffer, Secretary and Zoning Officer, Melissa Anderson, court reporter, and four (4) observers were also present. The first order of business was to elect officers for the year 2016. Mr. DuBree made a motion, seconded by Mr. Hess, to nominate Bradford Duvall as Chairman of the Zoning Hearing Board for the year 2016. The motion was carried unanimously. Mr. Duvall then made a motion, seconded by Mr. DuBree, to nominate Jim Hess for Vice Chairman of the ZHB for the year 2016. The motion was carried unanimously.

Mr. Duvall introduced the Board members. Mr. Duvall then announced the one hearing for the night is for Ron Felpel, who is representing property owners Mark & Bonnie Brady, 659 Lancaster Pike. The request is for a variance to allow an existing driveway at 659 Lancaster Pike to be used as a shared driveway to give access to the adjacent property, 653 Lancaster Pike. This would be a variance of Section 303.10.1 of the 2014 Zoning Ordinance. Mr. Felpel, Mr. Brady and Mrs. Peiffer were all sworn in by the court reporter.

Mrs. Peiffer stated the hearing had been properly advertised in the Lancaster Newspapers on February 22nd and 29th. The property had been properly posted. Mr. Felpel had completed an "Entry of Appearance" form. The properties involved are both owned by Mark and Bonnie Brady and are zoned R-1 and R-2. There is an existing driveway at 659 Lancaster Pike, for access to an existing home owned by Mark Brady. Mr. Brady would like to use that existing driveway and extend it into 653 Lancaster Pike, to give access to the public road for 653 Lancaster Pike. This would require a variance of Section 303.10.1 of the zoning ordinance.

Mr. Felpel stated the request. The Bradys bought the vacant property as an investment and intend to sell the property. No neighbors have expressed any opinion on the request. Mrs. Peiffer stated a legal recorded access and maintenance agreement would document the use of the shared driveway. Mr. Brady described where he pictures the driveway to be for 653 Lancaster Pike. The required two off street parking spaces would be available.

Mr. Hess then made a motion, seconded by Mr. DuBree, to grant the variance request to allow the existing driveway for 659 Lancaster Pike to be extended as a common or shared driveway to access 653 Lancaster Pike, 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. This would include, but not be limited to, a storm water management plan and permit, a recorded access and maintenance agreement and any Highway Occupancy Permits requirements for the PennDOT and 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. The motion was carried unanimously. There being no other business, the hearing was adjourned at 7:15 pm by Mr. Duvall.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Ralph DuBree, Chairman

Bradford Duvall, Vice Chairman

James Hess, Member

Constance Peiffer, Secretary