

ZONING HEARING BOARD: SEPTEMBER 13, 2016

DECISION JONAS ESH

LEON & DAWN RINEER

The Providence Township Zoning Hearing Board meeting was held on Tuesday evening, September 13, 2016, at 7:00 pm, in the Township Municipal office. Members present were James Hess, Bradford Duvall and Albert Warfel. Connie Peiffer, Secretary/Zoning Officer, Michelle Parke, court reporter, and seven (7) observers were also present.

Mr. Duvall brought the meeting to order at 7:00 pm and called for a moment of silence in honor of Ralph DuBree, a long-time member of the Zoning Hearing Board. Mr. DuBree is recently deceased. Mr. Duvall then introduced the Board members. Mr. Duvall announced the first business of the evening was to announce a decision on the Jonas A. Esh hearing, continued from last month. Testimony had been closed. Mr. Hess made a motion to deny Mr. Esh's request for a special exception pursuant to Section 200.4.16 and Section 460 of the Providence Township Zoning Ordinance, and also to deny the variance request from the requirements of Section 460.11 of the Zoning Ordinance. Mr. Warfel seconded the motion and it was carried unanimously. The decision was signed and a copy was handed to Mr. Esh, who was in attendance.

Mr. Duvall then announced the next order of business is a hearing for Leon and Dawn Rineer. The Rineers are requesting a variance to allow the location of a storage building within the front yard setback area at 154 Truce Road. The court reporter swore in Connie Peiffer, Leon Rineer and Dawn Rineer. Mrs. Peiffer testified that the hearing had been legally advertised in the Lancaster Papers on August 29, 2016 and September 3, 2016. The property had been posted properly. An Entry of Appearance form had been signed by Leon Rineer and Dawn Rineer. Mrs. Peiffer said the property at 154 Truce Road is zoned Agricultural. The required front yard setback is fifty (50) feet or 66 ½ feet from the center of the road. The Rineers are requesting to locate a storage building 45 feet from the center of the road.

Mr. Rineer explained that the area on their property to the rear of the proposed location of the storage building is being saved as a possible area for a replacement sewage system. The building will be completely enclosed. Mr. Rineer will park his truck and other personal items in the proposed building. The driveway entrance will not be changed in any way. Mr. Rineer testified the storage building will not create a visual obstruction. The exterior of the building will probably be vinyl.

There being no other questions or comments, a motion was made by Mr. Hess to grant the variance, as requested, to allow the closest point of the proposed storage building to be located as close as, but no closer than, 45 feet from the center of the 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 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 seconded by Mr. Warfel. The motion was carried unanimously. The meeting was adjourned at 7:17 pm.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Bradford D. Duvall, Chairman

Constance Peiffer, Secretary

James D. Hess, Vice Chairman

Albert L. Warfel, Member