

## **ZONING HEARING BOARD: April 11, 2017**

**Amos Esh**

### **Variance Requests**

The Providence Township Zoning Hearing Board was held on Tuesday evening, April 11, 2017, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, Albert Warfel and alternate member, Anna Hipple. Tom Goodman, Zoning Hearing Board Counsel, Connie Peiffer, Secretary/Zoning Officer, Melissa Anderson, court reporter, and twelve (12) observers were also present.

Mr. Duvall brought the first hearing to order at 7:00 pm. The first hearing, a request for a variance of the requirements of Section 205.2 to allow manufacturing uses with wood and metals at 796 Lancaster Pike and 748 Truce Road, was for Amos Esh. The properties are owned by Truce Road Property LLC and are zoned commercial. In addition, variances were requested from the requirements of Section 322 for two (2) signs to be located on the premises and for the height of the signs to exceed fifteen (15) feet. Zoning Officer, Constance Peiffer, was sworn in by the court reporter. Upon questioning by Mr. Goodman, Mrs. Peiffer confirmed the hearing had been legally advertised in the Lancaster Newspapers on March 27, 2017 and April 3, 2017, with proof of publication being displayed and marked as ZHB Ex. #1. A list of adjoining property owners who were sent notice of the hearing was confirmed by Mrs. Peiffer and marked as ZHB Ex. #2. Mr. Goodman presented Zoning Hearing Board decision from November 15, 2016 as ZHB Ex. #3 and Zoning Hearing Board decision from July 12, 2016 as ZHB Ex. #4.

Amos Esh was affirmed by the court reporter. Mr. Goodman confirmed with Mr. Esh the property address of 796 Lancaster Pike and the zoning of that property as commercial. Mr. Esh presented the plan dated December 31, 2016 by M.L. Saxinger & Associates, Inc. showing the proposed buildings for wood and metal assembly. The plan was marked as App. Ex. #1. Mr. Goodman presented the Zoning Hearing Board application. The application was marked App. Ex. #2. Upon questioning from Mr. Goodman, Mr. Esh explained the wood assembly and metal assembly process. The wood assembly will include manufacturing trusses. The trusses will be stored outside. The metal assembly involves the company receiving pre-painted coils used for siding and roofing, they will be stored inside. Mr. Esh stated that ten percent (10%) of the business is retail and sixty percent (60%) is delivered. Mr. Esh said the business ships locally and throughout the United States. Upon questioning regarding the sign requests by Mr. Goodman, Mr. Esh described the wall sign will be lit toward Lancaster Pike and will be 16-24' tall and the free standing sign will be no higher or bigger than the existing free standing sign.

There were no public questions. Two (2) residents of Providence Township made public comments. J. Pepper Goslin, 64 Snyder Hollow Road, commented to encourage the Zoning Hearing Board to grant the requests. John Walton, 755 Truce Road, commented to encourage the Zoning Hearing Board grant the requests. Mr. Duvall made a motion to close testimony. The motion was seconded by Mr. Warfel and the motion was carried unanimously.

Mr. Duvall made a motion to grant the variance requests from requirements of Section 205.2 to allow the accessory uses of assembly of wood trusses and the fabrication of the metal into roofing and siding; and Section 322, relating to the signs, subject to the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. All metal fabrication shall be done inside of the metal assembly building
- c. The wall sign may not exceed the wall height of the building and must be located at the same location as the existing sign.
- d. The free-standing sign shall be the same size as the existing sign.
- e. The only outdoor storage on the Premises shall be the wooden trusses.
- f. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- g. The 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 7:34p.m.

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PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Constance Peiffer, Secretary

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Bradford Duvall, Vice Chairman

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Albert Warfel, Member

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Anna Hipple, Alternate Member

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## **ZONING HEARING BOARD: April 11, 2017**

### **David Beiler Variance Request**

At 7:35 p.m. Mr. Duvall introduced the second hearing, the request of a variance from the requirements of Section 205.2 and Section 205.15 to allow small engine repair and outside storage, sales and installation of tanks at 722 Truce Road. The property located at 722 Truce Road is owned by DFB Property Management LLC and is zoned commercial. Upon questioning by Mr. Goodman, Mrs. Peiffer confirmed the hearing had been legally advertised in the Lancaster Newspapers on March 27, 2017 and April 3, 2017, with proof of publication being displayed and marked at ZHB Ex. #1. A list of adjoining property owners who were sent notice of the hearing was confirmed by Mrs. Peiffer and marked as ZHB Ex. #2.

David Beiler was affirmed by the court reporter. Mr. Beiler stated his address as 278 Pennsy Road, New Providence, PA 17560. Mr. Goodman confirmed with Mr. Beiler the property address in reference is 722 Truce Road, Quarryville, PA 17566 and the property is zoned commercial. Upon questioning from Mr. Goodman, Mr. Beiler explained that Beiler Engine Service LLC sells, install and services small engines, including generators on farms. Approximately twenty percent (20%) of the repairs are done within the shop. Beiler Engine Service LLC employs ten (10) people including two (2) in the office. Mr. Beiler explained that inside the shop they sell, fix, and install engines. Mr. Goodman questioned Mr. Beiler about the proposed installation of tanks and whether it was business related. Mr. Beiler replied that the tanks are in connection with the business. Upon questioning by Mr. Goodman about installation of tanks, Mr. Beiler stated the tanks will be air, propane and diesel fuel tanks all stored outside with a maximum size of 1,000 gallons. There will be 20-30 tanks gated and not visible from Lancaster Pike. Mr. Goodman questioned Mr. Beiler regarding a proposed metal building on a previous plan. Mr. Beiler stated the metal building was not there. Mr. Beiler confirmed there is a bakery supply store on the other side of the building. The Zoning Hearing Board application from Mr. Beiler was presented by Mr. Goodman as part of the record and marked as App. Ex. #1. Mr. Beiler reconfirmed that the installation of the tanks were a part of the business and there will be no outside repair.

There was one (1) public question from Elam Esh, 499 Cinder Road, in regards to the use being the same as in the Agricultural district where the business was previously located at 280 Pennsy Road, New Providence, PA 17560. A public comment was made by John Schroeder, 17 Solar Drive, encouraging the Zoning Hearing Board grant the requested variances. A second comment from J. Pepper Goslin, 64 Snyder Hollow Road, also encouraged the Zoning Hearing Board grant the requested variances. Mr. Duvall made a motion to close testimony. The motion was seconded by Mrs. Hipple and carried unanimously.

Mr. Warfel made a motion to grant the variance request from the requirements of Section 205.2 and 205.15 of the Ordinance, subject to the following conditions:

- a. The Applicant must comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The only outside storage on the Premises shall be the tanks
- c. All small engine repairs shall be conducted inside of the building.
- d. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- e. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mrs. Hipple seconded the motion and it was carried unanimously. The hearing was adjourned at 8:00 p.m.

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**David Beiler**  
**Variance Request**

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Constance Peiffer, Secretary

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Bradford Duvall, Vice Chairman

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Albert Warfel, Member

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Anna Hipple, Alternate Member

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