

ZONING HEARING BOARD: August 8, 2017

**Jason Legieko
Variance Request**

The Providence Township Zoning Hearing Board was held on Tuesday evening, August 8, at 7:00 p.m., in the township municipal office. Members present were James Hess, Chairman, Bradford Duvall and Albert Warfel. Connie Peiffer, Secretary/Zoning Officer, Melissa Anderson, court reporter, and eight (8) observers were also present.

Mr. Hess brought the first hearing to order at 7:00 pm. The first hearing is a variance request to allow a proposed storage building within the rear yard setback at 556 Truce Road. The property is owned by Jason and Erika Legieko and is zoned Residential R-2. Zoning Officer, Constance Peiffer, and Jason Legieko were sworn in by the court reporter. No one in attendance wished to be granted party status. Upon questioning, Mrs. Peiffer confirmed the hearing had been legally advertised in the Lancaster Newspapers on July 24, 2017 and July 31, 2017, with proof of publication being displayed. Mrs. Peiffer confirmed that the address was properly posted. An entry of appearance for Jason Legieko was also presented.

Mr. Legieko explained his request for a variance to allow the proposed garage structure to be constructed as close as, but no closer than, eight (8) feet from the rear property line. The rear yard setback requirement is fifteen (15) feet, as per the 2014 Providence Township Zoning Ordinance. Mr. Legieko explained that the slope of the land is the main reason for the variance request. The garage is for personal vehicles and storage. No one from the audience had any questions or comments.

Mr. Duvall made a motion to grant the variance request to allow a proposed storage building within the rear yard setback, with the following conditions:

- a. The proposed detached garage structure may be as close as, but no closer than, eight (8) feet from the rear property line.
- b. 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.
- c. The applicant must obtain all other permits, licenses, and approvals pursuant to any and all applicable federal, state and local laws, rules and regulations.
- d. 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.
- e. 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 7:15 pm.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Constance Peiffer, Secretary

James Hess, Chairman

Bradford Duvall, Vice Chairman

Albert Warfel, Member

ZONING HEARING BOARD: August 8, 2017
Lane Randolph
Variance Request

At 7:16 p.m. Mr. Hess introduced the second hearing, a variance request to allow a proposed detached garage to exceed the maximum height of 20'. The property is located at 52 Henry Drive and is owned by Lane and Lori Randolph. The property is zoned Residential R-2 and Agricultural.

Mrs. Peiffer confirmed the hearing had been legally advertised in the Lancaster Newspapers on July 24, 2017 and July 31, 2017. Proof of publication was presented. Mrs. Peiffer stated the property had been properly posted. An Entry of Appearance form was presented for Lane Randolph.

Mr. Randolph was sworn in by the court reporter. Mr. Randolph explained he was requesting a variance to allow a detached garage be constructed on his property, which would exceed the maximum height of twenty (20 feet by about another three (3) feet. This would allow adequate height on the second level to stand. The garage is for personal vehicles and personal storage. Mr. Hess noted to Mrs. Peiffer that the maximum height for a detached garage had been amended to 25 feet, but the current 2014 Zoning Ordinance sets the maximum height to 20 feet again. Mr. Hess asked Mrs. Peiffer to convey to the Board of Supervisors the need to amend the height to allow 25 feet again as the maximum height for a detached structure. There were no public questions or comments.

Mr. Warfel made a motion to grant the variance request to allow a proposed detached garage to exceed the maximum height of 20', with the following conditions:

- a. The structure may be as high as, but no higher than, 23 feet from grade level.
- b. 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.
- c. The applicant must obtain all other permits, licenses, and approvals pursuant to any and all applicable federal, state and local laws, rules and regulations.
- d. 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.
- e. 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 7:23 pm.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Constance Peiffer, Secretary

James Hess, Chairman

Bradford Duvall, Vice Chairman

Albert Warfel, Member