

ZONING HEARING BOARD: February 13, 2018
Cornerstone Retreat/Christ Beiler
Special Exception

The Providence Township Zoning Hearing Board was held on Tuesday evening, February 13, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, chairman, James Hess and Albert Warfel. Tom Goodman, Zoning Hearing Board Counsel, Heidi Martinez, Secretary/Zoning Officer, Vicki Eldridge, Township Manager, Melissa Anderson, court reporter, and fifteen (15) observers were also present.

Mr. Duvall brought the meeting to order at 7:00 p.m. and stated there were two hearings this evening. The first hearing is the rendering of the decision on the special exception request by Christ Beiler of Cornerstone Retreat at 585 Penny Road. Mr. Hess then made a motion seconded by Mr. Warfel to deny the special exception pursuant to Section 106 of the Ordinance. The motion was carried unanimously. The hearing adjourned at 7:02 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

James Hess, Member

ZONING HEARING BOARD: February 13, 2018
Ben Stoltzfoos
Special Exception

At 7:07 p.m. Mr. Duvall introduced the second hearing, a special exception request for Ben Stoltzfoos to allow the expansion of a nonconforming use of a commercial greenhouse at 153 Cinder Road. The property is owned by Ben S and Elsie L Stoltzfoos and is zoned agricultural. Mrs. Martinez was sworn in by the court reporter. Mr. Stoltzfoos was affirmed by the court reporter. Mrs. Martinez confirmed the hearing had been legally advertised in the Lancaster Newspapers on January 29, 2018 and February 5, 2018, with proof of publication being displayed. Mrs. Martinez confirmed that the property was properly posted.

Mr. Stoltzfoos explained the plot plan and the structure of the expansion. The building will be a framed two story with the second floor for storage. The greenhouse is not visible from the road and has existing retail sales. The business is family operated and has a sign on Cinder Road.

There were two public statements both in favor of granting the special exception request. The statements were made by Elam Esh, 499 Cinder Road, adjoining property owner and C. William Shaffer, 39 Ridge Road, Township Supervisor.

Mr. Hess made a motion to grant the special exception to allow the expansion of a nonconforming use of a commercial greenhouse, 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 the motion carried unanimously. The hearing was adjourned at 7:22 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

James Hess, Member