

ZONING HEARING BOARD: May 14, 2019
Frederick W Steudler Jr.
Special Exception and Variance Request

The Providence Township Zoning Hearing Board was held on Tuesday, May 14, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, Chairman, Albert Warfel, Vice Chairman, and Omar Smoker. Heidi Martinez, Secretary/Zoning Officer, Suzanna Oldt, court reporter and twelve (12) observers were also present.

Mr. Duvall brought the meeting to order at 7:00 p.m. He introduced the board members and stated there were four hearings this evening. The first hearing this evening is a request for Frederick W Steudler Jr. for a special exception to allow an expansion of the manufactured home park and a variance to allow more than two (2) access drives per lot frontage. The properties are owned by Frederick W Steudler Jr. and are zoned Manufactured Home Park (R-4). The properties are located on the east side of Lancaster Pike, 1600' north of Mt. Airy Road. Heidi Martinez was sworn in by the court reporter. Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on April 29, 2019 and May 6, 2019, with proof of publication being displayed. Mrs. Martinez confirmed that the property was properly posted. Mrs. Martinez read a statement from John Pogue on the behalf of Frederick Steudler requesting a continuance of the hearing until the June meeting because Mr. Steudler was unable to attend the May 14, 2019 hearing and his presence is necessary to provide required testimony.

Mr. Duvall made a motion, seconded by Mr. Warfel to continue the hearing until June 11, 2019. The motion carried unanimously. The hearing was adjourned at 7:05 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

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**Terry Marks
Variance Requests**

At 7:06 p.m. Mr. Duvall introduced the second hearing, a request by Terry and Ann Marks for variances to allow an attached garage to be in the side yard setback and to exceed the maximum permitted impervious lot coverage at 439 Clearfield Road. The property is owned by Terry and Anna M Marks and is zoned Agricultural. Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on April 29, 2019 and May 6, 2019, with proof of publication being displayed. Mrs. Martinez confirmed that the property was properly posted.

Terry and Anna Marks were sworn in by the court reporter. Mrs. Martinez gave some background information on the hearing. Mr. Marks explained the request with regards to what will be in the two car garage. Mr. Marks stated there will be a mud room, laundry room and one existing bedroom will be eliminated and a new bedroom will be installed.

Mr. Duvall asked if there would be a business in the garage and about the sewer and well locations. Mr. Duvall asked if Mr. and Mrs. Marks talked to their neighbors. Mr. Duvall clarified that adding an additional bedroom would require looking at the sewer. Mr. Duvall also clarified that if a kitchen is added then it becomes a new use not allowed in zoning and the sewer would need to be addressed. Mr. Warfel asked about the rear yard setback.

There were no public questions or statements.

Mr. Duvall made a motion, seconded by Mr. Smoker to grant the variances to allow an attached garage to be in the side yard setback at 15' and increase the maximum permitted impervious lot coverage to 30%, 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.

The motion carried unanimously. The hearing was adjourned at 7:19 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

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James Gore
Special Exception and Variance Request

At 7:20 p.m. Mr. Duvall introduced the third hearing, a special exception and variance request by James Gore to allow an automotive service and repair facility and a variance to allow the storage of vehicles on the property without current registration at 467 W Fourth Street. The property is owned by Glenn R and Kathleen Q Robinson and is zoned Commercial.

Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on April 29, 2019 and May 6, 2019, with proof of publication being displayed. Mrs. Martinez confirmed that the property was properly posted.

James Gore was sworn in by the court reporter. Mr. Gore explained that he moved the repair shop in February of this year and works on smaller trucks, pickup trucks, trailers and vehicles. Mr. Gore is not changing the structure of the building other than adding a sign. Mr. Gore explained that some vehicles are projects and do not have tags. These vehicles will be stored for no longer than two (2) months.

There were no public questions or statements.

Mr. Warfel made a motion, seconded by Mr. Smoker to grant the special exception to allow an automotive service and repair facility and a variance to allow the storage of vehicles on the property without current registration, 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.

The motion carried unanimously. The hearing was adjourned at 7:28 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

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**Josiah Ebersol
Variance Request**

At 7:29 p.m. Mr. Duvall introduced the fourth hearing, a variance request by Josiah Ebersol to allow an ECHO housing unit in the side yard setback at 167 Cinder Road. The property is owned by Josiah B and Lavina S Ebersol and is zoned Agricultural.

Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on April 29, 2019 and May 6, 2019, with proof of publication being displayed. Mrs. Martinez confirmed that the property was properly posted. Mrs. Martinez gave background information on the hearing.

Josiah Ebersol was affirmed by the court reporter. Mr. Ebersol confirmed that his great aunt will be residing in the detached mobile home. Mr. Ebersol explained that to meet the setback requirement would move the unit behind the barn. Mr. Ebersol clarified that the unit will be 25' x 36' and not 25' x 30' as stated on his zoning hearing board application. The rear yard setback is 75'. Mr. Ebersol stated he spoke with his neighbors.

There were no public questions or statements.

Mr. Duvall made a motion, seconded by Mr. Warfel to grant the variance request to allow the ECHO housing unit in the side yard setback at 10', 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.

The motion carried unanimously. The hearing was adjourned at 7:38 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member