

ZONING HEARING BOARD: August 13, 2019
Southern Lancaster County Farmers Sportsmen's Association
Special Exceptions and Variance Requests

The Providence Township Zoning Hearing Board was held on Tuesday, August 13, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, Chairman, Albert Warfel, Vice Chairman, and Omar Smoker. Thomas Goodman, Zoning Hearing Board Counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and eighteen (18) 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 two decisions being rendered and one additional hearing this evening. The first order of business is rendering a decision for the special exceptions and variance requests by the Southern Lancaster County Farmers Sportsmen's Association to allow a clubhouse for private clubs and for alternate parking requirements and to allow an indoor shooting range and the parking location. The property is owned by S Lanc Farmers Sportsman, Inc. and is zoned Agricultural. Mr. Duvall turned the hearing over to Mr. Goodman.

Mr. Duvall made a motion to grant the special exceptions pursuant to Section 200.4.5, Section 313.19.3 and variances from the requirements of Section 200.2 and Section 417.2 of the Providence Township Zoning Ordinance, with the following conditions:

- a. The Applicant shall comply with its plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall file and have approved a Land Development Plan with Providence Township.
- c. The Applicant shall comply with all applicable Stormwater Management Ordinance provisions.
- d. There shall be no shooting at the Premises either on the outdoor ranges or on the indoor range before 12:00 Noon on Sundays.
- e. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- f. This Decision shall bind the Applicant, its successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:03 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: August 13, 2019
J Pepper and Diane A Goslin
Special Exceptions and Variance Requests

At 7:06 p.m. Mr. Duvall introduced the second order of business, a request by J Pepper and Diane A Goslin for a special exception for adaptive reuse of an agricultural building for a special events venue and a special exception for providing parking on adjoining lot, with the following variance requests; 201.6, maximum building height, 300, access drive requirements, 304, area and bulk requirements for more than one principal use on a lot, 310 lighting plan and design requirements, 313, parking lot design requirements, 320, landscaping and screening plan and design requirements, 321.6.2, wetland buffer area, and 603.15, extension of time to submit land development plans at 64 Snyder Hollow Road. The property is owned by J. Pepper and Diane A Goslin and is zoned Rural Residential (R-1). Mr. Duvall turned the hearing over to Mr. Goodman.

Mr. Duvall made a motion to deny a variance from the requirements of Section 300 regarding clear-sight triangles as set forth in Section 300.3 of the Providence Township Zoning Ordinance. Mr. Smoker seconded the motion. The motion carried with two favorable votes. Mr. Warfel dissented from the motion and voted to grant the variance from Section 300.3 regarding the clear-sight triangle for access drives.

Mr. Smoker made a motion to grant the special exceptions pursuant to Section 201.4.1, Section 401 and Section 313.16 and variances from the requirements of Section 201.6, Section 300 (except as the variance request relates to clear-sight triangle set forth in Section 300.3), Section 304, Section 310, Section 313, Section 320, Section 321.6.2 and Section 603.15 of the Providence Township Zoning Ordinance, with the following conditions:

- a. The Applicants shall comply with their plans and promises as presented to the Zoning Hearing Board, except as modified by this Decision.
- b. The Applicants shall obtain a building permit evidencing approval under the International Building Code for the use of the barn for assembly purposes, including all applicable accessibility requirements and fire safety requirements for the intended use.
- c. The Applicants shall provide evidence of an approved means of water supply and sewage disposal that can accommodate both the use of the house as a bed and breakfast and the use of the barn for special events.
- d. The Applicants shall obtain land development approval, including, but not limited to, obtaining an approved stormwater management plan.
- e. The Applicants shall construct the entrances, access drives and parking spaces substantially as identified on the site plan, subject to reasonable modifications that the Supervisors may allow during the land development review process.
- f. All entrances onto Snyder Hollow Road shall have a paved apron. Otherwise, access drives shall be improved with either a paved or graveled surface.
- g. The Applicants shall pave the handicap parking spaces as depicted on the plans.
- h. Non-handicap parking spaces may be on a gravel or grass surface. However, grass parking spaces must be maintained in a dense, vigorous and healthy sod cover. In no case shall any parking space be maintained as, or permitted to degrade to, an erodible or bare earth condition.
- i. Attendance for any event held at the barn shall be limited to no more than 240 guests.
- j. For any event at which the Applicants anticipate having more than 150 guests at any one time during the day, the Applicants shall have parking attendants on the site to facilitate the safe and efficient internal circulation and parking of vehicles on the Premises.
- k. Any alcohol consumed on the Premises shall be served by a licensed bartender.
- l. The number of special events held on the Premises in any one calendar year shall be limited to 75 special events.
- m. The hours of operation for events held on the Premises shall be between 8:00 a.m. and 12:00 a.m. (midnight), except that any music or entertainment shall end by 11:00 p.m.
- n. The Applicants shall control the music and noise arising out of a special event on the Premises so that it is not disruptive to the use and enjoyment of adjoining properties.

ZONING HEARING BOARD: August 13, 2019
J Pepper and Diane A Goslin
Special Exceptions and Variance Requests

- o. Caterers or groups may use the area of the lower level of the barn (identified on the floor plan as "catering prep") for preparing the food to serve to guests and for cleaning up.
- p. The Applicants shall prepare and record an access agreement acceptable to the Township Solicitor to ensure ongoing use and access of any off-site parking spaces and/or off-site access drives used for the special events on the Premises.
- q. During the land development review process, the Applicants shall submit a lighting plan to the Township for approval showing the location and types of fixtures to be used.
- r. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- s. This Decision shall bind the Applicants, their heirs, successors, grantees and assigns.

Mr. Warfel seconded the motion. The motion carried with two favorable votes. Mr. Duvall dissented from the motion as he would vote to only support the requested special exception and variances with an additional condition that "no alcohol may be served at any of the special events to be held in the barn." The hearing was adjourned at 7:09 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: August 13, 2019
Gregory Schneider
Variance Requests

At 7:22 p.m. Mr. Duvall introduced the third order of business, a request by Gregory Schneider for variances to allow an accessory structure in the front yard setback and the accessory structure to be 25' in height at 617 Truce Road. The property is owned by Gregory L and Lucinda C Schneider and is zoned Residential (R-2). Mr. Duvall turned the hearing over to Mr. Goodman.

Heidi Martinez was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on July 29, 2019 and August 5, 2019, with proof of publication being displayed. The proof of publication was marked as ZHB Ex. #1. The list of adjoining property owners was marked as ZHB Ex. #2. Mrs. Martinez confirmed that the property was properly posted.

Gregory Schneider was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mr. Schneider confirmed the property details including the shape and size of the lot and the buildings currently on the lot. Mr. Goodman presented the GIS map and it was marked as ZHB Ex. #3. The Zoning Hearing Board application was marked as App. Ex. #1. The site plan that accompanied the application was marked as App. Ex. #2 and the aerial photo was marked as App. Ex. #3.

Mr. Duvall asked about the purpose of the garage. Mr. Warfel asked about the wall height.

There were no public questions or statements.

Mr. Warfel made a motion, seconded by Mr. Duvall to close testimony. The motion carried unanimously. Mr. Duvall made a motion to grant the variance from the requirements of Section 202.6 of the Providence Township Zoning Ordinance as it relates to the maximum height of an accessory building and to locate the garage in the front yard, with the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall obtain a building permit from the Zoning Officer prior to constructing the garage.
- c. The Applicant shall comply with all applicable building code requirements.
- d. The Applicant shall comply with all applicable stormwater management ordinance requirements.
- e. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- f. This Decision shall bind the Applicant, his heirs, successors, grantees, and assigns.

Mr. Smoker seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:40 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Heidi Martinez, Secretary

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member