

ZONING HEARING BOARD: November 12, 2019
J. Pepper and Diane Goslin
Variance Request

The Providence Township Zoning Hearing Board was held on Tuesday, November 12, 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, Melissa Anderson, court reporter and four (4) observers were also present.

Mr. Duvall brought the meeting to order at 7:00 p.m. Mr. Duvall stated there were three hearings this evening. The first hearing is a request by J. Pepper and Diane Goslin for a modification of conditions of the Zoning Hearing Board decisions dated August 13, 2019 and October 8, 2019 to comply with the plans presented to modify the vestibule entrance area shown on the original plan at 64 Snyder Hollow Road. The property is owned by J. Pepper and Diane A. Goslin and is zoned Rural Residential (R-1).

Heidi Martinez was sworn in by the court reporter. Upon questioning from Mr. Duvall, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on October 28, 2019 and November 4, 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.

Mrs. Martinez read an email from J. Dwight Yoder, Gibbel Kraybill & Hess LLP, requesting a continuance for J. Pepper Goslin until the January 14, 2020 hearing. The email was marked as ZHB Ex. #3.

Mr. Duvall made a motion to continue the hearing until January 14, 2020. Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:05 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Bradford Duvall, Chairman

Heidi Martinez, Secretary

Albert Warfel, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: November 12, 2019
John Stoltzfus/Dutch Selections
Variance Requests

At 7:05 p.m. Mr. Duvall introduced the second hearing, a request by John Stoltzfus/Dutch Selections for a variance to allow two (2) banners with lettering and the addition of impervious area, which will further increase the lot coverage over the maximum allowed lot coverage of 55% at 793 Lancaster Pike. The property is owned by John F. and Verna K. Stoltzfus and is zoned Commercial.

Upon questioning from Mr. Duvall, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on October 28, 2019 and November 4, 2019, with proof of publication being displayed. Mrs. Martinez confirmed that the property was properly posted and list of adjoining property owners were notified.

John Stoltzfus was affirmed by the court reporter. Mrs. Martinez gave some background information regarding the request. Mr. Stoltzfus confirmed the style of banner and location of the banners next to the building. Mr. Stoltzfus explained the variance request for the increase in impervious lot coverage to add a 128 sq. ft. horse tie shelter for employee transportation, primarily his horse.

There was one public question. Bob Ray, 287 Snyder Hollow Road, was sworn in by the court reporter. Mr. Ray asked about the banner regulations. There were no public statements.

Mr. Warfel made a motion to grant the variances to allow two (2) banners with lettering and the addition of 128 sq. ft. of impervious area, 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. Smoker seconded the motion. The motion carried unanimously. The hearing was adjourned at 7:21 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Bradford Duvall, Chairman

Albert Warfel, Vice Chairman

Omar Smoker, Member

Heidi Martinez, Secretary

ZONING HEARING BOARD: November 12, 2019

**Daniel Musser
Variance Request**

At 7:22 p.m. Mr. Duvall introduced the third hearing, a request by Daniel Musser for a variance to allow a carport in the front yard setback at 296 Sawmill Road. The property is owned by John R. and Marsha I. Weaver and is zoned Agricultural.

Upon questioning from Mr. Duvall, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on October 28, 2019 and November 4, 2019, with proof of publication being displayed. Mrs. Martinez confirmed that the property was properly posted and list of adjoining property owners were notified.

Daniel Musser was affirmed by the court reporter. Mr. Musser explained the proposed location of the carport and the property. Mr. Warfel asked if the proposed location was the most cost effective option.

There were no public questions or statements.

Mr. Duvall made a motion to grant the variance to allow a carport in the front yard setback at 70' from Sawmill Road, 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. Smoker seconded the motion. The motion carried unanimously. The hearing was adjourned at 7:30 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Bradford Duvall, Chairman

Heidi Martinez, Secretary

Albert Warfel, Vice Chairman

Omar Smoker, Member