

ZONING HEARING BOARD: January 14, 2020
J. Pepper and Diane Goslin
Variance Request

The Providence Township Zoning Hearing Board was held on Tuesday, January 14, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, Albert Warfel and Omar Smoker. Thomas Goodman, Zoning Hearing Board counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and seven (7) observers were also present.

Mr. Duvall brought the meeting to order at 7:00 p.m. Mr. Duvall stated there were two hearings this evening. The first order of business is the election of officers. Mr. Smoker made a motion, seconded by Mr. Duvall to nominate Mr. Warfel as Chairman of the Zoning Hearing Board. The motion carried unanimously. Mr. Smoker made a motion, seconded by Mr. Warfel to nominate Mr. Duvall as Vice Chairman of the Zoning Hearing Board. The motion carried unanimously.

Mr. Warfel announced the first hearing. The first hearing is a continuance from the November 12, 2019 hearing, 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).

Mr. Goodman noted for the record the application for J. Pepper Goslin per Mr. Goslin's request was withdrawn.

The hearing was adjourned at 7:03 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Bradford Duvall, Vice Chairman

Omar Smoker, Member

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**Frank Leed
Variance Request**

At 7:05 p.m. Mr. Warfel introduced the second hearing, a request by Frank B. Leed for a variance to allow a subdivision of a lot to construct a dwelling at 642 Sawmill Road. The property is owned by Frank B. Leed and is zoned Agricultural.

Upon questioning from Mr. Goodman, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on December 30, 2019 and January 6, 2020, with proof of publication being displayed and 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.

Craig Williams, Strausser Surveying & Engineering Inc. was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mr. Williams confirmed the property details and explained the request. The Zoning Hearing Board Application was marked as App. Ex. #1. The plan submitted with the application was marked as App. Ex. #2. Mr. Williams explained that Mr. Leed has never owned 52 acres to meet the requirements of the ordinance. Mr. Smoker asked about prior subdivision rights in the previous zoning ordinance. Mr. Duvall asked about inheriting land. Mr. Duvall asked about the prior subdivision and if the two (2) acres are currently farmed.

There was one public question. Patricia Hess, 642 Sawmill Road, asked about combining her adjoining lot and adding a double dwelling. There was one public statement. Nathan Hess, 642 Sawmill Road, was sworn in by the court reporter. Mr. Hess stated he is the grandson that will be purchasing the lot and asked about the roll back taxes for clean and green.

Mr. Duvall made a motion seconded by Mr. Smoker to close testimony. The motion carried unanimously. Mr. Warfel made a motion to grant the variance from the requirements of Section 200.5 of the Ordinance, 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 file and have approved a subdivision plan with Providence Township.
- c. The Applicant shall comply with all applicable stormwater management ordinance requirements.
- d. The Applicant shall obtain any necessary building permits with the construction of a single-family dwelling on the subdivided lot.
- e. The subdivided lot may not exceed two acres.
- f. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- g. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

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

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Bradford Duvall, Vice Chairman

Omar Smoker, Member