

ZONING HEARING BOARD: July 14, 2020

Samuel Lapp Special Exception

The Providence Township Zoning Hearing Board was held on Tuesday, July 14, at 7:00 p.m., in the township municipal office. Members present were Albert Warfel, Chairman, Bradford Duvall, Vice Chairman and David Beiler, Alternate Member. Thomas Goodman, Zoning Hearing Board Counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and twelve (12) observers were also present.

Mr. Warfel brought the meeting to order at 7:00 p.m. Mr. Warfel introduced the Zoning Hearing Board Members, Zoning Hearing Board Counsel and Zoning Officer. Mr. Warfel stated there were two hearings this evening. Mr. Warfel announced the first hearing. The first hearing is a request by Samuel Lapp for a special exception for a farm support business to allow furniture manufacturing in an existing building at 154 Barr Rd. The property is owned by Samuel I and Ruth Z Lapp and is zoned Agricultural. Mr. Warfel turned the hearing over to Mr. Goodman.

Heidi Martinez was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mrs. Martinez confirmed the hearing was legally advertised in the Lancaster Newspapers on June 29, 2020 and July 6, 2020, with proof of publication being displayed and marked as ZHB Ex. #1. Mrs. Martinez confirmed the adjoining property owners were notified for the hearing and the list of adjoining property owners was marked as ZHB Ex. #2. Mrs. Martinez confirmed the property was properly posted.

Samuel Lapp was affirmed by the court reporter. Upon questioning from Mr. Goodman, Mr. Lapp explained the property and the farm support business. Mr. Lapp explained that it is a woodworking business that employs family members and sells wholesale. The Zoning Hearing Board Application was marked as App. Ex. #1.

Mr. Warfel asked about the current location of the business and trucks parking on the property. Mr. Duvall asked about the building and plans for excess materials. Mr. Goodman asked about issues at current business location. Mr. Duvall asked about neighbor complaints. Mr. Warfel asked about expanding the building. Mr. Duvall asked about a sign.

There was one (1) public question. Ronald Munro, 619 Hollow Road, asked about the work hours. Mr. Duvall asked about working only be done inside the building. There were three (3) public statements. Christopher Saam, 620 Hollow Road, was sworn in by the court reporter. Mr. Saam is in favor of the woodworking business and thinks it is a great idea and asset to the area. Elam Esh, 499 Cinder Road, was affirmed by the court reporter. Mr. Esh states he was in support of the request and thinks Mr. Lapp will need more square footage. Daniel Lapp, 656 Hollow Road, was affirmed by the court reporter. Mr. Daniel Lapp stated his support for the request.

Mr. Warfel made a motion to close testimony. Mr. Duvall seconded the motion and the motion carried unanimously. Mr. Warfel made a motion to grant the special exception pursuant to Section 201.4.7 and Section 430 of the Ordinance subject to the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. There shall be no outdoor storage in connection with the farm support business.
- c. The Applicant shall obtain any necessary building permits from the Zoning Officer.
- d. The Applicant shall comply with all applicable provisions of the Building Code.
- 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. Duvall seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:28 p.m.
PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Bradford Duvall, Vice Chairman

David Beiler, Alternate Member

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ZONING HEARING BOARD: July 14, 2020
Smithville Church of God
Special Exception and Variances

At 7:33 p.m. Mr. Warfel introduced the second hearing, a request by Smithville Church of God for a special exception to allow the expansion of an addition to the Church with variances of the front and side yard setbacks and an extension of time to obtain all permits, approvals, or submit any application at 595 Pennsy Road. The property is owned by Smithville Church of God and is zoned Residential (R-2).

Mr. Warfel turned the hearing over to Mr. Goodman. Upon questioning from Mr. Goodman, Mrs. Martinez confirmed the hearing was legally advertised in the Lancaster Newspapers on June 29, 2020 and July 6, 2020, with proof of publication being displayed and marked as ZHB Ex. #1. Mrs. Martinez confirmed the adjoining property owners were notified for the hearing and the list of adjoining property owners was marked as ZHB Ex. #2. Mrs. Martinez confirmed the property was properly posted.

Mr. Goodman turned the hearing over to Claudia Shank, McNees Wallace & Nurick LLC. Mrs. Shank explained the requests and submitted App. Ex. #1 a view of the two parcels. Mrs. Shank explained the two parcels were joined by deed, App. Ex. #3. A site plan from Strausser Surveying and Engineering, Inc. dated March 16, 2020 was marked as App. Ex. #2. Craig Williams, Strausser Surveying and Engineering, Inc. was sworn in by the court reporter. Mr. Williams explained the site plan submitted.

Mr. Duvall asked if the addition was to be two levels. Carolyn Johnson, President of Smithville Church of God, was sworn in by the court reporter. Mrs. Johnson stated the expansion will be two levels with storage and possibly classrooms in the lower level. Mr. Duvall asked about stormwater. Mr. Goodman asked about the time extension request.

There were no public questions or statements.

Mr. Duvall made a motion to close testimony. Mr. Beiler seconded the motion and the motion carried unanimously. Mr. Duvall made a motion to grant the special exception pursuant to Section 202.4.7, a variance from the requirements of Section 202.6 and 453.1.4 and a time extension pursuant to Section 603.15 of the 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 obtain any necessary building permits from the Zoning Officer.
- c. If necessary, the Applicant shall file and have approved a Land Development Plan.
- d. If necessary, the Applicant shall comply with all applicable provisions of the Stormwater Management Ordinance.
- e. The Applicant shall have two years in which to obtain any necessary permits for the expansion and four years to complete construction of the expansion.
- 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, its successors, grantees and assigns.

Mr. Beiler seconded the motion. The motion carried unanimously. The hearing was adjourned at 7:50 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Bradford Duvall, Vice Chairman

David Beiler, Alternate Member

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