

**ZONING HEARING BOARD: September 8, 2020**

**Joseph E Aukamp**

**Variance Request**

The Providence Township Zoning Hearing Board was held on Tuesday, September 8, at 7:00 p.m., in the township municipal office. Members present were Albert Warfel, Chairman, Bradford Duvall, Vice Chairman and Omar Smoker. Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and five (5) observers were also present.

Mr. Warfel brought the meeting to order at 7:00 p.m. Mr. Warfel introduced the Zoning Hearing Board Members 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 Joseph E Aukamp for a variance of the rear yard setback for an addition at 301 Clearfield Rd. The property is owned by Joseph E and Carol A Aukamp and is zoned Rural Residential (R-1).

Heidi Martinez was sworn in by the court reporter. Upon questioning from Mr. Warfel, Mrs. Martinez confirmed the hearing was legally advertised in the Lancaster Newspapers on August 24, 2020 and August 31, 2020, with proof of publication being displayed. Mrs. Martinez confirmed the adjoining property owners were notified for the hearing and confirmed the property was properly posted.

Joseph Aukamp was sworn in by the court reporter. Upon questioning from Mr. Warfel, Mr. Aukamp explained the request for the rear yard setback for the addition of a four seasons room. There were no public questions or public statements.

Mr. Warfel made a motion to grant the variance pursuant to Section 201.6 of the Ordinance, to allow the addition to be 39' from the rear property line, subject to 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. Duvall seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:08 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Albert Warfel, Chairman

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Heidi Martinez, Secretary

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Bradford Duvall, Vice Chairman

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Omar Smoker, Member

**ZONING HEARING BOARD: September 8, 2020**  
**Cecil H Neff III**  
**Special Exception and Variance**

At 7:09 p.m. Mr. Warfel introduced the second hearing, a request by Cecil H Neff III for a special exception to allow an automobile service and repair facility and a variance of the minimum lot size at 166 Lancaster Pike South. The property is owned by Cecil H Neff III and is zoned Commercial.

Upon questioning from Mr. Warfel, Mrs. Martinez confirmed the hearing was legally advertised in the Lancaster Newspapers on August 24, 2020 and August 31, 2020, with proof of publication being displayed. Mrs. Martinez confirmed the adjoining property owners were notified for the hearing and confirmed the property was properly posted. Mrs. Martinez gave background information on the request.

Cecil H Neff III was sworn in by the court reporter. Upon questioning from Mr. Warfel, Mr. Neff explained the buildings located on the property currently and the proposed location of the garage. Mr. Warfel asked about compliance with Section 410 of the Zoning Ordinance including outdoor storage.

Mr. Duvall asked about the hours of operation, licensed inspection station, and lighting. Mr. Warfel asked about outside work.

There was one public question. Barbara Whitefield, 160 Lancaster Pike South, asked about installing a privacy fence between the property in the request and her property. There were no public statements.

Mr. Duvall made a motion to grant the special exception to Section 205.4.5 subject to Section 410 and the variance from the requirements of Section 205.5 of the Ordinance, with the following conditions.

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board and the criteria listed in Section 410.
- b. The hours of operation are Monday through Friday from 7 a.m. to 6 p.m., Saturday from 7 a.m. to 12 p.m. and no Sunday hours.
- c. The Applicant shall obtain a State Inspection License.
- d. The Applicant must obtain all other permits, licenses, and approvals pursuant to any and all applicable federal, state and local laws, rules and regulations including a land development plan.
- e. Dusk to dawn lighting on the poles and on the building.
- f. The Applicant shall provide a six foot (6') screening fence on the Northside property line out of the right-of-way replacing the existing fence.
- g. No outdoor storage.
- h. All other sheds, buildings and the mobile home must be removed.
- i. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- j. This Decision shall bind the Applicant, his successors, grantees and assign.

Mr. Smoker seconded the motion. The motion carried unanimously. The hearing was adjourned at 7:38 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Albert Warfel, Chairman

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Heidi Martinez, Secretary

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Bradford Duvall, Vice Chairman

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Omar Smoker, Member

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