

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

**Elam King**

**Special Exception**

The Providence Township Zoning Hearing Board was held on Tuesday, December 8, at 7:00 p.m., in the township municipal office. Members present were Albert Warfel, Chairman, Bradford Duvall, Vice Chairman and Omar Smoker. Thomas Goodman, Zoning Hearing Board Counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and four (4) 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 Officer, and Zoning Hearing Board Counsel. Mr. Warfel stated there was one hearing this evening. Mr. Warfel announced the first hearing. The first hearing is a request by Elam King for a special exception to allow the dwelling as a vacation rental as a use not provided for at 620 Lancaster Pike. The property is owned by Quarry Ridge Properties LLC and is zoned Residential (R-2) and Rural Residential (R-1). 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 November 23, 2020 and November 30, 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 was marked as ZHB Ex. #2. Mrs. Martinez confirmed the property was properly posted and a copy of the posting was marked as ZHB Ex. #3. Elam King was affirmed by the court reporter. Upon questioning from Mr. Goodman, Mr. King explained the dwelling on the property and the request. Mr. King stated he currently operates his address and another location in Lancaster City as short term rentals. The Zoning Hearing Board application was marked as App. Ex. #1. The narrative that accompanied the application was marked as App. Ex. #2 and the aerial view was marked as App. Ex. #3. Photographs of the dwelling and property submitted with the application were marked as App. Ex. #4. Mr. Duvall asked about changes to the dwelling. There was one public question. Tiffany Mozeliak, 612 Lancaster Pike, was sworn in by the court reporter. Mrs. Mozeliak asked about installing a privacy fence. There were no public statements.

Mr. Warfel made a motion to close testimony. Mr. Smoker seconded the motion and the motion carried unanimously. Mr. Warfel made a motion to grant the special exception pursuant to Section 106 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. The Applicant shall construct a privacy fence on the Premises adjacent to the northern property line.
- c. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- 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 7:22 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