

ZONING HEARING BOARD: May 11, 2021
Robert and Pamela Porterfield
Variance Request

The Providence Township Zoning Hearing Board was held on Tuesday, May 11, at 7:00 p.m., in the township municipal office. Members present were Omar Smoker, Vice Chairman, Albert Warfel and David Beiler, Alternate Member. Thomas Goodman, Zoning Hearing Board counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and seventeen (17) observers were also present.

Mr. Smoker brought the meeting to order at 7:00 p.m. Mr. Smoker introduced the Zoning Hearing Board members, Zoning Hearing Board counsel and Zoning Officer. Mr. Smoker announced that there were five (5) hearings tonight. The first hearing is a continuance to render a decision for the request of Robert and Pamela Porterfield. No further testimony will be heard on this request.

Mr. Smoker recused himself from the continuance as he was not present at the hearing on April 13, 2021.

Mr. Warfel made a motion to grant the variance from the requirements of Section 200.5.2 of the Ordinance, with the following conditions:

- a. The Applicants shall comply with their plans and promises as presented to the Zoning Hearing Board.
- b. The Applicants shall file and have approved a subdivision plan with Providence Township.
- c. The Deed shall contain a provision that the Premises may not be further subdivided unless the Ordinance has been amended to permit further subdivision.
- d. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- e. This Decision shall bind the Applicants, their heirs, successors, grantees and assigns.

Mr. Beiler seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:05 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Omar Smoker, Vice Chairman

Heidi Martinez, Secretary

Albert Warfel, Member

David Beiler, Alternate Member

ZONING HEARING BOARD: May 11, 2021
Terry and Patricia Findley
Variance Request

At 7:05 p.m. Mr. Smoker introduced the second hearing, a variance request by Terry and Patricia Findley to allow a pole barn in the rear yard setback at 662 Truce Road. The property is owned by Terry L and Patricia A Findley and is zoned Agricultural. Mr. Smoker turned the hearing over to Mr. Goodman.

Heidi Martinez, Zoning Officer was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on April 26, 2021 and May 3, 2021, 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 and a copy of the notice was marked as ZHB Ex. #3.

Terry and Patricia Findley were sworn in by the court reporter. Upon questioning from Mr. Goodman, Mrs. Findley explained the property. Mr. Findley explained the proposed pole barn. The Zoning Hearing Board Application was marked as App. Ex. #1 and the plot plan was marked as App. Ex. #2. Mr. Warfel asked about the neighboring properties. Mr. Smoker asked about the structure.

There were no public questions or public statements.

Mr. Smoker made a motion seconded by Mr. Warfel to close testimony. The motion carried unanimously. Mr. Smoker made a motion to grant the variance from the requirements of Section 201.6 of the Ordinance, with the following conditions:

- a. The Applicants shall comply with their plans and promises as presented to the Zoning Hearing Board.
- b. The Applicants shall obtain a building permit from the Zoning Officer.
- c. The Applicants shall comply with all applicable Stormwater Management Ordinance requirements.
- d. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- e. This Decision shall bind the Applicants, their heirs, successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing adjourned at 7:16 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Omar Smoker, Vice Chairman

Heidi Martinez, Secretary

Albert Warfel, Member

David Beiler, Alternate Member

ZONING HEARING BOARD: May 11, 2021
Martin Furniture and Mattress
Variance Request

At 7:17 p.m. Mr. Smoker introduced the third hearing, a variance request by Martin Furniture and Mattress to allow outdoor banners with lettering at 2318 Beaver Valley Pike. The property is owned by LMSE Management Group and is zoned Industrial.

Upon questioning from Mr. Goodman, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on April 26, 2021 and May 3, 2021, 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 and a copy of the notice was marked as ZHB Ex. #3.

Autumn Aukamp, Martin Furniture and Mattress, was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mrs. Aukamp explained the banners. Mr. Warfel asked the number of banners. Mr. Smoker asked about the general manager.

There were no public questions. There was one public statement. Elam Esh, 499 Cinder Road, was sworn in by the court reporter. Mr. Esh stated his support of the applicant's request.

Mr. Smoker made a motion seconded by Mr. Beiler to close testimony. The motion carried unanimously. Mr. Smoker made a motion to grant the variance from the requirements of Section 322.3.21 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 a sign permit from the Zoning Officer.
- 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, its successors, grantees and assigns.

Mr. Beiler seconded the motion and the motion carried unanimously. The hearing adjourned at 7:33 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Omar Smoker, Vice Chairman

Heidi Martinez, Secretary

Albert Warfel, Member

David Beiler, Alternate Member

ZONING HEARING BOARD: May 11, 2021
S Lanc Co Farmers Sportsman, Inc.
Special Exception and Variance

At 7:35 p.m. Mr. Smoker introduced the fourth hearing, requests by S Lanc Co Farmers Sportsman, Inc. for a special exception to rebuild the private clubhouse and a variance for the location of the parking area at 742 Hollow Road. The property is owned by S Lanc Co Farmers Sportsman, Inc. and is zoned Agricultural. Mr. Smoker turned the hearing over to Mr. Goodman.

Upon questioning from Mr. Goodman, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on April 26, 2021 and May 3, 2021, 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 and a copy of the notice was marked as ZHB Ex. #3.

Craig Williams, Strausser Surveying & Engineering, Inc. and Carlo Tomasulo were sworn in by the court reporter. Mr. Williams explained the request for the special exception and the variance for the existing parking area. Upon questioning from Mr. Goodman, Mr. Tomasulo explained what the association offers. Mr. Goodman asked about the number of acres in Providence Township. Mr. Smoker asked about the size of the clubhouse.

There was one public question. Erik Schlaghauser, 271 Hopkins Mill Road, asked if there were any proposed changes to the ranges. There were a few public statements. C. William Shaffer, 39 Ridge Road, stated the impact the association has on the southern end community. Leda Warfel, 213 Pennsy Road, was sworn in by the court reporter. Mrs. Warfel, explained the challenges of having club meetings at other locations.

Mr. Warfel recused himself because he is a member of the S Lanc Co Farmers Sportsman, Inc. Mr. Beiler made a motion, seconded by Mr. Smoker to close testimony. The motion carried unanimously. Mr. Smoker made a motion to grant the special exception pursuant to Section 200.4.5 and a variance from the requirements of Section 417.2 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 a building permit from the Zoning Officer.
- c. The Applicant shall file and have approved a Land Development Plan with Providence Township or shall obtain a waiver of such Plan.
- d. The Applicant shall comply with all applicable provisions of the Stormwater Management Ordinance.
- 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, its successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing adjourned at 8:04 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Omar Smoker, Vice Chairman

Heidi Martinez, Secretary

Albert Warfel, Member

David Beiler, Alternate Member

ZONING HEARING BOARD: May 11, 2021

Eli J King

Use Variance Requests

At 8:05 p.m. Mr. Smoker introduced the fifth hearing, a request by Eli J King for use variances to allow a custom hydraulic hose business and equipment rental business at 1000 Truce Road. The property is owned by Eli J and Lydia S King and is zoned Agricultural. Mr. Smoker turned the hearing over to Mr. Goodman.

Upon questioning from Mr. Goodman, Mrs. Martinez confirmed that the hearing had been legally advertised in the Lancaster Newspapers on April 26, 2021 and May 3, 2021, 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 and a copy of the notice was marked as ZHB Ex. #3.

Craig Williams, Strausser Surveying & Engineering, Inc. and Eli King were sworn in by the court reporter. Upon questioning from Mr. Goodman, Mr. Williams explained the property. Mr. King explained details of the businesses as they currently operate. Mr. Williams displayed Google Earth images of the property. Mr. Smoker asked about the acreage, the pond, and the animals on the property. Mr. Warfel asked about expansions of the businesses, fluid disposal, signs and deliveries.

There was one public question. John Summers, 242 Hollow Road, asked about the location of the repairs. There was one public statement. Carmen Baciotti, 29 Penny Road, stated he was okay with the request as it currently is.

Mr. Beiler recused himself because he is a business owner of an equipment rental business in the township. Mr. Smoker made a motion seconded by Mr. Warfel to close testimony. The motion carried unanimously. Mr. Smoker made a motion to grant the variance from the requirements of Section 200.2, Section 313 and Section 313 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 may not expand the equipment rental business except to add one additional piece of equipment that may be rented out by the Applicant.
- c. The equipment for rent must be located under an existing roof.
- d. There shall be no employees other than family members.
- e. All repairs shall be conducted in the barn.
- f. There shall be no illuminated signs.
- g. All hydraulic fluid must be disposed of off of the Premises.
- h. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- i. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing adjourned at 8:37 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Omar Smoker, Vice Chairman

Heidi Martinez, Secretary

Albert Warfel, Member

David Beiler, Alternate Member