

ZONING HEARING BOARD: June 8, 2021

**Aaron K Esch
Use Variance**

The Providence Township Zoning Hearing Board was held on Tuesday, June 8, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, Chairman, Albert Warfel and Omar Smoker. Thomas Goodman, Zoning Hearing Board counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and eight (8) observers were also present. Mr. Duvall brought the meeting to order at 7:00 p.m. Mr. Duvall introduced the Zoning Hearing Board members, Zoning Hearing Board counsel and Zoning Officer. Mr. Duvall announced that there were two hearings tonight. The first hearing is a request for a use variance by Aaron K Esch to allow a masonry contractor shop, office and showroom at 244 Truce Road. The property is owned by Aaron K and Barbara E Esch and is zoned Agricultural. Mr. Duvall turned the hearing over to Mr. Goodman. Heidi Martinez 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 May 24, 2021 and May 31, 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. was sworn in by the court reporter. Aaron K Esch was affirmed by the court reporter. Upon questioning from Mr. Goodman, Mr. Esch explained the buildings on the property. Mr. Williams explained the request for the use variance and details about the business including the number of employees and the hours of operation. Mr. Duvall asked about manufacturing at the shop. Mr. Warfel asked about deliveries and outdoor storage. There were no public questions. There were two public statements. Victoria Strong, 1 Lakeside Drive, was sworn in by the court reporter. Mrs. Strong stated she was the closest neighbor and there is no noise or trouble related to the business. Tony Strong, 1 Lakeside Drive, was sworn in by the court reporter. Mr. Strong stated there are no problems with traffic or noise related to the business.

Mr. Smoker made a motion to close testimony. Mr. Warfel seconded the motion and the motion carried unanimously. Mr. Duvall made a motion to grant the use variance from the requirements of Section 200.2 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. There shall be no sign in connection with the business.
- c. The outside storage shall be limited to that which exists at the present time.
- d. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- e. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:22 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Bradford Duvall, Chairman

Heidi Martinez, Secretary

Omar Smoker, Vice Chairman

Albert Warfel, Member

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**David Hubbs
Variance Request**

At 7:24 p.m. Mr. Duvall introduced the second hearing, a request by David Hubbs for a variance to allow more than one (1) animal over 65 pounds on one (1) acre at 416 Pennsy Road. The property is owned by David Hubbs and is zoned Agricultural. Mr. Duvall 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 May 24, 2021 and May 31, 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.

Jason Rhoads and Melissa Johnson, 416 Pennsy Road, were sworn in by the court reporter. Upon questioning from Mr. Goodman, Mr. Rhoads explained the property and the request for the variance for a Future Farmers of America (FFA) project. The Zoning Hearing Board Application was marked as App. Ex. #1 and the sketch plan was marked as App. Ex. #2. Mr. Duvall asked about the timeline for raising the animals on the property.

There were no public questions or public statements.

Mr. Warfel made a motion seconded by Mr. Duvall to close testimony. The motion carried unanimously. Mr. Warfel made a motion to grant the variance from the requirements of Section 451.1.3 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. This Decision shall extend for the remainder of this year and three additional years until the grandchildren have graduated from High School.
- c. No more than two cows shall be located on the Premises.
- d. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- e. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mr. Smoker seconded the motion and the motion carried unanimously. The hearing adjourned at 7:35 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Bradford Duvall, Chairman

Heidi Martinez, Secretary

Omar Smoker, Vice Chairman

Albert Warfel, Member