

**ZONING HEARING BOARD: July 13, 2021**  
**Oak Bottom LLC**  
**Use Variance**

The Providence Township Zoning Hearing Board was held on Tuesday, July 13, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, Chairman, Albert Warfel and David Beiler, Alternate Member. Thomas Goodman, Zoning Hearing Board counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and five (5) 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 was one (1) hearing tonight. The hearing is a request for a use variance by Oak Bottom LLC to allow the outdoor storage of contractor supplies at 149 Oak Bottom Road. The property is owned by Oak Bottom LLC and is zoned Commercial. 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 June 28, 2021 and July 5, 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.

John Henry, Blakinger Thomas Law Firm was present for the applicant. Brian Masterson, Register Associates, Inc. was sworn in by the court reporter. Upon questioning from Mr. Henry, Mr. Masterson explained the prepared plan. The plan was marked as App Ex. #1. Blake Huber was sworn in by the court reporter. Upon questioning from Mr. Henry, Mr. Huber explained the business use of contractor supplies for B.R. Kreider Excavating and Ecotech Company. Mr. Warfel asked about how the liquid is contained. Mr. Duvall asked about complaints and the wetland area. Mr. Beiler asked about fencing the property. There were no public questions or public statements.

Mr. Warfel made a motion to close testimony. Mr. Beiler seconded the motion and the motion carried unanimously. Mr. Duvall made a motion to grant the use variance from the requirements of Section 205.2 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 outdoor storage shall be limited to the storage of contractor supplies, equipment, vehicles and fuel. The storage shall comply with all applicable setback requirements of the Ordinance.
- c. The Applicant shall obtain any necessary zoning permits from the Zoning Officer.
- 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, its successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:27 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Bradford Duvall, Chairman

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Heidi Martinez, Secretary

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Albert Warfel, Member

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David Beiler, Alternate Member