

**ZONING HEARING BOARD: December 14, 2021**

**Dustin Martin  
Variance Request**

The Providence Township Zoning Hearing Board was held on Tuesday, December 14, at 7:00 p.m. 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 present. Mr. Duvall brought the hearing to order at 7:00 p.m. Mr. Duvall announced that there were three (3) hearings and introduced the board. The first hearing is a request by Dustin L and Kelsey M Martin for a variance for a twelve (12) month extension to submit a subdivision and/or land development plan for the use variance approved in November 2020 at 183 Schoolhouse Road. The property is owned by Dustin L and Kelsey M Martin 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 the hearing was advertised in the Lancaster Newspapers on November 29, 2021 and December 6, 2021. The proof of publication was marked as ZHB Ex. #1. The list of adjoining property owners 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.

Dustin Martin was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mr. Martin explained the reasoning for the extension request to submit a land development plan. The Floodplain Map submitted was marked as App. Ex. #1. There were no public questions or public statements.

Mr. Duvall made a motion to grant the request for a time extension pursuant to Section 603.13 of the Ordinance, subject to the same conditions in the original Decision dated November 24, 2020.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing adjourned at 7:10 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

**ZONING HEARING BOARD: December 14, 2021**

**Joseph Leofsky  
Special Exception**

At 7:12 p.m. Mr. Duvall introduced the second hearing, a request by Joseph Leofsky for a special exception for an expansion of the Ponderosa Lane mobile home park for one (1) additional mobile home unit at 1 Findley Lane (Ponderosa Lane) property is owned by Ponderosa Lane LLC and is zoned High Density Residential (R-4). Mr. Duvall turned the hearing over to Mr. Goodman.

Upon questioning from Mr. Goodman, Mrs. Martinez confirmed the hearing was advertised in the Lancaster Newspapers on November 29, 2021 and December 6, 2021. The proof of publication was marked as ZHB Ex. #1. The list of adjoining property owners 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.

Joseph Leofsky was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mr. Leofsky explained what was demolished from the property and the request for another mobile home unit. The Zoning Hearing Board application was marked as App. Ex. #1 and the plot plan was marked as App. Ex. #2. Mr. Beiler asked about sewage planning. Mr. Duvall asked about the well and stormwater management. There were no public questions. There were two public statements. Nelson Trout, 2344 Beaver Valley Pike, stated the former dwelling has been unoccupied for many years. Elam Esh, 499 Cinder Road, favored the request.

Mr. Warfel made a motion to close testimony. Mr. Beiler seconded the motion and the motion carried unanimously. Mr. Warfel made a motion to grant the special exception to replace the storage building with a newer mobile home, with the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall obtain any necessary building permits from the Zoning Officer.
- c. The Applicant shall obtain any necessary SEO permits.
- d. The mobile home shall be limited to two bedrooms.
- 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, his heirs, successors, grantees and assigns.

Mr. Beiler seconded the motion and the motion carried unanimously. The hearing adjourned at 7:29 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

**ZONING HEARING BOARD: December 14, 2021**  
**Elam Esh**  
**Variance Requests**

At 7:29 p.m. Mr. Duvall introduced the third hearing, a request by Elam Esh for variances of off-street parking and lighting of the parking facilities at 2302 Beaver Valley Pike. The property is owned by Elam H Esh and is zoned Industrial. Mr. Duvall turned the hearing over to Mr. Goodman.

Upon questioning from Mr. Goodman, Mrs. Martinez confirmed the hearing was advertised in the Lancaster Newspapers on November 29, 2021 and December 6, 2021. The proof of publication was marked as ZHB Ex. #1. The list of adjoining property owners 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 Esh was affirmed by the court reporter. Upon questioning from Mr. Goodman, Mr. Esh explained the plan for the expansion and the request to not add additional parking spaces. The Zoning Hearing Board application was marked as App. Ex. #1. The 2015 Zoning Hearing Board decision was marked as App. Ex. #2. The overall site plan and lot add-on plan prepared by Diehm & Sons dated November 6, 2021 was marked as App. Ex. #3. Mr. Duvall asked about the lot add-on, truck unloading, retail sales and storage of materials. Mr. Beiler asked about the property configuration. There were no public questions or public statements.

Mr. Beiler made a motion to grant the variance from the requirements of Section 313.13 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 shall file and have approved a Land Development Plan and Stormwater Management Plan with Providence Township.
- 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. Warfel seconded the motion and the motion carried unanimously. The hearing adjourned at 7:45 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