

ZONING HEARING BOARD: June 13, 2023

John and Ruth Beiler

Variance

The Providence Township Zoning Hearing Board was held on Tuesday, June 13, 2023, at 7 p.m. Members present were Albert Warfel, Chairman, Omar Smoker and David Beiler, Alternate Member. Joseph Kenneff, Zoning Hearing Board Counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and eleven (11) observers were present. Mr. Warfel brought the hearing to order at 7 p.m. Mr. Warfel announced that there were multiple hearings and introduced the board. The first hearing is a request by John Beiler for a variance to allow a greenhouse in the rear yard setback at 1063 Rawlinsville Road. The property is owned by John G and Ruth S Beiler and is zoned Residential (R-2).

Heidi Martinez was sworn in by the court reporter. Upon questioning from Mr. Kenneff, Mrs. Martinez confirmed the hearings were advertised in the Lancaster Newspapers on May 29, 2023, and June 5, 2023. The proof of publication was marked as ZHB Ex. #1. The lists of adjoining property owners were marked as ZHB Ex. #2. Mrs. Martinez confirmed the properties were properly posted and copies of the postings were marked as ZHB Ex. #3.

John Beiler was affirmed by the court reporter. Upon questioning from Mr. Kenneff, Mr. Beiler explained the property details and the proposed placement of the greenhouse. Mr. Warfel asked about the level ground. Mr. David Beiler asked about the location on the top of the hill. There was a public question and statement. Louis Wenner, 887 Pennsy Road, was sworn in by the court reporter. Mr. Wenner presented a letter and pictures of stormwater issues from 2020 and it was marked as Wenner Ex. #1. Mr. Wenner asked about a buffer zone and if the Lancaster County Conservation District visited the property owner. Mr. Warfel asked about the stormwater management facility required for the greenhouse. 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 variance pursuant to Section 202.6 of the Ordinance with the following conditions:

- a. The Applicant shall comply with their plans and promises as presented to the Board.
- b. The Applicant shall comply with all other laws, regulations, rules and ordinances and obtain any necessary zoning and building permits from the zoning officer.
- c. The Applicant shall place the greenhouse no closer than 25 feet from the rear property line.
- d. A violation of any of the conditions of this Decision shall be considered 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 7:20 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Omar Smoker, Member

David Beiler, Alternate Member

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**Joan Harrington
Variance**

Mr. Warfel brought the second hearing to order at 7:21 p.m. The second hearing is a request by Joan Harrington for a variance to allow additional impervious area of paved parking at 66 Main Street. The property is owned by Edward R and Joan B Harrington and is zoned Suburban Residential (R-3).

Joan Harrington was sworn in by the court reporter. Upon questioning from Mr. Kenneff, Mrs. Harrington explained the layout of the property. Craig Mellinger, 1009 Elm Street, was sworn in by the court reporter. Mr. Mellinger explained the repaving. Mr. Smoker asked about the plot plan. There were no public questions or 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 variance pursuant to Section 203.6 of the Ordinance with the following conditions:

- a. The Applicant must comply with her plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall comply with all other laws, regulations, rules and ordinances and obtain any necessary zoning and building permits from the zoning officer.
- c. A violation of any of the conditions of this Decision shall be considered a violation of the Ordinance.
- d. This Decision shall bind the Applicant, her heirs, successors, grantees and assigns.

Mr. Smoker seconded the motion and the motion carried unanimously. The hearing adjourned at 7:26p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Omar Smoker, Member

David Beiler, Alternate Member

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J Pepper and Diane Goslin
Special Exception

Mr. Warfel brought the third hearing to order at 7:26 p.m. The third hearing is a request by J Pepper and Diane Goslin for a special exception for a use not provided for to allow a vacation rental in the gatekeeper's cottage at 64 Snyder Hollow Road. The property is owned by J Pepper and Diane A Goslin and is zoned Rural Residential (R-1).

J Pepper Goslin was sworn in by the court reporter. Upon questioning from Mr. Kenneff, Mr. Goslin explained the current uses on the property. Mr. Goslin presented App. Exhibits A-G and explained the details of the exhibits. Mr. Warfel asked the location of the gatekeeper's cottage on Snyder Hollow Road and how long it will be rented for. Mr. Smoker asked about the distance from the house and about smoke alarms.

There were no public questions. There was one public statement. Bob Ray, 287 Snyder Hollow Road, was sworn in by the court reporter. Mr. Ray stated that he looks forward to this project.

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 with the following conditions:

- a. The Applicant must comply with their plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall comply with all other laws, regulations, rules and ordinances and obtain any necessary zoning and building permits from the zoning officer.
- c. The Applicant must provide the Zoning Officer with a list of written rules that will be provided to each guest.
- d. A violation of any of the conditions of this Decision shall be considered a violation of the Ordinance.
- e. This Decision shall bind the Applicant, their heirs, successors, grantees and assigns.

Mr. Smoker seconded the motion and the motion carried unanimously. The hearing adjourned at 7:42 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Omar Smoker, Member

David Beiler, Alternate Member

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Daniel Siegrist

Special Exception and Variance

Mr. Warfel brought the fourth hearing to order at 7:42 p.m. The fourth hearing is a request by Daniel Siegrist for a variance for a single-family semi-detached dwelling and a special exception for a use not provided for to allow a short-term rental at 225 Mount Hope School Road. The property is owned by Daniel H and Regina A Siegrist and is zoned Residential (R-2).

Daniel Siegrist was sworn in by the court reporter. Upon questioning from Mr. Kenneff, Mr. Siegrist explained the property, the addition built and the planning module. Mr. Siegrist explained that the short-term rental will be in the unfinished area above the garage. Mr. Smoker asked about the proximity of the unit.

There were no public questions. There was one public statement. John Esh, 128 Mt. Hope School Road, was affirmed by the court reporter. Mr. Esh stated that Mr. Siegrist is a good neighbor.

The Board went off the record and convened in another room to discuss. Mr. Warfel brought the hearing back on the record. 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 and a variance pursuant to Section 202.2 of the Ordinance with the following conditions:

- a. The Applicant must comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall comply with all other laws, regulations, rules and ordinances and obtain any necessary zoning and building permits from the zoning officer.
- c. The Applicant must provide the Zoning Officer with a list of house rules that will be provided to each guest.
- d. The Applicant must provide the Zoning Officer and any adjoining landowner with a contact number for the Applicant or other host of the short-term rental.
- e. A violation of any of the conditions of this Decision shall be considered a violation of the Ordinance.
- f. 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 8:06 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Omar Smoker, Member

David Beiler, Alternate Member