

ZONING HEARING BOARD: September 12, 2023
Samuel King and Steven Stoltzfus
Variances

The Providence Township Zoning Hearing Board was held on Tuesday, September 12, 2023, at 7 p.m. Members present were Albert Warfel, Chairman, Bradford Duvall and Omar Smoker. Joseph Kenneff, Zoning Hearing Board Counsel, Heidi Martinez, Secretary/Zoning Officer, Laura Goodz, Zoning Officer, Melissa Anderson, court reporter and five (5) observers were present. Mr. Warfel brought the hearing to order at 7 p.m. Mr. Warfel announced that there was one hearing and introduced the board. The hearing is a request by Samuel King and Steven Stoltzfus for variances to remove two (2) existing uses (restaurant and garage) and use a portion of the building space occupied by the garage as a furniture showroom/store and to allow 20 parking spaces available for all uses on the property (including apartment and single-family dwelling) at 2218 Beaver Valley Pike. The property is owned by Glenn H and Nancy L Henry and is zoned Industrial. Mr. Warfel turned the hearing over to Mr. Kenneff.

Heidi Martinez was sworn in by the court reporter. Upon questioning from Mr. Kenneff, Mrs. Martinez confirmed the hearing was advertised in the Lancaster Newspapers on August 28, 2023, and September 4, 2023. 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 the copy of the posting was marked as ZHB Ex. #3.

Samuel King was affirmed by the court reporter. Mr. King was represented by Samuel Goodley, III from Sam Goodley Law LLC. Upon questioning from Mr. Goodley, Mr. King explained the furniture business and the details of the land. Mr. Goodley presented a plot plan, and it was marked as App. Ex. #1. Mr. Warfel asked about the coffee shop, manufacturing, deliveries and trash pickup. Mr. Smoker asked about the dwelling and the parking spaces. Mr. Duvall asked about the plans for renovations, loading area and a sign. Mr. Kenneff asked about the traffic impact and the hours of operation. There were no public questions or statements. Mr. Warfel made a motion to close testimony. Mr. Duvall seconded the motion and the motion carried unanimously. Mr. Warfel made a motion to grant the variance pursuant to Section 206.2 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 shall have no parking spaces within the Beaver Valley Pike right-of-way.
- 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 7:55p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Bradford Duvall, Vice Chairman

Omar Smoker, Member