

ZONING HEARING BOARD: November 14, 2023

**John Glick
Special Exception**

The Providence Township Zoning Hearing Board was held on Tuesday, November 14, 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, 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 four hearings and introduced the board. The first hearing is a request by John Glick for a special exception for an addition to the dwelling with a dimensional nonconformity (front yard setback) that exceeds 50% of the building at 96 Hopkins Mill Road. The property is owned by John M and Barbara S Glick and is zoned Agricultural. 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 hearings were advertised in the Lancaster Newspapers on October 30, 2023, and November 6, 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 the copies of the postings were marked as ZHB Ex. #3.

John Glick was affirmed by the court reporter. Upon questioning from Mr. Kenneff, Mr. Glick confirmed the details of the property. Mr. Glick explained the request for the addition and the distance from the Hopkins Mill Road. Mr. Warfel asked about how close it is to the barn and the driveway. Mr. Duvall asked about the driveway and the addition connection. Mr. Smoker asked about the driveway location being safe. The plot plan was marked as App. Ex. #1. There were no public questions or statements.

Mr. Duvall made a motion to close testimony. Mr. Warfel seconded the motion and the motion carried unanimously. Mr. Warfel made a motion to grant the special exception pursuant to Section 503.3 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 addition shall be no closer, at its closest point to Hopkins Mill Road than depicted on Applicant's Exhibit 1, which is 50.5 feet from the centerline at its southern end (34 feet from street right-of-way line) and 58 feet from Hopkins Mill Road at its northern end (41.5 feet from right-of-way line).
- d. A violation of the conditions of this decision shall constitute a violation of the Ordinance.
- e. This decision shall bind the Applicant, his heirs, successors, grantees, executors, and assigns.

Mr. Smoker seconded the motion and the motion carried unanimously. The hearing adjourned at 7:15 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Bradford Duvall, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: November 14, 2023
Terry Conrad
Special Exception

Mr. Warfel brought the second hearing to order at 7:16 p.m. The second hearing is a request by Terry Conrad for a special exception for a use not provided for to allow a short-term rental at 75 Main Street. The property is owned by Terry L Conrad and is zoned Suburban Residential (R-3). Mr. Warfel turned the hearing over to Mr. Kenneff.

Wade Conrad was sworn in by the court reporter. Upon questioning from Mr. Kenneff, Mr. Conrad explained the property and the request for a short-term rental. Mr. Conrad explained his close proximity to the property. Mr. Kenneff asked about the rules for the rental and the parking. Mr. Warfel asked about talking with neighbors, contact information, number of cars and length of stay. Mr. Duvall asked about noise. Mr. Smoker asked about the vetting process. There were no public questions. There were two (2) public statements. J Pepper Goslin, 64 Snyder Hollow Road, was sworn in by the court reporter. Mr. Goslin stated the challenges of owning a short-term rental and the safety concerns. Robert Weaver, 70 Truce Road, was affirmed by the court reporter. Mr. Weaver stated that the Conrads keep the property nice.

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 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 shall provide all adjoining neighbors with his contact number where she or the manager of the Premises can be reached.
- d. The Applicant shall have no more than eight (8) occupants on the Premises at one time.
- e. The Applicant shall allow guests to have no more than four (4) vehicles on the Premises at one time.
- f. The Applicant shall conspicuously post house rules at the Premises, which shall include quiet hours starting at 11:00 p.m. and no parties allowed on the Premises, and shall provide a copy of such rules to the Zoning Officer.
- g. A violation of the conditions of this decision shall constitute a violation of the Ordinance.
- h. This decision shall bind the Applicant, his heirs, successors, grantees, executors, and assigns.

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

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Bradford Duvall, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: November 14, 2023

J Pepper Goslin

Variance

Mr. Warfel brought the third hearing to order at 7:36 p.m. The third hearing is a request by J Pepper Jr and Diane A Goslin for a variance to allow a personal storage building that exceeds 999 sq. ft. on an undeveloped parcel at tax account #520-61653-0-0000 Snyder Hollow Road. The property is owned by J Pepper Jr and Diane A Goslin and is zoned Rural Residential (R-1).

J Pepper Goslin Jr. was already sworn in by the court reporter. Upon questioning from Mr. Kenneff, Mr. Goslin explained the location of the property. Mr. Goslin presented photographs of the proposed location of the pole barn. The photographs were marked as App Ex. #1. Mr. Duvall asked about the wetland area, fence, driveway, use and if he spoke to the neighbor. Mr. Warfel asked about the type of construction. Mr. Smoker asked about the accessory use. 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 201.4.13 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 accessory structure shall not exceed 2,400 square feet.
- 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. Executors, and assigns.

Mr. Smoker seconded the motion and the motion carried unanimously. The hearing adjourned at 7:50 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Bradford Duvall, Vice Chairman

Omar Smoker, Member

ZONING HEARING BOARD: November 14, 2023
Rettew Enterprise LLC
Variance and Special Exceptions

Mr. Warfel brought the third hearing to order at 7:51 p.m. The fourth hearing is a request by Rettew Enterprises LLC for a variance for a scoreboard with advertising exceed the maximum height and the following special exceptions; to allow parking on neighboring properties during event days, to expand the non-conforming use of the entertainment complex to include the country music festival at 900 Lancaster Pike. The property is owned by Rettew Enterprise LLC and is zoned Industrial. Mr. Warfel turned the hearing over to Mr. Kenneff.

Zane Rettew, Rettew Enterprises LLC, and Kevin Coats, Strickler Signs, were sworn in by the court reporter. Upon questioning from Mr. Kenneff, Mr. Coats explained the scoreboard design and proposed location. Mr. Rettew explained the parking agreement with the neighboring properties. Mr. Rettew explained the country music festival event. Mr. Smoker asked about the view of the sign, noise, and selling tickets. Mr. Warfel asked about the production company. 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. Rettew asked about reopening testimony. Mr. Warfel made a motion to reopen testimony, Mr. Duvall seconded the motion and the motion carried unanimously. Mr. Rettew said he also is seeking approval to allow an ice-skating rink during the winter. Mr. Duvall made a motion to close the testimony. Mr. Warfel seconded the motion and the motion carried unanimously. Mr. Duvall made a motion to grant the special exceptions pursuant to Section 503.3 and 313.19.3 of the Ordinance and a variance pursuant to Section 322.2.2of 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. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- d. This decision shall bind the Applicant, their heirs, successors, grantees. Executors, and assigns.

Mr. Smoker seconded the motion and the motion carried unanimously. The hearing adjourned at 8:20 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

Albert Warfel, Chairman

Heidi Martinez, Secretary

Bradford Duvall, Vice Chairman

Omar Smoker, Member