

WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES

March 14, 2012

Chairman Gary Lefever convened the March 14, 2012 meeting of the Warwick Township Zoning Hearing Board at 6:30 p.m. Present were Board Members Gary Lefever, Scott Goldman, Dane St. Clair, and Brent Schrock. Mark Will was absent. Also present were Zoning Officer Thomas Zorbaugh, Court Reporter Brenda Hamilton, Kevin Varner, Steve Garman and Township Manager Daniel Zimmerman.

MINUTES APPROVAL: On a motion by Goldman, seconded by St. Clair, the Board voted unanimously to approve the minutes of the February 8, 2012 meeting as submitted.

POSTING, PROOF OF PUBLICATION AND NOTICE: The Zoning Officer confirmed the posting, notice and proof of publication of the cases to be heard at this evening's hearing.

CASE #774, JOHN & STEVE GARMAN, S&A PAINT - VARIANCE: The Chairman read the zoning notice for the application received from John & Steve Garman, 16 Toll Gate Road, Lititz, PA 17543. The applicants are the owners of this property known as S&A Paint & Repair. The applicant is seeking Variances to the Warwick Township Zoning Ordinance under Section 340-17.F.(1) to the reduce parking space setback from a right-of-way; Sections 340-17.M.(2) & 340-35.D.(1)A to reduce the landscaping strip requirement; and Section 340-37.B to eliminate further landscaping requirements. The applicant would like to install six gravel parking spaces along the front of their property located in the Community Commercial Zoning District.

Kevin Varner, representing Diehm & Sons Surveyors, and Steve Garman were sworn in. Varner stated that he is representing the Applicant this evening. Varner explained that the site is zoned Community Commercial and contains approximately .97 acres located along Toll Gate Road. He detailed the lot layout for the benefit of those present. He indicated the location of the six proposed parking spaces for the vehicles that the property owners purchase, repair and resell. He noted that in order to keep their employees productive, the property owners began purchasing cars in need of repair, having these employees repair and restore the cars, and then selling them from their property. In this way, the auto sales use is accessory to the paint and repair shop. The request is to install parking spaces as required by the State for automotive sales. The parking spaces would be a gravel surface with a frame border to keep the stones contained. Varner explained that stone would allow water to flow through which would not adversely impact stormwater management on the site. The Applicant is requesting a Variance of 340-7.F(1) to reduce the setback from the right-of-way from 20' to 3'. The Variances of Sections 340-17.M.(2) & 340-35.D.(1)A to reduce the landscaping strip requirement; and Section 340-37.B to eliminate further landscaping requirements relate to the display of the vehicles for sale so they are visible from the road to attract potential buyers. Varner noted that if the cars are screened from the road, the effectiveness of the use is diminished to the point of being nonviable. He explained that the property owners would like the option to remove the gravel parking spaces in the future if needed, which is another reason they wish to create a gravel parking area. He stated that the site is limited due to the location of the building and an existing 100' wide PPL utility easement on the lot. He expressed the opinion that the proposal would not alter the character of the neighborhood since other businesses have parking spaces in close proximity to Toll Gate Road.

The Zoning Officer stated that the property owners have been selling cars for an extended period

of time, and at one time had a sales lot to the rear of the building that was removed to build the new structure. He added that a portion of the site has a landscape screen along the roadway and noted that the request is for the car sales area, only. Goldman asked whether the car sales business is permitted on the lot. The Zoning Officer stated that automotive sales and repair are a permitted use in the Community Commercial zoning district.

Lefever inquired how customers would access these cars. Garman stated that the customers could walk around the cars; however, employees of the business would move them to the parking lot for test drives. Lefever expressed concern over motorists driving in and out of the grass and using these spaces if no other parking is available on the site.

Varner explained that the grade of the swale at front of the property would make it difficult for vehicles to access these parking spaces directly from Toll Gate Road. Garman stated that if this becomes an issue, they would install a barrier along the front edge of the property. The Zoning Officer explained that Township staff reviewed the plan and waived the requirement for formal plan review since the proposal is for gravel parking spaces, only. He noted that the number of parking spaces is limited to six. Schrock inquired whether the existing sign would need to be relocated. Varner stated that he missed the sign on the plan; Garman stated that he would relocate the sign to the face of the building if needed.

The Chairman inquired whether anyone present wishes to comment on the proposal. No one present indicated their desire to comment on the case. On a motion by Goldman, seconded by Schrock, the Board voted 3-1 to grant a Variance under Section 340-17.F.(1), to reduce the distance a parking space can be from the right-of-way, Sections 340-17.M.(2) & 340-35.D.(1).A to reduce the required landscaping strip between the road and the parking spaces and Section 340-37.B to eliminate further landscaping and screening contingent upon a requirement that if the sign needs to be relocated, it will receive zoning approval for its location, and that a barrier would be required along the front of the property to eliminate motorists from driving to the parking spaces from Toll Gate Road, if needed. St. Clair voted against the motion.

CASE #775, TOWNSHIP OF WARWICK - VARIANCE: The Chairman read the zoning notice for the application received from Daniel Zimmerman, representing the Township Of Warwick, 315 Clay Road, Lititz, PA 17543. The Applicant is seeking a Variance to the Warwick Township Zoning Ordinance under Section 340-11.H.(3).(b)&©, pertaining to a reduction of a side and rear yard setback in an Agricultural (A) Zone. The applicant would like to place a salt shed and storage bin on the Municipal Campus and needs relief of the required side and rear setbacks from 50' to 10'.

Daniel Zimmerman, representing Warwick Township, was sworn in. Zimmerman stated that the Township's current salt shed is located along Rothsville Road. He explained that Township staff would like to relocate the existing salt shed from Rothsville Road to the Municipal Campus on Clay Road. This would allow better coordination during winter weather, since equipment is stored at the Municipal Campus. It would also provide for delivery of materials to occur directly inside the building. Zimmerman explained that the Township recently combined the five tracts that comprised the municipal campus into one tract. He provided a map illustrating the lot layout and existing buildings and structures on the municipal campus. He explained that the proposed location for the salt shed was chosen due to the limited space resulting from utility easements on the municipal campus tract, and also the proposed extension of the rail-trail. He stated that the proposed building size has been reduced to 50' x 96' (instead of 50' x 100') which will provide for an 8' wide trail and avoid this trail extension area. He added that the building height is 27' at its peak. He noted that he

discussed the issue with the adjacent property owners and no one objected to the proposal. He stated that although the site contains 20 acres, approximately 15 acres contains active recreation areas. He explained that the Township intends to sell the existing salt shed site, which is zoned Industrial 1, and use the proceeds from the sale to design and construct the new salt shed building.

St. Clair inquired whether stormwater runoff would flow toward the field area. Zimmerman explained that stormwater runoff would be conveyed to the existing basin on the property.

The Chairman inquired whether anyone present wishes to comment on the proposal. No one present indicated their desire to comment on the case. On a motion by Lefever, seconded by St. Clair, the Board voted unanimously to grant a Variance under Section 340-11.H.(3).b to reduce the side yard setback from 50' to 10' and Section 340-11.H.(3).c to reduce the rear yard setback from 50' to 14'.

REQUEST FOR EXTENSION OF TIME FOR AFFORDABLE PAVING: The Board reviewed the request. On a motion by St. Clair, seconded by Lefever, the Board voted unanimously to grant an extension of time until October 12, 2012 to obtain the required permits.

ADJOURNMENT: With no further business to come before the Board, the meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Thomas Zorbaugh
Code and Zoning Officer