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WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES
Warwick Township Municipal Office
December 12, 2018

Mark Will convened the December 12, 2018 meeting of the Warwick Township Zoning Hearing Board at 6:30 p.m. Present were Board Members Mark Will, Dane St. Clair, Brent Schrock, and Dana Clark. Absent were Board Members Gary Lefever and Tom Matteson. Also present were Neil Albert, Zoning Hearing Board Solicitor; Tom Zorbaugh, Code and Zoning Officer; Court Reporter Diana Netherton; Michael Taylor Jr; Gerald Pfautz; Kevin & Jillian Fry; Fred Heim; Mike Martin; Paul Zimmerman; Eric Crouse; James Baumgartner; Sonia Wasco; Matt Garman; Matthew Hood; David King; Ben King and Mike Garman.

MINUTES APPROVAL: With two changes on page three, the September 12, 2018 minutes were unanimously approved by the Board. M. Will abstained as he was not present at this meeting.

POSTINGS, PROOFS OF PUBLICATION AND NOTICES: Tom Zorbaugh, Code and Zoning Officer, confirmed that the case was properly posted.

HEARING PROCEDURE: For the benefit of those present, Neil Albert, Zoning Hearing Board Solicitor, explained the procedure to be followed for tonight's hearing.

CASE #863 - RENOVATIONS BY GARMAN FOR KEVIN AND JILLIAN FRY - VARIANCE: An application has been received from Renovations By Garman LLC, 529 E. Main Street, Lititz, PA 17543, representing Kevin & Jillian Fry, 114 E. Woods Drive, Lititz, PA. The applicants were seeking a Variance of Section 340-14.E to allow an attached garage to be 12' instead of 15' from a side property line within the R1 Zoning District.

Fred Heim, Mike Martin, and Kevin & Jillian Fry were sworn in.

Fred Heim presented the project sharing the reasoning behind the request was to add a one car addition to the existing one car garage attached to the dwelling to allow better use of the garage space. In order to fit a reasonable size garage, they are asking the minimal needed to fit two cars within the garage.

D. Clark asked if he had a rendering showing elevations of the garage. F. Heim present Applicants Exhibit #1 showing the front and side elevation.

T. Zorbaugh presented information on the difference between the requirements of a 10' and 15' side yard.

M. Will asked if anyone else in the audience had any questions or comments or wanted party status. Seeing none he asked if the Board had a motion.

On a motion by D. St. Clair, seconded by D. Clark, the Board unanimously approved Section 340-14.E to allow a 15' side yard setback to be reduced to 12' in the R1 Zoning District.

CASE #864 – MICHAEL TAYLOR JR - VARIANCE: An application has been received from Michael Taylor Jr. 110 New Haven Drive, Lititz, PA 17543. The applicant was seeking a Variance of Section 340-14.E to allow a shed to be 5' instead of 10' from a rear and side yard property line within the R1 Zoning District.

Michael Taylor Jr. was sworn in.

Michael Taylor Jr. stated that he would like to build a new shed and locate it closer than the required 10' to 5' on the one side yard setback and along the rear yard setback.

M. Will asked why he couldn't meet the required setbacks. M. Taylor stated that he could meet the setbacks but was seeking the relief to try to maintain more yard space and that there is an embankment to the side and rear that he would like to push this shed up against.

B. Schrock asked what the shed was to be used for. M. Taylor stated that he wanted to put his trailer and children's toys in to clear up the garage space, the far end is an outdoor sitting area.

M. Will asked if anyone else in the audience had any questions or comments or wanted party status. Seeing none the Board went into an executive session.

Upon returning from executive session, on a motion by D. Clark, seconded by D. St. Clair, the Board unanimously denied Section 340-14.E to reduce a rear and side yard setback to 5' for the accessory structure in the R1 Zoning District. The Zoning Hearing Board felt that the applicant could meet the setback requirement and no hardship was presented.

CASE #865 – BEN KING – SPECIAL EXCEPTION: An application has been received from Ben King, 54 S. Groffdale Road, Leola, PA 17540, equitable owner of the property located at 3 N. Heck Road, Lititz PA 17543. The applicant was seeking a Special Exception of Section 340-22.J(2)(d)[1] to allow a driveway in the flood plane within the Ag Zoning District.

Matthew Hood, Ben King and David King were sworn in

Matthew Hood presented the case sharing the two locations being requested for expansion in the flood plain. M. Hood presented a revised sketch marked as Applicants Exhibit #1 showing the realignment of N. & S. Heck Roads and the driveway expansion in the rear. M. Hood stated that the plan showing the realignment also shows the removal of the dwelling, the saving of the mill and the addition of 8 parking spaces for future use of the mill.

D. Clark asked why the rear driveway could not be located further to the rear eliminating the need for the request. M. Hood shared that the Kings do not own past where the driveway is proposed.

M. Will asked what the is need for the additional parking area. D. King stated that he may want a road side stand in the mill someday.

M. Will asked if anyone else in the audience had any questions or comments or wanted party status. Gerald Pfautz asked if he could see the realignment. After seeing the plan he started asking questions. M. Will requested that he be sworn in, he was sworn in.

G. Pfautz asked M. Hood about the layout and vehicle traffic. M. Hood answered his questions

The Board then went into an executive session.

Upon returning from executive session, on a motion by D. Clark, seconded by B. Schrock, the Board unanimously approved Section 340-22J(2)(d)[1] to allow a driveway to extend through the flood plain and to relocate an existing drive within the flood plain in the Ag Zoning District. The Zoning Hearing Board did not approve any use or parking area for the existing mill.

CASE #866 – ERIC CROUSE – SPECIAL EXCEPTION: An application has been received from Eric Crouse, 111 S. King Street, Stevens PA 17578, equitable owner of the property located at 506 W. Lincoln Avenue, Lititz PA 17543. The applicant was seeking a Special Exception of Section 340-113 to allow the substitution of a nonconforming use within the Ag Zoning District.

Eric Crouse, Paul Zimmerman, Sonia Wasco and James Baumgartner were sworn in.

T. Zorbaugh stated for the record that the property was posted correctly but that the ad had stated W. Lincoln Road not W. Lincoln Avenue.

Paul Zimmerman presented the case introducing the current owner, Sonya Wasco and the proposed owner, Eric Crouse. P. Zimmerman read the proposal that was submitted with the packet sharing that E. Crouse would like to relocate his concrete business with 12 employees, vehicles and supplies into the building currently occupied by two tenants with up to 14 employees. Crouse Concrete would not have any longer hours than existing and the only change to the building would be to add two overhead doors. P. Zimmerman also stated that they would like to retain the right for one space as tenant space.

Sonya Wasco stated that 14 employees was the highest number of employees that occupied the building and that there were three businesses located within the structure and all were photography related.

M. Will asked about a second use. P. Zimmerman stated that they did not have anyone at this time.

M. Will asked if anyone else in the audience had any questions or comments or wanted party status. Seeing none the Board went into an executive session.

Upon returning from executive session, on a motion by M. Will, seconded by D. St. Clair, the Board unanimously approved Section 340-113 to allow the substitution of the concrete business as nonconforming use in the Ag Zoning District. The Zoning Hearing Board did not approve any use other use on the property.

On a motion by M. Will and seconded by D. St. Clair, the Board unanimously approved a six month extension of time for Case #847, North Star Initiative 939 Lititz Pike, to start their project.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Thomas Zorbaugh
Code and Zoning Officer