

WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES  
Warwick Township Municipal Office  
October 9, 2019

Chairman Tom Matteson convened the October 9, 2019 meeting of the Warwick Township Zoning Hearing Board at 6:30 p.m. Present were Board Members Tom Matteson, Mark Will, Brent Schrock, Dane St. Clair, Dana Clark and Jeremy Strathmeyer. Also present were Zoning Officer Tom Zorbaugh, Board Solicitor Neil Albert, Court Reporter Diana Netherton, Emanuel Smucker, Julie Otter, Wayne & Melodie Dearolf, Laura Knowles, Marcus Rodriguez, Gavin Zerby, Elyssa Cheesman, Barry Todd, Spencer Todd, Michael Patton, Rena Grimmer, Wade Hartz, Dianna Wade, Carole Herr, Susan Shirk, Brandon & Beth MacCartney, Gideon Fisher, Steven Fisher and Mervin King.

**MINUTES APPROVAL:** On a motion by Matteson, seconded by Will, the Board voted unanimously to approve the minutes from the September 11, 2019 meeting on a 5-0 vote.

**POSTINGS, PROOFS OF PUBLICATION AND NOTICE:** Tom Zorbaugh, Zoning and Coding Officer, confirmed that the new cases were properly posted.

**HEARING PROCEDURES:** For the benefit of those present, Neil Albert, the Zoning Hearing Board's Solicitor, explained the procedure to be followed for the evening's hearings.

**CASE #884 - BARRY TODD – VARIANCE - CONTINUED:** Barry & Spencer Todd were sworn in. The property in question is located at 313 E. Lexington Road and is zoned CC. The applicant was requesting a Variance to allow a business use to remain on the property as a mixed use with the existing dwelling and to allow a pole building to be built 10' from the side and rear property lines instead of the required 25'. The applicant agreed to continue this application until the October meeting to provide additional information. The applicant moved the building 25' from the side yard but is still requesting a Variance of the rear yard setback to 10'.

On a motion by Matteson and seconded by Will, the Board approved the applicants request for the mixed use and the rear yard setback to be 10' on a 6-0 vote.

**CASE #885 - STEPHEN FISHER - SPECIAL EXCEPTION - CONTINUED:** Steven Fisher was affirmed. Julie Otter and Dianna Wade requested and received party status and were sworn in. The property in

question is located at 209 Cedar Drive, Leola and is zoned AG. The applicant was requesting a Special Exception to allow a breeding dog kennel. He provided information that he will meet all the requirements in Section 340-81. There were a number of people that made comments that they are against breeding kennels, but no one provided any information that the applicant is not meeting the current Township Ordinance. The Zoning Hearing Board took an executive session and once they returned Matteson made a motion to approve the applicant's request to operate a dog breeding kennel as an accessory use with conditions, seconded by Schrock, on a vote of 6-0.

**CASE #887 – EMANUEL SMUCKER - VARIANCE:** Emanuel Smucker was affirmed. The property in question is located at 209 Snively Mill Road and is zoned RE. The applicant was requesting a Variance to allow the building to be less than 36' and the potential sale of supplements.

On a motion by Matteson and seconded by St. Clair, the Board approved the applicants request to continue until the November meeting on a vote of 6-0.

**CASE #888 – BRANDON & BETH MACCARTNEY - VARIANCE:** Brandon & Beth MacCartney were sworn in. The property in question is located at 28 W. Millport Road, Lititz and is zoned I-2. The applicant was requesting a Special Exception or Variance to allow the detached garage to be used as a second floor accessory apartment to the principal dwelling.

On a motion by Matteson and seconded by St. Clair, the Board approved the applicants request of a Special Exception of an expansion of a nonconforming use on a vote of 6-0.

**CASE #889 – MERVIN KING – SPECIAL EXCEPTION/VARIANCE:** Mervin King was affirmed. The property in question is located at 712 E. Millport Road and is zoned R1 and A. The applicant was requesting a Special Exception to allow a working class horse and a Variance to allow additional animals on 1.6 acres.

On a motion by Matteson and seconded by St. Clair, the Board approved the applicants request to continue until the November meeting on a vote of 6-0.

With no other business to come before the Board, the meeting was adjourned at 8:45 PM.

Respectfully submitted,

Tom Zorbaugh  
Zoning and Coding Officer