

WARWICK TOWNSHIP

315 Clay Road

P.O. Box 308

Lititz, PA 17543-0308

(Lancaster County)

WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES

June 10, 2015

Chairman Gary Lefever convened the June 10, 2015 meeting of the Warwick Township Zoning Hearing Board at 6:35 p.m. Present were Board Members Gary Lefever, Scott Goldman, Dane St Clair, Mark Will, Thomas Matteson and Brent Schrock. Also present were Zoning Officer Thomas Zorbaugh, Zoning Hearing Board Solicitor Neil Albert, Court Reporter Rhonda Adams, Sean McLoughlin, Sue Trafford, Tamra Wannenmocher, Sue Rohrer, Kevin Varner, Jim Rossel, Sheri Garman, Scott Garman and Jim Miller.

MINUTES APPROVAL: On a motion by Lefever, seconded by Goldman, the Board voted unanimously to approve the minutes of the May 13, 2015 meeting.

POSTING, PROOF OF PUBLICATION AND NOTICE: The Zoning Officer confirmed that this meeting was a continuation and that the properties did not need to be posted or advertised any further.

HEARING PROCEDURES: For the benefit of those present, the Solicitor explained the procedure to be followed for the evening's hearing.

CASE #816 - WAYNE ANTHONY - SPECIAL EXCEPTION/VARIANCE: The Chairman stated that this case was a continuation from the May meeting and that Mr. McLoughlin was still sworn in. No one else was present for this hearing.

McLoughlin submitted a packet of pictures showing the property and proposed sign marked Applicants Exhibit #1 and state documents on vehicle dealership requirements marked Applicants Exhibit #2.

The Zoning Officer stated that he had provided the applicant a memo requesting the information the Board wanted. Nothing had been submitted to the Township prior to the meeting.

The following are the responses to the questions:

Will asked for the size of the sign. McLoughlin stated he did not know but presented a picture of the sign.

Goldman asked for size of outside display area. McLoughlin submitted a picture of the outside display area but did not know size of area.

Lefever asked about the minimum amount of cars required by the state to maintain a dealership licence. McLoughlin stated that he was informed anything over three sales requires a dealership licence.

Lefever asked how many cars must be displayed on a property to maintain a dealership licence. McLoughlin presented a dealership application for review. He stated that the display area to be seen from the exterior must have at least room for 5 cars on display.

The Zoning Officer asked how the owner was separating cars for sale and personal vehicles. McLoughlin stated that 2,000 square foot of the accessory structure will be used for the dealership, the rest of the building will be used for personal use. McLoughlin stated that Anthony may move his personal cars to his family farm.

St. Clair asked for the size of the dwelling and how much percentage of the home and accessory structure structure would be used. McLoughlin could not answer. The Zoning Officer presented that the home was approximately 2,600 square foot which would allow 650 square foot of both buildings to be used for the business.

The Board went into executive session and met for ten minutes before reconvening.

On a motion by Lefever, seconded by St. Clair, the board denied the applicants request to operate an automotive sales dealership in an agricultural zoning district based on the fact that the applicant could not meet the requirements for a home occupation use . This motion was denied by a vote of 5-0.

CASE #817 - LITITZ RESERVE - VARIANCE: The Chairman read the application received from Lititz Reserve requesting a Variance of Section 340-15.E, Design Standards in a R-2 zoning district for the Lititz Reserve development located off Sixth Street.

Joel Snyder from RGS Associates was representing the project for Lee Moyer of the Lititz Reserve Development and was sworn in.

Snyder presented a highlighted copy of the plan and was marked Applicants Exhibit #1.

Snyder shared that the properties in question were only along the common areas and that they were not requesting a Variance for the whole development.

The Zoning Officer stated that the Township staff did not favor the 5' side yard and 10' rear yard request but would prefer a 10' side yard and 20' rear yard. Snyder stated that they were willing to revise their request.

Lefever asked how many lots were being requested for the relief. Snyder stated approximately 60 lots.

Jim Miller, 633 Lititz Reserve Lane, had a question and was sworn in. He stated that his property did not back up to a common area and he may want to install a patio into this setback area and would he be allowed to? Matteson stated that this request was only for the common areas and not for the homes that back up to one another.

The Zoning Officer asked Snyder if he wanted to revise his request to include Miller's property. Snyder stated that he did not have that authority.

On a motion by Matteson, seconded by Goldman, the board voted to approve the applicants request with the revised setbacks of 10 feet from side yard and 20 feet from rear yard setbacks and a condition that the applicant must provide the Township with a reduced highlighted copy of the lots affected and a listing of the affected lots. This motion was approved with conditions by a vote of 5-0.

CASE #818 - MICHAEL PALASZ - VARIANCE: The Chairman read the application received from Michael Palasz, 4 Toll Gate Road, requesting the following Variances: Section 340-17.F(1) parking setbacks from a right-of-way; 340-17.F(2) building and parking lot setbacks from a side yard; 340-17.F(3) building setbacks from a rear yard; 340-17.M(2&3) landscaping strip requirements; 340-35.D(1)(a) landscaping strips.

Kevin Varner of Diehm & Sons was representing the applicant and was sworn in.

Tom Matteson removed himself from this hearing and the alternate, Brent Schrock stepped in.

Varner presented a letter from Mr. Palasz stating that Varner & Diehm & Sons are representing him at this meeting. The Letter was marked Applicant Exhibit #1.

Varner shared the proposed accessory building and parking lot configuration proposed for the commercial lot adjoining Palasz's property located on Toll Gate Road. He stated that the requests are being made to match the existing layout of the adjoining property.

Will asked if the rear property line setback could remain by pulling the building and parking forward to be more in line with the adjoining lot. This would remove one variance request. Varner stated that they could move it forward and was willing to remove the request.

Goldman asked for the use of the building. Varner stated that the building was for record keeping and indoor parking and the exterior parking lot is for employees as it is being used currently.

On a motion by Goldman, seconded by Will, the board approved the applicants request with the removal of the rear setback relief. This motion was approved by a vote of 5-0.

ADJOURNMENT: With no further business to come before the Board, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Thomas Zorbaugh
Code & Zoning Officer