

WARWICK TOWNSHIP ZONING HEARING BOARD MINUTES

July 14, 2021

6:30 p.m.

Chairman Tom Matteson convened the July 14, 2021 meeting of the Warwick Township Zoning Hearing Board to order at 6:30 p.m. In attendance were Board Members Tom Matteson, Dane St. Clair, Mark Will, Dana Clark, Brett Nolt and Jeremy Strathmeyer. Also in attendance were Billy Clauser, Assistant Zoning Officer; Neil Albert, Solicitor, Diana Netherton, Court Reporter; Allen Martin 937 East Newport Road Lititz, and Roy Martin 615 East Newport Road Lititz.

APPROVAL OF MINUTES: On a motion by T. Matteson, seconded by D. St. Clair, the Board unanimously approved the June 9, 2021 minutes as submitted.

POSTINGS, PROOF OF PUBLICATIONS AND NOTICES: Billy Clauser confirmed that the case was properly advertised and posted.

CASE #910-RAV Properties LLC VARIANCE: An application has been received from RAV Properties LLC 615 E. Newport Road, Lititz, PA, within the Local Commercial (LC) Zoning District. The applicant is seeking relief from the Warwick Township Zoning Ordinance for a Variance of Section 340-38.B.1(n), to allow an electronic message board. The application has been assigned Case #910 and is scheduled for a public hearing tonight. Roy W. Martin and Allen W. Martin were sworn in by Diana Netherton. Roy Martin and Allen Martin are the owners of Green Hills Farm Discount Grocer LLC which is on the property owned by RAV Properties LLC. The Martin's are in the process of replacing the signage for Green Hills Farm Discount Grocer LLC. The top portion of the new sign will be exactly the same as the proposed sign. The bottom portion of the existing sign has changeable letters. It is being proposed that the bottom port of the existing sign be replaced with an electronic message board. The Local Commercial (LC) Zoning District prohibits electronic message boards. Electronic message boards are permitted under the Community Commercial (CC), Industrial (I-1), and Campus Industrial (I-2) Zoning Districts. Along their particular section of Newport Road, the speed limit is 45 MPH. A portion of Broad Street is also zoned Local Commercial (LC). The posted speed limit for that area is 35 MPH. It is believed that the LED style sign is more easily readable at 45 MPH. There is an ease of maintenance with an LED style sign. Being a grocery store, their specials are changed routinely, which would be made more easily with the LED style sign. The Martin's do acknowledge the need to follow the ordinances that govern the use of electronic signs that would be allowable in the Community Commercial (CC), Industrial (I-1), and Campus Industrial (I-2) Zoning Districts. Mr. Martin agrees that as a condition of the Boards approval, he would obey all the laws regarding electronic message boards as if this was an allowed use in the appropriate zone. Mr. Martin notes that the Turkey Hill across the street does have the red LED changeable letters for pricing for their sign and Lititz Area Mennonite School, located down the street, has an LED sign. The dimensions of the electronic message board would be 3 foot by 5 foot, totaling 15 square foot, which is within the 20 square foot allotment. The Martin's would keep the same dimensions as the existing sign.

In order to grant variances both in accordance with state law as well as our own ordinance, there has to be a compelling hardship where the ordinance is imposing undo burden on you. The supervisors took great pains in their sign ordinance to make certain things allowed in certain places. They specifically did not allow these signs in the

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Local Commercial (LC) Zoning District. The burden is exceedingly high for a variance to obtain such a sign in that zone. Unfortunately, the majority of the Board does not think the variance is appropriate at this point, because there really is no reason you can't continue to use a similar style sign as you have been. You could up light your sign at night if you needed to, but it would still keep that less urban feel than a digital sign would.

On a motion by T. Matteson, seconded by D. St. Clair, the Board voted 4-1 to deny Case #910.

A copy of the decision will be sent to the applicant within the next 30 days.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 6:52 p.m.

Respectfully submitted,

Billy Clauser
Assistant Zoning Officer