

**WEST LAMPETER TOWNSHIP
ZONING HEARING BOARD
March 8, 2022**

A meeting of the West Lampeter Township Zoning Hearing Board was held on March 8, 2022 at 6:00 p.m. in the Township Building at 852 Village Road in Lancaster County, PA. Members present were Raymond Lanas, Terry Kauffman and John Lines. Also, present were Attorney Bernadette Hohenadel, Recording Secretary Denise Glatfelter, Court Reporter Ray Danyo, and Community Development Director Amanda Hickman.

MINUTES APPROVAL – Terry Kauffman made a motion to approve the December 14, 2021 minutes, seconded by Ray Lanas. Motion approved 2-0 with one abstention.

Daniel King – 2250 Hollinger Rd., Lancaster, PA. Applicant is requesting a Variance from Section 285-27C(2) and Section 285-43.D(14). The Township received an Extension of Time request from the applicant. requesting that the hearing be continued until the May 10, 2022 meeting. Terry Kauffman made a motion to accept the requested extension, motion was seconded by John Lines. Motion approved 3-0.

Ken & Anya Stoltzfus – 500 Golf Road, Lancaster, PA. Applicants are requesting a Variance from Section 285-43.D(20)(a)(e)(g). Additional Requirements for Accessory Uses.

Parties: Applicant
West Lampeter Township

Anya Stoltzfus was present to present their application. She was represented by Mark Campbell, PE, from Axios Consulting, LLC. Applicant is requesting Variance's for the use of a 2-unit detached structure to be occupied by non-relative, the ADU not being a part of the main residence, and the square footage of one of the units is greater than 800sf. Applicant, Anya Stoltzfus, testified that the buildings have been occupied since January 2019, and was unaware of the restrictions. Applicant testified that they have been the owners for approximately 4 years, and have made many improvements to the lot since then. When the applicants purchased the lot, they first had to replace the septic system, as the old system was deemed hazardous in 2013, and the tenants at the time were removed from the two units. The main issue for the Township is

to confirm with Marv Stoner, the Township SEO, as to the number of bedrooms in the main residence and detached structures. Paperwork submitted to the Township by the SEO, differs from what the applicant presented.

Based on Testimony and evidence the Zoning Hearing Board approves the applicant request with the following conditions:

- A. ADU's shall be subject to all Township Ordinances and regulations.
- B. Applicants shall obtain all necessary permits and approvals as required by applicable ordinances and regulations and shall bring the ADU's and the structure in which they are located up to applicable residential codes within six months.
- C. Applicants shall work with the Township to clarify the number of bedrooms which are permitted under the sewer permit issued in 2018.
- D. Applicants shall comply with the testimony and evidence as presented at the hearing in support of their request for variances.

John Lines made a motion to approve the Variance requests seconded by Terry Kauffman. Motion approved 3-0.

Daniel Fisher – 825 Strasburg Pike, Strasburg PA. Applicant is requesting a Variance from Sections(s) 285-20 Terms Defined, 285-67 Nonconformities-Building Setbacks and 285-62.A(2) Nonconforming Signs and a Special Exception Use Specific Bottom Line Ag and Modification from a Prior Decision from the ZHB on 4/10/18.

Parties: Applicant
West Lampeter Township
Byron Ebersole, 838 Strasburg Pike
Jeremy Heitland, 826 Strasburg Pike
Murray Miller, 767 Strasburg Pike

Attorney George Cooke, from the law office of Blakinger & Thomas was present to represent Mr Fisher. Mr Cooke requested an amendment/correction to the application to Read Section 285-27 Dimensional Requirements. John Lines made a motion, seconded by Ray Lanas to accept the modification. Motion approved 3-0. Applicant is requesting to install a Feed Alley and Silo on the north side of his dairy barn for the feeding of his cattle.

Based on Testimony and evidence the Zoning Hearing Board approves the applicants request with the following conditions:

- A. Applicant shall obtain all necessary permits and approvals as required by applicable ordinances and regulations.
- B. Applicant shall comply with the testimony and evidence presented at the hearing in support of his request for a Variance.

John Lines made a motion, seconded by Terry Kauffman to approve the requested Variance for the installation of a feed alley with conditions. Motion approved 3-0.

Request for a Modification from a previous ZHB Decision dated May 3, 2018.

Attorney Cook submitted additional Exhibits on behalf of the applicant Mr Fisher. Exhibit was marked A. Applicant became the owner of the property in 2018. Property was previously owned by his father. The modification is regarding the separate building that was to used for farm use (on the north portion of the building) and business use on the south portion of the building. Mr Fisher is requesting that he be allowed to store items related to the fertilizer business outside in certain designated areas and that he be allowed to use the 2400 sf of the farm storage area for business use. After several questions from the board on the locations of the outside storage (outside of Farm use building a 20x20 area, outside of the business section, and an area around the fertilizer tanks) and what would be stored there, Mr Fisher stated that he would store empty tanks for the fertilizer, farm equipment and tires.

Mr. Fisher was asked why he hadn't come before the Board before he just started the outdoor storage, when he knew he was in violation of the original decision. He was also asked exactly how much space he would need for the outside storage, and what would happen if he outgrew those areas. Mr Fisher answered that he didn't know but he would not build anything else so as not to lose any more area of his farm for farming. Mr Fisher could not give any exact numbers as to how much outside storage he would actually need, and the Board suggested that he continue the hearing until April in order to come back with definite numbers as this is the second hearing in which he had come before the Board After already violating the Zoning Ordinance. Mr Fisher agreed to the continuance.

Motion was made by John Lines and seconded by Terry Kauffman to continue the hearing until April 12, 2022. Motion carried 3-0.

There being no further business before the Board, Ray Lanas adjourned the meeting at 8:27pm. Motion approved 3-0.

Respectfully submitted,

Denise Glatfelter

