

Conewago Township Zoning Hearing Board

Minutes of Meeting, 04 April 2016, #4-2016

At 6:57 p.m. Dennis Kacmarczyk, Chairman, Conewago Township Zoning Hearing Board, after determining that a quorum was present, called the meeting to order. All stood for the pledge of allegiance to the flag. It was also determined that the notices of hearing for the case, #4-2016, were properly advertised and posted. The first order of business was to review minutes from the Zoning Hearing board Meeting on any Previous Case in 2016, Mr. Fogle motioned that they be approved as written, and Mr. Lippy seconded the motion. The board approved with a vote of 5 to 0.

Elaine Dubs Executive Partner of George W. Miller Estate, pursuant, to Application of 29 March 2016, presented for Case # 4, requesting the following:

A grant of variance from the uses permitted by right in the Mixed-Use (MU) pursuant to Section 155-19.B, of the Conewago Township Zoning Ordinance to authorize the Applicant's proposed use of the real property as a passenger vehicle service and repair facility. A nonconforming vehicle service and repair facility was previously operated at the subject property, but was subsequently discontinued.

Mrs. Elaine Dubs and her brother Ben Miller after being sworn in submitted a set of drawings to be marked as an official exhibit for record. Also present and sworn in was John R. Reed, purchaser and operator of the property located at 407-409 Third Street. Tract No. 2, on Deed book 5662 PL 20, Map 08008-0194-000. Zoning Multi-Use. The property has not been used since 1998. Following testimony by questioning of the Zoning Hearing Board Members, the Conewago Township Zoning /Code Enforcement Officer and the Conewago Township Zoning Hearing Board Solicitor, the Board then adjourned to Executive Session at 7:14 P.M. to discuss the case.

The Board reconvened at 7:29 P.M. with Mr. Fogle submitting a motion to grant in case No. 4-2016 the requested variance for the use of real property at 407-409 Third Street as a passenger Motor vehicle service and repair facility consistent with the prior nonconforming, but discontinued use of the same to be operated in

accordance with the applicable regulations and requirements for such use as set forth in section 155-114 of the Conewago Township Zoning Ordinance. The grant is also subject to the following 6 conditions:

1. All service and/or repair activities of the authorized business operated at the property shall be conducted within a completely enclosed building.
2. No outdoor storage of parts, equipment, lubricants, fuel, or other materials used or discarded shall be permitted as part of the service and repair operation of the authorized business at the property.
3. The storage of vehicles to be serviced on the property without current registration is prohibited.
4. Any ventilation equipment outlets associated with the service and repair work areas shall not be directed toward any adjoining property within the MU Zoning District.
5. All vehicles shall be repaired and removed from the property promptly and no vehicle shall remain on the site for more than forty-five (45) days unless the vehicle is stored within a completely enclosed building.
6. The demolition or junking of motor vehicles on the property is prohibited.

Seconded by Mrs. Deb Ernst and was granted by a vote of 5 to 0 at 7:35 P.M.

Mr. Tavares submitted a motion to instruct the solicitor to prepare a written decision consistent with foregoing grant of a variance imposed by the Zoning Hearing Board of Conewago Township.

Mr. Lippy provided a second to the motion, which was then approved by a vote of five to zero, as follows:

Mr. Kacmarczyk - For

Mr. Lippy - For

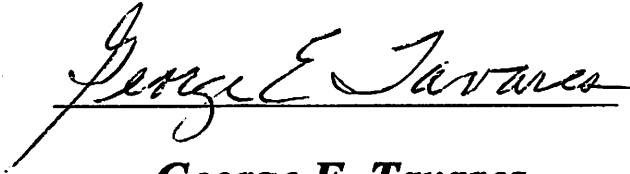
Mrs. Ernst - For

Mr. Tavares - For

Mr. Fogle - For

Chairman Dennis Kacmarczyk, upon determining that there was no Old Business and no New Business, entertained a motion for adjournment, and the session was terminated at 7:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "George E. Tavares". The signature is written in black ink and is positioned above a solid horizontal line.

George E. Tavares

George Tavares, Secretary, Conewago Township Zoning Hearing Board