

## **Salisbury Township Zoning Hearing Board Minutes from September 22, 2020 Meeting**

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, September 22, 2020, at 6:00 PM.

Chairman Peter Horvath called the meeting to order at 6:10 PM

Members present: Larry Martin, Dennis Eby, and Peter Horvath. Also present was Julie Miller, ZHB Council and Damian Clawser, Township Zoning Officer.

Members absent: John Wanner

Meeting minutes of August 25, 2020 ZHB meeting was reviewed. A motion was made by Larry Martin to approve the minutes as written. Motion was seconded by Dennis Eby.

Damian Clawser was sworn in and presented three exhibits and requested that they be marked as Township Exhibits 1. Copies of ZHB Applications, 2. Newspaper publication certification and 3. Property posting certification sheets.

### **APPLICATIONS REVIEWED:**

#### **Old Business**

1. 08-20-05 Breeo Ventures, LLC c/o Amos Stoltzfus of 5002 Lincoln Highway, Kinzer, PA 17535 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 208.3.D to establish a heavy industrial use manufacturing fire pits, a Variance from Section 208.6.A to allow loading areas within front yard setbacks, a Variance from Section 208.6.D to allow proposed building within a residential buffer strip, a Variance from Section 208.8 to allow off-street loading on street-facing side of proposed building and a Special Exception under Section 604.2 to allow additional time from issuance of decision to obtainment of building permit. The subject property is lot 5A shown on a subdivision plan entitled, "Houston Run Lots 1, 5 and 6," recorded as Instrument No. 2019-0045-J at the Lancaster County Recorder of Deeds and is located on the east side of Newport Avenue being partially within the GC – General Commercial and I – Industrial districts.

Application Presented By: Amos Stoltzfus, Jim Thomas, Jason Shaner

Testimony: Board considered Applicants request to reopen the record. A decision was reached and a motion made to keep the record closed, Board considered each request individually.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

#### **New Business**

1. 09-20-01 Ervin Jay Beiler of 626 Meetinghouse Road, Gap, PA 17527 is requesting a Special Exception under Chapter 340 of the Salisbury Township Code of Ordinances, Article II, Section 340-21.C.(17) to be permitted additional residential accessory structure space, subject to Sections 340-118 and 340-24.I. The Subject Property is located within the OS – Open Space district.

Application Presented By: Ervin Beiler

Testimony: Wants to install a 12' x 22', no business exists on property anymore, 9' height, will be used to store books/library for personal use, will be 25' from nearest property line, greater distance from road than the house, shed prewired with electric will hook up eventually.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with standard conditions

2. 09-20-02 Jerry L. Esh of 637 Narvon Road, Gap, PA 17527 is requesting a Special Exception under Chapter 340 of the Salisbury Township Code of Ordinances, Article II, Section 340-12.C.(2) to place an ECHO home on the Subject Property and subject to Section 340-78 which is located within the A – Agricultural district.  
Application Presented By: Jerry Esh  
Testimony: Occupied by his mother in law, would be located at the same distance from road as main house, additional parking area for occupant of echo home, 588 sf, would be approximately 25-30' to southern property line.  
Motioned by: Larry Martin  
Seconded: Dennis Eby  
Decision: Approved with standard conditions
3. 09-20-03 Amos Stoltzfus of 663 Kennedy Street, Honeybrook, PA 19344 is requesting a Special Exception under Chapter 340 of the Salisbury Township Code of Ordinances, Article II, Section 340-12.C.(5) to establish a kennel, subject to Section 340-93 and a Variance from 340.93.B for the kennel structure to be within minimum required setbacks. The subject property is located within the A – Agricultural district.  
Presented by: Amos Stoltzfus  
Testimony: Wants to establish at commercial CK3 kennel, 300 dogs, poodles, bichons, cavalier, there is a business Truwood builders that would be moved off property kennel to take its place, has a stable that boards horses, has a manure management plan, would not be offering stud service, be around 700' from nearest neighbor, proposed building is 7748 sf, 34' x 100' structure to be removed, no sign.  
Motioned by: Larry Martin  
Seconded: Dennis Eby  
Decision: Approved with standard conditions
4. 09-20-04 Jacob S. Riehl of 941 Churchtown Road, Narvon, PA 17555 is requesting a Special Exception under Chapter 340 of the Salisbury Township Code of Ordinances, Article II, Section 340-12.C.(16) to be permitted additional residential accessory structure space, subject to Sections 340-118 and 340.24.I. The subject property is located within the A – Agricultural district.  
Presented by: Jacob Riehl  
Testimony: Carriage shed 14x24', existing barn 24x34', addition to be 30x42', total accessory 2572 sf., addition will be used for horsed and heiffers, no kennel use, two story around 26' h, will have water, no habitable space.  
Motioned by: Larry Martin  
Seconded: Dennis Eby  
Decision: Approved with standard conditions
5. 09-20-05 Elmer S. Riehl of 468 Red Well Road, New Holland, PA 17557 is requesting a Special Exception under Chapter 340 of the Salisbury Township Code of Ordinances, Article II, Section 340-12.C.(10) to subdivide an agricultural lot from a Parent Tract, subject to Sections 340-110 and 340-12.L. The subject property is located at 5113 Peters Road, Kinzer, PA 17535 and is within the A – Agricultural district.  
Presented by: Elmer and Ephraim Riehl  
Testimony: 79.2 acres now, subdivision would separate approx. 35 acres on south side of Peters Rd, would separate to construct a dwelling, land would continue to be uses as leased farmland.  
Motioned by: Larry Martin  
Seconded: Dennis Eby  
Decision: Approved with specific conditions
6. 09-20-06 Kenneth R. Rottman of 656 Broad Street, Honey Brook, PA 19344 is requesting a Special Exception under Chapter 340 of the Salisbury Township Code of Ordinances, Article II, Section 340-14.C.(6) to be permitted additional residential accessory structure space, subject to Sections 340-118 and 340-24.I. The subject property is located within the R1 – Residential district.  
Presented by: Ken Rottman

Testimony: All sheds to be removed from the property 1090 sf, total structure space to be removed 2070 sf, will be constructing a new garage to replace all the sheds, will be a hobby shop and used for personal space, 25' in height, property has one well and two septic systems.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

The meeting was adjourned at 8:00 pm.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer