

Salisbury Township Zoning Hearing Board Minutes from April 27, 2021 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, April 27, 2021, at 6:00 PM.

Chairman Peter Horvath called the meeting to order at 6:03 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 March 23, 2021 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. 02-21-03 John F. Blank of 173 Hershey Church Road, Kinzer, PA 17535 is requesting a Special Exception under §340-12.C(10) to subdivide two parent tracts, subject to §340-12.L and §340-110 to complete a lot add-on to a non-conforming size agricultural lot, a Variance from §340-12.L(1) to exempt portion of subdivided land from being considered a subdivision right, a Variance from §340-12.B to allow subdivision of a lot containing no subdividable rights to create a residential lot, a Variance from §340-12.E to allow both lots to exceed maximum permissible lot area, and to allow existing structures within minimum required setbacks, a Special Exception under §340-12.C(9) to establish a commercial poultry operation, subject to §340-67, A Variance from §340-67.A to allow commercial poultry operation on a property less than 25-acres, a Variance from §340-67.B to allow structure containing commercial poultry operation within minimum required setbacks, a Variance from §340-12.B to retain agricultural use on a residential lot and/or a Special Exception under §340-12.C(16) to be permitted additional residential accessory structure space, subject to §340-118 and §340-24.I and a variance from §340.F to exceed maximum permissible accessory structure space as well as any other Special Exceptions and/or Variances needed to complete the subdivision/add-on and retain structures. The Subject Properties are located at 173 Hershey Church Road, Kinzer, PA 17535, 5145 Martin Road, Kinzer, PA 17535 and 5158/5160 Old Philadelphia Pike, Kinzer, PA 17535 are all located within the A – Agricultural district.

Application Presented By: Nick Gard

Testimony: Amending application to include horse boarding, continuance requested.

Motioned by: Peter Horvath

Seconded: Dennis Eby

Decision: Continuance Granted

New Business

1. 04-21-01 David E. Beiler, Jr. of 5775 Buena Vista Road, Gap, PA 17527 is requesting a Variance from §340-12.B to complete a subdivision from an agricultural parent tract to add to a residentially-sized lot containing no subdivision rights, as well as the ability to perform a lot add-on, a Variance from §340-12.L to not utilize a subdivision right related to the subdivision, a Variance from §340-12.L(4) to increase the size of a lot used for residential purposes, a Variance from §340-12.E (Table/Attachment 1) to allow a residential lot to exceed maximum permissible lot size as well as any other Special Exceptions and/or Variances needed to perform

the subdivision/add-on. The Subject Properties are located at 5741 and 5773/5775 Buena Vista Road, Gap, PA 17527 and are both within the A – Agricultural district.

Application Presented By: David Beiler, Eli King, and Emanuel Dienner

Testimony: Eli King just purchased property, residential lot, when it was created was shifted to the east to keep septic testing on subdivided lot, continuance requested.

Motioned by: Peter Horvath

Seconded: Dennis Eby

Decision: Continuance Granted

2. 04-21-02 Wendy Flichman of Michael Sign Company located at 1834 W. Main St., Ephrata, PA 17522 is requesting a Variance from §340-109.H (attachment 11) to exceed the maximum permissible number of signs permitted for individual freestanding uses within a shopping center as well as any other Variances and/or Special Exceptions required for the proposed signage. The Subject Property is an outparcel shown on Land Development Plans entitled, “Final Land Development for Village at Gap – Starbucks” recorded as Instrument No. 2020-0426-J at the Lancaster County Recorder of Deeds, located within the Village at Gap Center at 5360 Lincoln Hwy, Gap, PA 17527, which is located within the RC – Regional Commercial district.

Presented by: Wendy Flichman and Kevin Lapp

Testimony: Would be for third sign on south side of building, proposed monument sign would be 2’w x 6’h, proposed wall face 22.67 sf.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved

3. 04-21-03 Cornerstone Ministry dba “Cornerstone Retreat” of 5275 Lincoln Highway, Gap, PA 17527 (Subject Property) is requesting a Variance from §340-16.B to establish a Medical Clinic that provides inpatient services as well as any other Special Exceptions and/or Variances required to establish the use. The Subject Property is within the GC – General Commercial district.

Presented by:

Testimony: Continuance requested.

Motioned by: Peter Horvath

Seconded: Dennis Eby

Decision: Continuance Granted

4. 04-21-04 Christ Stoltzfus of 372 Churchtown Road, Narvon, PA 17555 (Subject Property) is requesting a variance to locate a proposed horse and carriage barn within the front yard as well as any other Special Exceptions and/or Variances required to construct the building. The Subject Property is located within the A – Agricultural district.

Presented by: Christ Stoltzfus and John Coldiron

Testimony: Wants to build a horse barn in front yard, proposed barn would be 1248 sf with overhang 1420 sf, 140 sf shed will be removed, the other horse shed to be removed, proposed barn is to be approximately 25’ h, no residential use proposed.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with specific conditions

The meeting was adjourned at 7:18 pm.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer