

**PEQUEA TOWNSHIP  
ZONING HEARING BOARD  
Minutes of – September 1st, 2020**

The members of the Pequea Township Zoning Board met on September 1, 2020 & Continued on October 6, 2020 in the conference room of New Danville Fire Company. The ZHB meeting was called to order by Chair Rob Mellinger @ 1900 hrs.

**ZHB Members Present:** Mark Meyer, Don Homsher and Rob Mellinger  
**Court Reporter:** Cathy Mertz  
**ZHB Solicitor:** Janice Longer  
**Zoning Officer:** Tom Neff  
**Alternates:** Chris Brosey and Constantine Kosta

**Old Business:** A motion was made to approve the June 2, 2020 meeting minutes and was seconded. All Approved 5-0

**New Business:** Justin Donnell and JDM Small Engine Repair application for special exceptions and variance applications.

**The Hearing:** Dwight Yoder had a clear presentation for the applicant. Questions for Tom Neff for clarifications. Lengthy. 20:41 requested executive meeting. 20:58 returned form executive meeting.

**Continued:** A return from continuance with an accurate presentation with scale drawings by Impact Engineering Group.

**Parties:** Justin Donnell. Jason Shaner of impact Engineering Group

**Continued:** Executive meeting was called 19:14

**Vote:** None

**Continued:** Vote 4-0

**Decision:** Requested a continuance for the October 6<sup>th</sup>, 2020 meeting.

**Continued:**

Gentlemen:

This will confirm that, at a hearing on September 1, 2020 and a continued hearing on October 6, 2020, the Pequea Township considered your application for special exception and variances to allow construction of a pole building on the subject lot, which is currently in use as a single family residence in the Industrial Zoning District.

The Special Exception to conduct a small engine repair shop on the property was granted pursuant to Section 108 of the Pequea Township Zoning Ordinance. Also

granted were Variances pursuant to Section 1005(D)(4) to allow the proposed pole barn to be located 30 feet from the center line of Shultz Road; Section 1005(E) to allow a side yard set-back of 15 feet from the westerly property line; Section 1006 to allow fenced storage that is 5 feet from the side and rear property lines; Section 1007 to allow the use of existing trees and vegetation to remain as a landscape buffer and to provide new landscaping along the north side of the proposed pole barn; Section 1403(24) to allow two principal uses where setbacks for each individual use are at a variance from the requirements of the Ordinance; Sections 1403(27) and 1404 to allow access drive and off-street parking as depicted in the revised Sketch Plan submitted to the Board; and Section 1405(D)(1) to allow planting of a row of trees approximately five feet off of the street right-of-way for Shultz Road, as depicted on the revised Sketch Plan submitted to the Board.

The grant of the Special Exception and Variances is subject to the following conditions, all of which the Applicant agreed to at the continued hearing on October 6, 2020:

1. Development must be in accordance with the application, plans, revised sketch plan and other documents submitted and the representations, testimony, and exhibits presented to the members of the Pequea Township Zoning Hearing Board at the hearing held on September 1 and October 6, 2020;

2. All outside storage shall be within the fenced area depicted on the revised Plan submitted October 6, 2020 which is approximately 5 feet from side and rear property lines (variance from Section 1006);

3. Landscape screening in accordance with the requirements of Section 1007 and 1405 of the Ordinance shall be provided along the northern side of the proposed pole barn and existing vegetation along Applicant's property and the neighboring property shall remain as depicted on the Plan;

4. A dimensional variance is granted from Section 1405.D.1 to allow trees to be planted approximately 5 feet off the street right-of-way line from Shultz Road;

5. A dimensional variance is granted from the side-yard setback to allow the pole barn to be positioned 15 feet from the westerly property line (instead of 25 feet);

6. A dimensional variance from Section 1403(27) and from Section 1404 is granted to allow the access drive and parking spaces to be located as depicted on the revised Plan;

7. A variance from Section 1403(24) is granted to allow two principal uses on the lot, mainly the house and pole barn without meeting the precise lot and yard bulk requirements, as the Board finds that the structures are adequately separated from each other consistent with the requirements of this Section;

8. Applicant shall be limited to three full-time employees working in his small engine repair business, in addition to himself;

9. The business of the small engine repair shop shall only occur inside the proposed new building. No small engine repairs shall occur outside or inside of the single-family dwelling on the Property;

10. Applicant shall store and dispose of all gas, oil, solvents, chemicals or other hazardous materials in accordance with applicable federal, state, local governmental or administrative regulations;

11. Applicant's hours of operation shall be limited to Monday through Saturday, 7 a.m. to 7 p.m., unless additional hours are approved first by the Zoning Officer;

12. Applicant shall obtain and record an access easement from the neighboring property owner to the south, Christ and Mary E. King, to allow access for customers to Applicant's new building as depicted on the site plan;

13. Applicant shall obtain all required permits and approvals required by the Township or county, state or federal laws ordinances or regulations, prior to constructing and occupying the proposed building; and

14. Any violation of these conditions shall be considered a violation of the Zoning Ordinance and subject to enforcement in accordance with the Ordinance and the Municipalities Planning Code.

The Board has instructed me to provide you with confirmation of their Decision in my capacity as Solicitor to the Board.

Very Truly Yours,

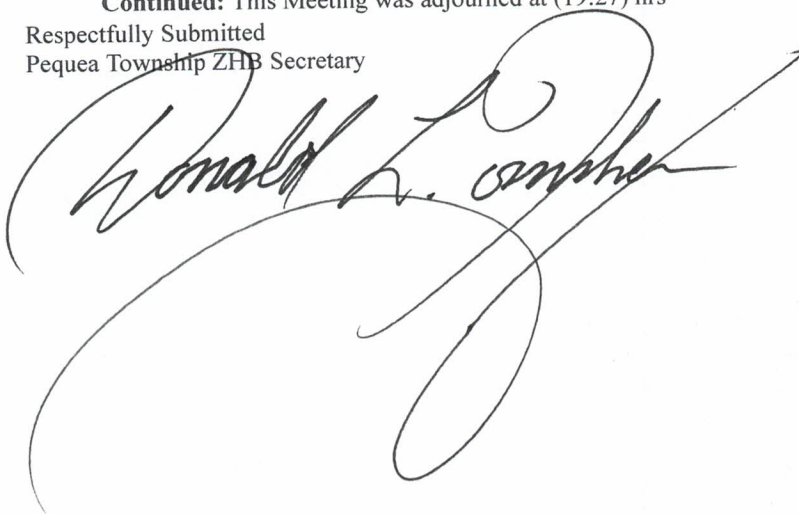
Janice L.M. Longer, Solicitor

This Meeting was adjourned at (21:14) hrs.

**Continued:** This Meeting was adjourned at (19:27) hrs

Respectfully Submitted

Pequea Township ZHB Secretary

A large, stylized handwritten signature in black ink, which appears to read "Ronald L. Longer". The signature is written over the typed name and title of the Pequea Township ZHB Secretary.