

**PEQUEA TOWNSHIP  
ZONING HEARING BOARD  
Minutes of – April 5, 2022**

The members of the Pequea Township Zoning Board met on April 5, 2022 in the conference room of the Pequea Township Building. The ZHB meeting was called to order by Chair, Mark Meyer @ 19:00 hrs.

**ZHB Members Present:**

Mark Meyer, Rob Mellinger, Don Homsher, Constantine Kontonis, Jeff Kreider  
Alternate: Jason Kreider

**Court Reporter:**

Kelly Snyder

**ZHB Solicitor:**

Janice Longer

**Zoning Officer:**

Mark Deimler

**Old Business:**

A motion was made to approve the minutes of the 3/1/22 meeting.  
All Approved.

**New Business:**

1. Michael Dyer - Variance
2. Steven Wolpert – Special Exception and Variance

**Parties:**

1. Dyer – Mark Deimler, Mr. Kline, Douglas Martin, Susan Swanson
2. Wolpert – Mark Deimler, Steve Wolpert, Jim Stauffer, Dave Williams

**The Hearing:**

Dyer – Descriptive and emotional  
Executive Meeting: out 19:58, in 20:07  
Wolpert – Good Introduction, Addressed criteria  
Executive Meeting: out 21:07, 21:26

**Vote:**

Dyer Application: 0-5 Denied  
Wolpert Application: 5-0 Approved

**Decision:**

1. Dear Mr. Dyer:  
This will confirm that at a hearing on April 5, 2022, the Pequea Township Zoning Hearing Board considered your application for zoning relief.

The request for a variance pursuant to Section 1403.11.A.2, to allow an accessory structure to be placed within the front yard setback in the R-1 Residential Zoning District

was denied. The requirements for a variance are set forth in Section 1705.4 of the Pequea Township Zoning Ordinance. The evidence and testimony presented at the hearing failed to establish an unnecessary hardship that arises out of the physical characteristics or conditions of the Property.

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

Sincerely,  
Janice L.M. Longer, Esq.  
Solicitor to the ZHB

2. Dear Mr. Wolpert:

This will confirm that, at a hearing on April 5, 2022, the Pequea Township Zoning Hearing Board considered your application for zoning relief. The application was approved in part and denied in part. The Board approved a Special Exception for operation of a Home Occupation at the Property pursuant to Section 1502.21 (A)-(N) of the Pequea Township Zoning Ordinance subject to the following conditions:

- (i) Operation of the Home Occupation shall be in accordance with the specific criteria contained in the Pequea Township Zoning Ordinance at Section 1502.21(A-N).
- (ii) Applicant shall apply for and receive a permit from the Pequea Township Zoning Officer for the Home Occupation;
- (iii) The Zoning Officer shall conduct periodic inspections to insure compliance with the Ordinance and the information provided in support of the Application;
- (iv) Operation of the Home Occupation shall be in accordance with the plans, testimony and any documents, including the Application and any exhibits presented to and relied upon by the Zoning Hearing Board.

The request for a variance from the sign requirements of Section 1502.21(I) of the Pequea Township Zoning Ordinance is denied, since Applicant does not meet the requirements for a variance as set forth in Section 1705.4 of the Zoning Ordinance and particularly does not establish an unnecessary hardship such as will support a variance. Any signage for the Home Occupation shall meet the requirements of Section 1502.21(I) of the Zoning Ordinance and shall be approved by the Zoning Officer prior to installation.

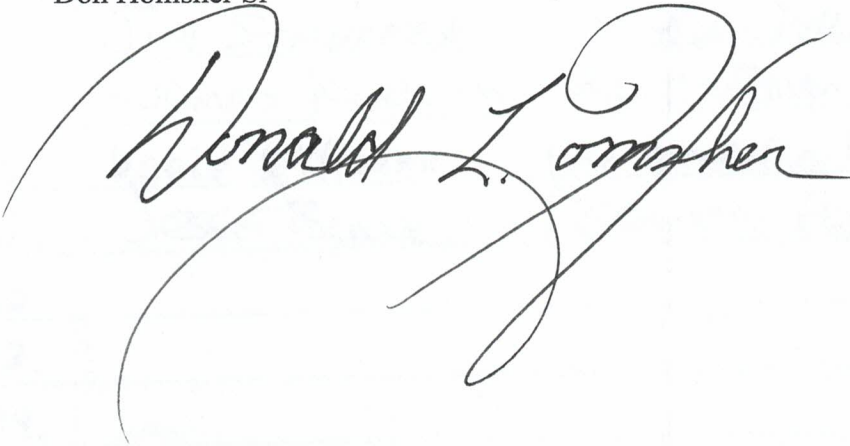
The request for a variance from the provisions of Section 1502.21(k) of the Pequea Township Zoning Ordinance to exceed the number of commercial vehicles allowed on the Property in connection with the Home Occupation is denied. Applicant fails to establish that an unnecessary hardship exists due to unique physical conditions of the Property as required in Section 1705.4 of the Zoning Ordinance. Applicant's Home Occupation shall be limited to two commercial vehicles as provided in Section 1502.21(k) of the Zoning Ordinance, which must be parked at the location of the concrete pad identified on Applicant's exhibit.

Further, Section 1403.17 of the Zoning Ordinance restricts the parking of a truck the size of the F700 dump truck used in Applicant's Home Occupation and therefore that vehicle cannot be one of the two commercial vehicles allowed for the Home Occupation. Applicant's F250 pick-up truck is not considered to be a commercial vehicle subject to the 2-vehicle limitation of Section 1502.21(k) of the Zoning Ordinance.

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

Sincerely,  
Janice L.M. Longer, Esq.  
Solicitor to the ZHB

This Meeting was adjourned at (21:20) hrs.  
Respectfully Submitted  
Pequea Township ZHB Secretary  
Don Homsher Sr

A handwritten signature in black ink, reading "Ronald L. Longer". The signature is written in a cursive style with a large, sweeping initial "R" and a long, horizontal flourish extending to the right.