

**PENN TOWNSHIP  
ZONING HEARING BOARD  
MINUTES OF APRIL 17, 2019**

**ATTENDANCE**

**Board Members Present:**

Gerald Wolfe/Chairman  
Dale Rohrer/Vice-Chairman  
Justin Wolgemuth  
Steve Bushey  
Aaron Kopp

Merle Martin, Applicant ZHB #913  
Mahlon Martin, Property owner ZHB #913  
Paul Zimmerman, Representative ZHB #913  
Jonathan Keller, Applicant ZHB #914  
Lois Keller, Property Owner ZHB #914  
Sheila O'Rourke, Gibbel Kaybill & Hess, Attorney  
for applicants ZHB #914

**Others**

**Applicants**

Brenda Pardun, Stenographer  
Matthew Reeser, Zoning Officer  
Melvin Newcomer, ZHB Solicitor  
Richard Landis, Supervisor  
Stephanie Keller  
Joel Kauffman  
Nevin Martin  
Daniel Weaver

Kristin Keller  
Harry Giordiano  
Larry & Connie Laughman  
James & Karen Kauffman  
Rachel Hurst  
Anthony Martin  
Lamar Stoltzfus  
Marlin Cassel

The meeting was called to order at 7:04 PM by Mr. Wolfe.

**Minutes**

Mr. Kopp made a motion to approve the minutes of March 13, 2019 as written, and Mr. Rohrer seconded the motion; the vote was unanimous in favor of approval by the Board.

The ZHB Solicitor read a letter to the Board and audience, that was written by Mr. Aaron Marines, which explained that ZHB case #909 regarding a zoning appeal, special exception, and variance requests, which had been submitted for 673 Auction Road, had been withdrawn by the applicants, Mr. and Mrs. Colin and Kristin Campbell.

All people present, who might testify, were sworn in by the court reporter.

1. **Case #913** - Merle W. Martin, (Applicant), Mahlon Martin, (Owner of Record), are requesting a Special Exception to replace or substitute an alleged non-conforming manufacturing use, per Section 27-505 and 27-605 of the Township Zoning Ordinance. The subject property is located at 393/399 West Lexington Road, Lititz, PA 17543, has a tax ID#500-31742-0-0000, and is located in the T-2 Agricultural Zoning District.

The ZHB solicitor explained party status, and asked if anyone would like to seek the standing. Mr. Harry Giordiano, owner of 381 West Lexington, and is the neighbor of the property subject to this case, requested party

status. There was a motion made by Mr. Bushey, with a second by Mr. Rohrer to approve party status. The motion carried fully.

Mr. Zimmerman read the narrative that had been included with the ZHB application submittal documents, that explained the proposed use of the existing property. After his presentation, he fielded questions from the Board that related to exterior storage, method of deliveries, and number of employees that will occupy the structure.

After discussion, there was a motion made by Mr. Bushey, with a second by Mr. Rohrer, to approve the continued use of the property, as it had in the past, with conditions attached. The motion was voted upon, and was carried in full by all members.

2. **Case #914** – Jonathan Keller, (Applicant), Lois Keller, (Owner of Record), are requesting a Special Exception pursuant to Sections 27-202 and 27-426 of Township Zoning Ordinance, to allow an Accessory Dwelling Unit (ADU) in an existing single-family dwelling. They also request variances from Sections 27-426.1, 27-426.6, 27-426.8, as listed in the conditions to allow an ADU. In the event that the ADU request is not granted, the applicants request a use variance pursuant to Section 27-202 and Section 27-465, the latter of which lists the requirements which must be satisfied, to allow a two-family conversion on a property. The subject property for this application, is located at 952 Temperance Hill Road, Lititz, PA 17543, has a tax ID#500-35490-0-0000, and is located in the T-2 Agricultural Zoning District.

Case #914 was presented by Ms. O'Rourke. She questioned Ms. Keller, about the length of time she had lived on the property and the current and previous uses of the parcel. It was explained that Ms. Keller's husband had recently passed away, and the request before the ZHB was for the permission to convert a portion of the existing home into a separate dwelling unit. After much explanation of what was being proposed, and additional questions from the Board, a motion was made by Mr. Rohrer which was seconded by Mr. Kopp to approve the ADU request. Besides the standard conditions, the Board required that the property owner register with the Township every year and have the property inspected. They also require that the ADU agreement, be recorded so it is known should the property be sold in the future. The motion was voted upon, and carried unanimously with all conditions attached.

#### Adjournment

There was a motion made by Mr. Bushey, with a second from Mr. Rohrer, to adjourn the meeting. The motion passed unanimously in favor of adjournment at 8:43pm.

Respectfully submitted,



Matthew Reeser, Township Zoning Officer