

Zoning Hearing Board Minutes

June 14, 2010

The ZHB meeting was called to order at 7:00 PM with the pledge of Allegiance. Members present were Earl Miller, Sharon Beck, David Clouser, Hanson Quickel, and Margret Burg. Attorney John Elliot provided legal counsel for the ZHB.

The Minutes from the May 10, 2009 ZHB meeting were approved as presented.

Old Business- None

New Business- Case 03-2010, Rodney Christine's Request for a Special Exception to operate a Service Station at 125 Weire Rd, York Pa. Rodney Christine provided evidence for the case. Mr. Christine works on vehicles for friends and family, mostly in exchange for trade of services or labor. He sells no fuels or auto parts and does not do body work at this address. Mr. Christine operates a car lot called Northeastern Motors in Dover. He is not allowed to repair vehicles at the car lot. He occasionally brings cars to 125 Weire Road to replace brakes and such in order for the vehicle to pass Pa state inspection. The garage at 125 Weire Road was built in 2004. Mr. Christine has his driveway at 125 Weire Road leveled and covered with stone on a regular basis. Mr. Christine stated he will comply with any and all rules and/or ordinances required by Conewago Township.

Attorney John Elliot discussed the rules for a variance and how such an application would have to comply with more stringent standards. He also advised the ZHB of their option to go into Executive Session.

Conewago Zoning Officer Neufeld stated a complaint was filed with the township about a vehicle repair shop being operated at 125 Weire Road, York Pa., 17404. Exhibit one was introduced to the record consisting of three letters-

1. Notice of Violation of Ordinance # 322 Section 305 from Zoning Officer Neufeld.
2. Reply letter from Mr. Christine in response.
3. Cease and Desist Order for violation of Ordinance 322.

Zoning Officer Neufeld stated once a commercial business is established the property would have to be brought up to stricter Building Codes standards.

Questions from the ZHB included discussion about the quantity of vehicles sold, whether a variance would be more appropriate for this activity, whether all standards of a Special Exception have to be performed to comply, the difference between personal use vehicles and vehicles that are part of a business.

Chairman Earl Miller read for the record the recommendations of the Planning Commission.

Margret Burg made a motion for the ZHB to go into an Executive Session. Dave Clouser Seconded. Motion carried.

Dave Clouser made a motion that Rodney Christine of 125 Weire Road, York Pa., 17404 request for a Special Exception to operate a Service Station at said property be granted subject to the following conditions-

1. There will be no outside storage of vehicle parts, tires or such manner of items.
2. There will be a limit of a total of 10 vehicles parked outside on the property at any one time.
3. The hours of operation will be limited to 7: AM Thru 10:00 PM.
4. The property owner will treat the driveway in such a manner as to prevent dust.
5. The property owner will post a sign at the end of the driveway that states NO LEFT TURN.

Sharon Beck seconded. The motion carried.

The ZHB adjourned at 8:17 PM

Respectfully submitted

David Clouser, Secretary