

**MINUTES OF  
SPRING GARDEN TOWNSHIP ZONING HEARING BOARD  
April 21, 2014**

**CALL TO ORDER:** The monthly meeting of the Spring Garden Township Zoning Hearing Board was held on April 21, 2014 in the Township Municipal Building, 340 Tri Hill Rd., York, PA.

Present:

James McMillion  
Michael Barton  
Dustin Quance  
Earl Quance  
Anthony Foster

David Keiter, Solicitor  
Lynn Rinehart, Zoning Officer

**PUBLIC COMMENT PERIOD: None**

**APPROVAL OF MINUTES:** The minutes of the March 17, 2014 meeting were approved on a motion by Mr. Barton seconded by Mr. D. Quance.

**ZONING APPLICATIONS**

**APPLICATION 125-02-14 – Praise Community Church, 705 S Ogontz St., York, PA** has submitted an application for a Special Exception under Section 310-6.C(8) to allow use as a private school and a Variance request from Special Exception requirements A, C, and D under Section 310-77. The property is located in the Residential Suburban (R-1) and Residential Urban (R-2) Zones.

The applicant was represented by Jeffrey Rehmeyer, CGA Law and Todd Bowser, Campbell Associates. Praise Community Church is proposing that Keystone Christian Academy use their facilities as a private school for grades K through 8. The Planning Commission recommended approval of the Special Exception/Variance with the condition that the church agrees that if the fence on the south side of their parking lot is ever removed, they will replace it with proper screening.

Mr. Bowser noted that he is a member of the church and sits on the board of Keystone Christian Academy. He provided plans that showed the original building was built in 1935 as Mt. Rose Jr. High School. The plans received Labor and Industry approval. Several other plans showing updates were provided as exhibits.

The facility was bought by Living Word Church and was used as a high school when Christian School of York was damaged by a fire. The current use is as a church with a preschool that used part of the first floor. The preschool enrollment has decreased and will be replaced by Keystone Christian Academy K through 8<sup>th</sup> grade.

Pete Schilling, Commonwealth Code Inspection Service has toured the building for code compliance and determined that it is adaptable to current regulations including ADA and safety features. The school will use the second floor and the gymnasium.

Expected enrollment will be 20 to 30 students the first year with 30 to 40 the second year and 60 to 80 the third year. Parking is adequate at the site. There will be a dedicated drop off and pick up point.

The applicant submitted a petition signed by neighboring properties that they were in favor of the school located at 705 South Ogontz Street.

The applicant is asking for three variances to the special exception requirements for a school:

**§ 310-77 School, public or private.**

In the R-1, R-2 and A-O Zones and subject to the requirements of the zone in which located except as herein modified, and provided:

**A. Minimum lot area: five acres – the lot is 3.22 acres.**

**B. Minimum lot width: 300 feet.**

**C. Parking areas adjacent to land zoned for or in residential use shall be set back 25 feet and provided with buffering, landscaping and screening in accordance with § 310-18 of this chapter. The lot does not meet the 25” setback on each side.**

**D. All buildings shall be set back at least 100 feet from any abutting property zoned for or in residential use. The lot does not meet the 100 foot setback on all sides.**

**E. Passenger dropoff and pickup areas shall be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site.**

These are preexisting non-conforming conditions.

Mr. Rehmeyer indicated that the applicant meets all Special Exception general standards and Variance standards. Pat Eger noted that the school hours will be 8:10 a.m. to 3:10 p.m.

Mr. Dorgan made a motion to approve the Variance request with the condition that the church will replace the fence on the south side with appropriate screening should the current fence be removed. Seconded by Mr. D. Quance. Motion passed unanimously.

Motion by Mr. Foster; seconded by Mr. E. Quance to approve the Special Exception to use Praise Community Church as a private school. Motion passed unanimously

**ADJOURNMENT:** The meeting was adjourned at 7:50 p.m.

Submitted by, Lynn Rinehart, Zoning Officer