

BEFORE THE ZONING HEARING BOARD OF
WEST HEMPFIELD TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA

IN RE: :
 :
APPLICATION OF :
NATHAN Z. NOLT : Case No. 1326
 :
 :
 :

DECISION

A. FINDINGS OF FACT

1. Applicant in this application is Nathan Z. Nolt with a mailing address of 2778 Ironville Pike, Columbia, Pennsylvania 17512.
2. The property which is the subject of this Application is located at 2778 Ironville Pike, Columbia, Pennsylvania 17512 (hereinafter the “Property”).
3. The Property is located in the R1 – Residential District as shown on the Official Zoning Map of the West Hempfield Township, Lancaster County, Pennsylvania.
4. The Property is owned by Nathan Z. and Hannah E. Nolt and is presently used for a single-family residential dwelling and is currently occupied by Applicant, Hannah Nolt and her mother, Harriet S. Scott
5. Notice of the hearing on this Application was duly advertised and posted in accordance with the provisions of the Pennsylvania Municipalities Planning Code (hereinafter “MPC”) and the Zoning Ordinance of West Hempfield Township (hereinafter “Zoning Ordinance”).

6. A Public hearing was held both in person and remotely via an online platform before the Zoning Hearing Board on April 12, 2022 at which time the record of testimony was closed.

7. The Applicant appeared at the hearing without counsel and presented testimony in support of the Application.

8. The Zoning Hearing Board (hereinafter "Board) was represented at the hearing on this Application by its Solicitor, Bernadette M. Hohenadel, of Nikolaus & Hohenadel, LLP, 212 N. Queen Street, Lancaster, Pennsylvania, 17603 who participated remotely.

9. The Property was the subject of a previous hearing before the Board. In 2020, Applicant was previously granted a special exception approval under Sections 302.2.B.7 and 702.9 of the Zoning Ordinance to allow for the addition of ECHO housing on the Property, which approval has now expired.

10. The Applicant has returned to obtain approval again and proposes the exact same project as was proposed and approved in 2020 as a special exception for ECHO housing. No details of the plan have changed since that time.

11. The Board took judicial notice of the previous proceedings in Case No. 1304, including the decision of the Board, and incorporated the record and the decision into the record in the matter now before the Board.

12. No one appeared in opposition to the Application, or requested party status.

B. CONCLUSIONS OF LAW

Applicant had previously established compliance with the criteria for, and obtained approval of, a special exception for ECHO housing on the Property, which approval has now expired. Applicant is before the Board with the same plan which the Board found acceptable in

2020. Such a plan is still acceptable and meets the criteria set out in Sections 302.B.7 and 702.9 of the Zoning Ordinance for ECHO housing. The Board incorporates the decision previously entered in this matter and adopts the Findings of Fact and Conclusions of Law contained therein.

C. DECISION


Based on the foregoing, the West Hempfield Township Zoning Hearing Board approves Applicant's request for special exception approval under Section 302.2.B.7 and 702.9 to allow for the addition of ECHO housing onto the Property. This approval is conditioned on the following:

A. The ECHO housing addition on the Property shall comply with the requirements included in Section 702.9 of the Zoning Ordinance.

B. Applicant is bound by his testimony and evidence presented in the hearing including that the ECHO housing will be dismantled by removal of the range/oven once the elderly family member is no longer residing in the ECHO housing.

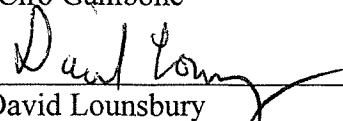
C. Applicant shall obtain all necessary permits and approvals as required by applicable ordinances and regulations.


FOR THE ZONING HEARING BOARD OF WEST HEMPFIELD TOWNSHIP

By: 
Gary R. Lintner, Chair

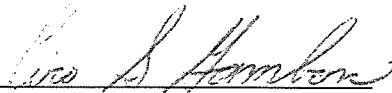
Daryl S. Peck


Ciro Gambone


David Lounsbury


Amanda Hood

Dated and filed May 11, 2022 after hearing on April 12, 2022. Notice of this Decision was mailed to all parties on May 11, 2022.


Secretary