

ZONING HEARING BOARD OF LOWER PROVIDENCE TOWNSHIP

APPLICATION NO. Z-20-14

:
:

**LOWER PROVIDENCE
PRESBYTERIAN CHURCH
3050 RIDGE PIKE
Tax parcel 430011587007**

:

HEARING DATE: October 29, 2020

**OPINION, DECISION AND ORDER OF THE
LOWER PROVIDENCE TOWNSHIP ZONING HEARING BOARD**

INTRODUCTION AND BACKGROUND

Applicant seeks variance relief from Ordinance 143-141.1.E(4) to install a free-standing illuminated sign in the R-2 zoning district, which only allows non-illuminated signs.

The application was properly advertised, and a public hearing was held before the Lower Providence Township Zoning Hearing Board (the “Board”) on October 29, 2020 at 7:00 p.m. at the Lower Providence Township Building. Joseph E. Bresnan, Esquire served as conflict counsel to the Zoning Hearing Board. The Board and parties were present in the hearing room, while other citizens participated via the internet due to the pandemic. Applicant was represented by John A. Rule, Esquire

Board exhibits included:

B-1, Copy of application

B-2, Copy of letter to residents

B-3 Certification of B-2 being sent to owners

B-4, Proof of posting of property

B-5, Legal notice and proof of publication.

Applicant submitted a packet with exhibits A1-through A10:

A-1, image of proposed sign with person to show scale

A-2, site plan

A-3, aerial photo of site

A-4, photo of Applicant’s current non-illuminated signs

A-5, Google map image indicating other area parcels with illuminated signage

A-6, site photo taken from roadway looking westward

A-7, photo similar to A but from slightly different perspective
A-8, portion of tax map
A-9, photo of parcel from other side of Ridge Pike
A-10, photo, closeup of proposed sign location

FINDINGS OF FACT

1. Applicant is the legal owner of the subject parcel.
2. James Roudenbush, a church elder, testified in support of the application.
3. The church fronts busy Ridge Pike and the illuminated sign is desired to better communicate church messages. Existing freestanding non-illuminated signs can be difficult to read.
4. The only residences that could see the sign directly are at a distance where the illumination would not negatively impact them.
5. Numerous other businesses and institutions in the area have illuminated signs.
6. Applicant agrees to the conditions that are set forth in the order.
7. One citizen, Lisa Yablonski, 16 Circle Drive, commented on the application. Her yard backs to open space that is next to the church property. She questioned the church's need for the sign.
8. The Board voted 5-0 to approve the application, with conditions noted in the order.
9. A letter was sent to Applicant the following day, summarizing the relief granted.

CONCLUSIONS OF LAW

1. The Applicant has standing to appear before the Board regarding the requested relief.
2. The Board has jurisdiction over applications seeking variance relief.
3. The Board finds on a consideration of the totality of the evidence that Applicant sustained its burden of proof and therefore the requested variance is granted. An order follows.

{ORDER FOLLOWS ON NEXT PAGE}

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ORDER

For the reasons set forth in the foregoing decision, the Order of the Lower Providence Township Zoning Hearing Board is as follows:

The application for a variance from Ordinance 143-141.1.E(4) is GRANTED and Applicant may install an illuminated sign of the size and type described during testimony. Approval includes the following conditions:

1. The sign may only display church business, not the business of other persons, businesses, or institutions.
2. The sign may only be illuminated from 7 a.m. to 10 p.m.
3. Displayed images will not change more often than every 20 seconds.

**LOWER PROVIDENCE TOWNSHIP
ZONING HEARING BOARD**

Kathie A. Eskie, Chairwoman

George J. Ozorowski, Vice Chairman

Gail Hager

Joseph Pucci

Patricia Alzamora