

IN THE MATTER OF
JOHNATHAN P. BORDELON
APPLICATION FOR
CONDITIONAL USE RELIEF

: BOARD OF SUPERVISORS
: MONROE TOWNSHIP
: CUMBERLAND COUNTY
: PENNSYLVANIA

WRITTEN DECISION

EXHIBITS

- B-1 Application of Johnathan P. Bordelon (10 pages dated 9/27/18)
- B-2 Certificate of Service of Public Notice and Written Notice
- T-1 Memorandum of Gregory R. Rogalski, Township Engineer, to Board of Supervisors dated November 8, 2018

FINDINGS OF FACT

1. Applicant, Johnathan P. Bordelon, is the owner of the property located at 1554 Williams Grove Road, Mechanicsburg, Monroe Township, Cumberland County, Pennsylvania. Further identified as tax parcel number 22-31-2156-019. (hereinafter the "property").
2. Applicant request relief in the form of Conditional Use of the Monroe Township Zoning Ordinance of September 17, 1998, last amended, May 14, 2015 (hereinafter the "ordinance").
3. Applicant's request is relief in the form of Conditional Use for the purpose of operating a wedding event business upon the property, a Use Not Provided For under Section 107 of the Monroe Township Zoning Ordinance.
4. The property is located in the Agricultural zoning district of Monroe Township, Cumberland County, Pennsylvania.
5. Public Notice of the hearing in this matter was published in the Carlisle Sentinel, a newspaper of general circulation in Monroe Township on October 23, 2018 and October 30, 2018.
6. The Written Notice of the hearing was forwarded to the following individuals and entities on October 19, 2018; Monroe Township Planning Commission; Greg Rogalski, Township Engineer; applicant; and Kirk Stoner, Director of Planning, Cumberland County. On October 19, 2018, written notice was given by first class mail to the following neighboring property owners: JHCK Enterprises, Williams Grove Speedway, Williams Grove Mobile Home Park; Williams Grove Steam Engine Association, and Dale Steager.

7. The Township's Municipal Building, the property in question and website was posted with the Notice of Hearing on October 17, 2018.
8. No objections as to the method and timing of Notice and advertising were raised.
9. No objections as to any of the exhibits were raised.
10. On November 8, 2018 at approximately 6:00 p.m., a hearing was conducted on the matter.

CONCLUSIONS OF LAW

1. The Monroe Township Board of Supervisors has jurisdiction to hear the above-captioned appeal and application pursuant to Article 7 Section 704.1 of the Monroe Township Zoning Ordinance.
2. Proper Notice of the hearing was given to the public and to all interested parties.
3. Exhibits B-1 through B-2 and Exhibit T-1 were properly admitted into evidence.
4. Applicant met its burden in establishing the requirements for an approval of Conditional Use in accordance with the conditions as set forth in the attached decision and order.

DISCUSSION

Applicant, Johnathan P. Bordelon, submitted an application for Conditional Use relief on September 27, 2018. The subject of the application is a property located at 1554 Williams Grove Road, Mechanicsburg, Monroe Township, Cumberland County, Pennsylvania. Applicant request relief in order that he may use the property for purposes of holding weddings upon the property for business purposes. Rebecca Erikson, business partner of the applicant, attended the hearing on behalf of Mr. Bordelon and provided testimony. Applicant indicated that the intention is that the events would be primarily held indoors.

Article 7 Section 704.2 of the Monroe Township Zoning Ordinance sets forth the General Criteria that each Applicant for a Conditional Use Relief must demonstrate compliance:

1. The proposed use shall be consistent with the purpose and intent of the Zoning Ordinance;
2. The proposed use shall be detracted from the use and enjoyment of adjoining or nearby properties;

3. The proposed use will not affect a change in the character of the subject property's neighborhood;
4. Adequate public facilities are available to serve the proposed use (e.g. schools, fire, police and ambulance protection, sewer, water, and other utilities, vehicular access, etc.);
5. The proposed use complies with the Monroe Township Floodplain Ordinance;
6. The proposed use shall comply with those criteria specifically listed in Article 4 of this Ordinance. In addition, the proposed use must comply with all other applicable regulations of this Ordinance; and,
7. The proposed use will not substantially impair the integrity of the Township's Comprehensive Plan.

The Board of Supervisors believes that, with the conditions set forth below, the use of the property as a site for weddings keeps its agricultural nature consistent with the intent of the zoning ordinance. The proposed use will be consistent with the character of the neighborhood and will not detract from the use and enjoyment of adjoining or nearby properties and will not substantially impair the integrity of the Township's Comprehensive Plan. Additional adequate public facilities are available to serve the proposed use. Additionally, the Supervisors shall attach conditions to ensure compliance with the Township Floodplain Ordinance & Subdivision and Land Development Ordinance.

DECISION:

And Now, this 26th day of November, 2018, in consideration of Applicant's request and after a public hearing, the Applicant's request for Conditional Use is granted for purposes of permitting Applicant to hold wedding parties and like events upon the property with the following conditions:

1. The venue be limited to a capacity of 133 guests or less at any given time.
2. The hours of operation be limited to 10 am – 10 pm Monday through Thursday, 8 am to 10 pm Friday, 8 am to 11 pm Saturday and 12 pm to 10 pm Sunday.
3. The applicant obtain a valid On-Lot Sewage Disposal or Holding Tank Permit from the Sewage Enforcement Officer, including the completion of Sewerage Planning Module as required through the Pennsylvania Department of Environmental Protection.
4. The applicant obtain a Building Permit in compliance with the Uniform Construction Code, including permit drawings signed and sealed by a design professional.

5. The applicant obtain a Stormwater Management Permit in accordance with Ordinance 2011-03 for any new impervious or semi-impervious areas created.
6. The applicant shall submit a Floodplain Elevation Certificate to confirm the presence of the existing structure within or outside of the regulatory floodplain.
7. The applicant obtain a Commercial Zoning Permit for the proposed use, including satisfying all elements of Section 701.3, including but not limited to a plot plan certified by a professional surveyor, a detailed description of operations consistent with the conditional use application and any other requirement listed therein.
8. The Township shall reserve the right to require the applicant to submit a traffic impact study prepared by a professional traffic operations engineer in the event it is determined the facility is having an adverse effect on traffic on Williams Grove Road, or an unsafe situation exists at the main access due to traffic generated by the facility.

Monroe Township Board of Supervisors


William Castle, Chairman


Philip Kehoe, Vice Chairman


Carl Kuhl, Supervisor

(Written Decision of Findings issued this 26th day of November 2018)