

ZONING HEARING BOARD MINUTES

June 2, 2026

Call to Order By: Chairman, Chris Moyer

Members Present: Chris Moyer, Ken Dombach, Nevin Greiner

Legal Representation: Jason Hess, ZHB Solicitor

Motion by Ken Dombach, 2nd by Nevin Greiner to approve the minutes of the May 5th, 2026, meeting. The vote was unanimous.

APPLICANTS: Raffensperger Enterprises, LLC, Shane & Megan Raffensperger

SITE ADDRESS: 3691 Elizabethtown Rd

CASE NUMBER: 260008

REQUEST: special exception from sections 350-705 and 350-704 for the substitution and expansion of a nonconforming use to allow an excavating business contractor shop; and variances from 350-704.A.(2), Table 3-1.3, 350-705, 350-704.A(7), 350-704.B, 350-704.C and Table 6-8.1 for required front and rear yard setbacks and to exceed the 50% limitation of expansion of a nonconforming use, and for a side yard setback for a proposed livestock barn.

ZHB Exhibit #1, Proof of Publication Yes ZHB Exhibit #2, Copy of Posted Notice Yes
Property Posted on May 22, 2026

TESTIFYING FOR APPLICANT: Applicant and Fred Raffensperger and David Keener, GD Keener

ENGINEERING CONSULTANT FOR APPLICANT: David Keener, GD Keener

LEGAL COUNSEL FOR APPLICANT: Robin White with Gibbel, Kraybill & Hess

ADDITIONAL PARTIES:

CONCERNS, COMMENTS AND QUESTIONS WERE HEARD FROM LEGAL COUNSEL AND THE APPLICANT.

Motion by Chris Moyer, 2nd by Nevin Greiner to approve the request for special exception from sections 350-705 and 350-704 for the substitution and expansion of a nonconforming use to allow an excavating business contractor shop; and variances from 350-704.A.(2), Table 3-1.3, 350-705, 350-704.A(7), 350-704.B, 350-704.C and Table 6-8.1 for required front and rear yard setbacks and to exceed the 50% limitation of expansion of a nonconforming use, and for a side yard setback for a proposed livestock barn, with the following conditions in addition to the normal conditions imposed by the Board:

1. Neither the nonconforming use nor the area utilized for the nonconforming use, including all impervious surfaces, shall be expanded beyond what is being approved by this decision.
2. The 48' by 48' portion of the barn may not be used as part of the commercial use, and there shall be no interior connection between the addition and the commercial shop area.

Vote was unanimous.

APPLICANTS: Hilltop Acres Farm LLC

SITE ADDRESS: 347 Rife Run Rd

CASE NUMBER: 260009

REQUEST: special exception pursuant to 350-704(A) to alter or expand the nonconforming farm market use of the property, a variance from 350-704(A)(2) to allow expansion of the nonconforming use exceeding 50%, and a modification of conditions imposed pursuant to 1996 and 2015 zoning decisions.

ZHB Exhibit #1, Proof of Publication Yes ZHB Exhibit #2, Copy of Posted Notice Yes
Property Posted on May 22, 2026

TESTIFYING FOR APPLICANT: David Sensenig and Kevin Varner, Deihm & Sons

ENGINEERING CONSULTANT FOR APPLICANT: Kevin Varner, Deihm & Sons

LEGAL COUNSEL FOR APPLICANT: Dwight Yoder

CONCERNS, COMMENTS AND QUESTIONS WERE HEARD FROM LEGAL COUNSEL AND THE APPLICANT.

Motion by Ken Dombach, 2nd by Nevin Greiner to Approve special exception pursuant to 350-704(A) to alter or expand the nonconforming farm market use of the property, a variance from 350-704(A)(2) to allow expansion of the nonconforming use exceeding 50%, and a modification of conditions imposed pursuant to 1996 and 2015 zoning decisions, with the following conditions in addition to the conditions normally imposed by the Board:

1. There shall be no further expansion of the Farm Market use on the Property beyond what is being approved in this Decision.
2. The greenhouse, as expanded, may not be used for any purpose other than the in-season sale of plants as represented by Applicants.

Meeting adjourned at 9:31 pm.

Respectfully submitted:



Drew Keller
Zoning/Code Enforcement Officer