

IN RE: : BEFORE THE ZONING HEARING  
APPLICATION OF KENNETH AND : BOARD OF DICKINSON TOWNSHIP  
DIANA HYKES : CUMBERLAND COUNTY, PENNSYLVANIA  
: DOCKET NO. 2015-02

**FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND DECISION GRANTING APPLICANTS' REQUEST**

The Applicants seek a determination that a wedding venue is similar to or compatible with permitted uses in the Conservation (C) District as set forth in the Dickinson Township Zoning Ordinance. A hearing on the application was held by the Dickinson Township Zoning Hearing Board on September 24, 2015 at 6:00 p.m. at the Dickinson Township Municipal Building, 219 Mountain View Road, Mount Holly Springs, PA 17065.

**FINDINGS OF FACT**

1. The Applicants are Kenneth and Diana Hykes (the "Applicants"), 54 Chestnut Ridge Road, Gardners, PA 17324 (the "Subject Property").
2. The Applicants are the owners of the Subject Property. The Tax parcel number is 08-11-0212-013.
3. By letter dated July 27, 2015, the Township Zoning Officer, Larry G. Barrick, Jr. determined that a wedding venue is a specific use that is neither permitted nor denied in the Dickinson Township Conservation Zoning District.
4. By application dated September 1, 2015, the Applicants filed a Zoning Hearing Board application requesting the Zoning Hearing Board to make a determination that a wedding

venue is a use that is similar to or compatible with permitted uses in the Conservation (C) District.

5. The Subject Property is 28 acres in size and is zoned Conservation (C).
6. The subject property is currently improved by a single-family dwelling a barn and small out-building.
7. The Applicants reside on the Subject Property and lease the fields to local farmers to grow crops.
8. In addition to the current uses, the Applicants desire to operate a wedding venue on the Subject Property from May through October.
9. The operation of the wedding venue would consist only of providing a location for weddings and receptions.
10. All other items, such as tents, tables, chairs, food beverages, and portable toilets would be provided by third party vendors.
11. There will be no permanent structures in addition to the single family residence, barn and out-building, which will not be used as a part of the wedding venue business.
12. A 120 foot by 305 foot field, as depicted on the plat filed with the application, will be used for parking.
13. The Applicants will have contracts with customers who desire to use the wedding venue.
14. The contracts shall limit the number of guests to a maximum of 150 people.
15. Wedding ceremonies may be held only on Fridays, Saturdays and Sundays between 10:00 a.m. and 4:00 p.m., and receptions may be held only on Fridays, Saturdays and Sundays until

9:30 p.m.

16. There will be two ceremony/reception areas as depicted on the plat filed with the application.

17. Alcoholic beverages will not be brought onto the Subject Property for a wedding/reception except by a licensed caterer.

18. There will be no overhead lighting other than the lights that currently exist on the Subject Property.

19. No one appeared at the hearing to oppose the application.

20. The Applicants presented several neighboring property owners as witnesses who testified in support of the application.

21. Notice of the hearing was duly advertised in a newspaper of general circulation, and posted on the property in accordance with the Zoning Ordinance.

### **CONCLUSIONS OF LAW**

1. Section 205-87 of the Dickinson Township Zoning Ordinance provides that when a specific use is neither permitted nor denied, the Zoning Hearing Board shall make a determination as to the similarity or compatibility of the use in question to the permitted uses in the district.

2. Section 205-10 of the Zoning Ordinance lists uses that are permitted in the Conservation (C) District.

3. In addition to residential and agricultural uses, Section 205-10 permits such uses as riding stables, churches, outdoor recreational facilities and campgrounds and trailer or recreational vehicle camps.

4. The Zoning Hearing Board finds that the uses of a wedding venue as described by the Applicants is a use that is similar to and compatible with permitted uses within the Conservation (C) District, in accordance with Section 205-87 of the Zoning Ordinance.

**DECISION**

In view of the foregoing and having carefully considered the testimony and exhibits submitted to the Board, the Applicant's request is granted, subject to the following conditions:

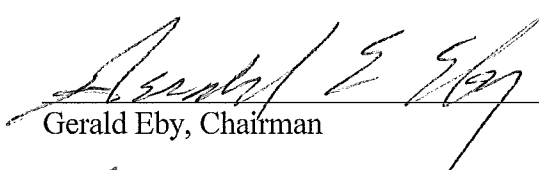
1. The following safety precautions shall be taken:
  - a. There shall be no music played after 9:30 p.m.
  - b. There may be lighting inside any tents at the wedding venue, but no lights shall shine light onto adjacent properties.
2. The Applicants shall comply with all applicable federal, state and local laws and ordinances.
3. The Application is approved in strict accordance with the Application, testimony and exhibits.

This decision is adopted this 24 day of September, 2015 by the Dickinson Township Zoning Hearing Board, upon motion duly made and seconded.

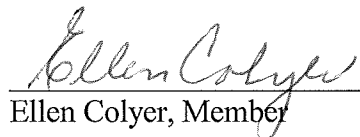
The vote of each member is recorded to the left of said member's signature.

VOTE

Yes

  
\_\_\_\_\_  
Gerald Eby, Chairman

Yes

  
\_\_\_\_\_  
Ellen Colyer, Member

**ANY PERSON AGGRIEVED BY THIS DECISION OF THE DICKINSON TOWNSHIP ZONING HEARING BOARD MAY APPEAL TO THE COURT OF COMMON PLEAS OF CUMBERLAND COUNTY. THE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE MAILING DATE OF THIS DECISION.**

**MAILING DATE:**