Case No.: 2019-01

Application to the Zoning Hearing Board/Greencastle Borough Council for a Hearing

(Check One) ☒ Conditional Use Hearing ☐ Zoning Hearing ☐ Zoning Map Amendment

Instructions:

I. Please complete all questions in ink and in a legible form (print or type.)
II. Submit the completed application to the Borough of Greencastle zoning Officer or Administrative Staff.
III. All applications must be accompanied by five (5) plot plans or floor plans before the application will be accepted.
IV. All applications must be paid in full upon filing of the applications.
V. A separate application must be submitted for each property and/or plot.
VI. Please refer to the Pennsylvania Municipalities Planning Code, the Borough of Greencastle Ordinance, and the Rules of Procedure and By-Laws of the Borough of Greencastle Zoning Hearing Board prior to submitting any application. The above-mentioned materials will be available for inspection at the Borough of Greencastle during regularly scheduled business hours and on line at www.greencastlepa.gov. Copies will be provided at cost. THE DOCUMENTS HEREIN REFERRED TO SHALL GOVERN THIS APPLICATION AND ARE CONSIDERED OT BE ADDITIONAL INSTRUCITONS HERETO.

Applicant Name: Rescue Hose Company #1 Inc.
Applicant Address: 842 South Washington Street, Greencastle, PA
Applicant Phone Number: 717-597-8489

Please state your interest in the subject property (owner, developer, agent, etc.):
Rescue Hose is the Owner.

Name, address and telephone number of Applicant's Attorney/Representative (if applicable):
J. Edgar Wine, Esquire
119 E. Baltimore Street
Greencastle, PA 17225 717-597-0200

Location of property and/or structure to which Application relates, including, among other information, the street address, deed reference, and zoning district (if known).
407 South Washington Street, Greencastle - Franklin County
Deed Book 728/999; Tax Parcel 08-2B44-.038A-000000.
R-2 Zoning District

Name, address and telephone number of all owners of any interest in the property and/or structure other than persons listed in Question One (1) above. (For each person listed, please define their respective interest):

From Scratch Catering and Event Planning LLC, dba
Blue Heron Events Greencastle, PA, 407 South Washington Street,
Greencastle, PA 17225; 717-830-2261; Tenant

Grounds for Application (please check all boxes that apply):

A. ☐ Variance
B. ☐ Special Exception Request
C. ☒ Conditional Use
D. ☐ Appeal from Decision of Zoning Officer
E. ☐ Challenge to Validity of Zoning Ordinance

a) If box A, B or C above is checked, please cite the section of the Borough of Greencastle Zoning Ordinance upon which the application is based and briefly state the relief sought and state facts or reasons in support of the grant of the application.
b) If box D above is checked, please explain the action of the Zoning Officer which is being appealed, the justification and/or grounds for appeal, and the section of the Zoning Ordinance which was allegedly violated.
c) If box E above is checked, lease list off matters which are at issue and the grounds for the challenge. In addition, please attached the plans or other materials describing the use or development permitted by the challenged ordinance or map and attach the proper certification as required by Section 1004 of *The Pennsylvania Municipalities Planning Code*, as amended.

Describe the current use of this subject property.

See Attached

Describe the proposed use of the subject property.

See Attached

If a Unified Appeal is accompanying this Application, briefly describe the subject matter:

Not Applicable

I/We Rescue Hose Co.#1, Inc., verify that the statements made in the Application are true and correct. I understand that false statements herein are subject to the penalties of 18 PA C.S. Section 4904 relating to un-sworn falsification to authorities. I further understand and acknowledge that the documents referred to in Seciton VI of the Instruciton to the Application are considered additional instrucitons hereto.

Agreed to:
From Scratch Catering and
Event Planning LLC
By: Jan Hutchison

8-2-19
Date

Rescue Hose Co. #1, Inc.
By: Shelley L Koons
Signature of Applicant

8.2.2019
Date

(For official use by the Zoning Officer or Borough Secretary)

Date Application Received: 8/2/19

Is Application accompanied by plot plan or floor plan: ☒ Yes ☐ No

Has applicant paid all application fees? ☒ Yes ☐ No

Date of Payment: 8/2/19 *Amount Paid: _____

Signature of Borough Manager

8/2/19
Date

ATTACHMENT
TO
RESCUE HOSE CO. NO. 1, INC. CONDITIONAL USE APPLICATION
TO
GREENCASTLE BOROUGH COUNCIL

PURSUANT TO
GREENCASTLE ZONING ORDINANCE
SECTIONS 205-7(C) AND 205-56

"MULTI-PURPOSE VENUE – EVENTS CENTER"

Conditional Use Request to Borough Council:

Rescue Hose Co. No. 1, Inc., a Pennsylvania non-profit corporation, ("Rescue Hose") applies for a Conditional Use approval from the Greencastle Borough Council for the real estate, generally known as 407 South Washington Street, Greencastle, PA 17224 (Franklin County Deed Book 728, Page 999 – copy attached; Tax Parcel No. 08-2B44-.038A-000000), now owned by Rescue Hose. This real estate is located in the R-2 Zoning District of the Borough.

From Scratch Catering and Event Planning LLC, dba Blue Heron Events Greencastle PA, ("Blue Heron") joins in this Conditional Use Application as the current tenant and user of this subject real estate.

Rescue Hose requests that this subject real estate and its use be granted a Conditional Use as a "Multi-Purpose Venue – Events Center" under Sections 205-7(C) and 205-56 of the Greencastle Zoning Hearing Ordinance, so that this real estate may be used for any or all uses allowed under this "Multi-Purpose Venue – Events Center" definition. The Conditional Use approval is being requested on behalf of current owner Rescue Hose, current tenant/user Blue Heron, and their heirs, successors, and assigns as future owners and/or users of this real estate. In other words, the request is for the Conditional Use approval to "run with the land." The approval, however, will be subject to the following conditions:

1. **Sunday through Thursday: inside events must end by 11:30 pm, and outside events must end by 10 pm.**

2. **Friday and Saturday: inside events must end by 12:30 am, and outside events must end by 11 pm.**

History of Subject Real Estate and Current Usage:

Rescue Hose purchased this subject real estate in 1976. In approximately 1981-82, Rescue Hose constructed the current special events building (which includes a commercial kitchen) located on this real estate ("SE Building"). In 2005, Rescue Hose also constructed on this real estate, but separate from the SE Building, a stage with storage features ("Stage").

The subject real estate is at least 2 acres in area.

Over the years, the Rescue Hose has used this real estate, with its SE Building and Stage, for bingo and outdoor carnivals and concerts, and Rescue Hose has rented out the SE Building for various banquets, meetings, and other similar events.

In August of 2016, Rescue Hose leased the subject real estate, with its SE Building and Stage, to Blue Heron which has since used the SE Building, along with related parking, for various meetings, assemblies, conferences, conventions, trade shows, banquets, and other similar food and non-food events.

Future Usage:

If this Conditional Use application is granted, Rescue Hose plans on selling this real estate to Blue Heron, or entering into a long-term lease for this real estate with Blue Heron, so that Blue Heron can use this real estate, both indoor and outdoor, to the fullest extent allowed, as a "Multi-Purpose Venue- Events Center" as defined under the Borough's Zoning Ordinance.

Conclusion:

Based on the information above, Rescue Hose and Blue Heron believe that the current use of this subject real estate meets the criteria in the Greencastle Zoning Ordinance for the granting of a Conditional Use to the subject real estate as a "Multi-Purpose Venue- Events Center". Therefore, the application should be granted subject to the conditions noted above.

This Deed,

MADE the ------ 10th ------- *day of July*

in the year nineteen hundred and seventy-six (1976);

Between Carrie A. Holstein, sole, of 501 South Washington Street, Greencastle, Pennsylvania 17225, Grantor,

AND Rescue Hose Co. No. 1, Inc., a nonprofit corporation of the Commonwealth of Pennsylvania, with post office address at 48 South Carlisle Street, Greencastle, Pennsylvania 17225, Grantee.

Witnesseth *That in consideration of* Forty thousand ($40,000.00) - - -

Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does *hereby grant and convey* in fee simple *to said Grantee,*

All the following described real estate lying and being situate in the Borough of Greencastle, County of Franklin and State of Pennsylvania, bounded and described as follows:-

BEGINNING at an existing iron pin at or near the center of Cedar Lane; thence by lands formerly of E. L. M. Stores Company, now of E. L. M. Garage, Inc., South seventy-one (71) degrees seventeen (17) minutes forty-five (45) seconds East one hundred forty-seven and three hundredths (147.03) feet to an existing iron pin; thence by lands formerly of Harry A. Hocker, now of James H. Craig, Jr. and Julie S. Craig, his wife, South eighteen (18) degrees forty-six (46) minutes twenty-eight (28) seconds West seventy-two and thirty-one hundredths (72.31) feet to an existing iron pin; thence by the same South seventy-one (71) degrees thirteen (13) minutes thirty-two (32) seconds East one hundred fifteen and thirty-seven hundredths (115.37) feet to a railroad spike (set) at or near the center line of South Washington Street; thence by South Washington Street South ninetsen (19) degrees six (6) minutes twenty-five (25) seconds West four hundred fifty-five and seventy-eight hundredths (455.78) feet to a railroad spike (set); thence along Maple Avenue by lands of the Grantor North seventy (70) degrees fifty (50) minutes thirty-five (35) seconds West two hundred sixty-four and sixty hundredths (264.60) feet to a railroad spike (set) at or near the edge of a sewer manhole in Cedar Lane; thence along Cedar Lane by lands of Grove Manufacturing Company North ninetsen (19) degrees thirty-one (31) minutes twelve (12) seconds East one hundred twelve and nine hundredths (112.09) feet to a railroad spike (set); thence by the same North ninetsen (19) degrees fourteen (14) minutes thirty-four (34) seconds East four hundred fourteen and seven hundredths (414.07) feet to the existing iron pin, the place of beginning, containing one hundred thirty thousand five hundred forty-six and fourteen hundredths (130,546.14) square feet or two and nine hundred ninety-seven thousandths (2.997) acres, and being Tract 1 shown on draft of survey made May 11, 1976 by Gordon P. Lambert, Registered Professional Engineer, which together with the necessary municipal approvals is attached hereto and made a part hereof.

The above described real estate is a portion of that real estate which Roselle Manufacturing Company, Inc., by its deed dated June 8, 1950 and recorded in the Recorder's Office of Franklin County, Pennsyl-

Form SCHLGL - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

vania in Deed Book Volume 404, Page 637, conveyed to Branton E. Holstein and Carrie A. Holstein, his wife, and the said Branton E. Holstein having died November 8, 1955 full title to this real estate vested in Carrie A. Holstein, Grantor herein.

Grantee on behalf of itself, its successors and assigns accepts this deed under and subject to such easements and rights of way as are apparent by an inspection of the above described real estate or the deeds in the chain of title of said real estate and the records in the Franklin County, Pennsylvania Court House, including the right of way of the Commonwealth of Pennsylvania for storm drainage along South Washington Street and across said real estate pursuant to previous condemnation proceedings of the Commonwealth of Pennsylvania.

This deed is made and accepted subject to the following conditions, restrictions and reservations which are made part of the consideration for this conveyance, and as against the Grantee, its successors and assigns, it is agreed that said conditions, restrictions and reservations may be enforced by proceedings in equity as well as by other remedies at law-

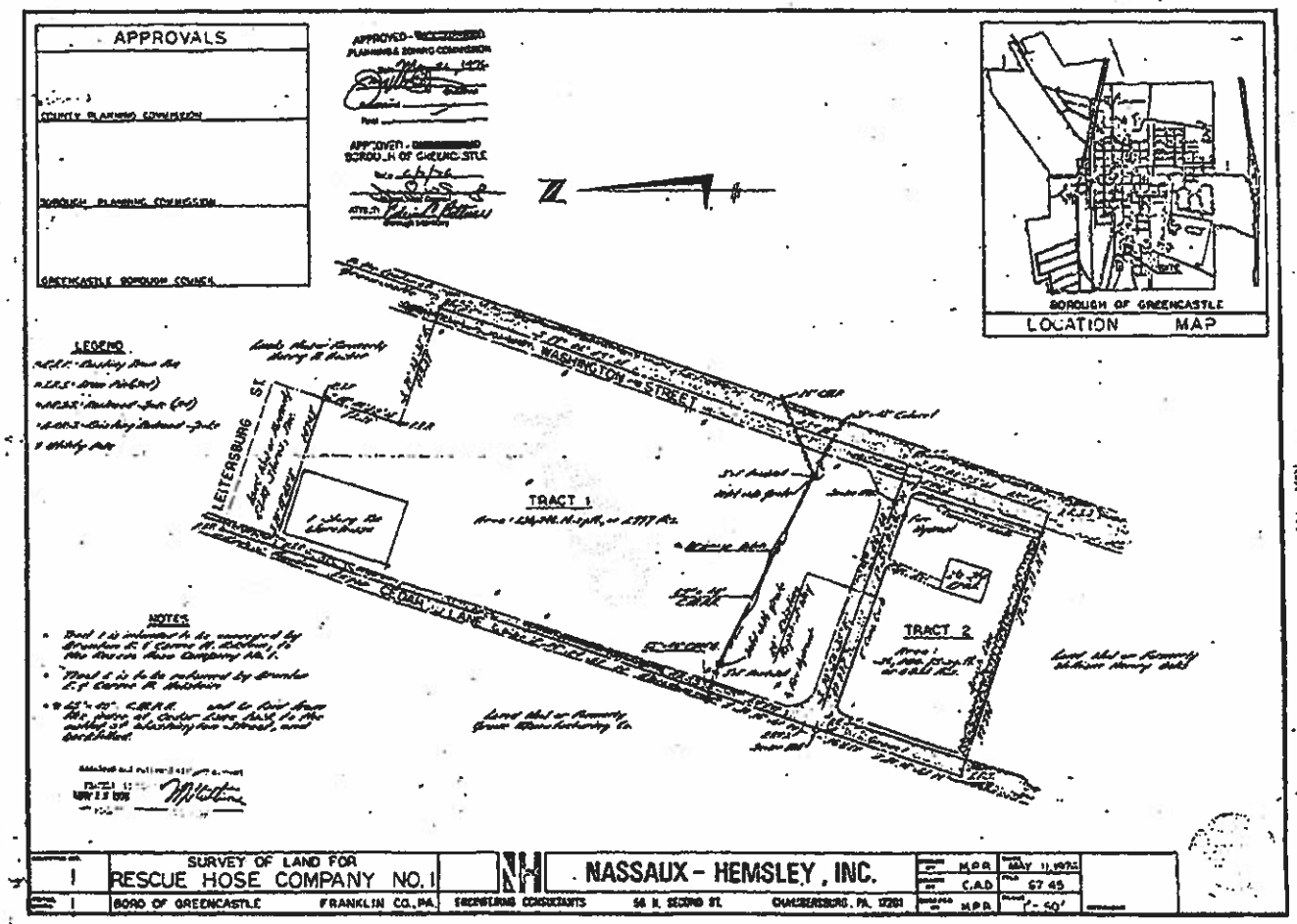
1. No manufacturing or industrial plant shall be erected on this real estate at any time.

2. During the lifetime of the Grantor, the Grantee, its successors and assigns, shall not permit any structures to be built on the land lying between the North side of Maple Avenue and the drainage ditch that runs through the above described real estate from South Washington Street to Cedar Lane, except for a fence around said land.

Form SCNLGL - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

FHA/VA Case No.

Legal Description - Page 3



Form SCNLGL - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

Legal Description - Page 4

And the said Grantor will warrant generally the property hereby conveyed, subject to the foregoing easements or rights of way and conditions, restrictions and reservations.

In witness whereof said Grantor has hereunto set her hand and seal, the day and year first above written.

Sealed and delivered in the presence of Carrie A. Holstein

Ruby M. Stouffer _____ Carrie A. Holstein (SEAL)

_____ _____ (SEAL)

Commonwealth of Pennsylvania } SS:
County of Franklin }

On this, the 10th day of July, 1976, before me, Ruby M. Stouffer, Notary Public, the undersigned officer, personally appeared Carrie A. Holstein, sole.

known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

In Witness Whereof I hereunto set my hand and official seal.

RUBY M. STOUFFER COMMONWEALTH OF PENNSYLVANIA NOTARY PUBLIC

Ruby M. Stouffer
Notary Public

My commission expires December 19, 1977

I maintain my office in the Borough of Greencastle, Franklin County, Pennsylvania

I do hereby certify that Grantee's precise residence is 48 South Carlisle Street, Greencastle, Pennsylvania 17225.

Witness my hand this 10th day of July, 1976

Rudolf M. Skertum
atty for Grantee

VOL 728 PAGE 1002

FHA/VA Case No.

Greencastle 400 00
400 00

No. 3799

DEED

Carrie A. Eolstein, sole,
Grantor

to

Rescue Hose Co. No. 1, Inc.,
Grantee
Paul Frost
174 Orchard Circle
Greencastle, PA
17225

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
REALTY TRANSFER TAX
PA 1276
PA 1276a
400.00

REALTY TRANSFER TAX
Greencastle-Antrim School District
Amount of tax received 400.00
For an Deeds Exemption
Director

ENTERED ON RECORD
Office of
JUL 12 1976
day of
GIDEON L. HARTMAN
Recorder for Franklin Co.
Tax
Fees
Recorder

Commonwealth of Pennsylvania
County of Franklin } SS:

Recorded in the office for Recording of Deeds, in and for the County aforesaid
Franklin in Deed Book 728 Page 1003 &c.

Witness my Hand and Seal of Office, this 12 day of July Anno Domini, 1976.

Gideon T. Hartman

Vol. 728 PG. 1003

Form SCHLOL - "TOTAL" appraisal software by a la mode, Inc. - 1-800-ALAMODE