

MILFORD TOWNSHIP

Certificate #: NC23-001

PO Box 366  
Milford, PA 18337  
(570) 296-5540

CERTIFICATE OF NON-CONFORMANCE

DATE: 02/27/2023 TAX ID #: 097.00-01-13.004 LOT #: N/A

ACREAGE: .902

PROPERTY OWNER: HOLGER & NADINE PLATE  
ADDRESS: 278 FOSTER HILL ROAD, MILFORD, PA 18337  
PHONE NUMBER: \_\_\_\_\_

NON-CONFORMITY: (LOT) (USE) (STRUCTURE/S) (SIGN) (OTHER: Use and Structure.)

DESCRIPTION OF NON-CONFORMITY:

**NONCONFORMING USE: 10 horses on a property less than 1 acre.**

**NONCONFORMING STRUCTURES: 10 stall horse stable over the front setback line. 8 additional animal structures exist on the property, 4 are within the front setback and one is within the rear setback. See map prepared by Land Surveyors Conrad, Close and Ewald dated May 11, 2021, drawing number 6166-F-PA. See affidavit signed on January 30, 2023.**

**PRESENT USE: Agricultural Use- The current use on the subject property is a private stable for 10 horses. Pursuant to section 413.1 of the Milford Township Zoning ordinance, private stables are permitted in any district subject to the following:**

- A. A minimum parcel of two (2) acres shall be required for the residence and stable. B. No more than two (2) horses shall be kept except that one additional horse may be kept for each additional one-half (0.5) acre of land.**
- C. One-hundred (100) square feet of stable building area shall be provided for each horse kept on the property where there is no existing natural or other shelter.**
- D. No stable building shall be located within thirty-five (35) feet of any adjoining property line and all manure storage areas shall be a minimum of seventy (70) feet from any adjoining property line.**
- E. All horses shall be restricted from grazing or intruding upon any adjoining property**

**The current property size is less than the minimum required by section 413.1. A building permit for the 10 horse stable currently occupying the property was issued in February of 1986 by Milford Township Supervisors. This permit pre-dates the 1986 Milford Township Zoning Ordinance which was adopted in July of 1986. The existing use does not conform to section 413.1, and qualifies as a non-conforming use.**

The existing 10 stall stable along with 4 animal shelters has been constructed over the front setback line, one animal shelter has been constructed over the rear setback line.. A building permit was issued for the construction of the 10 stall stable prior to the adoption of the 1986 Milford Township Zoning Ordinance. These buildings do not conform to the Schedule of District Regulations for setbacks and section 413.1 for private stables, and qualifies as nonconforming structures.

ZONING OFFICERS SIGNATURE: \_\_\_\_\_

PRINT NAME: SHAWN BOLLES

THIS FORM IS COMPLETED WHEN ALL OR PART OF THE LAND, USE, STRUCTURE/S, SIGN OR OTHER IS NOT IN COMPLIANCE WITH THE CURRENT ORDINANCES OF MILFORD TOWNSHIP

AFFIDAVIT

STATE OF PENNSYLVANIA    )  
  ) ss.:  
COUNTY OF PIKE         )

**Holger Plate and Nadine P. Plate**, (hereinafter referred to as "your Deponents") being duly sworn, being of full age and sound mind, depose and state the following:

1. That your Deponents are the owners of the premises at Foster Hill Road and shown on Lot Improvement Subdivision Map prepared for Plate and Shea by Conrad, Close & Ewald on May 11, 2021 drawing No. 6166-H-PA as Lot 2.
2. That your Deponents have made application to Milford Township to combine a portion of lands now owned by Repecki Living Trust formerly Rebecca Shea to Lot 2.
3. Lot 2 has been owned by your Deponents since February 18, 1986.
4. Some of the animal shelters have been on the land prior to your Deponents taking ownership of the land. At least two of the structures were placed on the property by your Deponents. All of the structures are prior to the adoption of the 1986 Milford Township Zoning Ordinance which we understand took effect in July of 1986.
5. The lands have been used for residential/agricultural purposes and your Deponents will continue to use solely for residential/agricultural purpose.
6. Your deponents make this Affidavit knowing that it will be relied upon by Milford Township in the issuance of a general non-conforming certificate to make the record clear that these non-conforming uses and structures pre-exist the ordinances and the Lot Improvement Subdivision Map referenced above.

Holger Plate

Nadine Plate

Sworn to before me this 30<sup>th</sup> day of January, 2023

Notary Public

Commonwealth of Pennsylvania - Notary Seal  
LARA ANNE DOODSWORTH, Notary Public  
Pike County  
My Commission Expires July 15, 2025  
Commission Number 1250706