

**Manheim Township Zoning Hearing Board Minutes**  
**Monday, March 4, 2013**  
**6:30 P.M.**

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Attendance:

Helen Adams	Absent
Patrick Trimble	Absent
David Wood	Present
Edward Hoover	Present
Gregory Strausser	Present
Jennifer Luciani	Present

Chairman David Wood called the Zoning Hearing Board meeting to order, by explaining the Zoning Hearing Board meeting process and announcing the agenda.

**Ronald Felpel**

**Case 13-06**

130 Lincoln Street, R-3 with T-6 Urban Neighborhoods Overlay

Caroline Hoffer, Ronald Felpel, John Thomas and Tandi Book were sworn in for testimony.

The Zoning Hearing Board approved party status to neighbors John Thomas and Tandi Book.

Caroline Hoffer, attorney for Ronald Felpel, distributed packets and discussed the history of the property and the three (3) unit apartment dwelling. Ms. Hoffer stated that no one knows when and if the dwelling was converted to a three (3) unit dwelling.

Ms. Hoffer stated that Mr. Felpel discussed his options to renovate the dwelling with the Manheim Township Code Compliance Department. Ms. Hoffer requested a modification of the application and requested the Zoning Hearing Board approve both a three (3) unit dwelling and a two (2) unit dwelling so he can decide which dwelling he can construct based on the cost of the renovations.

The Zoning Hearing Board approved the modification of the request by a vote of 4-0.

Ms Hoffer reviewed and discussed the variance requests for both a two (2) unit dwelling and a three (3) unit dwelling with the Zoning Hearing Board.

Neighbors John Thomas and Tandi Book voiced their concerns of the future renovations of the dwelling.

Mr. Strausser moved to approved all variances required for a 3 dwelling unit apartment building and all variances required for a 2 unit duplex dwelling, variances being as listed on the supplemental zoning variances required for dwelling units at 130 Lincoln Street as furnished this evening by the applicant. Ms. Luciani seconded the motion. The motion was approved 3-1 with Mr. Hoover dissenting.

**Josephine Miller and Ryan Miller**

**Case 13-08**

1610 Manheim Pike, I-1 Industrial and D-R Retrofit

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Angela Rieck, Bryan Miller and James Boyer were sworn in for testimony.

Attorney Angela Rieck explained the request to permit a jewelry store to occupy more than 35% of the 7,500 square foot building and to permit less than the required 37 parking spaces for the jewelry store.

There was a discussion regarding the size of the retail sales use within the building. Ms. Rieck requested a modification of the original request to state the whole building would be considered retail sales and request a variance to allow the retail sales use to exceed 5,000 square feet of the building. The Zoning Hearing Board voted on the request by a of 2-2 vote. The request modification did not carry the vote, so it was denied.

Ms. Rieck reviewed the proposed variances with the Zoning Hearing Board.

Mr. Miller explained the operation of the jewelry store which is currently operating in the Chelsea Square Shopping Center.

Mr. Strausser moved to approve the following: a variance of Section 1505.2.F.1.b. to permit retail sales to exceed thirty-five (35) percent of the total floor area of the building; a variance of Section 2002.4. to permit less than the number of required parking spaces for the proposed retail sales use; a variance of Section 2808 to allow on additional year from the date of the approval of the above reference variance to obtain permits for a total of 2 years and an additional year to complete construction of the improvements for a total of 3 years. In addition, the variances to be specific and applicable to the use of the property as jewelry store with no less than 28 parking spaces. Mr. Hoover seconded the motion. The motion was approved 3-1 with Mr. Wood dissenting.

### **McDonalds USA LLC**

1434 Manheim Pike, B-4 Retrofit Zoning District

**Case 13-09**

Ambrose Heinz and Michael Jeitner were sworn in for testimony.

Mr. Heinz explained the property location and existing improvements on that property. Mr. Heinz distributed booklets to the Zoning Hearing Board. In addition, he explained the requested variances for the proposed signs and drive though lane..

Mr. Heinz reviewed the variances with the Zoning Hearing Board.

Mr. Jeitner explained the proposed changes to the property regarding the drive though lane and the signs.

Mr. Strausser moved to approve the following: a variance of Section 1805.2. Table 2 Part A to permit four freestanding signs in lieu of the maximum one freestanding sign; a variance of Section 1805.2. Table 2, Part A to permit 133.4 square feet of freestanding signage instead of the required 120 square feet; a variance of Section 1805.2. Table 2 Part B and 1802.15 to permit

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two incidental signs with logo in lieu of the maximum one sign with logo per entrance and a maximum of 4 square feet per sign; a variance of Section 2008.2. to allow an aisle width less than the required twenty feet adjacent to 60 degree parking stalls as long as that aisle width is a minimum of 19.8 feet; a variance of Section 2013 not to install a bike rack. Ms. Luciani seconded the motion. The motion was approved 4-0.

### **Oregon Pike Partners**

**Case 13-10**

1693 and 1697 Crown Avenue, B-3 Business and D-R Retrofit Overlay

Caroline Hoffer, Charles Mayo, Donna Deerin Ward, Donna and Guy Yelley were sworn in for testimony.

The Zoning Hearing Board approved party status by vote to all adjoiningers to the property.

Ms. Hoffer explained the applicant request to permit the construction of an access driveway on the common property line of lot 3 and lot 4 between two proposed office buildings. She then explained that this request is similar to a prior approved Zoning Hearing Board request on lots 1 and 2 which has been constructed.

Ms. Hoffer distributed booklets and explained the proposed variances.

There were concerns from the audience regarding cut through traffic and lighting from the signs of the Patient First business and future parking lot lights.

Mr. Strausser moved to approve the following: a variance of Section 2506.1.C. to permit the proposed common access drive to encroach within the required 10 foot side yard setback along the common property line between lot 3 and lot 4; a variance of Section 2506.3. to permit more than 2 foot candles of light to emanate over the common property line between lot 3 and lot 4; a variance of Section 2511.2. to permit the proposed common access drive to encroach within the required 10 foot planting strip along the common property line between lot 3 and lot 4; a variance of Section 1304.2.H.5.e. to permit the proposed common access drive to encroach within the 20 foot perimeter buffer along the common property line between lot 3 and lot 4. Ms. Luciani seconded the motion. The motion was approved 4-0.

The meeting was adjourned at 9:47 PM. The next regularly scheduled meeting will be held on Monday, April 1, 2013 at 6:30 P.M.