

Manheim Township Zoning Hearing Board Minutes
Tuesday, January 5, 2016
6:30 P.M.

Attendance:

David Wood	Present
Greg Strausser	Present
Jennifer Luciani	Present
David Beyer	Present
Patrick Trimble	Present

Solicitor Neil Albert opened the re-organization meeting for the Manheim Township Zoning Hearing Board. Mr. Albert requested a motion to elect a chairman of the Manheim Township Zoning Hearing Board. Mr. Strausser moved to elect David Wood as chairman. Ms. Luciani seconded the motion. The motion was approved 4-0 with Mr. Wood abstaining. The gavel was passed to Chairman Wood. Mr. Wood requested a motion to elect a Vice-Chairman of the Manheim Township Zoning Hearing Board. Ms. Luciani moved to elect David Beyer as the Vice-Chairman of the Board. Mr. Strausser seconded the motion. The motion was approved 4-0 with Mr. Beyer abstaining.

Chairman David Wood called the regular meeting to order, requested a roll call and explained the meeting process and announced the agenda.

Shawn Kreider
169 Buch Avenue, R-2 Residential

PLZHB16001

Shawn Kreider, David Kreider, Shannon Cooper, David Landis, Chris Herr and Dale Fulmer were sworn in for testimony.

Shawn Kreider began his testimony by stating that he stores the equipment for his lawn care business on this property. He was told he could not do that any longer. Mr. Kreider stated that he wants to continue to operate the lawn care business from this property.

Mr. Kreider explained he is requesting 3 variances to continue his business that has been operating on this property for 20 years. He explained the operation of the business. The lawn care equipment is stored on the property and his employees drive to the property and park their vehicles on the property, pick up the business trucks and equipment to transport to jobs off site. Mr. Kreider explained that the business services are lawn mowing, mulching, shrub trimming, general property maintenance, snow removal and fertilizing.

Mr. Kreider described the equipment used in his business which includes lawn mowers, trucks, trailers, hand tools and weed whackers.

The requested variances were discussed regarding outside storage of mulch, square footage of the requested home occupation, employees visiting the property and parking their vehicles on the property.

Several neighbors testified in support of the lawn care business operating on this property.

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Mr. Beyer moved to approve the following: a variance of Section 2110.3.A to permit the employees of the proposed lawn care minor home occupation to visit and park on the property during the course of business; a variance of Section 2110.3.C. to permit the proposed lawn care home occupation to occupy more than 400 square feet of floor area for the office and storage areas; a variance of Section 2110.3.E. to permit the storage of mulch used by the lawn care home occupation outside of the structure and stored on-site. Ms. Luciani seconded the motion. The motion was approved 5-0.

Joseph Cuciniello
266 Kingsbridge Drive, R-1 Residential

PLZHB16002

Joseph Cuciniello, Theresa Cuciniello, Jim Schlemmer, Jr., Kenny Mason, Ron Belsterling, Julie Belsterling, John Shetromph, and Jenny Shetromph were sworn in for testimony.

Mr. Cuciniello explained his request and that he needs the requested variance because it would be a hardship to move the foundation of the shed because of financial reasons. Mr. Cuciniello is requesting a variance to allow his shed to encroach within the front yard building setback.

Mr. Maurer distributed a photograph of Mr. Cuciniello's shed and foundation.

The requested variance was discussed regarding the shed and foundation encroaching within the front yard building setback.

Mr. Cuciniello stated that he marked the location where the shed was to be placed on his property and the contractor placed the shed in the wrong location.

The neighbors voiced their concerns regarding the location of the shed because of esthetics and it would lower the property values in the neighborhood.

Neighbor John Shetromph disputed the measurements of the shed location shown on the submitted site plan. He stated his measurements were different. Mr. Maurer explained that he made the measurements and explained how the measurements were made.

Mr. Strausser moved to deny the request for a variance of Section 2103.3 to permit a shed and foundation to encroach within the front yard building setback. Mr. Beyer seconded the motion. The motion was approved 5-0.

Manbel Devco LLP
1589-1593 Fruitville Pike, R-3 Residential and T-4 Urban Neighborhoods Overlay

PLZHB16003

Attorney Bernadette Hohenadel explained that the request is for a time extension of variances that were granted in February of 2015. There were 4 variances that were granted regarding the floodplain.

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Ms. Hohenadel explained that the variance requests are for the Belmont development. The variances are for an additional year to pull permits and an additional year to finish the construction of the Belmont development. The justification is that it is taking more time to process the permits that are required.

Ms. Luciani moved to approve a variance to permit a time extension of variances granted in Case PLZHB15005 on February 3, 2015 for an additional 12 months to obtain permits and begin construction by February 3, 2017; and in addition, it will be 1 year to complete the work in the floodplain related to the variances. Mr. Trimble seconded the motion. The motion was approved 5-0.

**Lancaster Country Day School
725 Hamilton Road, R-2 Residential**

PLZHB16004

Caroline Hoffer, Steve Lisk, Mark Henise, Tom Porsch, Brent Detter and Benedict Dubbs were sworn in for testimony.

Ms. Hoffer distributed site plans of the school property showing the proposed project.

Ms. Hoffer explained that this proposal is a modification of the plan approved last year. She explained the history of the property and the proposed project.

Ms. Hoffer explained that this request is for a special exception to expand the school building, construct a new wing for athletics and a theater space. The building foot print is expanding and will also create a new driveway from Clay Street.

Ms. Hoffer described the requested variances regarding the height of the theater fly space and a time extension.

Mr. Lisk explained that this new plan does not increase the student number of the school and 36 additional parking spaces will be created.

Referencing the floor plans and elevation plans, Mr. Dubbs described the building expansion and design. Mr. Dubbs explained that the fly space is a space above the stage to store scenery for the plays. The fly space is necessary for the project and is consistent with other schools.

Referencing the distributed site plans, Mr. Detter explained the property location, dimensions and proposed property improvements.

Mr. Henise explained the traffic study that was conducted for this project. Mr. Henise stated that no new traffic is expected, the students and faculty will use the north parking lot, and the traffic effect on the neighborhood will not change.

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Ms. Hoffer discussed the special exception and variance criteria for this request. Ms. Hoffer stated that there are no adverse effects on the parking, public utilities and health and safety on the neighboring properties.

Mr. Trimble moved to approve the following: a special exception in accordance with Section 803.2. to permit an addition to the existing Elementary and Secondary school buildings; a variance of Section 806.1. to permit the half fly space for the theater to exceed thirty-five (35) feet in height; a variance of Section 2808.1. to permit a time extension to obtain permits and complete construction; extension will be eighteen (18) months from today's approval to start construction and thirty-six (36) months from today's approval for completion of phase one (1) and then sixty (60) months for completion of phase two (2) which will be the theater addition, also the two previous conditions from the January 2015 approval be added to this as per the testimony presented here this evening.

The meeting was adjourned at 8:50 PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Monday, February 1, 2016.