

Manheim Township Zoning Hearing Board Minutes
Monday, August 1, 2016
6:30 P.M.

Attendance:

David Wood	Absent
Greg Strausser	Present
Jennifer Luciani	Present
David Beyer	Present
James Stephens	Present
Patrick Trimble	Absent

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

Oregon Dairy **PLZHB16198**
1289 Creek Road, B-4 Business and T-5 Oregon Village Overlay

Caroline Hoffer Esq., Victor Hurst of Oregon Dairy and Justen Russell of Rettew were sworn in for testimony.

Ms. Hoffer described the property location referencing a site plan of the area, and explained the request. The property was rezoned from R-3 residential to B-4 Business. Ms. Hoffer stated that the request is for a special exception for a commercial recreation use to operate a corn maze and hayride in the field and barn and also use the barn for weddings and line dancing.

Mr. Russell described the property and surrounding area and reviewed aloud the area and bulk section of zoning ordinance for compliance of the property. He also explained the location of the proposed 120 foot by 500 foot area to park cars for the aforementioned events. Mr. Russell stated that the proposal is to park the cars on the grass and in part of the hay field.

Mr. Hurst explained the operation and locations of the proposed corn maze, hayrides, weddings and dancing.

Mr. Hurst stated that this property is not served by public water and sewer so portable restrooms and NSF approved water tanks will be used for the water and sewer needs of the events.

Ms. Hoffer explained the requested variances regarding parking on the grass, no public water and sewer, and landscape screen in front of the parking area.

The Board voiced concerns regarding the amount of traffic these events would produce, creating a fire hazard to allow cars to park on the grass and the safety of using the barn for weddings and dancing events.

There was a discussion of where the parking would be located on the property for the events.

There was an executive session.

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Mr. Hurst stated that he will withdraw the request of using the barn for weddings and line dancing events.

Mr. Strausser moved to approve the following: a special exception in accordance with Section 1403.2. for a commercial recreation facility, to permit the fields and barn on the property to be operated for the corn maze and hayrides, to be used for events related to the corn maze and hay rides as seasonal activities; a variance to Section 1406.2.B.1. to permit no public water and sewer service on the property and allow the aforementioned uses to be served by temporary bathroom facilities and for water be provided via NSF approved bulk water dispensers; a variance of Section 2007 to permit parking to occur on the existing grass and dirt field, not providing an all-weather durable and dustless surface, on the property located on the north side of the private driveway between the barn and grocery store during the aforementioned uses; a variance to Section 2512.3.A. to eliminate the requirements of a planting screen between the parking area and adjoining street rights of way; conditioned on the aforementioned uses being permitted between the dates of August 1 and November 30 inclusive, with an additional condition that the aforementioned uses cease operations at 10:00PM. Mr. Stephens seconded the motion. The motion was approved 4-0.

Factory Sports Lounge LLC

PLZHB16199

2520 Lititz Pike, B-2 Business, R-3 Residential and T-5 Neffsville Overlay

Mark Campbell, Eric Perrone, and Joseph Turnowchyk were sworn in for testimony.

Mr. Campbell described the property and explained the project to expand the building and parking for the Factory Sports Lounge restaurant.

Mr. Campbell explained the several proposed variance requests. He also stated that two properties will be combined with this project.

Mr. Campbell explained that a total of 93 parking spaces will be provided and the seats for the restaurant will increase from 128 seats to 186 seats. A rooftop deck will be constructed with this project.

Ms. Luciani moved to approve the following requests: a variance of Section 1204.2.B.3.b.ii. to permit the lot width to be less than 100 feet at the minimum building setback along Buch Avenue; a variance of Section 1204.2.B.5.c. to permit the proposed building addition to encroach into the 75 foot rear building setback requirement from a residential zoning district; a variance of Section 1204.2.B.5.e. to permit the proposed parking expansion to encroach within the required 6 foot perimeter buffer along Lititz Pike; a variance of Section 2005.1. to permit a portion of the proposed parking expansion to be located on a different lot with the condition that the two properties be combined through a recorded deed of combination through the recorder of deeds office; a variance of Section 2005.2. to permit a portion of the proposed parking expansion to be located in a different zoning district than the use they serve; a variance of Section 2005.3. to permit the access to the parking lot to be in a different zoning district; a variance of Section

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2005.4. to permit a portion of the parking space expansion to encroach within the required 10 foot setback from the Lititz Pike street right of way; a variance of Section 2005.5. to permit the proposed parking lot expansion to encroach within the required rear and side yard 75 foot setback from the residential zoning district; a variance of Section 2512.3.A. to permit a portion of the 10 foot planting strip to be less than ten feet along Lititz Pike; a variance of Section 2512.3.C.3. not to provide a landscape island at the parking spaces along Lititz Pike; a variance of Section 2808 accepting the time frames of two (2) years from the date of approval (tonight) to obtain the necessary permits and 3 years from the date of approval (tonight) to complete construction. Mr. Stephens seconded the motion. The motion was approved 4-0.

**Wolf Motor Company d/b/a Chapman Ford of Lancaster
1485 Manheim Pike, B-4 Business, D-R Retrofit Overlay**

PLZHB16200

Randy Chapman, Paul Artale and Caroline Hoffer Esq. were sworn in for testimony.

Ms. Hoffer distributed a list of previously approved variance requests from the prior November 2015 hearing, comparing them to the new requested variances for this hearing.

Ms. Hoffer explained that the plan has changed from the November hearing. There will be only alterations done to the existing recon building and other building on the property. There will be no new building construction. Ms. Hoffer explained the building alterations. The properties were purchased. Chapman Ford decided to downsize the project to be more affordable..

Ms. Hoffer stated that the Chapmans must meet the Ford Company requirements regarding the building facade and signs. She distributed photographs of the proposed building façade changes.

Referencing the site plans, Mr. Artale explained the property layout of the project and described the variances required for this project. Mr. Artale stated that a new variance to regrade the riparian buffer is needed and was not included in this application.

Ms. Hoffer made a request to amend application to add a variance to Section 2403.4.B.3. to permit minor regrading of the riparian buffer. Mr. Strausser moved to approve the request, Ms. Luciani seconded the motion. The motion was approved 4.0.

Ms. Hoffer distributed a chart showing the proposed new signs comparing the proposed sign changes to the prior sign approval. Ms. Hoffer described the new requested signs and explained the sign variance requests. She also compared the changes from the sign request of the prior November hearing. Ms. Hoffer stated that the new sign request proposes a total of 489.76 square feet of total sign area which is a reduction of the prior sign request of 683.50 square feet.

Mr. Strausser moved to approve the following requests: a variance of Section 1405.2.J.5.a. and Section 2213. to permit the existing storage building and a proposed trash facility pad to encroach within the fifty (50) foot front yard building setback along Route 283 and to permit the existing showroom and service building to encroach within the fifty (50) foot front yard building

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setback along Manheim Pike; a variance of Section 1405.2.J.5.e. to reduce the perimeter buffer width along Manheim Pike within the area proposed for a vehicle display area and a variance to waive the perimeter buffer requirement in front of the customer parking area in front of the showroom building adjoining Manheim Pike and within the area adjoining the south entrance drive; a variance of Section 2512.2.A. to waive the ten (10) foot planting strip requirement where customer parking area is located on Manheim Pike and the area adjoining the south entrance drive; a variance of Section 2512.3.A. to waive the landscape screen requirement along the Manheim Pike street right-of-way customer parking area and in the area adjoining the south entrance drive; a variance of Section 2408.3.A. Appendix A, Section 14.3 to reduce the sidewalk width along Manheim Pike; a variance of Section 2507.4. to permit a waste facility to be located within the front yard building setback along Route 283; a variance of Section 2512.3.C. to waive the requirement of landscape islands for portions of the property including the floodplain area; a variance of Section 1806.2.Table 2 Part A to permit two additional freestanding signs on the property, to permit one freestanding sign along Route 283 to exceed the maximum size and maximum height requirements, to permit total building signs to exceed 200 square feet and to generally approve the signage in a manner that is consistent with the testimony offered; a variance of Section 2808.1. to permit a time extension for obtaining permits and completing construction as requested by the applicant: a variance 2403.4.B.3 approving the regrading or disturbance of a riparian buffer which permits the area adjoining the existing channel on the south side of the property to be regraded and modified. Ms. Luciani seconded the motion. The motion was approved 4-0.

The meeting was adjourned at 9:04 PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Tuesday, September 6, 2016.