

Manheim Township Zoning Hearing Board Minutes
Monday, December 4, 2017
6:30 P.M.

Attendance:

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

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

Melvin Petersheim **PLZHB17263**
662 Integrity Drive; R-1 Residential

Mr. Wood explained the last meeting requests and issues of this case to Mr. Petersheim, and explained the Board's issues of the request from last meeting suggesting that Mr. Petersheim hire a professional to present his case.

Mr. Petersheim responded that the same people will live in the accessory dwelling unit and that he did not hire an attorney because he decided that he did not need one. In addition, he stated that the property has public sewer and uses a water well.

Mr. Wood explained the problems with Mr. Petersheim's request regarding the owner not occupying either main house or the proposed accessory dwelling unit, cannot approve renters in the accessory dwelling unit, the accessory dwelling unit proposed larger than 1,000 square feet and the person occupying the proposed accessory dwelling unit is not handicapped or elderly.

Mr. Strausser moved to deny the request for a special exception in accordance with Section 2515.2. to permit an accessory dwelling unit on the second floor of a detached garage; a variance of Section 2515.2.A.6 to permit the proposed accessory dwelling unit to exceed 1,000 square feet. Ms. Luciani seconded the motion. The motion was approved 5-0.

High Hotels Ltd. **PLZHB17265**
1450 Harrisburg Pike; I-1 Industrial and PCD

Caroline Hoffer, Ken Hornbeck, Russ Urban and Ross Ansel were sworn in for testimony.

Ms. Hoffer explained that the property owner, High Hotels, Ltd., wants to build a hotel in the Crossings at Conestoga Creek, then explained that the zoning ordinance only allows 200 square feet of building signage and High Hotel is requesting to place 319 square feet of signs on the proposed hotel for all four (4) sides of the building.

Mr. Hornbeck identified the uses in the Crossings development, described the location of the property, explained the hotel frontage on Farmingdale Road and Harrisburg Pike, explained the

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four (4) separate condominium units in the development, requesting the minimum relief possible because of the large distance of the hotel from Rt. 30 at 700 feet and Harrisburg Pike at over 1,000 feet and Crossings Blvd at 1,200 feet.

High Hotel President, Mr. Urban, described the hotel business and stated the following: This a unique site which has four sides and it is important to be seen on all four sides and new guests needs visibility of the hotel. This is a Marriot franchise which has standards for its signs and buildings and this request is the minimum size of the Marriott standard.

Referencing elevation and sign plans, Architect Mr. Ansel, explained the sign locations on the proposed building with signs on all for (4) sides of the building. Mr. Ansel then stated that the proposed signs are small compared to the building and are larger than Township standards.

Mr. Ansel further explained that the building will be 5 stories and signs would be 30 feet above Toys-R-Us and explained the line of sight to the streets.

Ms. Hoffer closed testimony by stating the zoning ordinance allows 200 square feet per tenant space which would be more than the requested 319 square feet of sign area.

Mr. Beyer moved to approve a variance of Section 1806.2. Table 2 Part A to permit the total building signs to exceed 200 square feet per tenant; a variance of Section 2808.1. to permit a time extension for obtaining permits and commencing the project to extend the time period to obtain permits to 18 months from zoning approval and to extend the date for completion of the installation of the signs to 36 months from the date of zoning approval, including to complete construction of the Hotel. Mr. Strausser seconded the motion. The motion was approved 5-0.

Yoan Henriquez
450 Belair Drive; R-2 Residential

PLZHB17333

Chairman Mr. Wood called for the applicant Yoan Henriquez and no one responded. Mr. Wood stated that he will skip the case for later time to allow the applicant to arrive.

Later in the meeting Mr. Wood called for Mr. Henriquez a second time. Mr. Wood suggested to continue this case until the January 2018 Zoning Hearing Board meeting. Mr. Strausser moved that this case be moved to the Wednesday January 3, 2018 Zoning Hearing Board meeting for testimony. Ms. Luciani seconded the motion. The motion was approved 5-0.

Daniel Stoltzfus
1416 East Oregon Road

PLZHB17334

David Stoltzfus was sworn in for testimony.

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Mr. Stoltzfus explained that he wants to build a small pole barn stable for his horse. The stable would not meet the setbacks in the zoning ordinance. The distance needed is 100 feet and Mr. Stoltzfus is requesting 20 feet from the property line. The property is surrounded by farm fields, and the closest dwelling is 300 feet away. Because there is flood plain on the other side of the property, this is the only place to place the stable. This property is not a farm and is only 2.5 acres.

Neighbor Ruth Tarmos explained that Mr. Stoltzfus' property is accessed by a shared stone lane which goes through her property. Ms. Tarmos is concerned with shared maintenance of the lane because of his horse. Mr. Stoltzfus stated that he will share the costs of the lane maintenance.

Ms. Tarmos stated she was concerned with manure storage and horse droppings.

Mr. Stoltzfus stated that he does not need a manure storage facility because he only has one horse.

There was a discussion on the need of a manure storage facility and whether or not to leave manure facility in the request.

It was decided that according to the zoning ordinance, Mr. Stoltzfus would be allowed two horses and that the manure facility should remain in the request.

Mr. Stoltzfus stated that he will remove the manure from the barn and take it to his in-laws and spread it in their fields.

Mr. Strausser moved to approve a variance of Sections 2101.3. and 2101.4. to permit a pole barn horse stable and manure storage facility to encroach within the setback requirements. Ms. Luciani seconded the motion. The motion was approved 5-0.

**TC Business Lancaster LLC / DBA Orange Theory Fitness
1655A Lititz Pike; B-4 Business and D-R Retrofit Overlay**

PLZHB17335

Ted Clements was sworn in for testimony.

Applicant, Mr. Clements, explained that Orange Theory Fitness is a class based workout facility with up to 24 people in the morning class and 12 people in the afternoon class. Mr. Clements explained the operation of the class. Personal instructors will operate the classes. It is an international business and is community based. Changing rooms and showers will be available for use.

Seth Hiller, attorney for the applicant, explained that he is requesting a special exception for this use in the Lancaster Shopping Center and unit 18A tenant space will be used.

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Mr. Hiller explained the special exception criteria regarding no adverse effects regarding water, sewer, police, fire protection and health and safety. This use is in the best interest of the Township.

Mr. Clements stated that he is fine with the hours of operation of 5:00 to 8:00 Monday through Friday and 6:30 to 6:00 Saturday and Sunday.

Ms. Luciani moved to approve a special exception in accordance with Section 1403.2. to permit the National Fitness Franchise business to operate as a commercial recreation facility at the Lancaster Shopping Center. Mr. Beyer seconded the motion. The motion was approved 5-0.

Environmental Recovery Corporation

PLZHB17337

1116 Manheim Pike; I-2 Industrial and T-6 Urban transition Overlay Area

Amanda Groff and Peter Haiges were sworn in for testimony.

Ms. Groff explained the following: the Environmental Recovery Corporation (ERC) owns two properties which are located within the I-2 zoning district and the T-6 Urban Transition Overlay. A house was demolished on a separate lot and will be combined with the 1116 Manheim Pike property. The 1116 Manheim Pike building will house the ERC office which is being moved from another property.

Ms. Groff explained the request regarding a variance of the building setbacks. The access will be removed from Manheim Pike.

Mr. Haiges explained that the paving in front of the building will be removed and landscaped along Manheim Pike. Four off-street parking spaces will be placed along North West End Avenue.

Neighbors, Lucy Lathan, asked the use of the building. Mr. Haiges explained that only a corporate office and an expanded laboratory will be in the building.

Ms. Luciani moved to approve a variance of Section 1604.2.F.5.a. 1604.2. F.5.b. and 1604.2.F.5.c. to permit building encroachment within the front yard, side yard and rear yard building setbacks. Mr. Beyer seconded the motion. The motion was approved 5-0

The meeting was adjourned at 8:10 PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Wednesday, January 3, 2018.