

Manheim Township Zoning Hearing Board Minutes
Monday, October 1, 2018
6:30 P.M.

Attendance:

David Wood	Present
Greg Strausser	Present
David Beyer	Present
James Stephens	Absent
Matthew Wolf	Present
Patrick Trimble	Present

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

Lancaster Bible College **PLZHB18252**
901 Eden Road, Institutional

Mr. Wood announced that the Zoning Hearing Board has received a written request from Lancaster Bible College to continue this case to the next Zoning Hearing Board meeting on Wednesday, November 7, 2018.

Mr. Strausser made a motion to continue this case to the November Zoning Hearing Board meeting.

Mr. Beyer seconded the motion. The motion was approved 5-0.

RV Holdings **PLZHB18262**
3001 Oregon Pike, B-3 and T-5 Oregon Village Overlay

Caroline Hoffer, John Schick, Joel Young, Victor Hurst and Jerry Horst were sworn in for testimony.

Ms. Hoffer began by explaining that Oregon Village project was at the Zoning Hearing Board in September 2016 for variances which were approved, the same variances are being requested as in 2016 with this request. A conditional use has been filed with the Commissioners for Oregon Village. Ms. Hoffer stated that variances are being requested regarding setbacks from Oregon Pike and Rt. 222 and interior clear site triangle reductions for the former Shawnee property.

Ms. Hoffer questioned planning engineer Joel Young and traffic engineer John Schick regarding the setback and clear site triangle variance requests.

Mr. Young described the location on the map of the property and explained why the variance regarding the setbacks of Oregon Pike and Rt. 222 should be approved. Mr. Young explained further that the 20 foot setback variance request should not be a problem because the Rt. 222 right of way is 100 feet from the property line and there is a 20 foot vertical height change at Rt. 222. The other buildings north on Oregon Pike are closer to the right of way than this projects request of a 25 foot setback. Mr. Young stated that this is a narrow lot and this parcel will be constructed consistent with the T-5 Oregon Village Overlay Zoning.

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Mr. Schick explained the clear site lines at the intersections with the 75 foot clear site triangle and stated that the 75 foot clear site triangle will not pose a safety problem in this project.

Ms. Hoffer requested a time extension to be consistence with the time line of the conditional use approvals.

Mr. Strausser moved to approve the following: a variance of Sections 2202 to modify the clear site triangle requirements from 100 feet to 75 feet at 4 street intersections within the RV Holdings property; a variance of Section 2213 to reduce the building setback requirement on the RV Holdings property adjoining U.S. Route 222 from 50 feet to 20 feet and to reduce the building setback requirement on the RV Holdings property adjoining Oregon Pike from 40 feet to 25 feet; a variance from Section 2808.1. to permit a time extension for obtaining permits and commencing and completing the project to coincide with the time limits which will be set forth in a possible conditional use approval conditioned upon receipt of the conditional use approval. Mr. Wolf seconded the motion. The motion was approved 5-0.

Lester Heiser Jr.
2370 Lititz Pike, R-2 Residential

PLZHB18269

Lester Heiser Jr. was sworn in for testimony.

Mr. Heiser explained that he wants to construct a garage addition to the existing garage and attach it to the house. The garage would be 5 feet from the north property line.

Mr. Heiser displayed photographs of all the property lines and stated that he spoke with the neighbors about this project and they did not have any concerns with this project.

Mr. Heiser stated that he will store classic cars and a recreational vehicle in the proposed garage.

Mr. Heiser was questioned why he must place the garage so close to the north property line. He stated that driveway space is needed for vehicle turnarounds and to back his 35 foot recreational vehicle into the garage.

Mr. Strausser moved to approve the variance of Section 805.2.B.3.d.ii. to permit a proposed garage addition to encroach within the side yard building setback. Mr. Beyer seconded the motion. The motion was approved 4-1 with Mr. Trimble dissenting.

John W. Miller III MD and Angela W. Miller
875 Lititz Road, R-1 Residential

PLZHB18270

Robert Meisl, John Miller MD and Angela Miller were sworn in for testimony.

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Referencing the site plan and photographs of the property Mr. Meisl began by explaining the project. The existing two car garage which encroaches within the Lititz Road right of way would be removed.

A front loaded three car garage will be combined with a storage barn is proposed to be built 24 feet from the Lititz Road street right of way. A variance is requested for the garage to encroach within the 40 foot front yard setback requirement and the 30 foot front yard building setback requirement of the R-1 zoning district.

Mr. Meisl stated that the reason the variance is needed is because the Millers do not want to encroach the drip line of the large sycamore tree and destroy the roots.

There was a discussion regarding repositioning of the garage and barn. Mr. Meisl stated that he is trying to keep the disturbance of the tree to a minimum.

Mr. Strausser moved to approve a variance of Section 2102.8. to permit the proposed detached private front loaded garage to encroach within the 40 foot front yard setback requirement; a variance of Section 705.2.B.2.d.i. to permit the proposed detached private garage to encroach within the 30 foot front yard building setback required in the R-1 zoning district. Mr. Wolf seconded the motion. The motion was approved 5-0.

Dale Weaver
3001 Lititz Pike, Institutional

PLZHB18271

Mr. Weaver was sworn in for testimony.

Mr. Weaver explained the project to construct a wall at the corner of Airport Road and Lititz Pike to match the airport wall at Sheetz.

Mr. Weaver stated the following: The proposed wall will be placed in the flood plain. A conditional use was approved by the Commissioners to place fill in the floodplain. A development sign is proposed to be placed on this wall to identify the property. The sign on a wall at the south entrance of the Brethren Village will be removed and placed on this wall. The sign will be the same size as the removed sign at 10 feet by 3 feet 6 inches.

Mr. Beyer recused himself from voting because he works for Mula Architect.

Mr. Strausser moved to approve a special exception in accordance with Section 1804.11. to permit a freestanding sign to be placed within the floodplain; a variance of Section 1805.2. Table 2 Part B and Section 1806.7. to retain 4 development signs for the Brethren Village site and for the sign not to exceed a square footage of 10 foot by 3 foot 6 inches.

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Jeanne Jackson
875 Parkside Lane, R-3 Residential

PLZHB18272

Jeanne Jackson, Jason Nolt, and Hannah Jackson were sworn in for testimony.

Jeanne Jackson distributed a drawing of the project. She stated that there is an existing cedar deck which is rotting. The existing deck which violates the current zoning requirements will be replaced with the new proposed deck. The new deck will be built seven feet within the 35 foot rear yard building setback. A tea room will be built partially on the deck and will encroach 4 feet further into the setback than the deck.

There was a discussion and explanation of a tea room.

Jeanne Jackson stated that the total distance of the deck and tea room will be 24 feet from the rear property line.

Contractor Jason Nolt explained that there will be pavers placed on the deck and a tea room is similar to a screened gazebo.

Mr. Beyer moved to approve a variance of Section 2206.2.B. and Section 2106 to permit the proposed deck and patio to encroach within the 35 foot rear yard building setback as per the testimony of this hearing. Mr. Strausser seconded the motion. The motion was approved 5-0.

The meeting was adjourned at 8:45 PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Wednesday, November 7, 2018.

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