

Manheim Township Zoning Hearing Board Minutes
Monday, October 4, 2010
6:30 P.M.

Attendance:

Michael Winters	Present
Patrick Trimble	Present
David Wood	Absent
Edward Hoover	Present
Robert Byram	Present
Helen Adams, Alternate	Present

Vice Chairperson Patrick Trimble opened the Zoning Hearing Board meeting, requested a roll call, explained the Zoning Hearing Board meeting process, and announced the agenda. Alternate member Helen Adams was seated in place of the absent David Wood.

Fast Signs on behalf Mennonite Home Communities
IN, 1520 Harrisburg Pike

Case 10-47

Angela Allison was sworn in for testimony.

Mr. Trimble asked Ms. Allison if Mr. Hoover could participate and vote in this case since he was absent from the September meeting. Ms. Allison agreed to allow Mr. Hoover to participate and vote in this case.

Ms. Allison began by explaining that the request was modified for a variance to permit an incidental sign of 16.6 square feet. Ms. Allison stated that 2 square feet is too small to see the lettering from the Park City traffic light. This sign will direct vehicles to the other end of the property.

Ms. Allison displayed a the actual size of a 2 square foot paper sample sign at the rear of the room and displayed the 16.6 square foot sign to show the Board the size difference.

Mr. Byram stated that the sign square footage should not include the address number on the sign. Ms. Allison determined that the proposed sign would actually be 10 square feet if the address number was not included in the calculation.

Mr. Winters moved to approve a variance to section 1802.14. and section 1805.2. Table 2 Part B to permit an incidental sign larger than 2 square feet single sided facing Harrisburg Pike at the entrance at light intersection meant to direct vehicular traffic consistent with the testimony and exhibits presented before the Board this evening, with the actual dimension of the sign not to exceed 16 square feet. Ms. Adams seconded the motion. The motion was approved 5-0.

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Landis Valley Partners

B-3, 2363 Oregon Pike

Case 10-48

Caroline Hoffer, Donna Deerin-Ward, David Marshka and Melissa Kelly were sworn in for testimony.

Ms. Hoffer, attorney for the applicant, explained that a building permit was approved and issued for a CVS Pharmacy building and then was constructed. The plans for the building included some lighting under the soffit at certain areas around the building. A temporary Certificate of Use and Occupancy permit was issued for the building. During the inspection of the building, the building inspector noticed the light along the roof line of the building and reported the lights to the zoning officer. The zoning officer determined that the lights are in violation of the zoning ordinance. Therefore, the applicant is requesting an appeal of the zoning officer's decision. The applicant does agree that this lighting outlines the building. The intent of the lighting is to illuminate the sidewalk below the lights.

Ms. Hoffer compared this case to another case concerning Hollywood Tan case at the Lancaster Shopping Center, stating the Hollywood Tan's lighting was outlining the building because you could see the actual tubes of the lighting. Ms. Hoffer distributed a photograph of the Hollywood Tan lighting. The lighting for this CVS building you cannot see the tubes of the lights. Referencing a drawing for the CVS case of the cornice detail exhibit Ms. Hoffer stated that the fluorescent tubes are behind the fascia.

Ms. Ward stated that the CVS store hours would be 8:00AM to 10:00 PM.

Mr. Winters moved that the Board finds that as presented the lighting issue does not meet the definition of lighting prohibited by section 1804.33 of the Manheim Township Zoning Ordinance and therefore a variance is not required. The motion was seconded by Mr. Hoover. The motion was approved 4-1 with Mr. Trimble dissenting.

Lancaster General Health

B-3, 1605 Lititz Pike

Case 10-49

Ann Marie Hall was sworn in for testimony.

Ms Hall began by explaining that Lancaster General Medical Group is opening a Lancaster General Health Express and will be a sub tenant in the Giant grocery store. The applicant is requesting a variance from 1805.2. to exceed the permissible square footage of maximum sign area of 200 square feet for the property at 1605 Lititz Pike in the Lancaster Shopping Center. Back in June 7, 2010, Giant was granted a variance to exceed the sign square footage on the exterior of the building to 350 square feet of which 349.56 square feet are planned to be used. Lancaster General Health sign would be 37 square feet which would exceed the 350 square foot approved with the June variance request.

David Joss of Federal Realty Trust and Joe Donaldson were sworn in for testimony.

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Mr. Trimble stated that the written decision of the June decision was reviewed by the Board and it is the Board's opinion that this variance request is not needed for what you are doing. Because the decision of the June 7, 2010 allowed more than 200 square feet for the sign up to and not to exceed 2,585 square feet and how you position the signs is not the Board's concern.

Ms. Hall stated that we were led to believe that we needed a variance for the Giant building itself not the entire shopping center.

Mr. Winters moved that the Board decides that in reference to a prior decision of this Board dated June 7, 2010, wherein the applicant at that time being Federal Realty Investment Trust, was granted a variance to Section 1805.2. to permit more than 200 square feet maximum building signs per lot as long as the total square footage of signs would not exceed 2,585 square feet for the entire shopping center. The Board finds that the applicant's request for a variance to Section 1805.2 presented to the Board this evening is unnecessary. Helen Adams seconded the motion. The motion was approved 5-0.

Brethren Village
IN, 3001 Lititz Pike

Case 10-50

Ron Dell, Jack Hulme and Gary Gaissert were sworn in for testimony.

Ms. Adams reclused herself from participating in this case because she is a resident and active on committees at Brethren Village

Mr. Dell, facilities director at Brethren Village, began by explaining that in the past 3 years Brethren Village has undertaken a very large construction and renovation project. Many buildings were torn down and renovated which totally changed the campus. The offices and main campus has changed. As a result a consultant was hired to help us come up with a signage program. That plan was recently submitted to Manheim Township. The Township had issues with seven of the signs.

Sign consultant Mr. Hulme explained the variance requests. The variances requests are in regard to adding an additional development sign to the Airport Road entrance and replacing an existing development sign at Lititz Pike south entrance and adding five additional incidental signs on the campus exceeding 2 square feet. Since our submittal the size of the signs were changed. Mr. Dell requested to withdraw the request to permit the proposed development signs to exceed 20 square feet.

Mr. Dell distributed the revised sign request information. The development signs would meet the size ordinance requirement of 20 square feet and one of the five incidental signs would be 4.5 square feet and the remaining proposed incidental signs would be 2.5 square feet. The 4.5 square foot sign is needed because the HUD logo must be displayed on the sign required by The Department of Housing and Urban Development (HUD). The proposed incidental signs would

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maintain 3 ½ inch lettering. There will be 4 development signs total on the property, one on Airport Road and 3 on Lititz Pike.

There was an executive meeting.

Mr. Dell stated that there is safety issues with the amount of traffic on Lititz Pike to let people who are heading north know that they are coming upon the campus and so they have more time to make a decision as to where the entrances are on the campus. There are 900 residents of Brethren Village.

Mr. Winters moved to approve your request to withdraw the initial variance to Section 1806.7. Table 2 to permit development signs exceeding 20 square feet since they are meeting that particular standard. In addition, the Board approved the following requests: a variance to section 1806.7. Table 2 to permit the total number of development signs to exceed two signs but not to exceed a total of four development signs; a variance to section 1802.14 to permit to the five proposed incidental signs to exceed two square feet in area, consistent with the testimony and exhibits presented before the Board this evening. Mr. Hoover seconded the motion. The motion was approved 4-0.

The meeting adjourned at 7:58 PM. The next regularly scheduled meeting will be held on Wednesday, November 3, 2010 at 6:30 P.M.