

Manheim Township Zoning Hearing Board Minutes
Monday, October 5, 2009
6:30 P.M.

Attendance:

Michael Winters	Present
Patrick Trimble	Present
David Wood	Present
Edward Hoover	Present
Robert Byram	Present

Chairperson David Wood asked for a roll call. A quorum of the Board was established.

Chairperson David Wood opened the meeting, explained the Zoning Hearing Board meeting process, and announced the agenda.

Gary B. Hostetter

Case #09-34

B-1, 2501 Oregon Pike, Suite 3

Gary Hostetter and Michal Nolt (pastor of Son Light Bible Church) were sworn in for testimony.

Mr. Hostetter explained the request and stated the following: a special exception is being requested so Son Light Bible Church can locate in the existing office building in Suite 3. In addition, a variance is being requested to allow a church use on less than 5 acres of lot area and another variance to permit less than the required parking spaces.

Mr. Hostetter explained the parking situation on the property. The office building is 30,000 square feet. The proposed Son Light Bible Church will occupy 3,921 square feet of the building with 125 seats in the sanctuary. 124 parking spaces are required for the offices in the building, 50 parking spaces are required for the Son Light Bible Church and 48 parking spaces are required for the Celebrate Life Christian Church equaling 222 required parking spaces for the entire lot. Celebrate Life Christian Church occupies another building on this property and have 120 seats in their sanctuary. There are 150 existing parking spaces on the property.

Mr. Hostetter stated that the parking should not be a problem because the church uses have their most need for parking on Sundays when the offices are closed. The offices only operate during weekdays with no weekends. Both churches together require 98 parking spaces and would operate on Sunday. Since there are 150 existing parking spaces, parking should not be a problem. The proposed church may have some occasional bible study meetings during weeknights after business hours which between 10 to 20 persons attending.

Mr. Winters moved to approve a special exception in accordance with section 1003.1. to permit a church use within an existing office building; a variance to section 1006.2.A.2. to permit a church use to operate on a property with less than 5 acres of lot area; a variance to section 1702.2. to permit less than the required number parking spaces consistent with the testimony and

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any exhibits presented to the Board this evening. Mr. Byram seconded the motion. The motion was approved 5-0.

Dean Eberly
R-1, 391 Apple Lane

Case #09-35

Dean Eberly was sworn in for testimony.

Mr. Eberly explained the request and stated the following: The request is to build a two car garage on a vacant lot before building a dwelling. The garage would be used to store construction vehicles and material to prepare the lot for the construction of a house in the future. The hardships are that there is a risk of vandalism and stolen property and he would like to store construction equipment in the garage. The garage would be a permanent building and foundation. A stone driveway would be constructed to the garage. After the house is built the garage would be used to park motor vehicles.

There was a discussion regarding when the house would be built. Mr. Eberly agreed to build the house within 3 years. Mr. Eberly stated that the neighbors have no problem with this request.

Mr. Winters moved to grant a variance to section 602.6. to permit the construction of a garage accessory use on a vacant lot before the construction of the permanent dwelling with the following conditions: that the applicant construct a stone driveway to the garage to be built and the applicant finish construction of a permanent dwelling three (3) years from today's date. Mr. Byram seconded the motion. The motion was approved 3-2 with Mr. Hoover and Mr. Byram dissenting.

Triple J Associates
B-2, 1864 Oregon Pike

Case #09-36

Albert Olah of Rettew Associates, Thomas Ponessa of Triple J Associates, Donna Ponessa and Keith Kreider of Paul Risk Associates and Donna Ponessa were sworn in for testimony.

Mr. Olah distributed colored site plans of the project.

Mr. Olah explained the request and stated the following: this request is for a complete re-development of the site. The prior use was a gas station. Mr. Olah explained the existing conditions. The existing building would be removed and a 3,662 square foot office building would be constructed to the rear of the lot. The existing driveway would be closed off. The use would be medical massage.

Mr. Olah explained the requested variances for parking space and macadam encroachments into the 10-foot planting strips and encroachments within the 10-foot setback from street right of way line. 2,000 square feet of paving would be removed from the property to create additional green area. In addition, a time extension to obtain permits and start construction was requested.

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Mr. Kreider displayed the sketch of the building. He stated that the tanks from the gas station were removed.

Mrs. Ponessa stated that there would be six employees. The hours of operation would be by appointment only 8:00 AM to 7:00 PM Monday through Friday and Saturday mornings.

Mr. Winters moved to grant the following: a variance to section 1704.4. to permit off street parking to encroach within 10 feet of the street right of way; a variance to section 2312.2.A. to permit off street parking to encroach within a 10-foot wide planting strip from property lines and right of way lines; a variance to section 2208 to permit a time period up to one year to obtain permits and an additional year for construction for the purpose of constructing an office building consistent with the testimony and exhibits presented to the Board this evening. Mr. Hoover seconded the motion. The motion was approved 5-0.

The meeting adjourned at 7:17 PM. The next regularly scheduled meeting will be held on Wednesday, November 4, 2009 at 6:30 P.M.