

Manheim Township Zoning Hearing Board Minutes
Monday, August 4, 2008
6:30 P.M.

Attendance:

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

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

Paul Risk Associates
B-1, 1705 Oregon Pike

Case #08-30

David Wood apologized for not having a quorum at the July Zoning Hearing Board meeting.

Doug Deihm, Rick Shoemaker and James Wenger were sworn in for testimony

Mr. Wenger explained that Trout, Ebersole & Groff Associates (TEG) are converting a storage space into a training room in the basement. Three parking additional spaces are required for the conversion. Mr. Wenger stated that there will be no additional employees and that the M&T Bank will allow TEG employees to park on their property when needed. TEG does not want to remove the two trees required to construct the three additional spaces. Mr. Wenger stated that there is no hardship associated with this variance request.

Doug Deihm of Trout, Ebersole & Groff Associates (TEG) stated that there are 50 spaces empty during the non-tax season. The additional space conversion would be for training purposes only.

Mr. Winters moved to grant a variance to sections 1701 and 1702.8.A. to permit the renovation of existing space without providing three additional parking spaces consistent with the testimony and exhibits presented before the Board this evening.. Mr. Hoover seconded the motion. The motion was approved 5-0.

Eden Rock Partners, LP/ George H. and Elizabeth Kratzert
I-1, 780 Eden Road

Case #08-31

Todd Shoaf, Warren Whitney, Tomas Pallan and Leonard Borkin were sworn in for testimony.

Mr. Shoaf distributed site plan exhibits for this property. Mr. Shoaf explained the request, described the location of the property and stated the following: This property is located west of Route 222 and located in the I-1 zoning district. There are presently two lots. The existing lots

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would be subdivided into three lots. Lots 2 and 3 would be developed with two office buildings. The traffic engineer was concerned with multiple entrances onto Eden Road and therefore created a new street in place of the existing entrance into Moore Business Park. The neighboring property, 730 Eden Road, would access the new street by an access drive. This would eliminate two entrances onto Eden Road.

Mr. Shoaf reviewed the variances regarding the encroachment of existing and new macadam into the improvement areas and planting strips and landscaping. Mr. Shoaf stated that if they were required to comply with the Zoning Ordinance and not encroach within the improvements areas that would reduce the parking on the lot. Mr. Shoaf continued by explaining that no tractor-trailers would use the new street. The tractor-trailers would use Crooked Oak Drive access into Moore Business Park.

Neighbors, Mr. Whitney and Mr. Pallan whom live across from the property, were in favor of the plan of one entrance but would not want tractor-trailers to use the new street. They stated that Eden Road has become busier over the years. Mr. Shoaf stated that the new street will be constructed to collector street standards and tractors could fit on the new street

Mr. Winters moved to approve the following: a variance to Section 2311.1.C. to permit Access Drive "C" as shown on the Zoning Site Plan to be located within 20 feet of the side property line; a variance to Section 1405.2.E.5.d. not to provide a 10 foot wide improvement area along the south property line of proposed Lot 3, approximately 50 foot and 60 foot sections of Lot 3 western property line, and immediately adjacent to the proposed side property line between proposed Lots 1 and 3 as shown on the attached Zoning Site Plan; a variance to Section 2006.2. to permit existing pavement to be located within 5 feet of the southern property line of proposed Lot 3 and approximately 50 foot and 60 foot sections of Lot 3's western property line, and also to allow the bituminous Access Drive "C" to be installed immediately adjacent to proposed side property line between proposed Lots 1 and 3 as shown on the Zoning Site Plan; a variance to Section 2312.2.A. requesting not to provide a 10 foot wide planting strip along the south property line of proposed Lot 3, along approximately 50 foot and 60 foot sections of Lot 3's western property line, and immediately adjacent to the proposed side property line between proposed Lots 1 and 3 as shown on the Zoning Site Plan; a variance to Section 2208 to permit additional time of one year to obtain the appropriate permits and one year after obtaining those permits to finalize construction of the proposed improvements consistent with the testimony and exhibits presented to the Board this evening. Mr. Byram seconded the motion. The motion was approved 5-0.

David Eberly.
I-3, 500 Airport Road

Case 08-32

David Eberly and Austin Beiler were sworn in for testimony.

Mr. Beiler explained that the Lancaster Airport Authority is requesting a variance to Section 1708 to erect an eight-foot fence along route 501. The proposed fence would replace the existing six foot fence and would be set back 25 feet Route 501. The existing six-foot fence is five feet

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from Route 501. Mr. Beiler stated that the Authority is required by the Federal Aviation Administration (FAA) to place an eight-foot fence with three strands of barbed wire for increase security of the airport. Mr. Beiler distributed the FAA documents of the requirement and the description of the type of fence required.

Mr. Eberly explained that the entire airport would be surrounded by an eight-foot fence with three strands barbed wire.

There was a discussion as to whether or not this type of fence is really required by the FAA.

Mr. Winters moved to grant a variance to Section 1908 to allow the Lancaster Airport Authority to install an eight-foot fence with additional one foot of three-strand barbwire along Route 501 consistent with the testimony and exhibits presented before the Board this evening. Edward Hoover seconded the motion. The motion was approved 4-1 with David Wood dissenting.

Robert and Patricia Zogorski

R-2, 1845 Lititz Pike

Case #08-33

Robert Zogorski was sworn in for testimony.

Mr. Zogorski described the property and stated the following: Mr. Zogorski is requesting a special exemption for a major home occupation to permit one non-resident employee to work in the existing home occupation. Presently, Mr. Zogorski is operating a home occupation in the detached garage and would like to hire a non-resident employee for his real estate business. There is enough parking which will accommodate the three cars for the employee and Mr. and Mrs. Zogorski. There will be approximately one daily customer vehicle trip per month to the property.

Mr. Winters moved to approve the special exception request in accordance with Section 1910.4. to permit to operate a real estate business within the home with one non-resident employee consistent with the testimony and exhibits presented before the Board this evening. Mr. Byram seconded the motion. The motion was approved 5-0.

Sandra Yecker

R-3, 28-32 Echo Valley Lane

Case #08-34

Stephen Anspach, Philip Trimble, Sandra Yecker, Rodney Lefever, and Chris Baker were sworn in for testimony.

Ms. Yecker explained the request and stated the following: Ten variances are being requested in order to support a future or proposed subdivision lot add on plan in which Sandra Yecker and Rodney Lefever would be co-applicants. Ms. Yecker is purchasing a strip of land from Rodney Lefever that surrounds 28 and 32 Echo Valley Lane properties. The strip of land would be added to the properties. Ms. Yecker resides at 32 Echo Valley Lane.

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Referencing the submitted site plans and the narrative Mr. Anspach stated the property is in the R-3 zoning district, reviewed and explained the requested variances regarding lot size, property line width and lengths, building and structure setbacks and minimum open area. Mr. Anspach stated that the existing lots are very small lots date back to the mid 1940's and do not conform to the current zoning ordinance. Therefore, Ms. Yecker is asking for relief.

Mr. Winters moved to approve the following: a variance to Section 806.2.B.2.a. to permit a lot area of less than the minimum 60,000 square foot requirement regarding lots one and two; a variance to Section 806.2.B.2 b.i. to permit a lot width of less than the minimum 100 foot requirement at the street line regarding lots one and two; a variance to Section 806.2.B.2.b.ii. to permit a lot width at the front yard setback line to be less than the minimum 150 foot requirement regarding lots one and two; a variance to Section 806.2.B.2.c. to permit a lot depth of less than the 200 foot requirement regarding lots one and two; a variance to Section 806.2.B.2.d.i. to permit the front yard building setback of lot one to be less than the minimum 25 foot requirement; a variance to Section 806.2.B.2.d.ii. to permit the side yard building setback of lot one to be less than the minimum 10 foot requirement; a variance to Section 806.2.B.2.e. to permit the open area of lot one to be less than the minimum 80 percent requirement; a variance to Section 1903.2. to permit a shed located on lot one to be setback less than 5 foot from the property line; a variance to Section 1904.3. to permit the swimming pool located on lot two to be setback less than 10 foot from the property line; a variance to Section 2208 to permit time extension to obtain all necessary permits of no more than 90 days after the final plan has been recorded. Mr. Byram seconded the motion. The motion was approved 5-0.

The meeting adjourned at 8:07 PM. The next regularly scheduled meeting will be held on Tuesday, September 2, 2008, at 6:30 P.M.