

Manheim Township Zoning Hearing Board Minutes
Tuesday, November 1, 2011
6:30 P.M.

Attendance:

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

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

Buckeye Pipeline Company, LP
R-1, 2810 Weaver Road

Case 11-25

J. Kevin Cooper and Aaron Jewell were sworn in for testimony.

Mr. Cooper and Mr. Jewell testified and stated the following: A 40 foot by 40 foot, eight (8) foot security fence is planned to be installed to replace the temporary fence now in place. A variance is requested to permit the eight (8) foot height and a variance to permit the placement of the fence closer that 12 ½ feet from the Weaver Road street right of way. A one (1) foot barbed wire section would be installed on top of the fence. The proposed fence would be installed in the same location as the temporary fence and would be a distance of one (1) foot seven (7) inches from the Weaver Road right of way. The height is needed to meet the company's and Homeland Security's security policy.

There was discussion of the color of the fence. It was decided to make a condition to require the fence to be dark in color.

Mr. Winters moved to approve the following: a variance of section 1908.1 to permit the placement of an eight (8) foot security fence with no more than a one (1) foot angle barbed wire at the top on the property; a variance of section 1908.3 to permit an eight (8) foot fence with no more than a one (1) foot angle barbed wire at the top within the front yard of the property; a variance of section 1908.5. to permit an eight (8) foot fence with no more than a one (1) foot angle barbed wire at the top closer than 12 ½ feet from the street right of way consistent with the testimony and exhibits presented before the board this evening, but, no closer than one (1) foot seven (7) inches from the property, further the fence to be installed shall be dark in color security fence with a matte finish. Mr. Byram seconded the motion. The motion was approved 4-1 with Edward Hoover dissenting.

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Gary Hostetter on behalf of Son Light Bible Church
B-1, 2503 Oregon Pike

Case 11-26

Gary Hostetter was sworn in for testimony.

Mr. Hostetter explained the request and stated the following: Son Light Bible Church is requesting a special exception to occupy the building at 2503 Oregon Pike and a variance to permit less than the parking requirement. This is the same building that Celebrate Life Church occupied before they built their own building and moved. Son Light Bible Church is now occupying a building on this same property at 2501 Oregon Pike. Son Light Bible Church plans to have 150 persons for church services. The schedules of the church and the offices would be different from the other office uses on this property and therefore, there should not be a parking problem. There was not a parking problem in the past with two churches operating on the property. There will be night meetings on Tuesdays at 7:00PM.

Mr. Hostetter explained the layout of the building and property.

Mr. Winters moved to approve the following: a special exception in accordance with section 1003.1. to permit a church use within the B-1 zoning district; a variance of sections 1006.2.A.2. to permit church use on a property with less than 5 acres of lot area; a variance of section 1702.2. to permit less than the required number of parking spaces for the church use, consistent with the exhibits and testimony presented before the Board this evening. Mr. Hoover seconded the motion. The motion was approved 5-0.

John Rodney Messick
R-2, 1402 Clayton Road

Case 11-27

John Messick was sworn in for testimony.

Mr. Messick explained that he is requesting a variance to construct a screened in porch which would encroach within the rear yard building setback by four (4) feet. The screened porch would replace an existing eight (8) foot deck. The neighboring property owners support this project.

Mr. Winters moved to approve a variance of section 706.2.B.3.d.iii. to permit the construction of a screened in porch which encroaches into the rear yard minimum building setback no more than has been indicated with the exhibits and testimony presented before the Board this evening. Mr. Byram seconded the motion. Motion was approved 5-0.

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Dustin Keener on behalf of Mark and Jennifer Kuhn

Case 11-28

R-1, 65 Eshelman Road

Thomas Dell, Mark Kuhn, Dustin Keener and Todd Good were sworn in for testimony.

Attorney Thomas Dell explained that the Kuhn's are requesting a special exception to construct an accessory dwelling unit and a variance to permit the accessory dwelling unit to be larger than 800 square feet. The unit will be within the existing structure, over the garage and partially within the dwelling. This will not be a rental unit.

Mr. Keener explained the construction of the accessory dwelling unit and the restoration plan. The accessory dwelling unit would be 1,057 square feet. There will be no exterior changes to the dwelling. The restoration would entail retaining the countertop and cabinets and removing the stove to be replaced with a counter and a cabinet. The kitchen of the accessory dwelling unit will be used as a wet bar and a media room when the proposed occupants move out.

Mr. Kuhn explained the alterations referencing the photographs of the existing conditions of the interior of the dwelling. Mr. Kuhn stated that there are no neighbor concerns. The Homeowner Association supports the accessory dwelling unit.

Mr. Winters moved to approve the following: a special exception in accordance with section 2315 to permit an accessory dwelling unit above the existing attached garage and a variance of section 2315.F. to permit the accessory dwelling unit to be constructed at the size of 1,057 square feet. Mr. Byram seconded the motion. The motion was approved 5-0.

The meeting adjourned at 7:31 PM. The next regularly scheduled meeting will be held on Monday, December 5, 2011 at 6:30 P.M.