

Manheim Township Zoning Hearing Board Minutes
Monday, October 1, 2012
6:30 P.M.

Attendance:

Helen Adams	Present
Patrick Trimble	Present
David Wood	Present
Edward Hoover	Present
Gregory Strausser	Present
Jennifer Luciani	Absent

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

Wanda Graham **Case 12-21**
R-2, 22 Sunrise Avenue

Wanda Graham was sworn in for testimony.

Ms. Graham explained the history of the property. In addition, she explained her request for a special exception to place an accessory dwelling unit within the single family detached dwelling.

Ms Graham described the relationship of the persons living within the principal dwelling unit and the proposed accessory dwelling unit.

There was a discussion on the parking arrangement and the number of cars to be parked on the property.

Mr. Hoover moved to grant a special exception in accordance with Section 2514 for continued use of the accessory dwelling unit, including stove. Ms. Adams seconded the motion. The motion was approved 5-0.

Ignazio Caruso **Case 12-23**
B-2/ T-5 Neffsville Village Overlay, 2709 Lititz Pike

Ignazio Caruso and Lisa Bernieri were sworn in for testimony.

Mr. Caruso explained the history of the carwash and his request for a special exception to convert one bay of the non-conforming carwash into an automatic carwash.

Mr. Caruso also explained the proposed variance requests to the Board.

Mr. Caruso distributed updated site plans with corrected measurements and photographs of the carwash building and the conversion showing the installed equipment.

The Board and Mr. Caruso discussed the distances of the fan assembly, payment kiosk and safety

Zoning Hearing Board Minutes

October 1, 2012

Page 2

pole from the Duke Street right of way.

A Township resident voiced concerns with the possible noise of the new fan assembly.

Mr. Strausser moved to approve the following: a special exception in accordance with Section 1303.1 to alter and expand a motor vehicle washing facility; a variance of Section 1305.2.A.5.d. to permit the payment kiosk and fan assembly to encroach within the 20 foot perimeter buffer; a variance of Section 2103.2 to permit the payment kiosk and fan assembly to be closer than five (5) feet from the side property line. Mr. Hoover seconded the motion. The motion was approved 5-0.

Bruce T. Wagner

Case 12-24

R- 3, T-5 Neffsville Village Overlay, 2669 Cobblestone Lane

Bruce Wagner and Laura Walsh were sworn in for testimony.

Mr. Wagner explained the project and variance request to place a screened porch on the existing deck encroaching within the rear yard building setback.

Ms. Adams moved to approve a variance of Section 2106.1. and 905.2.C.5.d. to permit the construction of a screened porch to encroach within the 35 foot rear yard building setback. Mr. Hoover seconded the motion. The motion was approved 5-0.

Quattro Development, LLC

Case 12-25

B-4/D-R Retrofit Overlay, 1480 Harrisburg Pike

Thomas Matteson, Mike Liyeos, Kevin Barnes and Frank Hager, were sworn in for testimony.

Mr. Matteson described the location of the property and the existing improvements on the property.

Mr. Matteson explained the proposed project to demolish the existing building, construct two retail buildings and construct a parking lot behind the buildings, with a loading area within the front yard along Harrisburg Pike.

Mr. Matteson explained the variance requests and discussed them with the Board.

Frank Hager voiced questions regarding traffic accessing the La-Z-Boy furniture property and sanitary sewer.

There was an executive session.

Mr. Trimble moved to approve the following: a variance of Section 1405.2.G.5.a. and Section 2212 to permit the proposed building within the front yard building setback along the U.S. Route 30 frontage; a variance of Section 2408.3.B.2 and appendix A, Section 4.3 to permit the proposed buildings to be constructed further away from Harrisburg Pike than the required 25 feet build to line; a variance of Section 2010.3 to permit the loading space to be located within the front yard; a variance of Section

Zoning Hearing Board Minutes

October 1, 2012

Page 3

2511.3.C.1. to permit a portion of the landscape island not to be provided with curb only if the bio-retention or similar BMP facilities requiring sheet flow are employed with the final design and construction of the project; a variance of Appendix A, Section 14.3 to permit the new sidewalk across the frontage on Harrisburg Pike to be six (6) feet wide rather than ten (10) feet wide; a variance of Appendix A, Sections 16.1 through 16.6 to release the applicant from streetscape improvements with the following conditions: That the existing vegetation between the access drive and the front of the proposed building and adjacent to the right of way be retained, and to provide vegetative screening wherever there is not an access drive along the Harrisburg Pike frontage with special consideration to providing a vegetative screen at the loading area. All the above approvals are per the testimony this evening.

Ms. Adams seconded the motion. The motion was approved 5-0.

Michael M. Mikhail
R-2, 1530 Eden Road

Case 12-26

Michael Hartman, Michael Mikhail, J. Michael Flanagan, Steve Bradney, Elaine Erb, Jeff Rieker and Sarah Lamichane, were sworn in for testimony

Matthew Crème, attorney for the applicant, explained the proposal for a three (3) lot subdivision requesting a variance for the lot depths of two (2) lots.

Mr. Hartman described the proposed subdivision, explained his calculations of the lot depths and explained the stormwater plans for the proposed subdivision.

A number of residents voiced their concerns of stormwater, safety concerns and concerns of the number of lots proposed for the property.

Mr. Crème distributed a list of properties in the neighborhood and their lot sizes and reviewed the list with the Board.

There was a discussion regarding the calculations of the proposed lot depths of the proposed properties. Mr. Crème withdrew the variance for lot two (2).

Mr. Trimble moved to permit the withdrawal of the variance for lot two (2). Ms. Adams seconded the motion. The motion was approved 5-0.

Mr. Trimble moved to approve the amended request for a variance of Section 805.2.B.3.c. to permit a three (3) lot subdivision with one (1) such lot having a lot depth of less than the required 150 feet as per the testimony presented this evening. Ms. Adams seconded the motion. The motion was denied two (2) voted for the motion and three (3) voted against the motion. The motion was denied.

Butler Avenue Associates
B-2 / D-R Retrofit Overlay, 204 Butler Avenue

Case 12-27

Barbara John, William Swiernik, Clifford Bowman and Aaron Wingert were sworn in for testimony.

Zoning Hearing Board Minutes

October 1, 2012

Page 4

Mr. Swiernik described the property location, explained the property history and explained the proposed project to expand the existing parking lot to create more parking.

Mr. Swiernik explained the variance requests regarding the rear yard setback and the screening at the rear property line. Mr. Swiernik explained that the number of parking spaces are in compliance; however it does not meet the demand of the user.

Neighbor, Barbara John, testified that she supported the parking lot expansion.

Mr. Strausser moved to approve the following: 65 foot variance of Section 2005.5. regarding parking within the required 75 foot rear setback adjacent to a residential district (Section 1204.2.B.5.c.); a variance of Section 2511.4.A.1. to allow for the placement of a single row of plant material without the placement of a six (6) foot fence; a variance of Section 2808 to allow two (2) years from the date of the approval of the variance to obtain permits and three (3) years to complete construction. Mr. Hoover seconded the motion. The motion was approved 5-0.

The meeting adjourned at 9:56 PM. The next regularly scheduled meeting will be held on Wednesday, November 7, 2012 at 6:30 P.M.