

**Manheim Township Zoning Hearing Board Minutes**  
**Monday, May 6, 2013**  
**6:30 P.M.**

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Attendance:

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

Chairman David Wood called the Zoning Hearing Board meeting to order, by explaining the Zoning Hearing Board meeting process and announcing the agenda.

**Patio Enclosures Inc. on behalf of John and Ann Radicone**  
108 Winterberry Court, R-2 with T-5 Neffsville Village Overlay

**Case 13-16**

John Radicone was sworn in for testimony.

Mr. Radicone explained the request and stated that he does not want the request approved and explained the reason. Mr. Radicone agreed that he does not have a hardship to build the sunroom.

Ms. Luciani moved to deny a variance of Section 805.2.C.1.d.iii. to permit a proposed sun room to encroach within the required 25 foot rear yard building setback. Mr. Hoover seconded the motion. The motion was approved 4-0.

**Lancaster County Solid Waste Management Authority**  
1038 Dillerville Road, I-2 with T-4 Urban Neighborhoods Overlay

**Case 13-17**

David Wilhelm, Scott Hein and John Roda were sworn in for testimony.

Mr. Wilhelm explained that the LCSWMA is purchasing 3.8 acres of land from Burnham Holdings Company and met with Manheim Township and was made aware of some issues with the building setbacks on the property and requesting variances.

Solicitor Neil Albert announced that this case was advertised with the wrong address, and stated that the correct address is 1038 Dillerville Road.

Referencing the site plan Mr. Hein describe the property and explained the requested variances.

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Mr. Roda stated that Burnham Holdings decided to sell the property to LCSWMA because of a good offer and that they could have taken the land by eminent domain.

Mr. Wilhelm stated that this land purchase is the cause of a future proposed gas project planned for the LCSWMA property.

Mr. Hoover moved to approve the following: a variance of Section 1604.2.C.5.a. to permit the existing buildings to encroach within the minimum front yard building setback along Dillerville Road; a variance of Section 1604.2.C.5.c. to permit the existing buildings to encroach within the minimum rear yard building setback; a variance of Section 1604.2.C.5.e. to permit the existing buildings, parking areas and driveways to encroach within the required 10 foot perimeter buffer; a variance of Section 2510.1.C. to permit the existing driveway to encroach closer than 20 feet from the side property line; a variance of Section 1604.2.C.5.b. to permit the existing building at the northeast property corner to encroach within the required 25 foot side yard minimum building setback; a variance of Section 2808 to allow an additional year from date of the approval of the variances to obtain permits (total of 2 years) and an additional year to complete construction (total of 3 years). Ms. Adams seconded the motion. The motion was approved 4-0.

**Parke W. Oehme**

35 Overlook Avenue, R-2 Residential

**Case 13-19**

Parke W. Oehme was sworn in for testimony.

Mr. Oehme explained the variance request to construct a garage within the side yard building setback.

Mr. Parke stated that the reason for this request is that he did not want to take up more open area of the property than necessary. In addition, he stated that he and his wife decided that they will remove the existing shed from the property because it is not needed with the garage.

Mr. Oehme stated that the adjacent neighbor supports the garage placement.

Ms. Luciani moved to approve the request for a variance of Section 2102.5. to permit the construction of a detached structure within the required minimum side yard setback, with a condition that the current eight by ten shed on the property is removed when construction is complete and all inspections approved. Ms. Adams seconded the motion. The motion was approved 4-0.

The meeting was adjourned at 7:19 PM. The next regularly scheduled meeting will be held on Monday, June 3, 2013 at 6:30 P.M.