

**Manheim Township Zoning Hearing Board Minutes**  
**Monday, July 7, 2015**  
**6:30 P.M.**

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Attendance:

David Wood	Present
Greg Strausser	Present
Helen Adams	Present
Jennifer Luciani	Present
David Beyer	Absent
Patrick Trimble	Present

Chairman David Wood called the meeting to order, requested a roll call and explained the meeting process and announced the agenda items.

**Steve and Katie Breit** **PLZHB15115**  
**324 Ecker Drive, R-1**

Steven and Katie Breit were sworn in for testimony.

Mr. Breit agreed to allow Patrick Trimble to participate in the case.

Mr. Breit stated that the site plans were revised. The patio was moved toward the side of the dwelling and reduced in size to 480 S.F. and 107 S.F. of patio will encroach within the rear yard building setback. The prior plan requested a 634 S.F. patio.

Mr. Breit explained that the neighbors had written an email in support of the patio, then he read the email into the record.

Mr. Wood voiced his pleasure of the revised site plan that would reduce the encroachment.

Mr. Strausser moved to approve a variance of Section 2106 to place a patio within the required rear yard building setback. The motion was seconded by Ms. Luciani. The motion was approved 5-0.

**Rupe Properties** **PLZHB15154**  
**1282 Manheim Pike, B-4 Business and D-R Retrofit Overlay**

Steve Rupe and Steve Boyer were sworn in for testimony.

Mr. Boyer described the property and stated that the property is completely located within a 100 year floodplain, in which 18 inches would be expected on the property in a 100 year flood event.

Mr. Boyer then explained that the application is proposing to install 13 new light poles in the parking lot for security and vehicle display reasons. Existing light bases, poles, bollards, telephone booth, etc. will be removed equaling the footprint of the 13 proposed light poles. It is shown that there is a net decrease in the impact to the floodplain from both a surface area standpoint and a volume standpoint.

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Mrs. Douglas stated that the Township engineer concurred and that the offset between what they were removing and what they were placing was fine.

Ms. Luciani moved to approve a variance of Section 306.B. and Section 306.L. of the Manheim Township Floodplain Ordinance to erect light pole standards within the parking lot which is within a 100 year floodplain. The motion was seconded by Mr. Strausser. The motion was approved 5-0.

**Manheim Township School District**

**PLZHB15155**

**100 Blue Streak Blvd aka 100 School Road, R-3 and T-5 Neffsville Village Overlay**

Thomas Koch, Bruce Stegman, Deborah Baker, Joe Ruiz, Frank Chlebnikow, Jack Huber, John Huber and were sworn in for testimony.

Attorney Brandon Harter explained the request for the proposed 120 foot light pole and the time extension request.

Mr. Koch explained that Verizon contacted the Manheim Township School District to replace this light pole and offered the pay for the replacement if they could place their antennas on top of the pole including a lease of 872 S.F. ground area at the base of the light pole.

Attorney James Strong explained the process and benefits of replacing the light pole. He then explained the variance to permit the height increase of the 85 foot light pole to 120 feet.

There was a discussion regarding tower heights within the Township and it was mentioned that there is a telecommunication tower on Eden Road which is taller than this proposed height. Mr. Stegman stated that tower was used for a WDAC radio program in the past.

Mr. Jack Huber mentioned that he was concerned if the radio waves from the antennas would be harmful to the residents and asked what the benefits of the antennas would be for the neighbors.

Mr. Ruiz explained the operation of cell phone antennas and stated the antennae's power output is far below the FCC regulations.

Mr. Strong and the Board discussed the time extension request.

Mr. Strausser moved to approve the following: a variance of Section 905.1. and 2208 to permit the proposed monopole height to exceed eighty-five (85) feet; a variance of Section 2808.1. to extend the time period for obtaining permits to two (2) years and to complete construction to three (3) years; on a condition that the height does not exceed the 125 feet as presented in the application Ms. Luciani second the motion. The motion was approved 4-1 with Ms. Adams dissenting.

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**Daniel Schwank**

**PLZHB15156**

**465 East Roseville Road, R-2 Residential**

Daniel Schwank was sworn in for testimony.

Mr. Schwank explained that he is requesting a home occupation to operate within an existing outbuilding and a variance for the proposed home occupation to be 583 square feet. This outbuilding is now being used as a hobby wood shop and he want to expand into a business. Mr. Schwank explained he is constructing wooden tools to be sold on the internet and at tool shows. Mr. Schwank stated that the hours of operation are self-imposed, possible Friday and Saturday 6:30 AM to 8:00 PM. There will be no sign.

Mr. Schwank described the equipment and tools that he will use and the noise to be contained within the building.

Mr. Strausser moved to approve the following: a variance of Section 2110.3.A. to allow a home occupation to operate within an outbuilding other than a detached garage; a variance of Section 2110.3.C. to permit the woodworking operation to be larger than 400 square feet, with the maximum size not to exceed 586 square feet of the existing building. The motion was seconded by Ms. Adams. The motion was approved 5-0.

**John Olmstead**

**PLZHB15157**

**1936 Lititz Pike, R-2 Residential**

John Olmstead was sworn in for testimony.

Mr. Olmstead explained that he is renovating the house and he is at the point to plan a patio on the rear of the house. He described the location of the property and stated that there is no other location they want to place the patio.

Mr. Olmstead stated that the proposed patio will be 6.5 feet within the rear yard building setback.

There was a discussion regarding the patio size and location.

Mr. Strausser moved to approve a variance of Section 2106. to permit the placement of a patio within the thirty-five (35) foot rear yard minimum building setback, with a condition that the encroachment into the setback be no greater than 6.5 feet. Ms. Luciani seconded the motion. The motion was approved 5-0.

**Hunter Family Realty**

**PLZHB15158**

**1463 Manheim Pike, B-4 Business and D-R Retrofit Overlay**

Todd Shoaf, Brian Fulmer, Bruce Gundrum and Greg Risser were sworn in for testimony.

Attorney Frank Vargish gave an overview of this case and distributed documents explaining why so many variances are being requested. He then described the property location and its

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neighboring properties. Mr. Vargish stated that this is a 16 bay service facility, sales and service for the retail, for trucks and for service of trucks in this area. Referencing the site plan he explained the variance requests and easement on the property. Mr. Vargish explained that the variances would make this a more efficient use of the property for the tractor trailer repair business. The existing parts warehouse building will be demolished and a parts warehouse addition will be constructed to the existing building to make the business operation more efficient.

Mr. Shoaf explained the stormwater design and stormwater issues. Three properties will be join together and the applicant is proposing to increase the open area to 5.99 percent from the existing 1.79 percent.

Mr. Shoaf explained the variance requests regarding landscaping, buffer strips and landscape strips. The variances are needed because tractor-trailers, tow trucks, all these vehicles making huge wide turns, landscape islands are not conducive to that type of use. There are around 500 tractor trailers that visit this property. More macadam is needed on the property to maneuver the large trucks. He distributed photos of the type of truck that visits this property.

Mr. Vargish explained the public water access issue that Metro Bank and the Dodge dealership refused to allow them to run a waterline extension through their properties. Waterless toilets will be used in the office restrooms.

There was a discussion regarding screening. Mr. Shoaf stated that they will use screening material similar to Car Max.

Ms. Luciani moved to approve this case as presented. Ms. Adams seconded the motion. The motion was approved 5-0.

**Landis Homes**

**1001 East Oregon Road, Institutional**

**PLZHB15159**

K. Craig Smith, Linford Good and Eric McRoberts were sworn in for testimony.

Mr. Smith explained that they are requesting a building length variance for the proposed building and described the property and the intent of the proposed building.

Referencing the site plans and elevation plans, Mr. Smith explained the project. This is a multi-phase redevelopment of the north campus of Landis Homes. This will create a core for the campus and provide connectivity to the east and west sides of the campus.

Mr. Smith explained the variances. The applicant is requesting to construct a 470 foot building in two phases and are requesting a time extension to extend the time to 3 years to obtain permits and 5 years to complete construction. There was a discussion regarding the time extension.

Mr. Good explained the layout and operation of the campus.

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Mr. Strausser moved to approve the following: a variance of Section 1005.2.B.6. to permit a building to be constructed in excess of 300 feet in length; a variance of Section 2808.1. to permit additional time to comply with the Board's decision for the second phase of the two phase project, allowing 3 years to pull permits and 5 years for completion of construction. Ms. Adams seconded the motion. The motion was approved 5-0.

**Derek P. Dissinger**  
**375 Darlington Court, R-2 Residential**

**PLZHB15160**

Derek and Megan Dissinger were sworn in for testimony.

Mr. Dissinger explained the request. A variance is being requested to construct a deck 7.6 feet within the rear yard building setback.

Mr. Dissinger explained the history of the property. The Dissingers chose not to have the builder construct the deck when the dwelling was constructed in August 2014. The zoning ordinance changed regarding deck setbacks and now they need to request a variance for the deck construction.

Mr. Dissinger stated that all of the properties in the development have decks.

Mrs. Dissinger explained the process of planning the deck. The size of the deck of construction were discussed regarding options to reduce the proposed encroachment and if the deck. There was a discussion to whether or not the deck could have been constructed with the dwelling.

Ms. Douglas explained that the builder could have constructed the deck in the initial build of the dwelling because the development was approved under another zoning ordinance.

Mr. Strausser moved to approve a variance of Section 805.2.B.4.d.iii. and Section 2106 to construct a deck within the twenty-five (25) foot minimum rear yard building setback, not to exceed a total encroachment into the rear yard setback of 7 feet 6 inches. The motion was seconded by Ms. Luciani. The motion was approved 5-0.

**Renovations by Garmin**  
**536 Wheatfield Drive, R-1 Residential**

**PLZHB15161**

Derwood Helms, Jessica McCardell, Jackie McCardell, Jay McCardell, Fred Heim and Jeffrey Artz were sworn in for testimony.

Neighbor Mr. Helms stated that he reviewed the plan and has no objections to the project since the roof of the proposed addition would not be flat.

Owner of the property, Mr. McCardell explained his request. Mr. McCardell is requesting an accessory dwelling unit for his mother. A building addition will be constructed for the accessory dwelling unit.

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Mr. McCardell explained the restoration plans to convert the room into a game room or bed room when his mother is not living in the room any longer.

Mr. Artz described the layout of the accessory dwelling unit and basement, and the future use of the room and basement.

Ms. Luciani moved to approve the request for a special exception in accordance with Section 2515. to permit an accessory dwelling unit within a proposed one story addition with basement. Mr. Strausser seconded the motion. The motion was approved 5-0.

The meeting was adjourned at 9:52 PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Monday, August 3, 2015.

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