

Manheim Township Zoning Hearing Board Minutes
Tuesday, July 5, 2016
6:30 P.M.

Attendance:

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|------------------|---------|
| David Wood | Absent |
| Greg Strausser | Present |
| Jennifer Luciani | Absent |
| David Beyer | Present |
| James Stephens | Present |
| Patrick Trimble | Absent |

Acting Chairman David Beyer called the regular meeting to order, requested a roll call and explained the meeting process and announced the agenda.

John Thorn
1945 Fruitville Pike, B-3 Business and D-C Corridor Overlay

PLZHB16148

Rachael Thorn, Thorn Hill Vineyards was sworn in for testimony.

Ms. Thorn described the project indicating that the adjacent tenant space would be used for an art gallery and a small patio area would be placed outside. Ms. Thorn indicated that table seating would likely remain unchanged. Ms. Thorn indicated that a similar outdoor seating area was constructed for a frozen yogurt tenant but was removed when the tenant moved out.

Ms. Thorn indicated that the new tenant space, 1,560 square feet, is comparable in size to the current tenant space. The tenant space was previously occupied by Subway.

Mr. Strausser inquired about the size of the outdoor seating area and wondered whether the outdoor seating area would impair walkways. Ms. Thorn indicated that it would be 230-250 square feet and that it is located on the other side of the sidewalk, not on the sidewalk. It was noted that a drawing submitted with the application identifies a 230 square feet patio.

Mr. Beyer asked whether the hours of operation would remain the same. It was determined that the current hours are not consistent with the hours approved as part of the previous Zoning Hearing Board decision. Ms. Thorn indicated that the hours would be consistent with the decision, understanding that any change would require relief from the Zoning Hearing Board.

Mr. Stephens moved to approve a variance of Section 1303.4. to expand the existing wine tasting business into the adjacent tenant space at 1943 Fruitville Pike and create an outdoor patio. Mr. Strausser seconded the motion. The motion was approved 3-0.

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1835 Oregon Pike Partners, LP

PLZHB16150

1835 Oregon Pike, B-2 Business and D-C Corridor Overlay

James Welch, McNees Wallace & Nurick, LLC, Mike Huxta, ELA Group, Inc., Brian Findley, 1835 Oregon Pike, LP and Ben Stoltzfoos, Jimmy John's were sworn in for testimony.

Mr. Welch indicated that the applicant is requesting a time extension to the prior Zoning Hearing Board approval and requested that the prior approval be noted and acknowledged for the record. Mr. Welch explained that the applicant has been working to obtain the necessary PennDOT approvals.

Mr. Huxta indicated that the applicant has obtained approval of the stormwater management plan for the proposed improvements but without PennDOT approval they cannot proceed.

Mr. Welch indicated that PennDOT approval is anticipated and an extension of an additional six (6) months would be sufficient.

Mr. Stephens moved to approve a variance of Section 2808.1 to permit an extension of time by six (6) months so as to permit eighteen (18) months from the date of the receipt of the Decision (i.e. January 14, 2017) to obtain all applicable permits, and thirty (30) months from the date of the receipt of the Decision (i.e. January 14, 2018) to complete construction. Mr. Strausser seconded the motion. The motion was approved 3-0.

The meeting was adjourned at 6:50 PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Monday, August 1, 2016.