

Manheim Township Zoning Hearing Board Minutes
Monday, June 5, 2017
6:30 P.M.

Attendance:

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.

Cindy Stirling **PLZHB17125**
1321 Gen Moore Circle, R-3 Residential and T-4 Urban Neighborhood Overlay

Cindy Stirling and Troy Frey were sworn in for testimony.

Ms. Stirling began testimony by explaining the following: She wants to make her property better by keeping the stormwater from going into her basement. She placed a deck in the rear of her property 8 years ago over the mud in the rear yard without a permit. She wants to replace the sidewalks in the front yard and side yard beside the house and install a patio in the rear of the house. The patio would be place up to the left side property line.

The contractor removed the front sidewalks and formed up the rear proposed patio without a permit. The contractor was ready to pour concrete then Sam Maurer stopped the concrete truck from pouring concrete because a permit was not submitted and the proposed patio would be placed too close the side property line.

Ms. Stirling distributed photographs of the existing walkway project and explained further about her walkway project.

It was mentioned that a deck was installed in the left rear corner of the property without a permit. Ms. Stirling agreed to remove the deck from the property after the sidewalk project is completed.

Mr. Frey requested the Board to address the curb that he wants to place on his neighboring property next to the property line. The Board stated they cannot address the curb because it is not part of this case.

Ms. Luciani moved to approve a variance of Section 2106 to permit a deck and patio to encroach within the 10 foot side yard building setback; a variance of Section 2103.2. to permit a walkway structure to be placed up to the property line, with the understanding that the existing deck in the left rear corner of the property will be removed. Mr. Stephens seconded the motion. The motion was approved 4-0.

Zoning Hearing Board Minutes

Monday, June 5, 2017

Page 2

**Calvary Fellowship Homes Inc.
502 Elizabeth Avenue, Institutional**

PLZHB17126

Bill Fredericks, Cliff Hurter and Dale Yoder were sworn in for testimony.

Mr. Fredericks distributed architectural images of the project, explained the variance request and the project. A variance is requested to permit a building length of 410 feet. The existing length 310 feet. An addition and enclosed walkway between the buildings are planned. There three existing cottage buildings will be removed.

Mr. Fredericks explained the layout of the buildings

Mr. Yoder explained that the three dwelling units that are removed will be placed on the third floor of the proposed building.

Mr. Stephen moved to approve a variance of Section 1005.2.B.6. to allow a building length greater than 300 feet, to the 410 foot length referenced in the testimony . Mr. Strausser seconded the motion. The motion was approved 4-0.

**Rosie's Pizzeria LLC
1201 Lititz Pike. B-4 Business and T-6 Urban Transition Overlay.**

PLZHB17127

Guney Ilgaz and Jeff Kurtz were sworn in for testimony.

Mr. Ilgaz stated that he wants to reuse the removed 5 feet by 10 foot freestanding sign that was used by the former tenant, Cibos. The panel of the sign will be replaced and will install the sign to encroach within the 10 foot front yard setback requirement by 3 feet.

There was discussion about moving the sign toward the parking lot by 3 feet, aligning the sign over a parking space line and allow the sign to overhang the parking lot to have the sign comply with the zoning ordinance.

Mr. Ilgaz stated that he wanted to keep his request for the 3 foot encroachment. The sign will be 7 feet from the Lititz Pike right of way to the edge of the sign.

Ms. Luciani moved to approve a variance of Section 1805.2. Table 2 Part A to permit the use of the removed existing 5 foot by 10 foot sign encroaching 3 feet within the required 10 foot setback. Mr. Stephens seconded the motion. The motion was approved 4-0.

Zoning Hearing Board Minutes

Monday, June 5, 2017

Page 3

Henry Fisher

PLZHB17128

835 Salisbury Court, R-3 Residential and T-4 Urban Neighborhood Overlay

Jason Klein and Jill Baumgartner were sworn in for testimony

Mr. Klein explained referencing the site plan that the existing 14 feet by 18 feet deck encroaches within the 35 foot rear yard building setback. The existing deck will be removed and replaced by the proposed deck which would encroach within the rear yard building setback. Mr. Kline stated that the new deck will reduce the nonconformity by 50 percent.

Ms. Baumgartner distributed photographs of the existing deck and rear yard to the Board. She stated that the deck boards are failing and the deck started to collapse.

Letters were submitted from the neighbors supporting the request. Ms. Luciani read the letters aloud.

Neighbor John Duby stated that the deck is existing from the prior owners.

Mr. Strausser moved to approve for a variance of Section 2106 to permit the proposed new deck to encroach within the rear yard building setback. James Stephen seconded the motion. The motion was approved 4-0.

The meeting was adjourned at 7:33 PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Monday, July 3, 2017.

Z:\Zoning Hearing Board\MINUTES\2017\06052017 ZHB. minutes.doc