

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

Attendance:

David Wood	Present
Greg Strausser	Present
David Beyer	Present
James Stephens	Present
Patrick Trimble	Present

Chairman David Wood called the regular meeting to order requested a roll call, explained the Zoning Hearing Board meeting process and announced the agenda.

**Professional Design and Construction
1290 Fruitville Pike, R-1 Residential**

PLZHB18004

Donald Campbell and Larry Prescott were sworn in for testimony.

Mr. Campbell stated that he is the Chairman of the expansion committee of the church and that Pastor Jason is at a seminary in Washington DC. Mr. Campbell turned the presentation over to Mr. Prescott.

Mr. Prescott distributed plans and a visibility chart to the Board and explained the research regarding the industry standard of what letter size is required for good visibility of the sign for a certain distance from a sign.

Mr. Prescott referenced the distributed plans and letter visibility chart and then explained that the proposed sign of the cross and church name on the side of the new addition is 102 feet from Fruitville Pike and therefore, it is suggested to have 9 inch letters. The cross and flame was reduced in size on the new addition. The sign and cross and name on the front of the church is 285 feet from Koser Road and the chart suggested 18 inch letters for this sign. The total building sign area request was reduced from the prior request of 198 square feet to 179 square feet.

Mr. Campbell explained that a clear vision if the church is necessary for hosting events in the church and for emergency services. The signs are the only way to identify the church at Fruitville Pike. The Trustees of the church will remove the trees that are in front of the new addition to be able to see the new sign.

Mr. Strausser moved to approve a variance of Article 18, Section 1805.2, Table 2, Part B to install additional signage on the existing house of worship building for a total of 3 building signs with the square footage and placement of the signage to be consistent with drawing AS-1 (applicant's exhibit 1) that was presented as evidence at tonight's meeting. Mr. Stephens seconded the motion. The motion was approved 5-0.

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**Environmental Recovery Corporation
1076 Old Manheim Pike**

PLZHB18008

Hanna Fritz, William Specht III and Peter Haiges were sworn in for testimony.

Ms. Fritz stated that they are requesting a variance to place fall protection structures within the front yard and side yard setbacks facing Manheim Pike.

Ms. Fritz distributed a pamphlet regarding fall protection structures. She then reviewed the pamphlet with the Board. She explained that Environmental Recovery Corporation (ERC) is required by OSHA to provide fall protection for their worker that obtain samples from the tanker trucks by climbing on top of the truck to an access portal. ERC will be fined if they do not have any fall protection. In addition, she explained that different types of fall protection are available and researched the best location on the property to place the fall protection. The findings were that the best fall protection is the stationary kind and the best location is in the front yard at the corner of Manheim Pike and North West End Avenue where the tanker truck presently park.

Mr. Haiges stated that the fall protection structures would be out of the line of sight of the intersection. The ERC properties will be combined in the future.

Ms. Fritz stated that the height of the structure was decided with the review of the height of the trucks that are serviced. The requested height of the structures is the lowest that would be effective for the fall protection structures.

Mr. Stephens moved to approve a variance of Section 1604.2.F.5.a. to permit fall protection system structures to be erected in the front yard building setback; a variance of Section 1604.2.F.5.b. to permit a permit fall protection system structure to be constructed within the side yard building setback. Mr. Beyer seconded the motion. The motion was approved 5-0.

**Hawthorne Center Associates LP
2002-2096 Fruitville Pike, B-4 Business and D-R Retrofit Overlay**

PLZHB18009

Bill Swiernik, Mark Stanley and Kevin Lapp were sworn in for testimony

Mr. Stanley explained that a variance is requested for reduction of total open area from the 20 percent requirement to 17.5 percent on the properties located at 2002- 2096 Fruitville Pike.

Mr. Stanley stated that 3 of the former tenants are leaving the shopping center. These additional parking spaces are being constructed to attract new business to occupy those vacant tenant spaces.

Referencing the submitted site plan Mr. Swiernik explained that 36 new parking spaces will be constructed. These additional parking spaces would reduce the total open area to 17.5 percent which is below the required 20 percent. No negative impact to the surrounding area.

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The Board voiced concerns for the project. There was a discussion regarding other possible designs for parking to keep green space and also discussed traffic circulation problems in the shopping center parking lot.

Mr. Stanley requested to table this hearing to the March Zoning Hearing Board meeting to go back and look at a few options.

Mr. Stephens moved to continue the variance request to the next regularly scheduled meeting of March 5, 2018. Mr. Beyer seconded the motion. The motion was approved 5-0.

**Sarah Dombach
2060 Ellsworth Road, R-2 Residential**

PLZHB18010

Sarah Dombach and Rachel Martin were sworn in for testimony.

Ms. Dombach began by explaining the history of the Dombach farm property where she and 3 generations of her family lived on a farm on this property growing soybeans, corn and had ponies.

Ms. Dombach stated that she now grows produce for her family on this property. She would like to expand with alpacas and chickens. She stated that 10 alpacas can be raised on one acre of fenced area. This property is approximately 5 acres. She wants the property to be classified a farm to be able to raise livestock. Ten acres is required for a farm.

Ms. Dombach described the surrounding properties which borders the overlook park and at the edge of the Dombach Manor housing development. She stated that they will run a community supported agriculture farm and they will have specific customers to grow the produce, so there will be no big traffic increase. Shares will be sold and the customers will come to the property and pick up their shares of the produce when ready.

Ms. Dombach stated that they are planning to have 10 alpacas and 2 chickens in the beginning to provide eggs and the fertilizer will be composed in the garden.

Ms. Dombach stated that they have family picnics and church events on the property.

There was a discussion regarding the community farming concept. Dombach stated that she anticipates that may have 10 to 15 customers to start that will pick up the shares in the pavilion. Ms. Dombach stated that there are more than 3 parking spaces on the property for a retail sale area at the pavilion.

In public comment, every neighbor that spoke supported the farm idea. There were a room full of supporters for this request.

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Sam Maurer read the definition of a farm from the zoning ordinance.

There was an executive session.

Mr. Strausser made a motion to approve a variance of Section 805.2.A.1. to allow the property to be an operational farm under 10 acres on the condition that the farm be limited to 25 alpacas and 50 chickens and no other livestock; a variance of Section 805.2.A.4.c.iii. to allow the permanent barn structure to be less than 75 feet from the property line. Mr. Beyer seconded the motion. The motion was approved 5-0.

The meeting was adjourned at 9:00 PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Monday March 5, 2018.

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