

Manheim Township Zoning Hearing Board Minutes
Monday, August 3, 2020
6:30 P.M.

Attendance:

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| David Wood (by Zoom computer conference) | Present |
| Greg Strausser | Absent |
| David Beyer (by Zoom computer conference) | Present |
| James Stephens (by Zoom computer conference) | Present |
| Jane Macedonia (by Zoom computer conference) | Present |

Zoning Hearing Board Solicitor, Neil Albert, Court Reporter Allen Blank, Zoning Officer Lisa Douglas and Assistant Zoning officer Samuel Maurer were present at the Manheim Township Municipal Building.

The Zoning Hearing Board meeting was held remotely because of the COVID-19 and the Zoning Hearing Board members participated remotely through Zoom. Some applicants participated remotely through the Zoom App and some applicants participated in person.

David Wood called the regular meeting to order and requested a roll call. All Zoning Hearing Board members in attendance were remotely present through the Zoom App.

The entirety of each public hearing was stenographically recorded.

Murray Associate Architects PC
725 Hamilton Road, R-2 Residential

PLZHB20259

Mr. Wood announced that a letter was received requesting to continue this case to the next regularly scheduled Zoning Hearing Board meeting of September 8, 2020.

Mr. Stephens moved to continue this case to the September 8, 2020 Zoning Hearing Board meeting as requested by the applicant. Mr. Beyer seconded the motion. The motion was unanimously approved 4-0.

Amos Lapp / All Renovation & Design
561 Hannigan Drive, R-2 Residential & PRD

PLZHB20231

The applicant Amos Lapp and owner David Green were sworn in for testimony, both in person.

Mr. Lapp explained that they are requesting a variance to construct a deck and stairs to encroach 7 feet within the 12-foot side yard building setback.

There was a discussion between the Board, Mr. Lapp and Mr. Green regarding the design of the deck and accessibility to the deck.

Mr. Lapp requested a continuance to the next regularly scheduled Zoning Hearing Board meeting to re-design the proposed deck.

Mr. Stephens moved to continue this case to the September 8, 2020 Zoning Hearing Board meeting as requested by the applicant. Mr. Beyer seconded the motion. Motion was unanimously approved 4-0.

1671 Oregon Pike Group LP
1671 Oregon Pike, B-2 Business and D-R Retrofit Overlay

PLZHB20232

William Swiernik was sworn in for testimony, in person.

Mr. Swiernik explained that this request is for a special exception to expand an existing non-conforming dental office and a variance to encroach within the 10-foot planting strip.

Mr. Swiernik explained the two lots will be combined with the dental office expansion. The reason for the expansion is to offer a more service.

Mr. Beyer moved to approve the following: a special exception in accordance with Section 301.4.B.1. to allow for the existing 4,200 square foot building to be expanded to a total of 5,200 square feet; A variance of Section 2512.2.A. to allow for the proposed concrete pad and existing air conditioning units to encroach within the required planting strip on the south side of the building and to allow the existing pavement located adjacent to the rear eastern property line to encroach within the required planting strip. Mr. Stephens seconded the motion. The motion was approved 4-0.

Flavie L. Justafort
1634 Oregon Blvd.; R-3 Residential and T-4 Urban Neighborhoods

PLZHB20233

Flavie Justafort (in person) and Richard Kauffman (on zoom) were sworn in for testimony in person.

Ms. Justafort explained the request for a special exception for an accessory dwelling unit for her mother in the basement of the house. Ms. Justafort's sister will be living on the second floor of the dwelling.

Neighbor Richard Kaufman questioned Ms. Justafort regarding the conversion of the basement and where her sister will be living.

Mr. Beyer moved to approve the following: a special exception in accordance with Section 2515 and Section 903.4. to permit the conversion of an existing attached garage into an accessory dwelling unit; a variance of Section 2515.9. to permit that accessory dwelling unit to be located within the basement of the dwelling. Mr. Stephens seconded the motion. The motion was approved 4-0.

Jason Reese
645 East Roseville Road; I-3 Industrial and D-A Airport Overlay

PLZHB20234

Jay Garber and Jason Reese were sworn in for testimony, both in person.

Mr. Reese explained that he is requesting a variance to park vehicles in the grass field for patrons of the proposed beer fest on this property.

Mr. Garber explained that they are working through a land development plan to use this property and just received approval from the Manheim Township Commissioners. There will be official parking next year for the beer fest event to use.

Mr. Beyer moved to approve a variance of Section 2007 to permit temporary parking on the grass field located on the Kissel Valley Farm property to allow patrons to attend the outdoor beer garden event on Saturdays and Sundays from August through September 2020. Ms. Macedonia seconded the motion. The motion was approved 3-1 with Mr. Stephens dissenting.

Irwin & Weinhold Holdings LLC
151 Koser Road; I-1 Industrial and D-A Airport Overlay

PLZHB20235

Kevin Varner (in person), John Irwin (in person), and David Kreider (on zoom) were sworn in for testimony.

Mr. Varner explained that this is the same request as approved last time. He then explained the trucking businesses that will occupy the building and explained the requested variances.

Mr. Irwin explained that they had to redesign the building and missed the zoning hearing board timeline.

Neighbor David Kreider voiced concerns with the possible noise from the truck driver training on this property which is behind his property.

Mr. Stephens stated that he could not hear all of the testimony and will not vote.

Mr. Beyer moved to approve the following request: a special exception pursuant to with Section 2409.2.B.7. to allow the development of offices within the D-A Overlay Zone with an accessory use of the driving training center; a variance of Appendix A, Design Standards 14.3 to allow the sidewalk along Koser Road and Wright Avenue to be less than 10 feet in width; a variance of Appendix A, Design Standards 16.3 to allow the re-development of the site without a street wall or street edge treatment. Ms. Macedonia seconded the motion. The motion was approved 3-0.

Brian Plumbo
375 Breckenridge Way; R-2 Residential

PLZHB20240

Brian Plumbo was sworn in for testimony, on zoom.

Mr. Plumbo explained his request for a variance to move his existing fence 6 feet into the front yard building setback along Petersburg Road. He then stated that the fence will be behind a tree line along Petersburg Road.

Mr. Stephens moved to approve the following: a variance of Section 2108.1 to permit the placement of a 6-foot tall fence in the front yard setback not exceeding 6 additional feet; a variance of Section 2213 to permit the 6-foot tall fence to encroach within the 40 foot special building setback along Petersburg Road same dimension; a variance of Section 2108.6 to permit the placement of a solid fence within the required front yard setback along Petersburg Road. Ms. Macedonia seconded the motion. The motion was approved 4-0.

Frank and Elsie Payne
226 Buch Avenue; R-2 Residential

PLZHB20257

Frank Payne (on zoom), Stephen Gergely (on zoom) Mark Walton (on zoom) were sworn in for testimony.

Mr. Gergely explained the request for a special exemption for an accessory dwelling unit and a variance to place the accessory dwelling unit above a storage shed and a variance to have parking for the accessory dwelling unit in the front yard along Sunglo Road.

Mr. Walton questioned where the building will be located on the property and if the landscaping will be removed from the property.

Mr. Payne stated that the building will be in the rear of the property along Sunglo Road and the landscaping will not be removed.

Mr. Beyer moved to approve the following requests: a special exception in accordance with Section 803.6. for an accessory dwelling unit; a variance of Section 2515.2.A.3. to allow an accessory dwelling unit above a shed; a variance of Section 2103.1. to exceed 10 foot in height for outbuildings; a variance of Section 2005.4. to permit the required accessory dwelling unit parking space to be within the required front yard along Sunglo Road. The motion was seconded by Mr. Stephens. The motion was approved 4-0.

Lyle Garber and Ricarda Dehl
122 Jackson Street; R-3 Residential and T-6 Urban Transition Overlay

PLZHB20258

Lyle Garber and Ricarda Dehl were sworn in for testimony, both on zoom.

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Mr. Garber explained the request for a variance to place a roof over the existing patio to be placed up to the side property lines. Mr. Garber stated that the neighbors are okay with the roof.

Mr. Stephens moved to approve a variance of Section 905.2.F.5.c. to permit the construction of a roof over an existing patio to encroach within the interior lot line 3-foot building setback requirement and constructed up to both interior lot lines. Mr. Beyer seconded the motion. The motion was approved 4-0.

Proceedings adjourned at 9:24 PM.

The next Zoning Hearing Board meeting will be held on Tuesday, September 8, 2020 beginning at 6:30 p.m.

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