

Manheim Township Zoning Hearing Board Minutes
Monday, March 1, 2021
6:30 P.M.

Attendance:

David Wood (zoom computer conference)	Present
Greg Strausser (zoom computer conference)	Present
David Beyer (zoom computer conference)	Present
James Stephens (zoom computer conference)	Present
Jane Macedonia (zoom computer conference)	Present

Zoning Hearing Board Solicitor, Neil Albert, Zoning Officer Lisa Douglas, and Assistant Zoning Officer Samuel Maurer were on in person at the conference room at the municipal office.

The Zoning Hearing Board meeting was held remotely because of the COVID-19 and the Zoning Hearing Board members participated remotely through Zoom. The applicant participated remotely through the Zoom App.

David Wood called the regular meeting to order and requested a roll call. Zoning Hearing Board members were remotely in attendance present through Zoom. Court Reporter, Rhonda Adams, was present in person.

The entirety of the public hearing was stenographically recorded.

Lester Heiser
2370 Lititz Pike, R-2 Zoning District

PLZHB21003

Lester Heiser and Henri Rich were sworn in for testimony on zoom computer conference.

This case was continued from the February 1, 2021 Zoning Hearing Board meeting.

Mr. Wood stated that the Board received the elevation plans of the proposed addition from Mr. Heiser. The Board and Mr. Heiser reviewed the elevation plans.

Mr. Rich stated that he is concerned that the addition is larger than the house and does not agree to allow the addition any closer to the side property line than the house.

There was a discussion regarding the height of the proposed addition and how to reduce the profile of the addition.

Sam stated that the addition could be constructed flush with the side of the house.

Mr. Strausser moved to approve the request for a variance of Section 805.2.B.3.d.ii. to permit construction of a garage addition to encroach within the side yard building setback on the northern property line and a variance of Section 2808.1. to permit a time extension, 2 years to obtain all necessary permits and 5 years to complete construction.

Ms. Macedonia seconded the motion. The motion was denied 4-1, with Mr. Wood voted in the affirmative.

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Vllka Hoti Sekiraqa

PLZHB21037

1607 Oregon Pike, B-2 Business District, D-R Retrofit Overlay

Ken Sekiraqa and Vllka Sekiraqa were sworn in for testimony.

Mrs. Sekiraqa explained that she is proposing a hair salon in the basement with 3 rooms totaling 385 square feet. There will be 2 chairs, one chair for Mr. Sekiraqa and one chair for an employee in separate rooms.

There was discussion on the size of the basement and rooms and which rooms will be used by the hair salon. There was a discussion that there is parking for 5 cars at the rear of the building.

The Board noted that this property is within the B-2 zoning district and hair salon as permitted by right if the building was not used as a single-family dwelling.

Mr. Stephens moved to approve a special exception in accordance with Section 2110.4.M.3. to permit the operation of a single chair hair stylist hair salon, and a variance of Section 2110.4.M.3. to permit one additional chair for one hair stylist employee. Mr. Beyer seconded the motion. The motion was approved 5-0.

Tiffany Edner

PLZHB21038

363 Breckenridge Way, R-2 Residential

Tiffany Edner and Minh Banh were sworn in for testimony.

Mrs. Edner explained that she is planning to install a 6-foot tall fence behind her house along Petersburg Road for her child's safety. The fence would be 18 inches from the Petersburg street right of way, the same distance as the neighbor's fence on lot 7, 367 Breckenridge Way, which was approved by this Zoning Hearing Board.

There was a discussion of the Mrs. Edner and the neighbor's fence location.

Neighbor, Mr. Banh, supports the proposed location of the fence.

Mr. Beyer moved to approve a variance of Section 2108.1. to permit the installation of a 6 foot tall privacy fence to encroach within the front yard along Petersburg Road; a variance of Section 2213 to permit a 6 foot tall fence to encroach within the 40 foot special building setback along Petersburg Road; 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 4-1 with Mr. Stephens dissenting.

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**John & Garnet Sofillas
609 Frome Avenue, R-1 Residential**

PLZHB21039

John Sofillas and Garnet Sofillas were sworn in for testimony.

Mrs. Sofillas stated that she does not want to go to the public swimming pool because of COVID 19.

Mrs. Sofillas explained the location of the proposed swimming pool on this property with the water surface proposed at 5 feet from the rear property line and the pool decking at 2 feet from the rear property line.

Mrs. Sofillas explained that the rear property will be kept open and is owned by Melvin Petersheim. Mr. Petersheim supports the swimming pool project and with the proposed setbacks.

Mr. Sofillas described the proposed location of the swimming pool and fence on the property.

There was a discussion on why the swimming pool could not be placed closer the house. Mr. Sofillas stated that there are buried downspouts for the house, a deck and stairs are also in the way.

Mr. Sofillas stated that the neighbors support the swimming pool setbacks.

Ms. Macedonia moved to approve a variance of Section 2104.3. to permit the proposed swimming pool to encroach within the required 10-foot setback from the nearest water surface to the property line; a variance of Section 2103.2. to permit the proposed swimming pool concrete decking to be closer than the required 5 feet to the property line. Mr. Stephen seconded the motion. The motion was approved 5-0.

**Kissel Valley Farm LLC
645 East Oregon Road, I-3 Industrial, D-A Airport Overlay**

PLZHB21040

Jay Garber and Brent Detter were sworn in for testimony.

Mr. Garber stated that events are planning to be held on the property and are planning to use the grass field for parking. Was planning to construct a parking lot before the event but had problems with approval of the stormwater plan. Mr. Garber is worried that stormwater plan may not be approved in time to construct the parking lot for the event.

Mr. Detter stated that he created and submitted a stormwater management plan and have not received approval from the Lancaster County Conservation District (LCCD) and the Pennsylvania Department of Environmental Protection (DEP). A revised plan was sent to LCCD for approval.

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Mr. Garber stated that the events are scheduled for May 1, 2021 to October 31, 2021. If the stormwater plan is approved before the event, he could delay starting the event until June 1, 2021.

Mr. Beyer moved to approve a variance of Section 2007 to permit parking in the grass for a beer garden event from May 1, 2021 to October 31, 2021. Mr. Strausser seconded the motion. The motion was approved 4-1 with Mr. Stephens dissenting.

Proceedings adjourned at 8:00 PM.

The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Monday, April 5, 2021 at 6:30 PM on zoom.

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