

Manheim Township Zoning Hearing Board Minutes
Monday, March 7, 2022
6:30 P.M.

Attendance:

David Wood	Present
Greg Strausser	Present
David Beyer	Present
James Stephens	Present
Jane Macedonia	Present

The Zoning Hearing Board, Zoning Hearing Board Solicitor Neil Albert, Zoning Officer Lisa Douglas, and Assistant Zoning Officer Samuel Maurer were in person in the Morgan Center located at Manheim Township Library.

Mr. Wood called the regular meeting to order and requested a roll call. The Zoning Hearing Board members were in attendance in person at the Manheim Township Library building. Mr. Wood stated that there is a quorum.

Mr. Albert confirmed with Samuel Maurer that this zoning hearing board meeting was correctly advertised and posted at the Manheim Township library, Manheim Township municipal office building, and on the effected properties. Mr. Maurer stated yes.

This meeting was stenographically recorded.

Mr. Wood explained the process of the Zoning Hearing Board meeting and announced the agenda.

**Imperium Real Estate LLC
1860 Oregon Pike, B-2 Business, and D-C Corridor Overlay**

PLZHB22008

David Beyer recused himself from voting on this case because he is an employee of the architectural firm designing this building.

John Mateyak was sworn in for testimony.

Referencing a colored site plan of the existing property, Mr. Mateyak described the property as 1 acre within the B-2 zoning district with 2 lots that will be combined. A 4,300 square foot Roseville Tavern building dating back to 1850. The whole total lot is covered with impervious coverage.

Mr. Wood stated that the Board received a recommendation letter from the Lancaster County Historic Trust regarding the demolition of this building, because altered state.

Mr. Mateyak explained that 3 variances are being requested regarding a 5-foot-wide sidewalk instead of the 10 required sidewalk, smaller than required parking lot islands, and construct 5,000 square foot medical offices instead of the required 4,000 square feet.

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There was a discussion of what is the hardship and why is 5,000 square foot medical offices are needed.

Mr. Mateyak stated that doctor practices do not have enough room for utilities in their office.

The Board mentioned that the Manheim Township Commissioners wanted 4,000 square feet for medical offices in B-2 Business lots and B-1 and B-3 Business allows 5,000 square feet for medical offices.

Mr. Strausser moved to approve a variance of Section 2402.5 and Section 2410.3.A. Appendix A. Design Standard 14.3, to permit a 5-foot-wide sidewalk along Oregon Pike instead of the required 10-foot-wide sidewalk; a variance of Section 2512.3.C(1) not to provide interior landscape island planters the size of 9 feet by 36 feet within the parking lot; a variance of Section 1204.2.B.8. to permit a maximum floor area of 5,000 square feet for a medical/dental office use; a variance of Section 2808.1. to permit a time extension for beginning the authorized action within two (2) years, and a time extension for the completion within three (3) years from when the variance was finally approved. As per Section 2808 of the Manheim Township Zoning Ordinance, all necessary permits must be secured, and the authorized action begun within one year of the date of the written decision and construction completed within two years of said date. Ms. Macedonia seconded the motion. The motion was approved 4-0.

**Pennsylvania Lines LLC c/o Sterner Outdoor Signs
1230 Plaza Blvd., I-2 Industrial and D-R Retrofit Overlay**

PLZHB22027

Jerry Besko and Shawn Sterner were sworn in for testimony.

Mr. Besko explained that this same sign request was approved by the Zoning Hearing Board on the southern side of the Norfolk Southern railroad track. This request is to place the sign on the northern side of the track. The reason for the change is to prevent servicemen from driving over the railroad tracks to service the sign.

Mr. Besko stated that there are no additional variances requested with this request but offered his opinion that a 300 square foot sign would be safer than the 70 square foot sign requirement. Mr. Besko stated that this would minimally impact the railroad and Township.

Mr. Wood stated that Mr. Besko should request for a zoning ordinance change for the 300 square foot sign from the Manheim Township Commissioners. Mr. Besko stated that 300 square feet is not large, and it is difficult to ask the Commissioners for the ordinance change.

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Mr. Stephens made the following motion: deny a variance of Section 1806.1. Table 2 Part B to increase the area of the proposed freestanding billboard sign from the required 72 square feet to 300 square feet; approve a variance of Section 1806.1. Table 2 Part B to increase the height of the proposed freestanding billboard sign from the required 25 feet to 45 feet; approve a variance of Section 1806.4. to increase the sign area of an Electronic Variable Messaging Sign (EVMS) from the required 60% of the proposed freestanding billboard sign area to 100%. Mr. Beyer seconded the motion. The motion was approved 5-0.

Heimer Properties

PLZHB22028

1609 Oregon Pike, B-2 Business and D-R Retrofit Overlay

Ray Heisey and David Heisey were sworn in for testimony.

Ray Heisey explained that he wants to construct a solar carport which would encroach within both required 25-foot side yard building setbacks. A variance is requested for the side yard building setback encroachment of the proposed solar carport.

Ray Heisey displayed photographs of typical solar carports and explained the construction of the carport.

Ray Heisey stated the following: If the solar carport would be attached the building, it would be allowed to be placed at the same setback distance from the side property lines as the building. The south neighbor was notified and has no issues with the carport. There is macadam under the carport.

The Board requested to place spouting on the carport for water runoff.

There was a discussion if this proposed structure would be considered a ground mounted solar panel or a carport.

Mr. Heisey stated that this structure is considered a carport first and a solar panel second.

Mr. Beyer moved to approve a variance of Section 2102.5. to permit a proposed detached carport to encroach within both 25-foot side yard building setbacks. Mr. Stephens seconded the motion. The motion was approved 5-0.

Citizens Bank

PLZHB22029

1415 Lititz Pike, B-4 Business and D-R Retrofit Overlay.

Brian Cooley was sworn in for testimony.

Mr. Cooley explained the existing property is owned by Sparky 1415 LLC, James Diamond. A letter was submitted by Mr. Diamond supporting this project.

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Mr. Cooley described the project as the bank want to move the 12 leased parking spaces to this Citizen Bank property removing from the restaurant's property. The parking spaces on this property will be rearranged to provide for the 12 additional parking spaces.

Referencing photographs and site plans of this property, Mr. Cooley explained the requested variances.

The Board suggested to move the dumpster 2 – 5 feet farther onto the property out of front yard. Mr. Cooley stated that the proposed location is the best location for the dumpster.

The Board asked what the hardship for the variances is. Mr. Cooley stated: I don't know what their intent is as far as the lease is concerned, but Citizens Bank wants to no longer have a lease for additional parking. They want to move more parking onto their site. Mrs. Douglas and Mr. Maurer stated that they could not find a lease agreement in the Township records.

There was a discussion of the 12 parking spaces are needed vs required parking spaces, and the location of the parking spaces. It was mentioned that the 12 parking spaces may not be needed for bank to comply with the township in the past but may have been needed for the Bank operations. Ms. Douglas stated that she could not confirm or deny that.

There was a discussion of impervious coverage removal.

Ms. Macedonia moved to approve the following: a variance of Section 1405.2.J.5.e. to permit the proposed angled parking spaces and dumpster to encroach within the required 20-foot perimeter buffer; a variance of Section 2005.4. to permit the proposed angled parking spaces to encroach within the required 10-foot setback from the street right of way and encroach within the 20-foot perimeter buffer area along Oregon Pike; a variance of Section 2008.2. to permit the aisle width behind the 45-degree angled parking spaces to be less than the required 18-foot width; a variance of Section 2108.2. to permit a 6-foot-tall dumpster enclosure fence within the front yard building setback; a variance of Section 2108.6. to permit a solid dumpster enclosure fence within the front yard building setback; a variance of Section 2507.4. to permit a dumpster within the front yard building setback along Oregon Pike; a variance of Section 2512.2.A. to permit encroachment within the required 10-foot planting strip; a variance of Section 2512.3.A. not to screen the proposed angled parking spaces along the Oregon Pike Street right of way. Mr. Strausser seconded the motion. The motion was approved 5-0.

This meeting was adjourned at 8:00 PM. The next regularly scheduled Zoning Hearing Board meeting will be held on Monday, April 4, 2022, at the Manheim Township Public Library, 595 Granite Run Drive, Lancaster, Pa. 17601