

Manheim Township Zoning Hearing Board Minutes
Monday, February 6, 2023
6:30 P.M.

Attendance:

David Wood	Present
Greg Strausser	Present
David Beyer	Present
Patrick Trimble	Absent
Gary Gaiserrat	Present
Mike Callahan	Present

The Zoning Hearing Board, Zoning Hearing Board Solicitor Neil Albert, Zoning Officer Lisa Douglas and Zoning Officer David Bednar were in person in the Public Meeting Room at Manheim Township Municipal Building.

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 Municipal Building. Mr. Wood stated that there is a quorum.

Mr. Wood explained the sunshine act regarding the Zoning Hearing Board public meeting.

This meeting was stenographically recorded.

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

Robert A Brandt, Jr. **PLZHB23003**
2617 Mondamin Farm Road, R-1 Residential District

Steve Gergely was sworn in for testimony.

Mr. Gergely gave a summary of the previous Zoning Hearing Board case for the property. Mr. Gergely explained that since the previous case was approved, the project has been changed resulting in additional encroachments into setbacks.

Encroachments requested are for twenty (20) feet into the rear yard setback and five (5) feet into the front yard setback. Mr. Gergely explained that the common driveway crossing the property line also requires a variance.

Mr. Gergely and the board discussed the layout of the setbacks setup for the property after the subdivision occurred.

Mr. Beyer made a motion to approve a variance from Section 705.2.B.(3)[d][i] to encroach five (5) feet into the thirty (30) foot front yard setback. A variance from Section 705.2.B.(3)[d][iii] to encroach twenty (20) feet into the thirty-five (35) foot rear yard setback. A variance from Sections 2012.3 & 2211.2 to permit a driveway with less than three (3) feet of separation from the property line where the driveway is proposed to cross the property line. Mr. Strausser seconded the motion. The motion was approved 5-0.

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Ryan and Laura Miller

1099 Fruitville Pike, R-1 Residential District

PLZHB23004

Steve Gergely presented for Ryan and Laura Miller.

Mr. Gergely presented a packet of letters signed by adjacent property owners in support of the variances being requested. Mr. Gergely provided a summary of the property and the current owners. Mr. Gergely presented the plan to subdivide the property to convert the barn into a dwelling while provided both dwelling driveway access and a garage on two separate lots. Mr. Gergely explained that proving that the lots can be subdivided is part of the subdivision process laid out by the municipality.

Mr. Gergely presented the variances being requested. Mr. Gergely and the board discussed the variances requests and if adjustments to the proposed property line could make things more simplified. Mr. Strausser asked if there were discussions with the municipal codes department about converting the barn into a dwelling.

Mr. Wood noted that the conversion of the barn in a residential area provides a more conforming use of the old farm property. Mr. Wood asked about providing a straight property line and removing the existing garage to lessen the variance request for the property depth. Mr. Gergely noted that the lot depth issue would still need a variance and that the structure is in good shape and not in need of demolition.

Mr. Wood asked about changing the definition of the garage to allow the distance it is located into the setback and staff noted that the existing structure height and use would not allow it to be classified as an accessory structure.

Mr. Strausser asked if they would provide a separate driveway and it was noted that was not part of the plan and could require additional stormwater management.

Mr. Strausser made a motion to approve a variance from Section 705.2.B.(3)[c] to permit a lot depth of sixty eight (68) feet instead of the required lot depth of one hundred fifty (150) feet. A variance from Section 705.2.B.(3)[d][i] to encroach thirty-six (36) feet into the forty (40)-foot Fruitville Pike Special Building Setback. A variance from Section 705.2.B.(3)[d][iii] to encroach six (6) feet into the thirty-five (35) foot rear yard setback. A variance from Sections 2012.3 and 2211.2 to permit a driveway with less than three (3) feet of separation from the property line where the driveway crosses the proposed property line. A variance from Section 2102.5 for a detached garage to encroach ten (10) feet into the fifteen (15) foot side yard setback. A variance from Section 2206.2.A to permit a walkway with less than five (5) feet of separation from the property line where the walkway crosses the proposed property line. Mr. Gaissert seconded the motion. The motion was approved 5-0.

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**Oaktree Outdoor Advertising, LP
2105 Fruitville Pike, B-3 Business District**

PLZHB23005

Devon Wagner was sworn in for testimony.

Mr. Wagner presented the variance being requested to the board. Mr. Wagner noted that the same variance has been requested before and approved for other locations in the township.

Mr. Wagner noted that the electronic billboard being requested in the variance is the same structure, construction and components as the others that were previously approved. Mr. Strausser summarized the previous cases involving electronic billboards for the new board members. Mr. Strausser, Mr. Wood and Mr. Wagner discussed the digital billboard construction including static and digital signage and sizes related to roadway classification. Mr. Callahan questioned the distances permitted between billboards per PennDOT.

Mr. Wagner stated the height for this sign would be between eighteen (18) feet and twenty-two (22) feet.

Mr. Strausser made a motion to approve a variance from Section 1806.4.A to permit the area of an Electronic Variable Messaging Sign (EVMS) to exceed 60% of the total free standing billboard sign area. Mr. Beyer seconded the motion. The motion was approved 5-0.

This meeting was adjourned at 7:19 PM. The next regularly scheduled Zoning Hearing Board meeting is on Monday, March 6th, 2023, at the Manheim Township Municipal Office at 6:30PM.

<https://manheimtwp.sharepoint.com/sites/Planning/Shared%20Documents/General/Zoning%20Hearing%20Board/MINUTES/2023/02062023%20ZHB%20minutes.doc>