

Manheim Township Zoning Hearing Board Minutes
Tuesday, September 7, 2010
6:30 P.M.

Attendance:

Michael Winters	Present
Patrick Trimble	Present
David Wood	Present
Edward Hoover	Absent
Robert Byram	Present
Helen Adams, Alternate	Present

Chairperson David Wood opened the Zoning Hearing Board meeting, requested a roll call, explained the Zoning Hearing Board meeting process, and announced the agenda. Alternate member Helen Adams was seated in place of the absent Edward Hoover.

The Crossings Church, ICO John A. Rairigh
R-1, 1001 Buckwalter Road

Case 10-42

Rev. John Rairigh, Rebecca Rairigh, Estella Bowman, Michel Michener, David Neupaur and Kurt Brown were sworn in for testimony.

Rev. Rairigh explained the request and stated the following. The Crossings Church was meeting at the Penn Cinema since 2007. The church decided they would like to worship at Reidenbaugh Elementary School because of the neutral atmosphere. Each Sunday the equipment that is used for the worship services is transported to the location with a van and is set up in the building. Ninety to one-hundred persons would attend the church services in the auditorium and including the children using the cafeteria. Persons would enter at the parking area which has plenty of parking spaces the church use. There will be "A" frame directional signs that would be placed on the property only on Sundays. The church is in discussion with Manheim School District for the church to use Reidenbaugh Elementary School. The building will be manned with greeters and a parking lot attendant would direct persons in the parking lot. Worship services would be 10:00 AM on Sunday morning. There were no comments from the neighbors regarding the proposed church use. The Crossings Church would rather rent from a school district which uses there funds to better children's lives. The church would rather use their funds for ministries of the church rather than to invest in a building.

The Board read aloud the comments of the sign official stating that this sign would be considered a sidewalk sign and would be permitted.

Mr. Pfannebecker stated that the church should obtain a written agreement from the school district and submit the agreement to the Township for their records. Mr. Rairigh agreed to do so.

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Mr. Winters moved to grant a permit a special exception in accordance with section 603.4. to permit a church use within the R-1 zoning district, within an elementary, building consistent with the testimony and exhibits presented before the Board this evening. Mr. Byram seconded the motion. The motion was approved 5-0.

Lititz Sign Company

B-4, 1507 Lititz Pike

Case 10-43

Thomas Benjamin was sworn in for testimony.

Mr. Benjamin explained the request and stated the following. The sign company was not able to complete the sign project for CVS due to timing issues. The permit application was not able to be submitted on time. An additional two square feet is needed on the Oregon Pike freestanding sign. All the engineering work was completed. Mr. Benjamin was not aware of the 90 day time limit for filing for the permit. Mr. Benjamin stated that this request is the same request that was approved previously by the Zoning Hearing Board.

Mr. Winters moved to grant a variance to section 1806.2. Table 2 Part A to permit the placement of electronic message center sign to the Oregon Pike existing freestanding sign pylon exceeding the total freestanding sign area requirement of 80 square feet consistent with the testimony and exhibits presented before the Board this evening and consistent with the prior decision rendered by this Board for this same issue on February 1, 2010. The Motion was seconded by Mr. Byram. The motion was approved 5-0.

Robert and Susan Shaub

R-1, 1988 New Holland Pike

Case 10-44

Susan Shaub was sworn in for testimony.

Mrs. Shaub explained the request and stated the following. They are planning to construct an addition to the dwelling including a basement and garage for a living area for their son and fiancé to live in. The Shaub's are requesting a special exception for an accessory dwelling unit for which where her son and fiancé would live. There were no comments from the neighbors. The Shaub's stated that they do not have public water. After a discussion regarding public water and sewer the Shaub's stated that they would obtain public water and sewer for the property. A restoration plan was submitted and discussed at this hearing regarding the removal of the kitchen accessories when the son and fiancé moves out.

There was a discussion regarding the impervious coverage of the property. Mrs. Shaub stated there would be 45 percent of impervious coverage with this addition.

There was a discussion for the need of a time extension in the event a stormwater management plan would be needed. Mrs. Shaub agreed to request a time extension.

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Mr. Winters moved to approve a special exception request to permit an accessory dwelling unit in accordance with section 2315 of the Manheim Township Zoning Ordinance based on the condition that they do obtain public water and sewer as required in section 2315 and also approve a variance to section 2208 to permit a time extension of 90 days from when they have stormwater approval to obtain all necessary permits and one year after obtaining all necessary permits to complete construction. Helen Adams seconded the motion. The motion was approved 5-0.

J. Andrew Lehman

R-1, 701 Taddington Lane

Case 10-45

Andrew Lehman was sworn in for testimony.

Mr. Lehman explained the request and stated the following. The request is for a variance to place a four foot fence within the front yard building setback. The four foot height is required by the code for the proposed swimming pool being constructed on the property. Referencing photographs Mr. Lehman stated that there are other fences within the front yards of Wellesley Manor properties and this fence would be similar to those fences.

There were discussions on the interpretation of the closed fence language in the zoning ordinance. Lisa Douglas, Director of Planning and Zoning Department, stated that she interprets that closed fences are a fence that are enclosed and would have to comply with the front yard setback which is one-half the setback distance.

Mr. Lehman agreed to place the fence 18 feet from the front property line in order to meet the requirement to permit a closed fence within the front yard. Mr. Lehman stated that this location of the fence would allow a larger area for children.

Mr. Winters moved to approve a variance to section 1908.3. to locate a pool fence, maximum four feet in height, within a front yard building setback not to encroach greater than 18 feet from any setback line with landscape screening be provided consistent with the testimony and exhibits presented before the Board this evening. Mr. Byram seconded the motion. The motion was approved 5-0.

Fast Signs

IN, 1520 Harrisburg Pike

Case 10-47

Angela Allison and Nelson Kling were sworn in for testimony.

Ms. Allison distributed another sign design.

Ms. Allison explained the request and stated the following. The Mennonite Home is planning to place a 28.3 square foot sign in a grass island at the entrance in the front of the home at the Park City traffic light to direct vehicles and guests to the lower entrance of the home for deliveries and

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visitation. A smaller sign would have smaller text and would be harder to see. This entrance is hard to see and this sign is meant to catch the eye of a driver or resident. A resident needs larger lettering to find the entrance. This is a tight entrance so for a truck we are trying to redirect traffic better.

There was a discussion to what type of sign this would be a business sign or an incidental sign. Ms. Allison stated that she considered this an incidental sign. Mr. Wood stated that if this is an incidental sign then the sign must be 2 square feet.

It was stated that name and the logo on the sign make it a business sign. The Board indicated that they would not support a variance for a business sign. Ms. Allison stated that her client would allow the logo to be removed from the sign.

The Board suggested that Ms. Allison should request a variance for an incidental sign to exceed two square feet. It was suggested that a continuance should be requested to next month to submit the incidental sign request. Ms. Allison agreed to request a continuance to next month Zoning Hearing Board meeting.

Mr. Winters move to approve the applicant's request for a continuance to the next regularly scheduled meeting of October 4, 2010. Mr. Byram seconded the motion. The motion was approved 5-0.

The meeting adjourned at 8:15 PM. The next regularly scheduled meeting will be held on Monday, October 4, 2010 at 6:30 P.M.

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