

Manheim Township Zoning Hearing Board Minutes
Tuesday, January 5, 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

David Wood requested a roll call. A quorum of the Board was established.

Robert Pfannebecker opened the reorganization meeting and asked for a nomination for Chairperson. Mr. Winters nominated David Wood as Chairperson for 2010. There was no other nomination. Mr. Wood was approved as Chairperson 4-0 with Mr. Wood abstaining.

Mr. Wood took charge of the reorganization meeting and asked for a nomination for Vice Chairperson. Mr. Winters nominated Patrick Trimble as Vice Chairperson. Helen Adams seconded the motion. There was no other nomination. Mr. Trimble was approved as Vice Chairperson 4-0 with Mr. Trimble abstaining.

Mr. Wood requested a nomination for Manheim Township Zoning Hearing Board solicitor for the year 2010. Mr. Winters made a motion stating that the Board retains the law firm of Zimmerman, Pfannebecker, Nuffort & Albert as legal counsel for the Manheim Township Zoning Board for the year 2010. Mr. Byram seconded the nomination. The motion was approved 5-0.

Chairperson David Wood opened the Zoning Hearing Board meeting, explained the Zoning Hearing Board meeting process, and announced the agenda.

Mr. Wood announced that the Zoning Hearing Board Alternate would be used for this hearing as the result of the absence of Mr. Hoover. Mr. Wood welcomed Helen Adams to the Zoning Hearing Board.

Anh Luu
R-2, 62 Overlook Avenue

Case #10-01

Mr. Wood asked if the case was advertised and property posted. Sam Maurer answered, yes.

Anh Luu, Tho Luu, Josephine Martin, Thuy Dao, Toni Collick, Elwood Buckwalter, and Gus Kouros were sworn in for testimony.

Zoning Hearing Board Minutes

January 5, 2010

Page 2

A revised floor plan was distributed to the Zoning Hearing Board and to the audience showing that three chairs are being requested instead six chairs as shown on the original site plan.

Ms. Luu explained that she is requesting a special exception to permit a beauty salon to include one hairstyling chair, one nail chair and one pedicure chair as a Major Home Occupation that would be located in the existing garage. Only one client would be serviced at a time and there would possibly be two clients in the salon at a time with only one being serviced. Ms. Luu requested one nonresident employee to work in the salon. The hours of operation would be Monday through Friday, 10:00 a.m. to 7:00 p.m. and Saturday, 10:00 a.m. to 4:00 p.m. Ms. Luu stated that a sign is not required.

Ms. Luu stated that she is presently working in another salon. She would like a salon at her home so she can care for her parents and other family members.

Contractor Mr. Buckwalter stated that two parking spaces would be installed outside of the front yard building setback for the residents of the dwelling. The customers of the beauty salon would be parking in the driveway, which could accommodate up to six cars. Mr. Buckwalter stated that there should not be any adverse effects of the salon on the neighborhood.

Public Comment:

A neighbor was concerned that a variance should be requested for the proposed number of chairs requested because the Zoning Ordinance only permits a single chair hair stylist.

Mr. Pfannebecker explained that the Board has dealt with the issue on the basis of; as long as there is one person there moving from place to place it's still only one person at a time. Mr. Pfannebecker stated that the Board has resolved that issue in the past.

The neighbors that did not support the proposed beauty salon were concerned with the following: traffic congestion, clients of the salon parking on the street, the large numbers of cars currently parked at the property, having a business at a dangerous intersection, having a commercial business in a residential neighborhood and having persons not living in the development driving through the streets.

A few neighbors supported the beauty salon stated that the Luu family were good neighbors.

Mr. Winters moved to approve a special exception in accordance with section 1910.4.M.3. to permit the operation of a beauty salon as a Major Home Occupation, given the fact that the applicant has withdrawn her variance to section 1910.4.M.3 to service two clients at the same time and have more than one chair, based upon the Board granting the following conditions: 1) applicant would be permitted to have only one customer at a time, 2) all customers would have to park in the applicant's driveway, 3) no more than two customer vehicles would be permitted to be parked in the driveway at a time allowing for overlapping of customers coming and going, 4) applicant shall have no employees, 5) The hours of operations are to be Monday through Friday 10 :00 to 7:00 PM , Saturday 10:00 AM to 4:00 PM with no Sunday hours, 6) the

Zoning Hearing Board Minutes

January 5, 2010

Page 2

applicant is to erect no signs, all based upon the evidence and testimony presented before the Board this evening. Mr. Byram seconded the motion. The motion was approved 5-0

The meeting adjourned at 8:32 PM. The next regularly scheduled meeting will be held on Monday, February 1, 2010 at 6:30 P.M.

Z:\Zoning Hearing Board\MINUTES\2010\January.ZHB Minutes.2010.doc