

Manheim Township Zoning Hearing Board Minutes
Monday, July 1, 2024
6:30 P.M.

Attendance:

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

The Zoning Hearing Board, Zoning Hearing Board Solicitor Neil Albert, 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. Albert explained the sunshine act regarding the Zoning Hearing Board public meeting.

This meeting was stenographically recorded.

Anil Jivani

R-2 Residential District, 1083 Bluegrass Road

PLZHB24144

Elizabeth Vanasse and Reilly Noetzel were representing Anil Jivani. Ms. Vanasse presented the variances that are being requested. Ms. Vanasse provided the plans for the proposed deck, patio and walkway. Ms. Vanasse noted that the walkway was already installed at the property without permits and is in setbacks. Ms. Vanasse distributed plans for the lot and the subdivision to the board.

Anil Jivani was sworn in for testimony. Ms. Vanasse and Mr. Jivani discussed the current layout of the property and the surrounding area. Ms. Vanasse presented information that Mr. Jivani was not responsible for the current configuration of the property.

Mr. Strausser questioned alternatives to the walkway location which Ms. Vanasse noted they needed to access the side garage door. Mr. Strausser expressed concerns about the walkway being located up to the property line. Mr. Trimble expressed concerns with the walkway being located up to the property line.

Mr. Wood questioned Mr. Jivani about the need for the walkway along the property line and why the deck needs to be accessible from the driveway. The board expressed concerns about the walkway being constructed against the property line. Mr. Trimble made a motion, Mr. Strausser seconded it, much discussion took place and then a Executive Session was called.

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Mr. Trimble made a motion to approve the variance to permit the encroachment of a deck into the rear yard setback and denied the variance to permit the proposed walkway to be located within the required side yard. Mr. Strausser seconded the motion. The motion was approved 5-0.

Terra Landscapes

R-2 Residential District, 1075 Bluegrass Road

PLZHB24190

Dave Enterline was sworn in for testimony.

Mr. Enterline presented the variance request. The board discussed the specifics of the proposed project. Mr. Beyer made a motion to approve the variance request. Mr. Gaissert made a motion to approve the variance. The motion was approved 5-0.

KSL Partners, LLC

B-3 Business District/D-R Overlay, Granite Run Drive

PLZHB24191

Claudia Shank represented KSL Partners, LLC.

Ms. Shank presented the history of the Overlook Town Center project along with the list of the previously approved variances. Ms. Shank presented the variance being requested and provided justification for it. Ms. Shank questioned Randy Hess who was sworn in for testimony. Mr. Hess provided information regarding the need for the variance to not have to provide the business use space in the apartment building.

Mr. Hess provided information about the progress of the project and reasoning for the variance. Discussions continued about the proposed apartments and development. Mr. Trimble made a motion to authorize Building B to be developed solely as a multifamily residential use without the commercial component. Time extension was granted through 6/1/2026 to pull permits and through 6/1/2029 to complete construction. Mr. Strausser seconded the motion. The motion was approved 5-0.

Cypress Marty

R-2 Residential District, 375 Darlington Court

PLZHB24192

Cypress Marty was sworn in for testimony.

Mr. Marty presented the plan to install a paver patio and walkway at the subject property. Mr. Marty noted that there would be a shed installed on a portion of the patio resulting in a layout that puts part of the patio within a setback.

Mr. Strausser made a motion to approve the variance to permit encroachment of a patio and walkway into the side yard setback. Mr. Beyer seconded the motion. The motion was approved 5-0.

Brian & Cori Jackson
R-2 Residential District, 1054 Bluegrass Road

PLZHB24193

Brian Jackson and Cori Jackson were sworn in for testimony.

Mr. & Mrs. Jackson presented their plans for a deck and patio at their property. Mr. & Mrs. Jackson explained that the patio and deck need to go into the rear setback by two feet. The board asked if there were any other restrictions on the property. Mr. Strausser made a motion to approve a variance from Section 2106 to permit an encroachment of a patio and deck into the rear yard setback. Mr. Beyer seconded the motion. The motion was approved 5-0.

Judith T. Eaton
R-2 Residential District, 329 Bracken Drive

PLZHB24194

Judith T. Eaton was sworn in for testimony.

Ms. Eaton presented the variance request. Ms. Eaton explained their renovation project and the need for converting the garage. Ms. Eaton explained the ordinance she needed a variance from and why. The board asked questions about the property and their renovation project. Mr. Beyer made a motion to approve a variance from Section 2005.4 to permit a required off-street parking space to be located within the required front yard setback. Mr. Gaissert seconded the motion. The motion was approved 5-0.

This meeting was adjourned at 8:04 PM. The next regularly scheduled Zoning Hearing Board meeting is on Monday, August 5th, 2024, at the Manheim Township Municipal Office at 6:30PM.

<https://manheimtpw.sharepoint.com/sites/Planning/Shared Documents/General/ZONING HEARING BOARD/MINUTES/2024/07012024 ZHB minutes.doc>