

Manheim Township Zoning Hearing Board Minutes
Monday, June 1, 2009
6:30 P.M.

Attendance:

Michael Winters	Present
Patrick Trimble	Present
David Wood	Present
Edward Hoover	Present
Robert Byram	Present

Chairperson David Wood asked for a roll call. A quorum of the Board was established.

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

Bartush Signs on Behalf of Susquehanna Bank
I-1, 1570 Manheim Pike.

Case #09-15

This case was continued from the April Zoning Hearing Board meeting so Mr. Bartush could discuss with staff regarding the message sign zoning issues and total sign area of the property.

Felix Bartush, Barry Miller of Susquehanna Bank, Dawn Allen of Susquehanna Bank was sworn in for testimony.

Mr. Bartush distributed additional material for the Board to review and began by explaining the intentions of Susquehanna Bank and stated the following. Mr. Bartush explained that Susquehanna Bank is requesting to have two freestanding signs remain on the property. The existing 30 square foot freestanding sign along Manheim Pike will be removed and replaced with a pole sign and a message board sign both together equaling 80 square feet. The request is for a variance to allow the additional 11.58 square feet and exceed the 280 square foot sign area requirement. The total sign area on the property would total 291 square feet. This would permit all other signs on the property to remain unchanged and the pole sign, B, Exhibit 3, to be the maximum 80 square feet permitted at this location by the zoning ordinance. Commerce Drive is has a 45-degree angle, not parallel street frontage. Removal of the sign at the property entrance would be a safety factor for the motorist trying to find the entrance to the Susquehanna Bank property. Therefore, elimination of this sign would create a definite hardship and there would be no identification of the main entrance to the property or identification of the Susquehanna Financial Center and Bank on Commerce Drive. This is the minimal variance to afford relief.

Mr. Bartush stated that the Zoning Ordinance does not mention how often a sign can change its message. He explained that the International Zoning Code, the Federal Highways Administration, and PennDot defines message signs and how often the signs are permitted to

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change a message. Mr. Bartush stated that Penndot allows frequency of change of the message on message board signs to be from four to six seconds.

Mr. Bartush stated that studies of message board signs revealed that the motorists need at least 5 seconds to read a message on a sign. He stated that a change one time per day is not feasible for the message board sign for Susquehanna Bank.

The Board asked Lisa Douglas if sign regulations by the International Sign Code and Penndot could be enforce in the Township. Mrs. Douglas stated that Manheim Township has not adopted the International Sign Code, signs in Manheim Township are regulated by the Manheim Township Zoning Ordinance.

Mr. Miller stated the following: Susquehanna Bank has several offices of different business of banking, investment business, marketing, loan business in this building. Clients complain that they cannot find the entrance of the property. Advertising is also important for each of the businesses. A traffic study was completed and it revealed that 190 cars a day enter the property. The message board would advertise Susquehanna Bank service businesses only.

Dawn Allen explained the she is in involved fundraising. She stated that the message sign would be important for advertizing the fund raising activities Susquehanna Bank is involved for non-profit organizations.

Ben Roth was sworn in for testimony. Mr. Roth stated that he considers the property as having perpendicular streets. Mr. Roth explained his determination regarding the second sign on the property.

Mr. Bartush stated that the zoning ordinance is not consistent stating that the Planned Residential Developments allows for freestanding signs on perpendicular streets and the sign portion of the zoning ordinance does not. The Board stated that it does not make sense to compare the Planned Residential Development sign regulations to the rest of the zoning districts.

Mr. Winters stated that the existing freestanding sign could be doubled in size without the need of the 291 square foot sign area variance. In addition, the Board stated the proposed message board would be considered an intermittent sign and that the zoning ordinance does not permit intermittent signs.

Mr. Winters made the following motion: Deny the request for variance to section 1804.24 to permit an electronic message center sign to change more frequently than once a day. Deny the request for a variance to section 1805.2. Table 2 to permit the total sign area for this lot to exceed 280 square feet. Approve the request for a variance to section 1805.2. Table 2 note c to permit 2 freestanding signs on the property as long as the total sign square footage on the property does not exceed 280 square feet. Mr. Hoover seconded the motion. The motion was approved 5-0.

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Mr. Wood stated that he believes this township needs to have documentation regarding this electronic message center. I think the testimony presented by Mr. Bartush clearly indicates that this is where signage is going. In addition, if we do not have something more regulated in our ordinance, we need to get something.

Michael J. Maletteri

B-1, 114 Foxshire Drive.

Case #09-17

Andrew Brubaker and Thomas Despard were sworn in for testimony.

Mr. Brubaker explained the request. The applicant is planning a basement alteration to convert 836 square feet of existing unfinished basement storage space into 323 square foot for a training room and 513 square feet of exit corridors. The applicant is requesting a variance not to provide the additional three parking spaces that is required for the alteration.

Mr. Brubaker stated that the there is 5,760 square feet of existing office space in the building. This proposed space would be for training of existing employees that work in the building and additional parking would not be required.

Mr. Brubaker agreed with a condition that the rest of the basement would remain for storage.

Mr. Winter moved to approve the request for a variance to section 1702.8.A. to permit the addition of 836 square feet of renovated space, consisting of 323 square feet for a training room and 513 square feet for exit corridors, in the unfinished basement without the need to add additional parking with a condition that the remaining basement area stated as room five during testimony to remain in storage and the renovated area to be used for training purposes only. Mr. Byram seconded the motion. The motion was approved 5-0.

Sarah Pfeiff

R-2, 2404 Lititz Pike.

Case #09-18

Sean Pfeiff and Sara Pfeiff and Merci Brill were sworn in for testimony.

Mr. Pfeiff stated that he and his wife are requesting a special exception for a single chair hair stylist major home occupation.

Mr. Pfeiff explained the location of the home occupation. Mr. Pfeiff stated that not more than two cars would be in the driveway at any time. Mr. Pfeiff stated that the hours of operation would be 8:00 AM to 8:00 PM Monday through Saturday by appointment only. Mr. Pfeiff stated that there would be incidental sales of hair products for the customers to purchase.

Mr. Pfannebecker voiced concerns that the requested hours of operation would be longer than the prior hair stylist hours that were approved by the Board. Mr. Trimble stated that this property is

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located along a busy street and he considers this location to more like a commercial property rather than in a residential development.

Mr. Pfeiff stated that the business would meet the State Board of Cosmetology requirements.

Winters moved to approve a special exception in accordance with 1910.4.M.3. to permit the operation of a single chair hair salon as a major home occupation allowing the applicant to conduct incidental retail sales permitted by section 1910.4.D. with hours of operation be by appointment only Monday through Saturday 8:00 AM to 8:00 PM as long as the applicant complies with the applicable state board of cosmetology rules and regulations. Mr. Byram seconded the motion. The motion was approved 5-0.

The meeting adjourned at 8:23 PM. The next regularly scheduled meeting will be held on Monday, July 6, 2009 at 6:30 P.M.

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