

Manheim Township Zoning Hearing Board Minutes
Monday, January 5, 2009
6:30 P.M.

Attendance:

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

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

Robert Pfannebecker opened a re-organization meeting for the election of the Zoning Hearing Board officers. Mr. Pfannebecker asked for the nominations of Chairperson and Vice chairperson. Mr. Winters nominated David Wood as Chairperson and Patrick Trimble as Vice-Chairperson. The Board elected David Wood as Chairperson and Patrick Trimble as Vice-Chairperson unanimously by voice vote.

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

Lancaster Church of the Brethren
R-3, 1601 Sunset Blvd.

Case #09-01

Mr. Wood asked Mr. Maurer if this case was properly advertised and posted. Mr. Maurer answered yes.

Barbara Morrow was sworn in for testimony

Ms. Morrow stated that she is a member of the Lancaster Church of the Brethren and she explained the request. Ms. Morrow stated that Lancaster Church of the Brethren is requesting a variance to erect an informational sign on the corner of Esbenshade Road and Rutledge Avenue. She stated that the church could not remove a parking space in order to place the sign at the entrance, because the parking lot is filled to capacity. The sign would not be illuminated.

In addition, Ms. Morrow stated that Lancaster Church of the Brethren is requesting a height variance of the sign to 7.6 feet in height.

Ms Morrow was asked why the church needs the sign to be seven feet in height. Ms. Morrow responded by stating the sign is decorative and it has a message.

There was a discussion of the height of the proposed sign. Mr. Hoover stated that he would like to limit the sign to 6 foot in height.

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Benjamin Roth, Manheim Township Sign Code Official, was sworn in for testimony. Mr. Roth stated that he is opposed to the seven foot sign request.

Mr. Roth was asked how to measure the height of the sign. Mr. Roth explained that the height of the sign should be measured from grade level to just above the Lancaster Church of the Brethren name on the sign. It was unknown what that measurement was.

There was a discussion of a continuance of this hearing. Ms. Morrow agreed that she would like to request a continuance of the sign height request in order to discuss the six foot sign height with the church to decide whether or not the church would agree on the six-foot sign height.

Mr. Winters moved to approve a variance to section 1805.2. (Table 2, Part B) to permit the construction of a public use sign not located at the entrance of the church and the Board granted the applicant's request for a continuance on the decision regarding the variance to section 1805.2. (Table 2, Part B) to permit the sign to exceed six feet in height, the continuance to be heard at the next meeting of this Board on February 2, 2009. Mr. Byram seconded the motion. The motion was approved 5-0.

Derck & Edson Associates, LLP
IN, 3001 Lititz Pike

Case #09-02

David Madary, Ron Dell and Jim Queer were sworn in for testimony.

Mr. Madary of Derck & Edson Associates explained that Brethren Village is in the process of a large reconstruction of their facility. They identified the need to create a primary entrance to the facility that is aesthetically pleasing. A retaining wall would be constructed at Fieldcrest Road with two entrance signs on the wall. The reason there are two signs for identification of the campus is that one of the signs would be visible by the northbound Lititz Pike traffic and the other sign would be visible by the Lititz Pike southbound traffic. The signs would be illuminated.

Mr. Madary explained that Brethren Village is requesting an entrance sign to exceed the size requirement of 20 square feet. This sign would be seen by the southbound traffic on Lititz Pike and needs larger lettering because of the distance from Lititz Pike. The lettering itself does not exceed 20 square feet just the background of the sign would exceed 20 square feet.

Mr. Madary explained that a variance is requested to place a bus stop within the minimum front yard-building setback

Mr. Madary explained that Brethren Village demolished the existing brick bus stop building and would like to replace the building with a glass enclosure bus stop along Lititz Pike. There would be coordination through Red Rose Transit Authority (RRTA) for the placement of the bus stop. There would be curbside pickup at the bus stop

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The Board inquired if advertising signs would be posted on the proposed bus stop building. Mr. Dell of Brethren Village stated that no advertising signs would be placed on the proposed bus stop building.

The narrative of this case was introduced into testimony.

Mr. Winters moved to approve a variance to section 905.A.2.B.5.a. and 2013 to permit a replacement bus shelter within the front yard building setback area and a variance to section 1806.7.1. to permit a development sign exceeding 20 square feet in area. Mr. Byram seconded the motion. The motion was approved 5-0.

John Hurley
R-3, 140 Deerford Drive

Case 09-03

John Hurley was sworn in for testimony.

Mr. Hurley explained that he is requesting a variance on behalf of Mr. Berndt to construct a four season sunroom over the existing deck which would encroach within the 50 foot building setback.

Mr. Hurley stated that the dwelling units on either side of the unit have screened in porches and this would be the same as them.

The Board inquired why the setback requirement is not 35-feet as shown on the submitted site plan. Mr. Maurer explained that that was an old plan when this apartment building was constructed. Mr. Maurer stated that Lisa Douglas, Director of Planning and Zoning, and he determined that this addition proposal must comply with the current setback requirement for apartment buildings.

Mr. Hurley supplied a letter from the Deerford Homeowners Association for the permission to construct the proposed four-season sunroom at 140 Deerford Drive..

Mr. Winters moved to approve a variance to section 806.2.E.1.d.3. to permit the construction of a 4 season room on the existing footprint of an existing deck which encroaches within the current 50 foot minimum building setback requirement, consistent with the testimony and exhibits presented before the Board this evening. Mr. Byram seconded the motion. The motion was approved 5-0.

The meeting adjourned at 7:06 PM. The next regularly scheduled meeting will be held on Monday, February 2, 2009 at 6:30 P.M.