

Manheim Township Zoning Hearing Board Minutes
Monday, December 2, 2024
6:30 P.M.

Attendance:

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

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 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.

Lancaster Airport Authority

I-3 Industrial District/D-A Airport Overlay, 110 Millport Road

PLZHB24303

Austin Beiler and T.J. Acosta were sworn in for testimony.

The counsel for Mr. Acosta was on zoom and Mr. Acosta was notified by the Zoning Officer that the zoom function of the meeting is only for viewing the meetings and that anyone wishing to participate needs to attend the meeting in person. Mr. Acosta presented information that they have presented their plan and request to the Board of Commissioners and they were provided with support from them for the request. Exhibit #1 of a letter generated by the Director of Planning and Zoning was presented and entered into record.

Mr. Beyer made a motion to approve a variance from Section 2409.3.B of the Zoning Ordinance to permit a building height in excess of thirty-five (35) feet without the purchase of Transferable Development Rights.

A variance from Section 2515.2.A to permit the landscape planting strip to not be in the 10' wide perimeter buffer, measured from the right-of-way line.

A variance from Section 2515.3.A to permit the parking lot screening to not be in the 10' wide perimeter buffer, measured from the right-of-way line. Mr. Trimble seconded the motion. Mr. Callahan recused himself from the vote due to not being present for the previous testimony given. The motion was approved 3-1.

VLS Environmental Solutions
I-2 Industrial District/T-6 Urban Transition, 1076 Manheim Pike

PLZHB24371

William Fredericks was sworn in for testimony.

Mr. Fredericks provided a brief history of the business and the property. Mr. Fredericks explained how the area where the structure is proposed to be built is currently used and the benefit of the structure to control pollution. The board members asked questions about the layout of the property and operations.

Mr. Trimble made a motion to approve a variance from Section 1604.2.F.5.e to permit an accessory structure within the perimeter buffer.

A variance from Section 2103 to permit an accessory structure to exceed the maximum height of 10 feet. Mr. Gaissert seconded the motion. The motion was approved 5-0.

EGStoltzfus
R-2 Residential District, 2125 Saddleridge Road

PLZHB24372

John Farrell was sworn in for testimony.

Mr. Farrell presented the variance requests and a brief history of the property. Mr. Farrell presented an alternate plan that complies with the zoning ordinance. Mr. Wood asked questions about the property and the site plan was discussed. Mr. Trimble asked how much of the proposed garage would encroach into the setback.

Mr. Callahan made a motion to approve a variance from Section 2102.5 to permit a detached garage to be constructed within the side yard building setback. Mr. Gaissert seconded the motion. The motion was approved 3-2.

Amy Souder & Edwin Switzer
R-2 Residential District, 1407 & 1409 New Holland Pike

PLZHB24374

William Swiernik, Amy Souder and Edwin Switzer were sworn in for testimony.

Mr. Swiernik presented the additional variance that was not requested on a previous request.

Mr. Beyer made a motion to approve a variance from Section 805.2.B(4)[d][i] to permit construction of a dwelling in the side yard building setback. Mr. Trimble seconded the motion. The motion was approved 5-0.

Posh Hospitality No. 4, Flory Mill LLC
I-2 Industrial District/D-R Retrofit Overlay, 840 Flory Mill Road

PLZHB24375

Peter Wertz and Justin Klee were sworn in for testimony.

Mr. Wertz presented the request for new approval for previously approved variances that had expired. The requests did not change and it was discussed to give a condition of extended timing to secure permits and to complete the work.

Mr. Trimble made a motion to approve a variance from Section 2408.2.B.1. and Section 2408.3.A. Appendix A Design Standard 4.3. and 4.4. of the Zoning Ordinance to authorize setbacks for the Mini Warehouse Facility and Proposed Hotel as shown on the Zoning plan, not complying with the build-to-line setback requirements.

A variance from Section 2408.3.A., Appendix A Design Standard 4.5., of the Zoning Ordinance to authorize 0% building façade along the required build-to-Line of the proposed Mini Warehouse and Proposed Hotel.

A variance from Section 2408.3.A. Appendix A and Design Standard 14.3. and 14.4. of the Zoning Ordinance to authorize 5-foot-wide sidewalks along Flory Mill Road, Shreiner Station Road and McGovernville Road, and to eliminate the requirement for sidewalk along Rohrerstown Road.

A variance from Section 1604.2.F.(1) to authorize an on-lot water system on the property.

A time extension to pull the permits by December 31st, 2026 and construction to occur by December 31st, 2027. Mr. Beyer seconded the motion. The motion was approved 5-0.

David Costello & Sara Costello
R-1 Residential District/Cluster Overlay, SW Corner of Fruitville Pk & Bent Creek Dr
PLZHB24376

Peter Wertz and William Swiernik were sworn in for testimony.

Mr. Wertz provided exhibits that were entered into the record. Mr. Wertz provided a background on the original land development approvals for Bent Creek that relate to the proposed project. The development previously approved is not planned to be constructed and to comply with current requirements, dimensional variances need to be secured to shift a building. Discussions taken place related to details about sizes and figures of the improvements.

David Costello was sworn in for testimony.

Mr. Beyer made a motion to approve a variance from Section 2306.2.C of the 1989 Zoning Ordinance to authorize improvements on the subject lots to encroach into the required 25-foot

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rear yard setback by a maximum of 18 feet. Mr. Trimble seconded the motion. The motion was approved 5-0.

This meeting was adjourned at 7:34 PM. The next regularly scheduled Zoning Hearing Board meeting is on Monday, January 6th, 2024, at the Manheim Township Municipal Office at 6:30PM.

<https://manheimtpw.sharepoint.com/sites/Planning/Shared Documents/General/ZONING HEARING BOARD/MINUTES/2024/12022024 ZHB minutes.doc>