

Manheim Township Zoning Hearing Board Minutes
Monday, March 3, 2008
6:30 P.M.

Attendance:

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

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

Mr. Wood announced that a written request was received by the Zoning Hearing Board to continue case 08-10, Berkshire Lancaster LLC, to the April 7, 2008 Zoning Hearing Board meeting. The Board voted unanimously to continue this case.

Lexington Land Developers.
R-2, 2257 Lititz Pike

Case #08-06

David Getz, Denise Dohner, Bill Bashore, and Thomas Kenyon Jr. were sworn in for testimony.

Mr. Getz explained the request: Mr. Getz is appealing the Zoning Officer's decision to require variances for existing nonconforming issues regarding the existing dwelling encroaching within the front and side yard setbacks due to the subdivision of the lot into 3 lots. Mr. Getz stated that he thought this was the incorrect determination. In addition, a variance is being requested to permit a 30 foot clear sight triangle instead of a required 100 foot clear sight triangle.

Referencing the site plan Mr. Getz stated the following: The property would be subdivided into three lots. A private drive would be constructed to serve the three proposed lots. The private drive is proposed to have a 30 foot clear sight triangle instead of the required 100 foot clear sight triangle due to the existing dwelling and driveway encroaching within the 100 foot clear sight triangle and the northern property line closeness to the proposed private drive. The clear sight line would be met where the sight line is measured 10 feet back from the Lititz Pike right of way.

Lisa Douglas stated that a larger clear sight triangle could be created because the neighboring front property line would be moved back to the street right of way line of Lititz Pike. Because of Ms. Douglas comment, Ms. Dohner stated that a 40 foot clear sight triangle would work and could be created at the private drive.

Mr. Kenyon, a neighbor of this property, stated that this project would worsen the already bad traffic situation in this area.

Zoning Hearing Board Minutes

March 3 2008

Page 2

There was an executive session.

Mr. Winters moved to grant the following: a variance to section 2002 allowing a minimum 40 foot clear sight triangle rather than the required 100 foot clear site triangle at the intersection of the proposed private street and Lititz Pike, a variance to section 706.2.B.3.d.i. to permit the existing house in the 50 foot minimum front yard building setback by 45 feet, a variance to section 706.2.B.3.d.ii. to permit the existing house in the 15 foot minimum side yard building setback by 3 feet consistent with the exhibits and testimony provided before the board, a variance to section 2208 allowing 90 days to begin work and one year to complete work from the recording of the subdivision plan. Mr. Byran seconded the motion. The motion was approved 5-0.

Troy Hurst

R-2, 427 Teddy Avenue

Case 08-07

Troy Hurst was sworn in for testimony.

Mr. Hurst explained the request. Mr. Hurst is the contractor that is constructing a basement alteration and is required to install an egress to the basement for the alteration. The owners would like to install a BILCO outdoor stairway in this proposed location, which would encroach within the side yard building setback by 3 feet.

The Board question why the outdoor stair could not be placed in the rear of the dwelling. Mr. Hurst stated that the owners did not want it there because of the patio and it would be noticeable from the dining room.

Mr. Hurst distributed photographs of the area where the outdoor stairway would be constructed.

Mr. Winters moved to grant a variance to section 706.2.B.3.d.ii. to permit an exterior basement stairway to encroach within the side yard minimum building setback line by no more than 3 feet consistent with the testimony and exhibits presented before the Board. Mr. Byram seconded the motion. The motion was approved 5-0.

Craig Kimmel

B-1, 250 Valleybrook Drive

Case #08-08

Michael Martin and Craig Kimmel were sworn in for testimony.

Mr. Kimmel described the property location and then explained the request. The request is for a variance to permit the construction of an office building to exceed the 150-foot building length requirement.

Mr. Kimmel stated the following: RLPS Architects are planning to build a one-story office building for teaming to arrange people horizontally not vertically. The office building would be

Zoning Hearing Board Minutes

March 3 2008

Page 3

built on a 25 acre parcel of which 3 1/2 acres would be developed. The building would be 295 feet in length. Referencing the booklet Mr. Kimmel explained that the building would be broken up architecturally in an attractive way. The building would be located 180 feet from Valleybrook Drive and 400 feet from Oregon Pike. There may be a phase two, which would make the building 330 feet in length.

Mr. Kimmel requested a time extension of 90 days from the recording of the land development plan to obtain permits and two years to complete construction.

The public questioned the number of employees and voiced traffic concerns. Mr. Kimmel stated that there would be 70 employees with flexible work hours and a partially completed traffic study reveals no traffic problems so far.

Mr. Winters moved to grant a variance to section 1005.2.B.6. to permit a single business office building to exceed the maximum building length requirement of 150 feet to no more than 295 feet. The Board also granted a variance to section 2208 to permit a time extension to obtain all necessary permits and complete construction set as 90 days to begin construction and 2 years to complete construction from recording of the land development plan. Mr. Hoover seconded the motion. The motion was approved 5-0.

Granite Run Properties

I-1, 231 and 211 Granite Run Drive

Case #08-09

Richard Groff, Maria Elliot, Constance Pearson, John Hydinger, Steven Horst and John Gazsi were sworn in for testimony.

Ms. Elliot distributed the master plan and explained the request. The request is to permit the parking lot expansion for 231 and 211 Granite Run Drive properties over the common property line including a grass strip of only 4 feet between parking lots. Forty eight parking spaces would be shifted over the property line. There is a plan to construct a 6,000 square foot addition adding more exam rooms due to the growing business.

Mr. Hydinger, CEO of Lancaster Orthopedic Group (LOG) stated the following: The Orthopedic business is growing and there aren't enough parking spaces presently to operate the office appropriately. LOG specializes in knee, hip and sports injuries and recently hired a foot and ankle doctor. 247 patients are seen daily and cannot find parking spaces to park. In addition, the patients are waiting longer to be seen by the doctors. Presently, the office schedule must be altered to accommodate the parking situation. There are 95 employees and eight employees work at home. 140 parking spaces are needed to operate the office appropriately.

Referencing the photographs and site plans Mr. Gazsi explained the existing parking condition and the proposed parking plan. Mr. Gazsi stated the following: There would be an increase of 77 parking spaces intending to maximize the numbers of parking spaces in the front of the property. Slopes and floodplain at the rear of the property would prohibit the parking spaces to be placed there. The request for the 9 foot by 18-foot parking spaces is needed to maximize the number of

Zoning Hearing Board Minutes

March 3 2008

Page 4

additional parking spaces. There are no problems with the existing 9 foot by 18-foot parking spaces. The total numbers of parking spaces would be 242 per lot.

Ms. Elliott stated the following: A cross over easement agreement would be created to share parking space between 231 and 211 Granite Run Drive to share parking lots. A similar request was granted at 300 and 320 Granite Run Drive, and 280 and 260 Granite Run Drive.

Mr. Winters moved to grant the following: a variance to section 1405.2.E.5.d. to construct a paved parking area within a portion of the 10 foot improvement area on both sides of the common property line; a variance to section 1704.1. to permit parking on a different lot than the building the parking is intended to serve; a variance to section 1704.4. to permit parking within the 10 foot improvement area; a variance to section 2312.2.A. to permit less than the 10 foot planting strip requirement on both sides of the common property line; a variance to section 1707.1. to permit the construction of parking spaces with less than the 180 square foot parking space area requirement; a variance to section 2208 to permit an extension of time to obtain all necessary permits and complete construction, specifically 90 days to obtain the necessary permits and 1 year to complete construction both of those dates running from the recording of the land development plan consistent with the exhibits and testimony presented to the Board. Mr. Hoover seconded the motion. The motion was approved 5-0.

The meeting adjourned at 8:52 PM. The next regularly scheduled meeting will be held on Monday, April 7, 2008, at 6:30 P.M.

S:\Zoning Hearing Board\MINUTES\2008\March.ZHB_Minutes.2008.doc