

**Manheim Township Zoning Hearing Board Minutes**  
**Tuesday, July 5, 2011**  
**6:30 P.M.**

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Attendance:

Michael Winters	Present
Patrick Trimble	Present
David Wood	Present
Edward Hoover	Present
Robert Byram	Absent
Helen Adams, Alternate	Present

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

Mr. Wood acknowledged Boy Scout Andrew Magro. Andrew is working on a communication merit badge and attending a public meeting is part of the requirements for the merit badge. Mr. Wood thanked Andrew and his father for attending the Zoning Hearing Board meeting.

**Fruitville Pike Subway**  
B-3, 1943 Fruitville Pike

**Case 11-13**

Keith Good of Calebrese-Good Architects was sworn in for testimony.

Mr. Good, representing Fruitville Pike Subway LLC, explained the request and stated the following: A Subway restaurant is planning to locate within the Foxshire Shopping Center. The center is in the B-3 zoning district. Fruitville Pike Subway is requesting a special exception to operate a Subway restaurant within the Foxshire Shopping Center and a variance to allow a parking space deficit for the shopping center.

When the Foxshire shopping center was constructed in the 1980's, the number of parking spaces was in compliance with the current 1980 zoning ordinance. When the 1989 zoning ordinance was adopted, the number of parking spaces did not comply; therefore, the number of parking spaces became non-conforming. In 1986 there were 156 parking spaces and over time the parking space count was reduced to 151 because of renovations to the shopping center. This restaurant will be using 1,400 square feet of the former Golf Pro Shop which would increase the parking non-conformity by 11 parking spaces. Including this proposed Subway restaurant, the parking space count would be at a deficit of 41 spaces for the shopping center.

There was a prior Foxshire Restaurant within this center which required 76 parking spaces with the 1989 zoning ordinance. The Subway restaurant would not exceed that number.

The Fruitville Pike Subway would not have a negative impact to the neighbors and the Township. There was never a parking problem within the Foxshire Shopping Center. The Subway will not have open flames for cooking; only warming ovens.

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The hours of operation would be 7:00 AM to 9:00 PM. There would be a total of 36 seats in the restaurant.

There was not public comment.

Mr. Winters moved to grant the following: a special exception in accordance with section 1203.4 to permit a Subway restaurant to locate at the Foxshire Shopping Center and a variance to section 1702.5. to permit less than the required number of required parking spaces for the restaurant, consistent with the testimony and specific spaces requested by the applicant. Ms. Adams seconded the motion. The motion was approved 5-0.

The meeting adjourned at 6:45 PM. The next regularly scheduled meeting will be held on Monday, August 1, 2011 at 6:30 P.M.

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