

Manheim Township Zoning Hearing Board Minutes
Monday, April 2, 2012
6:30 P.M.

Attendance:

Helen Adams	Present
Patrick Trimble	Present
David Wood	Absent
Edward Hoover	Absent
Gregory Strausser	Present
Jennifer Luciani	Present

Vice Chairman Patrick Trimble called the Zoning Hearing Board meeting to order, requested a roll call, explained the Zoning Hearing Board meeting process, and announced the agenda.

Yanet Joseph
R-3, 1361 Glen Moore Circle

Case 12-06

Yanet Joseph and Wilkins Joseph were sworn in for testimony.

Mr. & Mrs. Joseph began testimony by stating that Mrs. Joseph would like to use her house as a daycare for up to six (6) small children in a 12x14 foot living room and also in the kitchen. There will be no employees. There is room for 4 cars in the driveway.

There were discussions regarding the limited information that was submitted to the Board. The Zoning Hearing Board continued to question Mr. & Mrs. Joseph regarding the hours of operation, the square footage of the house, the operation of the proposed daycare and the number of children that would be cared for during the proposed business hours.

Ms. Adams moved to approve a special exception in accordance with Section 2110.4.M.7. to permit the operation of a Major Family Day Care Center for 6 children. Ms. Luciani seconded the motion.

The motion was denied 3-1 with Mr. Strausser voting for the motion.

Brentmore Construction on behalf of Samuel Hartman Jr.
R-3, 830 Martha Avenue

Case 12-07

Samuel H. Hartman Jr. and Daniel Neff were sworn in for testimony.

Mr. Neff began testimony by stating that the proposed project will consist of converting the garage into a bedroom and a bathroom and constructing a storage building in front of the garage, creating first floor living for their lifestyle. Requesting a variance to allow not replacing the removed garage parking space and have one parking space on the driveway within the front yard.

Mr. Hartman explained that he has lived on this property for 30 years and wants to remain living there. There is no other bedroom on the first floor. Mr. Hartman stated that there are bedrooms

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on the second floor and he does not want to use the stairs at his age.

The Board inquired about placing a parking space at the side of the house. Mr. Neff explained that Mr. Hartman would like the parking space as close as possible to the front door. Mr. Neff distributed photos of the property to the Zoning Hearing Board.

Ms. Adams moved to approve the following: a variance of Section 2005.4 not to replace a removed required parking space outside the minimum front yard building setback; a variance of Section 2002.1.A. to permit the reduction of parking spaces located on the property from two parking spaces to one parking space. Ms. Luciani seconded the motion. The motion was approved 4-0.

Calebrese Good Architects on behalf of Charles and Virginia Wolf
B-2, 1605 Oregon Pike

Case 12-08

Keith Good, Charles Wolf and Virginia Wolf were sworn in for testimony.

Mr. Good began testimony by stating that a variance of required parking is being requested, constructing six (6) parking spaces instead of the required eight (8) spaces, to convert the 1,800 square foot single family detached dwelling into offices and a variance to encroach within the perimeter buffer. Charles and Virginia Wolf are the owners of the property and would sell the house and property, the future users are not known.

Mr. Good described the neighboring properties, the submitted site plan, and the proposed floor plan for the future offices. Mr. Good stated that the parking is accessed from an alley to the rear of the house. Six (6) parking spaces would be able to be placed on the property and should be enough for the proposed five (5) to six (6) offices located within the building. Mr. Good stated that the neighbor support this project. One neighbor requested a fence which would be installed.

There were discussions regarding the proposed use and the parking regulations.

Ms. Luciani moved to approve a variance of Section 2002.8.A. to permit the reduction of the number of required parking spaces; a variance of Section 1204.2.B.5.e. to permit the reduction of the required side and rear yard perimeter buffer from six feet to zero feet. Ms. Adams seconded the motion. The motion was approved 4-0.

Buck Hill Construction LLC on behalf of John Rigney
R-1, 247 Gardenia Court

Case 12-09

John Rigney was sworn for testimony.

Mr. Rigney stated that he is planning to construct a roof over an existing 16 foot by 18 foot deck which encroaches within the side yard building setback by five (5) feet. The neighbors support the project. The roof would match the rest of the house.

Mr. Strausser moved to approve a variance of Section 705.2.B.3.d.ii. to permit the construction of a roof over an existing deck which encroaches within the minimum side yard building setback. The motion was seconded by Ms. Adams. The motion was approved 4-0.

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Jay Stoltzfus on behalf of Richard Quinn

R-3, T-4 Urban Neighborhoods Overlay, 122 Fordney Road

Case 12-10

Jay Stoltzfus and Robert Gabriel were sworn in for testimony.

Mr. Gabriel distributed revised plans for the project and then explained the project. The site plan was revised to match the recent survey of the property. The proposal is to construct a semi-detached dwelling on the property and expand the non-conforming garage structure to two (2) cars. Mr. Gabriel stated that Manheim Township will take four (4) feet of the property for the Fordney Road right-of-way in the land development plan process. A waiver will be required from the taking of five (5) for the Crown Avenue right-of-way. The width of the building would be reduced if the waiver is not granted. Mr. Gabriel displayed the elevation plan of the dwelling and the construction of the buildings was discussed.

Mr. Gabriel explained the requested special exception for the enlargement of the non-conforming garage structure and the requested variances regarding, the lot area and the proposed setback of the dwelling from Fordney Road. Mr. Gabriel stated that the garage would be used for parking by the tenants of the dwelling.

Mr. Stoltzfus stated that he was planning to raise the height of the garage for an office for his business. The proposed office was discussed and Mr. Stoltzfus was told that the office would not be permitted unless he would live on the property.

Mr. Stoltzfus stated that the neighbors support the project and then explained the construction of the project.

Ms. Adam moved to approve the following: a special exception in accordance with 301.4.B. to permit the expansion of the non-conforming garage building; a variance of Section 905.2.C.2. to permit the proposed single family semi-detached dwelling to be constructed on a lot less than the required lot area; a variance of Section 2404.2.B.1. to permit the construction of the proposed dwelling with a greater setback than the required 10 to 25 foot setback range from the Fordney Road right-of-way. Ms. Luciani seconded the motion. The motion was approved 4-0.

The meeting adjourned at 7:55 PM. The next regularly scheduled meeting will be held on Monday, May 5, 2012 at 6:30 P.M.