

Manheim Township Zoning Hearing Board Minutes
Tuesday, September 4, 2012
6:30 P.M.

Attendance:

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

Edward Hoover, acting Chairperson called the Zoning Hearing Board meeting to order, requested a roll call, and explained the Zoning Hearing Board meeting process. Solicitor Neil Albert announced the agenda.

Kevin Lapp

Case 12-17

B-3 with D-R Retrofit Overlay, 2055 and 2065 Fruitville Pike

Mr. Hoover called for this case and stated that this case was continued from last month.

William Swiernik and Kevin Lapp were sworn in for testimony

Mr. Swiernik described the layout of the subdivision plan and neighboring properties.

Mr. Swiernik stated that the applicant is withdrawing the variance request for the signs and explained the remaining variances requests.

Mr. Swiernik distributed a revised site plan of the subdivision to the Board and explained the revision to the submitted site plan.

Lisa Douglas explained the related requirements of the 2011 Zoning Ordinance how they apply to the variance requests of this case.

The Board went into executive session.

Mr. Hoover requested the Solicitor to propose a motion.

Neil Albert proposed the following motion: A fifty (50) foot variance of Section 2408.3.B. 1. to permit the proposed building to be 75 feet from the private street right of way is denied; a variance of Section 2008.2 to allow nine (9) foot wide parking spaces is denied; a variance of Section 2506.3. to permit the spread of light across property lines is granted; a variance of Section 1806.2.1. to allow signage from uses on individual lots within the development to be located on the two (2) proposed center signs is withdrawn by the applicant and does not require any Board action; a variance of Section 2808 to two (2) years from the date of approval of the variances to obtain permits and three (3) years to complete construction is granted. Ms. Luciani moved to approve the proposed motion. Ms. Adams seconded the motion. The motion was approved 3-0.

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Scott Yoder

R- 2, 1609 Sycamore Avenue

Case 12-18

Scott Yoder was sworn in for testimony.

Mr. Yoder explained his request for a variance to construct an addition in place of the existing screened porch closer to the front property line. The addition will be for a family room downstairs and a bedroom upstairs.

Ms. Luciani made a motion to grant a variance of Section 805.2.B.3.d.i. to permit the encroachment of the proposed addition within the minimum front yard building setback along Eden Road. Ms. Adams seconded the motion. The motion was granted 3-0.

Idriz Dizdarevic

R- 3, T-5 Neffsville Village Overlay, 49 Echo Valley Lane

Case 12-19

Todd Shoaf of Rettew Associates and Sandra Yecker were sworn in for testimony.

Sandra Yecker requested to be party to the case. Solicitor Neil Albert requested a vote from the Zoning Hearing Board. Ms. Adams moved to grant Sandra Yecker party status in this case. Mr. Hoover seconded the motion. The motion was granted 3-0.

Attorney James Thomas representing Idriz Dizdarevic distributed a packet of exhibits to the Zoning Hearing Board and then explained the request.

Mr. Thomas questioned Mr. Shoaf regarding planning and zoning issues, the location of the property and legal matters regarding lot non-conformance referencing the exhibit packet.

Mr. Shoaf explained the variance requests and the proposed sanitary sewer installation and connection to the sanitary sewer main.

Ms. Yecker questioned the proposed sanitary sewer installation regarding the utility right of way and also reported change in water flows and infiltrates in the area.

The Board went into executive session.

Ms. Adams moved to grant the following: a variance of Section 905.2.B.2.b.ii and 905.2.B.2.c to allow the existing non-conforming parcel to maintain its existing lot width and length to be served by an on-lot water well; a variance of Section 905.2.B.2.a to permit the lot area to be less than 60,000 square feet to be served by an on-lot water well; a variance of section 905.2.B.2.e. to allow the minimum open space to be reduced to less than 80 percent. Ms. Luciani seconded the motion. The motion was approved 3-0.

Onur Ali Akincilar

R-3, T-4 Urban Neighborhood Overlay, 1514 Esbenshade Road

Case 12-20

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Mr. Akincilar explained the nature and operation of his business and the special exception and variance requests while distributing photographs of the proposed interior office areas and the proposed outdoor parking areas for the proposed Home Occupation.

There was a lengthy discussion regarding the location of the parking areas for his two (2) non-resident part time employees.

Neighbor Warren Evans was sworn in for testimony. Mr. Evans voiced his concerns regarding the location of parking for Mr. Akincilar's employees.

Ms. Luciani moved to grant a special exception in accordance with Section 2110.4.M.1. for a Major Home Occupation; a variance of Section 2110.4.A. to permit two part time employees. Ms. Adams seconded the motion. The motion was approved 3-0.

The meeting adjourned at 8:17 PM. The next regularly scheduled meeting will be held on Monday, October 1, 2012 at 6:30 P.M.

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