

Manheim Township Zoning Hearing Board Minutes
Monday, January 7, 2013
6:30 P.M.

Attendance:

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

Manheim Township Zoning Hearing Board Solicitor, Neil Albert, requested a roll call. Mr. Albert opened a re-organization meeting by requesting a motion to appoint a Chairman for the Manheim Township Zoning Hearing Board. Ms. Adams moved to appoint Dave Wood as Chairman. Ms. Luciani seconded the motion. The motion was approved 5-0.

Mr. Albert requested a motion to appoint a Vice Chairman. Jennifer Luciani moved to appoint Patrick Trimble as Vice Chairman. Mr. Hoover seconded the motion. The motion was approved 4-0 with Mr. Trimble abstaining.

Vice Chairman Patrick Trimble called the Zoning Hearing Board meeting to order, by explaining the Zoning Hearing Board meeting process and announcing the agenda.

Due to Neil Albert recusing himself from the Jones Brothers Holdings Hearing, it was agreed to move this hearing to fifth (5th) on the agenda.

George R. Smith III and Tanya L. Smith
R-2, 2019 Carlton Place

Case 13-01

Mr. Trimble recused himself from this case. Mr. Hoover chaired the hearing as Acting Chairperson.

Caroline Hoffer Esq., George R. Smith III, Tanya Smith and George Smith Jr. were sworn in for testimony.

Ms. Hoffer stated that Mr. Smith is equable owner of this property and is requesting a Special Exception to create an Accessory Dwelling Unit (ADU) and a variance to place the ADU within the basement of this house with an egress window well encroaching 5 feet 6 inches within the side yard setback. George Smith, Jr., father of George Smith III, will be living in the ADU.

Mr. Smith III reviewed the material in the submitted pamphlet which included site plans and floor plans of the proposed ADU.

Ms. Hoffer reviewed and discussed the zoning ordinance ADU regulations, Special Exception criteria and variance criteria.

Paul Kennedy of 2013 Carlton Place voiced his opposition to the placement of the basement

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egress window well in the proposed location which would be beside his house. Mr. Kennedy stated that the window well may worsen his basement flooding problem. There was a discussion of the flooding problem in the area.

Mr. Strausser moved to approve a Special Exception to 2514 to permit an Accessory Dwelling unit within a single family detached dwelling; a variance of Section 2514.1.I. per permit an Accessory Dwelling Unit within the daylight basement; a variance of Section 2206.2.A. to permit a 5.65 foot projection into a yard for an emergency egress window well. Ms. Luciani seconded the motion. The Motion was approved 4-0 with Mr. Trimble abstaining.

American Sign Company on behalf of Landis Valley Christian Fellowship**Case 13-02**

R-2, 2420 Kissel Hill Road

Rick Ziegler of American Sign Company was sworn in for testimony.

Mr. Ziegler explained that Landis Valley Christian Fellowship is proposing to place three (3) signs which includes a cross on the church building to identify the building. Visitors of the Landis Valley Farm Museum often mistake the church as part of the museum.

Mr. Ziegler explained the proposed location of the signs referencing the submitted photographs.

Ms. Douglas stated that a variance is needed for the number of signs and the proposed 44.6 square feet of proposed signage.

Ms. Adams moved to approve a variance of Section 1805.2. Table 2, Part B to permit the placement of three (3) public use building signs on the church building; a variance of Section 1805.2. Table 2, Part B to permit the square footage of the proposed building signs to exceed forty (40) square feet. Mr. Hoover seconded the motion. The motion was approved 5-0.

Antolino R. Serrano and Tina L. Reyes-Serrano**13-03**

R-2 with T-5 Neffsville Overlay, 467 Haymarket Lane

Tina Serrano and Rick Harrison were sworn in for testimony.

Mrs. Serrano began by explaining that the fence was erected in 2009 by a contractor. She assumed that the contractor knew the fencing regulations. She stated that they would like the 48 inch fence to remain in this location because of her daycare business on the property, for the children's safety.

There was a discussion regarding the fence placement and the condition of the neighbor's fence along the side and rear property line.

Neighbor Rick Harrison voiced his support for the fence to remain for the safety of the children because of the increased traffic in the neighborhood.

Mr. Strausser moved to approve a variance of Section 2108.3. and Section 2108.5. to permit a 48

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inch fence to remain within the front yard, against the front property line along Wagonwheel Road. Mr. Hoover seconded the motion. The motion was approved 3-1 with Ms. Adams stating no and Ms. Luciani abstaining.

Manheim Pike Veterinary Hospital**13-05**

B-4 with D-R Retrofit Overlay, 1669 Manheim Pike

Chris Venarchick and Jeffrey Steed were sworn in for testimony.

Mr. Venarchick explained that the owner is proposing to expand the building and the only option is to construct a second floor.

Mr. Venarchick explained the Special Exception request to expand a Veterinary Hospital and variances requests regarding lot area, open area and the number of parking spaces.

Mr. Venarchick explained that there will be no new demands for parking.

Mr. Hoover moved to approve a Special Exception regarding Section 1403.7. to expand an existing Veterinary Hospital; a variance of Section 1406.2.F.2. to permit this use to continue on the existing non-conforming lot size of .65 acres; a variance of Section 1406.2.F.6. to permit to continue the existing non-conforming open area of thirty-three (33) percent; a variance of Section 2002.8.E. to allow the continued use of the existing eighteen (18) parking spaces and permit less than the required parking spaces on the lot. Ms. Luciani seconded the motion. The motion was approved 5-0

Jones Brothers Holdings LLC**13-04**

B-4 with D-R Retrofit Overlay, 1361 Manheim Pike

Kris Jones, Donald Slavin, Sidney Kime Jr., Larry Prescott, and Caroline Hoffer Esq. were sworn in for testimony.

Ms. Hoffer began by explaining that this property was purchased to place a motor vehicle sales use on the property.

Ms. Hoffer explained the proposed site improvements and the variances regarding fence encroachments, macadam encroachments within the perimeter buffer, planting of evasive plant species and on-lot water and sewer.

Mr. Slavin explained that the proposed property improvements will improve the existing dangerous conditions at the property.

Mr. Hoover moved to approve the following: a variance of Section 1405.2.G.1. to permit the lot to be served by on-lot water and sewer systems; a variance of Section 1405.2.G.5.e. to permit macadam to be placed within the twenty (20) foot perimeter buffer along the rear property line and along Service Road; a variance of Section 2108.3. to permit the encroachment of an existing six (6) foot fence to remain within the Service Road fifty (50) foot front yard building setback; a

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variance of Section 2108.5. to permit the encroachment of an existing six (6) foot fence to remain within the required twenty-five (25) foot Service Road fence setback; a variance of Section 2511.1. to allow not to plant native species landscape plants on the lot; a variance of Section 2511.2.A. to permit macadam within the ten (10) foot wide planting strip at the rear property line. Mr. Strausser seconded the motion. The motion was approved 5-0.

The meeting adjourned at 8:35 PM. The next regularly scheduled meeting will be held on Monday, February 4, 2013 at 6:30 P.M.

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