

**Manheim Township Zoning Hearing Board Minutes**  
**Monday, March 6, 2006**  
**6:30 p.m.**

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Attendance:

Michael Winters	Present
Patrick Trimble	Present
David Wood	Present
Edward Hoover	Present
Kevin Werner	Present

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

**Horst Realty on behalf of Steve Horst**  
B-4, 200 Granite Run Road, Lots 21 & 22

**Case #06-10**

Mr. Wood inquired if the property was posted and the case was advertised. Mr. Maurer answered yes.

Michael Davis of Barley Snyder, Steve Horst and Brent Good were sworn in for testimony.

Mr. Davis announced that he was representing Granite Properties and then stated that he would like to amend the application to place the applicant as Granite Properties instead of Horst Realty. The Board unanimously agreed for the amendment to the application.

Mr. Davis described the location of the lot and the permitted uses. Mr. Davis then explained that this was before the Board in January for a height variance request to construct a 4 story extended stay hotel. Mr. Davis stated that a 3 story extended stay hotel would be constructed to a mean height of thirty- seven (37) feet which would be a two (2) foot height variance. Mr. Davis stated that the matters approved in the last decision for this hotel are still in effect because the case was not appealed.

Referencing site and elevation plans, Mr. Good explained the new request. The building would be in the same location as January's request. The building length was extended to 240 feet. Ninety-six (96) units are planned which is nineteen (19) units less than January's request. A seven (7) foot retaining wall would be constructed on the eastern side of the property and evergreens would be planted to screen the hotel. The reason for the variance is the peaked roof which would blend with the existing community.

The neighbors of Belair Park voiced concerns regarding the placement of a dumpster planned to be placed at the rear of the property.

Mr. Winters moved to approve the variance request to Section 1305.1., maximum building height thirty-five (35) feet, to permit a mean roof elevation of thirty-seven (37) feet maximum; and a

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variance to Section 2208. to permit an extension of time to permit a ninety (90) day time period to obtain permits and one (1) year time period for completion of construction not to begin until receipt of all unconditional land development / stormwater management approvals consistent with the testimony provided.. Mr. Werner seconded the motion. The motion was approved 5-0.

### **WLAN Radio on behalf of 1685 Crown Avenue Associates**

**Case #06-11**

B-2, 1685 Crown Avenue

Mr. Wood inquired if the property was posted and the case was advertised. Mr. Maurer answered yes.

Dick Taylor and Troy Becker were sworn in for testimony.

Mr. Taylor explained the request. WLAN Radio is moving their operations to 1685 Crown Avenue from their present location of Queen Street. A variance is requested to place a satellite antenna in the side yard. The diameter of the antennae would be 12 feet 9 inches which exceeds the required diameter of the antennae by nine (9) inches. There were no concerns from the neighbors. The antennae would receive only.

The Board voiced concerns regarding removing the dish when WLAN vacates the property.

Mr. Winters moved to approve variances to Section 1909.3. and 1909.1. to permit a satellite dish to be placed in the side yard and exceed twelve (12) foot in diameter by nine (9) inches for a total diameter of 12 feet 9inches, with a condition that the satellite dish be removed by the applicant when the applicant vacates the property. Mr. Hoover seconded the motion. The motion was approved 5-0.

### **Greenview Terrace Apartments**

**Case #06-12**

R-3, 500 Alden Avenue

Mr. Wood inquired if the property was posted and the case was advertised. Mr. Maurer answered yes.

Brian Mohan, property manager for National Properties, was sworn in for testimony.

Mr. Mohan explained that National Properties would like the two (2) existing real estate signs to remain along the Route 222 highway. Mr. Mohan stated that removing the signs would create a hardship for marketing and that the signs help direct traffic to the apartments. The real estate signs were erected in 1992 when the apartment complex began development and was permitted until ninety percent (90%) of the development was completed. Mr. Mohan stated that the Greenview Terrace development was completed in 1996.

Mr. Wood read a letter by a resident opposed to the signs.

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Mr. Winters moved to deny the variance request to permit two (2) freestanding signs to remain along the border of Greenview Terrace Apartments and the PennDot right of way for Highway 222. Mr. Werner seconded the motion. The motion was approved 5-0.

**Ronald Fenty**

**Case #06-13**

R-2, 731 Jake Landis Road

Mr. Wood inquired if the property was posted and the case was advertised. Mr. Maurer answered yes.

Ronald & Rita Fenty and Joseph Delassio were sworn in for testimony.

Mr. Fenty explained the request. The request is for a special exception for an accessory dwelling unit and a variance to permit the accessory dwelling unit to be 1,703 square instead of the required 800 square feet. Mr. Fenty stated that his family moved from Florida and purchased this home. Mr. Fenty constructed a 1,703 square foot addition on the home to accommodate thirty-five (35) people for family gatherings. Mr. Fenty's daughter's family moved into the addition. They discovered that they would like a second stove to cook in a different location "for the children". The Township staff would not permit the stove in the addition without an accessory dwelling unit permit. Mr. Delassio agreed to remove the stove if his family moves out.

Mr. Fenty stated that his hardship is because of dietary concerns and that the existing stove is far from the addition. Mr. Fenty stated that his original intent was in building an addition not a second dwelling unit. It was stated that neighbors are not against this request.

There was discussion regarding the parking request. Mr. Fenty requested to amend the variance request to permit four (4) off street parking spaces to encroach the front yard building setback.

Executive session was announced.

Mr. Winters voiced concerned regarding the size of the accessory dwelling unit.

Mr. Winters moved to deny the request for a special exception to permit an accessory dwelling unit; a variance to permit 1,703 square feet of accessory dwelling unit area; a variance to permit required parking to be within the required front yard building setback. Mr. Hoover seconded the request. The motion was not carried with a 3-2 vote against the motion. Mr. Hoover, Mr. Werner, and Mr. Wood dissenting.

Mr. Wood requested another motion. A motion was not made.

Another executive session was announced.

Mr. Hoover moved to approve a special exception to permit an accessory dwelling unit; a variance to permit 1,703 square feet of accessory dwelling unit area; a variance to permit required parking to encroach within the required front yard building setback. Mr. Werner

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seconded the motion. The motion was approved 3-2 with Mr. Winters and Mr. Trimble dissenting.

**Tom and Tanja O'Connor**

**Case #06-14**

R-1, 7 Barrow Circle

Mr. Wood inquired if the property was posted and the case was advertised. Mr. Maurer answered yes.

Tom O'Connor, Andrew Leaman, and Chase Reynolds were sworn in for testimony.

Mr. Reynolds explained that a special expectation is requested to place a 719 square floor accessory dwelling unit within a newly constructed dwelling. The accessory dwelling unit would be occupied on holidays and extended stays by Mr. O'Connor's parents in law. The accessory dwelling unit would have a full kitchen and will be constructed over the garage which would have a common hallway with the principal dwelling unit. There will be no adverse effect on the neighbors. Mr. Reynolds displayed an elevation plan of the dwelling.

Mr. Winters moved to approve a special exception request to permit an accessory dwelling unit that will be in compliance with the zoning ordinance. Mr. Werner seconded the request. The motion was approved 5-0.

The meeting was adjourned at 8:35 PM. The next regularly scheduled meeting to be held on Monday, April 3, 2006, at 6:30 p.m.