

**PENN TOWNSHIP  
ZONING HEARING BOARD  
MINUTES OF NOVEMBER 14, 2018**

**ATTENDANCE**

**Board Members Present:**

Gerald Wolfe, Chairperson  
Dale Rohrer-VC  
Steve Bushey  
Justin Wolgemuth  
Fred Hammond

Paul Brubaker, Applicant  
Todd Smeigh, D.C. Gohn Associates, Inc.,  
Applicant's representative

**Others:**

Richard Landis, Supervisor  
Melvin Newcomer, ZHB Solicitor  
Brenda Pardun, Stenographer  
Matthew Reeser, Zoning Officer

The meeting was called to order at 7:00 PM by Mr. Wolfe.

**Minutes**

Mr. Wolfe explained that a member of the Board was not present, so he requested that alternate Board member Fred Hammond be permitted to sit on the board for the hearing. There were no issues with the request, by the applicant.

Mr. Rohrer made the motion to approve the minutes of September 12, 2018, as written and Mr. Bushey seconded; the vote was unanimous in favor of the motion.

The court reporter swore in both Mr. Brubaker and Mr. Smeigh.

**Case #903 Paul and Dora Brubaker, Applicant(s)**

1. Case #903 – Paul and Dora Brubaker, applicants, are requesting a variance from Section 27-207.1 Area & Bulk Regulations for Permitted Uses. This section requires a minimum lot size of 20 acres for Agricultural Uses in the T-5R Zoning District. The applicant requests that a variance be granted allowing the parent tract to be divided into a 2.52-acre lot and a 13.63-acre lot. The subject property is located at 945 Power Road, Manheim, PA, 17545, in the T-5R Residential Zoning District, and has a tax ID#500-95673-0-0000.

Mr. Smeigh explained that Mr. Brubaker, the applicant, had subdivided the subject property many years in the past. At the time, he explained that the Zoning Ordinance permitted both an agricultural use, and a single-family dwelling to be located on a smaller lot that had been created, even though the property was only approximately sixteen acres. Over the years, Township Zoning requirements had changed, thus creating a non-

conforming condition, because the lot that is currently being farmed by a neighbor, which has a house also located on the parcel, is less than twenty acres. This is due to the fact that current Zoning regulation relating to the T-5R Zoning District, requires that a parcel to be used for agricultural use must be at least twenty acres in size to be subdivided.

After discussion and some general comments by the ZHB, a motion was made by Mr. Bushey and seconded by Mr. Hammond, to approve the variance request as it had been submitted. The vote was unanimous in favor of the approval of the request.

### Adjournment

Motion was made by Mr. Hammond and seconded by Mr. Rohrer, to adjourn the meeting at 7:27 PM; the vote was unanimous in favor of the motion.

Respectfully submitted,



Matthew Reeser  
Township Zoning Officer