

**PENN TOWNSHIP  
ZONING HEARING BOARD  
MINUTES OF SEPTEMBER 11, 2019**

**ATTENDANCE**

**Board Members Present:**

Gerald Wolfe/Chairman  
Dale Rohrer/Vice-Chairman  
Steven Bushey  
Aaron Kopp  
Bill Postel

**Applicant**

Luke Witman, Applicant ZHB #918  
J. Dwight Yoder, Esquire, Attorney for Applicant  
Randy Hoover, P.E., Senior Engineer, TeamAg,  
Inc. Engineer for Applicant

**Others**

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

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

**Minutes**

Mr. Rohrer made a motion to approve the minutes of July 10, 2019 as written, and Mr. Kopp seconded the motion; the vote was unanimous in favor of approval by the Board.

All people present who might testify, were sworn in by the court reporter.

**Case #918** – Applicant Luke Witman, requests variances from Section 27-202 Land Use Table, §27-207.3 Form Based Code, and §27-207.1.D Building Coverage, of the Township Zoning Ordinance, to allow the construction of a storage garage on a property located within the T-5R Residential Zoning District, that would be used for the storage of vehicles, trailers, and other materials related to the Applicant's auction and tent business. In the alternative, the Applicant requests equitable relief to construct the storage garage. The subject property is located at 664 Fruitville Pike, Manheim, PA 17545, in the T-5R Residential Zoning District, Tax ID#500-82813-0-0000.

The ZHB solicitor explained party status, and asked if anyone would like to seek the standing. Due to the fact that Township Supervisor Landis was the only member of the public present, there were no requests.

Mr. Witman's application was presented by Attorney Yoder. Mr. Yoder thoroughly explained the items listed within the submitted application. Some items that were specifically mentioned were; the lot is irregularly shaped, the applicant's deceased brother had in the past used portions of the parcel in connection with a tent and auction business, in or around 2003 the Township Manager at that time provided a letter which stated he had no objection to an existing barn being used for the storage of tent related items, and that Mr. Witman had invested a significant amount of money into the improvement of the property and existing buildings.

Mr. Witman explained the new storage building would be approximately 50'x100', would only be used for the storage of tents, vehicles, and other supplies, would not be used for the maintenance of vehicles, would not be visited by the general public, or be leased to anyone and only be used in connection with the Applicants tent business.

During the hearing, there was discussion as to whether a variance from §27-207.1.D was required. Without the ZHB determining whether the existing use of the property is commercial, the Board found that it is reasonable to grant a variance from this section, since the variance will not be detrimental to the public health, safety or general welfare.

After a general discussion between the ZHB and the Applicant, which has been documented in the official decision, Mr. Bushey made a motion to approve the requests, which was seconded by Mr. Kopp. The motion was approved and carried in full by the Board.

#### Adjournment

There was a motion made by Mr. Bushey, with a second from Mr. Rohrer, to adjourn the meeting. The motion passed unanimously in favor of adjournment.

Respectfully submitted,



Matthew Reeser, Township Zoning Officer