

**PENN TOWNSHIP
ZONING HEARING BOARD
MINUTES OF NOVEMBER 13, 2019**

ATTENDANCE

Board Members Present:

Gerald Wolfe/Chairman
Bill Postel
Steven Bushey
Aaron Kopp

Applicant(s)

Jason Morrison, Applicant ZHB #920
Matthew Creme, Jr., Esquire, Nikolaus &
Hohenadel, LLP., Attorney for Morrison
William M. Hess, Applicant ZHB #921
Julie Slabinski, Esquire, Gibbel Kraybill & Hess,
LLP., Attorney for Hess
James Hartman, Kaylor, Allwein & Hartman, Inc.,
Surveyor

Others

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

John Matthews & Tina Randler
Robert Steckbeck
Maureen Smith
Frank Mikolic
Steve Hollinger
Patricia Dietrich

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

Minutes

Mr. Bushey made a motion to approve the minutes of October 16, 2019, as written and Mr. Wolfe 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 #920 – Applicant Jason Morrison, requests a variance from Table 27-202, *Permitted Uses*, of the Township Zoning Ordinance to allow the use of the subject property as a residential dwelling. The subject property of this application is located at 828 Buchdale Drive, Manheim, PA 17545, which is located in the T-5C Commercial TND Zoning District, Tax ID#500-04762-0-0000.

The ZHB solicitor explained party status, and asked if anyone would like to seek the standing; there were no requests.

Mr. Morrison's case was presented by attorney Crème, during which he introduced an exhibit which was a narrative that explained the general history of the parcel, and what had been included in Mr. Morrison's application. It also included conditions agreed upon between the applicant and Township in excess of the ZHB

standard conditions, one of which is that the only use of the property would be as a single-family dwelling, and nothing business related would occur.

General concerns were voiced by Resident Frank Mikolik, due to past use violations that had occurred on the property.

After a general discussion between the ZHB and the Applicant, Mr. Bushey made a motion to approve the request, which was seconded by Mr. Postel. The motion was approved and carried in full by the Board.

Case #921 – Applicant William M. Hess, requests a variance from §27-207.1, *Area and Bulk Regulations for Permitted Uses* of the Township Zoning Ordinance, to allow the creation of an agricultural lot with an area less than 20 acres. The subject property is located at 246 Fruitville Pike, Manheim, PA 17545, in the T-5R Residential Zoning District, Tax ID#500-03766-0-0000.

Prior to commencing, Mr. Wolfe asked if anyone present wished to become a party to the hearing. There were no requests.

Mr. Hess's application was presented by Ms. Slabinski. During the presentation, Mr. Hartman explained the included existing and proposed site plans.

A question was asked by Resident Steve Hollinger as to why the property was being divided, and if the applicant had any knowledge of an existing right-of-way being located on the parcel. Mr. Hess explained he didn't think at this point in his life that he wanted to go through the process of building on the entire property, and there was no knowledge of a right-of-way.

Mr. Postel asked if the parcels will remain Agricultural in nature to which Mr. Hess stated they are now and he plans on that use continuing, and is separating them to be able to do more with them in the future.

There was a general question from Patricia Dietrich regarding Clean and Green, to which the ZHB has no authority.

Mr. Wolfe explained the general requirements for a variance to be granted to the applicant.

There was a motion made by Mr. Bushey, with a second by Mr. Kopp to approve the variance requests. The motion to approve was passed in full by the board.

Adjournment

There was a motion made by Mr. Bushey, with a second from Mr. Kopp to adjourn the meeting. The motion passed unanimously in favor of adjournment at 7:48pm.

Respectfully submitted,



Matthew Reeser, Township Zoning Officer