

**PENN TOWNSHIP
ZONING HEARING BOARD
MINUTES OF AUGUST 12, 2020**

ATTENDANCE

Board Members Present:

Gerald Wolfe/Chairman
Bill Postel
Steven Bushey
Aaron Kopp

Applicants:

Darby Graybill, Pennway Construction, Case #926
Rufus Zimmerman, Property Owner Case #927
Calvin & Rebecca Bucher, Property Owners Case #928
Samuel Esh, Applicant Case #929
Ted Cromley, Diehm, Case #929

Others

Denise Frescatore-Riedel, Resident
Brenda Pardun, Stenographer
Melvin Newcomer, ZHB Solicitor
Fred Hammond, Resident
Matthew Reeser, Zoning Officer

The meeting was called to order at 7:06 PM by Mr. Wolfe.

Minutes

Mr. Bushey made a motion to approve the minutes of June 10, 2019, as written and Mr. Postel 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 #926 - Applicant Penway Construction, requests a variance from the Penn Township Zoning Ordinance; §27-302.1.E to allow a proposed residential garage to be 26' in height which is in excess of 20' in height as listed within the ordinance, and §27-302.1.F(2) to allow a detached residential garage to be located 10' from the neighboring side yard property line instead of 15' as listed in the ordinance. The property that is the subject of this application is 745 Rohen Ridge Drive, Lititz, PA 17543, which is located in the T-4 Zoning District, Tax ID#500-52507-0-0000.

Party status was explained to the crowd, but no party status was requested.

Mr. Graybill explained to the board that the reason for the variance request was due to existing grade.

Mr. Wolfe asked why the 15' setback listed within the zoning ordinance was a hardship. Graybill explained that reducing the setback would make access to the structure easier, and would also allow additional room for landscaping.

A motion was made by Mr. Bushey; with a second by Mr. Postel; to approve the variance requests. The motion was carried in full by the zoning hearing board.

Case #927 - Applicant Rufus Zimmerman, requests a variance from §27-302.21.C(4) to allow a fence which contains large farm animals 8' from a neighboring property line, instead of 10' as listed in the Zoning Ordinance. The applicant also requests a variance from §27-302.21.C(1) to allow more large farm animals on the property than is permitted per the Penn Township Zoning Ordinance. The property that is the subject of this application is 1979 East Mount Hope Road, Manheim, PA 17545, which is located in the T-2 Agricultural Zoning District, Tax ID#500-39889-0-0000

Party status was explained and there were no requests.

Case number 927 was presented by Mr. Zimmerman. Zimmerman explained that he wished to have 3 animals max. Concerns were explained by neighbor Denise Frescatore-Reidel regarding mowing and trees that border her property and the subject property. Bushey asked Frescatore-Reidel if she was ok with Zimmerman having 3 animals, to which she responded yes.

A motion was made by Bushey with a second by Kopp to approve the fence setback variance as well as the variance to allow a maximum of 3 large farm animals on the property. The motion was carried in-full by the board.

Case #928 – Applicants Calvin and Rebecca Bucher, request a Special Exception per *Land Use Tables Section 27-202* and *Section 27-426* of the Penn Township Zoning Ordinance, to allow the installation of an Accessory Dwelling Unit within an existing Sfdwelling. The property that is the subject of this application is 1432 Lancaster Road, Manheim, PA 17545, which is located within the T-2 Agricultural Zoning District, Tax ID#500-13192-0-0000.

No persons requested party status for case number 928.

Calvin and Rebecca Bucher explained their application. Matthew Reeser, the Township Zoning Officer requested that the ZHB add a condition to their approval to have the Township draft an ADU agreement which the applicant would record with Lancaster County, to be sure that future owners understood the conditions that applied for an ADU.

A motion was made by Bushey with a second by Kopp to approve the ADU special exception, with the Township condition included. The motion was carried in full.

Case #929 – Applicant, Samuel S. Esh requests a special exception and variance per / from *Section 27-302.21.C.(1)* and *Section 27-302.21.C.(3)* of the Penn Township Zoning Ordinance, to allow the non-commercial keeping of a large farm animal (horse for transportation) on the subject property, and also a variance to allow the keeping of said animals structure closer than 100' from the nearest dwelling unit not located on the property. The property that is the subject of this application is 381/391 Memorial Road, Lititz, PA 17543, which is located within the T-2 Agricultural Zoning District, Tax ID#500-16318-0-0000.

No persons requested party status for case #929. The application was presented by Ted Cromley of Diehm Surveyors. Cromley provided the board with a letter stating the neighbor was ok with the requests. Mr. Wolfe asked why the house couldn't be moved so the variance wouldn't be needed. Cromley explained it was due to stormwater related items that the house couldn't be moved. Questions were asked about the horse grazing area easement and it was confirmed that only 1 horse would be kept on the subject property.

A motion was made by Bushey with a second by Postel to approve the requests, with the additional condition that the horse related easement remain in effect as long as a horse was to be kept on the subject property. The motion was carried in-full by the board.

Adjournment

There was a motion made by Mr. Bushey, with a second from Mr. Postel to adjourn the meeting. The motion passed unanimously in favor of adjournment at 8:00pm.

Respectfully submitted,



Matthew Reeser, Township Zoning Officer