

**PENN TOWNSHIP
ZONING HEARING BOARD
MINUTES OF MAY 12, 2021
ATTENDANCE**

Board Members Present:

Gerald Wolfe/Chairman
Bill Postel
David Breinich

Applicant(s)

Duane & Heidi Weaver; Applicants Case #936
Sheila O'Rourke; Attorney for Case #936, GKH
Elvin Groff; Contractor Representative Case #936

Others

Richard Landis, Supervisor
Melvin Newcomer, ZHB Solicitor
Jason Hess, Township Legal Representative
Matthew Reeser, Zoning Officer
Brenda Pardun, Court Reporter

Fred Hammond, Planning Commission
Jared Mizrahi, PCI, Applicant Case #935
Aaron Marines, Applicant's Attorney, Case #935

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

Minutes

Mr. Breinich made a motion to approve the minutes of April 14, 2021 as written and Mr. Postel seconded the motion; the vote was unanimous in favor of approval by the Board.

Case #936 – Applicants Duane & Heidi Weaver & Stone Gable Cabinetry request a special exception approval to substitute a non-conforming frame shop/gallery use with a non-conforming cabinet making/showroom use per §27-505 of the of the Penn Township Zoning Ordinance. Applicants further request a special exception to expand the non-conforming use per §27-504 and request a variance from §27-504.B which limits expansion to 50% of the area used for the non-conforming use. Alternatively, Applicants request a use variance from table §27-202 for the cabinet/showroom use. If needed, Applicants additionally request a variance from §27-204.1.B to construct an additional structure in the T-2 District. The property that is the subject of this application is 700/710 Fruitville Pike, Manheim, PA 17545, which is located in the T-2 Agricultural Zoning District, Tax ID#500-94739-0-0000.

Anyone in the audience was asked whether they wished to receive party status. There were no party status requests.

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

The application was presented by Ms. O'Rourke.

Due to the complexity of this hearing and the fact that the ZHB Secretary (zoning officer) was actively participating in the hearing, please see the official ZHB decision for specifics that relate to the case.

After the application was heard, there was a motion made by Mr. Wolfe to enter executive session; which was seconded by Mr. Breinich; and was carried in full by the ZHB. That occurred at approximately 8:40pm. At approximately 9:02 the hearing was restarted by Mr. Wolfe.

There was a motion made by Mr. Wolfe, with a second by Mr. Breinich to approve the requested use variance, but deny all other requests. The motion carried in full by the ZHB.

At approximately 9:06pm, the ZHB went back into executive session so they could discuss previous case #935. The ZHB returned at approximately 9:22pm.

There was a motion by Wolfe, with a second by Breinich which stated that the use of the subject property was warehousing not retail sales. See official ZHB decision for case #935. The motion was carried in full by the ZHB.

At approximately 9:27pm, there was a motion by Mr. Breinich; with a second by Mr. Postel to close the hearing; the motion was carried in full by the ZHB.

Respectfully submitted,



Matthew Reeser
Penn Township Zoning Officer