

## Manor Township Zoning Hearing Board Minutes

Wednesday, August 3, 2016

Time: 7:00 P.M.

Chairman Chris Peris called the Manor Township Zoning Hearing meeting to order in the Manor Township Municipal Building on Wednesday, August 3, 2016 at 7:00 p.m. Chairman Peris led those in attendance in the Pledge of Allegiance to the Flag. Mr. Peris introduced the Board and Staff.

Members Present: Bradley Singer, Chris Peris and Alex Egner  
Township Officials Present: James McManus and Nickolas Ebersole  
Visitors: See attached Sign-In Sheet

### Minutes

Chris Peris sought a motion to approve the minutes from the July 6, 2016 meeting. Brad Singer made a motion to approve the minutes as submitted. Alex Egner seconded the motion and the motion carried unanimously.

### Old Business

**Case # 2-2016** – The application of Lynn E. Nissley Jr., property located at 3574 Blue Rock Road, Lancaster, Pennsylvania 17603, Account #4109867800000, for a variance of Section 201.6.5 A. No accessory use shall be located within the required front yard, in accordance with Section 605.4 – Variances. The Applicant would like to add on to the existing accessory building. The property is zoned Agricultural (A). Testimony is closed and a decision will be rendered tonight.

Mr. McManus prepared a draft decision before the Board tonight based on the thoughts and opinions he received from the Board members. Mr. Peris proceeded with there being no discussion from the Board that a motion be made. Mr. Egner read the draft decision which stated: The application of Lynn Nissley and Betty Nissley for a variance to the provisions of Section 201.6.5.A. of the Zoning Ordinance to allow the construction of an 562 square foot addition to an existing wooden frame barn building to be located as near as 16'6" to the right-of-way of Supervisors Road of the Property located at 3574 Blue Rock Road, Lancaster, Pennsylvania, Account No. 410-98678-0-0000 is granted subject to the following conditions:

1. The Applicants shall at all times comply with and adhere to the plans, Exhibits and all other evidence presented to the Board by the Applicants at the hearing held on July 6, 2016.
2. The Applicants shall comply with all other applicable governmental rules, ordinances and regulations regulating the construction, use and occupation of the proposed Barn addition.

Any violation of the conditions contained in this Decision shall be a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code.

The foregoing Decision shall be binding upon the Applicants, their successors in interest and assigns.

Alex Egner made a motion to accept the decision. Brad Singer seconded the motion and the motion carried unanimously.

### **New Business**

**Case #3 – 2016** – The application of Living Light Mennonite Church, property located at 2625 Safe Harbor Road, Washington Boro, Pennsylvania 17582, Account #4103934100000, for a variance of Section 201.6.3 A. Nonconforming Church Front Yard Setback, in accordance with Section 605.4 – Variances. The Applicant would like to add on to the existing building. The property is zoned Agricultural (A).

James McManus asked if the Applicant was present. Carl Ranck responded that he was present.

Mr. McManus requested that Nick Ebersole be sworn in. Mr. Ebersole stated that his name is Nickolas Paul Ebersole and that he is the Zoning Officer with Manor Township. Mr. Ebersole stated that he did receive the application #3-2016. The application was on standard Township form that was completed and signed. The application contained a two page form and additional supplemental pages that include a letter dated June 7, 2016, addressed to the Zoning Hearing Board under signature of Sean Leaman, Congregational Chair and Robert Kanagy, Pastor of Living Light Mennonite Church. This letter authorized Carl Ranck, as the head of their property committee, to represent them before the Board this evening. Additionally, the application consists of a series of plans including a description of the current building and grounds, proposed building addition, a first floor plan, a basement plan, elevation plan, a two page narrative identifying certain provisions of the zoning ordinance, two aerial photos, and copies of email correspondence between the Applicant and Zoning Officer. Finally, a letter dated July 12, 2016 to Mr. Ranck from David L. Lockard which states the project was inspected for additional usage of the sewer. This all will be marked as Exhibit #1. A notice of the time, date, place and subject matter was published in the Lancaster Newspaper July 20, 2016 and July 27, 2016. The same notice was placed on the bulletin board in the lobby of Manor Township Municipal Building on July 18, 2016. This will be Exhibit #2. Notice of the time, date, place and subject matter was sent to the adjoining property owners on July 18, 2016 and the list of the property owners appear in Exhibit #1. There were no questions on the manner the application was advertised and property posted.

Mr. Carl Ranck was sworn in. Mr. Ranck, representing Living Light Mennonite Church, is seeking a variance from the building set back requirements. The purpose of the anticipated change is to make the building handicap accessible. The supplied architectural sketches show the removal of the 1950's west end addition and replacing it with a larger addition. The original building from 1893 is in a location that hinders this project. The size of the proposed addition is based on the current entry including the raised concrete slab outside the main entry doors. The physical property would not have prevented a different

building location but the standards of the 1890's determined its placement. The oldest section of the adjoining cemetery have grave markers from the mid 1800's with German inscriptions. These stones are much closer to Safe Harbor Road (17 ½ feet from center of road) than the proposed building addition which is 32 feet from the center of Safe Harbor Road. The following will address the requirements of Section 605.4

1. There are no unusual physical characteristics of the property. The land was purchased in 1892 and the building erected in 1893. The location of the building was appropriate for the standards of that time. Safe Harbor has been widened and improved over the succeeding years which combined with the pre-existing location of the building, creates an issue with the zoning ordinance for expanding the building.
2. The purpose of the renovation is to add handicap accessibility to the building and a handicap accessible restroom. The location of the existing building and the design of the auditorium with a sloped floor, limits their options. As noted, Dave Lockard advised that the existing drain field will support the additional restroom.
3. The location of the building was determined in 1893 and was correct for that time. The 1950's addition also met expectations for public buildings of the 1950's. The church members seek to update the building to current expectations. Several members currently have difficulty with steps and struggle to get to the fellowship hall and classrooms in the basement. The raised concrete pad in front of the church entrance is situated 32 feet from the center of Safe Harbor Road. This building project proposes to incorporate this pad dimension into the building. The purpose is to have accessibility to all main areas of the building.
4. This building project seeks to provide increased pedestrian safety by moving the entrance doors from the west from the front west end of the building by Safe Harbor Road to the sides of the building. This will keep people further from the road. The building design is to be aesthetically pleasing matching the roof pitch and style of the existing structure. The building project will not increase the seating capacity of the auditorium. The purpose of the renovation is to add handicap accessibility to the building.
5. The variance being sought is to build within the 35 foot zoning setback. The proposed building will be 32 feet from the center of Safe Harbor Road. The fence bordering the adjoining cemetery is 14 ½ feet closer to the center of Safe Harbor Road. Any future improvements of Safe Harbor Road and the surrounding land will have to take into account the location of the cemetery. With the cemetery in place, the road cannot be widened or moved closer to the existing church structure. This restriction means that the church building can be moved closer to the road with no impact on future road and area projects.
6. The building is located in an Agricultural zone, not a flood plain. The proposed structure will not create an additional impervious surface as the existing building is surrounded by a paved parking lot.
7. They feel that it would be appropriate to approve this variance. However, any reasonable conditions and safeguards that the Township sees fit will be abided by.
8.
  - A. The diagrams that were provided by Engle Architect are of the basement and first floor.
  - B. The three adjoining property owners are Guy Eshelman, Lester Brandt and Jenna Hoover. They have been spoken to individually by Mr. Ranck, and he answered any questions they had.
  - C. Two diagrams were provided which contained both the current and proposed site plans along with the google image.
  - D. Living Light Mennonite Church seeks to update its buildings to meet accessibility standards which will include an elevator and restroom. A variance is necessary to proceed with the current plan.

Mr. Ranck added a few additional comments. He recommended that the Board drive by the church, and in doing so, would notice that there is a ramp on the outside of the structure. That ramp does allow someone with a wheelchair to get into the building. That entrance is into a Sunday school room. It is not very inviting when someone comes to the door and the Sunday school members have to move the table and chairs to welcome someone in.

Mr. Ranck used the printed images to further explain where things are located. He then thanked the Board for their consideration.

Mr. Peris asked if the ramp is being covered, the current concrete pad. Mr. Ranck replied that that is correct. Mr. Peris asked if there would be a new ramp. Mr. Ranck responded that there would not be a new ramp but instead a three stop elevator.

Alex Egner asked if the building is currently in the setback. Nick Ebersole responded that the building is not compliant but was a pre-existing building.

Mr. Peris confirmed that Mr. Ranck spoke with all of the surrounding property owners and Mr. Ranck said that he was correct, he spoke with the adjoining property owners.

Mr. Ranck wanted Mr. Egner to be sure it was understood that the 32 feet is to the edge of the concrete pad and the building is actually 37 feet, 8 inches.

Mr. Peris asked Mr. Ranck if they did explore other options. Mr. Ranck responded that they looked at some other options for the location of the elevator and restroom but they would be cost prohibitive. Mr. Peris wanted to know if there was anything other than price that made them choose the option that is being proposed. Mr. Ranck responded that price would be the most significant reason but also the most aesthetic.

Nick Ebersole wanted to comment about the email that was with the application. Mr. Ebersole explained that when PennDot needs worked with, they prefer that it be in email form and in a way that all of the information is given. PennDot sometimes prefers to work with Township staff and not the Applicant.

Mr. McManus asked Mr. Ranck if the existing building, including the concrete pad, is located 32 feet from the center line of the road. Mr. Ranck responded that is correct. Mr. McManus asked if the proposed building addition would be setback at that identical distance. Mr. Ranck responded that is correct. Mr. McManus asked about the plans and the confusion of seeing where someone may enter the elevator. Mr. Ranck responded that the drawings that were submitted are missing the three stop elevator. Mr. Ranck explained that the purpose for the three stop elevator is so that a person can enter through the main door, parking lot level, and be able to enter into the elevator on that floor and either go up to sanctuary level or down to basement level. There would be no steps required.

Mr. McManus asked for the total square footage of the addition and Mr. Peris replied 840 square feet. Mr. McManus asked if it is correct that the lot area is 4.99 acres as shown on the plans. Mr. Ranck responded with a yes. Mr. McManus asked if the water and sewer are on site of the property. Mr. Ranck responded with yes that is correct.

Mr. McManus had a final question about exterior lighting. Mr. Ranck responded that there is currently two exterior lights on the building and that is not anticipated to change.

Chris Peris moved to close testimony, Alex Egner made that motion and Brad Singer seconded.

Chris Peris commented that they would render their decision at the next board meeting on September 7, 2016.

Meeting adjourned at 7:57 p.m.

Respectfully Submitted,

Alexander D. Egner  
Secretary

Recording Secretary  
Teresa Strubel