

## Manor Township Zoning Hearing Board Minutes

Wednesday, January 8, 2020

Time: 7:00 p.m.

Chairman, Bradley Singer called the Manor Township Zoning Hearing Board meeting to order in the Manor Township Municipal Building located at 950 West Fairway Drive, Lancaster, PA 17603 on January 8, 2020 at 7:00 p.m. Chairman Singer led those in attendance in the Pledge of Allegiance and introduced the Board.

Members Present: Bradley Singer, Dennis Funk, and Scott Ream  
Staff Present: Nate Taggart and Michelle Smith  
Township Solicitor: James McManus  
Visitors: See attached Sign-In Sheet

### Re-Organization

Appointment to the Zoning Hearing Board by the Township Supervisors – Bradley Singer was appointed for a three year term by Resolution 2-2020, beginning January 6, 2020 and expiring December 31, 2022.

### Election of Officers

Dennis Funk made a motion to have the officers remain the same as last year. Scott Ream seconded and the motion carried unanimously.

### Set Meeting Dates

The Zoning Hearing Board will meet the first Wednesday of each month at 7:00 pm.

### Selection of the 2020 Zoning Hearing Board Solicitor

James R. McManus was appointed as Solicitor for the Zoning Hearing Board for 2020.

**Approval of Minutes** – Chairman Singer entertained a motion to approve the October 2, 2019 meeting minutes as they have been submitted. Dennis Funk so motioned. Scott Ream seconded and the motion carried unanimously.

### New Business

Case #1-2020: Gregory S. Falk, 2170 W. Ridge Dr., Lancaster, PA 17603. The applicant is requesting a Variance to section 425-24.B(18). The applicant is requesting approval to permit the construction of a residential duplex on two lots that are not serviced by public water. The duplex will be located at 871 & 873 Central Manor Rd, Lancaster, PA 17603, Tax ID Number

410-87059-0-0000 & 410-93289-0-0000. The properties are located in the Mixed Residential/Commercial (MRC) Zone.

James McManus requested that Nate Taggart, the Applicant, and any others in attendance wishing speak to the Board be sworn in. Mr. Taggart is the Zoning Officer for Manor Township. In that capacity, Mr. Taggart is responsible for and administers the cases that come before the Zoning Hearing Board. He issues and receives applications that come before the Board. He received the application indexed at #1-2020 from Gregory S. Falk. The application was filed on a standard form provided by the Township. The application was fully filled out and the required fee was paid. In addition to the application form, there was a one page narrative identifying the basis for the variance request, a dimension drawing showing two lots with setbacks identifying the proposed project, and an aerial photo of the area that is subject of the application. The application was marked as Exhibit #1.

Mr. Taggart posted a notice of the time, date, place, and subject matter of the hearing in Lancaster Newspaper on December 24, 2019 and December 31, 2019. He received proofs of publication from the newspaper. The proofs were marked as Exhibit #2. The properties that are subject of this application were posted with the same notice on December 30, 2019. Additionally, a notice was posted in the Manor Township Municipal Building on December 24, 2019. Notices were mailed to adjoining property owners on December 30, 2019. Mr. Taggart had a list of adjoining property owners. This list was marked as Exhibit #3. All notices contained the same information.

Greg Falk, the Applicant, is owner of the properties. The properties were purchased by Foxianna Properties, LLC. Gregory S. Falk is the sole member of the LLC. Mr. Falk distributed an updated drawing to the Board Members. The revised plot plan was marked as Exhibit #4. Mr. Falk also distributed a copy of the Operating Agreement of Foxianna Properties, LLC. The Agreement was marked as Exhibit #5.

Mr. Falk is requesting a variance to build a residential duplex rather than two separate homes because of some unique physical circumstances or conditions. Public water is not available at the location and there is a large LASA sewer easement that extends into both lots. The easement reduces the usability of the corner lot for any substantial residence. Without the variance, Mr. Falk will not be able to use the first lot. The drawing that was distributed is to give the Board a visual of what a duplex would like positioned on land. It shows the limitations of the land based upon the easements. The drawing is not a set in stone plan. A duplex would allow for a 40 ft wide home. Without the duplex, the home on the corner lot would need to be 25 ft wide or less. Mr. Falk would like to construct a one story residential duplex that will look like one home. Due to personal reasons with special needs children, he needs to keep the properties as two separate lots.

Mr. McManus asked Mr. Falk to verify the availability of public water and public sewer. Neither property has public water; however, they both are serviced by public sewer. If the lots were

combined, a single family dwelling could be constructed and comply fully with Township regulations. Mr. Falk is going to drill a well on each property. The lots are deeded separately and he is going to maintain them as two separate properties. Mr. Falk is asking the Board to allow two dwelling units instead of one because the corner lot is impaired by virtue of restricted easements. The easements are not found, generally, on other properties in the zoning district. Mr. Taggart verified that 871 Central Manor Road contains 0.46 acres, 20,038 sq ft and 873 Central Manor contains 0.43 acres, 18,731 sq ft. These numbers reflect tax records. Mr. Taggart stated the minimum lot area for a single family home is 15,000 sq ft and the minimum lot area for a duplex is 6,000 sq ft provided that the lot is serviced by public water and public sewer. The proposal before the Board does not violate applicable lot areas, provided a variance is granted to the necessity to have public water.

Mr. McManus asked Mr. Falk to verify if the drawing on Exhibit #4 was a true footprint of the building that he was planning to construct. Mr. Falk stated that the drawing was intended to provide a visual. If the variance is granted, he will contact an architect. The building on Exhibit #4 was intentionally made larger to show how much room there is to build on. The front of the lot has the easement and the back has a large drainage area that is not suitable to build on. Mr. Falk will stay within the footprint of the drawing. Any construction will comply with front, side and rear yard setbacks.

Mr. Singer asked Mr. Falk if he knew how close the nearest public water was to these properties. He was not sure, but it would not be feasible to tap in to the public system. Mr. Funk noticed the building goes across the sanitary easement on the drawing. He asked for clarification on this matter. Mr. Falk stated that this was a hand drawn sketch and the plan would need to be approved by LASA. He will follow the sanitary easement. Mr. Funk had some confusion on the minimum lot width required for these properties. Mr. Taggart verified that the minimum lot width for a duplex is 45 ft per unit. The maximum lot coverage is 45%. The front yard setback is 25 ft, side yard setback is 10 ft, and the rear yard setback is 20 ft. These setbacks are measured from the right-of-way line. Mr. Ream asked if each lot will have its own driveway. Mr. Falk verified that there will be two driveways. Mr. Falk stated that the lots have been surveyed and are marked with stakes. They are not divided with a fence or tree line, so visually the land looks like one parcel.

Matthew Kautz, resident living at 889 Central Manor Road, came before the Board with questions and comments. He is concerned about the number of accidents that occur at the nearby intersection. He wanted to know if there were any plans for traffic control at the corner? He also asked about why a duplex is planned when all of the surrounding homes are single dwellings. He is concerned that this will be a for profit apartment rental. Mr. Falk stated that he will reside at the property and plans to build a ranch home. There will be two families residing in duplex, but it will not be a rental. Mr. Kautz has some concern about damage to existing wells when they drill the two new wells. He asked how much impervious surface is planned? There are run off concerns. Mr. Taggart commented that Mr. Falk will need to

comply with all Township Stormwater Management Ordinances and permitting in the building process. Mr. Falk is aware of the run off problem in the back yard and plans to construct the home as close to Central Manor Road as he can.

The next meeting will be held on February 5, 2020. Brad Singer commented that with no further business to discuss, the meeting will close. Dennis Funk made a motion to adjourn the meeting. Scott Ream seconded and the meeting adjourned at 7:51 p.m.

Respectfully Submitted,

Dennis Funk  
Secretary

Recording Secretary  
Michelle Smith