

## Manor Township Zoning Hearing Board Minutes

Wednesday, June 10, 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 June 10, 2020 at 7:00 p.m. Chairman Singer led those in attendance in the Pledge of Allegiance.

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

**Previous Month Minutes** – Dennis Funk made a motion to accept the June 3, 2020 meeting minutes as they have been submitted. Missy Charles seconded and the motion carried unanimously.

### Old Business

Case #4-2020: Lisa L Geiman & Eric Perez. E.O., 3731 Columbia Ave, Mountville, PA 17554. The applicant is requesting a Variance to section 425-12.B (Rural Zone Permitted Uses) and 425-111 (Nonconformities – Abandonment). The applicant is requesting approval to operate an automotive repair business in a detached 2 story garage currently located on the property. The property in question is located at 1510 Water Street, Columbia, PA 17512, Tax ID 4103597900000 and is in the Rural (R) Zone.

There is a draft Decision before the Board. The Decision as prepared contains Findings of Fact, Conclusions of Law and the denial of the Variances that have been requested. There was no discussion among the Board regarding the draft Decision. Missy Charles made a motion to deny the requested Variances as set forth in the prepared Decision. Dennis Funk seconded and the motion carried unanimously. The Decision reads, “Based on the foregoing, the application of Lisa L. Geiman and Eric Perez for variances to the use provisions of Section 425-12.B and the abandonment provisions of 425-111 of the Zoning Ordinance to enable the use of a two-story garage building on a portion of the property located at 1510 Water Street, Columbia, Pennsylvania 17512, Property Account No. 410-35979-0-0000, for an automotive repair commercial business use is denied.”

### New Business

Case #6-2020 – Applicant: John R. & Patricia Beaumont, 145 Carol Dr, Washington Boro, PA 17582. The applicant is requesting a Special Exception to section 425-13.C(4) & 425-73 (Special Exception Use – Accessory Dwelling Unit) to add an accessory dwelling unit in an existing barn

on the property located at 145 Carol Dr, Washington Boro, PA 17582, Tax ID Number 410-53598-0-0000 for occupancy by a relative. The applicant also requests a Variance to section 425-73.A to the maximum allowed square footage of an accessory dwelling unit. The applicant proposes to create an 1150 square foot accessory dwelling unit. The property is located in the Low-Density Residential (RL) Zone.

Chairman Singer introduced the Board and explained the procedure that the Board will follow. The Board members will listen to testimony at the meeting, consider what is presented and individually contact the Solicitor with their opinion. The Solicitor will compile the individual opinions and draft a Decision.

Jim McManus confirmed that Patricia Beaumont, the Applicant, was present. Also present were Gary Weaver from Tippetts/Weaver architects and Jesse Pellman from Longview Structures. Mr. McManus requested that Patricia Beaumont, Gary Weaver, Jesse Pellman and Nate Taggart be sworn in. Mr. Taggart is the Zoning Officer for Manor Township. In that capacity, Mr. Taggart administers and receives the applications that come before the Zoning Hearing Board. He received the application indexed at #6-2020 from John & Patricia Beaumont. The application was completed on a standard form provided by the Township. The application consists of a two page standard form, a two page narrative, a list of adjoining property owners and 16 pages of site plans and photographs. The plans include elevations and floor plans. The application was marked as Board Exhibit #1.

Mr. Taggart posted a notice of the time, date, place, and subject matter of the hearing in Lancaster Newspaper on May 27, 2020 and June 3, 2020. He received proofs of publication from the newspaper. The proofs were marked as Board Exhibit #2. The property that is subject of this application was posted with the same notice on June 3, 2020. Additionally, a notice was posted in the Manor Township Municipal Building on June 3, 2020. Mr. Taggart has a list of adjoining property owners. Notice of the time, date, place and subject matter of the hearing were mailed to these property owners. The list of adjoining property owners was marked as Board Exhibit #3. All notices contained the same information.

Gary Weaver reviewed the site plans with the Board. The first plan shows the Beaumont parcel in relation to other homes in the development. The Beaumont property is located off of Carol Drive and is in the RL District. It is the original farmstead from which the other lots were subdivided. Just north of the property is RL1 District and to the west is the Little Conestoga Creek. This plan was marked as Applicant's Exhibit A-1. The second site plan shows the buildings that are located on the Beaumont property. It is an irregularly shaped lot. Located on the parcel you will find the main house, a large barn, a small barn and workshop. There are also grey shaded areas on this plan that detail the paved surfaces on the property. This plan was marked as Applicant's Exhibit A-2.

The Beaumont's purchased the property about a year ago with the intentions of renovating both the main house and the small barn. They would like to renovate the small barn first and hope to one day have their son and future daughter-in-law live there. They have worked

through a design study of the main house and concluded that it will take several years to complete the renovation project. The extended timeframe to have the main house ready to be occupied has led them to pursue the small barn renovation first. Mr. and Mrs. Beaumont will live in the small barn while the main house is being renovated. The small barn has a foot print of 850 square feet. Included with the application is an existing first floor plan for the small barn. This plan was marked as Applicant's Exhibit A-3. Also included is an existing second floor plan. This was marked as Applicant's Exhibit A-4. As is, the two story small barn contains approximately 1500 square feet. Mr. Weaver went on explain the proposed floor plans. There is a Schematic Phase: First Floor Plan, which shows a living area, a kitchen, a powder room and an office. This plan was marked as Applicant's Exhibit A-5. There is also a Schematic Phase: Second Floor Plan, which includes a loft, a bathroom, a seating area and a bedroom. This plan was marked as Applicant's Exhibit A-6. There is no plan to increase impervious area on the property. In fact, some of the paved areas may be removed which will result in a decrease of impervious area. They will take out some of the second floor area, so the proposed floor plans show 1150 square feet of living area. In the interim, the property owners will live in the small barn with intentions of their son moving in someday. There is ample parking to service the accessory dwelling unit.

There are currently two units in the main house. They plan to convert the main house into a single family dwelling. The accessory dwelling unit will be serviced by utilities connected to the main residence. The property is serviced by public sewer, but it does have a private well. Electric service will come from the main house. Mr. Weaver explained that this is an unusual situation due to the fact that the accessory dwelling unit is an existing structure that is going to be renovated instead of new construction.

Dennis Funk asked if the main house is currently vacant. Mrs. Beaumont responded by saying that they having been moving things out of their current home into the main residence so they can get onto the property. They will be putting their property in Manheim Township on the market in July. They intend to move in to the main house while the small barn is being renovated. Once the renovations are complete, they will move into the small barn so the main house can be renovated. Mr. Funk asked for verification on the square footage of the renovated small barn. Mr. Weaver confirmed that there will be 1150 square feet of total living space. This is a combination of first floor living area and second floor living area.

Missy Charles asked if the main house is habitable. Mr. Weaver stated that the home is in average condition, but dated. Mrs. Beaumont testified that they do not prefer to live in the home in its present condition. Initially, they were going to remain living in their current home while the main house is being renovated, but they are anxious to get onto the Carol Drive property. Ms. Charles asked if it was possible to live in the apartment while the main residence is being renovated. Mrs. Beaumont responded by saying the main house is oddly constructed and the whole thing needs to be renovated. Mr. Weaver said that even though the property is large, the rooms are small and circulation is a problem. You could live in the home if you chose to do so, but it is not desirable. One of the bathrooms is not usable so that would hinder living in one half of the home. The ultimate goal is to turn the main house into a single family

dwelling and it would be easiest to do this as one project. Ms. Charles wanted to know if they could make the small barn into the allowable square footage as required by the Township. Mr. Weaver stated that they are reducing the existing square footage by removing floor area on the second floor. It might be possible to not finish all of the building. There is not enough square footage on the first floor to get the program that they desire, but there is too much if they use both floors. The vertical space in some of the areas is tight. This is why they are utilizing the second floor.

Brad Singer requested clarification on the utilities. All utilities will go through the main house. There is public sewer and the property is serviced by a well. There are some questions regarding the quality of the well and there are some unknowns as to whether a new well will be needed or not. There is public water on Carol Drive, but it is a long distance to get to there. Mrs. Beaumont stated that the well is currently being used without any problems. There are currently two electric meters on the property and they plan to keep it that way. All utilities will go through the basement of the main residence.

James McManus wanted to know what the small building was on Exhibit A-2. Mr. Weaver and Mrs. Beaumont confirmed that it is a small workshop that was previously used as a cold cellar. Mr. McManus requested clarification on how many units are currently in the main residence. There are two units and the residence could accommodate two families even though the bathrooms and kitchens are strangely set up. Mr. McManus asked Mrs. Beaumont for a time frame of her move in. She replied that they are currently moving items into the home now. They will be putting their property on the market in July. Assuming that they get approval for the accessory dwelling unit, Mr. and Mrs. Beaumont will move into the main house within the next 90 days. Construction will begin on small barn in three months and completed six months thereafter. The small barn will be finished in the first quarter of next year. Mr. McManus brought it to their attention that there will be a period of time in which they technically don't qualify because they will be living in the accessory dwelling unit and no one will be living in the main residence. Mr. Weaver confirmed that there will be at least two parking spaces dedicated to the accessory dwelling unit. The driveway widths meet Township standards. Parking for the main house will be along the driveway and parking for the accessory dwelling unit will be in between the large barn and the small barn.

Mr. McManus asked Mr. Weaver and Mrs. Beaumont if they were aware of the Accessory Unit Agreement. He showed them a copy of the Agreement. The Agreement was marked as Board Exhibit #4. They both reviewed the Agreement. Mr. McManus explained the important feature of the Agreement is the condition that the accessory dwelling unit must be removed from the premises within twelve months after it no longer occupied by the person that qualifies for the accessory dwelling unit. Mr. Weaver stated that it is very probable that the accessory dwelling unit will be occupied by a family member for years to come. They understand that for a non-family member to live in the small barn they would need to come back before the Township to ask for relief. Mr. McManus asked if it would be possible to meet the 900 square feet requirement for the accessory dwelling unit. Mr. Weaver testified that the program would not fit on the first floor of small barn. He could make changes to the floor plan that would make it

possible but it would not be desirable. Mr. Weaver stated that the only way to meet this requirement would be to remove the second floor of the building. Mr. McManus confirmed that this area would not have to be removed to be compliant. It could remain as is without renovating the area to make it living space. Mr. Weaver was not sure of the total impervious area currently on the property; however, there are plans to reduce the amount of impervious surfaces. All of the improvements currently on the property meet Township setback requirements. The exterior finishes will be changed on the buildings that are the subject of this application; however, the buildings will not be enlarged in any way to change the foot print. The property is approximately three and a half acres. Mr. Weaver could design a one bedroom apartment that would fit in the first floor of the small barn; however, Mrs. Beaumont was not sure that she would want a family member living in the barn without the second floor being renovated. The second floor is more or less attic space. The roof comes down and slopes into the rooms.

Mr. Taggart confirmed that the minimum lot size for a dwelling in this zone is 15,000 square feet. Mr. McManus suggested that another option would be to subdivide the property into two single family detached dwellings. With it being a flag lot, Mr. Taggart stated there may be challenges to this process.

Mr. Weaver closed by saying that he feels it makes sense to renovate the existing structure. While they could leave some areas unfinished, they feel that would be counterproductive. They are not creating a new structure. They are simply using what is already there. This is an unusual situation and the Board will not see a lot of other cases like this one. There are currently two units in the main residence and they will be combining them into one. Even after renovating the small barn, there will still only be two units on the property. They are just relocating one unit to an outbuilding. Mrs. Beaumont stated that the main residence was last used as a two family residence in 2018.

Testimony was closed on Case #6-2020. The Decision will be rendered at the next meeting which will be held on July 1, 2020 at 7:00 p.m. Mr. Singer commented that with no further business to discuss the meeting will close. Dennis Funk made a motion to adjourn the meeting. Missy Charles seconded and the meeting adjourned at 8:38 p.m.

Respectfully Submitted,

Dennis Funk  
Secretary

Recording Secretary  
Michelle Smith