

Manor Township Zoning Hearing Board Minutes

Wednesday, September 5, 2018

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, Pennsylvania on Wednesday, September 5, 2018 at 7:00 p.m. Chairman Singer introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Bradley Singer, Dennis Funk, Missy Charles, and Alexander Egner
Township Officials Present: James McManus and Nate Taggart
Visitors: See attached Sign-In Sheet

Previous Month Minutes – Dennis Funk made a motion to accept the August 1, 2018 meeting minutes as they have been submitted. Missy Charles seconded and the motion carried unanimously.

Old Business

Case #6-2018 – The application of Jeremy Ganse, property located at 371 Walnut Hill Rd, Millersville, PA 17551 and owned by Amanda S Murphy, account #410-72195-0-0000 for a Variance from Section 425-11.D.(2)(b) (Maximum Lot Area) in accordance with Section 425-123.D – Variances. The applicant and land owner would like to subdivide an existing 6.61 acre parcel into two lots, one consisting of 3.54 acres and one 3.07 acres. The property is zoned Agricultural (A).

Testimony is closed and Chairman Singer explained the process the Board went through by individually contacting Township Solicitor, Jim McManus with their decision. There was no discussion among the Board members. Mr. McManus received the decisions from each of three board members and took into consideration case law, finding of the facts, and testimony presented. He also reviewed similar cases and, finally, prepared a decision.

Mr. McManus stated that there is a draft decision in front of the Board and gave the opportunity for the Board to review the decision and make comments or engage in discussion. Dennis Funk commented that the case was well-presented, but he felt that the property could have been subdivided into a two acre lot without a variance. Because of the topography and flood plain he realized that at least 50 % was unusable and had no agriculture value.

With no further comments, Mr. Singer read the following decision:

A variance to the provisions of Section 425-11.D.(2)(b) of the Zoning Ordinance to allow the subdivision for single family detached dwelling development of the property located at 371 Walnut Hill Road (SR-3027), Millersville, Pennsylvania, Account No. 410-72195-0-0000 into two parcels containing approximately 3.54 acres (Lot No. 1) and 3.07 acres (Lot No. 2) as depicted on the Site Plan prepared by Diehm & Sons, Project No. 18031, Dated 6/29/18 is granted subject to the following conditions:

1. The Applicant shall at all times comply with and adhere to the plans, Exhibits and all other evidence presented to the Board by the Applicant or on his behalf at the hearing held on August 1, 2018.

2. The Applicant shall comply with all other applicable governmental rules, ordinances and regulations regulating the use and development of the proposed lot.

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 Applicant, his successors in interest and assigns.

Chairman Singer asked if there were any additional questions or comments. There were none. Missy Charles motioned to approve the Decision as read and Dennis Funk seconded. The decision was voted upon and carried unanimously.

Two copies of the Decision were signed. The Applicant was provided with a signed Decision and the additional copy will be retained in the Township office file.

With no further business to discuss, the hearing was adjourned at 7:11 p.m.

Respectfully Submitted,

Dennis Funk
Secretary

Recording Secretary
Michelle Smith