

Manor Township Zoning Hearing Board Minutes

Wednesday, February 2, 2022

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 February 2, 2022 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, Jeffrey Klugh and Scott Ream
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 approve the January 5, 2022 meeting minutes as they have been submitted. Scott Ream seconded and the motion carried unanimously.

Old Business

Case #1-2022: Kevin & Nicole Sangrey, 3257 Hostetter Rd, Washington Boro, PA 17582. The applicant is requesting a Special Exception to section 425-11.C(5) (Agricultural Zone Special Exception Uses – Accessory Dwelling Unit) & 425-73 (Accessory Dwelling Unit) to install an Accessory Dwelling Unit on their property for occupancy by a family member. The property in question is located at 3257 Hostetter Rd, Washington Boro, PA 17582, Tax ID 410-44722-0-0000 and is in the Agricultural (A) Zone.

Chairman Singer provided an overview of the procedure the Board followed. James McManus explained that the draft Decision includes Findings of Fact, Conclusions of Law and the Decision. Jeffrey Klugh read the Decision:

The application of Kevin Sangrey and Nicole Sangrey with address for a special exception pursuant to the provisions of Sections 425-12.C(6); 425-73 and 425-123.C.2 of the Zoning Ordinance to allow the erection of a single-family dwelling as an accessory dwelling on the property they own and at which they reside located at 3257 Hostetter Road, Washington Boro, Pennsylvania 17582, Parcel ID # 410-44722-0-0000, is granted.

The approval of the aforesaid special exception is 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 Applicants at the hearing held on January 5, 2022.
2. The Applicants shall execute and record an accessory dwelling unit agreement as required by 425-73 G. of the Zoning Ordinance in a form acceptable to Manor Township prior to the occupancy of the Accessory Dwelling.
3. Any on-lot sewage system serving the Property shall be approved by the Township's sewage enforcement office as adequate for use by the occupants of both the existing dwelling and proposed accessory dwellings.

4. Any on-lot water system serving the Property shall be approved as adequate for use by the occupants of both the existing dwelling and proposed accessory dwellings.
5. The Accessory Dwelling shall be removed from the Property within 12 months after it is no longer occupied by the person who qualifies for the use.
6. The Applicants shall comply with all other applicable governmental rules, ordinances and regulations regulating the construction, provision of utilities, use and occupation of the proposed accessory dwelling use.

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.

Dennis Funk made a motion to approve the Special Exception subject to the conditions as read. Scott Ream seconded and the motion carried unanimously. The Board signed three copies of the Decision which were given to the Zoning Officer for distribution.

New Business

Case #2-2022: Howard & Jayme Hill, 2212 Berkshire Rd, Lancaster, PA 17603. The applicant is requesting a Special Exception to section 425-13.C(4) (Low Density Residential Zone Special Exception Uses – Accessory Dwelling Unit) & 425-73 (Accessory Dwelling Unit) to install an Accessory Dwelling Unit on their property for occupancy by a family member. The property in question is located at 2212 Berkshire Rd, Lancaster, PA 17603, Tax ID 410-37434-0-0000 and is in the Low Density Residential (RL) Zone.

Chairman Singer explained the procedure that the Board will follow for the hearing. Testimony will be presented to the Board this evening. The Board members will consider the testimony and individually provide the Solicitor with their opinion. The Solicitor will then draft a Decision, which will be rendered at the next meeting.

Nate Taggart, Zoning Officer for Manor Township, was sworn in. In that capacity, Mr. Taggart administers and receives the applications that come before the Zoning Hearing Board. He processed the application indexed at #2-2022 from Howard and Jayme Hill for a Special Exception. The application was completed on a standard form provided by the Township. The application consists of the application form, a one-page narrative, a list of adjoining property owners, a letter of authorization to have Smucker & Sons represent the owners, and six-pages of plans dated January 13, 2022. The plans were prepared by Smucker & Sons and include a floor plan, a building plan, a site plan and elevations. The application was marked as Exhibit #B-1.

Mr. Taggart posted a notice of the time, date, place, and subject matter of the hearing in Lancaster Newspaper on January 19, 2022 and January 26, 2022. He received proofs of publication from the newspaper. The proofs were marked as Exhibit #B-2. The property that is subject of this application was posted with the same notice on January 26, 2022. Additionally, a notice was posted in the lobby of the Manor Township Municipal Building on January 19, 2022. Notices of the time,

date, place and subject matter of the hearing were mailed to adjoining property owners as well. All notices contained the same information.

Mr. McManus requested that Howard Hill, Jayme Hill, Bradley Kuhn, Keith Greenawalt and Tanna Kasperowicz all be sworn in.

Keith Greenawalt, Sales and Design, Smucker & Sons, opened testimony by stating that they propose to add a building to the existing house to accommodate a sister-in-law. The building will be 26 ft x 24 ft. It will adjoin the existing home by a roof. There will be a carport added and an extension to the existing driveway is planned. The addition will be stick built on a block foundation with a concrete footer. There will not be a basement and the new structure will be behind the existing home.

Mr. Singer asked what the square footage of the proposed dwelling will be? Mr. Greenawalt confirmed that it will be 584 sq ft. The lot size of this property is 0.35 acres. The proposed dwelling will be serviced by public water and public sewer. Mr. Singer wanted to know if the carport would be the sole parking area for the accessory dwelling? Mr. Greenawalt stated that it would be. The driveway will access the carport and there will be ample area to move cars in and out without hindering the main residence. Mr. Singer requested clarification on the setback lines. The proposed carport and addition would encroach the setback by approximately five feet.

Mr. Funk wanted to know what is the height of the proposed dwelling? Mr. Greenawalt stated that the building will be 15 feet tall. The Board discussed the required setbacks. Mr. Taggart stated that the rear yard setback is 35 feet. The site plan that was submitted with the application shows the proposed structure will be within the setback area.

Mr. McManus informed the applicant that this application would require a request for a Variance in addition to the Special Exception request. The Board cannot make decisions based upon applications that were not submitted. The Variance request would require additional advertising and a separate hearing. If the applicant would like to pursue the Variance request, they will need to submit a separate application.

Chairman Singer called for a five-minute recess to provide the applicant with an opportunity to discuss this matter with their experts.

Chairman Singer re-opened the meeting and Mr. Greenawalt requested a continuance on the hearing. Additional testimony will be presented at the March 2, 2022 meeting.

Chairman Singer closed testimony. Mr. 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 7:49 p.m.

Respectfully Submitted,

Jeffrey Klugh
Secretary

Recording Secretary
Michelle Smith