

MEETING MINUTES
LANCASTER TOWNSHIP
ZONING HEARING BOARD

January 22, 2013

Chairperson John Metzger called the meeting to order at 7:00 P.M. The following members were present: John W. Metzger, Elizabeth W. Bamford, Peggy D. Hall and alternate member Joseph P. LoCurto. Also in attendance was Thomas L. Goodman, Zoning Hearing Board Solicitor, Thomas P. Daniels, Assistant Township Manager, and Cheryl Hansberry, Court Reporter.

REORGANIZATION

On a motion the following officers were nominated and unanimously approved:

Chairperson: John W. Metzger

Vice Chairperson: Elizabeth W. Bamford

Secretary: Peggy D. Hall

A motion was also made and unanimously approved to appoint Thomas L. Goodman, Esq. as Zoning Hearing Board Solicitor.

MINUTES

On a motion, the minutes from the July 24, 2012 meeting of the Lancaster Township Zoning Hearing Board were unanimously approved as written.

NEW BUSINESS

1. TREECO/Manor Limited Partnership, owner of Manor Shopping Center, 1204-1296 Millersville Pike, Lancaster which contains the McDonald's Restaurant, and which is in a General Commercial District (GC), is requesting several variances to obtain a subdivision of the existing McDonald's restaurant from the Manor Shopping Center; no change to parking configurations or striping is proposed.

Mr. William C. Crosswell, Esq., of Morgan, Hallgren, Crosswell & Kane, P.C., represented the Applicant and presented the application. Mr. Daniels was sworn in and testified that the publication and notification requirements have been met. Mr. Crosswell noted for the record the previous decisions of the Lancaster Township Zoning Hearing Board concerning this property. The Manor Shopping Center was developed in 1960, with McDonald's developed in 1995 and reconstructed in 2007. McDonald's is on the property by virtue of a land lease from TREECO. The Applicant is desirous of subdividing the McDonald's tract along the lines already drawn in order to get a separate tax bill. Mr. Crosswell indicated that this was the only way to accomplish this goal and that the various variances were necessary in order to do so. He reviewed the narrative that was a part of the application and outlined each of the variances needed. A

variance pursuant to Section 804.1 is required to allow lot coverage of 86% for Lot 2 instead of the required 70%. Variances pursuant to Sections 804.2.A, 1508.5.B, and 1508.6.B are required for yard setbacks that are less than required but are now in existence with the present use. Variances pursuant to Sections 1307.2, 1401.1 and 1402.1 are required to allow current parking configurations, planting strips and screening. The Applicant proposes no changes from the present use and is only desirous to subdivide in order to separate the tax bill for Lot 2 from the entire shopping center. Mr. Albert Krull, property manager, testified that the application was necessary for business purposes.

Mr. Metzger made a motion to close testimony and continue the matter until the next regularly scheduled meeting of the Zoning Hearing Board, which is on February 26, 2013. Mr. Goodman will contact Mr. Crosswell if a memorandum of law is desired. Ms. Bamford seconded the motion, which carried unanimously. It was noted that Board member Ms. Hall will not be present at the next hearing and that alternate member Mr. LoCurto would be available to vote on the matter. The Applicant had no objections.

ADJOURNMENT

There being no further business before the Board, Mr. Metzger moved to adjourn at 8:00 P.M. The next regularly scheduled meeting of the Lancaster Township Zoning Hearing Board is Tuesday, February 26, 2013 at 7:00 P.M.

Respectfully submitted,

Peggy D. Hall, Secretary