

**WEST HEMPFIELD TOWNSHIP  
3401 MARIETTA AVENUE  
LANCASTER, PA 17601**

**WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD  
June 9, 2015**

The West Hempfield Township Zoning Hearing Board met in the meeting room of the West Hempfield Township Building at 3401 Marietta Avenue, Lancaster, PA on Tuesday, June 9, 2015. Gary Lintner called the meeting to order at 7:30 P.M. Board members Daryl Peck and Tony Crocamo were also present, along with Rhonda Adams, Court Reporter; Jodi Heffner, Zoning Officer; Matthew J. Creme, Jr, Solicitor, and Marsha Beamenderfer, Recording Secretary.

**Approval of Minutes**

Motion: Daryl Peck moved, seconded by Tony Crocamo, to approve the minutes of the meeting of May 12, 2015 as presented. Carried 3-0.

**Case 1204 – Robert A. & Heidi R. Keller (continued)**

Matthew Creme stated that since the May 12, 2015 meeting, the Board has participated in quasi-judicial deliberations in executive session. Gary Lintner also stated the all testimonies were closed at the last meeting and that the Board did have some conversations with counsel.

Motion: Tony Crocamo moved, seconded by Daryl Peck, to grant the applicants' request for relief from Section 303.3.A.2 for the property at 1840 Stony Battery Rd., Mountville, with the express purpose of allowing it to be a building lot. Carried 3-0.

Motion: Tony Crocamo moved, seconded by Daryl Peck to grant the applicants' request for a one-year time extension to the conditions that are provided in Section 1005.4.G for the property at 1840 Stony Battery Rd., Mountville, for the applicant to finalize the project. Carried 3-0.

**Case 1210 – Kathleen Mannino**

Kathleen Mannino at 680A Raintree Rd. Columbia is requesting a variance to Section 301.2 to allow construction of an accessory structure on a lot until the home is built. In October 2013 approval was given to build the accessory structure on the property and it was built in January 2014. Mrs. Mannino is applying for this variance because she missed the deadline for the extension by two days. Mrs. Mannino is also requesting a one-year extension to Section 1005.4.G in order to pull the building permit.

Mr. Creme commented that the standard in a situation such as this is if an approval has expired and the circumstances have changed then it should not be approved again. If circumstances are substantially the same then the law requires the Board to consider approving it again. The Board said there was no issue with this.

Motion: Daryl Peck moved, seconded by Tony Crocamo, to grant a variance to Section 301.2 to allow the accessory structure on the property at 680A Raintree Rd., Columbia, to remain prior to the construction of what will be the permanent legal structure. Carried 3-0.

Motion: Daryl Peck moved, seconded by Tony Crocamo, to grant the variance of one year to Section 1005.4.G to allow the accessory structure on the property at 680A Raintree Rd., Columbia. Mrs. Mannino has a total of 18 months to apply for the permit and have the house built. Carried 3-0.

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**Case 1211 – Abner Miller**

Mr. Miller is requesting to relocate his roadside stand from directly in front of the house at 4527 Marietta Ave. Columbia, into the structure across the parking lot. The stand would be situated in the rear of the building where the overhead door and two front doors are located. He is also asking to increase the square footage from the original 18x20 foot shed to 1300 square feet.

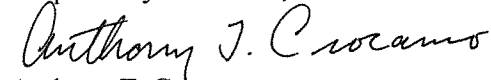
Mr. Creme questioned Mr. Miller whether the structure that he wants to use as a roadside stand for the sale of farm products is more than 50 feet back from Marietta Ave. and Mr. Miller said it was 85-90 feet back. Mr. Creme also questioned what the size of the structure was and Mr. Miller said that it was a total of 3900 square feet. Mr. Creme stated the parking spaces required for the roadside stand need to be 3 spaces for the first 600 feet and 1 for every 200 feet over that, so a total of 19 parking spaces would be needed. Mr. Miller stated that his parking area is 65x128 feet and he is making each space 9 foot wide by 20 foot long which gives him enough room for 10 spaces on each side of the building. Mr. Miller stated that he would still continue selling the farm products of which 90% are grown on the farm that Mr. Miller owns and lives on.

Mr. Creme stated that the three main points brought before the Board are that at least 50% of the products sold are grown on the property, that there are 3 parking spaces for the first 600 square feet, and 1 for each additional 200 square feet for a total of 19 spaces, and the permanent building is 50 feet from the right-of-way. Mr. Miller stated that if the entire building was being used for the sale of his products he would need 19 parking spaces but only 2,000 square feet of the building will be used to sell products so only a total of 10 spaces are needed. A wall will be constructed so that the remainder of the building will be used to house his agricultural equipment and a separate outside entrance would be installed.

Motion: Tony Crocamo moved, seconded by Daryl Peck, that the Board grant a special exception to Section 701.9.C.1 to relocate the roadside stand at 4527 Marietta Ave., Columbia, into another building. The applicant should provide to the Zoning Officer a drawing showing the amount of retail space and demonstrate that there are a sufficient number of parking spaces for the finalized size of the retail space. Carried 3-0.

There being no further business to come before the Board, the meeting was adjourned at 8:45 P.M.

Respectfully submitted,

  
Anthony T. Crocamo