

## ZONING HEARING BOARD MINUTES

**March 7, 2023**

Call to Order By: Chairman Chris Moyer  
Members Present: Chris Moyer, Chris Neiles, Cleon Martin  
Legal Representation: Jason Hess, ZHB Solicitor

Motion by Chris Moyer, 2<sup>nd</sup> by Cleon Martin to approve the minutes of the May 3, 2022, meeting minutes. The vote was unanimous.

Reorganization of the Zoning Hearing Board: Motion by Cleon Martin, 2<sup>nd</sup> by Chris Neiles to appoint Chris Moyer as Chairman, Chris Neiles as Vice-Chairman and Cleon Martin as Secretary. Motion approved unanimously.

Motion by Chris Moyer and 2<sup>nd</sup> by Cleon Martin to name Jason Hess as Solicitor. Motion approved unanimously

Verification of required notices by Zoning Officer Drew Keller  
ZHB Exhibit #1, Proof of Publication Yes ZHB Exhibit #2, Copy of Posted Notice Yes  
Property Posted on February 23, 2023

**APPLICANT: Cheryl Love of ELA Group, on behalf of Property Owner, Brian Reed**

**HEARING DATE: 3/7/2023**

**SITE ADDRESS:** 2564 Valley Road Manheim, PA 17545

**CASE NUMBER:** 230001

**REQUEST:** Variance, Section 301.D.1.a.3(a)

**TESTIFYING FOR APPLICANT:** Property Owner, Brian Reed, and Cheryl Love, of ELA Group, planning consultant.

**CONCERNS, COMMENTS AND QUESTIONS WERE HEARD FROM BOARD MEMBERS AND THE BOARD SOLICITOR.**

Motion to close testimony and admit Exhibits by Chris Neiles, 2<sup>nd</sup> by Chris Moyer.

Motion to approve Variance to Section 301.D.1.a.3(a) by Cleon Martin, 2<sup>nd</sup> by Chris Neiles with the conditions normally imposed by the Board on approvals.  
Vote was unanimous.

Case Number 230001 closed at 7:26 p.m.

**APPLICANTS: RNJ Washes, LLC, 1331 Stony Lane, Lititz, PA 17543**

**SITE ADDRESS:** 821 East Main Street Mount Joy, PA 17552

**CASE NUMBER:** 230002

**REQUEST:** Special Exception pursuant to Section 304.B.2.b.(31) to permit a vehicle washing facility in the Highway Commercial Zone; Variance to Section 304.C.3 requiring a minimum 50-foot setback and landscape screening for a non-residential use adjacent to land

within a residential zone to permit a rear yard setback of 8.5 feet; Variance to Section 520.G.3.al to allow five (5) parking spaces where 10 spaces are required; Variance of Section 534.E requiring vehicle queuing spaces to be 12' wide to allow a width of 10'; Variance of Section 534.F requiring vehicle queuing area to be set back according to accessory setbacks to allow 10' side yard setback where 12.5' is required, to allow 8.5' rear yard setback where 50' is required, and to allow 98' from the street right-of-way where 100' is required.

Verification of required notices by Zoning Officer Drew Keller  
ZHB Exhibit #1, Proof of Publication Yes ZHB Exhibit #2, Copy of Posted Notice Yes  
Property Posted on March 7, 2023

**ATTORNEY FOR APPLICANT:** Matt Creme, Esq. of Nikolaus & Hohenadel, LLP.

**TESTIFYING FOR APPLICANT:** Ryan Bollinger & Nelson Bollinger, owners of RNJ Washes, LLC, Tom Matteson, Diehm & Sons, Project Manager

**ADDITIONAL PARTIES:** Elmtree Investments, LLC and Elmtree Properties, LLC, both represented by John Mateyak, Esq. Tom Kile testified on behalf of additional parties.

Applicant presented application. Board members and Board Solicitor asked questions of Applicant, Applicant's witnesses were cross-examined, additional parties presented case in opposition to application, Board members and Board Solicitor asked questions of additional parties' witness, and witness was cross-examined.

Motion to close testimony by Chris Neiles, 2<sup>nd</sup> by Chris Moyer  
Vote was unanimous.  
Board deliberated in private.

Motion by Chris Neiles, 2<sup>nd</sup> by Cleon Martin to take the allowable 45 days to render a decision on the application.  
Vote was unanimous.

Case Number 230002 meeting adjourned at 9:24 p.m.

Respectfully submitted:  
Drew Keller  
Zoning/Code Enforcement Officer