

UPPER MACUNGIE TOWNSHIP

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ZONING HEARING BOARD AGENDA – 9/9/20

The Upper Macungie Township Zoning Board of Adjustment will hold a public hearing on September 9th at 6:30 P.M., at the Township Building, 8330 Schantz Road, Breinigsville (one mile west of Route 100), to hear the following appeals:

Appeals requested to be withdrawn:

- #08 20 023** The Zoning Appeal of **David & Jill Hammer, 250 Sunset Dr., Allentown, PA 18104**; for a variance from **§27-603.7.C(1) “Width of Paved Area and Parking Setbacks”** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District.
- #07 20 014** The Zoning Appeal of **Cool Breeze Auto, LLC, 1738 Creekview Dr., Foglesville, PA 18051**; for a variance from **§27-306.2 “Table of Permitted Uses by District”** to allow an auto sales use at 852 Trexlertown Rd., Breinigsville, PA 18031. The property is situated in the R3 Zoning District.

Continued appeals from previous hearings:

- #07 20 013** The Zoning Appeal of **Cedar-Trexler LLC, 44 S Bayles Ave, Port Washington, NY 11050**; for a variance from **Section § 27-704 ‘Freestanding, Wall and Window Signs’** to construct seven (7) wall signs which in totality exceed the maximum permitted area. The property is located at 6896 Hamilton Blvd, Allentown, PA 18106 and is situated in the NC Zoning District.
- #08 20 017** The Zoning Appeal of **Jeffery & Pauline Graves, 307 Sawgrass Dr., Allentown, PA 18104**; for interpretational relief from **§27-603.7.C(1) “Width of Paved Area and Parking Setbacks”** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District. The Applicants are seeking zoning relief in response to a notice of enforcement action filed by Upper Macungie Township and request the following relief:
1. Applicants request an interpretation and determination pursuant to Upper Macungie Township Zoning Ordinance section 27-111.5.A. (2011 as amended) that the Zoning Officer has misinterpreted or misapplied Upper Macungie Township Zoning Ordinance section 27-603.7.C.(1), and section 27-603.7.B.(2) governing Paved Area Setbacks, and the Width of Paved Area and Parking Setbacks, and section 27-603.4.A. governing Access Drives and Driveways. Specifically, Applicant avers that the Zoning Officer’s

determination that a portion of the paved area of the driveway located upon the Subject Property is in violation of section 27-603.7.C.(1) of the Upper Macungie Township Zoning Ordinance was made in error or in a manner inconsistent with applicable law.

2. Alternatively, Applicants request a variance from 27-603.7.C.(1) to permit the existing paved area on the Subject Property to remain as constructed.

#08 20 018 The Zoning Appeal of **Elvis & Merima Gojkic, 310 Sawgrass Dr., Allentown, PA 18104**; for interpretational relief from **§27-603.7.C(1) “Width of Paved Area and Parking Setbacks”** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District. The Applicants are seeking zoning relief in response to a notice of enforcement action filed by Upper Macungie Township and request the following relief:

1. Applicants request an interpretation and determination pursuant to Upper Macungie Township Zoning Ordinance section 27-111.5.A. (2011 as amended) that the Zoning Officer has misinterpreted or misapplied Upper Macungie Township Zoning Ordinance section 27-603.7.C.(1), and section 27-603.7.B.(2) governing Paved Area Setbacks, and the Width of Paved Area and Parking Setbacks, and section 27-603.4.A. governing Access Drives and Driveways. Specifically, Applicant avers that the Zoning Officer’s determination that a portion of the paved area of the driveway located upon the Subject Property is in violation of section 27-603.7.C.(1) of the Upper Macungie Township Zoning Ordinance was made in error or in a manner inconsistent with applicable law.
2. Alternatively, Applicants request a variance from 27-603.7.C.(1) to permit the existing paved area on the Subject Property to remain as constructed.

#08 20 024 The Zoning Appeal of **Matthew Jernegan, 179 Sunset Dr., Allentown, PA 18104**; for a variance from **§27-603.7.C(1) “Width of Paved Area and Parking Setbacks”** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District.

#08 20 020 The Zoning Appeal of **Andrew Laudenslager, 5907 Royal Fern Rd., Allentown, PA 18104**; for interpretational relief from **§27-603.7.C(1) “Width of Paved Area and Parking Setbacks”** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District. The Applicants are seeking zoning relief in response to a notice of enforcement action filed by Upper Macungie Township and request the following relief:

1. Applicants request an interpretation and determination pursuant to Upper Macungie Township Zoning Ordinance section 27-111.5.A. (2011 as amended) that the Zoning Officer has misinterpreted or misapplied Upper Macungie Township Zoning Ordinance section 27-603.7.C.(1), and section 27-603.7.B.(2) governing Paved Area Setbacks, and the Width of Paved Area and Parking Setbacks, and section 27-603.4.A. governing Access Drives and Driveways. Specifically, Applicant avers that the Zoning Officer’s determination that a portion of the paved area of the driveway located upon the Subject Property is in violation of section 27-603.7.C.(1) of the Upper Macungie Township Zoning Ordinance was made in error or in a manner inconsistent with applicable law.

Alternatively, Applicants request a variance from 27-603.7.C.(1) to permit the existing paved area on the Subject Property to remain as constructed.

#08 20 022 The Zoning Appeal of **Ephraim & Patricia Fithian, 1431 Russett Rd., Orefield, PA 18069**; for a variance from **“Table of Lot and Setback Requirements by District”** to allow the encroachment of an addition to the existing principal structure on the required building setback. The property is situated in the R2 Zoning District.

#08 20 021 The Zoning Appeal of **LV Logistics JV 11 Owner LLC, 3715 Northside Pkwy, Bld 200, Ste L10, Atlanta, GA 30327**; for a variance from **Section § 27-704 Freestanding, Wall and Window Signs** to construct an additional freestanding sign which exceeds the maximum permitted number allowed. The property is located at **7356 Industrial Blvd, Allentown, PA 18106** and is situated in the LI Zoning District.

#08 20 019 The Zoning Appeal of **Martin Hetrick, 294 Sawgrass Dr., Allentown, PA 18104**; for interpretational relief from **§27-603.7.C(1) “Width of Paved Area and Parking Setbacks”** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District. The Applicants are seeking zoning relief in response to a notice of enforcement action filed by Upper Macungie Township and request the following relief:

1. Applicants request an interpretation and determination pursuant to Upper Macungie Township Zoning Ordinance section 27-111.5.A. (2011 as amended) that the Zoning Officer has misinterpreted or misapplied Upper Macungie Township Zoning Ordinance section 27-603.7.C.(1), and section 27-603.7.B.(2) governing Paved Area Setbacks, and the Width of Paved Area and Parking Setbacks, and section 27-603.4.A. governing Access Drives and Driveways. Specifically, Applicant avers that the Zoning Officer’s determination that a portion of the paved area of the driveway located upon the Subject Property is in violation of section 27-603.7.C.(1) of the Upper Macungie Township Zoning Ordinance was made in error or in a manner inconsistent with applicable law.

Alternatively, Applicants request a variance from 27-603.7.C.(1) to permit the existing paved area on the Subject Property to remain as constructed.

Applicants must appear at the hearing.
All interested parties may appear and be heard.

Daniel DeMeno
Zoning Officer