



# LOWER NAZARETH TOWNSHIP

## ZONING HEARING BOARD

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### **Zoning Hearing Board**

Manouel Changalis, Chairman  
Michael Gable, Vice Chairman  
Zachariah Cobrinik  
Darin Lueders, Alternate  
Robert Hicks, Alternate

## **Zoning Hearing Board Minutes** **May 22, 2012**

Chairman Manny Changalis called the meeting to order at 6:30 p.m. Also in attendance: Board Member Mike Gable; Alternates Darin Lueders and Bob Hicks; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator. Board Member Zach Cobrinik was not present.

### **MINUTES**

Approval of the April 17, 2012 minutes was moved by Darin Lueders and seconded by Manny Changalis. The motion carried unanimously.

### **CORRESPONDENCE**

Chairperson Manny Changalis read the following correspondence into the record:

- A. **ZA2011-10, Lawrence Marra, Jr.** – May 15, 2012 letter from Attorney Joseph Piperato to Planning & Zoning Administrator Lori Seese requesting a continuance of hearing to June 26, 2012.

### **HEARINGS**

#### **ZA2012-04 – Brown-Daub of Lehigh Valley, Inc./4046 Jandy LP**

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Anderson Daub, General Partner

Darin Lueders recused himself from voting on this matter as his family has a personal connection to the Brown-Daub dealership.

Lori Seese noted that she had not had any prior conversation with Mr. Daub regarding this application. In preparation for this meeting, a summary of the signs currently displayed on the site was prepared, in addition to reviewing the zoning requirements for the General Commercial District. It was discovered that a permit was issued several years ago in error that actually allowed for sign display on the third façade, and as this has been allowed to continue, this condition is considered existing non-conforming. It would appear that all is required, is a Building Permit for the sign requested on the front façade.

The Zoning Hearing Board reviewed the request with Mr. Daub and decided that no variance was required. Mike Gable suggested the Zoning Administrator prepare a Certificate of Non-Conformity be prepared for the sign.

#### **ZA2012-05 – Greg Newman**

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Gregory and Theresa Newman; Property Owners; Jay Landis, Jr., Supervisor, Stellar Construction.

Mr. Landis reviewed the proposed porch addition. The property has an existing stoop, approximately 25 s.f. They are proposing a 9' deep x 36' long, across the front of the house. The house recently sustained a fire and destroyed the entire second floor of the dwelling. The front yard setback requirement is 30 feet and they are requesting a 8.5-foot variance into the setback. Due to insurance requirements, they cannot change the foundation of the dwelling or move the dwelling back. Mrs. Newman provided testimony regarding the size of porches of other dwellings in the immediate neighborhood. Applicant's Exhibit, #A-1, Proposed Addition Plan was entered into the record.

Brian Moffo, 4382 Vista Drive, stated his concern for a change in the aesthetics of the neighborhood if the variance is granted.

Jack Jones, 4373 Vista Drive, also stated concern for the uniqueness of the neighborhood, architecturally, and his opinion that a 9-foot porch is imposing because it is different from what the other houses look like in the neighborhood. Mr. Jones inquired if they could not accomplish a larger porch on the rear of the dwelling and avoid the variance request.

Mrs. Newman stated that they could not expand to the rear due to the location of the septic system.

April Cordts reminded the Board that the reasons for a dimensional variance do not have to be as compelling; however the Board doesn't have to grant the variance the applicant requested. They can grant something that is a compromise.

The motion to close testimony was moved by Michael Gable and seconded by Darin Lueders. The motion carried unanimously.

#### Board Deliberation

The Board discussed the requested variance, and acknowledged the neighbor's concerns for aesthetic change in the neighborhood; however modernization can happen with any home, at any time. However, the Board did concur that a 9-foot deep porch may be a bit imposing, and decided a 7-foot deep porch would be more of a compromise.

There were no additional comments under Courtesy of the Floor.

#### Motion by the Board

The motion to grant a 7-foot variance, making the front yard setback 23 feet, with the provision that the proposed porch cannot be closed or screened in, was moved by Michael Gable and seconded by Darin Lueders. The motion carried unanimously.

The motion to adjourn was moved Michael Gable and seconded by Manny Changalis. He motion carried unanimously. The meeting adjourned at 8:10 p.m.

Respectfully submitted,

Lori B. Seese  
Planning & Zoning Administrator

/lbs