



LOWER NAZARETH TOWNSHIP

ZONING HEARING BOARD

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Zoning Hearing Board

Manouel Changalis, Chairman
Michael Gable, Vice Chairman
Zachariah Cobrinik
Daniel Cortright, Alternate
Michael Gaul, Alternate

Zoning Hearing Board Minutes March 24, 2015

Acting Chairman Manny Changalis called the meeting to order at 6:35 p.m. Also in attendance: Board Member Mike Gable and Zach Cobrinik; Alternates, Daniel Cortright and Michael Gaul; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator.

MINUTES

Approval of the October 28, 2014 minutes was moved by Zach Cobrinik and seconded by Mike Gaul. The motion carried.

REORGANIZATION

The motion to re-elect the same slate as officers as was for 2014 was moved by Zach Cobrinik and seconded by Mike Gable. The motion carried unanimously.

Move to appoint April Cordts as the Zoning Hearing Board Solicitor was moved by Mike Gable and seconded by Manny Changalis. The motion carried unanimously.

CORRESPONDENCE

- A. ZA2014-07 – Lewis F. Lengyel – Board of Supervisors Appeal – Receipt of the appeal package was noted for the record. April Cordts explained the court procedures to the Board.
- B. ZA2015-01 – Lehigh Valley Health Network Continuance – Lori Seese noted receipt of the February 11, 2015 and February 13, 2015 correspondence from Attorney Timothy Siegfried, all requesting continuance until the next regularly scheduled meeting, the last request asking to be placed on the April 28, 2015 agenda.
- C. ZA2015-02 – FedChem, LLC Continuance – Lori Seese noted receipt of January 9, 2015, February 13, 2015 and March 16, 2015 correspondence from Attorney Erich Schock requesting continuances until the next regularly scheduled meeting, the last request asking to be placed on the May 26, 2015 agenda.
- D. Zoning Ordinance Amendment – Lori Seese noted that the Zoning Ordinance was recently amended. A copy of the amendment was transmitted to April Cordts and forwarded to the Board via email in December 2014.

HEARINGS

ZA2015 – 03 – D. Hunter Johnson, AIA on behalf of Jared & Monica Isaacman

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Hunter Johnson, Architect; Chris Baranaskas, on behalf of the Applicant, and Terry Sullivan, Esq.

Lori Seese entered the Zoning Appeal file into the record.

Hunter Johnson provided a summary of the proposed project, and reviewed Exhibit A, the *Conceptual Site Plan*, as submitted with the application. Hunter noted that an approximate third of the property to the rear is within the floodplain and is non-buildable. The highest point of the property is in the front and goes down slope as you

can continue to the rear. The Applicant is requesting a variance of 15 feet to make the total height of the dwelling 50 feet tall, based upon the average elevation of the average proposed surrounding ground level.

Hunter Johnson then reviewed Exhibit B, the *Schematic Exterior Elevation, Front Main Entrance – West Facing Façade*, as submitted with the application. He estimated the actual height of the house along the front grade would be approximately 37 feet.

Zach Cobrinik stated that he does not like the 35 foot limit either; however the Board has to abide by the Ordinance. Zach noted that the request is 60% higher than the 35-foot limit, which is not a de minimus variance. Zach proposed measuring the roof along the front only because then you are only talking about a few feet.

The Board discussed the options for granting a variance and the ordinance language. The Board agreed that the hardship is the slope, occasioned by the fact that with such a large house you want to be back from the road; however, that pushes you back in slope on the property and closer to the floodplain.

The Board considered granting a variance for the height of the house, measured along the front of the house. Possible limitations and language were discussed.

Glenn Clearie, property owner, advised the Board that the property was recently subdivided. A condition of the approval was adding a covenant to the subdivision to the plan limiting subdivision of the land for one lot for a single family dwelling.

There were no additional comments under Courtesy of the Floor.

Mike Gable made the motion to close testimony. The motion was seconded by Zach Cobrinik. The motion carried unanimously.

Mike Gable stated he does not have an issue with the variance request. Given the condition placed on the subdivision, the size of the lot, and the fact that an estate-size dwelling is suitable for this lot, Mike felt this should be taken into consideration.

Hunter Johnson indicated that the dwelling it is approximately 12,000 s.f. in area, including the basement and garage.

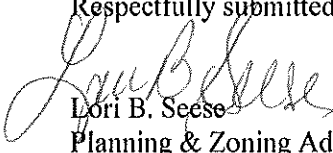
Manny Changalis agreed with Mike Gable. The ordinance does not account for a large parcel such as this one. In the spirit of the betterment of Lower Nazareth Township, it is benefit to have this type of home in our municipality. Manny asked again about the actual height of the dwelling in the front, which Hunter confirmed is closer to 39 feet.

Motion by the Board

Mike Gable made a motion to grant a variance to allow a 50 foot maximum height from the average surrounding grade, provided that the average elevation of grade across the front of the home shall be no more than 39 feet, and provided the application is in compliance with all other ordinances, permit requirements and covenants that apply to the subdivision plan, and is in conformance with the appeal application. The motion was seconded by Zach Cobrinik and carried unanimously.

The meeting adjourned at 7:53 p.m. The motion was moved by Michael Gable, seconded by Zach Cobrinik, and carried unanimously.

Respectfully submitted,


Lori B. Seese
Planning & Zoning Administrator

/lbs