



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 October 7, 2015

Chairman Manny Changalis called the meeting to order at 6:30 p.m. Also in attendance: Board Member Michael 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 September 22, 2015 minutes was moved by Mike Gaul and seconded by Dan Cortright. Mike Gable abstained. The motion carried.

HEARINGS

ZA2015-09 – Em1 c/o Nazareth Ford

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Attorney Vivian Zumas; Jay Schauger, Applicant; Costas Hrousis, Real Estate Broker; and Bryan Ritter, P.E., Jena Engineering.

Lori Seese noted that Mr. Schauger has a previously approved land development plan for an expanded parking lot that has not been constructed. Mr. Schauger has indicated to her that intends to withdraw that plan if they are successful with obtaining the necessary approvals for this new project. This was confirmed under testimony by Mr. Schauger.

Attorney Zumas' September 29, 2015 letter and attachments were entered into the record as Exhibit A-1.

Ms. Zumas provided an overview of the application. Mr. Schauger requests to subdivide his 11.43-acre lot to sell a 2-acre lot to a prospective buyer. According to the requirements of the Zoning Ordinance, an auto dealership is required to have 10 acres. By subdividing this lot, it would leave the lot just shy of the 10-acre requirement.

Costas Hrousis provided testimony regarding the proposed subdivision. An aerial photograph of the Nazareth Ford property was entered into the record as Exhibit A-2. The 2 acres they are requesting is the minimum amount they need to construct the medical building. Mr. Schauger indicated that he no longer needs that much room to store cars as the ordering and inventory methods have changed in the auto industry. The medical building is proposed to be approximately 12,000 s.f., with 3,000-5,000 being physical therapy and the remainder for general practitioners.

Exhibit A-3, an Enlarged View of the Site as depicted on Exhibit A-2 was entered into the record. Bryan Ritter provided testimony regarding the proposed medical office building and the intended parking according to the proposed uses of the building.

Zach Cobrinik and Mike Gable inquired about the minimum lot size and impervious coverage. Lori Seese provided the existing impervious coverage and maximum impervious coverage from the recorded copy of the Nazareth Ford land development.

Exhibit A-4, Parking Requirements for Clinics from the ITE parking generation handbook was entered in the record.

Mike Gaul stated a concern about Mr. Schauger opening another dealership since approval of this request would create a lot that is non-conforming for an automobile dealership. Discussion was held regarding the 10-acre requirement and the intent of the ordinance.

The motion to close testimony was made by Mike Gable and seconded by Manny Changalis. The motion carried.

Board Deliberation

Manny stated that the use and request seems to be a diminimus variance. April reminded Mr. Changalis that he had recused himself and is unable to vote.

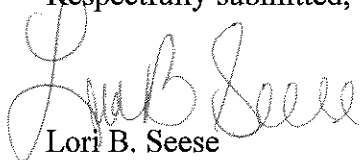
Mike Gaul agreed that the request is diminimus, it makes sense, and feels it's a waste of land to require a dealership to have this much land.

Zach Cobrinik also agreed that it is diminimus and no harm to the community.

The motion to grant the requested variance of 0.70 of an acre to allow the lot to be less than 10 acres, provided the new 2.0-acre parcel meets all zoning requirements and is required to go thru the subdivision and land development process was moved by Mike Gable and seconded by Zach Cobrinik. The motion carried unanimously.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,



Lori B. Seese
Planning & Zoning Administrator

/lbs