

**TOWNSHIP OF WHITEHALL
ZONING HEARING BOARD
RESULTS OF PUBLIC HEARING
JANUARY 5, 2023**

The Chairperson called the Special Meeting to order at 7:00 pm. The Chairperson read the Fair Housing Statement.

The Solicitor announced that Docket #1895B – Creekside Land Holdings, LLC was rescheduled to January 17, 2023. There were no interested parties present. The Solicitor announced that Docket #2043 – Adam J. Shafnisky and Shannon M. Shafnisky was rescheduled to January 17, 2023. There were no interested parties present.

DOCKET # 2045 – Bible Fellowship Church Homes, Inc. – 3000 Fellowship Drive, Whitehall, PA 18052. **Location: 3000 Fellowship Drive, Whitehall, PA 18052, PIN 549804311109**, the subject property is located in a R-3A Special Care Community Residential Zoning District. Applicant is requesting a variance to Sec. 27-155(B) of the Zoning Ordinance to allow a second free standing sign, or in the alternative an interpretation that the Applicant is exempt from Sec. 27-155(B) pursuant to Sec. 27-163(B)(2) because the Applicant is a hospital, together with a variance to Sec. 27-163(B)(2) to allow a second free standing sign with display area in excess of 32 square feet. Rescheduled to this meeting with the consent of the Applicant.

The Applicant was represented by Joseph A. Bubba, Esquire; and appeared through its President and Chief Executive Officer, Mary Kay McMahon.

The Zoning and Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to neighboring landowners.

Mary Kay McMahon testified as to the size of the property, and its multiple buildings and uses, for approximately 144 residents. The skilled nursing facility has a capacity of 121 residents, as well as physicians, nurses, and therapists, an ambulance entrance, and that patients/residents do come to the facility from hospitals. The Applicant is licensed by the Department Of Human Services to provide personal care. The Rock Of Ages Church holds Sunday Services on the premises; but there is no ownership or affiliation between the Applicant and the Church. She described the hardship as having the same sign limitation on 46 acres as on a ¼ acre tract, that visitors miss the entrance driveway in the dark, and that a back lit sign there would help and be safer.

Two Zoning Hearing Board Members suggested a two-sided sign perpendicular to the road rather than a one-sided sign parallel to the road.

The Applicant's 13 Exhibits were admitted into the Record.

There were no objectors or supporters.

The Zoning Hearing Board held an Executive Session for deliberation. No votes were taken.

The Applicant agreed to withdraw its request for a favorable interpretation and the alternate Variance regarding the definition of a hospital. Motion by Steve Burda to grant the Variance to section 27-155(B) for a second free standing sign, leaving it to the Applicant's discretion to be two-sided and perpendicular to the road; second by Roger Reichard. Motion passed 5 – 0.

Meeting adjourned at 7:45 pm.