

**TOWNSHIP OF WHITEHALL  
ZONING HEARING BOARD  
RESULTS OF PUBLIC HEARINGS  
JULY 18, 2023**

The Chairperson called the Meeting to order at 7:03 pm. Chairperson Lee Christman, and Members Lou Jany, Steve Burda, Dean Wotring, and Roger Reichard were present. The Chairperson led the Pledge Of Allegiance. The Solicitor read the fair housing statement.

**DOCKET # 2056 – John J. Tesoriero** – 4211 Mimosa Lane, Whitehall, PA 18052. **Location: 4211 Mimosa Lane, Whitehall, PA 18052, PIN 548936603011.** The subject property is located in a R-1 Very Low Density Residential Zoning District. Applicant is requesting variances to Sections 27-70(E)(2)(b) and 27-84(F) of the Zoning Ordinance to construct a rear second story deck closer than 26.64 feet to the Bridge Street right of way. The proposed distance from the right of way and dimensions of the deck cannot be determined from the application. Adjourned to this Meeting to receive additional evidence.

The Applicant appeared on his own behalf, with his Contractor, Norm Boell of Lehigh Valley Maintenance & Construction.

The Zoning Hearing Board held an Executive Session.

The Zoning And Code Enforcement Officer testified that the ultimate right-of-way of Bridge Street appears to be 25 feet from the rear left corner of the Applicant's house; not 41 ½ feet. He testified that the proposed deck is not in the right-of-way.

There were no objectors or supporters.

The Applicant's June 22, 2023 and July 17, 2023 submissions were marked as Exhibits #1 and #2; and were admitted into the Record. The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Steve Burda to grant the requested Variances; second by Lou Jany. Motion passed 5 – 0.

**DOCKET # 2058 – Bernard R. Hahn** – 177 W. 29<sup>th</sup> Street, Northampton, PA 18067. **Location: 3207-3209 N. Hobson Street, Whitehall, PA 18052, PIN 549904946396.** The subject property is located in a R-4 Medium Density Residential Zoning District. Applicant is requesting variances to Secs. 27-84 (E)(1) and 27-106(C) of the Zoning Ordinance to construct and attach a 10' x 35' accessory structure (shed) with no side yard setback on the southeast side to the existing nonconforming accessory structure (garage) with no side yard setback on the southeast side, and to attach it to the southeast adjoining Neighbor's nonconforming accessory structure (garage) with no side yard setback on its northwest side.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to Neighboring Landowners and the Borough Of Coplay.

The Applicant appeared on his own behalf. He presented three (3) photographs of the existing conditions on his property.

Adjacent Landowner James Foehrkolb of 3201 North Hobson Street testified that he has no objection to the Applicant's proposed building being attached to the existing adjacent garage.

There were no other objectors or supporters.

The Applicant's Exhibits were admitted into the Record. The Record was closed.

Motion by Lou Jany to grant the requested Variances; second by Dean Wotring. Motion passed 5 – 0.

**DOCKET # 2059 – Floor & Décor Outlets of America, Inc.** – 2500 Windy Ridge Parkway, SE, Atlanta, GA 30339. **Location: 1259 Whitehall Mall, Whitehall, PA 18052, PIN 549872328571.** The subject property is located in a C-2

Regional/Community Commercial Zoning District. Applicant is requesting a favorable interpretation of Secs. 27-162 and 27-106(C) of the Zoning Ordinance regarding previously existing nonconforming wall signs; or, in the alternative, variances to Secs. 27-161(A) and 27-106(C) of the Zoning Ordinance to allow six (6) wall signs totaling 670.57 square feet where only one (1) wall sign up to 150 square feet is permitted.

The Applicant was represented by Joseph Fitzpatrick, Esquire.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to Neighboring Landowners.

The Applicant's Land Development Manager, Erin Witt testified that the Applicant will be a Tenant at the property, that the prior wall signs for the Sears store were approximately 697 square feet total, as calculated by the Applicant's Sign Contractor, and that the six (6) proposed wall signs total 670 square feet.

There were no objectors or supporters.

The Applicant's 17 Exhibits were admitted into the Record. The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Lou Jany to grant the requested favorable interpretation to allow replacing nonconforming signs; second by Roger Reichard. Motion passed 5 – 0. The Applicant withdrew its request for Variance relief.

Motion by Lou Jany to approve the June 20, 2023 Minutes; second by Steve Burda. Motion passed 5 – 0.

Meeting adjourned at 8:20 pm.