

**TOWNSHIP OF WHITEHALL
ZONING HEARING BOARD
RESULTS OF PUBLIC HEARINGS
March 18, 2025**

The Chairperson called the meeting to order at 7:00 pm. All five (5) Members and the Alternate Member were present. The Chairperson led the Pledge Of Allegiance. The Chairperson read the Fair Housing Statement.

DOCKET # 2090 – Desirable Home Solutions, LLC – 806 Taylor Drive, Allentown, PA 18103. **Locations: Lehigh Avenue, Packer Avenue, 1235 Catasauqua Road, and 1225 Catasauqua Road, Whitehall, PA 18052, PINS 640815723049, 640814890854, 640815517710, and 640815508443.** The subject properties are located in the R-5A High Density Residential Without Apartments Zoning District. By written Zoning Opinion dated June 28, 2024 the Applicant was denied Variances to Sections 27-60(D)(1) and 27-114 of the Zoning Ordinance to enlarge/expand the nonconforming five unit apartment building use and to construct an additional three story 18 unit apartment building on a newly consolidated 3.05 acre lot containing steep slopes. The Applicant appealed that denial to the Court Of Common Pleas. Applicant is requesting the Zoning Hearing Board approve a Settlement Agreement to resolve that Appeal.

The Applicant was represented by Jeffrey Fleischaker, Esquire.

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

The Applicant's Principle, Daryl Sorenson testified as to the revised plan and Settlement Agreement that the Board Of Commissioners already approved. His Engineer, Joseph Rentko testified as to the recommended plan.

Objector, John Kwiatowski testified as to concerns for traffic speeding; and characterized Catasauqua Road as a super highway.

Objector, Ronald Bechtold testified as to the same concerns. There were no other Objectors or Supporters.

Both Applicant Exhibits were admitted into the Record. The Record was closed.

Motion by Lou Jany to approve and authorize the Settlement Agreement; second by Steve Burda. Motion passed 5 – 0.

DOCKET # 1964 A - ARD MAC Commons, LLC – 310 Yorktown Plaza, Elkins Park, PA 19027. **Location: 2651 MacArthur Commons, Whitehall, PA 18052, PIN 549856162307.** The subject property is located in the C-2 Regional/Community Commercial Zoning District. By written Zoning Opinion dated January 17, 2020 Applicant was granted dimensional Variances to Sections 27-155A(1) and (5) and 27-165(A) and (C) of the Zoning Ordinance for maximum square footage and height for an electronic display freestanding sign to be located less than 25 feet from the right-of-way. Applicant is requesting a one year extension of time to secure necessary permits and complete construction.

The Applicant was represented by Joseph A. Zator, II, Esquire.

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

The Applicant's Principle, Todd Dratch, Esquire testified as to the reasons for failing to act upon the previously granted Variance relief: Covid, negotiations with Wal Mart for the purchase of the Shopping Center, and repairs to the Wal Mart underground storm water retention system.

There were no objectors or supporters.

The Record was closed.

Motion by Steve Burda to grant the extension of time; second by Lee Christman. Motion passed 5 – 0.

DOCKET # 2116 – George and Vickie Abdouche – 676 Maryland Street, Whitehall, PA 18052. **Location: 415 Seventh Street, Whitehall, PA 18052, PIN 640709061280.** The subject property is located in the R-5A High Density Residential Without Apartments Zoning District. Applicants are requesting a Variance to Section 27-76E(1)(b)(1) of the Zoning Ordinance for a proposed two (2) lot Minor Subdivision where one lot will only have a 60 feet width where 70 feet are required.

The Applicants appeared with their Professional Land Surveyor, Robert Piligian.

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

Robert Piligian identified the site plan, photographs of the property, the current Deed, two (2) prior separate Deeds to the property before being consolidated by Lehigh County, and an aerial photograph of the area from Lehigh County GIS.

Objector, Tori Todorovac testified as to concerns with parking in the neighborhood including during church and when neighbors have parties.

Objector, Hambdia Todorovac testified that the area streets are narrow, that there are not places to park, and concerns with water runoff and the water table.

The Applicant confirmed he will not build a house larger than the building restrictions lines on his plan.

There were no other objectors or supporters.

All Applicant Exhibits were admitted into the Record.

The Record was closed.

Motion by Lee Christman to grant the requested Variance; second by Lou Jany. Motion passed 5 – 0.

DOCKET # 2117 – Rami and Anita Mamari – 1950 Linden Lane, Whitehall, PA 18052. **Location: 776 Third Street, Whitehall, PA 18052, PIN 640811050286.** The subject property is located in the C-1 Neighborhood Commercial Zoning District. Applicants are requesting Variances to Sections 27-78 (F) and 27-145(N) of the Zoning Ordinance to add a real estate office use to the nonconforming two (2) apartments use without required parking up to Township standards.

The Applicants were represented by Daniel G. Dougherty, Esquire.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to Neighboring Property Owners, and that the parking plan submitted appears compliant with the Zoning Ordinance.

The Applicant, Rami Mamari identified his Variance application, photographs of the property, and two (2) proposed parking plans; the preferred one showing seven (7) parking spaces, and an alternate one showing eight (8) parking spaces. He is willing to stripe the parking spaces. His standard business hours will be Monday through Friday from 9:00 am to 3:00 pm. There is one other Realtor employed in his Agency.

In response to Objector, Sherri Bercik, the Applicant testified he has no plans to add any more employees.

George Wirth, the Prior Owner of the property testified in support of the application.

There were no other objectors or supporters.

All Applicant Exhibits were admitted into the Record.

The Record was closed.

Motion by Lou Jany to grant the requested Variances with the condition that the parking spaces be striped; second by Dean Wotring. Motion passed 5 – 0.

DOCKET # 2118 – Mohammed Valady – PO Box 422, Allentown, PA 18105-0422. **Location: 4291 Harrison Street, Whitehall, PA 18052, PIN 558050845809.** The subject property is located in the R-5A High Density Residential Without Apartments Zoning District. Applicant is requesting Variances to Sections 27-76(E)(c)(1) and 27-100 of the Zoning Ordinance to construct a single family detached dwelling on a lot with less than 55 feet of frontage on and access to and from a 24 feet wide street.

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

Both the Applicant (Builder) and Owner appeared. Objector, Josette Horwath appeared with Counsel, James Kratz, Esquire.

The Owner purchased the property in 2023, and plans to build a single family detached ranch style dwelling. The Applicant (Builder) identified the site plan included with the Variance application, four (4) photographs of the property and Harrison Street, and the Lehigh Conty Assessment diagram of the property. The Applicant and Owner propose to install a sixteen feet (16') wide driveway. Upon questioning by the Objector's Attorney, the Applicant requested a continuance of the Hearing to submit a revised site plan.

This application will be rescheduled on the April 15, 2025 Zoning Hearing Board Agenda.

Motion by Lee Christman to approve the January and February, 2025 Minutes; second by Dean Wotring. Motion passed 5 – 0.

Meeting was adjourned at 9:22 pm.