

RESULTS OF MEETING
TOWNSHIP OF WHITEHALL
ZONING HEARING BOARD
PUBLIC HEARINGS

May 19, 2020

The regular meeting of the Whitehall Township Zoning Hearing Board was held at 7:00 pm, May 19, 2020 via WebEx.com.

ZONING HEARING BOARD:

LEE CHRISTMAN, CHAIRPERSON
LOUIS JANY, MEMBER
ALBERTA SCARFARO, MEMBER
DEAN WOTRING, MEMBER
KENNETH SNYDER, ALTERNATE

ABSENT:

STEPHEN BURDA, MEMBER
ROGER REICHARD, ALTERNATE

TOWNSHIP PERSONNEL:

CHRIS GITTINGER, ZONING OFFICER
SHARI COOPER, COURT REPORTER

SOLICITOR:

WILLIAM J. FRIES, ESQUIRE

THE MEETING WAS CALLED TO ORDER AT 7:12 PM.

Attorney Fries read the Fair Housing Statement.

DOCKET # 1965 – Samer Yacoub and Claudette Marie Yacoub – 1001 Ninth Street, Whitehall, PA 18052. **Location: 4324 Main Street, Whitehall, PA 18052, PIN 548959121372**, the subject property is located in a R-4 Medium Density Residential Zoning District. Applicants are requesting Variances to Sec. 27-74(A), Sec. 27-74(E)(5), and Sec. 27-93 of the Zoning Ordinance regarding use, maximum impervious coverage, and density. Applicants propose to convert front dwelling to two (2) unit multi-family use for a total of three (3) dwelling units on the property. Continued to this Meeting at the request of the Applicants.

The Applicants were represented by Mark Malkames, Esquire. Engineer Robert Hoppes testified on their behalf. Former Objector, Larry Ruud testified that he was no longer opposed to the Application.

Motion to approve by Louis Jany; second by Alberta Scarfaro. The Board voted 5 – 0 to grant the Variances.

DOCKET # 1973 – Michael Sign Company c/o Wendy Flichman – P.O. Box 275, Ephrata, PA 17522. **Location: 2600 MacArthur Towne Centre, Whitehall, PA 18052, PIN 549846306986**, the subject property is located in a C-2 Regional/Community Commercial Zoning District. Applicant is requesting a Variance to Sec. 27-161(A)(1) of the Zoning Ordinance regarding wall signs. A Variance is requested for two (2) additional wall signs than what is permitted. Continued to this Meeting at the request of the Applicant.

The Applicant was represented by Blake C. Marles, Esquire.

Motion by Alberta Scarfaro to grant one Variance and deny the second Variance, with the exception for a directional sign on the rear side of the building facing Lowe's; second by Louis Jany. The Board voted 5 – 0 to grant one Variance and deny the second Variance with the exception for a directional sign on the rear side of the building facing Lowe's.

DOCKET # 1978 – Keystone Novelties Distributors, LLC – 201 Seymour Street, Lancaster, PA 17603. **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 Special Exception to Sec. 27-45(E), Sec. 27-65, and Sec. 27-80(A)(23) of the Zoning Ordinance to operate a temporary tent for retail sales of Pennsylvania legal fireworks from June 18, 2020 to July 9, 2020 in the parking lot.

This Application was not yet reviewed by the Planning Commission.

The Applicant was represented by Elizabeth Saragosa-Ayer.

Motion by Alberta Scarfaro to approve, conditioned upon compliance with any comments from the Fire Chief, Chief Of Police, and Bureau Chief of Planning, Zoning and Development, and Planning Commission recommendation; second by Louis Jany. The Board voted 5 – 0 to grant the Variances conditioned upon compliance with any comments from the Fire Chief, Chief Of Police, and Bureau Chief of Planning, Zoning and Development, and Planning Commission recommendation.

DOCKET # 1974 – American Promotional Events d/b/a TNT Fireworks – 4003 Helton Drive, Florence, AL 35630. **Location: 2180 MacArthur Road, Whitehall, PA 18052, PIN 549852398039**, the subject property is located in a C-2 Regional/Community Commercial Zoning District. Applicant is requesting a Special Exception to Sec. 27-65 of the Zoning Ordinance regarding a temporary use to have a temporary tent sale of Pennsylvania legal fireworks from June 19, 2020 to July 5, 2020 in the parking lot.

The Planning Commission recommended granting the Special Exception on April 15, 2020.

The Applicant was represented by Debbie Ivins and offered four (4) Exhibits: the Planning Commission's recommendation, the prior year's Application for the same Special Exception, the prior year's Zoning Hearing Board Decision, and the prior year's Zoning Hearing Board's Opinion.

Motion by Kenneth Snyder to approve; second by Louis Jany. The Board voted 5 – 0 to grant the Special Exception.

DOCKET # 1975 – EOS Property Management, LLC – P.O. Box 195, Whitehall, PA 18052.

Location: 4510 Main Street, Whitehall, PA 18052, PIN 548948037340, the subject property is located in a C-1 Neighborhood Commercial Zoning District. Applicant is requesting a Variance to Sec. 27-93 of the Zoning Ordinance regarding the addition of one (1) more apartment to an already existing mixed use building that has three (3) other apartments and one (1) commercial space.

The Applicant was represented by Yulia Semenovych. Ms. Semenovych testified that the proposed apartment existed in an unfinished condition when the Applicant purchased the property; and that the Applicant has already finished the apartment and that no construction at all has occurred; and that the Applicant receives five (5) separate electric bills for the property. Cindy Miller, the Realtor for the prior Owner testified that the Prior Owner represented that the property was approved for four (4) apartments and the one (1) commercial space.

Motion by Louis Jany to approve; second by Dean Wotring. The Board voted 5 – 0 to grant the Variance.

The Minutes from the February 19, 2020 Zoning Hearing Board Public Hearings were submitted and unanimously approved by the Zoning Hearing Board.

Dockets # 1976 and # 1977 were not reached; and will be continued to the next Zoning Hearing Board Public Hearings Agenda.

The Public Hearings were adjourned at 10:00 pm.