

UPPER MACUNGIE TOWNSHIP

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AGENDA

The Upper Macungie Township Zoning Board of Adjustment will hold a public hearing on January 13, 2021 at 6:30 PM, at the Township Building, 8330 Schantz Road, Breinigsville (one mile west of Route 100), to hear the following appeals:

- #08 20 024** The Zoning Appeal of **Matthew Jernegan, 179 Sunset Dr., Allentown, PA 18104**; for a variance from **§27-603.7.C(1) "Width of Paved Area and Parking Setbacks"** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District.

- #09 20 027** The Zoning Appeal of **Stephen Toth, 5533 Autumn Ln., Allentown, PA 18104**; for a variance from **§27-603.7.C(1) "Width of Paved Area and Parking Setbacks"** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District. The Parcel Identification Number is 5476138059081.

- #10 20 038** The Zoning Appeal of **Prashant Garg, 236 Blue Grass Ct., Allentown, PA 18104**; for a variance from **§27-603.7.C(1) "Width of Paved Area and Parking Setbacks"** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District. The Parcel Identification Number is 5476326447771.

- #12 20 045** The Zoning Appeal of **Dennis & Cheryl McWhite, 5528 Passion Flower Ln., Allentown, PA 18104**; for a variance from **§27-603.7.C(1) "Width of Paved Area and Parking Setbacks"** to allow a parking area in a prohibited area. The property is situated in the R2 Zoning District. The Parcel Identification Number is 5476223406361.

- #11 20 041** The Zoning Appeal of **Cedar-Trexler LLC, 44 S Bayles Ave., Port Washington, NY 11050**; Applicant seeks the following zoning relief for the Subject Property known 6894 Hamilton Blvd., Trexlertown, PA 18087. The Subject Property is situated in the HC Zoning District. The Subject Property is a single lot in Upper Macungie Township, known as 6894 Hamilton Blvd. Trexlertown, PA 18087, Lehigh County Tax Parcel Identification Number 546570699873.

Applicant proposes to subdivide the existing Subject Property single lot into three new proposed lots hereinafter referred to as "Proposed Lot 1" (currently improved with an existing McDonalds), "Proposed Lot 2" (currently improved with an existing Friendlies Restaurant), and "Proposed Lot 3" constituting and also referred to as "Residual Lands" Details related to the identification, extent and nature of the Subject Property, Proposed Lot 1, Proposed Lot 2, and Proposed Lot 3/ "Residual Lands" are set forth in the subdivision plan and submissions made in

connection with this appeal and can be reviewed at the Upper Macungie Township Building which provides more detail as to the extent and nature of the zoning relief being sought by Applicant in connection with this Appeal.

All of the following relief relates to the Subject Property itself, which is currently a single lot, but for the sake of organization will be categorized as to the Proposed Lots, which are not currently existing lots as defined by the Zoning Ordinance.

Applicant Seeks the following relief for the following matters pursuant to the reference sections of the Upper Macungie Zoning Ordinance:

1. Applicant seeks recognition of the following legal nonconformity(s) pursuant to **§27-806.1.:**
 - a. Applicant seeks recognition that the 2 existing handicapped parking spots at the existing McDonalds upon the Subject Property are non-conforming as to the **requirements §27-603.10.C** (Proposed Lot 1)
 - b. Applicant seeks recognition that the amount existing parking spaces on the Subject Property are non-conforming as to the minimum required by **§ 27-601, § Table 6.1.**
 - c. Applicant seeks recognition of the amount and extent of the existing parking area or other paved area that is located within the street right of way line on the Subject Property or within twenty five feet (25') of an existing street right of way line abutting the Subject Property as otherwise prohibited by from **§27-603.1.C** and **§27-603.7.C.3 “Design Standards for Off-Street Parking”**
2. As to Proposed Lot 1 of the Subject Property, Applicant seeks a variance from **§27-603.1.C** and **§27-603.7.C.3 “Design Standards for Off-Street Parking”** to allow a parking area with five or more spaces to be located within twenty five feet (25') existing street right-of-way.
3. As to Proposed Lot 1 of the Subject Property, Applicant seeks a variance from **§27-603.10.C “Design Standards for Off-Street Parking”** to allow two handicapped parking spaces to exist without being adjacent to five foot (5') wide access aisles.
4. As to Proposed Lot 2 of the Subject Property, Applicant seeks a variance from **§27-307.2.C.a “Table of Lot and Setback Requirements by District”** to allow a lot smaller than the minimum allowed lot area in an HC Zoning District.
5. As to Proposed Lot 2 of the Subject Property, Applicant seeks a variance from **§27-603.1.C** and **§27-603.7.C.3 “Design Standards for Off-Street Parking”** to allow a parking area with five or more spaces to be located within twenty five feet (25') existing street right-of-way.
6. As to Proposed Lot 2 of the Subject Property, Applicant seeks a variance to **§ 27-704** (limiting the maximum area and number of freestanding signs to one (1) sign per street that the lot abuts, each with a maximum area of seventy five (75) square feet) and the requirement of **§ 27-712** pertaining to off-premise signs to permit the existing freestanding Friendly's sign and

free standing monument sign identifying the other tenants of the Subject Property to remain in its current location and in its current location.

7. As to Proposed Lot 2 of the Subject Property, Applicant seeks a variance from **§27-601, Table 6.1 “Off-Street Parking Requirements”** to allow a lesser number of parking spots than required by the Zoning Ordinance.
8. As to Proposed Lot 3 of the Subject Property, Applicant seeks a variance from **§27-307.2.C.c “Table of Lot and Setback Requirements by District”** to allow a the creation of Lot 3 out of the Subject Property which is narrower than the minimum allowed lot width.
9. As to Proposed Lot 3 of the Subject Property, Applicant seeks a variance from **§27-402.CCC.1 “Additional Requirements for Specific Principal Uses”** that requires that parking requirements applicable to the “Shopping Center” use only be met by parking spaces located in the same district in which the shopping center is permitted.
10. As to Proposed Lot 3 of the Subject Property, Applicant seeks a variance from **§27-601, Table 6.1 “Off-Street Parking Requirements”** to permit a lesser number of parking spots than required.
11. As to Proposed Lot 3 of the Subject Property, Applicant seeks a variance from **§27-603.10.A. “Design Standards for Off-Street Parking”** to allow a lesser amount of handicapped parking spaces than required.

#12 20 044 The Zoning Appeal of **American Craft Brewery LLC, 1 Design Center Pl., Ste 850, Boston, MA 02210**; for a variance from **Section § 27-704 Freestanding, Wall and Window Signs** to construct a wall sign which exceeds the maximum permitted size allowance. The property is located at **7880 Penn Dr., Breinigsville, PA 18031** and is situated in the LI Zoning District. The Parcel Identification Number is 5455795885341.

Applicants must appear at the hearing.
All interested parties may appear and be heard.

Dan DeMeno
Zoning Officer