



AGENDA

The Upper Macungie Township Zoning Board of Adjustment will hold a public hearing on May 11th at 6:30 P.M., at the Township Building, 8330 Schantz Road, Breinigsville, PA 18031 to hear the following appeal:

#04-22-002 Continuance-To appeal the Zoning Officers interpretation that the use is a change in use from the prior use. If the Zoning Hearing Board agrees with the Zoning Officers interpretation then a Special Exception application of **Eurosport Classic Motors L.P., 2542 W. Fairview St., Allentown, PA 18104**; for a special exception to change from one nonconforming use to another nonconforming use in conformance with **Section 27-806.7.B “Nonconformities”** based on the Applicants assertion that the nonconformity has not been abandoned **Section 27-806.5.A. & B. “Abandonment of a Nonconformity”**. Alternately a use Variance from **Section 27-306** to allow for a garage to store private vehicles as a principal use. The property located at **6335 Memorial Rd., Allentown, PA 18106**. The property is situated in the R4 Zoning District. The Parcel Identification Number is 546664482648 1.

#05 22 004 The Zoning Appeal of **Oak Restaurants LLC, 14 Balligoming Rd., Conshohocken, PA 19428**; for variances listed below at 248 N. Route 100, Breinigsville, PA 18031. The property is situated in the HC Zoning District. The Parcel Identification Number is 545599499893 1.

1. Applicant requests a variance from **§27-307.C.F Table of Lot and Setback Requirements by District** to place an accessory structure within the required side yard setback.
2. Applicant requests a variance from **§27-601.2.D.25 Table 6.1 Off-Street Parking Requirements** to allow 23 parking spaces where 23.33 spaces are required.
3. Applicant requests a variance from **§27-603.7.C(3) Design Standards for Off Street Parking** to place driveways within the required minimum paved area setbacks on three surrounding roadways.
4. Applicant requests a variance from **§27-605.2.G Off-Street Loading** to not provide a loading space.
5. Applicant requests a variance from **§27-704.3.D Freestanding, Wall and Window Signs** to allow applicant to install three Drive-Through Menu Boards where the allowed number is two or less.

#05 22 006 The Zoning Appeal of **Zoe Mattis and Joshua M. Pepe, 60 Werley Road, Allentown, PA 18104-9478**; for variances listed below at 60 Werley Road, Allentown, PA 18104-9478. The property is situated in the R5 Zoning District. The Parcel Identification Number is 547661288175 1.

1. Applicant requests a variance from **Definition of “Home Occupation”, B. General Home Occupation**, (1) persons working on the premises: from a maximum of one nonresident to five nonresidents.
2. Applicant requests a variance from **§27-403.4.H.(1).(b) Additional Requirements for Accessory Uses**, specifically **“Home Occupation”** to increase the total amount of floor area of all buildings used for a home occupation from the permitted 25% of the total floor area of the principal dwelling unit (which is 1,400 square feet) to 107.2% or 1,500 square feet.
3. Applicant requests a variance from **§27-403.4.H.(1).(e) Additional Requirements for Accessory Uses**, specifically **“Home Occupation”** to allow for the storage of more than two trucks of any type on the lot or on adjacent streets at any period of time to five trucks.
4. Applicant requests a variance from **§27-403.4.H.(2).(b) Additional Requirements for Accessory Uses**, specifically **“Home Occupation”** to increase the maximum of one person work on the premises who is not a permanent resident of the dwelling to five nonresidents.
5. Applicant requests a variance from **§27-403.4.H.(2).(f) Additional Requirements for Accessory Uses**, specifically **“Home Occupation”** to allow for the use to routinely park more than four vehicles of nonresidents at any one time, from four to five vehicles.
6. Alternately, a **Special Exception from § 27-306 Table of Permitted Uses by District** to permit Mobile pet grooming as a Principal Use **“Home Occupation, General”**: specifically, to include Garage Household; Parking, off-street, only to serve a use that is in that district; and Other accessory use customary and incidental to a permitted by right, special exception ... Principal Use.
7. Alternately, a **Special Exception from § 27-306 Table of Permitted Uses by District** to permit Mobile Pet Grooming as an Accessory Use **“Home Occupation, General”**: ... Accessory Use.

#05 22 007 The Zoning Appeal of Manus J. and Kathleen A. Boyle, 1122 Covered Bridge Crossing, Orefield, PA 18069-8833; Appealing the denial of Building Permit # 10 21 939 for construction of a 15 feet wide by 15 feet long two-story building addition and for variances listed below at 1122 Covered Bridge Crossing, Orefield, PA 18069-8833. The property is situated in the R2 Zoning District. The Parcel Identification Number is 546667569878 1.

1. An interpretation of **Section § 27-202. – Terms Defined.** The definition of Building as it relates to a principal structure. To determine if the subject building is part of the Principal Building or an Accessory Structure.
2. With a favorable determination that the subject building is part of the **Principal Building**:
 - a. Special Exception for an Apartment for Care of Relative, as required for an Accessory Use by §27-306 - Permitted Uses Table Residential Districts.
 - b. A Variance from **§27-307** - Table of Lot and Setback Requirements by District, for a 15-foot encroachment on the 20-foot required setback for a Principal Structure.
3. With a favorable determination that the subject building is an **Accessory Structure**:
 - a. Special Exception for an Apartment for Care of Relative, as required for an Accessory Use by §27-306 - Permitted Uses Table Residential Districts. A Variance from Section § 27-307.2.A.h. - Maximum Number of Stories (Accessory Building) one (1) story - plus an additional nonhabitable floor that shall be restricted to storage.
 - b. Section § 27-403.4.L.2.(a). Accessory buildings on a lot with a lot area of two (s) acres or less in a residential district shall contain a Maximum total floor area of 1,000 square feet.

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

Kyle Kuester
Zoning Officer