



## AGENDA

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

**#12 22 021** The Continuance of a Special Exception of **Yoel Jacob, 1 International Blvd, Suite 410, Mahwah, NJ 07495**; for conformance with **Section 27-306.2 “Table of Permitted Uses by District”** and **Section 27-402.PPP Warehouse, Distribution or Wholesale Sales** to allow the use of the properties located at **121 Nestle Way, 8361 & 8325 Schantz Road, Breinigsville, PA 18031** as a Warehousing/Distributing facility.

The property is situated in the LI Zoning District. The Parcel Identification Number is 545576122157 1, 545576310595 1 & 545576338009

**#01 23 001** The Zoning Appeal of **110 PA Route 100 LLC, 400 Boulder Drive, Suite 200, Breinigsville, PA 18031**; to appeal the decisions and determinations of the Zoning Officer outlined in a letter to David Koerner, 110 PA Rt. 100 LLC, dated October 25, 2022, Regarding a Special Exception Application for 110 PA Route 100, Breinigsville, PA 18031.

1. Under **Section § 27-119.D, E** of the Zoning Ordinance, Applicant appeals the Zoning Officer’s interpretation and rejection of Applicant’s attempted filing of a special exception application for the Subject Property as outlined in The Zoning Officer’s Determination letter dated October 25<sup>th</sup> 2022 pursuant to 27-111.5.A.(1) which provides The Board shall hear and decide appeals where it is alleged by the appellant (a person affected or any agency of the Township) that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted any valid provision of this Chapter.
2. The Zoning Officer's Determination, if upheld, represents an invalid regulation of a condominium form of ownership. **Section § 27-202. Terms Defined, Condominium.** This is an appeal of the Zoning Officer’s interpretation of the referenced provisions. This is an appeal of the Zoning Officer’s interpretation of the referenced provisions.
3. The Zoning Officer's Determination is inappropriately based on his opinion that the proposed warehouse use is neither compatible with, nor accessory to, the hotel use that exists on a different condominium unit. **Section § 27-801.1.3. Multiple Buildings on a Lot.** This is an

appeal of the Zoning Officer's interpretation of the referenced provisions. This is an appeal of the Zoning Officer's interpretation of the referenced provisions.

The property is located at **110 S PA Route 100, Breinigsville, PA 18031** and is situated in the Light Industrial Park (LI) Zoning District. The Parcel Identification Number is 546507871706 3.

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

Kyle Kuester  
Zoning Officer