



AGENDA

The Upper Macungie Township Zoning Board of Adjustment will hold a public hearing on **December 13, 2023 at 6:30 P.M.**, at the Township Building, 8330 Schantz Road, Breinigsville, PA 18031 to hear the following appeal:

#09 23 013 Continuance of a Special Exception of **Yoel Jacob, 21 Philips Parkway, Montvale, NJ 07645**; 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, 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, 545576322994 1, 545576340122 1, 545576214252 1, 545576357410 1, 545576553748 1, & 545576338009 1.

#12 23 020 A Special Exception of **ART Mortgage Borrower Propco 2010 – 4 LLC, 3520 Piedmont Road NE, Suite 410, Atlanta, GA 30305**; for conformance with **Section 27-306 “Table of Permitted Uses by District”** and **Section 27-402.PPP Warehouse, Distribution or Wholesale Sales** to allow the use expansion/addition of the property located at **7150 Ambassador Drive, Allentown, PA 18106** as a Warehousing/Distributing facility.

The property is situated in the LI Zoning District. The Parcel Identification Number is 546605142970 1.

#12 23 021 The Zoning Appeal of **D.R. Horton, Inc., 2060 Detweiler Road, Harleysville, PA 19438**; related to a **property located at 8739 Hamilton Boulevard, Breinigsville, PA 18031**.

1. The applicant requests an interpretation of the Upper Macungie Township Zoning Ordinance that the Open Space Standards of the Mixed-Use Overlay set forth under Section 27-1103 apply.
2. In the alternative, Applicant by this Application appeals the determination of the Upper Macungie Township Zoning Officer that the Open Space Standards under Section 27-402.KKK.(2).(m). apply and are not overridden or superseded by the Open Space Standards of the Mixed-Use Overlay under Section 27-1103.
3. Or, further in the alternative, Applicant requests a variance from Section 27-402.KKK.(2).(m). to permit an apartment development involving 25 or more dwelling units with 1.19 acres (12.22%) of open space as shown on the plans instead of the 10% common space in addition to other open space requirements of the zoning ordinance or Subdivision and Land Development Ordinance (SALDO) with the specific standards set forth in subparts 1) through 4) thereof.

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