

**UPPER MACUNGIE TOWNSHIP**

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## **AGENDA**

**The Upper Macungie Township Zoning Hearing Board will hold a public hearing on Wednesday April 10<sup>th</sup>, 2024, at 6:30 P.M., at the Upper Macungie Township Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031 to hear the following application:**

**#03 24 013** The application of Robert Cantone 122 Aspen Ct. Allentown, PA 18104; for:

- 1) An appeal of the decision of the Zoning Officer denying a Zoning Permit application to erect a detached 12' x 14' accessory structure on the subject property.
- 2) Or in the alternative, a variance from Section 27-403.L.(2) of the Upper Macungie Township Zoning Ordinance to permit a third accessory structure to be placed on the subject property, whereas the Ordinance permits a maximum of two accessory structures; and which will also result in the total floor area of accessory structures on the property to exceed the 1,000 s.f. maximum permitted.

The subject location has the address of 122 Aspen Court Allentown, PA 18104, is situated in the R2 Low Density Residential Zoning District and is identified by Parcel Identification Number 547600305106-1.

**#04 24 014** The application of Dwyer Holdings, Inc. c/o Catherine E.N. Durso, Esq.; for:

- 1) An appeal of the determination of the Zoning Officer that: 1) As the subject location consists of multiple parcels and the two parcels that have nonconforming building setbacks are separate from the parcel which the proposed building is on, a nonconformity on one parcel cannot be applied to a proposed building on a separate parcel on the development site; and 2) The amount of existing nonconformity on parcel PIN 547615483761 is 10.4 feet from the property line for a length of 52.9 feet. The proposed new building length is 300 feet, which increases the amount of nonconformity and is not permitted pursuant to Section 27-806.3.A.(1)(a). The applicant submits that as the Dwyer Holdings properties are to be consolidated, the proposed building should be permitted by right pursuant to Section 27-805 regarding nonconforming buildings and structures.
- 2) Or in the alternative, a variance from Section 27-307(2)(C) of the Upper Macungie Township Zoning Ordinance which requires a 30 foot rear yard building setback in the HC Zoning District in order to permit a 10 foot rear yard building setback for the proposed new building; and a variance from Section 27-803(4)(A) of the Zoning Ordinance to reduce the buffer yard requirement along the westerly property line of the site from 75 feet to 53 feet.

The subject location has addresses of 5283, 5307, 5311, 5313 & 5321 Oak View Drive and 5332 & 5344 W. Tilghman Street Allentown, PA 18104, is situated in the HC Highway Commercial Zoning District and is identified by Parcel Identification Numbers 547615682364-1, 547615586460-1, 547616406588-1, 547615483761-1, 547615294009 & 547616323008-1 & 547616103808-1.

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

Marv Walton  
Zoning Officer