

LOWER MACUNGIE TOWNSHIP
ZONING HEARING BOARD MINUTES
November 22, 2011

The November 22, 2011 Zoning Hearing Board hearing was called to order at 7:00 p.m. by Chairman, Larry Schneider. Members present were Larry Schneider, Robert Rust, III, Esq. William Royer and alternate Brian Higgins. Also in attendance were James Lancsek, Zoning Officer, Carl Best, Deputy Zoning Officer, Mark Malkames, Esq., Solicitor, Bobbie Brown, ZHB Secretary. The hearing was held at the Lower Macungie Township Municipal Campus, 3400 Brookside Road, Macungie, PA 18062.

On a motion of Mr. Royer, second of Mr. Rust, and a unanimous vote, the minutes of the October 25, 2011 hearing were approved.

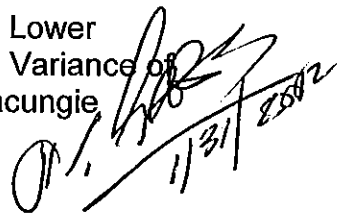
There is no invoice from the Solicitor for the October 25, 2011 hearing since he assisted in the orientation program for the new zoning officer pro bono and the members wish to thank him for his time.

Concerns regarding Continuance Protocol was discussed. Atty. Malkames suggested that the continuance request should be made to the Zoning Officer which should be passed on to Atty. Malkames and the Zoning Hearing Board Chairman. The Board would then act upon the continuance. It was suggested that the Solicitor generate a Continuance Form so that the proper language is made available to the applicant for submission to the Zoning Officer with a copy to the Board Chairman and the Solicitor. Members of the Board agreed that such a form should be generated.

Appeal No. 11-011 of Faith Evangelical Free Church are requesting a continuance to the December 27, 2011 hearing.

Appeal No. 11-002 of PPL Gold Credit Union, has been withdrawn since the parties have signed an agreement.

Appeal No. 11-009 of Christopher and Dulce Vogel, 1847 Locust Lane, Alburtis PA, 18011; property owner: Christopher and Dulce Vogel, 1847 Locust Lane, Alburtis PA 18011; property address: 1847 Locust Lane, Alburtis PA 18011; Pin#:546412693507-1; zoned Semi-Rural; requests a hearing pursuant to Lower Macungie Township Ordinance No. 1998-11, as amended, to determine a Variance of Section 603.1, and any other relief as may be required from the Lower Macungie Township Zoning Ordinance.

Handwritten signature and date: 11/31/2011

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Mr. & Mrs. Vogel appeared before the Board to request the addition of an in-law suite to their home at 1847 Locust Lane, Alburtis PA. They are proposing an addition of 2,100 SF; the in-law suite for Mrs. Vogel's parents will comprise 1,400 SF. The in-law suite will have a separate entrance and its own kitchen, bath, office, bedroom, living room and laundry room. The Vogel's can access the suite through the laundry room. Mr. Vogel stated that he upgraded the septic system and was told by the Township SEO that the upgraded septic system would accommodate both living areas. The Board stressed the fact that if approval is granted, it is granted as a residence for family members only. It cannot be rented or occupied by a second family unless they are family members.

On a motion of Mr. Royer, second of Mr. Rust, and a unanimous vote, to grant approval of this appeal under the following conditions:

1. The in-law suite shall only be occupied by the Applicants' parents' and their related family members.
2. The in-law suite cannot be rented or occupied as a separate rental unit or as an apartment; it may not be occupied by any family with persons unrelated to the occupants of the principal home.
3. The approval shall be subject to all other Township approvals but not limited to the approvals of the Code Enforcement Office and the Sewage Enforcement Office as well as receipt of all applicable permits including plumbing permits as may be required.
4. Applicant shall comply with all other conditions of any applicable code or Ordinance.

Appeal No. 11-010 of Delvin Waylen, 5621 N. Walnut Street, Macungie PA, 18062; property owner: Delvin Waylen, 5621 N. Walnut Street, Macungie PA, 18062; property address: 5621 N. Walnut Street, Macungie PA 18062; Pin#:548319269233-1; zoned Suburban Residential; requests a hearing pursuant to Lower Macungie Township Ordinance No. 1998-11, as amended, to determine a Variance of Sections 404.1.1.5 and 706 and any other relief as may be required from the Lower Macungie Township Zoning Ordinance.

The applicant was present along with Mr. Bill Moseley, of Garages-n-More, the contractor, who will build the garage Mr. Waylen wishes to construct on his property at 5621 N. Walnut Street. Mr. Waylen submitted a plot plan prepared by Lehigh Engineering showing the triangular area marked "building line". This plan shows the restricted area of the lot which can be developed within the setback requirements. The proposed detached garage will be 24 feet by 44 feet and will be used to keep his cars and to park cars under cover. The garage will be used for private residential use. This

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property has three front yards, bordered by Brookside Road to the north, Lehigh Street to the west and Walnut Street to the east. The garage needs to be located in the area proposed to permit the Applicant access to the garage from a driveway located off Lehigh Street.

On a motion of Mr. Rust, second of Mr. Royer, and a unanimous vote, to grant the appeal upon the following conditions:

1. Applicant shall maintain the arborvitae row along Brookside Road as a requirement of this approval.
2. The garage shall be constructed as shown on the plan dated October 3, 2011.
3. Applicant shall be bound by all testimony presented regarding his construction, use and location of the garage as presented at the hearing.
4. Applicant shall comply with all the conditions of any applicable code or Ordinance.

On a motion of Mr. Rust, second of Mr. Royer, and a unanimous vote, the meeting was adjourned at 8:15 pm.

These minutes are to be a summary only of the events of the meeting. The transcript should be consulted for completeness and accuracy.

Respectfully submitted,
Bobbie Brown, Secretary
Zoning Hearing Board of Lower Macungie