

The September 7, 2016 meeting of the Macungie Zoning Hearing Board was called to order at 7:30 P.M. in Borough Council Chambers, Borough Hall, 21 Locust Street, Macungie, PA by Chairman Ronald Karboski. Board Members present were Barry Bloch, John Horner and Ronald Karboski. Also present were Solicitor Edmund J. Healy, Court Stenographer Bonnie Beck, Zoning Officer Ken Nicholson and Administrative Assistant Cynthia Hartzell.

Attorney Edmund J. Healy was in attendance for Attorney Ashcraft due to a conflict of interest.

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The hearing was properly advertised in the East Penn Press on August 24 and 31, 2016. All adjoining property owners were notified and the property was properly posted.

APPEAL 2016-1 David Schnellman, 4528 Reservoir Hill Road, Macungie, PA, 18062, for Property at 43 S. Church Street, Macungie, PA 18062 - The applicant is requesting an interpretation of Zoning Ordinance § 345-16. A (7) to convert the existing dwelling at 43 S. Church Street, Macungie, into two residential apartments. In the alternative, applicant seeks Special Exception approval to change one non-conforming use to another non-conforming use per § 345-30.E and a variance from § 345-23 Parking requirements. The site is located in the R-7.8 Zoning District.

Attorney John Stover, counsel for the applicant, gave a history of the property commenting on the zoning hearing in 2013 that the separate non-conforming uses of office and residence exist. Attorney Stover remarked the applicant wants to convert the office into an apartment and is asking for an interpretation of Zoning Ordinance Section 345-16.A(7). Attorney Stover noted the variance for Zoning Ordinance Section 345-23 is being requested because there is not enough area for the required 10 foot separation area from Coach Street to the parking. Attorney Stover commented the dwelling was not a single dwelling being converted into a two unit dwelling and converting the office into an apartment is allowed as he interpreted the Zoning Ordinance.

Attorney Stover asked Mr. Schnellman questions about the dwelling conversion. Attorney Healy marked Exhibit A-1 on the plan provided that showed the property with the proposed parking and proposed layout of the apartment. There was discussion about the location of the parking spaces being only 7 feet from Coach Alley and possibly moving the parking spaces further into the property to allow for the 10 feet separation area. When questioned, Mr. Schnellman noted to convert the office into an apartment, he will be putting in a bathroom and moving non-bearing walls for a bedroom and living room.

Board Member Bloch commented about installing a walkway along Coach Street for pedestrian safety.

Attorney Healy marked Exhibit A-2 on the zoning application, marked the property deed as Exhibit A-3 and County assessment record as Exhibit A-4.

Public Comments

Michael Boyko, 10 E. Main Street, Macungie, did not think a walkway would be needed along Coach Street since no walkway has been there since it was built. Board Member Bloch was considering safety

for the tenants walking back to the parking and other pedestrians. Mr. Schnellman remarked no walkway was proposed and there is a walkway from the front to the back on the other side of the building.

Peggy Morgan, 39 S. Church Street, Macungie, remarked she lived across Coach Street from the property and was in favor of the conversion as long as there is adequate parking.

Board Member Horner asked her about the traffic on Coach Street. She commented the worst is when Allen Organ lets out in the afternoon otherwise there is not a lot of traffic.

Risa Donegan, 9 Coach Street, Macungie, noted she lives across Coach Street from the garage. She was concerned about the parking in reference to her driveway.

Attorney Stover commented the garage is not included in the number of parking spaces. Mr. Schnellman noted the garage will be for storage purposes and not for the tenants.

Dennis Fritz, 32 S. Lea Street, Macungie, commented about the parking in front of the garage and the low visibility at Coach Street and Mountain Alley if a car parked in front of the garage is pulling out.

Mr. Schnellman noted the parking spaces will be blacktopped with marked spaces.

Zoning Officer Nicholson asked some questions about the plan and gave a suggestion for the parking that would allow for the 10 foot grass separation area. There was a discussion about being able to have vegetation in the separation area since the vehicles would have to drive over the area to get in and out of the parking space.

After the deliberation, Board Member Horner made a motion, second by Board Member Karboski, to overturn the Zoning Officer's interpretation of Zoning Ordinance Section 345-16.A(7) to allow him to convert the office into an apartment. Motion carried: 3 ayes

Board Member Horner made a motion to deny the requested variance to Zoning Ordinance § 345-23.C(1)(d) but granted a variance to the requirement of §345-23.C(1)(d) to allow the 10 foot grass buffer section to be paved. Motion carried: 3 ayes

Hearing no other business to be brought before the Board, the meeting was adjourned at 8:59 p.m.

Respectfully submitted,

Kenneth Nicholson
Zoning Officer

(These Minutes are not the official record of the Macungie Borough Zoning Hearing Board. They are only intended to provide a summary of the activities of the Zoning Hearing Board. All hearings are stenographically recorded and the transcript is available at cost. The official decision of the Zoning Hearing Board is the signed "Decision" which may be obtained at Borough Hall)