

Motion by Zoning Hearing Board member Steinmayr, seconded by Zoning Hearing Board member Schmidt to appoint Zoning Hearing Board member Ted Iobst as Chairman of the 2025 Zoning Hearing Board. There were 3 ayes. Motion carried.

Motion by Zoning Hearing Board member Steinmayr, seconded by Zoning Hearing Board Member Schmidt to retain Corkery & Almonti as Solicitor of the 2025 Zoning Hearing Board. There were 3 ayes. Motion carried.

APPEAL 10639 – Donna High & Mister High, 932 Saybrook Road, Middletown, CT 06457, for property located at 311 Minor Street Emmaus PA 18049. Applicant is requesting a 2539 Sq. Ft. lot area Variance and a 15 Ft., Front Yard Setback Variance to Chapter 27 Attachment 3, Table of Area, Yard and Building Requirements to build a new home on a non-conforming lot. Applicant refers to Borough Ordinance, Chapter 27, 27-806, Nonconformities, B, (1), (2) for Special Exception. Property is located in the R-HO Zoning District.

The Applicant, Donna High, was present at the meeting via Zoom. Mrs. High explained that her son, Mister High, purchased the property located at 311 Minor Street, Emmaus, PA 18049. The applicant stated that the property was purchased in December 2023 for \$2,500 and she was not aware of the size of the lot at the time of purchase. She stated that she did not research the zoning requirements prior to the purchase. She explained that she researched the size of the lot and the zoning requirements after the lot was purchased. She stated that she was unaware, prior to purchasing the lot, that the lot was adjacent to a very old cemetery. She explained that she did not visit the property prior to purchasing the lot. Solicitor Corkery asked Mrs. High what her legal hardship was for requesting the variances. Mrs. High responded that she owns the lot, and she would like to build something on the lot that would benefit herself. She explained that she would not disturb the cemetery. Solicitor Corkery asked Mrs. High if she had completed a study on the cemetery. She responded that she did not realize that she would need to have a study completed. Mrs. High explained that she does not know what the legal hardship is for requesting the variances. She explained that the lot is very close to the cemetery, and she was hoping to work with the church in any way that she can. She asked for an explanation on what a legal hardship is. Zoning Hearing Board member Steinmayr explained that the applicant needs to prove a hardship that was not self-created. Solicitor Corkery explained that the application does not list a legal hardship. Mrs. High responded that she would like an opportunity to present the legal hardship at a different time. Solicitor Corkery explained that the applicant can either proceed with the hearing or ask for a continuance. Mrs. High requested a continuance on the matter.

The Zoning Hearing Board voted 3-0 to deny the continuance.

Iobst no Steinmayr no Schmidt no

Solicitor Corkery explained that the hearing will continue. Mrs. High stated that she is

interested in building a house on the lot and that is why she is present at the meeting.

Comments:

1. Michael Henry, 1535 Morningstar Drive, Wescosville, PA on behalf of Emmaus Moravian Church, 146 Main Street, Emmaus – explained that the Moravian Church is concerned about any type of construction or disruption of the land at the cemetery. He voiced concern because there is a discrepancy between how many graves there are versus how many headstones there are. He stated that there are 88 graves that do not have headstones. He explained that the church is concerned about disturbing the historic appearance of the cemetery and disturbing the grounds.
2. Shirley Heckman, 302 Minor Street, Emmaus, PA – stated that she believes there is not enough room to build a house on the property and there will not be any off-street parking available.
3. Amanda Cossman, Principal, Seven Generations Charter School – stated that she believes that building a house on the lot would disturb the aesthetic appearance of the neighborhood.
4. Barbara O'Brien, 322 Minor Street, Emmaus, PA – stated that she is opposed to building a house on the lot.

Mrs. High responded there would not be an issue with off-street parking because she would be the only one parking on the property. She explained that there would be a driveway for one vehicle. She stated that she does own the land and asked if there are any recommendations on what she can do with the land. Mr. Henry asked Mrs. High if he could call her to discuss the property.

The Zoning Hearing Board voted 3-0 to deny the variances and special exception.

Iobst no Steinmayr no Schmidt no