

APPEAL #10616 – MATTHEW AND ERIN KAY, 624 BROAD ST., EMMAUS, PA 18049. Applicant proposes to convert existing garage into unit for care of relative. Applicant requests variances to 1) Z.O. 403.4.M(4), which requires temporary construction methods, to allow permanent construction methods; 2) Z.O. 403.4.M(8), which requires separate entrances and an interior connection, to allow a separate entrance with no interior connection to primary dwelling; 3) Z.O. 403.4.M(9), requiring such unit to be within the principal dwelling, to allow this unit in a standalone structure. The property is located in the R-HO Zoning District.

The applicant, Erin Kay, stated that she and her husband, Matthew, own the property located at 624 Broad Street, Emmaus, PA 18049. She stated that they purchased the home in August 2020 and are proposing to place an 80 SF addition on to an existing 330 SF detached 1 ½ car garage. The applicant stated that they would connect to the Borough’s water and sewer. She stated that the garage is approximately 75 to 100 feet from the house. She stated that they are requesting to convert the garage into a dwelling for her mother-in-law to live in and the construction would be permanent. She stated that the garage door would be taken off and replaced with cinder block and windows. She stated that the garage would be an open-air concept with 3 rooms total. She stated that there would be a separate entrance into the dwelling unit. Solicitor Corkery asked Mrs. Kay to explain the hardship in requesting the variances. Mrs. Kay explained that contractors told her that adding an addition to the existing home would be more expensive and the age of the plumbing may make the construction difficult. She stated that she and her husband work from home and have children so having her mother-in-law reside with them in the same house will not work. She also stated that there are stairs which will be difficult for her mother-in-law to navigate as she gets older. Chairman Steinmayr asked about parking. Mrs. Kay responded that there is currently parking in the back for 4 cars. She stated that there is no paved parking, and they currently park in the grass. Zoning Officer Hammond stated that paving the 4 spots would be required. Mrs. Kay responded that it would not be a problem. Chairman Steinmayr questioned the feasibility of the addition. Mrs. Kay responded that the contractor stated that it would be more cost effective to use the existing garage than to renovate the house. Zoning Hearing Board member Schmidt voiced concern about whether this is enough space for parking. Chairman Steinmayr stated that he believes there is enough space for parking.

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

Steinmayr no Schmidt no Nickerson no

APPEAL #10615 – FRANK AND CAROLYN TRANGUCH, 4031 MILL RD., for 664-680 RIDGE ST., EMMAUS, PA 18049. Applicant proposes to construct three townhouses. Applicant requests a special exception to the Table of Uses and Z.O. 402.1.TT to construct three townhouses. The property is located in the R-M Zoning District.

Solicitor Corkery explained that the request was previously granted a special exception more than 5 years ago and nothing has changed to the Ordinances. The applicants are represented by Attorney Stover. Attorney Stover handed out copies of the 2007 decision. He

presented Exhibit A-1, copies of deeds to the property, Exhibit A-2, a copy of the previous Zoning Hearing Board decision, Appeal #10319, dated March 14, 2007 as well as the application, Exhibit A-3, a memorandum from Robert Hammond stating that the Borough Manager, and Borough Solicitor are in favor of the proposal and that there have been no changes to the Zoning Ordinance, Exhibit A-4, a copy of the approved sub-division plan dated May, 2007, Exhibit A-5, the Municipal’s Planning Code, explaining that the applicant must reappear for the requested Special Exception and will be granted another five years to begin the project, and Exhibit A-6, the Borough of Emmaus Zoning Ordinance, Section 402.1.TT. Attorney Corkery read the previous decision and questioned the applicant as to whether the previous decision will remain the same, including the plan for the 3 townhouses. The applicant responded that everything is the same. Attorney Corkery stated that the stormwater issues will be addressed at the Planning Commission.

Comments:

1. **Nancy Bauder, 660 Ridge Street** – questioned the timeline of the project and asked for a better understanding of the plans. The applicant responded that he does not have an exact timeline but understands he must begin construction within 5 years.

2. **Twana Gardner, 647 Ridge Street** – voiced concern about parking. The applicant stated that there will be 6 parking spaces located behind the units. She stated that her questions were answered during the testimony.

3. **Lisa & Jeff O’Boyle, 719 Ridge Street** – questioned why the units were approved in 2007. Attorney Corkery responded that the Special Exception was granted because it is a permitted use. She questioned if the sewer and water system will be able to handle 3 additional town homes in addition to the new construction close by. Attorney Corkery explained that this will be addressed by engineers and the Planning Commission. Chairman Steinmayr stated that the plans met all Zoning requirements.

4. **Lauren Strzelecki, 662 Ridge Street** – questioned if the Zoning Hearing Board are elected officials. She questioned why this is being approved when there is another development being built in the neighborhood.

The Zoning Hearing Board voted 3-0 to grant the special exception with the provision that the prior facts are incorporated and that the matter will proceed to the Planning Commission and Borough Council for approval.

Steinmayr yes Iobst yes Nickerson yes

APPEAL #10614 – ALTMAN COLONIAL CREST EMMAUS LP, 240 NEW YORK DR., STE 1, FORT WASHINGTON, PA 19034 for 102 N. 10th ST., EMMAUS, PA 18049.
Applicant proposes to expand office and community building by 40%. Applicant requests 1) an interpretation of Z.O. 306.3.P that recreational facilities for residents are a permitted accessory use; 2) an interpretation of Z.O. 306.3.AA that the proposed facility is customary and incidental to the primary use; 3) a variance from Z.O. 306.3 to permit the expanded building as an accessory use; 4) a variance from Z.O. 806.C to expand a nonconforming use by greater than 25% to allow a 40% expansion. The property is located in the R-M Zoning District.

The applicant is represented by Cheryl Bishop, HP Altman and Attorney Chris McLean, Fitzpatrick, Lentz, & Bubba. Attorney McLean stated that there is a fitness center, office space, and community center currently located in the space. He stated that the original plans from 1973 did not require any approval. He stated that HP Altman, Colonial Crest, is proposing to expand the community center, include ADA accessible bathrooms, expand the fitness center, and update the facility. Zoning Officer Hammond stated that his interpretation was that the building was not entirely recreational and wasn't incidental to primary use and is expanding a non-conforming use by more than 25%. Attorney McLean stated that he believes that the building is an accessory use by right. The Board agreed 3-0 that the recreational portion is an accessory use. Attorney McLean responded that the leasing office is also an accessory use and is only be used to lease apartments at this complex, not for the whole company. He stated that believes the office component falls under Section 306.3.AA. Solicitor Corkery asked how large the office space currently is. Ms. Bishop responded that she is unsure, but it is all one room. She stated that the office space would not be increasing, and the expansion is to increase the size of the gym and to add the ADA compliant bathrooms, and a small powder room. Attorney McLean presented Exhibit A-4, an overlay plan showing the old location and new location.

The Zoning Hearing Board voted 3-0 to grant the interpretation of Z.O. 306.3.P that recreational facilities for residents are a permitted use and an interpretation of Z.O. 306.3.AA that the proposed facility is customary and incidental to the primary use.

Steinmayr yes Iobst yes Nickerson yes

Attorney McLean withdrew the request for a variance from Z.O. 306.3 to permit the expanded building as an accessory use, and a variance from Z.O. 806.C to expand a nonconforming use by greater than 25% to allow a 40% expansion.

APPEAL #10613 – DANIEL HENDRICKS, 215 MAIN ST., for 218 GREEN ST., EMMAUS, PA 18049. Applicant requests to convert existing commercial building into a residential dwelling and add a 282 SF addition. The applicant requests special exception to the Table of Uses and Z.O. 402.1.O to convert an existing nonresidential building into a dwelling unit. The property is located in the B-C Zoning District.

The applicant, Daniel Hendricks, stated that he is the owner of the property located at 218 Green Street, Emmaus, PA 18049, and that he purchased the property in 2016. He stated that the property has been vacant for approximately 3-4 months and was previously a leatherworks store. Zoning Officer Hammond stated that the building was also previously a photo lab for Rodale. Alan Hawman, Architect, stated that the building is currently 530 SF and the applicant is proposing a 282 SF addition. Mr. Hawman stated that the entire exterior will be redone. He stated that the applicant has not chosen the material for the exterior of the property, but it will fit in with neighborhood features. Mr. Hawman stated that there is room for the two required parking spaces. He stated that the applicant has met all other Zoning requirements. Mr. Hendricks stated that either 1 or 2 people will live at the residence. He also stated that renovations will begin this year.

The Zoning Hearing Board voted 3-0 to grant the Special Exception.

Steinmayr	no	Iobst	no	Nickerson	no
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