

APPEAL # 10642 – Timothy Lin & Julie Hong, 1618 Fieldstone Street, Allentown, PA 18106. For property located at 210 E. Harrison Street, Emmaus, PA 18049. Applicant is proposing to build a 646 square foot addition at the above noted property. Applicant is requesting a Special Exception to Z.O. Section 27.806(3)(C)(1). Also requesting a Variance to Z.O. Section 207.86(3)(C)(3), 27-806 (3)(A)(2) and 27-806(3)(C)(4). Site is located in the Central Residential (R-C) Zoning District.

Zoning Officer Reed explained that the Borough has recently adopted a new Zoning Ordinance. He stated that under the new Ordinance there is no new relief needed and that the applicant previously appeared before the Zoning Hearing Board for the same appeal and was issued a favorable decision. Mr. Reed stated that the applicant needed to appear before the Zoning Hearing Board because they did not begin construction in the time period allowed and the applicant is here to reinstate the previous decision. The applicant, Julie Hong, stated that she is the owner of the property. Solicitor Corkery stated that a plan was not submitted for parking and a condition of the previous decision was that there was no backing out onto Harrison Street. He stated that the applicant must submit a new plan showing the parking.

The Zoning Hearing Board voted 3-0 to reinstate the previous appeal with the condition that a new plan showing parking is submitted.

Iobst yes Steinmayer yes Schmidt yes

APPEAL #10641 – Zachary Durnin, 519 S 7th Street, Emmaus, PA 18049. Applicant is requesting a Variance of 9'4" for the above-mentioned property to build a garage. Chapter 27, 311.A Outbuilding Setbacks, Side Yard 10' and Rear Yard 5'. Property is located in the Conservation (C) Zoning District.

Chairman Iobst explained that the applicant is requesting a 10' side yard setback variance and a 5' rear yard setback variance but only requires a 5' side yard setback variance. The applicant is also requesting a variance for parking in the middle not the rear. The applicant, Zachary Durnin, stated that he resides at the property and purchased it in 2013. He explained that he is proposing to build an attached 2 ½ car garage. He stated that he is requesting a 5' side yard setback variance to build the garage up to the property line. He explained that the garage will be built over the current footprint of the driveway, and the corner of the property line meets the corner of the neighbor's fence. He stated that he will be building the garage over the macadam that is currently there and will not build over the property line. He explained that parking will be in the middle because the driveway is already there. He stated that the garage will match the house aesthetically. Chairman Iobst explained that there are preexisting conditions with this property prior to the new Zoning Ordinance. The applicant stated that there will be no adverse effects on the neighborhood, will not alter the characteristic of the neighborhood, and he is asking for the least amount of a variance.

The Zoning Hearing Board voted 3-0 to grant the 5' side yard setback variance and parking in the middle.

Iobst yes Steinmeyer yes Schmidt yes

APPEAL #10643 – Thomas McNamara, 947 Buttonwood Street, Emmaus, PA 18049. Applicant is requesting a Variance of 37' for the above-mentioned property to build an addition onto residence. Chapter 27, 314. A, Principal Building, Rear Yard Setback 50'. Property is located in the Central Residential (R-C) Zoning District.

Chairman Iobst explained that the applicant has requested a variance of 37' but only requires a 13' variance. Zoning Officer Reed explained that a 50' rear yard setback is required, and the applicant has 37' and therefore will need a 13' variance. The applicant, Thomas McNamara, stated that he and his wife, Kristen, reside at the property and purchased it in 2014. The applicant explained that they are proposing a one-story addition with a living room and a bathroom. He stated that the addition is needed for more room for his family. He stated that the outside of the addition will be the same color aluminum siding that is currently on the home. He stated that the neighbors support the addition. He explained that they are proposing a 13' x 30' addition with a 37' rear yard setback. He explained that the variance is needed because of how the house is situated on the property. Chairman Iobst stated that the rear yard is adjacent to Emmaus Avenue and that the drainage slopes from front to rear and asked if drainage will be an issue. The applicant explained that there are no issues with drainage.

The Zoning Hearing Board voted 3-0 to grant the 13' rear yard setback variance.

Iobst yes Steinmeyer yes Schmidt yes

APPEAL #10644- Husam Hanoun, 444 Grant Street, Allentown, PA 18102. For Property Located at 41 S. 2nd Street, Emmaus, PA 18049. Applicant is proposing to install a new driveway in front of property at the above noted property. Applicant is requesting a Special Exception to Chapter 27, 318. A, Parking Placement. Site is located in the Downtown Neighborhood (D-N) Zoning District.

Chairman Iobst explained that the applicant is requesting a Variance to Chapter 27, 318.A, Parking Placement, not a Special Exception. Mr. Reed explained that the applicant needs a variance under the new Zoning Ordinance requiring parking in the rear. The applicant, Husam Hanoun, explained that he is proposing to place a driveway in front of the property. He stated that there would not be a garage, just a driveway with parking. He explained that there is an easement at the back of the property which makes it difficult to access the back. He also explained that the sewer lateral for the property is located in the back and a driveway in the front will make the property more visually appealing. Chairman Iobst stated that Cherry Street and Peach Street are located in the rear of the property and there is not an easement, it is just overgrown. Solicitor Corkery stated that there is a safety concern with backing out of the driveway. Mr. Hanoun explained that he is proposing to place a 2,000 square foot paved driveway in front of the property with a spot to turn around so that there is no need to back out onto S. 2nd Street. He further explained that the

driveway will be placed as close as possible to the side property line so that there will be no sight problems when pulling out. Zoning Hearing Board member Schmidt asked if there would be a parking lot. Mr. Hanoun responded that he is proposing a driveway with a k-turn, not a parking lot. Zoning Hearing Board member Schmidt asked if there are any issues with impervious coverage. Mr. Reed responded that the applicant is allowed 80% impervious coverage. Chairman Iobst asked if the applicant is aware of any other properties located between the southernly side of the railroad and Minor Street that have direct access in the front of their property. Mr. Hanoun responded that he believes so. Chairman Iobst responded there are none. He stated that, due to the location of the driveway in proximity to the railroad, he believes there are safety issues pulling out from the driveway. He stated that it would be difficult to see to pull out and difficult for drivers on S. 2nd Street to see someone pull out. He stated that there is access to the back of the property and that the alley could be improved for easier access. He explained that the new Zoning Ordinance states that driveways in the Downtown Neighborhood must have access at the rear. Mr. Hanoun asked if there was anything that could be done to make the Board more comfortable in terms of safety.

Comments:

Michael Gibson, 230 Ridge Street, Chairman of the Planning Commission – stated that he is present as a resident and is not representing the Planning Commission on the matter. Mr. Gibson thanked Mr. Hanoun for purchasing the property and the renovations that he is making to it. He expressed concern that no one else in the neighborhood has a driveway in the front and the proposed driveway is inconsistent with the neighborhood. He explained that he visited the site and found it very difficult to see over the elevation of the railroad tracks. He stated that he could not see approaching cars when he was looking to the right and it was difficult to see with vehicles parked on the left. He stated that he does not believe that Mr. Hanoun presented a hardship and believes that parking in the rear would be more consistent with the neighborhood and the neighboring property. Mr. Hanoun responded that there is parking on the street located across from the property and it is also dangerous. He asked how parking on the road was any safer. Chairman Iobst responded that with on street parking there is an expectation that cars will be parked on the street.

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

Iobst no Steinmayr no Schmidt no