

APPEAL #10617 – STEFANIE SCHMICK, 302 N. 7<sup>TH</sup> ST. EMMAUS, PA 18049.  
Applicant proposes to convert existing garage into a hair salon. The applicant requests a special exception to the Table of Uses and Z.O. 403.4.F to establish a general home occupation. The property is located in the R-M Zoning District.

The applicants, Stefanie and Alexander Schmick, stated that they are the owners of 302 N. 7<sup>th</sup> St. Emmaus. Also in attendance, Larry Caton, the father of Mrs. Schmick, residing at 998 S. Klocks Rd. Allentown, PA 18106. Mr. Caton did not testify. Mrs. Schmick stated they she and her husband have owned the property since December 2021. She stated that she is proposing to convert an existing single car garage into a salon. The existing garage is detached from the home and sits about 50 feet to its rear. Mrs. Schmick stated that the garage is located on Grape Street. Mrs. Schmick explained that she is proposing a one chair, owner operated salon with no employees. She stated that proposed changes to the building include running water and sewer service to the garage, installing an accessible bathroom, installing mechanical, electrical, and plumbing fixtures, and fitting out the space for the salon. She stated that the hours of operation for the salon would be Monday through Saturday from 8:00 a.m. to 6:00 p.m. by appointment only. She stated that she will only book one appointment at a time. She stated that there will be two chairs for individuals to wait for their appointment or for children who may come along with their parent. Mrs. Schmick stated that she will install a small amount of outdoor lighting to help light the path to the door of the salon. There is currently one off-street parking space located behind the garage and can be utilized by customers. There is also street parking in addition to the one off-street parking space. Zoning Hearing Board member Schmidt asked Zoning Officer Hammond how large of a sign is permitted for this business. Mr. Hammond read the Zoning Ordinance provision that permits a 2 sq.ft. sign for a home occupation. Mrs. Schmick stated that she may replace the entry door to the garage and infill the overhead door. Mrs. Schmick stated that she and her husband currently own two cars and that she and her husband will park on North Street and leave the off-street space for customers. Chairman Steinmayr clarified that there is a state requirement to have two waiting chairs for a barber/salon shop, so the applicant's proposal meets that requirement. Mr. Schmick stated that he and his wife discussed the proposed use with their neighbors, and there were no objections.

The Board voted 3-0 to grant the special exception to the Table of Uses and 403.4.F.

Steinmayr – Yes

Iobst– Yes

Schmidt – Yes

APPEAL #10618 – SAMHR LLC., 945 CHESTNUT ST for 11 N. 10<sup>TH</sup> ST. EMMAUS, PA 18049.  
Applicant proposes to expand auto repair/detailing garage by 51% with a 1 foot side yard setback. Applicant requests 1) A 14' side yard setback variance from Z.O. 901 Area Yard and Building Requirements to allow a 1' setback; 2) A variance from Z.O. 806.3.A(1)(a)(2) to allow a 51% expansion of an existing nonconforming structure. The property is located in the B-L zoning district.

SAMHR LLC was represented by Akberali Rizvi. Mr. Rizvi stated that he is one of the partners of SAMHR LLC. He state that he currently owns 945 Chestnut Street and 11 N. 10<sup>th</sup>

Street. He stated that he has owned the property located at 11 N. 10<sup>th</sup> Street since 2018. Solicitor Corkery asked if the property is on one deed or two. Mr. Rizvi responded that it is two separate parcels but owned by the same people. He stated that car sales, repairs, and detailing occur at 11 N. 10<sup>th</sup> Street. Solicitor Corkery asked about parking at the properties and stated that he believes the parking on site exceeds the allowed parking. Mr. Rizvi responded there are lines marking parking spaces at 945 Chestnut Street. Mr. Rizvi explained that his hardship forming the basis for his appeal is the height of the existing building. He stated that there is currently a short lift inside the building which only raises cars about 1.5' and by expanding the building and raising the roof, he will be able to install a higher lift, which will allow him to work on larger modern vehicles. He also stated that the proposed building will be two stories with a small office with storage space above. Zoning Hearing Board member Schmidt asked how many more cars will fit in the expanded building. Mr. Rizvi responded that the proposed building will hold seven to eight cars, while only four fit in the existing garage. Mr. Rizvi stated that he prefers not to park cars outside, however, customers often park cars overnight for next-day service. Zoning Hearing Board member Schmidt asked how many parking space there are currently. Mr. Rizvi responded that there are eight parking spaces. He stated that the height of the addition is 22' with a metal roof. Zoning Officer Hammond explained that the B-L Zoning District allows a maximum height of 35'. Mr. Rizvi stated that the outside of the building will be aluminum siding with no new exterior lighting, but existing exterior lighting will be elevated. Zoning Hearing Board member Iobst stated that he believes the property is overused. Zoning Officer Hammond explained that there are flood plain issues with the property and the proposed addition is designed to avoid these issues. He also explained that the property requires three off-street spaces, and three off-street spaces are proposed. Zoning Officer Hammond explained that the project will be reviewed by the Fire Chief prior to construction. Zoning Hearing Board Chairman Steinmayr asked how large the addition will be. Mr. Rizvi responded that he does not have the information. Zoning Officer Hammond stated that according to the engineer, the proposed addition is 1,000 sq. ft. Mr. Rizvi stated that he believes the overhead doors will be 12' x 12'. He stated that he currently has 5-7 vehicles for sale located on the property and the garage is utilized for general repairs of vehicles, including inspections, brakes, and tire repairs. Mr. Rizvi also owns the neighboring property at 945 Chestnut St. and does not object to his own proposal for expansion at 11 N. 10<sup>th</sup> St.

The Zoning Hearing Board voted 2-1 to deny the dimensional variance of 14' to allow a 1' side yard setback.

Steinmayr	No	Iobst	No	Schmidt	Yes
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The Zoning Hearing Board voted 3-0 to deny the variance to allow an expansion of greater than 25%.

Steinmayr	No	Iobst	No	Schmidt	No
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