

## MINUTES OF ZONING HEARING BOARD MEETING

The zoning hearing board of Palmer Township met on Tuesday, May 7, 2013, at 7:30 P.M. in the Palmer Memorial Library, One Weller Place, to hear the following appeals. In attendance Nicholas Noel III, Esq., Zoning Board Solicitor, Charles Roseberry, Board Chairman, Peg Kennedy Board Member, Cherie Kavanaugh Board Member, Michael Mancino Board Member, Emilio DeNisi Board Member, James Raudenbush Zoning Administrator, and Court Reporter Ted Rewak.

**13-7 7:30 p.m.** 2916 Charlotte Ave, 0229 Ventures LLC, 701 West Broad St, Suite 200 Bethlehem Pa 18018 is seeking a variance from section 190-53A (Minimum Lot Area) for a minor subdivision. One of the two lots will meet the 12,000 square foot minimum lot density requirement and the other lot would have a lot density of 10,124.4 square feet. The applicant is also seeking variances from section 190-53D(1) to have a side yard setback that would be less than the 8' minimum for an existing dwelling, and section 190-53E(1) in order to have a rear yard setback that's less than the 30' minimum also for an existing dwelling. This property is located in a High Density Residential Zoning District.

**Witnesses:** Donald Wenner, Applicant, John A Race, 2901 Norton Ave

**Action:** Cherie Kavanaugh made a motion to approve all the requested variances required to proceed with a minor subdivision. The applicant still needs to go before the Planning Commission and obtain approvals from the Board of Supervisors. The motion was seconded by Mike Mancino with all in agreement.

**13-9 7:40 p.m.** SCI Palmer Town Center Fund, LLC, C/O Fameco Management Services 633 W. Germantown Pike, Plymouth Meeting Pa 19462 is seeking a variance from section 190-184A(4)(b)[1][2] in order to install additional tenant panels on existing freestanding signs located at the entrances of the shopping center. This property is located in a General Commercial Zoning District.

**Witnesses:** Stan Margle, Esq., Jim Creed, Fameco Property Manager, Toni Killeen V.P. Festival Companies, Hany Sorial, Pappa Johns Franchise Owner, 1846 Northampton St. Easton Pa 18042, Ryan Strauss Manager of Minuteman Press, 432 East Kleinhans St. Easton Pa 18042

**Motion:** Charles Roseberry made a motion to deny the application noting that there have been no significant changes made to the site or the zoning application as of the date of this hearing and the last zoning hearing in 2011 (The zoning hearing in 2011 was for very similar type signage). Regardless, the Board finds that the application failed to address the minimum height requirement under the Zoning Ordinance, requiring denial. Additionally, the application must be denied as not being supported by substantial evidence that variance relief is warranted as a result of hardship caused by the property, as opposed to business decisions made by the applicant. The motion was seconded by Cherie Kavanaugh with Peg Kennedy in favor of the motion. Mike Mancino and Emilio DeNisi voted against the motion, with a final vote of 3-2 to deny the application.

Having no further business to discuss, the hearing was adjourned at 10:00 p.m.

James F. Raudenbush  
Zoning Officer