

The January 12, 2011 meeting of the Macungie Zoning Hearing Board was called to order at 7:30 P.M. in Borough Council Chambers, Borough Hall, 21 Locust Street, Macungie, PA. Board Members present were Chris Becker, Greg Hutchison and Ronald Karboski. Also present were Solicitor Brian Joyce, Court Stenographer Sandy Capparell, Zoning Officer Brian J. Nixon and Administrative Assistant Cynthia Hartzell.

The hearing was properly advertised in the East Penn Press on December 29, 2010 and January 5, 2011. All adjoining property owners were notified and the property was properly posted.

REORGANIZATION

a. Chairperson – Board Member Becker was appointed Chairperson on a motion by Board Member Hutchison and second by Board Member Karboski. Motion carried: 3 ayes.

b. Vice-Chairperson – Board Member Hutchison was appointed vice-chairperson on a motion by Board Member Becker and second by Board Member Karboski. Motion carried: 3 ayes.

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APPEAL 2011-01, KRIS KAPOOR, THE RIDINGS AT BROOKSIDE DEVELOPMENT CORPORATION, 795 W. MACADA ROAD, BETHLEHEM, PA 18017 – The applicant is requesting a variance to Zoning Ordinance Section 345-24.L.4(a)and(b), Permitted Off-Premise Signs, to maintain an existing temporary off premise sign at 101 W. Main Street, Macungie, permanently. The site is located in the R7.8 Zoning District.

Mr. Kapoor gave background on the Ridings at Brookside development noting the development started construction in 1988-89. He took over the development in 1993 and completed construction in 2002. He noted he has 18 units left to sell. Sixteen of the units are rented.

Mr. Kapoor met with Zoning Officer Nixon to discuss the violations of the sign. Zoning Officer Nixon noted there are two additional violations of the sign. The additional violations are to Section 345-24.L(4)(d) and (h). Mr. Kapoor would like to amend his appeal to request a variance for those two sections also. Subsection (d) is two off-premise signs must be separated by a minimum of 250 feet. There is another off-premise sign within that distance located across Brookfield Drive. Mr. Kapoor noted the Ridings sign was posted before the other off-premise sign. Subsection (h) does not permit an off-premise sign within 250 feet of an existing building. Lehigh County Housing Authority does not object to the location of the sign. Mr. Kapoor noted the sign does not interfere with traffic which Zoning Officer Nixon agreed the sign is not in the clear sight triangle.

Mr. Kapoor submitted a letter from Lehigh County Housing Authority giving permission to have the sign on their property which complies with Section 345-24.F(4) and the letter is noted as Exhibit A. Mr. Kapoor would like to keep the sign permanently, noting that after all the units are sold it would be a directional sign for the Ridings development.

Board Member Karboski asked Mr. Kapoor about the Ridings at Brookside development. Mr. Kapoor noted there are a total of 213 units. There are 18 units that have not been sold. The

other units are a mixture of owner occupied and rentals. There is a 5 member board for the association. Mr. Kapoor described the sign as being 4'x 8' in size on two posts.

Board Member Becker made a motion to allow Mr. Kapoor to continue the sign as is in good condition and grant his appeal for 345-24.L(4)(a) and (b) and 345-24.L(4)(d) and (h) for 4 years where at that time the sign should be removed or appealed to the Zoning Hearing Board, second by Board Member Hutchison. Motion carried: 3 ayes

Board Member Hutchison remarked that Assistant Zoning Officer Boehm did a good job as zoning/code enforcement officer and as Borough Manager. He appreciated all her time and effect for the job. Board Member Becker agreed.

Hearing no other business to be brought before the Board, the meeting was adjourned at 8:09 pm.

Respectfully submitted,

Brian J. Nixon  
Zoning Officer