

**TOWNSHIP OF WHITEHALL
ZONING HEARING BOARD
RESULTS OF PUBLIC HEARINGS
JANUARY 21, 2025**

The Zoning Hearing Board Solicitor called the Meeting to order at 6:59 pm. All five Members and the Alternat Member were present. The Solicitor led the Pledge Of Allegiance. The Solicitor read the Fair Housing Statement.

Lou Jany nominated Roger Reichard to serve as Chairman for 2025; second by Lee Christman. Motion by Lee Christman to close nominations, second by Lou Jany. Roger Reichard was appointed Chairman unanimously. Lee Christman nominated Lou Jany to serve as Vice Chairman for 2025; second by Steve Burda. Motion by Steve Burda to close nominations; second by Dean Wotring. Lou Jany was appointed Vice Chairman unanimously.

DOCKET # 2107 – Alexin Real Estate, LLC c/o Devv Bhagat – 3655 Municipal Drive, Whitehall, PA 18052. **Location: 3655 Municipal Drive, Whitehall, PA 18052, PIN 549900805501.** The subject property is located in the R-4 Medium Density Residential Zoning District. Applicant is requesting Variances to sections 27-155(A)(3) and 27-152 of the Zoning Ordinance to allow a freestanding sign located eight feet (8') from the Municipal Drive right-of-way where 25 feet are required and an approximate four (4) square feet wall mounted Use/Identification sign where two (2) square feet is the maximum allowed. Continued to this meeting at the request of the Applicant.

The Applicant was represented by Michael Butler, Esquire. The Applicant appeared through on of its Partners, Devv Baghat.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to neighboring property owners.

Chairman Roger Reichard recused himself. Alternat Member Pedro Jose participated in the Chairman's place.

Devv Baghat testified as to prior sign proposals, that there had been a prior sign close to Municipal Drive, that there is no point in having a sign 25 feet in from the right-of-way, that the light outside shuts off at 9:00 pm, and that the parking lot prevents placing the sign 25 feet in from the right-of-way. Six (6) Applicant Exhibits were identified, described, and offered into the Record.

Mike Hobel appeared as an Objector. After learning where the sign is proposed to be located, he had no objection.

The Zoning Hearing Board held an Executive Session.

After questions from the Zoning Hearing Board, Devv Baghat testified as to the size of both proposed signs, and that there is only one patient entrance to the building. He moved to amend the application to include 6.84 square feet for the proposed identification sign. Motion by Lee Christman to accept the amendment; second by Pedro Jose. Motion passed 5 – 0.

The Applicant Exhibits were admitted into the Record. There were no other objectors or supporter4s. The Record was closed. Motion by Lee Christman to grant the requested Variance to locate the free-standing sign eight feet (8') from the right-of-way; second by Dean Wotring. Motion passed 5 – 0. Motion by Lee Christman to deny the requested Variance for a 6.84 square feet identification sign; second by Steve Burda. Motion passed 4 – 1; with Pedro Jose voting no.

DOCKET # 2112 – Safe Wrap, LLC – 2123 N. First Avenue, Whitehall, PA 18052. **Location: 3731 Lehigh Street, Whitehall, PA 18052, PIN 549839147658.** The subject property is located in the R-4 Medium Density Residential Zoning District. Applicant is requesting a Variance to section 27-62(A) of the Zoning Ordinance to allow use as a 9,293 square feet office building; which is not a permitted use in that Zoning District.

The Applicant was represented by Ryan Durkin, Esquire. The Applicant appeared through one of its Partners, Edmund Hadeed.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to neighboring property owners.

Edmund Hadeed testified that the Business has been in Whitehall for ten (10) years and grew bigger than expected, that he proposes office space for seven to ten (7 – 10) people with not a lot of storage, that plastic would be stored there and shipped to customer sites, that there are 75 parking spaces, that customers do not visit the building, that the Business has four (4) vans, that staff and Partners would be in the building from 8:00 am to 3:30 pm, that the proposed use is solely for Safe Wrap, and that no space would be rented out.

Neighbor, Lynn Sakasitz testified that she had no objection.

The Applicant's Architect, Maria Diaz-Joves testified as to the building. Real Estate Broker, Steve Gould testified as to difficulty marketing the property and that it lends itself to office use.

Two (2) Applicant Exhibits were offered and admitted into the Record.

The Township Solicitor, John F. Gross, Esquire advised that the Township took no position as to the application, and that the Township had not made any representations as to any use of the property before sale.

Neighbor, Michael Mulcahey testified as to concerns about the condition of the existing chain link fence. The Applicant testified it will replace that fence.

There were no other objectors or supporters.

The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Steve Burda to grant the requested Variance; second by Lou Jany. Motion passed 5 – 0.

DOCKET # 2113 – Capital Heights, LLC – 2576 Augusta Drive, Whitehall, PA 18052. **Location: 3208 Lehigh Street, Whitehall, PA 18052, PIN 549950869101.** The subject property is located in the R-5A High Density Residential without Apartments Zoning District. Applicant is requesting a Variance to section 27-62(A) of the Zoning Ordinance to allow a commercial automobile detailing use; which is not a permitted use in that Zoning District.

The Applicant was represented by Joel Weiner, Esquire. The Applicant appeared through its Principle, Lawrence Paul Good.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to neighboring property owners. He testified that he had received three (3) e-mails with questions about the application, and two (2) e-mails objecting to the application.

Two (2) Applicant Exhibits were identified and offered into the Record. The Principle testified as to the nature of the building and property, the history of its use and vacancy, that it has no residential characteristics, and the difficulty he had had in marketing the property.

The proposed Tenant, Jonatan Ammary testified as to his proposed automobile detailing service, and waxing and interior cleaning of cars by appointment only, that he anticipates UPS will deliver products to be used, that there will only be two to three (2 – 3) customer vehicles at a time, that there would be six to nine (6 – 9) customer vehicles per day maximum, that the hours of operation will be Monday through Friday 8 am to 5 pm, and occasionally on Saturdays, that there will be three (3) employees, that the rear of the property would be used for parking vehicles,

that there would be no overnight parking, that there would be fairly minimal water usage, there will be no special electrical service, and no retail sales.

Four (4) Objectors testified: Dave Bower, Al Heintzelman, Pat Geiger, and Mary Heintzelman. Their concerns were parking, disposal of waste and containers, and children riding bicycles and elderly people walking to the rear of the property.

Jonathan Ammary testified that there will be one washing bay and two (2) detailing bays.

Eric Rothenberger, the other Principle of the Applicant testified as a Supporter.

The Applicant Exhibits were admitted into the Record. The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Dean Wotring to grant the requested Variance; second by Lee Christman. Motion passed 5 – 0. Motion by Dean Wotring to deny the request for a favorable interpretation; second by Lee Christman. Motion passed 5 – 0.

Motion by Lou Jany to approve the Minutes from the December 17, 2024 Meeting; second by Dean Wotring. Motion passed 5 – 0.

Meeting adjourned at 9:25 pm.