

ZONING HEARING BOARD

APPEAL INFORMATION

The following is a list of questions designed to assist you and the Zoning Hearing Board in the efficient and speedy review of your appeal. It is strongly recommended that you be prepared to thoroughly answer all the questions herein contained. Failure to answer adequately any of these questions will result in the denial or continuance of your appeal.

1. What is the full name and home address of the owner (s) of the premises which is the subject of the appeal?

Christopher & Colleen London, 12617 Big Bear Drive, East Stroudsburg, PA 18302

2. If appellant is other than the owner, what is the full name and home address of the appellant, and the specified interest of the appellant in the appeal (ex) agent for owner, equitable interest, agreement of sale, etc.

N/A

3. What was the date of acquisition of the subject premises by the owner?

August 18, 2020

4. What is the exact location of the property in question, (ex: abuts)?

8834 Deer Road, Slatington, PA 18080

5. What are the exact dimensions of the premises (ex: the length of front, side, and rear boundary lines of subject property)?

Front=346.02', Side=160.54', Rear=416.31', Side=256.31'

6. What is the square footage or acreage of the premises?

1.8098 Acres, 78,835 square feet

7. What are the dimensions (height, width, and depth) type of construction (material used), and front, side, and rear yard setbacks of the buildings, structures, or other improvements (including signs) existing and proposed for the subject premise?

41'x100.5', conventional wood frame single family dwelling.

Front Yard=51', Side Yards=211.46' & 50', Rear Yard=135.96'

8. What is the specific nature of the present use being made of the property?

Vacant Property

9. Upon what grounds do you base this appeal?

The subject property was created via a subdivision in 2006 (Doc ID 7426739). No stream side setback was shown on the recorded subdivision plan. The proposed house on the recorded subdivision plan was shown less than 50' from the top of bank.

A. SPECIAL EXCEPTIONS - Where the governing body in the Zoning Ordinance has stated special exceptions to be granted or denied by the Zoning Hearing Board - pursuant to express standards and criteria, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it deems necessary to implement the purpose of the Zoning Ordinance.

B. VARIANCES - The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant. The Board may grant a variance provided the following findings are made where relevant in a given case:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located.

2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

3. That such unnecessary hardship has not been created by the appellant.

4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the Zoning Ordinance.

Please note: ONLY HARDSHIP PECULIAR TO LAND MERITS AN ALLOWANCE OF A VARIANCE.

10. Does there exist unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property? (It must be remembered that the granting of a variance is based upon the unnecessary hardship due to existing conditions and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located).

Yes

11. Will the variance, if authorized, alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use of development of adjacent property, or be detrimental to the public welfare? Explain:

No. The proposed use is consistent with the parcel immediately to the north (single family dwelling).

12. What is the specific use of the premises, considering such factor as: traffic generated; parking facilities, number of employees, nuisance characteristics, such as emission of noise, dust, odor or smoke; fire hazards; and hours and manner of operation.

The proposed use is a single family dwelling. There will be no nuisances associated with this use.

13. What landscaping is planned, if any?

General residential landscaping around the dwelling.

14. What is the character of the structures and uses being considered on properties abutting the subject premises (ex: single family residential dwellings, commercial, recreational)?

Predominantly single family detached dwellings, with some parcels of vacant land.

15. What type of sewage and water facilities are available on the property in question?

The property will be served by an onlot Eljen septic system and an on lot well.

If provided space is insufficient, use additional sheets of paper and attach.

Copies of the Washington Township Zoning Ordinance are available at the Township Municipal Building.

PLEASE RETURN THIS INFORMATION 21 DAYS BEFORE YOUR SCHEDULED HEARING.

Note: A sketch plan must be prepared if applicable, showing how the proposed structure will be situated on the tract, giving exact dimensions of the lot with distances indicated from lot lines to the structure (front, rear, and side yard distances).

PLEASE ATTACH TO THE END OF THIS DOCUMENT A LIST OF ALL NAMES AND ADDRESSES OF PROPERTY OWNERS WITHIN A DISTANCE OF 300 FEET FROM THE EXTERIOR LIMITS OF THE PROPERTY INVOLVED IN THIS APPEAL, AS SHOWN BY THE LATEST ASSESSMENT ROLES FOUND IN THE ASSESSMENT OFFICE LOCATED AT THE COUNTY COURTHOUSE OF LEHIGH COUNTY IN ALLENTOWN, PENNSYLVANIA.

SPECIAL NOTICE:

The undersigned has examined the latest assessment rolls found in the Assessor's Office for the County of Lehigh at the Courthouse in Allentown, Pennsylvania, and certifies that the above listed individuals are the only property owners within three hundred (300) feet of the exterior limits of the property involved in this appeal at the time of the filing of this appeal. It is understood by the undersigned that any omissions from the list of property owners above shall be considered a sufficient ground by and of itself for the revocation of any decision which may be rendered in favor of the applicant.

I hereby certify that all of the above statements and the statements contained in any documents, papers, plans or exhibits submitted herewith are true and correct to the best of my knowledge and belief.



Applicant X

DATE: _____

Applicant

Applicant

THIS APPEAL IS _____ GRANTED _____ DENIED

(Board)

(Zoning Officer)

FILE FIVE (5) COPIES OF THIS FORM WITH THE ZONING OFFICER

Stateline Engineering Co., LLC
Civil Engineers and Land Surveyors

1087 Market Street
Bangor, PA 18013

Phone: (610) 588-5176, (610) 588-5820
Fax: (610) 588-4879, (610) 588-4830

January 24, 2022

Washington Township Zoning Officer
Alberta Scarfaro
7951 Center Street
Emerald, PA 18080

RE: 8834 Deer Road Washington Township, Lehigh County
Parcel# 554286337288
Variance Application Letter

The property Owners of 8834 Deer Road, Slatington, PA 18080, Christopher and Colleen London, hereby request a variance of §474.5 of the Flood Plain Overlay within the Zoning Ordinance.

§474.5 states, Within any Flood Plain Overlay District any structure of the kind described in §474.2 above, shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.

§474.2 states, In accordance with the Pennsylvania Flood Plain Management Act, and the regulation adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which:

- a) Will be used for the production or storage of any of the following dangerous materials or substances; or
- b) Will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
- c) Will involve the production, storage, or use of any amount of radioactive substances;
- d) Shall be subject to the provisions of this section, in addition to all other applicable provisions.

The following list of materials and substances are considered dangerous to human life and "dangerous materials or substances" for the purpose of (b) above:

- 1) Acetone
- 2) Ammonia
- 3) Benzene
- 4) Calcium carbide
- 5) Carbon disulfide
- 6) Celluloid
- 7) Chlorine
- 8) Hydrochloric acid
- 9) Hydrocyanic acid
- 10) Magnesium
- 11) Nitric acid and oxides of nitrogen
- 12) Petroleum products (gasoline, fuel oil, etc.)
- 13) Phosphorus
- 14) Potassium
- 15) Sodium
- 16) Sulphur and sulphur products
- 17) Pesticides (including insecticides, fungicides and rodenticides)
- 18) Radioactive subs, insofar as such substances are not otherwise regulated.
- 19) Any other substances defined as hazardous waste under Section 75.261, Chapter 75, Title 25 of the Pennsylvania Code (DEP's Hazardous Waste Management Regulations)

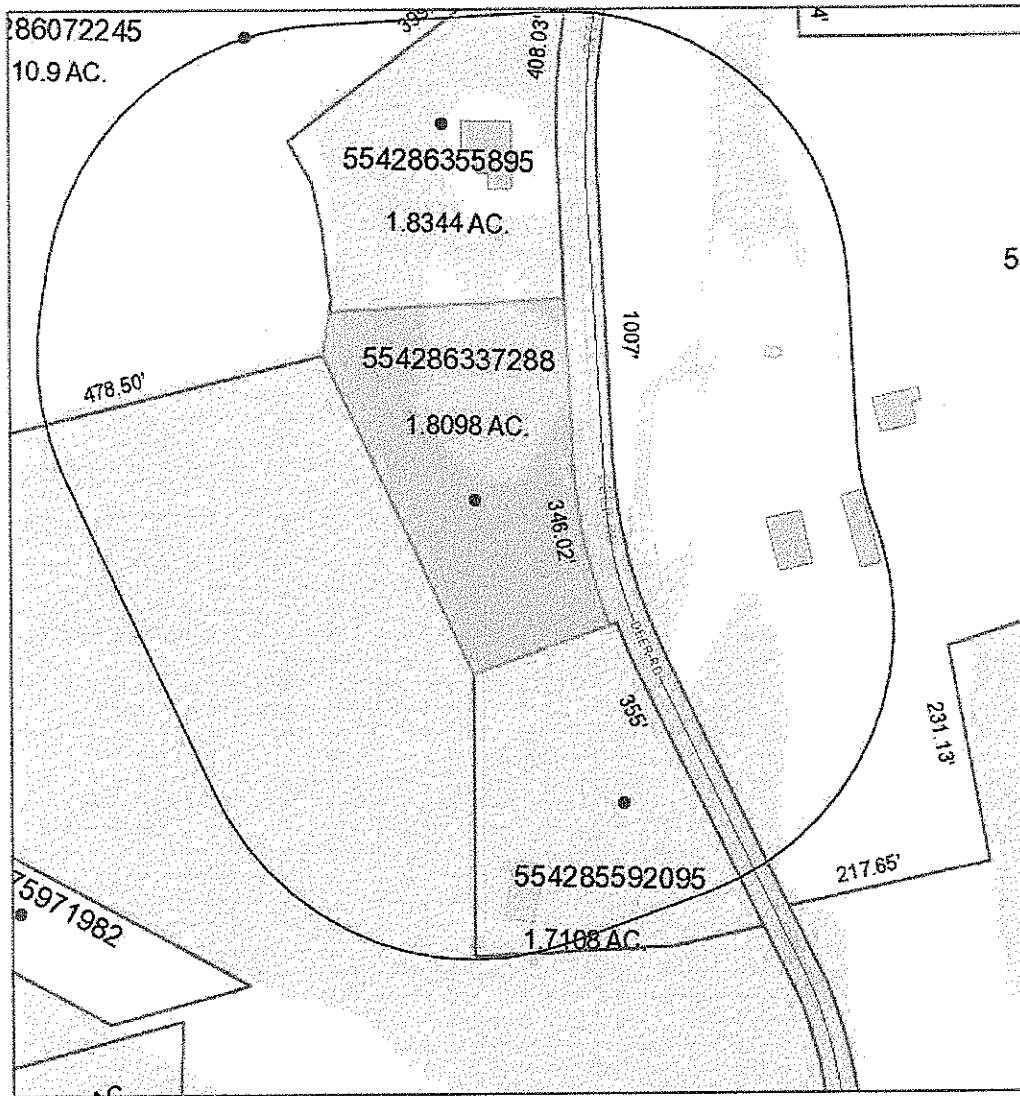


8834 Deer Road (London) Neighbors within 300'

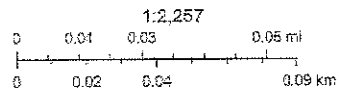
Area of Interest (AOI) Information

Area : 706,883.45 ft²

Jan 24 2022 13:02:44 Eastern Standard Time



- Assessment Info
- ▭ Parcel Boundaries



Summary

Name	Count	Area(ft ²)	Length(ft)
Parcel Boundaries	6	670,277.45	N/A
Assessment Info	3	N/A	N/A

Parcel Boundaries

#	PIN	ACRES	MUNI_CODE	SITE STREET NUMBER	SITE ST PREFIX
1	554285592095	1.71	WASHINGTON2	8830	No Data
2	554286355895	1.83	WASHINGTON2	8838	No Data
3	554286337288	1.81	WASHINGTON2	8834	No Data
4	554286072245	10.90	WASHINGTON2	0	No Data
5	554285147073	30.17	WASHINGTON2	8673	No Data
6	554296076654	16.56	WASHINGTON2	8776	No Data

#	SITE ST NAME	SITE ST TYPE	SITE ST SUFFIX	SITUS_UNIT	SITE CITY	SITE ZIP	Area(ft ²)
1	DEER	RD	No Data	No Data	SLATINGTON	18080	67,380.73
2	DEER	RD	No Data	No Data	SLATINGTON	18080	70,329.88
3	DEER	RD	No Data	No Data	SLATINGTON	18080	75,509.92
4	MOUNTAIN	RD	No Data	No Data	SLATINGTON	18080	97,885.91
5	BROWN	ST	No Data	No Data	SLATINGTON	18080	171,114.09
6	DEER	RD	No Data	No Data	SLATINGTON	18080	188,056.91

Assessment Info

#	PIN	PARNUM	TILE NAME	DISTRICT	WARD
1	554285592095	1	525417	WASHINGTON2	No Data
2	554286337288	1	525417	WASHINGTON2	No Data
3	554286355895	1	525417	WASHINGTON2	No Data

#	LOT3	ZONING	CLASS	SCHZNE	SALE MONTH
1	No Data	R	R	23	03
2	No Data	R	V	23	08
3	No Data	R	R	23	08

#	SALE YEAR	SALE PRICE	LOW NUMER	STREET NAME	HIGH NUMBER
1	2,009	50,000.00	8830	DEER RD	No Data
2	2,020	40,000.00	8834	DEER RD	No Data
3	2,008	60,000.00	8838	DEER RD	No Data

#	SUBDIVISION	LOT DESCRIPTION	OWNER	MAIL ADDRESS 1	MAIL ADDRESS 2
1	No Data	1.7108 AC	WERTMAN JERRY & DEBRA A	8830 DEER RD	No Data
2	No Data	1.8098 AC	LONDON CHRISTOPHER & COLLEEN LONDON	12617 BIG BEAR DR	No Data
3	No Data	1.8344 AC	KNOPF ROBERT M JR & JAN L	8838 DEER RD	No Data

#	MAIL ADDRESS 3	ZIP CODE	DEED REFERENCE	LANDUSE	TOTAPR
1	SLATINGTON PA	18080-3563	2009009214	SINGLE FAMILY - DETACHED	214,700.00
2	EAST STROUDSBURG PA	18302	2020026278	VACANT LAND - RESIDENTIAL 60001 TO 87120 SQFT	57,600.00
3	SLATINGTON PA	18080	7494876	SINGLE FAMILY - DETACHED	261,900.00

#	TAXAPR	TOTAL ASSESSMENT	TAXABLE ASSESSMENT	ADDRESS	WEB	Count
1	214,700.00	214,700.00	214,700.00	8830 DEER RD	http://www.lehighcounty.org/Departments/Assessment/AssessmentDirect/tabid/1406/Default.aspx?PIN=554285592095&PAR=1&handshake=CADD2175-41D7-4179-B61E-B2706FC74778	1
2	57,600.00	57,600.00	57,600.00	8834 DEER RD	http://www.lehighcounty.org/Departments/Assessment/AssessmentDirect/tabid/1406/Default.aspx?PIN=554286337288&PAR=1&handshake=CADD2175-41D7-4179-B61E-B2706FC74778	1
3	261,900.00	261,900.00	261,900.00	8838 DEER RD	http://www.lehighcounty.org/Departments/Assessment/AssessmentDirect/tabid/1406/Default.aspx?PIN=554286355895&PAR=1&handshake=CADD2175-41D7-4179-B61E-B2706FC74778	1

The Owners are requesting relief from the cited section because they cannot reasonably utilize their property for the intended use, single family dwelling, as shown on the recorded subdivision. The recorded subdivision plan does not show any type of stream side setback, nor is one referenced on the plan by note. The proposed dwelling shown on the recorded subdivision plan shows the proposed dwelling closer than 50' to the existing stream. The Owners have not created this hardship.

Below are the adjoining property owners within 300' of the subject parcel:

PIN	PROPERTY ADDRESS	OWNER	MAILING ADDRESS
1 554285592095	8830 Deer Rd.	Jerry & Debra Wertman	8830 Deer Road Slatington, PA 18080
2 554285147073	8673 Brown St.	Linda K. Blose	PO Box 7 Slatedale, PA 18079
3 554286072245	Mountain Rd.	PPL Electric Utilities Corp.	2 N. 9 th St. Allentown, PA 18101
4 554286355895	8838 Deer Rd.	Robert M. Jr. & Jan L. Knopf	8838 Deer Rd. Slatington, PA 18080
5 554296076654	8776 Deer Rd.	Nelson r. & Sandra J. Kistler	8776 Deer Rd. Slatington, PA 18080

6 Christopher London 1135 Great Oak Dr. E. Stroudsburg 18301

7 Brian Pysher, EIT
Stateline Engineering Co. LLC
1087 Market St
Bangor, PA 18013

Respectfully Submitted,

Brian Pysher, EIT
Stateline Engineering Co, LLC.