

Zoning Hearing Board
Lower Saucon Township
Town Hall
June 16, 2014

MINUTES

The meeting was called to order at 7:00 p.m. by Vice Chairman Lachlan Peeke.

Roll Call

Present at the meeting were Vice Chairman Lachlan Peeke, Secretary Keith Easley, and Board Members Austin Kunsman and Jay Lazar. Chairman Jason Banonis was absent. The Solicitor, George A. Heitzman, was present.

Minutes

The Board had before it for approval the minutes of the meeting of April 28, 2014. Mr. Easley moved to accept the minutes as submitted. The motion was seconded by Mr. Lazar and passed by a vote of 4 to 0.

Bills

The Board had before it for approval a bill from the Morning Call for advertising the meeting of April 28, 2014, the Court Reporter's bill for attendance at the meeting of March 17, 2014, and April 28, 2014, and the Solicitor's invoice for the month of April, 2014. Mr. Kunsman moved to pay the bills as submitted. The motion was seconded by Mr. Easley and passed by a vote of 4 to 0.

Variance Appeal of Jeffrey & Eileen Bruchak - Variance 5-14

Chris Garges, the Zoning Officer, was sworn and testified that Applicant

would like to construct an in-ground pool on their property which will encroach into the required rear yard setback. The lot is approximately 3 acres in size. The property is located in an RA zoning district and contains a single family dwelling, attached garage, detached garage, patio, above-ground pool and driveway. Applicant is proposing to remove an existing above ground pool to the west of their home and construct an inground pool. The proposed pool will not meet the required 50' rear yard setback imposed by §180-23C. Applicant is proposing a 10' setback. The existing dwelling is only approximately 55' from the rear lot line essentially leaving no room for the pool in the rear yard. The existing lot coverage is 8,573 square feet (6.6%). The maximum allowable coverage is 20%. The proposed removal of the existing pool combined with the construction of the new pool will result in a minimal increase of lot coverage. Applicant will need approximately 40' feet of relief from the required rear setback of 50'.

Mr. Garges testified that there had been no prior variances for the property, and the appeal was properly posted and advertised, and that Township Council had taken no action.

Applicant appeared represented by Attorney Steven N. Goudsouzian. Attorney Goudsouzian stated that he agreed with the summary provided by Mr. Garges. He called Jeffrey Bruchak as his witness who testified that he and his wife have a child who has health problems which will require him, for the rest of his life, to get regular exercise, and swimming is the best exercise for him. The purpose of building the new pool is to provide him the ability to get the exercise he needs.

Mr. Bruchak testified that directly behind the house is a patio and behind the patio is where they wish to place the pool. He also testified that the owner of the property that abuts his property to the rear is his mother-in-law, Elaine Donnelly, and that he is renting a portion of her property that abuts his on a long-term lease. Mrs. Donnelly was present and nodded her agreement although she was not called as a witness.

Mr. Bruchak identified Exhibit Bruchak 1 as the deed showing that he owns the property on which he lives, Exhibit Bruchak 2 as a copy of the lease that he has with his mother-in-law, and Exhibit Bruchak 3 as a plot plan of the lots showing in yellow outline the portion of his mother-in-law's property that he is leasing.

Mr. Bruchak testified in response to a question from Mr. Peeke that the above-ground pool that is presently existing on the property will be removed when the in-ground pool is installed.

There was no one in the audience who wished to be heard.

Mr. Easley moved to grant the requested variance. The motion was seconded by Mr. Kunsman and passed by a vote of 4 to 0.

Old Business

There was no old business before the Board.

New Business

There was no new business before the Board.

Adjournment

There being no further business before the Board, Mr. Easley moved, seconded by Mr. Kunsman, to adjourn the meeting. The motion passed by a vote of 4 to 0 and the meeting adjourned at 7:15 p.m.

Respectfully submitted,

George A. Heitzman
Solicitor