

THEODORE R. LEWIS  
THOMAS L. WALTERS

MAILING ADDRESS:  
P. O. BOX A  
EASTON, PA 18044-2099

LAW OFFICES

**LEWIS AND WALTERS**

46 SOUTH FOURTH STREET  
EASTON, PENNSYLVANIA 18042-4532

(610) 253-6148  
FAX (610) 253-5885

GEORGE F. COFFIN  
1896-1937

GEORGE F. COFFIN, JR.  
1928-1986

NAZARETH OFFICE:  
BY APPOINTMENT ONLY  
LIBERTY AND CENTER STREETS  
NAZARETH, PA, 18064

May 6, 2008

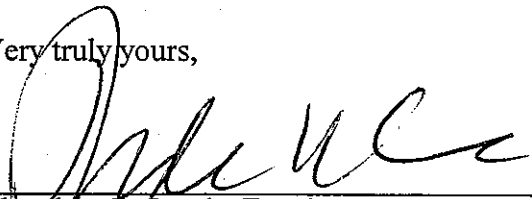
Mr. and Mrs. Paul Kraihanzel  
860 Clearview Lane  
Bethlehem, PA 18017

Re: **Hanover Township Zoning Hearing Board -  
Paul & Shelley Kraihanzel**

Dear Mr. and Mrs. Kraihanzel:

Enclosed herewith please find a true and correct copy of the Decision of the Hanover Township Zoning Hearing Board concerning your application dated February 21, 2008.

Very truly yours,

  
\_\_\_\_\_  
Theodore R. Lewis, Esquire

TRL/bn  
Enclosure

cc: Yvonne D. Schoenly, Zoning Administrator

**HANOVER TOWNSHIP ZONING HEARING BOARD**  
**OF NORTHAMPTON COUNTY, PENNSYLVANIA**

**DECISION**

Re:           :     Application of Paul & Shelley Kraihanzel  
Dated        :     February 21, 2008  
Property     :     860 Clearview Lane

The Hanover Township Zoning Hearing Board after conducting a hearing on Thursday, April 17, 2008, hereby grants the requested variance from the front yard provisions of the ordinance in order to construct a roof over the existing stoop as per the dimensions attached to the application.

HANOVER TOWNSHIP  
ZONING HEARING BOARD

By:   
Paul A. Balla, Chairman

Dated: May 6, 2008

THEODORE R. LEWIS  
THOMAS L. WALTERS

MAILING ADDRESS:  
P. O. BOX A  
EASTON, PA 18044-2099

LAW OFFICES  
**LEWIS AND WALTERS**

46 SOUTH FOURTH STREET  
EASTON, PENNSYLVANIA 18042-4532

(610) 253-6148  
FAX (610) 253-5885

May 6, 2008

GEORGE F. COFFIN  
1896-1937

GEORGE F. COFFIN, JR.  
1928-1986

NAZARETH OFFICE:  
BY APPOINTMENT ONLY  
LIBERTY AND CENTER STREETS  
NAZARETH, PA. 18064

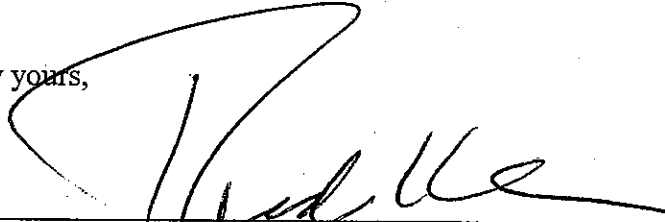
David O. Biddison, Esquire  
201 King of Prussia Rd., Suite 370  
Radnor, PA 19087

Re: Hanover Township Zoning Hearing Board – TOA PA VI, L.P.

Dear Attorney Biddison:

Enclosed herewith please find a true and correct copy of the Findings of Fact and Conclusions of Law of the Hanover Township Zoning Hearing Board that I am sending to you as attorney for the petitioner in the above matter.

Very truly yours,

  
Theodore R. Lewis, Esquire

TRL/bn  
Enclosure

cc: Yvonne D. Schoenly, Zoning Administrator

**HANOVER TOWNSHIP ZONING HEARING BOARD**

**OF NORTHAMPTON COUNTY, PENNSYLVANIA**

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Re : TOA PA VI, L.P.  
Dated : March 3, 2008  
Property : Route 512 & Jaindl Blvd.

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, April 17, 2008, and rendering its oral decision granting the requested variance from the temporary sign provisions of the ordinance, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The subject property is owned by the Estate of Frederick J. Jaindl and is located at the southeast corner of the intersection of Route 512 and Jaindl Blvd. in a C-2 – Commercial Center District.

2. The applicant is TOA PA VI, L.P. which is requesting the placement of a temporary sign on the subject property.

3. Appearing on behalf of the applicant as its sole witness was Attorney David O. Biddison.

4. Included with the application and testified to by Attorney Biddison was a picture of the proposed sign and a diagram showing the location of the sign at the intersection of Jaindl Blvd. and Route 512.

5. The proposed sign will be 5' x 6' for a total of 30 square feet on each of its two sides. It would not have lighting.

6. Attorney Biddison indicated that the reason for the temporary sign is that there is currently construction at this intersection. He stated Jaindl Blvd. currently has some barricades in which the general public is not able to readily know how to find their facility which is down Jaindl Blvd. from this intersection.

7. He also indicated that there is currently no street sign for Jaindl Blvd. and that Jaindl Blvd. is not a dedicated road at this time.

8. He presented a Temporary Sign License Agreement signed by the representatives of the Estate of Frederick J. Jaindl and TOA PA VI, L.P.

9. Bruce Miller of 5896 Monocacy Drive testified that he lives directly across from this area and is concerned about advertising signs being put up.

10. Barbara Esposito also testified expressing her concern with regards to the sign.

11. The zoning provisions concerning temporary signs were recently amended in Ordinance No. 08-02. It amended Sect. 185-12 of the zoning ordinance to change the definition of a temporary sign as follows: "A business sign offering premises for sale, rent or development, or a business sign advertising the services of a building trade, contractor and similar occupations during alterations, construction or development of a building or lot."

12. The term Business Sign was also defined in the same amendment as follows: "A sign offering goods or services available on the lot on which the sign is located."

13. Since the sign in question is not advertising goods or services on the lot on which the sign is located, it does not meet the definition of a business sign, and therefore the definition of a temporary sign.

14. In addition, the same amendment also changed Section 185-19.E. of the zoning ordinance, providing that temporary signs, "not exceed 10 sq. ft. in area unless it is a commercial or industrial for sale or rent sign, in which case the sign shall not exceed 30 sq. ft."

15. The proposed sign in question will be a total when considering both sides of 60 sq. ft., and therefore is in violation of this section as well.

16. The Board believes, however, that the applicant has presented sufficient evidence of unique circumstances with regards to the construction in this area. The Board believes, therefore, that a variance from these provisions is necessary and will not be detrimental to the public welfare, particularly considering its temporary nature.

17. The applicant also will be locating the temporary sign within the required setback from the centerline of the street. The Board believes again that given the temporary nature of the construction that is on the premises, that the erection of the sign at this location is necessary and will not be detrimental.

18. The Board believes, however, that only one such sign should be permitted at this corner of the intersection, and therefore imposes a condition that should the owner of the premises erect a sign at this same northeast corner of Jaendl and Route 512, then the temporary sign of the applicant shall be removed.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby grants a variance from the provisions of the temporary sign ordinance to permit the sign as submitted in the application pursuant to the dimensions and location as set forth therein, subject to the condition as set forth above and otherwise subject to all of the provisions governing temporary signs as set forth in the ordinance.

HANOVER TOWNSHIP ZONING HEARING BOARD

By:   
Paul A. Balla, Chairman

Dated: May 6, 2008