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NAZARETH, PA. 18064

August 8, 2015

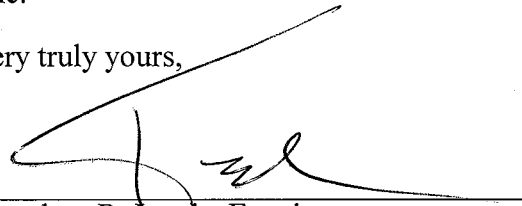
Yvonne D. Kutz, Zoning Officer  
Hanover Township Municipal Bldg.  
3630 Jacksonville Road  
Bethlehem, PA 18017

**Re: Hanover Township Zoning Hearing Board –  
Dr. Gene Levinstein and Mary Almodovar**

Dear Yvonne:

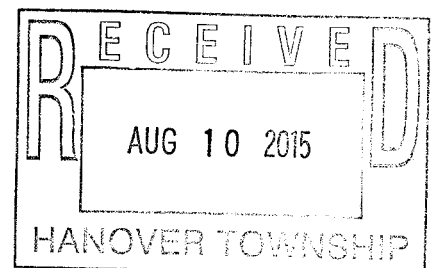
Enclosed herewith find copy of Findings of Fact and Conclusions of Law in the above matters,  
along with a copy of the cover letters enclosing the same.

Very truly yours,



Theodore R. Lewis, Esquire

TRL/bn  
Enclosures



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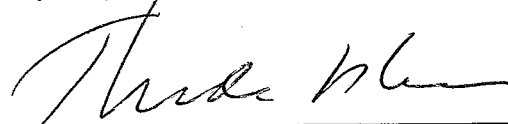
Dr. Gene Levinstein  
451 Chew Street  
Allentown, PA 18102

**Re: Hanover Township Zoning Hearing Board –  
Dr. Gene Levinstein**

Dear Dr. Levinstein:

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 concerning your application dated June 23, 2015.

Very truly yours,



Theodore R. Lewis, Esquire

TRL/bn  
Enclosure

cc: Yvonne D. Kutz, Zoning Officer

**HANOVER TOWNSHIP ZONING HEARING BOARD**

**OF NORTHAMPTON COUNTY, PENNSYLVANIA**

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Application of : Dr. Gene Levinstein  
Application Dated : June 23, 2015  
Property : 163 N. Commerce Way

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, July 23, 2015, and rendering its oral decision granting the variances set forth below subject to conditions, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The subject property is located at 163 N. Commerce Way in a PIBD – Planned Industrial/Business District.
2. Appearing at the hearing was Dr. Gene Levinstein, the applicant.
3. He testified that the property is owned by Lion Stone Holdings, LLC and that he and his wife are the sole members of that Limited Liability Company. He indicated that he desired to put the sign as depicted on the picture accompanying the application mounted on this building.
4. He presented Exhibits A-1 and A-2. On Exhibit A-1 he drew the approximate location and approximate size of the proposed sign as it might appear on the building. He indicated that Exhibit A-2 displayed the existing banner which is only there for temporary purposes and shows a sign actually on the door which he said would be eliminated if he received the approval for the proposed sign.
5. The applicant stated that he owns the entire building and that he occupies all of it for his use, which includes pain management/surgery, chiropractic and physical therapy. He indicated that there is no freestanding sign for this particular building.
6. He testified that in his opinion the fact that he was combining the possibility of this building containing multiple uses into one use with one owner justified a larger sign that otherwise was permitted under the ordinance.
7. The Sign Ordinance at Sect. 185-19.D.(3)(a) permits one freestanding sign for each building. Sect. 185-19.B.(4)(b) provides that a freestanding sign shall not be greater than 30 square feet with exceptions not applicable to the present petition.
8. Sect. 185-19.D.(3)(c) provides that that the individual users in an employment district shall only be permitted one wall-mounted sign consisting of letters not to exceed 16 square feet in area with a letter height not being higher than 8 inches and the location of the sign being not more than

10 feet above grade. Finally, the location is to be near or on the user's door and all signs for the one building shall be similar to one another.

9. The present application is for a wall-mounted sign that is 36.5 square feet, far exceeding the 16 square feet. The letter height will be 18 inches, far exceeding the 8 inches limitation. The location above grade will be 10.5 feet rather than 10 feet, and the proposed location is centered above one of the main doors.

10. The applicant indicates that since he is the only user, this sign will be the only one for the building.

11. The Board notes that the present application has some unique characteristics in that there is only one user of a building that could have multiple users. On the other hand it is the clear intent of the ordinance to limit wall-mounted signs on these buildings in their size to simply identify the particular user's door, relying upon a freestanding sign to advise the general public as to the users that are located within the building.

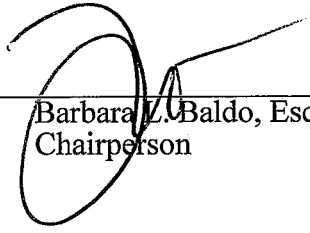
12. Given these special circumstances, the Board believes that one wall-mounted sign on this building would not be detrimental, provided that there are certain safeguards and conditions met to keep within the intent and spirit of the ordinance.

WHEREFORE, the Hanover Township Zoning Hearing Board grants the variance for the proposed wall-mounted sign subject to the following conditions:

- A. No other signs, including a freestanding sign, shall be permitted at the premises without further application and approval by the Zoning Board.
- B. No other users shall be permitted in the building since the grant of approval is based on the building being entirely for one user.

HANOVER TOWNSHIP  
ZONING HEARING BOARD

By: \_\_\_\_\_

  
Barbara L. Baldo, Esquire,  
Chairperson

Dated: August 8, 2015

THEODORE R. LEWIS  
THOMAS L. WALTERS

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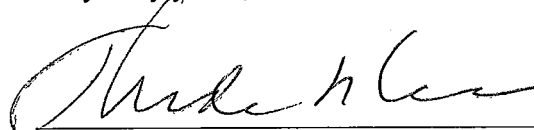
Mary Almodovar  
534 Kevin Drive  
Bethlehem, PA 18017

**Re: Hanover Township Zoning Hearing Board –  
Mary Almodovar**

Dear Ms. Almodovar:

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 concerning your application dated June 17, 2015.

Very truly yours,



Theodore R. Lewis, Esquire

TRL/bn  
Enclosure

cc: Yvonne D. Kutz, Zoning Officer

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

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

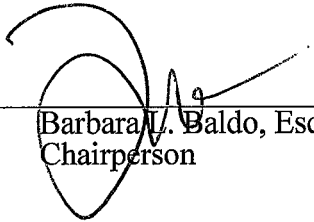
Application of : Mary Almodovar  
Application Dated : June 17, 2015  
Property : 534 Kevin Drive

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, July 23, 2015, and rendering its oral decision granting the variance from the yard requirement set forth below, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The subject property is located in an R1-S – Residential Suburban District and is owned by the applicant, Mary Almodovar.
2. The application requests a variance in order to permit the construction of a portico over the existing concrete pad at the front door.
3. According to the diagram submitted with the application, this concrete pad is 21 feet 4 inches from the front property line. The setback for this development is 25 feet, therefore a variance from the setback provisions is necessary to permit the construction.
4. The applicant, Mary Almodovar, testified that she was experiencing mold, water damage to the floor behind the front door, and weathering of her door panels and trim work as a result of their exposure to the weather. She attached several pictures to her application reflecting the kind of portico that she would like to have. She would not be enclosing this structure.
5. The Board did not believe that the grant of a variance would in any way be detrimental to the public welfare.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby adopts the above Findings of Fact and grants the setback variances to permit the construction of the portico as diagramed in the application.

HANOVER TOWNSHIP  
ZONING HEARING BOARD

By:   
Barbara L. Baldo, Esquire,  
Chairperson

Dated: August 8, 2015