

HANOVER TOWNSHIP ZONING HEARING BOARD

OF NORTHAMPTON COUNTY, PENNSYLVANIA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

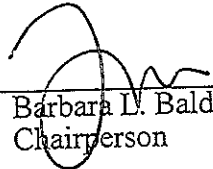
Application of : Traditions of America at Hanover Condominium
Association
Application dated : August 13, 2018
Property : Residential Adult Community

The Hanover Township Zoning Hearing Board after conducting a hearing on Thursday, October 11, 2018, and rendering its oral decision granting the variance as set forth below, hereby makes the following Findings of Fact and Conclusions of Law in support thereof:

1. The subject property is located in a RIA Residential Zoning District.
2. The applicant is Traditions of America at Hanover Condominium Association.
3. Testifying on behalf of the applicant was Michael Berman, President of the Executive Board of Traditions of America at Hanover Condominium Association. He indicated that the purpose of the application was to receive the variance in order to install retractable awnings on the townhouses or single family attached residential dwelling units located in the village.
4. He noted that the ordinance does not prohibit such awnings for the single family detached residential dwelling units. He questioned whether this distinction between the two was good public policy.
5. He indicated that the awnings are particularly important to structures facing east or west where there is a good deal of sun making the outside use of their decks or patios difficult at certain times of the day.
6. He also indicated that such awnings will reduce the heat load in the house and thereby the energy necessary to keep it cool.
7. He indicated that each of the awnings will still need the approval of the association. He stated that the association is the owner of the outside of the building and is responsible for maintenance of the same and if the unit owner decided to construct a retractable awning it would need to receive its approval for the particulars of that construction.
8. Section 185-25C(4)(b)[6][h] provides that patio and deck awnings shall not be permitted. This subsection of the ordinance refers to townhouses and single family attached dwellings. There is no similar prohibition of awnings for single family detached residential dwellings.
9. The Board is of the opinion that the construction of retractable awnings will not be detrimental particularly since the same will be regulated by the association as to such things as color and size.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby adopts the above Findings of Fact and Conclusions of Law and grants the variance in order to construct retractable awnings as set forth above.

HANOVER TOWNSHIP
ZONING HEARING BOARD

By:  _____
Barbara L. Baldo, Esquire,
Chairperson

Dated: October 29, 2018

HANOVER TOWNSHIP ZONING HEARING BOARD

OF NORTHAMPTON COUNTY, PENNSYLVANIA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Application of : Kevan Price, President of Horizon Signs
Application dated : August 22, 2018
Property : 3355 High Point Boulevard

The Hanover Township Zoning Hearing Board after conducting a hearing on Thursday, October 11, 2018, and rendering its oral decision granting the sign variance as set forth below, hereby makes the following Findings of Fact and Conclusions of Law in support thereof:

1. The subject property is located in a PORR District.
2. The property is owned by 3355 High Point, LLC and leased to Chesterbrook Academy. The applicant is Kevan Price, President of Horizon Signs who appeared with the authority of both the owner and tenant to make an application for two signs on the property.
3. Testifying on behalf of the application were Diane Quigley of Horizon Signs, Kevan Price, President of Horizon Signs, Neal Garawitz, Director of Real Estate for Chesterbrook Academy and Donna Miller, Operation Manager for Chesterbrook Academy.
4. During the course of testimony, the witness presented an exhibit consisting of four pages. The first page shows the dimensions of the wall mounted sign and its location on the building. The second page shows the location of the proposed free-standing sign. The third page shows the dimensions of the free-standing sign. The last page shows its location at the entry of the driveway for the premises.
5. The testimony revealed that the sign lettering will be illuminated.
6. Section 185-19D(3)(c) provides that individual uses in an employment district shall only permit one wall mounted business sign which consist of letters not exceeding 16 square feet in area and further meeting the following criteria, the letter height shall not be higher than 9 inches, the letters shall be located from four to ten feet above grade and the sign shall be on or near the user's door.
7. The proposed wall mounted sign therefore has a greater area and more letter height and is higher then is permitted under the ordinance.
8. One free-standing sign is permitted. However, Section 185-19B(4)(b) provides that any such free-standing sign shall not be greater then 30 square feet in area. Section 185-19B(4)(c) provides that both sides of a two-sided sign shall count towards the allowable sign size.
9. Therefore, when counting both sides of this sign the proposed free-standing sign exceeds the allowable area.

10. The Board is frequently confronted with proposals for a sign that are not consistent with the limitations of the size of signs in an employment district. It appears that those limitations had in mind primarily office uses where the office building could be identified with a small identification sign. Each building would have its own free-standing sign.

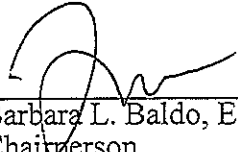
11. This sign scheme is generally not very acceptable in situations where there is a more public use or institutional use rather than a place of employment.

12. The Board is aware that in the present case the building is not located in or near a residential district and believes that the modifications as requested from the sign provisions will not be detrimental to the public welfare and are necessary for this kind of institutional use.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby adopts the above Findings of Fact and Conclusions of Law and grants the sign variance as set forth above.

HANOVER TOWNSHIP
ZONING HEARING BOARD

By: _____


Barbara L. Baldo, Esquire,
Chairperson

Dated: October 29, 2018