

MIDDLETOWN TOWNSHIP
ZONING HEARING BOARD

Christian A. Davis

Jacquelyn S. Goffney

Thomas Danzi

Joseph Klodarska

Gerry Gebhart

Lawrence G. Strohm, Jr., Solicitor

Minutes of the Zoning Hearing Board

The regular meeting of the Middletown Township Zoning Hearing Board was held on **April 28, 2021**, beginning at 6:00 PM virtually via Zoom due to COVID pandemic restrictions.

Members Present: Tom Danzi, Christian Davis, Gerry Gebhart, Jackie Goffney, Joseph Klodarska

Staff Present: Lawrence G. Strohm, Solicitor, Meredith F. Merino, Zoning Officer

Approval of Minutes: Ms. Goffney made a motion to approve the minutes of the March 24, 2021, meeting, which was seconded by Mr. Danzi. The minutes were approved as submitted by a vote of 5 – 0.

Old Business: In 2002, McDonalds filed for variances with the Zoning Hearing Board that were partially approved and partially denied. As a result, Middletown Township, the Zoning Hearing Board and McDonalds entered into a settlement agreement that dictated the size and number of signs to be permitted on and around the building, as well as certain building aesthetics related to the construction of the building. In 2018, the Township Council and Zoning Hearing Board agreed to additional changes to the overall square footage of signs as well as changes to the look of the building. McDonalds would now like to add one additional 20 s.f. menu board sign, bringing the total of drive-thru menu sign square footage to 50.1 square feet. Township Council reviewed and approved the amendment at the Council meeting on April 26, 2021. The Zoning Hearing Board reviewed the amendment, and a motion was made by Ms. Goffney and seconded by Mr. Danzi to approve the amendment by a vote of 5-0.

New Business: Case No. 2021-02: Bruce Howze of 51 Barren Road is seeking a variance from Section 275-24.A. of the Permitted Uses of the R-2 Zoning District and Section 275-198.C. allowing for more than one permitted principal use on a lot in order to construct a 416 s.f. addition to an existing tenant house on the property and converting the subject detached 2nd dwelling into in-law's quarters. Mr. Howze was present and offered testimony and exhibits in support of the application. Mr. Howze explained that the house had always been rented out, but that the plan was to move his in-laws in to live in the house. They have no intention of returning to renting the house after the in-laws would vacate. Mr. Howze explained that the addition is necessary to allow for 1st floor living for his in-laws.

Charles Miller, Esq. was present on behalf of the Township to monitor the application. Mr. Miller asked if Mr. Howze was opposed to having a condition placed on the zoning relief

that the property would not be able to accommodate rental in the future, and Mr. Howze responded that he is not opposed to that condition.

After no further discussion, the record was closed. Mr. Danzi made a motion to approve the variance request with the condition that the house not be rented in the future after the in-laws no longer live there, which was seconded by Ms. Goffney. The board voted 5-0 in favor of the application.

Case 2021-03: S.E. Luongo Family, LLC is seeking the following variances for the property at 357-359 Parkmount Road, zoned M-Manufacturing, for a reverse subdivision of the adjacent lot and converting the overall use from residential to a conditional use as a motor vehicle storage yard/impound lot in the rear, and an office in the existing building associated with the towing operation; Section 275-164.A.(1) for minimum lot area; Section 275-165.B and 275-214.A for planted landscape buffers; Section 275-186.E. for minimum driveway width of 25 ft. and Section 275-198.C. for one permitted Principal use while the second dwelling on the property remains occupied for residential use.

Mr. Luongo was present and was represented by Timothy Sullivan, Esq. who asked questions of the applicant and entered exhibits and testimony into the record in support of the application.

Mr. Sullivan explained that Township Council has granted Conditional Use approval of the application in September 2020, but that during the Land Development application review, Township staff noted several variances that needed to be addressed along with the development approval. Mr. Sullivan stated that the applicant is seeking the minimum variances necessary to afford relief.

After no further discussion, Ms. Goffney made a motion to approve the application on the conditions that the twin on the reverse-subdivided property be demolished upon the house being vacated by the current occupant, and that the 16' drive be enlarged to a 25' wide driveway upon the demolition of the house. Mr. Danzi seconded the motion, and the board voted 5-0 to approve the application.

Adjournment: There being no further business, the meeting was adjourned at 7:15 PM.

The next meeting of the Zoning Hearing Board will be held on Wednesday, May 26, 2021, beginning at 6:00 PM.

Respectfully Submitted,

Meredith Merino, Zoning Officer