

**TOWNSHIP OF WHITEHALL
ZONING HEARING BOARD
RESULTS OF PUBLIC HEARINGS
AUGUST 19, 2025**

The Chairperson called the meeting to order at 7:00 pm. All five (5) Members were present. The Chairperson led the Pledge Of Allegiance. The Chairperson read the Fair Housing Statement.

DOCKET # 2124 – Robert H. Piligian – 2202 Belmont Street, Allentown, PA 18104. **Location: 5525 Main Street, Whitehall, PA 18052, PIN 558070455211.** The subject property is located in the R-4 Medium Density Residential Zoning District. Applicant is requesting a Variance to section 27-114(D) of the Zoning Ordinance to allow a three (3) lot Residential Subdivision where, due to steep slopes, one lot will have 9,851 square feet where 11,520 square feet are required and 62.5 feet of frontage where 66 feet are required, one lot will have 66.26 feet of frontage where 69 feet are required, and the third lot will have 44,869 square feet where 65,340 square feet are required and 66.27 feet of frontage where 81 feet are required.

The Applicant was represented by Daniel G. Dougherty, Esquire.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to Neighboring Landowners.

The Applicant introduced four (4) Exhibits: the current Deed to the property, the neighboring Subdivision Plan, five (5) photographs of the property taken July 30, 2025, and the proposed Subdivision Plan for the property. The Applicant testified that the property has a little over two and one-quarter (2 ¼) acres, had a log cabin that had been built in approximately 1840 and demolished in the 1990's, and that a garage/barn structure remains. His original intent upon purchasing the property was to build his surveying office; and then later to build a single-family dwelling. His life had changed and he no longer wants to move to the property. He described the requested Variances and the adjoining and nearby properties.

The Applicant's Exhibits were admitted into the Record.

Objector, Richard Kunkle testified as to storm water run-off concerns.

There were no other objectors or supporters.

The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Lou Jany to grant the requested Variances; second by Lee Christman. Motion passed 5 – 0.

DOCKET # 2125 – Deanna Kerr – 271 Sixth Street, Whitehall, PA 18052. **Location: 271 Sixth Street, Whitehall, PA 18052, PIN 640708258179.** The subject property is located in the R-5A High Density Residential w/o Apartments Zoning District. This is an Appeal from an Enforcement Notice. Appellant requests to overrule the decision of the Zoning Officer that Appellant's fences are located on 535 Fairmont Avenue, Whitehall Township, Pennsylvania. Appellant claims the fences are located one foot inside the southern side property line at 271 6th Street, Whitehall Township, Pennsylvania.

The Township was represented by Jeff Fleischaker, Esquire.

Neighboring Property Owner and Objector Annie Luu requested a Continuance because her Attorney was not available to attend. Appellant objected.

The Zoning Hearing Board held an Executive Session.

Motion by Lee Christman to deny the Continuance; second by Lou Jany. Motion passed 5 – 0.

The Zoning And Code Enforcement Officer testified as to publication, posting, and mailing Notice of the Hearing to Neighboring Landowners. He authenticated and introduced five (5) Township Exhibits: the Appellant's Building/Zoning Permit for the portion of fence installed in July, 2025, the County Assessment record for the subject property, the County Assessment parcel view for the subject property, his e-mail to the Appellant dated July 17, 2025, and the Enforcement Notice dated July 18, 2025. He identified ten (10) other Exhibits: the 1926 original Subdivision Plan, the last Deed with common ownership of the Appellant's and Neighbor/Objector's properties dated March 3, 1943, the first Deed of Appellant's property out of common ownership dated December 10, 1999, the prior Deed for Appellant's property dated February 7, 2000, the Appellant's Deed dated July 27, 2004, the County Assessment record for the Neighbor/Objector's property, the first Deed for the Neighbor/Objector's property out of common ownership dated November 13, 1968, the Deed for the Neighbor/Objector's property dated November 8, 1976, the Deed for the Neighbor/Objector's property dated May 25, 1979, and the Neighbor/Objector's Deed dated May 29, 2015.

The Township's first five (5) Exhibits were admitted into the Record.

The Appellant testified that she had a statement from a Title Insurance Company about a metes and bounds description of her property, that the Neighbor/Objector had a survey that agrees with the Appellant as to where the common property line is, that when the first portion of the fence was installed in 2018 there were no complaints, and that the Neighbor/Objector's Surveyor placed stakes in the ground the day before the Hearing and that the Neighbor/Objector pulled them out. She described the five (5) Exhibits included with her Appeal: her Deed dated July 27, 2004, the Neighbor/Objector's Deed dated May 29, 2015, her survey, her 2015 invoice for her survey, and three (3) photographs of her property.

Interested Party Ron Hunsberger asked questions about the original pins marking property lines.

Appellant's Daughter, Alissa Horton testified that she didn't want or understand the tension between the Appellant and the Neighbor/Objector.

The Appellant's five (5) Exhibits identified above were admitted into the Record. The statement from a Title Insurance Company was not accepted by the Zoning Hearing Board.

The Record was closed.

The Zoning Hearing Board held an Executive Session.

Motion by Lee Christman to sustain the Appeal and overrule the Zoning And Code Enforcement Officer; second by Steve Burda. Motion passed 5 – 0.

Motion by Steve Burda to approve the Minutes from the July 15, 2025 Meeting; second by Dean Wotring. Motion passed 5 – 0.

Meeting adjourned at 8:38 pm.