



# **BOROUGH OF WIND GAP**

## **ZONING DEPARTMENT**

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## **ZONING HEARING BOARD**

### **IN ATTENDANCE:**

Members: Mark Sharp, Deborah Roseberry  
Professionals: John Molnar, Solicitor  
Jodi Phillips, Zoning Officer

### **Bruce Samson Case No. 3-2006**

Mark Sharp at 7:30 p.m. calls the Zoning Hearing Board meeting of April 5, 2006, to order.

John Molnar states that this is a variance request for lot width and lot area at 321 East Third Street, for a single family detached dwelling. This property is located in the R-12 district.

Bruce Samson, of RR2 Box 2087B Stroudsburg, Pennsylvania, is sworn in by the stenographer.

Jodi Phillips submits exhibit number one, the legal notice, the application from Mr. Samson requesting a variance per section 305.E.1, site plan, one page of residents notified within 200 feet and two pages of the Northampton County tax records.

Mr. Molnar asks Ms. Phillips if the property has been properly posted and advertised. Ms. Phillips states that it has been.

Mr. Samson states that the property located at 321 East Third Street is for sale. Most of his

prospective buyers are more interested in buying the lot next to the existing two-family dwelling located on the property. Mr. Samson is requesting a variance for lot width of 73.5 feet and lot area of 8,979 square feet for a possible future construction of a single-family detached dwelling and subdivision of land.

Mr. Molnar asks Mr. Samson if he has a site plan with him. Mr. Samson replies that he does not. Mr. Molnar asks Mr. Samson to review the site plan submitted by Jeanette Herbst for case number 2-2006 which was previously withdrawn by Ms. Herbst and is being reissued by Mr. Samson. Mr. Samson reviews the site plan and agrees to use the site plan as applicant's exhibit number one.

Deborah Roseberry asks Mr. Samson what is his hardship in requesting the variance. Mr. Samson replies that his concern is financially in the sale of the property. Ms. Roseberry states that financial concerns are self created and cannot be taken into consideration as a hardship. Ms. Roseberry states that the variance is to make two non-conforming lots, which is not in the ordinance. Mark Sharp states that the smaller lots still match the neighborhood's appearance. Ms. Roseberry states that the Zoning Board cannot make the determination for the subdivision. Mr. Molnar states that the board is only deciding on the variance for the lot width and lot area for the construction of a single family detached dwelling and the variance for both lots are subject to subdivision. Mr. Samson states that the new buyer is going to purchase the entire lot and knows that they will have to go to the planning board for the subdivision.

George Hinton is sworn in by the stenographer. Mr. Hinton states his interest in the property is his son's decision to purchase Mr. Samson's property. Mr. Hinton's son may build a home at a future date. Mr. Hinton is not concerned about the subdivision.

Mr. Sharp states the variance will not alter the characteristic of the neighborhood.

Mr. Sharp makes a motion to grant the variance. Ms. Roseberry seconds the motion. All are in favor. Variance is granted.

Mr. Sharp makes a motion to adjourn the meeting. Ms. Roseberry seconds the motion. All are in favor.

Meeting was adjourned at 7:45 p.m.

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Jodi Phillips  
Zoning Officer

