JIM THORPE BOROUGH ZONING HEARING BOARD MEETING MINUTES

October 21, 2021 Jim Thorpe Memorial Hall

Call to Order

Time: _____6:02 pm_____

Pledge of Allegiance

Roll Call of Board Members and Officials

	Present Y/N
James Igoe, Secretary	____Yes_____
Kurt Jackson, Member	____Yes_____
Roxanne Long, Chairperson	____Yes_____
Eli Skrimcovsky, Vice-Chairperson	____No____
George Stoffa, Member	____Yes_____
Michael Huber, Alternate Member	____Yes_____
Andrew Roberts, Alternate Member	____Yes____

Attorney Kim Roberti, Zoning Officer Matt Helbers, and Attorney James Nanovic (representing Jim Thorpe Borough) were present to answer questions with Attorney Roberti directing the meeting. Attorney Roberti, Zoning Officer Helbers, and Attorney Nanovic had no voting capabilities

Approval of Minutes and Agenda

1. Request approval of the minutes from the meeting held on September 23, 2021.
2. Request approval of the October 21, 2021 agenda. Mr. Jackson makes the motion for approval, seconded by Mr. Stoffa to accept. Vote passes unanimously.

First(1st) Hearing---(*This hearing is a continuance that was approved on September 23, 2021 ****)**

Name: Hassan H. Amhaz
Property Address: 104 West Broadway Jim Thorpe, PA 18229
Purpose: An appeal of a recent zoning officer denial to allow his property to be used as a Short Term Rental(STR). Dr. Amhaz states that his premises was being used as a Short/Long Term Rental prior to the adoption of the Jim Thorpe Borough Rental Ordinance. Dr. Amhaz is also seeking relief from the updated parking requirements associated with the new Rental Ordinance. The property is located in the R-4 Zoning District.

Questions/ Discussion: __Dr. Amhaz was in attendance and provide a background about the property. Attorney Roberti read exhibits that were accepted as artifacts to the record. There were six(6) exhibits

provided including a denial letter from the previous Jim Thorpe Zoning Officer, Maureen Minnick. Dr. Amhaz was represented by Attorney Carole Walbert.

Attorney Walbert asks questions pertaining to the background, year of purchase, and occupancy of the residence. Dr. Amhaz answers the questions and continues to explain that he uses the residence as well. When used as an STR, Dr. Amhaz requests that the tenants park in the main municipal lot. There is no off street parking available at the residence. Dr. Amhaz informs the board that he has a local manager that is available to the tenants. She is available to answer questions and communicate with the tenants. Her name is Jenn Christman and she lives in Lehighton.

The discussion turned to the 15 day response time after Dr. Amhaz submitted an appeal to the zoning officer. Attorney Nanovic speaks on behalf of the borough to indicate that in 2018 when Dr. Amhaz purchased the home, an STR wasn't a permitted use. Attorney Walbert reminded everyone that the denial letter from the zoning officer only pertained to parking. Attorney Nanovic asked about occupancy. Mr. Igoe asked Dr. Amhaz about parking. Has he attempted to secure off street parking from neighbors or others nearby? Attorney Nanovic refutes Attorney Walbert over the 15 day response. His position is that the 15 days doesn't apply because use wasn't permitted by right. Parking only should apply because the buildings have been there for decades. This concluded all questions and testimony.

Announcement of Executive Session prior to voting

-Attorney Roberti announces the zoning hearing board will conduct an executive session. The executive session lasted approximately 13 minutes.
-Upon return from executive session board member Mr. Jackson made a motion to grant the appeal based on the boroughs failure to approve or deny Dr. Amhaz's application of appeal within the 15 day time period.

Ruling by Zoning Hearing Board Members:

Yes: ____5_____
No: _____0____
Final Result: ____Appeal for variance passes/granted uniamously_____

Adjourn

Motion by _____Mr. Jackson_____, second by _____Mr. Roberts_____ to adjourn at ___7:02____PM.