



SITE ADDRESS: 817, 821-823 W. Broad Street

Office Use Only:

DATE SUBMITTED: _____ HEARING DATE: _____

PLACARD: _____ FEE: _____

ZONING CLASSIFICATION: CL LOT SIZE: 22,409 S.F. Consolidated Lot

APPLICATION FOR APPEAL TO THE CITY OF BETHLEHEM ZONING HEARING BOARD,
10 EAST CHURCH STREET, BETHLEHEM, PA 18018

1. Return one (1) original and eight (8) copies of this application and all supporting documentation to the Zoning Officer, along with the filing fee. Include site plans and/or floor plans as necessary.
2. *The application is due by 4PM on the 4th Wednesday of the month. The hearing will be held on the 4th Wednesday of the next month.*
3. If you are submitting **MORE THAN 10** exhibits at the hearing, you **MUST** place them in an indexed binder and submit at one time.

Appeal/Application to the City of Bethlehem Zoning Hearing Board is hereby made by the undersigned for: (check applicable item(s):

- ☐ Appeal of the determination of the Zoning Officer
- ☐ Appeal from an Enforcement Notice dated _____
- ☒ Variance from the City of Bethlehem Zoning Ordinance
- ☒ Special Exception permitted under the City Zoning Ordinance
- ☐ Other: _____

SECTION 1

APPLICANT:	
Name	Spinozzi II LLC
Address	c/o Apex Management
	2005 City Line Road, Suite 303, Bethlehem, PA 18017
Phone:	[REDACTED]
Email:	[REDACTED]

OWNER (if different from Applicant): Note. If Applicant is NOT the owner, attach written authorization from the owner of the property when this application is filed.	
Name	
Address	
Phone:	
Email:	
ATTORNEY (if applicable):	
Name Joseph J. Piperato, III	
Address 412 W. Broad Street	
Bethlehem, PA 18018	
Phone:	
Email:	

SECTION 2. INFORMATION REGARDING THE REAL ESTATE

1. Attach a site plan, drawn to scale, of the real estate. Include existing and proposed natural and man-made features.
2. Attach architectural plans and elevations depicting proposed alterations or new construction.
3. Attach photographs.
4. If the real estate is presently under Agreement of Sale, attach a copy of the Agreement.
5. If the real estate is presently leased, attached a copy of the present lease.
6. If this real estate has been the object of a prior zoning hearing, attach a copy of the Decision.

SECTION 3.

THE RELIEF SOUGHT:

If the Applicant seeks a dimensional variance for any setback, lot coverage, distance between certain uses, etc., please state the following:

Section of Code	Dimension Required by Code	Dimension Proposed by Applicant	Variance Sought
See	Exhibit "A"		

If the Applicant seeks a use or other variance, please state the **specific section(s)** of the Zoning Ordinance applicable and describe the variance sought.

See Exhibits "A" and "B"

If the Applicant seeks a Special Exception, please state the **specific section (s)** of Zoning Ordinance applicable: See Exhibits "A" and "B"

If the Applicant seeks an appeal from an interpretation of the Zoning Officer, state the remedy sought in accordance with Sec. 1325.11 (b):

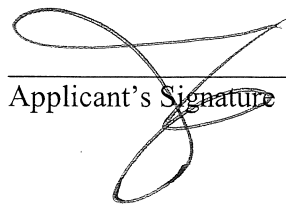
NARRATIVE

A brief statement reflecting why zoning relief is sought and should be granted must be submitted.

CERTIFICATION

I hereby certify that the information contained in and attached to this application is true and correct to the best of my knowledge and belief.

I also certify that I understand that any and all federal, state or local rules and regulations, licenses and approvals shall be obtained if the appeal is granted.



Applicant's Signature

5/8/24

Date

Property owner's Signature

Date

Received by

Date

NOTICE: If the Decision of the Zoning Hearing Board is appealed, the appellant is responsible for the cost of the transcript.

EXHIBIT “A”

VARIANCES AND SPECIAL EXCEPTION REQUESTED

- a. A Variance to waive the requirement for a commercial use on the front street level; Ref. 1305.01(a) Footnote 1.
- b. A Dimensional Variance to reduce the lot area per dwelling, 1,200 SF / dwelling or 18 dwellings permitted, and 747 SF / dwelling, or 30 dwellings proposed; Ref. 1306.01(b)(2) and 1306.01(a)(4).
- c. A Variance to reduce the minimum width of buffer yards, 8' required along side and rear lot lines, approximately 2'-6" proposed along side and rear lot lines; Ref. 1318.23.
- d. A Special Exception to reduce the minimum required off-street parking, 45 spaces required, 25 spaces proposed; Ref. 1319.01(a)(1)(ii), 1319.02(b).

EXHIBIT "B"
CITY OF BETHLEHEM ZONING HEARING BOARD
NARRATIVE TO ZONING HEARING BOARD APPEAL APPLICATION
SPINOZZI 2, LLC

Appellant is the legal owner of 817 W. Broad Street, Lehigh County Tax Parcel No. 642728323476 1, consisting of a mixed use, commercial office and one dwelling unit ("817 Parcel") and 821-823 W. Broad Street, Lehigh County Tax Parcel No. 642728226445 1, consisting of a 14-room boarding house ("821 Parcel"), the 817 Parcel and 821 Parcel referred to collectively as the "Property". Appellant desires to convert the 817 Parcel into 4 dwelling units and the 821 Parcel into 8 dwelling units and to construct a four-story addition to the 821 Parcel consisting of 18 dwelling units, thereby creating a consolidated Property totaling 30 dwelling units. The Property is located in the CL, Limited Commercial Zoning District. Multiple Family Dwellings are a permitted by right use in the CL District so long as the dwelling units are located "in the same building as a principal commercial use that is on the front street level".

The existing structures on the 817 Parcel and 821 Parcel have historic value and distinctive features and it is Appellant's intent to restore and maintain the existing structures and distinctive features including front porches, fenestration and roof lines. Appellant desires to retain the existing structures rather than raze the existing structures and construct a new 5 story/60 feet in height apartment building on the Property. The existing rooming house on the 821 Parcel contains 17 bedrooms per County of Lehigh records and is in poor/dilapidated condition. Furthermore, as a result of an estate planning issue for a decade, the 821 Parcel has a long history of municipal violations and negative impact on the neighborhood as a result of its transient nature. Appellant desires to alleviate any future impact on the neighborhood by eliminating the rooming house.

The Property possesses unique physical characteristics, including steep slopes along W. Broad Street, narrowness of lot and irregular shape, which creates an unnecessary hardship not caused by Appellant. The physical characteristics directly impact the ability to develop the Property in strict conformity with the applicable provisions of the Ordinance. The hardship is further caused by the condition of the 821 Parcel and the cost to repair/renovate to a habitable condition.

The relief requested is the minimum variance that will afford relief and represents the least modification possible of the regulation at issue. The variance will not alter the essential character of the neighborhood.