



SITE ADDRESS: 222 E. Broad Street

Office Use Only:

DATE SUBMITTED: 07-28-2021

HEARING DATE: 08-25-2021

PLACARD: 08.12.2021

FEE: 500⁰⁰

ZONING CLASSIFICATION: CL

LOT SIZE: 30' x 108' or 3240 SF

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

1. Return one (1) original and seven (7) 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 the 4th Wednesday of the month. The hearing will be held 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 Aiden Henninger

Address 222 E. Broad Street

Bethlehem, PA 18018-6224

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	Aiden Henninger
Address	222 E. Broad Street
	Bethlehem, PA 18018-6224
Phone:	[REDACTED]
Email:	[REDACTED]
ATTORNEY (if applicable):	
Name	Stephanie A. Kobal, Esquire
Address	Fitzpatrick Lentz & Bubba, P.C.
	625 West Hamilton Street, Suite 800, Allentown, PA 180101
Phone:	[REDACTED]
Email:	[REDACTED]

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 photographs.
3. If the real estate is presently under Agreement of Sale, attach a copy of the Agreement.
4. If the real estate is presently leased, attached a copy of the present lease.
5. 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 Supplemental Statement.	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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 Supplemental Statement.

If the Applicant seeks a Special Exception, please state the **specific section (s)** of Zoning Ordinance applicable: _____

See Supplemental Statement.

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

See Supplemental Statement.

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

7-26-21

Date



Property owner's Signature

7-26-21

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.

**BEFORE THE ZONING HEARING BOARD
OF THE CITY OF BETHLEHEM**

IN RE: AIDEN HENNINGER

SUPPLEMENTAL STATEMENT

I. BACKGROUND

Aiden Henninger (“Applicant”) requests approval to use the structure located at 222 E. Broad Street (the “Property”) as a three unit multi-family dwelling. The Property is within the Limited Commercial (CL) Zoning District. Applicant also requests a special exception, or in the alternative a variance from Ordinance Sections 1319.02(b)(6) and 1319.01(a)(1)(ii), 1319.01(a)(33), to allow 2 parking spaces, when 6 are required. Applicant requests a variance from Ordinance Section 1306.01(a)(4) to allow a multi-family dwelling on a lot that is 3,241 square feet in size, has less than 1,200 square feet of lot area per dwelling unit, and where the lot width is less than 90 feet. Applicant's requests should be approved as set forth below.

II. REQUESTED RELIEF

The Property is located at the corner of East Broad Street and Penn Street. The Property is approximately 3,241 acres in size. The area surrounding the Property contains a mix of residential and commercial properties. There is street parking along East Broad Street. The Property currently contains one three-story structure, which was built in 1925 is approximately 2,300 square feet (the “Building”) and a garage on the rear of the Property. The Building’s most recent use has been as a boarding house, with 6 rooms on the upper floors (6 tenants) and an apartment on the first floor. The Building has also been used, in the past, as one commercial unit and one dwelling unit. Currently, the Building has fallen into a state of disrepair. If the requested relief is granted, Applicant will be renovating the Building to bring it into a state of good repair.

Applicant proposes to use the Property as a three unit multi-family dwelling. Except for the construction of the parking pad, Applicant will not be doing any exterior construction. One unit will be located on each floor. The units on the first two floors will each be approximately 900 square feet in size, and the unit on the third floor will be approximately 500 square feet in size. Each unit will have one bedroom, its own kitchen, toilet, and bathing facility. Applicant intends to occupy the unit on the first floor, and the other two units will be rental units. No more than 2 tenants will occupy the unit on the second floor and no more than 1 tenant will occupy the unit on the third floor. There will be no employees associated with this use.

Applicant also proposes to construct one parking pad along the rear of the Property for one on-site parking space. The other on-site parking space will be located in the existing garage.

Applicant also requests a special exception, or in the alternative a variance from Ordinance Sections 1319.02(b)(6) and 1319.01(a)(1)(ii), 1319.01(a)(33) to allow 2 parking spaces, when 6 are required. Applicant requests a variance from Ordinance Section 1306.01(a)(4) to allow a multi-

family dwelling on a lot that is 3,241 square feet in size, has less than 1,200 square feet of lot area per dwelling unit, and where the lot width is less than 90 feet.

As set forth above, the Property has a long-history of being used for multi-tenant purposes. The surrounding neighborhood is a mix of residential and commercial uses, with other multi-tenant buildings in the vicinity. The proposed special exception and variances will not alter the essential character of the neighborhood, nor will it impair the use of adjacent properties. The location (along a major thoroughfare) and size of this Property make it more suitable for a multi-tenant building than a single family home. In addition, the Building is an older structure (built circa 1925), which limits renovation and use. The lot size and width were created approximately one hundred years ago and cannot be changed. All of these items establish hardship, none of which were created by Applicant.

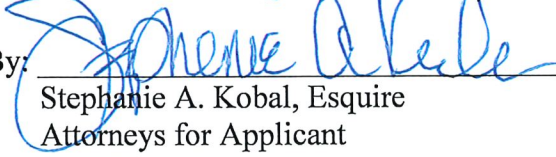
The proposed three unit multi-family dwelling is actually less intense than the prior 6-room rooming house use. Moreover, during use as a 6-room rooming house, the Property only had one parking space; two spaces are proposed. In addition, there is street parking in the immediate vicinity. For those reasons, the relief requested represents the minimum variance that will afford relief.

Granting the requested relief will not adversely affect the neighborhood or public health, safety or welfare. Without the requested relief, Applicant will not be able to make a reasonable use of the Property. Applicant is requesting the minimum relief necessary to use the Property as a three unit multi-family dwelling. Applicant believes that the proposed use is in the best interest of the City as it will provide for a use and design that will complement the surrounding uses and will rehabilitate the Property, which is located in a high-traffic area in the City and is in need of rehabilitation. A hardship is created by the Property. Granting the relief will improve the area by providing an attractive re-use of the aging Building.

III. CONCLUSION

For the aforementioned reasons, the requested relief should be granted.

FITZPATRICK LENTZ & BUBBA, P.C.

By: 
Stephanie A. Kobal, Esquire
Attorneys for Applicant
Two City Center
645 West Hamilton Street, Suite 800
Allentown, PA 18101
Phone: (610) 797-9000

DATE: July 28, 2021



FITZPATRICK
LENTZ & BUBBA
ATTORNEYS AT LAW

skobal@flblaw.com

July 28, 2021

VIA HAND DELIVERY

City of Bethlehem
Zoning Office
10 E. Church Street
Bethlehem, PA 18018
Attn: Craig Peiffer, AICP, Zoning Officer

**Re: 222 E. Broad Street, Bethlehem, PA
Parcel ID: P6NE1C 17 1 0204**

Dear Mr. Peiffer:

Enclosed please find the following documents:

1. Application for Appeal to the City of Bethlehem Zoning Hearing Board with Supplemental Statement (8 copies); and
2. Filing fee check in the amount of \$500.00.

Please place this matter on the appropriate August agenda. If you have any questions, or need anything further, please do not hesitate to contact my office directly.

Very truly yours,

Stephanie A. Kobal

Enclosures

cc: Aiden Henninger (w/encl., via email)