



SITE ADDRESS: 405 Selfridge Street, 406 Jackson Street, 412 Jackson Street

Office Use Only:

DATE SUBMITTED: 06.22.2022

HEARING DATE: 08.10.2022

PLACARD: _____

FEE: _____

ZONING CLASSIFICATION: _____

LOT SIZE: _____

**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	Lady Mohawk LLC
Address	21 The Crescent
	Short Hills, NJ 07078
Phone:	██████████
Email:	████████████████████

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	Michael D. Recchiuti, Esquire
Address	Kolb, Vasiliadis, Florenz & Recchiuti, LLC
	60 West Broad Street, Suite 303, Bethlehem, PA 18017
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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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.

Use of the property for student housing, as set forth in the attached plan, sought
in the alternative to appeal of interpretation.

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

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

Applicant seeks interpretation that the zoning code as of the date of the plan filing should be applicable since the plan qualifies as a land development plan that was filed prior to the zoning code being amended.

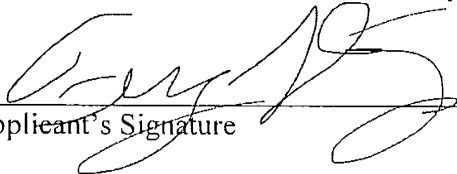
NARRATIVE

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

6/20/22
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.

Appeal of Lady Mohawk, LLC

Narrative Statement

Appellant is appealing the determination that the future use of the townhomes proposed by the plan filed on or about August 3, 2020, would not be permitted to be townhomes for student housing. The determination dated April 27, 2022, is included in the application.

It is appellant's contention that the plan submitted in August of 2020 should be considered a land development plan, and the zoning code as of the date of submission should be applicable to the plan. As such, the future use of the townhomes as student housing would be permitted.



CITY OF BETHLEHEM

10 East Church Street, Bethlehem, Pennsylvania 18018-6025

BUREAU OF PLANNING AND ZONING

Phone: 610-865-7088

Fax: 610-865-7330

TDD: 610-865-7086

www.bethlehem-pa.gov

April 27, 2022

Mr. Eray Donmez
Lady Mohawk, LLC
P O Box 677
Short Hills, NJ 07078

RE: 405 Selfridge, 406-412 Jackson Streets

Mr. Donmez,

The City is in receipt of the information you submitted related to prior Regulated Rental licensing at the above-referenced properties. The City concurs that the submitted information documents that these properties were operating as permitted Regulated Rental units prior to the adoption of the Student Housing Overlay in the Zoning Ordinance via Ordinance No. 2021-07 on March 23, 2021. Therefore, although these 3 properties are located outside of the Student Overlay, these 3 properties are permitted to operate as Student Homes as outlined in the Zoning Ordinance and in keeping with Regulated Rental licensing requirements.

You also requested information about the process required to create additional student units on these three lots. Because the Student Home use on these lots is now considered a legal nonconformity, any expansion of Student Home units on these lots must comply with Article 1323 of the Zoning Ordinance, Procedures and Controls Governing Non-Conformities. Specifically, section 1323.04 addresses Additions and Enlargements. Our office will work with you to review any new project proposals against the current applicable ordinances.

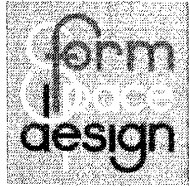
Additionally, in October of 2020 you submitted a land development plan to our office for approval of 9 townhomes on these parcels. The City responded to the submission with a comment letter dated December 3, 2020, but no revised plans have been submitted since that time. The townhomes shown on these lots are permitted by right in the Zoning Ordinance, but the future use of the townhomes is not permitted to be Student Homes, because the lots are outside of the Student Overlay. The time period for review of this project expires on May 31, 2022. Our office requires either a written request for an extension of time for review of this plan or a letter withdrawing the plans. We need to receive this information prior to May 4 so that we know whether or not place the project on the May 12 Planning Commission agenda for consideration. Zoning Hearing Board approval will be necessary if the future use of the townhome dwellings is proposed to be Student Homes.

Please feel free to reach out to our office if you have any questions.

Sincerely,


Darlene Heller, AICP
Director of Planning & Zoning

CC: C. Peiffer, M. Deschler, A. Karner, M. Simonson



ARCHITECTURE

DENNIS R. CONNELL, AIA
715 NORTH NEW STREET
BETHLEHEM, PA. 18018
TEL: 610 865 6166
FAX: 610 865 0436
FORMSPACE @ AOL.COM

TRANSMITTAL

TO	City of Bethlehem	DATE	3 August, 2020
ATTENTION	Tracy Samuelson	ACTION	APPROVAL STATUS KEY
PROJECT	Lady Mohawk Townhouses	<input type="checkbox"/> Approval	A. Approved
Subject:		<input type="checkbox"/> Comment	B. Approved as Noted
		<input type="checkbox"/> Distribution	C. Returned for Correction
		<input type="checkbox"/> Information	D. Not Approved
		PROJECT NO.	#764
		Status:	

Tracy-

On behalf of Eray Donmez, Representative for lady Mohawk LLC, please accept the attached documents as the Sketch Plan Submission for review.

Attached are:

1. Application Form
2. Application Fee of \$300.00
3. Statement of Purpose (8 copies)
4. Proposed Site & Building Plans & Elevations (8 copies)

Please advise if there is any other information needed at this time.

Thank you.

Jeff Gross R.A.
Form Space Design
610-865-6166

Copy to:

By:

PARCEL INFORMATION:

405 SELFRIDGE P6SE1C 13 7 0204 BLOCK 13 LOT 7 TAX MAP: P6SE1C
 406 JACKSON P6SE1C 13 8 0204 BLOCK 13 LOT 8 TAX MAP: P6SE1C
 412 JACKSON P6SE1C 13 10 0204 BLOCK 13 LOT 10 TAX MAP: P6SE1C

THE FOLLOWING PLAN INFORMATION IS TO BE FILLED IN BY THE APPLICANT

ERAY DONMEZ, REPRESENTATIVE 405 SELFRIDGE ST
 I, FOR LADY MOHAWK LLC THE OWNER OF 406 & 412 JACKSON ST
 (Name of Property, Address)

HEREBY APPLY ON AUGUST 3, 2020, FOR APPROVAL OF THE ATTACHED
 (Date)

SKETCH PLANS BY THE CITY PLANNING COMMISSION.
 (Subdivision/Land Development)

PLAN TITLE LADY MOHAWK TOWNHOUSES ADDRESS 405 SELFRIDGE ST
406 & 412 JACKSON ST.
 NO. OF LOTS 1* NO. OF DWELLING UNITS 9 ACREAGE .5/4 ACRE
 NO. OF EMPLOYEES — (Commercial Development) NO. OF PARKING SPACES 18
 ZONING RT WARD 4 BLOCK 13A TAX MAP SEE ABOVE BLOCK LOT
 DATE OF PLAN 8-3-20 SCALE 1"=30' NO. OF PAGES 1

MISCELLANEOUS ENCLOSURES SITE/BUILDING PLAN, STATEMENT OF PURPOSE, \$300 APPLICATION FEE
 * CURRENTLY 3 LOTS, REVERSE SUBDIVISION IS PLANNED

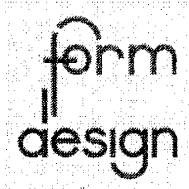
PROPERTY OWNER:
 LADY MOHAWK LLC P.O. BOX 677 ARCHITECT FAX 610-865-0496
 SHORT HILLS, NJ 07078 201-233-3843 tengriproperties@gmail.com
 (name) (address) (phone) (fax) (E-mail)

DEVELOPER/ENGINEER
 DEV. - LADY MOHAWK LLC P.O. BOX 677 SHORT HILLS, NJ. 201-233-3843 tengriproperties@gmail.com
 ARCHITECT - FORM SPACE DESIGN 719 N. NEW ST. 610-865-6166 formspace@aol.com
 (name) (address) BETHLEHEM PA (phone) (fax) (E-mail)
 19018 610-865-0496

***** DO NOT WRITE BELOW THIS LINE *****

REVIEWED BY THE FOLLOWING:

	APPROVED	DISAPPROVED	COMMENTS
PLANNING STAFF	_____	_____	_____
CITY ENGINEER	_____	_____	_____
ZONING OFFICER	_____	_____	_____
TRAFFIC	_____	_____	_____
TRAFFIC/POLICE	_____	_____	_____
FIRE MARSHALL	_____	_____	_____
WATER UTILITY ENG.	_____	_____	_____
CITY FORESTER	_____	_____	_____
PLUMBING INSPECTOR	_____	_____	_____
LIGHTING	_____	_____	_____
RECYCLING	_____	_____	_____
PARKS & PUB. PROP.	_____	_____	_____



ARCHITECTURE

719 NORTH NEW STREET
BETHLEHEM, PA. 18018
TEL 610 865 6166
FAX 610 865 0496
FORMSPACE@AOL.COM

8-3-20

Project: Lady Mohawk Townhouses

Owner: Lady Mohawk LLC
Eray Donmez, representative

Statement of Purpose

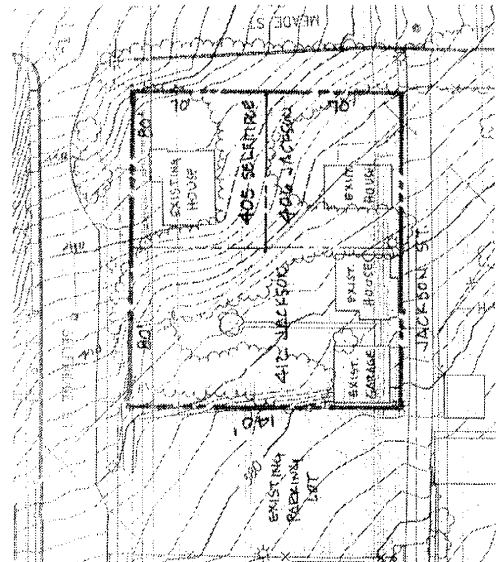
Lady Mohawk LLC has acquired three adjoining properties bordering Selfridge, Meade, & Jackson Streets on the South side of Bethlehem. The parcel addresses are 405 Selfridge St, and 406 and 412 Jackson Streets. Each property currently contains a single family dwelling. The owner would like to remove the current structures and do a reverse subdivision, which would provide a single parcel of 22,400 sf, or .514 acres.

The owner proposes to develop the property as townhouses. In the RT zoning district, with a requirement of 2,200 sf/townhouse, the property could accommodate a maximum of 10 townhouses. The owner is proposing 9 townhouses, in (3) separate buildings, each with (3) townhouses. Two buildings would sit along Selfridge Street, one building along Meade Street.

The nature of townhouses allows for stepping of the units to respond to the existing grades, while the two story scale and proposed front porches respond to the general scale and features of the neighboring buildings.

Parking, at 2 spaces per townhouse, is proposed in a 15 space combined lot, accessible off of the alley (Jackson Alley), and three additional spaces also accessed from the alley.

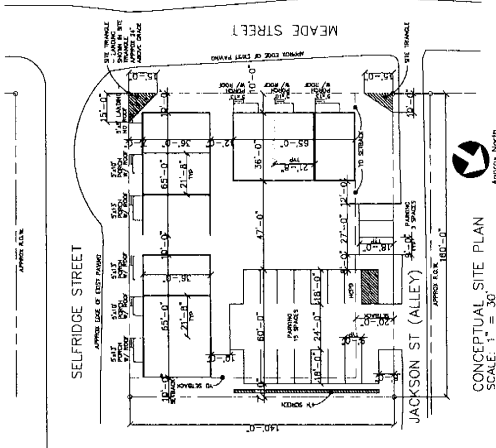
The proposed use and development are planned to be in keeping with the goals as prescribed by the City Zoning and Subdivision and Land Development ordinances. The intent would be to include on future submissions sidewalks, street trees, replacement trees (if required for any larger existing trees that may need to be removed), bike racks, and similar site features which need to be accommodated or provided.



EXISTING CONDITIONS PLAN
SCALE: 1" = 30'
Approx. North

EXISTING SITE INFORMATION:
 1. ALL LOTS ARE ZONED RESIDENTIAL 1.5-TOWN HOUSES, WHICH MEANS 0.75 &
 ONE UNITS PER LOT. THE CITY OF BERKLEHAM (CITY) HAS
 SHOWN DO NOT ACCURATELY REFLECT EXISTING CONDITIONS

PROPERTY ADDRESSES:
 405 SELFRIEVE STREET 80' X 70' = 5,600 SF
 408 JACKSON STREET (ALLEY) 80' X 70' = 5,600 SF
 412 JACKSON STREET (ALLEY) 80' X 140' = 11,200 SF
 TOTAL AREA 140' X 140' = 22,400 SF



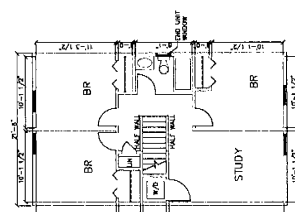
CONCEPTUAL SITE PLAN
SCALE: 1" = 30'
Approx. North

SITE DATA

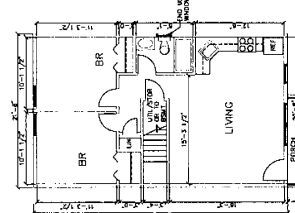
RT ZONING DISTRICT - RT ZONING DISTRICT
 PROPOSED USE - 3-UNIT FAMILY ATTACHED DWELLINGS
 9 DWELLINGS PROPOSED IN (3) 3-UNIT BUILDINGS
 TOTAL SITE AREA 140' X 140' = 22,400 SF = 514 ADP

REQUIRED	PROVIDED
MIN TRACT SIZE 9,000 SF	22,400 SF
MIN LOT AREA PER DWELLING 2,200 SF	2,489 SF
MIN LOT WIDTH 20'	21'-8" (TOWNHOUSE WITH 160' TOTAL LOT WIDTH)
MIN FRONT YARD 0'	0'
MIN REAR YARD 20'	20'
MIN SIDE YARD 10' (LESS THAN 4 UNITS)	10'
MAX STORIES 2.5	2.5
MAX BUILDING COVERAGE 40% (8,960 SF)	31.6% (7,520 SF)
PARKING REQUIRED 2 SPACES/DWELLING	2 SPACES/DWELLING
MAX IMPERVIOUS COVERAGE ---	57%
MIN DISTANCE PARKING TO BUILDING 10'	10'

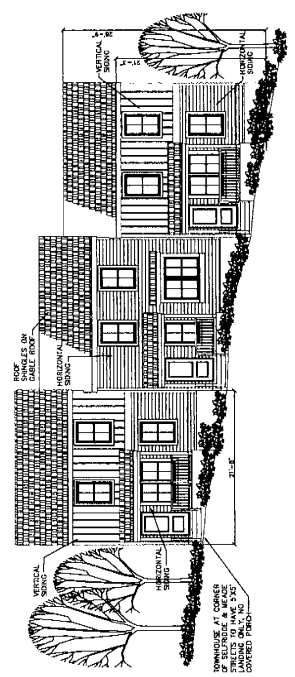
*NOTE: TOWNHOUSE 21'-8" W X 36' = 783 SF / 1 FLOOR X 2 FLOORS = 1,566 SF / UNIT
 1,566 SF (UNIT) X 3 UNITS = 4,698 SF (TOTAL) = 211,755 SF BUILDING COVERAGE



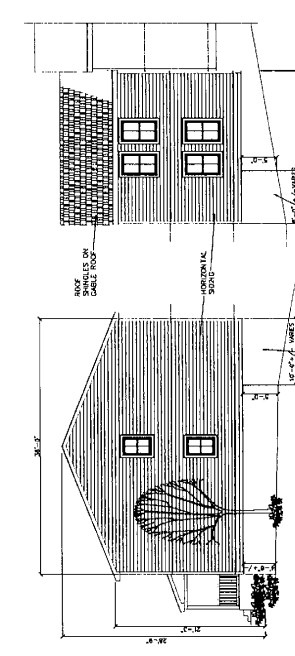
CONCEPTUAL 1ST FLOOR PLAN
SCALE: 1/8" = 1'-0"



CONCEPTUAL 2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"



CONCEPTUAL FRONT ELEVATION
SCALE: 1/8" = 1'-0"



CONCEPTUAL SIDE ELEVATION
SCALE: 1/8" = 1'-0"

CONCEPTUAL REAR ELEVATION
SCALE: 1/8" = 1'-0"

LADY ADPARK LLC
 P.O. BOX 857
 1000 W. 10TH ST.
 LADY ADPARK TOWNHOUSES
 SELFRIEVE & JACKSON STS.
 BERKLEHAM, WASHINGTON COUNTY, PA
 EXISTING CONDITIONS PLAN & DATA
 CONCEPTUAL TOWNHOUSE PLANS & ELEVATIONS
 FORM SPACE DESIGN A1.0
 74 SOUTH 4TH STREET, BERKLEHAM, PA 17003 717-644-4444

8.3.20
 1/154