



SITE ADDRESS: 2355 Avenue A, Bethlehem, PA 18017

(RF # 388)

Office Use Only:

DATE SUBMITTED: 11.04.2020

HEARING DATE: 12.16.2020

PLACARD: 12.02.2020

FEE: \$ 500⁰⁰

ZONING CLASSIFICATION: CG

LOT SIZE: 4.49 ACRES

**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	Two Farms Inc. c/o Royal Farms
Address	3611 Roland Avenue, Baltimore, MD 21211
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):
Louis J. Colagreco, Jr., Esquire/Debra A. Shulski, Esquire
Name Riley Riper Hollin & Colagreco
Address 717 Constitution Drive, Suite 201, P.O. Box 1265, Exton, PA 19341
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
Section 1320.09(a)(3)(iii)	50 SF per sign for total of 100 SF	246 SF per sign for total of 492 SF	392 SF
Section 1320.09(a)(3)(ii)	30' height	32'8"	2'8"
Section 1320.09(a)(2)(ii)	20% of the area of exterior building face	45.05 % and 27.22%	5.05% and 7.22%

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 attached Narrative.

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

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

NARRATIVE See attached.

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.

Debra A. Shulski
Debra A. Shulski, Esquire
Attorney for Applicant

11-3-20
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.

Application for Appeal to the City of Bethlehem Zoning Hearing Board
RE: Royal Farms #388
2355 Avenue A

APPLICATION NARRATIVE

Applicant, Two Farms, Inc., seeks the following relief:

- (1) Variance from Section 1320.09(a)(3)(iii) of the Zoning Ordinance to permit two freestanding signs to be greater than fifty (50) square feet in a commercial zoning district;
- (2) Variance from Section 1320.09(a)(3)(ii) of the Zoning Ordinance to permit two freestanding signs to be greater than thirty (30) feet in height in a commercial zoning district;
- (3) Variance from Section 1320.09(a)(2)(ii) to allow for a combined wall sign in excess of 20% of the exterior building face; and
- (4) Any other relief ultimately deemed necessary.

The property fronts on more than one street and is entitled to a freestanding sign in each yard fronting on a street pursuant to Section 1320.09(a)(3)(i). Therefore, the Applicant is entitled to two (2) freestanding signs, each up to 50 square feet in size. A variance is being sought from Section 1320.02(a)(3)(iii) to construct each of the proposed freestanding signs to be 246 square feet in size for a total of 492 square feet.

Additionally, Applicant is seeking a variance from Section 1320.02(a)(3)(ii) to permit the two (2) freestanding signs to be 32'8" in height whereas the Zoning Ordinance allows a maximum height of thirty (30) feet.

Lastly, Applicant is seeking a variance from Section 1320.09(a)(2)(ii) to allow for two (2) wall signs to exceed 20% of the exterior building face to enable Applicant to clearly identify to the general public the services provided. Applicant is proposing a 37.85 square foot gas canopy sign which is approximately 45.05% of the canopy face upon which it is affixed where only 20% is permitted. Applicant is also proposing a 19.6 square foot diesel fuel canopy sign which is approximately 27.22% of the canopy face upon which it is affixed where only 20% is permitted.

The variances should be granted 1) due to the physical conditions particular to the Applicants property, specifically, fronting on more than one street and the proposed set-back from Airport Road, Avenue A and Route 22 – Lehigh Valley Thruway; 2) the variances requested would allow the Applicant to have reasonable use of their property by providing sufficient signage without the need to inundate the property with unnecessary signage, as well as providing the public safety benefit of time for passing motorists to safely determine driving maneuvers when choosing to approach the property and enable the public and commercial vehicles to safely navigate the interior of the site; 3) The configuration of the lot, fronting two streets, and being

setback from the roadway, was not caused by the Applicant; 4) Granting the variances, and allowing the Applicant the additional square footage area on the building face and on the freestanding sign, will not alter the essential character of the neighborhood as it will be surrounded by other commercial uses, nor will it be detrimental to the public good; lastly, 5) if granted, the variances will provide the least modification possible, allowing the Applicant to clearly identify the Property and the fuel pricing for motorists.