



SITE ADDRESS: 281 W. LANGHORNE AVE., BETHLEHEM

Office Use Only:

DATE SUBMITTED: 5.26.2020 HEARING DATE: 7.8.2020

PLACARD: 6.25.2020 FEE: 250<sup>00</sup>

ZONING CLASSIFICATION: RR LOT SIZE: 4.45 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 4<sup>th</sup> Wednesday of the month. The hearing will be held the 4<sup>th</sup> 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**

|   |                                   |
|---|-----------------------------------|
| <b>APPLICANT:</b>   |                                   |
| Name  | <u>MICHAEL &amp; SUSAN HARNED</u> |
| Address   | <u>281 W. LANGHORNE AVE.</u>      |
|   | <u>BETHLEHEM, PA 18049</u>        |
| Phone:  | <u>[REDACTED]</u>                 |
| Email:  | <u>[REDACTED]</u>                 |
| <b>OWNER</b> (if different from Applicant): Note. If Applicant is NOT the owner, attach written |                                   |

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| authorization from the owner of the property when this application is filed. |
| Name   |
| Address<br>N/A   |
| Phone:   |
| Email:   |
| <b>ATTORNEY</b> (if applicable):   |
| Name   |
| Address<br>N/A   |
| 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 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 |
|-----------------|----------------------------|---------------------------------|-----------------|
| 1306.03(d.)     | 1,000 sq'                  | 1,456 sq'                       | 456 sq'         |
|                 |                            |                                 |                 |
|                 |                            |                                 |                 |

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.

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

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

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**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

5.21.2020  
Date

  
\_\_\_\_\_  
Property owner's Signature

5.21.2020  
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.**

05/23/2020

Greetings Bethlehem Zoning board,

My wife Susan and I are the property owners and we are seeking a dimensional variance to build an accessory building on our property at 281 W Langhorne Avenue, Bethlehem. Our request is to build a building of 1456 square feet in order to house the needed equipment to maintain the land of this property. With due respect to the intent of the ordinance governing properties in Bethlehem, I propose that applying the uniform set of city ordinances to this particular property causes an unnecessarily burdensome financial hardship. We request that the City of Bethlehem consider the unique characteristics of acreage, topography, an existing city sewer line, and railroad track access on this particular property in granting our request for a variance.

Strict compliance with the ordinance would cause a practical difficulty to maintain and make improvements to the property. The home on this property is an 1821 Pennsylvania stone farmhouse which has been painstakingly renovated over the past 6 years since we purchased it to maintain its historic beauty and quality. There were additions on both sides of the original home which were also completely renovated with all new plumbing and electrical re-wiring from top to bottom. A new standing seam roof was installed and re-pointing to the existing original stone walls of the home has also been completed. A large majority of the work on the home was done by myself with the goal to improve and maintain the appropriate aesthetic consistency with other properties in the neighborhood.

If approved, the proposed accessory building would provide shelter for the equipment needed for us to properly maintain the land of this property. The property is just shy of 5 acres with beautiful mature dense tree land on slopes and is creek side to the Monocacy creek. There are many existing trees that are naturally aging out of their normal life cycle and often falling. Maintenance of the land protects the existing wooded area and allows healthy mature trees to thrive. It also protects the monocacy creek as trees can and do fall into and across it which can affect the integrity of the creek as well. The practical difficulty in subcontracting the ongoing maintenance of the property would be excessively costly to any homeowner. Thus, due to the special circumstance of the topography, allowing a properly sized building that could house the needed equipment would prove to give a positive purpose to the approval of a dimensional variance.

My plan is an overall improvement to the property and will not have a negative impact on the neighborhood or run counter to the objectives of the zoning ordinance. While we have some neighbors, this property is not visible to any of them.

With regards to zoning ordinance 1316.01 (f.) slopes. Three trees will be removed to allow the building to be erected, this would be necessary regardless if the accessory building is limited to 1,000 sq. ft. The location was chosen to intentionally limit the disturbance of existing foliage. It is our intent to plant two Douglas firs and two sugar maples trees plus junipers, Forsythia shrubs and pachysandras which are deer resistant and known to aid in controlling erosion.

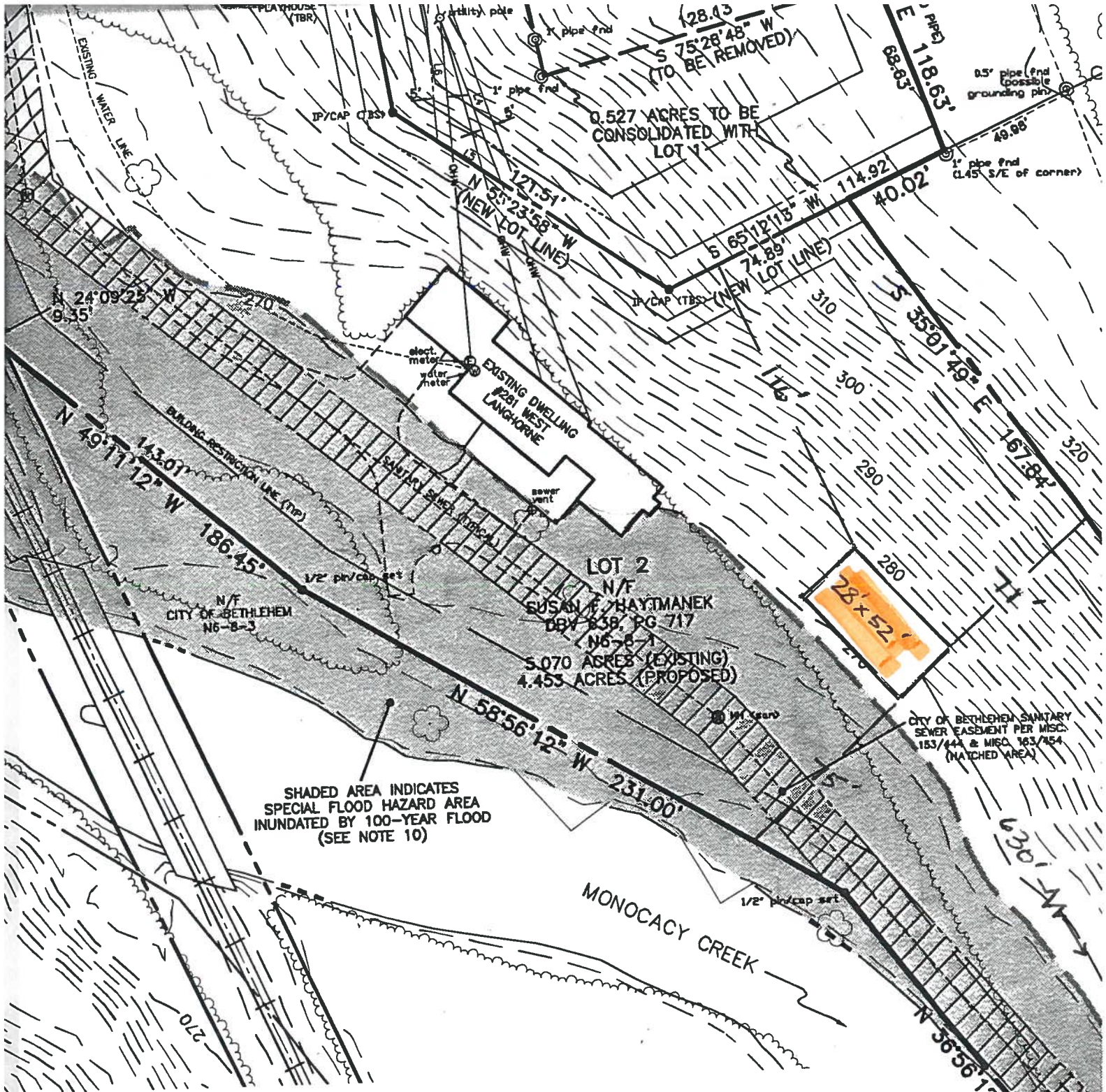
Thank you for your consideration.

Mike and Susan Harned

RENDITION

2





SHADED AREA INDICATES SPECIAL FLOOD HAZARD AREA INUNDATED BY 100-YEAR FLOOD (SEE NOTE 10)

**OPERMENT NOTES:**

led to propose any specific land development. Development on lot 1, as shown, is based on a previously approved...  
 tifact, Inc., drawing A-01, sheet 2 of 18, bearing a date of 12/20/04, last revised 01/11/2005 prepared for use in...  
 elling on existing parcel N6NW3-2-1A. The Site Plan was prepared using the existing dimensions of the parcel...  
 l by virtue of this plan), and in-fact used this lot line plan as its background and was used to obtain permits for...  
 llustrated dwelling (under construction as of 05/19/2005). The same information from the Site Plan is now being...  
 illfill planning requirements of the City of Bethlehem.

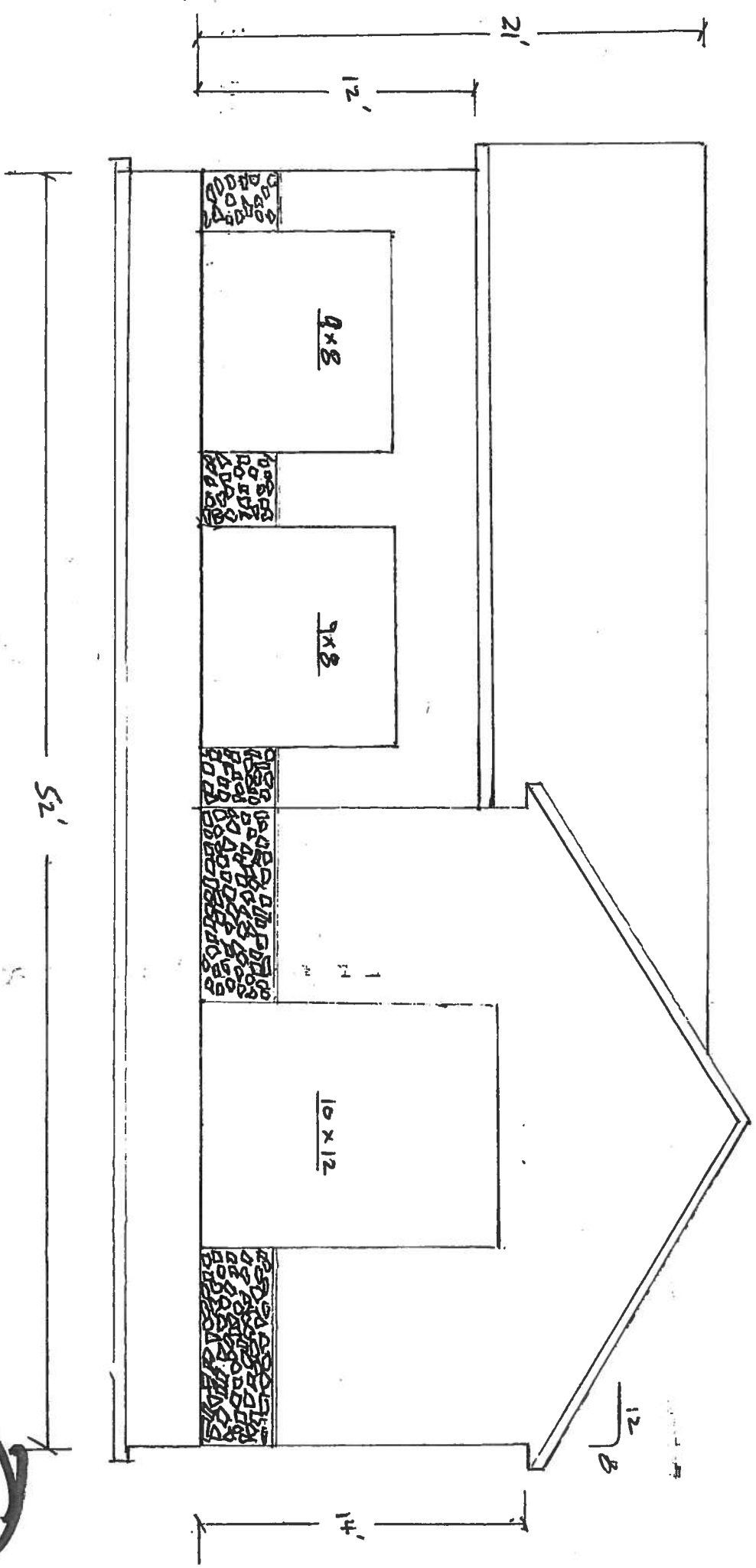
in referenced above proposes slopes of approximately 11% in the disturbance & construction area excepting small...  
 25-33%. Proposed contours as shown represent schematically, the grading as it is roughly existing as of 5/19/2005...  
 appropriately graded to direct storm water around and away from the proposed foundation in accordance with...  
 ll be stabilized using appropriate ground cover vegetation and/or grasses. Appropriate erosion control measures shall...  
 intained as reproduced on this plan and originally shown on the aforementioned Site Plan in order to prevent...  
 the Monocacy Creek.

... a "Provisional No Detention" subarea of the Monocacy Creek per the watershed release rate map located in the Act...  
 ment Plan. The proposed development will result in less than 10,000 square feet of impervious surface and is...  
 ... Monocacy Creek Act 167 Stormwater Management Ordinance. The post-development increase...



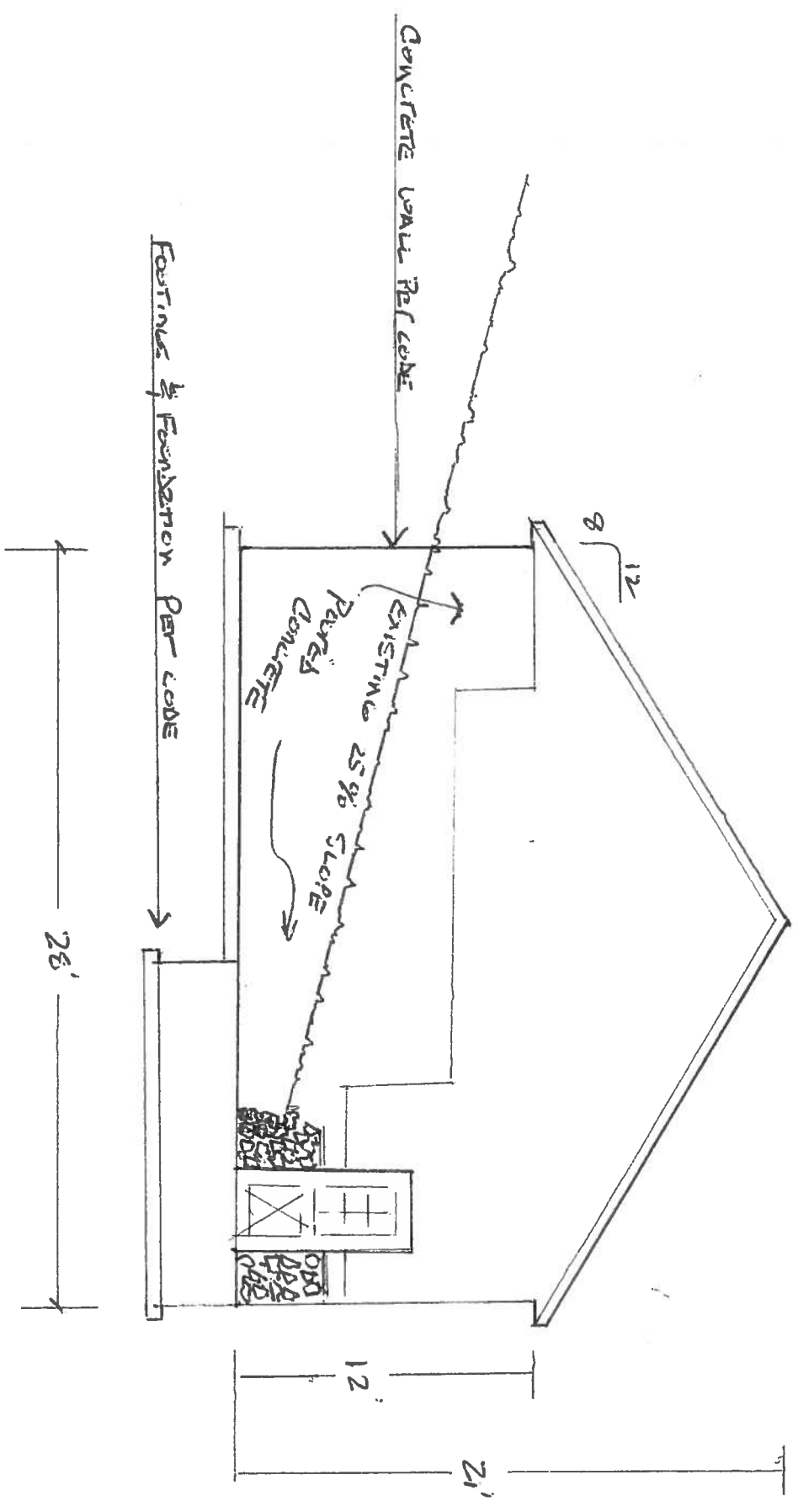


FRONT



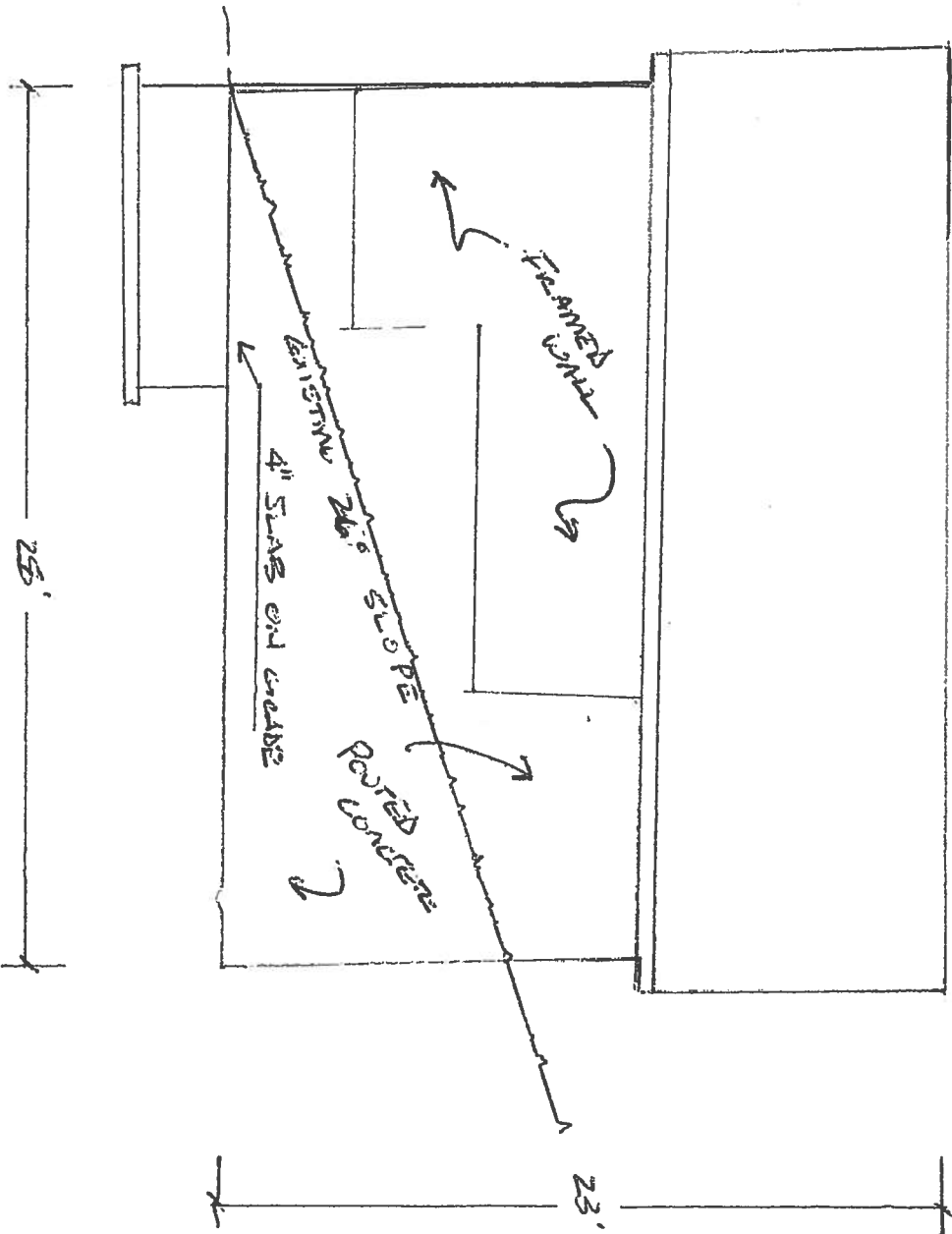
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LEFT



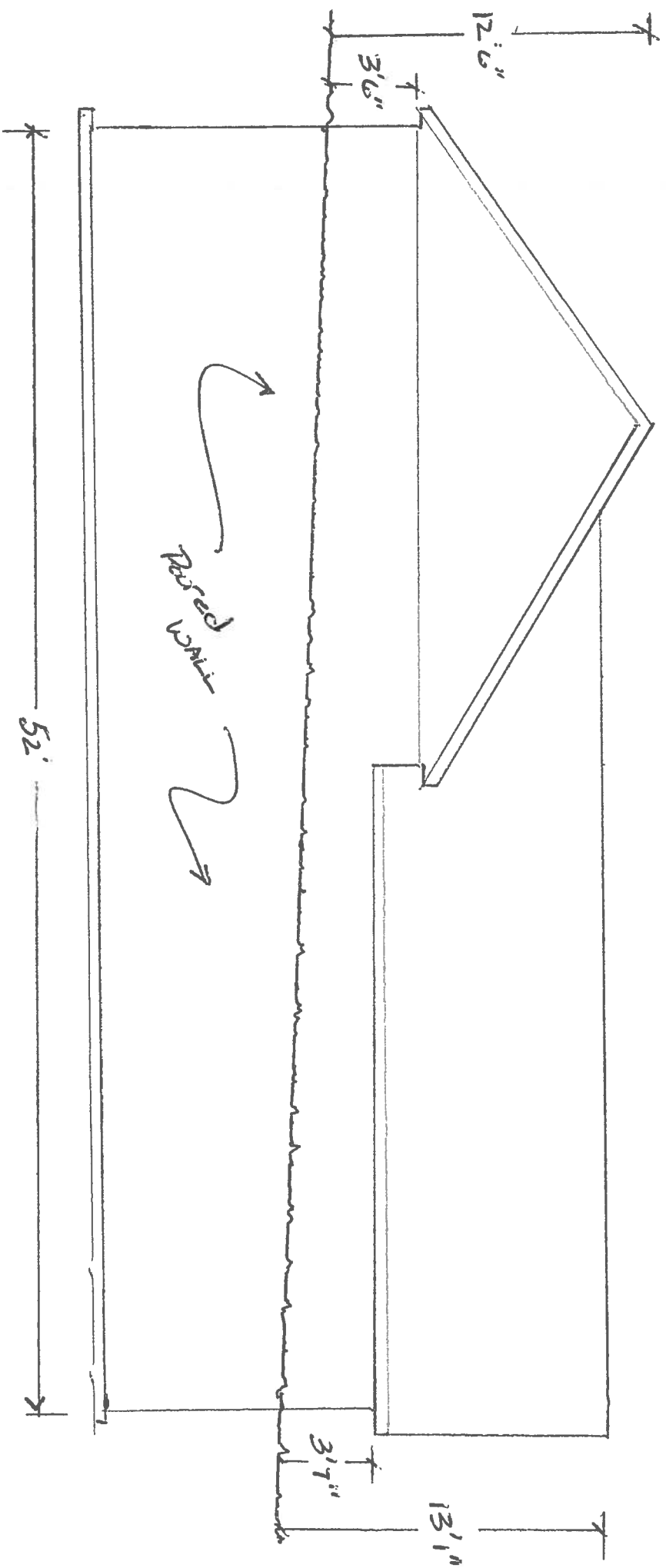
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PIC 117

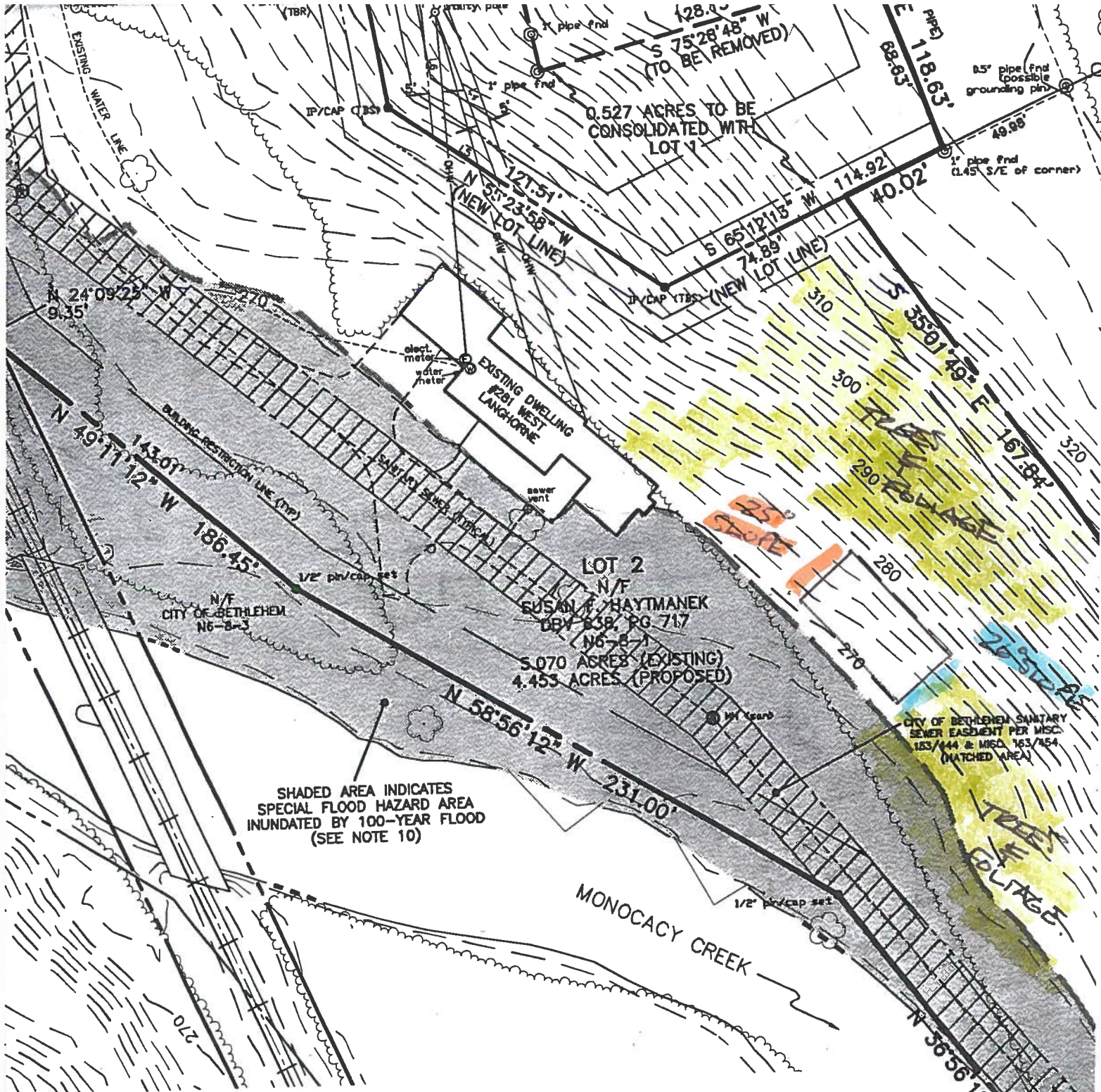


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REAR



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**DEVELOPMENT NOTES:**

Development on lot 1, as shown, is based on a previously approved development plan prepared by [redacted], Inc., drawing A-01, sheet 2 of 18, bearing a date of 12/20/04, last revised 01/11/2005 prepared for use in connection with the proposed development on existing parcel N6NW3-2-1A. The Site Plan was prepared using the existing dimensions of the parcel (as shown on the attached site plan), and in-fact used this lot line plan as its background and was used to obtain permits for the proposed development (under construction as of 05/19/2005). The same information from the Site Plan is now being used for the fill planning requirements of the City of Bethlehem.

The development proposed above proposes slopes of approximately 11% in the disturbance & construction area excepting small areas of 5-33%. Proposed contours as shown represent schematically, the grading as it is roughly existing as of 5/19/2005. The proposed development is appropriately graded to direct storm water around and away from the proposed foundation in accordance with the attached site plan. The site shall be stabilized using appropriate ground cover vegetation and/or grasses. Appropriate erosion control measures shall be implemented as reproduced on this plan and originally shown on the aforementioned Site Plan in order to prevent erosion into the Monocacy Creek.

The proposed development is a "Provisional No Detention" subarea of the Monocacy Creek per the watershed release rate map located in the Act 167 Stormwater Management Ordinance. The proposed development will result in less than 10,000 square feet of impervious surface and is consistent with the requirements of the Monocacy Creek Act 167 Stormwater Management Ordinance.

