

"ORIGINAL"



SITE ADDRESS: 2037 Stefko Blvd. Bethlehem, PA  
18017

Office Use Only:

DATE SUBMITTED: 05.26.2021

HEARING DATE: 06.23, 2021

PLACARD: 06.10.2021

FEE: \$ 500<sup>00</sup>

ZONING CLASSIFICATION: C1

LOT SIZE: 60' x 110' or 6,600 SF

**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 4<sup>th</sup> Wednesday of the month. The hearing will be held on 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>Jose Medina, Esq.</u>
Address	<u>242 W. Lehigh St.</u>
	<u>Bethlehem PA 18017</u>
Phone:	<u>[REDACTED]</u>
Email:	<u>[REDACTED]</u>

**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 SMJEM, LLC

Address ~~00000~~ 511 Greenwood Ave.  
Bethlehem, PA 18017

Phone: [REDACTED]

Email: [REDACTED]

**ATTORNEY** (if applicable):

Name Jose Miguel Medina, Esq.

Address 242 W. Lehigh St.  
Bethlehem, PA 18017

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 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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Use VARIANCE to add one residential dwelling  
to an existing two unit commercial structure.

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): \_\_\_\_\_


**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

\_\_\_\_\_  
Date 5/26/2021

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

\_\_\_\_\_  
Date 5/26/2021

\_\_\_\_\_  
Received by

\_\_\_\_\_  
Date

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

# LAW OFFICE OF JMM, LLC

- Attorney at Law -

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2037 Stefko Boulevard (Back Office)  
Bethlehem, PA 18017  
Tel: (610) 984-2523

Date: May 26, 2021

**City of Bethlehem Zoning Hearing Board**  
**10 East Church Street**  
**Bethlehem, PA 18018**

## NARRATIVE STATEMENT

The property located at 2037 Stefko Boulevard, Bethlehem, Pennsylvania 18017 ("Property") is managed by SMJEM, LLC, which in turn is owned by Sylvia Medina and Jose E. Medina. Sylvia Medina (Owner) is also the owner of the optical business Medoptic, PC, which rents the commercial space for said property from SMJEM, LLC.

In addition, the owner has permitted her son, Jose M. Medina, a licensed attorney in the Commonwealth of Pennsylvania use of an accessory building behind the optical, under the name Law Office of JMM, LLC.

### PRIOR USE:

Prior to the purchase of said property by SMJEM, LLC, the property was zoned for multi-residential use. The prior owners used the main building as a residential dwelling, and the accessory building behind the optical was used for storage. Upon purchase of said property by SMJEM, LLC, and a Certificate of Occupancy was granted to Medoptic, PC, and (according to the City) said property was rezoned as Commercial without any application for rezoning made by SMJEM, LLC. Approximately June 2016, the Law Office of JMM, LLC was granted a Certificate of Occupancy to utilize the accessory building for commercial use. The whole time the property was in use by SMJEM, LLC the property has been used as commercial/residential, as the owner's brother-in-law, Domingo Medina, and the owner's son, Jose Miguel Medina, Esquire, lived on the property (living space downstairs, while the office was upstairs). Recently, due to the COVID-19, the owner's brother-in-law has ceased residing at the property to live in New York. In regards to the owner's son, he maintained an apartment at 242 West Lehigh Street, Bethlehem, Pennsylvania 18018 for the last three years, while often residing at the property on days of inclement weather to maintain said property for his parents or at other times when his work load required long hours (and thus, allowed him to take naps in between drafting of documents and whatnot).

### Grounds for Variance:

- 1) Denial of the variance will cause a unique hardship because the property was originally zoned as multi-residential, the owner of said property never formally

applied for a variance to change this property from residential to commercial, and the property has always been used as residential in one form or another, and when the current owner used the property for commercial use they still used the property for residential use.

- 2) Approval of the variance will cause no adverse effect on the public health, safety or general welfare because the property has always been used as commercial residential, and the area around the property has single residential properties located directly across the street and commercial/residential properties on the same block, and
- 3) Approval to allow construction of an 8x8 addition, with respective plumbing and electrical work to convert the storage space in the back of the building to a residential dwelling is the least possible modification that can afford the owner relief for the unique hardship of the property as the storage space must be renovated due to a need to repair the roof and reframe some of the existing structure of the storage space, and the basement of the commercial dwelling where the owner's son often slept would sometimes get flooding on days of inclement weather.

**LAW OFFICE OF JMM, LLC**  
- Attorney at Law -

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2037 Stefko Boulevard (Back Office)  
Bethlehem, PA 18017  
Tel: (610) 984-2523

Date: May 26, 2021

**City of Bethlehem Zoning Hearing Board**  
**10 East Church Street**  
**Bethlehem, PA 18018**

**AUTHORIZATION OF REPRESENTATION**

I, **Sylvia Medina**, owner of the property located at **2037 Stefko Boulevard, Bethlehem, Pennsylvania 18017** ("Property"), and owner of **SMJEM, LLC** (the property management company for said Property), designate, my attorney, **Jose Miguel Medina, Esquire** to act as the authorized representative in the regards to all property matters related to permits, variance applications, special exemption applications, and/or any applications for construction and renovations for said Property.

I further certify that I have the authority to execute this form on behalf of the SMJEM, LLC.

Authorized Representative Contact Information:

511 Greenwood Avenue  
Bethlehem, Pennsylvania 18015  
(610) 201-4019

*Sylvia Medina, OD*  
\_\_\_\_\_  
Name – Please Print

*[Signature]* *5-26-21*  
\_\_\_\_\_  
Signature                      Date

**City of Bethlehem**  
**Bureau of Code Enforcement**  
**Application for Permit**

*This section for office use only:*

Permit No. \_\_\_\_\_

Ward \_\_\_\_\_ Block \_\_\_\_\_ Zoning District \_\_\_\_\_ Permit Fee \$ \_\_\_\_\_

Use Group \_\_\_\_\_ Construction Type \_\_\_\_\_ Code Year \_\_\_\_\_ Occupancy Load \_\_\_\_\_

Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Please Print Clearly*

**Application Date:** \_\_\_\_\_

Address of Construction: 2037 Stefko Blvd. Bethlehem, PA 18017

RESIDENTIAL       COMMERCIAL      Construction Cost \$ 6,000

Brief description of work: Renovating office space, reframing parts of existing structure, reroofing roof, adding addition of 8x8.

Check where appropriate:

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Reroof | <input type="checkbox"/> New Building                   | <input type="checkbox"/> Fire Alarm            | <input type="checkbox"/> Temporary Use |
| <input type="checkbox"/> Siding            | <input checked="" type="checkbox"/> New Addition        | <input type="checkbox"/> Sprinkler             | <input type="checkbox"/> Parking Lot   |
| <input type="checkbox"/> Façade            | <input checked="" type="checkbox"/> Interior Alteration | <input type="checkbox"/> Tent                  | <input type="checkbox"/> Foundation    |
| <input type="checkbox"/> Fence             | <input type="checkbox"/> Deck                           | <input type="checkbox"/> Razing                | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Sign              | <input type="checkbox"/> Swimming Pool                  | <input type="checkbox"/> Accessory Bldg. _____ |  |

**\*Three sets of construction drawings and the site plan must be submitted with this application.\***

Property Owner's Name: SMJEM, LLC Phone # (610) 984-2869

Property Owner's Address: 511 Greenwood Ave. Bethlehem PA 18015  
City State Zip

Applicant: Jose Medina, Esq. Phone # (610) 984-2523

Applicant's Address: 242 W. Lehigh St. Bethlehem PA 18018  
City State Zip

Applicant's Email Address: legal@lawofficeofjmm.com

Contractor: \_\_\_\_\_ Phone # \_\_\_\_\_

Contractor's Address: \_\_\_\_\_  
City State Zip

**IMPORTANT:** A current *Certificate of Insurance for Workmen's Compensation* must be submitted with this application if not already on file in the Bureau of Code Enforcement.

The City of Bethlehem has the right to request a property survey if applicable.