



SITE ADDRESS: 447 N. Pine Top Circle, 468 N. Pine Top Circle

Office Use Only:

DATE SUBMITTED: 09.17.2021

HEARING DATE: 10.27.2021

PLACARD: 10.12.2021

FEE: \$1,000.00

ZONING CLASSIFICATION: R-R

LOT SIZE: 30,828 square feet (468 M. Pine Top Circle)

REGULAR 47,511 square feet (447 N. Pine Top Circle)

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: Recognition of non-conforming lot

SECTION 1

Table with applicant information: Name R&S Hoffman Builders LLC, Address 6203 Saddle Road, New Tripoli, Pennsylvania 18066, Phone, Email.

<b>OWNER</b> (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	R&S Hoffman Builders LLC
Address	6203 Saddle Road New Tripoli, Pennsylvania 18066
Phone:	[REDACTED]
Email:	[REDACTED]
<b>ATTORNEY</b> (if applicable):	
Name	Mark Malkames, Esquire
Address	509 W. Linden Street Allentown, PA-18101
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
<u>1316.01 (c)</u>	<u>10 acres required by code</u>	<u>1.09 acres (447 Pine Top Circle) .7077 acres (468 Pine Top Circle)</u>	<u>enhanced acreage required by steep slope zoning (not compliant under customary minimum acreage criteria)</u>
<u>1316.01 (c)</u>	<u>5% maximum impervious coverage permitted</u>	<u>7.8% (447 Pine Top Circle) 12.7% (468 Pine Top Circle)</u>	<u>Variance from enhanced impervious coverage requirements (not compliant under customary minimum acreage criteria)</u>

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

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):

Recognition of non-conforming lots of record.

**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.

Rendall N Hoffman  
Applicant's Signature

9/16/21  
Date

Rendall N Hoffman  
Property owner's Signature

9/16/21  
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.**

The subject lots were created as part of the Estates of Pine Top Ridge subdivision approved by the City of Bethlehem and recorded on November 1, 2000, Instrument Number 20000040416. The lots are shown thereon as Lot 1 and Lot 4. Lots 2 and lots 3 have already been developed with single family homes.

The Applicant acquired these lots on April 23, 2021. The Applicant initiated development of these lots consistent with the approved subdivision plan but suspended activity associated with obtaining variances from the slope provisions of the ordinance.

1316.01 (c) identifies current slope zoning standards under the Ordinance. Small portions of the construction areas on each lot are over 35% slope, and thus an enhanced 10 acre lot minimum applies to each lot. (There is also small disturbance of 25 to 35% on both parcels triggering the 4 acre minimum for both lots and with respect to 468 N. Pine Top Circle there is a slope disturbance of 15 to 25% which would also raise the lot coverage requirement for that parcel to 1 acre.)

The customarily prevailing minimum lot requirements in the R-R zoning district is 15,000 square feet. Both lots substantially exceed the normal required minimum lot coverage without regard to the slope enhancements.

By reason of the same provision, the lots are further subject to increased impervious coverage requirements under 1316.01 (c). The enhanced maximum impervious coverage requirement for the lots is 7.8% (447 N. Pine Top Circle) and 12.7% (468 N. Pine Top Circle) respectively. A 50% maximum impervious coverage requirement normally prevails meaning but for the slope provision, the development would more than comply.

When the lots were created they were seemingly compliant with the slope zoning (It is doubtful that the city with its multi-level reviews would have allowed creation of undersized unusable lots). Applicant requests recognition of their non conforming status in accordance with Pennsylvania Zoning Law regarding requirements for non conforming lots of record. The Applicant does not own any contiguous land by which the lots can be merged to obtain compliance with the enhanced standards.

The development will comply with all required performance and dimensional standards including lot width, yard set backs and building height (and building coverage and lot impervious coverages normally prevailing).

The construction proposed is entirely consistent with the construction anticipated and previously approved for development by the approved subdivision plan. The graphically shown plan footprints on the subdivision plan (attached) depicts structures 40 foot deep by 75 foot wide or a 3,000 square foot underground footprint. The proposal made by Applicant is for 2,284 square feet for 447 N. Pine Top Circle and 2,317 square feet for 468 N. Pine Top Circle. Thus, both footprints reduce the originally depicted approved underground footprints.

The construction proposed is consistent with the construction in the neighborhood, almost all homes being similarly sized. The plans prepared by the Applicant depict the contours at 2 foot intervals to provide the detailed topography needed to design the grading necessary to satisfy storm water diversion requirements of the Zoning Ordinance and Building Code. The recorded subdivision plan shows contours at 10 foot intervals and give the impression that the ground may not be as steeply sloped as it otherwise is.

The finished slopes as proposed will meet Zoning Ordinance ratio requirements for 3:1 (3 foot horizontal run for every 1 foot vertical rise) or 33% (to address an additional issue for which the Zoning Officer has requested clarification).

The relief proposed is the minimum relief. Indeed, the lots have no usable value if not for single family construction. The lots are uniquely configured and cannot be redesigned. The hardship is created by pre-existing conditions relating to the creation of the lots. The homes cannot be resited to achieve better compliance and the previously approved lot development is both typical and necessary. The physical slope conditions can be addressed without impact to the Community and without frustrating the intent of the Ordinance. The relief requested will not create a detriment and is consistent with the approved plans, the developed neighborhood and the underlying Zoning. Applicant requests recognition of the lot non-conforming status or alternatively a hardship variance.

**EXCISE TAX NOTE:**  
 This plan is subject to the Excise Tax on the Transfer of Certain Instruments, 26 U.S.C. § 2032(a), and the Excise Tax on the Transfer of Certain Instruments, 26 U.S.C. § 2032(a).

CALL TODAY FOR THE BEST PRICE!  
 1-800-242-1776  
 1-800-242-1776

**PLANNED RESIDENTIAL DEVELOPMENT**  
 CONTROLLED BY THE BOARD OF DIRECTORS

**APPLICABLE REGULATIONS:**  
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE (IRC).  
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC) AND THE INTERNATIONAL ELECTRICAL CODE (IEC).  
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).

**FINISHES:**

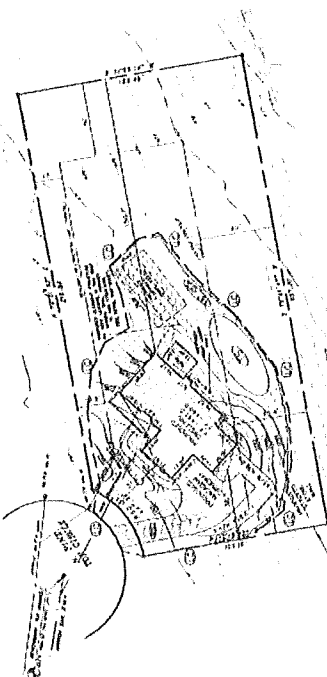
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FLOOR	CONCRETE
WALL	PLASTER
DOOR	WOOD
WINDOW	WOOD
ROOF	ASPH/FLT
PAINT	EMULSION
GLASS	GLASS
IRON	STEEL
COPPER	COPPER
ALUMINUM	ALUMINUM
BRASS	BRASS
STEEL	STEEL
WOOD	WOOD
CONCRETE	CONCRETE
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2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES CONNECTIONS.
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SEE SHEET FOR LANDSCAPE DETAILS



SCALE: 1/8" = 1'-0"

ALL DIMENSIONS ARE AS SHOWN UNLESS OTHERWISE NOTED.

**GENERAL NOTES:**  
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**PROPOSED CONSTRUCTION VOLUMES**

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	Excavation	1,000	CY	1.20	1,200
2	Concrete	500	CY	2.50	1,250
3	Rebar	10,000	LB	0.10	1,000
4	Formwork	20,000	SF	0.05	1,000
5	Foundation	1,000	LF	1.00	1,000
6	Foundation	1,000	LF	1.00	1,000
7	Foundation	1,000	LF	1.00	1,000
8	Foundation	1,000	LF	1.00	1,000
9	Foundation	1,000	LF	1.00	1,000
10	Foundation	1,000	LF	1.00	1,000
11	Foundation	1,000	LF	1.00	1,000
12	Foundation	1,000	LF	1.00	1,000
13	Foundation	1,000	LF	1.00	1,000
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18	Foundation	1,000	LF	1.00	1,000
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20	Foundation	1,000	LF	1.00	1,000
21	Foundation	1,000	LF	1.00	1,000
22	Foundation	1,000	LF	1.00	1,000
23	Foundation	1,000	LF	1.00	1,000
24	Foundation	1,000	LF	1.00	1,000
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**LOT 4, THE ESTATES AT PINE TOP RIDGE**  
**468 N. PINE TOP CIRCLE**  
 JACKSON, MISSISSIPPI  
 118 N. 17TH ST. ALBANY, GA. 31707-08 REC-720888

**PERMANENT SEEDING SPECIFICATIONS**

1. SEEDING SHALL BE DONE BY THE CONTRACTOR AT HIS OWN RISK AND EXPENSE. (FORM OF 11-1-10)

2. SEEDING SHALL BE DONE BY THE CONTRACTOR AT HIS OWN RISK AND EXPENSE. (FORM OF 11-1-10)

**EMERGENCY STABILIZATION**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EXISTING AND PROPOSED STRUCTURES AND UTILITIES FROM COLLAPSE OR DAMAGE DURING THE CONSTRUCTION OF THE PROJECT.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EXISTING AND PROPOSED STRUCTURES AND UTILITIES FROM COLLAPSE OR DAMAGE DURING THE CONSTRUCTION OF THE PROJECT.

**RECYCLING AND DISPOSAL OF MATERIALS**

1. ALL MATERIALS TO BE RECYCLED OR REUSED SHALL BE IDENTIFIED AND QUANTIFIED IN THE BIDDING DOCUMENTS.

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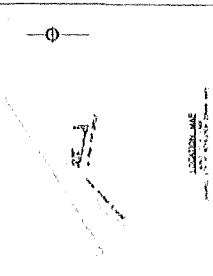
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Table with multiple columns and rows, likely a schedule or list of materials. The text is too small to read accurately.

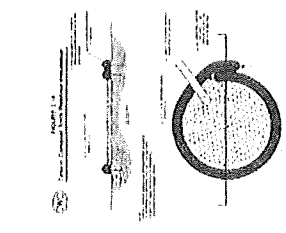
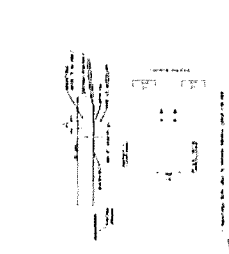
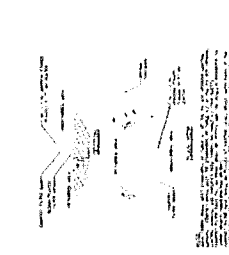
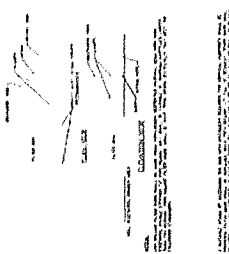


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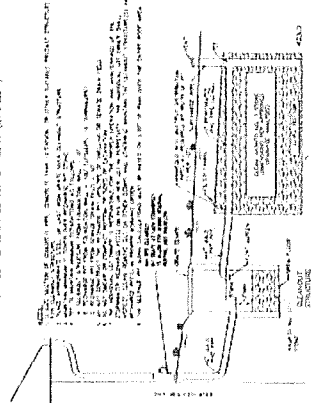
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**EXCAVATION NOTES:**  
 1. EXCAVATION SHALL BE TO THE BOTTOM OF THE FOUNDATION FOOTING.  
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**FOUNDATION REQUIREMENTS:**  
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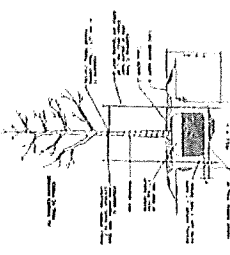


**FOUNDATION DETAIL**

**CALL BEFORE YOU DIG!**  
 A WARNING SERVICE IS AVAILABLE TO HELP YOU LOCATE UTILITIES BEFORE YOU EXCAVATE.  
 1-800-240-1776

**SEARCH FOR SERVICE PROVIDERS:**  
 VISIT US AT [www.1-800-240-1776.com](http://www.1-800-240-1776.com)

**APPLICABLE CODES:**  
 1. IBC - INTERNATIONAL BUILDING CODE  
 2. IRC - INTERNATIONAL RESIDENTIAL CODE  
 3. IFC - INTERNATIONAL FIRE CODE  
 4. IFC - INTERNATIONAL FIRE CODE  
 5. IFC - INTERNATIONAL FIRE CODE  
 6. IFC - INTERNATIONAL FIRE CODE  
 7. IFC - INTERNATIONAL FIRE CODE  
 8. IFC - INTERNATIONAL FIRE CODE  
 9. IFC - INTERNATIONAL FIRE CODE  
 10. IFC - INTERNATIONAL FIRE CODE



**TREE PLANTING AND STAKING DETAIL**

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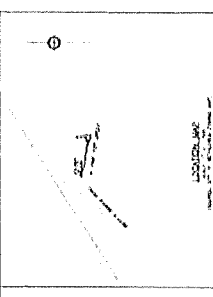
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**GENERAL NOTES:**  
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**PROPOSED CONSTRUCTION SCHEDULE**

ACTIVITY	START DATE	END DATE	DEPENDENCIES
1. EXCAVATION	08/01/2024	08/15/2024	
2. FOUNDATION	08/15/2024	08/30/2024	1
3. TREE PLANTING AND STAKING	08/15/2024	08/30/2024	1
4. FINISHES	08/30/2024	09/15/2024	2, 3
5. ELECTRICAL	08/30/2024	09/15/2024	2, 3
6. MECHANICAL	08/30/2024	09/15/2024	2, 3
7. PLUMBING	08/30/2024	09/15/2024	2, 3
8. ROOFING	08/30/2024	09/15/2024	2, 3
9. INTERIORS	08/30/2024	09/15/2024	2, 3
10. EXTERIORS	08/30/2024	09/15/2024	2, 3
11. UTILITIES	08/30/2024	09/15/2024	2, 3
12. LANDSCAPE	08/30/2024	09/15/2024	2, 3
13. OTHER	08/30/2024	09/15/2024	2, 3



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13. OTHER	08/30/2024	09/15/2024	2, 3

**LOT PLAN, EXCAVATION & CONSTRUCTION PROPOSED CONSTRUCTION PLAN**  
**LOT 1, THE ESTATES AT PINE TOP RIDGE**  
**447 N. PINE TOP CIRCLE**  
 CITY OF BIRMINGHAM, ALABAMA

**DESIGNED BY:** [Firm Name]  
**DATE:** [Date]  
**SCALE:** [Scale]