

ORIGINAL

SITE ADDRESS: 1559 KELCHNER ROAD, BETHLEHEM, PA 18018

Office Use Only:

DATE SUBMITTED: 05.24.2022HEARING DATE: 06.22.2022

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	CHIRAG THAKKAR
Address	1449 JAKES PLACE, HELLERTOWN, PA 18055
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	OLV PROPERTIES, LLC
Address	1559 KELCHNER ROAD, BETHLEHEM, PA 18018
Phone:	
Email:	
ATTORNEY (if applicable):	
Name	JOSEPH A. FITZPATRICK, JR.
Address	TWO CITY CENTER, 645 HAMILTON STREET, SUITE 800
	ALLENTOWN, PA 18101
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
1306.01(a)	75 FEET	25 FEET	50 FEET

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.

The applicant is seeking a variance from Section 1306.01(a) for reduction in required lot

width from 75 feet to 25 feet.

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

5/19/22

Date

DocuSigned by:


Property owner's Signature

5/19/2022

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.

ZONING VARIANCE NARRATIVE & PHOTO INVENTORY

*1559 Kelchner Road
City of Bethlehem, Lehigh County, PA
May 23, 2022*

The subject site is approximately 2 acres in size and is located at 1559 Kelchner Road in City of Bethlehem, Lehigh County, Pennsylvania. The subject site is zoned RS – Residential District which permits medium density (8,000 SF min. lot area) Single Family Detached (SFD) residential dwellings. Up until 2017, the site contained an SFD dwelling on the property. The dwelling has since been demolished and there is currently a vacant lot with driveway area which serviced the former dwelling. (See attached Site photos and Figure 1).

Since, the subject site was formerly improved, the topography of the site is gently sloping from west to east. The site has frontage on Kelchner Road and surrounded by single family residential dwellings all other sides. Sanitary sewer and Water mains are located within the Kelchner Road. Kelchner Road does not have any storm drainage conveyance network within the street.

Based on the requirements of the Zoning Ordinance, the subject site could be developed with seven (7) Single Family Residential Dwelling units and associated site improvements. Refer to attached Concept Plan CP-1 (By-Right Plan). The zoning chart provided on the Concept Plan, CP-1 demonstrate compliance with the prevailing zoning ordinance.

The applicant is instead proposing to develop the subject site with only four (4) Single Family Detached Dwellings as shown on Concept Plan, CP-4 (Variance Plan). Due to the shape of the existing lot and limited frontage available along Kelchner Road, the applicant is seeking a relief from the minimum lot width requirement for proposed Lots 3 and 4. The Zoning Code requires 75 feet lot width but permits 25% reduction in lot width (to 56.5 feet) when lots front of a cul-de-sac bulb. The applicant is proposing 25 feet lot

width for proposed Lot 3 and 4. Additionally, since stormwater conveyance network (storm pipes & inlets) does not exist in Kelchner Road, this creates certain limitation on the discharge of stormwater from the site. Therefore, although permitted by the zoning ordinance, the higher density development (CP-1; By-Right Plan) should be considered less ideal than low density development (CP-4; Variance Plan).

The following table provides comparison of planning and development considerations between the By-Right Plan (CP-1) and Variance Plan (CP-4)

Item	By-Right Plan – CP-1	Variance Plan – CP-2
No. of proposed Lots	7	4
Average Size of proposed Lots	9,890± SF	20,955± SF
Proposed Impervious Coverage	30,000± SF	12,750± SF
Buffer to adjacent residential use	Comparatively small	Comparatively large
Stormwater discharge from site	Comparatively Higher	Comparatively Lower
Erosion / Sediment generation during construction	Higher	Lower
Sewer Generation	7 EDUs	4 EDUs
Water Usage	7 EDUs	4 EDUs
Traffic Impacts (Est. No of trips)	63	36
No. of kids in public schools	More	Less
Possible impact to existing home values in neighborhood	No change in Values	Increase in Value
Public services usage (fire, police, emergency)	Comparatively Higher	Comparatively Lower

As demonstrated above, the Variance Plan (CP-4) is a superior option to the By-Right Plan (CP-1) in all twelve (12) Planning and Development categories listed above.

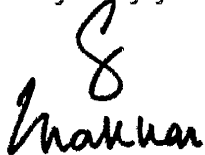
Pursuant to Section 1325.06, the applicant is requesting the relief due to the shape/dimension of the existing lot and lack of storm drainage infrastructure in Kelchner Road. Because of these physical circumstance and condition, the property cannot be developed in the strict conformity of ordinance and in compliance with the zoning standards. The variance, if authorized, will represent minimum variance that will afford relief and will represent the least modification possible. In fact, the applicant is requesting the variance to reduce the development density and not the other way around.

Finally, as the Variance Plan (CP-4) is less intense in development, the granting of the variance will not have any negative impact to the public, health and safety. Conversely, the Variance Plan provides multiple planning, development and public benefits when compared to the plan developed in compliance with the code.

The applicant reserves the right to provide additional information, witnesses, and/or testimony at the public hearing.

We respectfully request the Zoning Hearing Board to grant the requested relief.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Chirag Thakkar', with a stylized initial 'C' above the name.

Chirag Thakkar, P.E., LEED AP

P:\Accounting\Oppurtunity\Bethlehem\Office Data\Applications\Variance Narrative.doc

SITE PHOTO INVENTORY

(as of May 21, 2022)

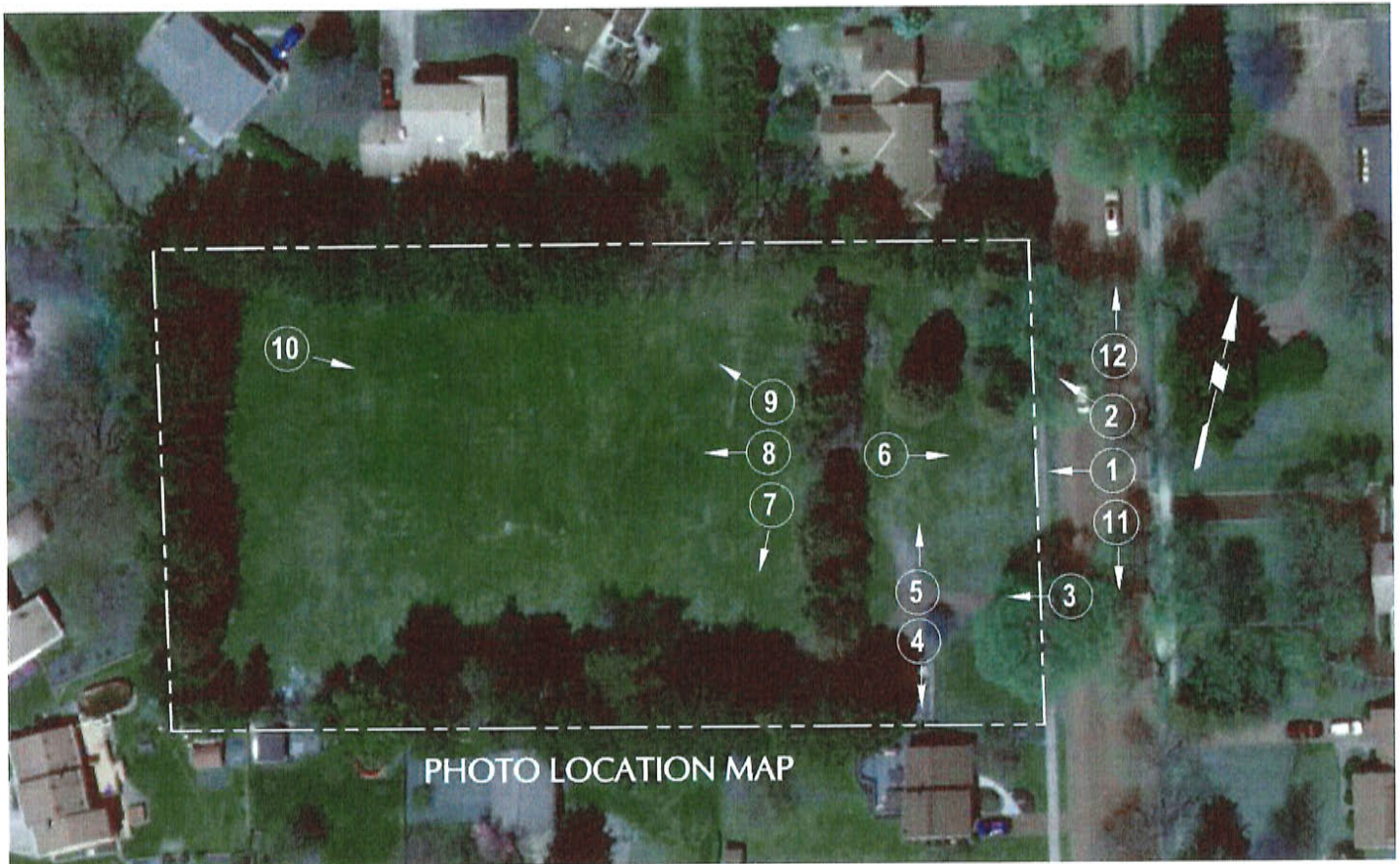




PHOTO 1 – LOOKING WEST INTO THE SITE FROM KELCHNER ROAD

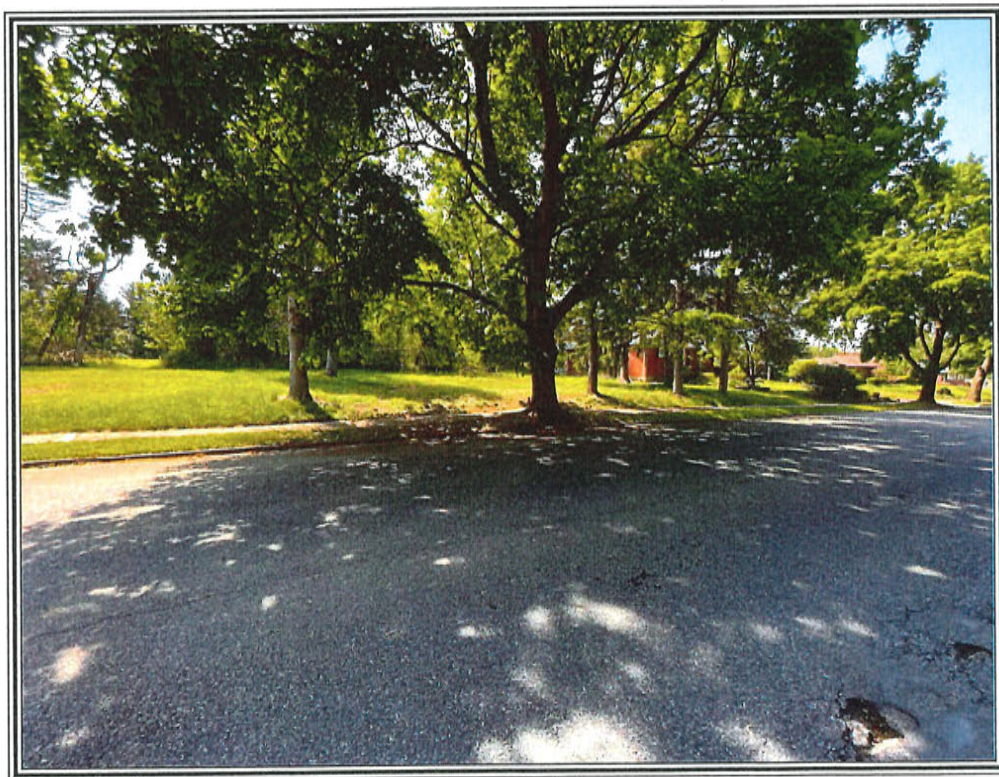


PHOTO 2 – LOOKING NORTH-WEST INTO THE SITE FROM KELCHNER ROAD



PHOTO 3 – LOOKING WEST FROM KELCHNER ROAD INTO THE EXTG. DRIVEWAY



PHOTO 4 – LOOKING SOUTH TO THE EXTG. DRIVEWAY



PHOTO 5 – LOOKING NORTH TO THE EXTG. DRIVEWAY



PHOTO 6 – LOOKING EAST FROM THE SITE TOWARDS KELCHNER ROAD



PHOTO 7 – LOOKING SOUTH TO THE SIDE OF THE SITE



PHOTO 8 – LOOKING WEST TO THE REAR OF THE SITE



PHOTO 9 – LOOKING NORTH-WEST TO THE SIDE OF THE SITE



PHOTO 10 – LOOKING EAST FROM REAR OF SITE



PHOTO 11 – LOOKING SOUTH ON KELCHNER ROAD

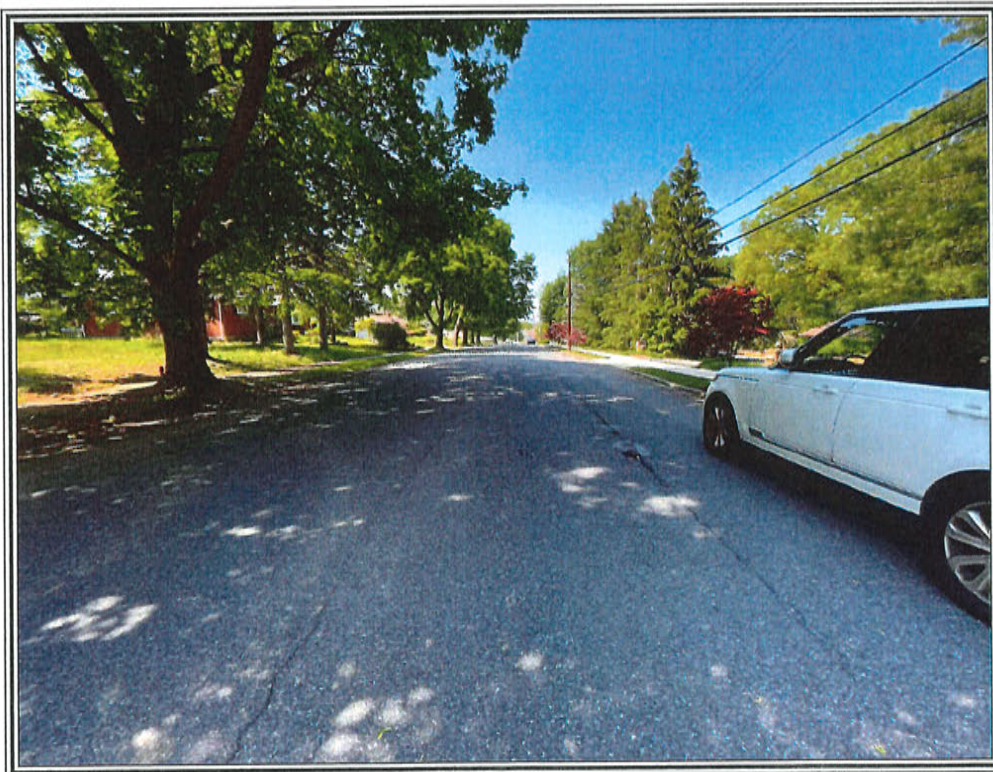


PHOTO 12 – LOOKING NORTH ON KELCHNER ROAD