



SITE ADDRESS: 1160 Win Drive, Bethlehem PA 18017

Office Use Only:

DATE SUBMITTED: _____

HEARING DATE: _____

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:	Roberts Oxygen Company, Inc.
Name	Mike Kitzinger
Address	P.O. Box 5507
	Rockville, MD 20855
Phone:	[REDACTED]
Email:	[REDACTED]

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	A Team East LLC
Address	1171 Summit Oak Dr. Lake Forest, CA 92679
Phone:	[REDACTED]
Email:	[REDACTED]
ATTORNEY (if applicable):	
Name	
Address	
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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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.

If the Applicant seeks a Special Exception, please state the **specific section (s)** of Zoning Ordinance applicable: 1305.01(e): Liquid or Gas Fuel Storage, Bulk, for off-site distribution which shall require a 150 feet setback from a residential district and review by the Fire Department of any proposed facilities; other than: auto service station, retail propane distributor as listed separately, pre-packaged sales or fuel tanks for company vehicles.

Note: The only storage, bulk for off-site distribution will be Carbon Dioxide (non-flammable) and all cylinders of gases (flammable, no-flammable, oxidizers) will be packaged for delivery or pickup before being stocked at the facility.

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.

Mike Kitzinger
Applicant's Signature

2/12/2023
Date

Adam Tuliper
Property owner's Signature

02/12/2023
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.

02/12/2023

To whom it may concern,

Roberts Oxygen Company, Inc. has authorization to appeal to the City of Bethlehem Zoning Hearing board their special exception request. This pertains to the storage of cylinder gases at the facility located at 1160 Win Drive, Bethlehem PA 18017 as noted in the signed appeal application.

Sincerely,

Adam Tuliper
Manager/Owner - A Team East LLC.

Adam Tuliper

Date: 2/13/2023

To: City of Bethlehem

From: Roberts Oxygen Company, Inc.

Re: Application For Appeal To The City of Bethlehem

Roberts Oxygen Company is a third generation family owned wholesale distributor of compressed gases, equipment and safety supplies. We service beverage, industrial, commercial, manufacturing, institutional, construction, medical and First Responder customers including the LI permitted users listed under section 1305.01:

1305.01(d) City Government, Prison, Publicity Owned and Operated Park, Swimming Pool, and U.S. Postal Service

1305.01(e) Assembly or Finishing Products, Building Supplies and Materials, Distribution, Industrial Equipment Sales, Ceramic Products, Refractory Products, Computer and Electronic Products, Electrical Equipment, Fabricated Products, Food and Beverage Products, Food Products for Animals, Glass and Glass Products, Jewelry and Silverware, Machinery and Gaskets, Manufacturing or Modular Housing, Medical Equipment, Pulp and Paper Products, Paving Materials, Pharmaceutical and Medicines, Plastics, Products from Previously Manufacture Materials, Roofing Materials, Transportation Equipment, Wood Products, Packaging, Printing, Recycling, Research and Development, Sawmill, Warehousing and Storage, and Welding.

1305.01(f) Composting, Day Care (helium for balloons), Outdoor retail Sales, and Outdoor Storage and Display.

The transfer of our service to current customers in the Lehigh Valley to 1160 Win Drive Bethlehem, PA from three Roberts locations in Pennsylvania (1990 - Collingdale, 2005 - Lancaster, and 2011 - Pleasant Gap) will enable us to service these customers more efficiently while expanding our service area to the surrounding community. We will hire a truck driver, manager, and an outside sales representative along with adding a bulk CO₂ (non-flammable) tank, compressed gas cylinders (non-flammable, oxidizers, and flammables), equipment and safety supplies. This use will maintain the existing 12 parking spaces. The bulk CO₂ tank will be used to fill our CO₂ delivery truck to service WAWA and other CO₂ customers. All the cylinders (12 inches high to 62 inches high) will be delivered full to the property to be stored inside or outside the building to comply with the Fire Department's ordinances. The branch hours are 7:30 am – 5:00 pm.

The following improvements will be made to the location:

Add a security system

Construct 20' x 20' concrete pad with fence and install 30-ton ASME CO₂ tank 24 feet high and 10 feet in diameter.

Add a tractor trailer exit from the property using the two existing entrances and exits. Estimate the tractor trailer exit will be 165 feet x 25 feet.

Add a fence securing the 10' x 50' existing rear concrete pad. A six foot two hour firewall will be placed on the pad to separate the flammable and oxidizer cylinders outside the building.

Stock the equipment and safety supply inventory on the existing shelving in the building.

Store non-flammable cylinders and a limited supply of medical oxidizer cylinders in the building that will comply the Fire Department's ordinances.

Lower the mirror, sink, and accessories in one of the restrooms to be ADA compliant.

Replace concrete apron in the front of the building.

Subject: Impervious coverage calculations 1160 Win Drive Bethlehem, PA 18017
Date: 2/13/2023

Total Lot area 91,566 sf.

Existing Building 7600 sf == .083%
Existing Parking= 6200 sf = .067%
Existing Concrete walks 321 sf. .0035
Existing total Impervious coverage.15.35%

Proposed drive @ 25 x 150 = .034% 3750 sf
Proposed total Impervious + 18.69%

Proposed Drive @ 15 x 150 .0245 2250 sf
Proposed total impervious 17.8%

Mike Kitzinger
Roberts Oxygen Company, Inc.
V.P., Sales
mkitzinger@robertsoxygen.com
Cell 240-372-9395