



SITE ADDRESS: 1620 E. 4th Street

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:	
Name	Summerwood Corp.
Address	14 Balligomingo Road Conshohocken, PA 19428
Phone:	Joe DePascale, Development Manager
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	LVIP, Inc.
Address	1720 Spillman Drive
	Bethlehem, PA 18015
Phone:	[REDACTED]
Email:	
ATTORNEY (if applicable):	
Name	James F. Preston, Esquire
Address	38 West Market Street
	Bethlehem, PA 18018
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>N/A</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.

N/A

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

Section 1305(b), 1322(s)

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.

By:  Applicant's Signature **James F. Preston, Esquire**

March 22, 2023
Date

Property owner's Signature

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.

NARRATIVE

Re: 1620 E. 4th Street

Date: March 22, 2023

The Subject Property is in an IR (Industrial Redevelopment) Zoning District. The Applicant intends to develop the Subject Property with a fast-food restaurant with drive through service (Taco Bell), which use is permitted at the Subject Property as a Special Exception Use. Z.O. § 1322.03(s) lists the Special Exception requirements for “Drive-Through facility in conjunction with an allowed commercial use”. The Applicant’s proposal complies with the listed requirements.