



RECEIVED

APR 27 2023

SITE ADDRESS: 1165-1167 East 3rd Street, Bethlehem, PA 18015

CITY OF BETHLEHEM BUREAU OF PLANNING & ZONING

Office Use Only:

DATE SUBMITTED: HEARING DATE:

PLACARD: FEE:

ZONING CLASSIFICATION: RT LOT SIZE: Irregular - 6100 Sq. Ft.

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	Jad I. Imeid and Rasha I. Abudayeh, h/w
Address	1501 Lehigh Avenue
	Allentown, PA 18103
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	N/A
Address	
Phone:	
Email:	
ATTORNEY (if applicable):	
Name	Marc S. Fisher, Esquire
Address	Worth, Magee & Fisher, P.C. 2610 Walbert Avenue Allentown, PA 18104
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)(4)	9000 SF	6100 SF	
1306.01(a)(4)	2500 SF	1525 SF	
1306.01(a)(4)	90 FT	40 FT	

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.

Section 1319.01(a)(1)(ii) from seven (7) required off-street parking spaces to NONE.

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): _____

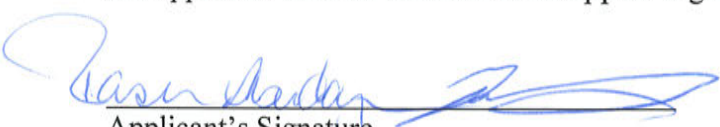
NARRATIVE

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

4-26-2023
Date


Property owner's Signature

4-26-2023
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.

NARRATIVE STATEMENT

Applicants, Jad I. Imeid and Rasha I. Abudayeh, husband and wife, are the owners of property located at 1165-1167 East 3rd Street, Bethlehem, PA 18015 ("Property"). A copy of their deed is attached as Exhibit "A-1". The property is located in the RT-High Density Residential Zoning District and is irregularly shaped with an L-shaped backyard and a significant drop in elevation from the front of the building to the rear of the Property.

On or about March 9, 2021, the prior owner submitted an Application to the ZHB for the same three (3) dimensional variances which are the subject of the present appeal and a variance to allow five (5) proposed off-street parking spaces in lieu of the seven (7) off-street parking spaces that are required. A copy of the Application is attached as Exhibit "A-2". A copy of the Notice and Decision of the ZHB granting all the requested variances is attached as Exhibit "A-3".

Unfortunately for the Applicants that approval has expired, hence the present Application for relief. There are only two (2) proposed changes from the original Application for Relief. Firstly, the original Application proposed a three-bedroom apartment (Apt. 1E) and a two- bedroom apartment (Apt. 1W). The new layout, which does not change the square footage of the units, proposes Apartment 1E to be only a one-bedroom apartment, rather than three bedrooms. This creates the possibility of less vehicular traffic. A copy of the Site Plan is attached as Exhibit "A-4".

Secondly, the earlier Application for relief proposed five (5) parking spaces in the backyard of the property. Accompanying that Application was Attachment #13 which purported to be a scaled drawing showing the pole at the rear of the property to be twelve (12) feet and five (5) parking spaces next to one another closer to the building. At that time, no engineering analysis was performed. No study of the terrain was conducted. No driveway permit was secured. Since that time, Applicants have engaged Glenwood Engineering, LLC to determine whether the rear yard of the Property would support a new parking area. A copy of that report is collectively marked as Exhibit "A-5", which shows that the pole at the rear of the Property is only ten (10) wide, that vehicles would have to cross into abutting property to gain access to parking in the rear of the Property, that due to the significant drop in elevation grading would have to extend into abutting property, that any grading would be extensive and cost-prohibitive requiring a retaining wall, and that vehicles could not be safely parked at the rear of the Property without hitting one another and/or crossing into abutting property to access in or out of the Property.

COUNTY OF NORTHAMPTON

RECORDER OF DEEDS
 NORTHAMPTON COUNTY GOVERNMENT CENTER
 669 WASHINGTON STREET
 EASTON, PENNSYLVANIA 18042-7486
 Area Code (610) 829-6210

Andrea F. Suter - Recorder
 Dorothy J. Edelman - Lead Deputy
 Barbara L. Manieri - Deputy



Book - 2022-1 Starting Page - 31222
***Total Pages - 4**

Instrument Number - 2022003556
 Recorded On 1/25/2022 At 11:47:10 AM

NCGIS Registry UPI Certification
 On January 24, 2022 By SRM

* Instrument Type - DEED
 Invoice Number - 1021070
 * Grantor - LIBAIX LTD
 * Grantee - IMEID, JAD I
 User - KABE
 * Customer - 1ST PATRIOT ABSTRACT OF LEHIGH VALLEY, INC

***FEES**

STATE TRANSFER TAX	\$1,380.00
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$40.25
RECORDING FEES	\$13.00
AFFORDABLE HOUSING	\$14.02
AFFORDABLE HOUSING -	\$2.48
ADMIN FEE	
COUNTY RECORDS	\$2.00
IMPROVEMENT FEE	
DEEDS RECORDS	\$3.00
IMPROVEMENT FEE	
UPI CERTIFICATION FEE	\$10.00
BETHLEHEM AREA SCHOOL	\$690.00
REALTY TAX	
BETHLEHEM CITY	\$690.00
TOTAL PAID	\$2,845.25

***RECORDED BY:**

1ST PATRIOT ABSTRACT OF LEHIGH VALLEY,
 INC
 3001 EMRICK BLVD UNIT 301
 BETHLEHEM, PA 18020-8041

I hereby CERTIFY that this document is recorded in the
 Recorder's Office Of Northampton County, Pennsylvania



Andrea F. Suter

Andrea F. Suter
 Recorder of Deeds

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW THE FIRST PAGE
 OF THIS LEGAL DOCUMENT

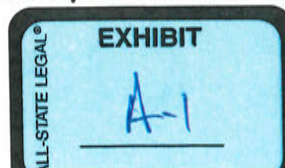
Book: 2022-1

Page: 31222

00104K



* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.



Prepared by and Return to:

First Patriot Abstract of Lehigh Valley, Inc.
3001 Emrick Boulevard, Suite 301
Bethlehem, PA 18020
(484) 893-7224

Property Address:

1165-67 East 3rd Street
Bethlehem, PA 18015-2048

Parcel No: P6NE3C 5 6 0204

PAT-8692

This Indenture, made the 20th day of January, 2022,
Between

LIBAIX LTD (hereinafter called the **Grantor**), of the one part,

And

Jad I Imeid and Rasha I Abudayeh, husband and wife, (hereinafter called the **Grantee**), of the other part,

Witnesseth, that the said Grantor(s) for and in consideration of the sum of **\$138,000.00** lawful money of the United States of America, unto him/her/them well and truly paid by the said Grantee(s), at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has/have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantee(s) as Tenants by the Entirety.

Parcel No. 1

ALL THAT CERTAIN lot or piece of ground situate in the City of Bethlehem, (formerly the Borough of South Bethlehem) County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the North line of East Third Street at a distance of one hundred forty (140) feet West from the West line of Hobart Street (formerly North Street), thence extending Westwardly along the North line of East Third Street forty (40) feet to a point, thence running back of the same width between parallel lines at right angles to the said East Third Street, one hundred twenty two (122) feet to a division line between lots fronting East Third Street and lot fronting the North Pennsylvania Railroad (known now as Railroad Street), said lot being No. 12 on a certain map of John E. Trone as laid out by Herman A. Doster.

Parcel No. 2

ALL THAT CERTAIN lot of piece of ground situate in the City of Bethlehem, (formerly the Borough of South Bethlehem), Northampton County, Pennsylvania and designated on Plan of Lots published by Herman Doster A.D. 1868 as Lot No. 7 and bounded and described as follows, to wit:

SITUATE on the South Side of a public road now known as Railroad Street and beginning at a point on the South side of said public road (known now as Railroad Street) one hundred and forty (140) feet West from the Southwest corner of said Railroad Street Westwardly along the same Southwardly one hundred twenty two (122) feet more or less to Lot No. 12 East Third Street, thence along the same Northwardly one hundred and twenty two (122) feet more or less to said Railroad Street, the place of BEGINNING.

BOUNDED on the North by Railroad Street; on the South by Lot No. 12 East Third Street; on the East by Lot No. 8 and on the West by Lot No. 6 said Railroad Street.

DEDUCTING AND EXCEPTING THEREFROM the following described premises conveyed by the said Elsie Thatcher, widow, to Ida A. Snyder on September 12, 1921 and recorded in the Office for the Recording of Deeds in and for Northampton County in Deed Book A, Volume 49, Page 686, Said premises being more particularly described as follows:

BEGINNING at a point on the South Side of Railroad Street one hundred and forty (140) feet West from the Southwest corner of said Railroad Street and North Street (now Hobart Street), thence along said Railroad Street Westwardly thirty (30) feet and of that width extending Southwardly one hundred twenty two (122) feet, More or less to Lot No. 12 Third Street.

BOUNDED on the North by Railroad Street; on the East by other lands of Ida Snyder; on the South by Lot No. 12 East Third Street and on the West by other lands of Elsie Thatcher.

HAVING ERECTED THEREON a dwelling.

PARCEL NO. P6NE3C 5 6 0204

BEING the same premises which Fannie Mae aka Federal National Mortgage Association, by its Attorney in Fact, Phelan Hallinan LLP, by Power of Attorney, by Deed dated 05/13/2014 and recorded 05/30/2014 in the Office of the Recorder of Deeds in and for the County of Northampton in Record Book 2014-1, Page 86264, granted and conveyed unto Libaix, Ltd.

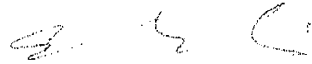
Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of him/her, the said grantor, as well at law as in equity, of, in and to the same.

To have and to hold the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee(s), their heirs and assigns, to and for the only proper use and behoof of the said Grantee(s), their heirs and assigns, forever.

And the said Grantor(s), for themselves and their heirs, executors, administrators, do, by these presents, covenant, grant and agree to and with the said Grantee(s), their heirs and assigns, that he/she, the said Grantor(s), and their heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee(s), their heirs and assigns, against the said Grantor(s), and their heirs, and an against all and every other person and persons whosoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, it, or any of them shall and will Specially Warrant and Forever Defend.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals dated the day and year first above written.


LIBAIX Ltd.

BY: 
Sherry Q Li, Sole Member

Commonwealth of Pennsylvania


County of Northampton

This record was acknowledged before me on January 20, 2022 Sherry Q Li, Sole Member of by LIBAIX LTD


Notary Public
My Commission Expires 11-6-2022

Commonwealth of Pennsylvania - Notary Seal LORI L FRITZ - Notary Public Northampton County My Commission Expires Nov 6, 2022 Commission Number 1054180
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The address of the above-named Grantee is:
1501 Lehigh Avenue
Allentown, PA 18103-4338


Signature