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SITE ADDRESS: 305- 307 E 4th Street

CITY OF BETHLEHEM BUREAU OF PLANNING & ZONING

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: Change of use

SECTION 1

APPLICANT:	Kirkwood Equity Fund LLC
Name	Mark Gallagher
Address	968 Postal Road, Suite 210
	Allentown, PA 18109
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	
Address	
Phone:	
Email:	
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
1306 RT Tract Size	9,000	5,674	
1306 RT Lot Area Per Dwelling	2,500	1,418.50	
1306 RT Lot Width	90	41	

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.

Applicant is seeking change in use from Commercial-Office to Multi-Family Dwelling with 4 dwellings.

Applicant is seeking to continue use of existing 3-bedroom home in rear of property.

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

05/04/2023
Date


Property owner's Signature

05/04/2023
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.

305 E 4th Street
Narrative

The subject property is located in the CL zoning district and was most recently used as a counseling center. It was formerly a dentist's office, and before that it is presumed to have been residential use.

The subject parcel has an odd lot shape, and the adjacent parking lot which fronts on Taylor Street and is known as 326 Taylor Street, is also owned by Kirkwood Equity Fund LLC ("Kirkwood") as a separate parcel.

The existing structure that fronts 4th Street is in need of heavy repair. The building is chopped up into tiny offices with uneven floors.

The existing structure in the rear along the trail is in need of modest repairs to continue its use as a 3-bedroom dwelling.

Kirkwood is seeking a change in use on the front building to a multi-family dwelling of 4 units. This is a permitted use in the CL district. Kirkwood is seeking dimensional variances for Tract Size, Lot Area Per Dwelling, and Lot Width.

If Kirkwood combined parcels of the Taylor Street parking lot and 4th Street parcel, tract size and lot area per dwelling would be met. However, a variance for 90 foot lot width would still be necessary.

On either side of the 4th Street structure, residential dwellings exist.

In summary, Kirkwood is seeking dimensional variances in order to accommodate a change in use to Multi-Family. Additionally, Kirkwood seeks to continue use of a 3-bedroom dwelling at the rear of the property.



**305-307 East 4th Street
Bethlehem, PA**

View from 4th Street



**305-307 East 4th Street
Bethlehem, PA**



Structure at rear of property

