

ADDENDUM

The property, located at 370 11th Avenue, Bethlehem, PA 18018 (“Property”) was acquired by Shimer Gardens, LLC (“Owner”) in January of 2026. The Property is located in the RS-Residential Zoning District under the current zoning ordinance, which took effect in 2012. However, prior to the current zoning ordinance, in 1982, a city plumbing permit was legally issued by the City of Bethlehem (“City”) to install a bathtub, lavatory, water closet, and kitchen sink above the garage. Further, in 1991, the Property was determined to meet all of the city housing code standards. According to multiple witnesses, including the former owner of the Property, the Property has been used as a two-family dwelling. Specifically, from approximately 1985-1991, 1992-2002, 2002-2006, and 2006-present, the Property has been inhabited by tenants that were separate from the main house. Finally, the County Assessment Office has indicated that this property is issued a Land Use for “more than 1 residential dwelling,” which indicates that this Property was used prior to the current zoning ordinance as a two-family dwelling. Therefore, Owner believes, and therefore avers, that this Property’s use as a two-family dwelling is a lawful non-conforming use, and respectfully requests that the Zoning Board confirm the non-conforming use.

In the alternative, Owner respectfully requests a variance to allow this Property to be used as a two-family dwelling. This Property’s unique characteristics were created prior to the institution of the current Zoning Ordinance, back in 1982. Further, the Property is not able to be utilized fully in its current condition, as the Property currently has two (2) separate entrances for the two-family dwellings, which existed prior to the zoning ordinance’s institution. The correction of these characteristics would be an undue hardship on the homeowner, and was not created by the Owner, as this has existed since 1982. Owner is not planning on any renovations or otherwise modifying the building and existing features associated therewith.

Further, the use as a two-family dwelling will not alter the character of the neighborhood, as this Property has been used for a two-family dwelling for decades. There also is sufficient off-street parking, so this use will not interfere with the neighborhood due to any parking issues. Finally, a cursory view of the RS-Residential Zoning District shows numerous properties that are multi-unit properties, including:

1. 1418 W. Market Street;
2. 1429 W Market Street;
3. 525 14th Avenue;
4. 1745 W. Market Street;
5. 401 16th Avenue;
6. 261 10th Avenue;
7. 1133 Calypso Avenue;
8. 821 Prospect Avenue;
9. 533 12th Avenue;
10. 1220 Prospect Avenue; and
11. 1200 Spring Street.

For these reasons, variance should be granted, and Applicant is respectfully requesting that the Board grant its Application.