

616 Linden St.

Two-Family Semi-Detached is not a permitted use in the CL (Limited Commercial) zoning district [1305.01.a].

Existing use is a legally non-conforming Two-Family Semi-Detached dwelling in the CL District.

Current use was approved by the Zoning Hearing Board in September 1993, as referenced by September 2004 Certificate of Occupancy.

ZO 1323.04

- (a) The total building floor area or total land area occupied by the nonconforming use or structure, whichever is more restrictive, shall not be increased by greater than 50 percent beyond the area that existed at the time the use or structure first became nonconforming.
 - (1) The 50 percent maximum shall be measured in aggregate over the entire life of the nonconformity. Therefore, for example, if a use became nonconforming in 1971, and was expanded by 20 percent in 1980, then one 30 percent expansion would be permitted today.

ZO 1325.07(b)

General Requirements and Standards Applicable to all Special Exceptions. The Board shall grant a special exception only if it finds adequate evidence that any proposed use submitted for a special exception will meet all of the following general requirements, as well as any specific requirements and standards listed for the proposed use. The Board shall, among other things, require that any proposed use and location be:

- (1) In accordance with the City of Bethlehem Comprehensive Plan and consistent with the spirit, purposes, and intent of this Ordinance.
- (2) In the best interest of Bethlehem, the convenience of the community, the public welfare, and be a substantial improvement to property in the immediate vicinity.
- (3) Suitable for the property in question, and designed, constructed, operated and maintained so as to be in harmony with and appropriate in appearance with the existing or intended character of the general vicinity.
- (4) In conformance with all applicable requirements of this Ordinance.
- (5) The proposed use shall not substantially change the character of any surrounding residential neighborhood, after considering any proposed conditions upon approval such as limits upon hours of operation.
- (6) Suitable in terms of effects on street, traffic and safety with adequate sidewalks and vehicular access arrangements to protect streets from undue congestion and hazard.
- (7) The proposed use shall not create a significant hazard to the public health and safety, such as fire, toxic or explosive hazards.
- (8) The proposed use shall be suitable for the site, considering the disturbance of steep slopes, mature woodland, wetlands, floodplains, springs and other important natural features.