



SITE ADDRESS: 735-737 Atlantic Street

Office Use Only:

DATE SUBMITTED: 7.10.24

HEARING DATE: _____

PLACARD: _____

FEE: \$ 500.00

ZONING CLASSIFICATION: RT

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	LEHIGH RE LLC
Address	██████████
	████████████████████
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	
Address	
Phone:	
Email:	
ATTORNEY (if applicable):	
Name	Michael D. Recchiuti, Esquire
Address	[REDACTED]
	[REDACTED]
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
LOT 1	1306.01(a)(4)	Min. Lot Area 3,000 SF	2,760 SF	240 SF, 8%
LOT 1 and 2	1306.01(a)(4)	Min. Lot Width 30'	20'	10', 33.33%
LOT 2	1306.01(a)(4)	Min. Lot Area 3,000 SF	2,855 SF	145 SF, 4.8%

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.

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): _____

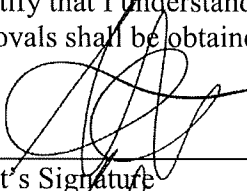
NARRATIVE

A brief statement reflecting why zoning relief is sought and should be granted must be submitted.

CERTIFICATION

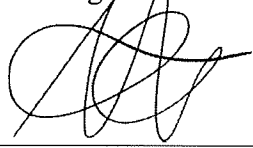
I hereby certify that the information contained in and attached to this application is true and correct to the best of my knowledge and belief.

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

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 Statement

Appellant is seeking dimensional variances from Section 1306(a) (4) of the Zoning Code as part of the minor subdivision of the property from one (1) lot to three (3) lots. The existing semi-detached houses would each be put on their own lot, and a third lot would be created.

Variances from the Ordinance for minimum lot size for semi-detached homes are needed for the approval of the subdivision. The requirement per 1306(a)(4) of the Ordinance is 3,000 SF per lot. Resulting Lot 1 would have a proposed 2,760 SF lot size. This requires a 240 SF variance, or approximately an 8% reduction from the requirement in the Ordinance. Resulting Lot 2 would have a proposed 2,855 SF lot size. This requires a 145 SF variance, or approximately a 4.8% reduction from the requirement in the Ordinance. The existing features of the property and neighborhood make it impossible for strict compliance with the zoning code regarding lot size. Both of these are considered *de minimis* variances pursuant to Pennsylvania case law on this subject.

Both Lots 1 and 2 also require variances from Section 1304(a)(4) for minimum lot width. The Ordinance requires a minimum Lot Width of 30 feet. The proposed lots are each 20 feet in width. The existing features of the property and neighborhood make strict compliance with the lot width requirement an unnecessary hardship. The approval of the variance will not alter the character of the neighborhood, and is the minimum relief necessary for approval of the subdivision plan.