



SITE ADDRESS: 774-784 Hellertown Road

Office Use Only:

DATE SUBMITTED: 9.23.2020

HEARING DATE: 10.28.2020

PLACARD: 10.15.2020

FEE: 500⁰⁰

ZONING CLASSIFICATION: CL

TOTAL LOT SIZE: 79,704 SF / 1.829 ACRES

**APPLICATION FOR APPEAL TO THE CITY OF BETHLEHEM ZONING HEARING BOARD,
10 E. CHURCH STREET, BETHLEHEM, PA 18018**

1. Return one (1) original and seven (7) 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 the 4th Wednesday of the month. The hearing will be held 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 CCAN, LLC and Chris's Commons, LLC
Address both of: 531 Sixth Avenue
Bethlehem, PA 18018
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 James J. Holzinger, Esquire
Address 1216 Linden Street
Bethlehem, PA 18018
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. Please see attached Plan.
2. Attach photographs.
3. If the real estate is presently under Agreement of Sale, attach a copy of the Agreement.
4. If the real estate is presently leased, attached a copy of the present lease.
5. 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
	Please see attached narrative		

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.

CCAN, LLC

By: 
Applicant's Signature

9/23/2020
Date

Chris's Commons, LLC

By: 
Property owner's Signature

9/23/2020
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.

Applicant proposes to consolidate the four separate lots situate at 774-784 Hellertown Road and construct thereon a gas station with retail store (a "Wawa"), and as part of the approval, relocate an existing non-conforming billboard to another location on the combined property.

This proposal was reviewed by the Planning Commission on September 10, 2020, which recommended the grant of certain variances provided certain conditions were satisfied as set forth on a letter dated September 11, 2020 attached. It should be noted that one aspect of the Planning Commission's recommendations relates to Zoning Code Section 1311 which states at Section 1311.03, Modifications, that the Planning and Zoning Bureau and the City Planning Commission shall have jurisdiction over modifications under Section 1311, and therefore, relief therefrom is not part of this appeal.

Notwithstanding that this proposal will be reviewed by the Planning Commission, the Applicant appeals to the Zoning Board for the following:

1. Use Variances from (A) Section 1306.1(b)(2)(b) to allow a gas station with retail sales in the CL Zoning District, and (B) from Section 1320.09(b)(3)(ix) to relocate an existing billboard from the southern end of the property to the northern end.

2. Dimensional Variances from (A) Section 1306.01(b)(2)(b) to allow parking spaces between the proposed structure and Hellertown Road; (B) Section 1306.03(a) to allow a solid waste enclosure between the front yard and the principle building; (C) Section 1320.09(a)(3)(iii) to allow freestanding signs of 102 s.f. and directional signs of 6.25 s.f.; and (D) Section 1322.03(v) to allow a canopy height of 20'8" as opposed to the required 20'.

Applicant believes that the proposed use on the consolidated lots is appropriate for the area and the grant of the requested relief will not negatively impact the neighborhood. The Applicant asserts that the cost to increase the elevation of the combined lots to allow any development on same supports relief from the strict application of the Zoning Code Sections from which relief is being sought.

