



ZHB Application Number \_\_\_\_\_

SITE ADDRESS: 326 E. Broad St., Bethlehem, PA 18018

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 E. CHURCH STREET, BETHLEHEM, PA 18018**

1. Return ten (10) total copies of this application and all supporting documentation and exhibits to the Zoning Officer, along with the filing fee. Include site plans and/or floor plans as necessary.
2. Complete applications submitted to the Zoning Hearing Board will be scheduled for a hearing no sooner than 21 days and no later than 60 days from the date of receipt, unless an extension of time is agreed upon in writing by the applicant. **ONLY COMPLETE SUBMISSIONS WILL BE ADDED TO THE AGENDA FOR HEARING.**
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: under 1323.07 change of one non-conforming use to another non-conforming use

**SECTION 1**

|                   |                       |
|-------------------|-----------------------|
| <b>APPLICANT:</b> |                       |
| Name              | Richard D. Bogunovich |
| Address           |                       |
|                   |                       |
| Phone:            |                       |
| Email:            |                       |

|                                                                                                                                                                              |                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| <b>OWNER</b> (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                                                                                                                                                                         | same as Applicant              |
| Address                                                                                                                                                                      |                                |
| Phone:                                                                                                                                                                       |                                |
| Email:                                                                                                                                                                       |                                |
| <b>ATTORNEY</b> (if applicable):                                                                                                                                             |                                |
| Name                                                                                                                                                                         | Michael A. Santanasto, Esquire |
| 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 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 |
|-----------------|----------------------------|---------------------------------|-----------------|
| n/a             |                            |                                 |                 |
|                 |                            |                                 |                 |
|                 |                            |                                 |                 |
|                 |                            |                                 |                 |

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.

n/a

If the Applicant seeks a Special Exception, please state the **specific section (s)** of Zoning Ordinance applicable: 1323.07 change of one non-conforming use to another non-conforming use

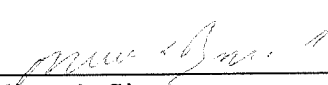
If the Applicant seeks an appeal from an interpretation of the Zoning Officer, state the remedy sought in accordance with Sec. 1325.11 (b):

**NARRATIVE (see attached)**

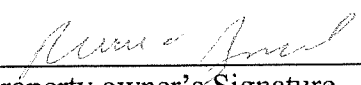
A brief statement reflecting why zoning relief is sought and should be granted must be submitted.

**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.

  
Applicant's Signature

6/24/26  
Date

  
Property owner's Signature

6/24/26  
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.**

City of Bethlehem  
Zoning Hearing Board

IN RE: Appeal of 326 E. Broad St.

}

} No.:

Narrative

Applicant is the owner of 326 E. Broad Street located in the CL Zoning District. Applicant seeks the Zoning Hearing Board of the City of Bethlehem's approval to convert the pre-existing non-conforming use into another non-conforming use. Under the City of Bethlehem Zoning Ordinance Article 1323.07 said change from one non-conforming use to another is permitted so long as the following external effects of the change are less objectionable:

1. Traffic generation and congestion including truck, passenger car and pedestrian

Traffic

2. Noise, smoke, dust, fumes, vapors, gases, heat, odor, glare, and vibration.

3. Storage and waste disposal.

4. Appearance

The current pre-existing non-conforming use is mixed - industrial and 3 unit residential, which is not permitted within the CL district. The current use is comprised of the manufacturing of dental appliances and three residential units all within the same building.

The dental appliance manufacturing use is classified under the Bethlehem Zoning Ordinance Section 1305(e) as "indoor manufacture of medical equipment," an "industrial" use, which is not a permitted use in the CL district, and further an industrial use is not permitted as a mixed use with residential multifamily apartments.

The dental appliances are made by molds provided by the dental professional and made of various materials which are assembled and manufactured into the final product through a casting and tooling process. The industrial use has never had a retail customer and produces dental appliances directly for dentists and oral surgeons. There is no signage outside the building and no architectural details which would indicate or be supportive of a retail or office use. Prior to this use the building was a 4-unit residential building, and the Applicant seeks to return the 4 unit residential.

The intensity of the use will be much lower as a residential unit as there will be less objectionable negative externalities, such as: noise, vibration, and dust. A residential unit is also more fitting with the neighborhood as the primary use in the surrounding buildings is residential, with higher attention to upkeep of a residential use. There will be no storage of note for a residential use and traffic generation will be essentially unchanged, but less required deliveries of industrial supplies.

Testimony and documentary evidence will be adduced at the hearing to support the above.