



SITE ADDRESS: 3464 Linden Street

Office Use Only:

DATE SUBMITTED: _____

HEARING DATE: 1/24/18

PLACARD: _____

FEE: \$ 500

ZONING CLASSIFICATION: RS

LOT SIZE: 2.005 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 4 PM THE LAST WEDNESDAY OF THE MONTH FOR THE NEXT MONTH'S ZONING HEARING BOARD MEETING. MEETINGS ARE GENERALLY THE FOURTH WEDNESDAY OF THE MONTH. ONLY COMPLETE SUBMISSIONS WILL BE ADDED TO THE AGENDA FOR HEARING.*

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: _____

X SECTION 1

APPLICANT:	
Name	<u>Robert Ulara (Leisen's Rentals)</u>
Address	<u>33 Cameron St Nazareth PA 18064</u>
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	James + Cathy Snell
Address	P.O. Box #20701
	Lehigh Valley, PA 18002-0701
Phone:	[REDACTED]
Email:	[REDACTED]
ATTORNEY (if applicable):	
Name	
Address	
Phone:	
Email:	

X 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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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.

Change hours of operation per the 9/23/09 ZHB
hearing from 9 AM- 5 PM (24 hrs. in case of emergency)
to Monday-Saturday 7³⁰ AM-5 PM, Sunday 10 AM-5 PM.

If the Applicant seeks a Special Exception, please state the **specific section (s)** of Zoning Ordinance applicable:

To change from one non-conforming use (Medical Retail/Supply
+ delivery) to another non-conforming use (Retail + Rental/Storage
facility for products).


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

X NARRATIVE

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

X 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

12/22/2017
Date


Property owner's Signature

12/22/2017
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.



Trailer Storage

Propane Filling Station

Equipment Storage

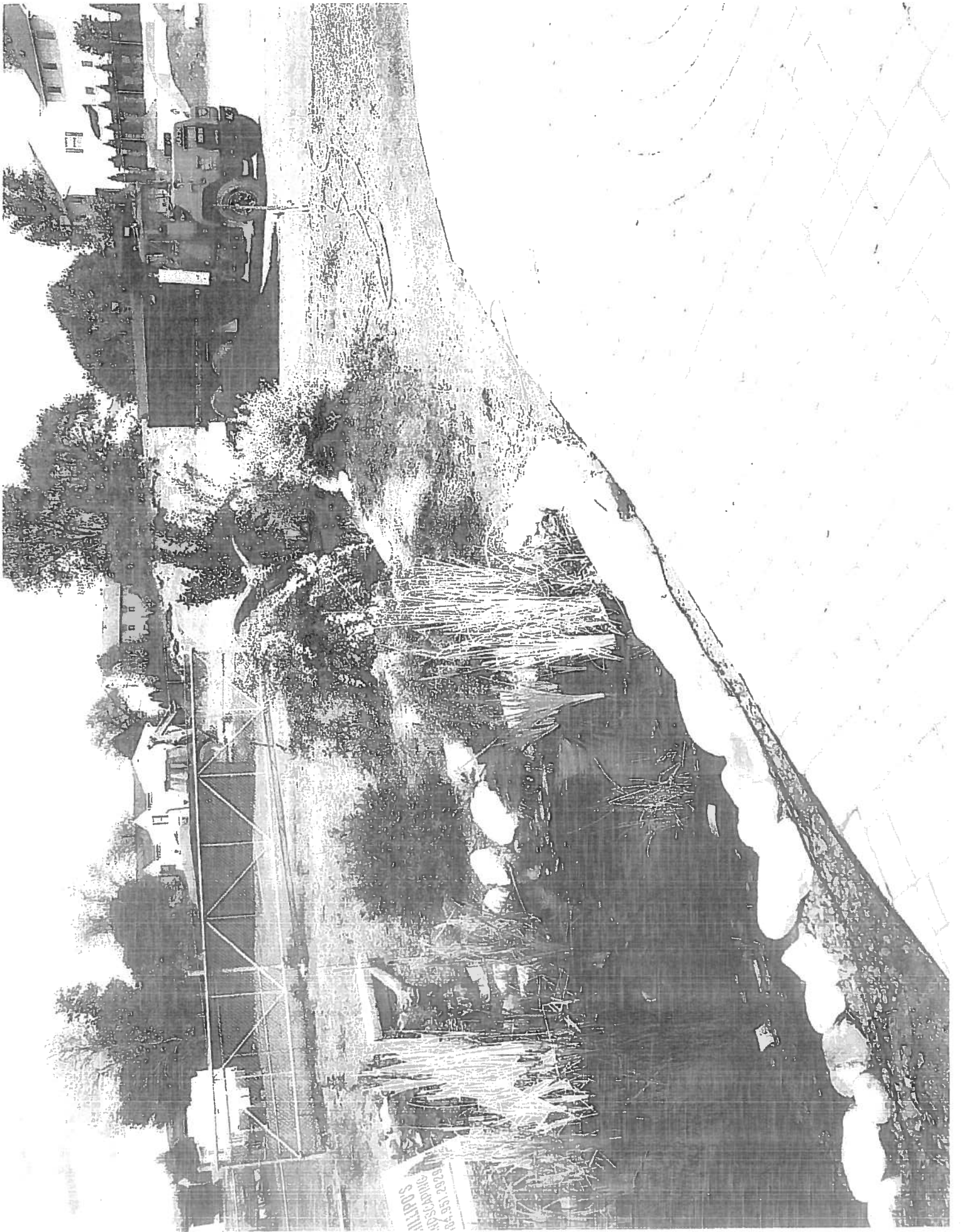
Narrative for Leiser's Rentals

Leiser's Rentals is a home owner tool and event rental company currently located on Nazareth Pike in Bethlehem Township. Leiser's is currently moving it's location to 3464 Linden St in the City of Bethlehem. Our daily operations include rental of light tools and equipment for the average do it yourself homeowner including lifts for tree trimming and trailers for hauling cars and equipment. We deliver equipment as well as have customers pick up their own rentals from our store. We also rent event equipment (tents, tables, chairs, catering equipment etc) and provide delivery/set up as well as self-pick up service. Customers come into the store and decide what equipment they need and proceed to the loading areas to receive their equipment, or set up a delivery. Delivery vehicles include box trucks, pickup trucks and roll off trucks. Leiser's also provides propane refilling services for small transportable propane tanks (for gas grills and heaters). We are requesting to utilize outdoor areas for storage of equipment and trailers, and for the installation of a propane filling station. The filling station would be installed by Amerigas (or equivalent) and follow all state and federal safety regulations.









ALPDS
SEARCHING
84 357 2920

THOMPSON LAW OFFICES

1177 North Sixth Street
Whitehall, PA 18052
Tel. 610.403.3400 ext. 221
Fax 610.403.1020

October 27, 2009

Steven Shields, Esquire
104 West 4th Street
Bethlehem, PA 18015

RE: MATTER: Appeal of James and Cathy Snell
ADDRESS: 3464 Linden Street
FILE: 2009-34

Dear Attorney Shields:

Under Section 908(9) of the Municipalities Planning Code, the Zoning Hearing Board may issue written findings of fact to accompany an approved application before the Board. This letter constitutes such findings of fact.

I. Findings

1. A Hearing was held on September 23, 2009 regarding the Applicants' request for a use variance to change a permitted landscaping and nursery business to a medical equipment and supply office and retail facility. Additionally, the Applicants requested a dimensional variance from the sign requirements to replace the existing sign with a duplicate sign that was previously granted by the Zoning Hearing Board.

2. In attendance at the hearing were Chairman Gus Loupos, members William Fitzpatrick, and Kenneth Kraft, and alternate members Ronald Lutes and Glenn Taggart.

3. The subject premises is located in the RS Residential Zoning District.

4. Appearing at the Hearing on behalf of the Applicants were James and Cathy Snell, the owners, and Marty Falk, the owner of Helping Hands Medical Supply.

5. The Applicants have not been able to compete in their landscaping business due to the emergence of big box stores in the immediate area.

6. The Applicants discontinued their landscaping business and has very little business in the retail gift portion of their business.

7. The Applicants have begun clearing the lot in preparation of the move of the business from the property.

8. The proposed medical business is primarily for in-home patients via the delivery of oxygen, medical equipment, prosthetic fittings, etc.

9. The delivery area encompasses the Northeast Region of Pennsylvania and into New Jersey.

10. Trucks are loaded in the morning, leave the building for their deliveries, and are generally back in the early afternoon.

11. The hours of operation when the business will be open to the public is from 9:00 a.m. to 5:00 p.m., but has 24 hour coverage in case of a medical emergency of one of its customers.

12. Deliveries are done via panel vans.

13. There is no storage of hazardous material on the site.

14. The dimensional variance from the sign requirements exceed what is permitted by the Zoning Ordinance, but the Applicants will not increase the size of the existing sign and only duplicate the size with the name of the new business.

15. The request for the variances were made under Section 1305.02(a), 1305.05, 1320.08 and 1325.06 of the Zoning Ordinance.

16. The size of the lot is 2.005 acres.

II. Exhibits

Board's Exhibit 1: Application.

A-1: Photographs of the subject premises.

III. Decision of the Board

Based upon the testimony and evidence presented at the hearing, the Board granted the use and dimensional variances by 3-0 vote subject to the following condition:

1. There shall be no sales of Class II and Class III Pharmaceuticals on the subject premises.

You have a right to appeal these findings of fact within thirty (30) days from the date of this letter to the Court of Common Pleas where the subject premises is situated. Other parties who either may have entered their appearance at the hearing or did not appear before the Zoning Hearing Board may also appeal these findings within the thirty (30) days. These findings will be on file with the City of Bethlehem Zoning Department.

Very truly yours,



Mickey K. Thompson
Solicitor
Bethlehem Zoning Hearing Board

MKT/owk
c: John Lezoche, Zoning Officer
City of Bethlehem