



SITE ADDRESS: \_\_\_\_\_

N/A

Office Use Only:

DATE SUBMITTED: 1/16/2019

HEARING DATE: 2 / 2019

PLACARD: N/A

FEE: \$5,000

ZONING CLASSIFICATION: RT/RO

LOT SIZE: N/A

**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 4<sup>th</sup> Wednesday of the month. The hearing will be held the 4<sup>th</sup> 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: Adoption and Enactment of Bill No. 46-2018 - Zoning Amendment - Sec. 1304.04  
Validity Challenge - Appeal from the City of Bethlehem's  
**SECTION 1**

APPLICANT: <del>*</del> <u>(6 Applicants - See Notice of Appeal)</u>
Name <u>Beall Fowler</u>
Address <u>409 Center Street</u> <u>Bethlehem, PA 18018</u>
Phone:
Email:

See Notice of Appeal paragraphs 1-4 for names and addresses of 5 additional Applicants...

*Petition for Zoning Amendment*

<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 <i>Morning Star Partners LLC</i>	Business address:
Address <i>2 West Market St</i>	<i>100 Breadhead Rd. Ste 130</i>
<i>Bethlehem PA 18018</i>	<i>Bethlehem PA 18017</i>
Phone: <i>[REDACTED]</i>	
Email: <i>[REDACTED]</i>	
<b>ATTORNEY</b> (if applicable):	
Name <i>Timothy T. Stevens, Esq.</i>	
Address <i>Davison &amp; McCarty P.C.</i>	
<i>645 Hamilton Street</i>	
Phone: <i>[REDACTED]</i>	
Email: <i>[REDACTED]</i>	

**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:

<b>MPC</b>	Section of Code	Dimension Required by Code	Dimension Proposed by Applicant	Variance Sought
	<i>53 Pa. C.S.A. §10909.1(a)(i)</i>	<i>Appeal of Zoning Ordinance Amendment</i>	<i>N/A</i>	
	<i>Zoning Ordinance</i>	<i>- 1325.10 et. seq</i>	<i>N/A</i>	
		<i>- 1325.11(b)</i>		

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:

*N/A*

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

*City Council*

*Validity Challenge - see Notice of appeal incorporated herein  
1/2 MPC § 10909.1(a)(1) et seq.*

**NARRATIVE**

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

*See Appeal of Bill No. 46-2019 - Zoning Dept. Amended Section 1304.04 filed on 1/16/19 1/2 incorporated herein.*

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.

*[Signature]*  
Applicant's Signature

*1/16/2019*  
Date

Property owner's Signature

Date

*J. E. Samuelson*  
Received by

*1/16/2019*  
Date

**NOTICE: If the Decision of the Zoning Hearing Board is appealed, the appellant is responsible for the cost of the transcript.**