



496 First Terrace, 508 First Terrace, 514 First Terrace,  
SITE ADDRESS: & 520 First Terrace

Office Use Only:

DATE SUBMITTED: MAY 29, 2019 HEARING DATE: JUNE 26, 2019

PLACARD: YES FEE: 500<sup>00</sup>

ZONING CLASSIFICATION: RT LOT SIZE: TOTAL AREA: 0.7466 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 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: \_\_\_\_\_

**SECTION 1**

<b>APPLICANT:</b>	
Name	Lehigh Properties GP, LLC (Austin Siboni)
Address	P.O. Box 696 Alpine, NJ 07620
Phone:	[REDACTED]
Email:	[REDACTED]
<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. (Austin Siboni)	
Name	496 First Terrace LLC, 508 First Terrace LLC, 514 First Terrace LLC, & 520 First Terrace LLC
Address	P.O. Box 696 Alpine, NJ 07620
Phone:	[REDACTED]
Email:	[REDACTED]
<b>ATTORNEY (if applicable):</b>	
Name	James F. Preston, Esquire
Address	38 W. Market 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.
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
1319.02.m	<50%	51%	1%
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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.

1311.04.b - Requires that garage doors be placed in the rear or side of buildings. This project requires that garages be placed in the front of the buildings.

1319.03.e - Requires that no more than 5 cars back into a public street. This project requires that 4 cars per driveway back out onto the street, for a total of 32 cars.

1316.01.c.1.i - Requires that if slopes greater than 35% are within the construction area, the lot be a minimum 10 acres and contain a maximum 5% impervious coverage. This site is only 0.7 acres and is proposed to contain 39% impervious coverage.

1316.01.e - Requires retaining walls used to cope with steep slopes have a maximum vertical drop of 5 FT. This project requires relief for one wall with a maximum drop of 6 FT.

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): \_\_\_\_\_

**N/A**

**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.

By: \_\_\_\_\_  
Applicant's Signature  
**James F. Preston, Esquire**

**May 29, 2019**  
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.**

## **IN RE: ZONING APPLICATION OF LEHIGH PROPERTIES GP, LLC**

This project narrative is being submitted with the Zoning Application of Lehigh Properties GP, LLC.

Attached hereto as Exhibit "A" is a plan showing the existing conditions at the Subject Property. The Applicant intends to replace the existing structures shown on Exhibit "A" with attached dwelling units. Attached hereto as Exhibit "B" is a plan showing the proposed development of the Subject Property with the attached dwelling units.

The requested zoning relief is necessitated by the unusual topography of the Subject Property. In particular, the Subject Property contains significant areas of steeply sloped land not generally shared by properties in the RT Zoning District. Attached hereto as Exhibit "C" is a plan showing the sloped areas at the Subject Property. The sloped areas constitute a unique physical circumstance that interferes with the development of the site.

EXHIBIT A

Know what's below.  
Call before you dig.

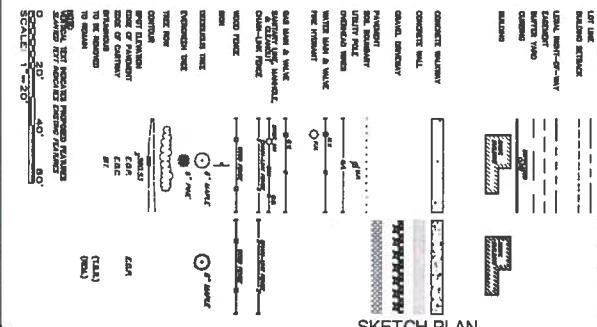


NOTED: THE CLIENT HAS BEEN ADVISED BY ACT 131 OF 2008 THAT ALL EXISTING UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. IT IS THE CLIENT'S RESPONSIBILITY TO VERIFY THE LOCATION, DEPTH AND CHARACTER OF ALL UTILITIES TO BE AVOIDED OR PROTECTED PRIOR TO ANY CONSTRUCTION. THE CLIENT HAS BEEN ADVISED BY ACT 131 OF 2008 THAT ALL UTILITIES SHALL BE PROTECTED IN ACCORDANCE WITH THE PROVISIONS OF THE ACT AND THE RULES AND REGULATIONS OF THE PENNSYLVANIA DEPARTMENT OF REVENUE. THE CLIENT HAS BEEN ADVISED BY ACT 131 OF 2008 THAT ALL UTILITIES SHALL BE PROTECTED IN ACCORDANCE WITH THE PROVISIONS OF THE ACT AND THE RULES AND REGULATIONS OF THE PENNSYLVANIA DEPARTMENT OF REVENUE. THE CLIENT HAS BEEN ADVISED BY ACT 131 OF 2008 THAT ALL UTILITIES SHALL BE PROTECTED IN ACCORDANCE WITH THE PROVISIONS OF THE ACT AND THE RULES AND REGULATIONS OF THE PENNSYLVANIA DEPARTMENT OF REVENUE.



EXISTING RECORDS AND PROPERTY DESCRIPTION SUMMARY		REMARKS	DATE
RECORD	DATE	DESCRIPTION	DATE
10/11/10	10/11/10	AS-BUILT RECORD	10/11/10
03/20/11	03/20/11	AS-BUILT RECORD	03/20/11
10/11/10	10/11/10	AS-BUILT RECORD	10/11/10
03/20/11	03/20/11	AS-BUILT RECORD	03/20/11
10/11/10	10/11/10	AS-BUILT RECORD	10/11/10
03/20/11	03/20/11	AS-BUILT RECORD	03/20/11
10/11/10	10/11/10	AS-BUILT RECORD	10/11/10
03/20/11	03/20/11	AS-BUILT RECORD	03/20/11
10/11/10	10/11/10	AS-BUILT RECORD	10/11/10
03/20/11	03/20/11	AS-BUILT RECORD	03/20/11

#### LEGEND



#### SKETCH PLAN

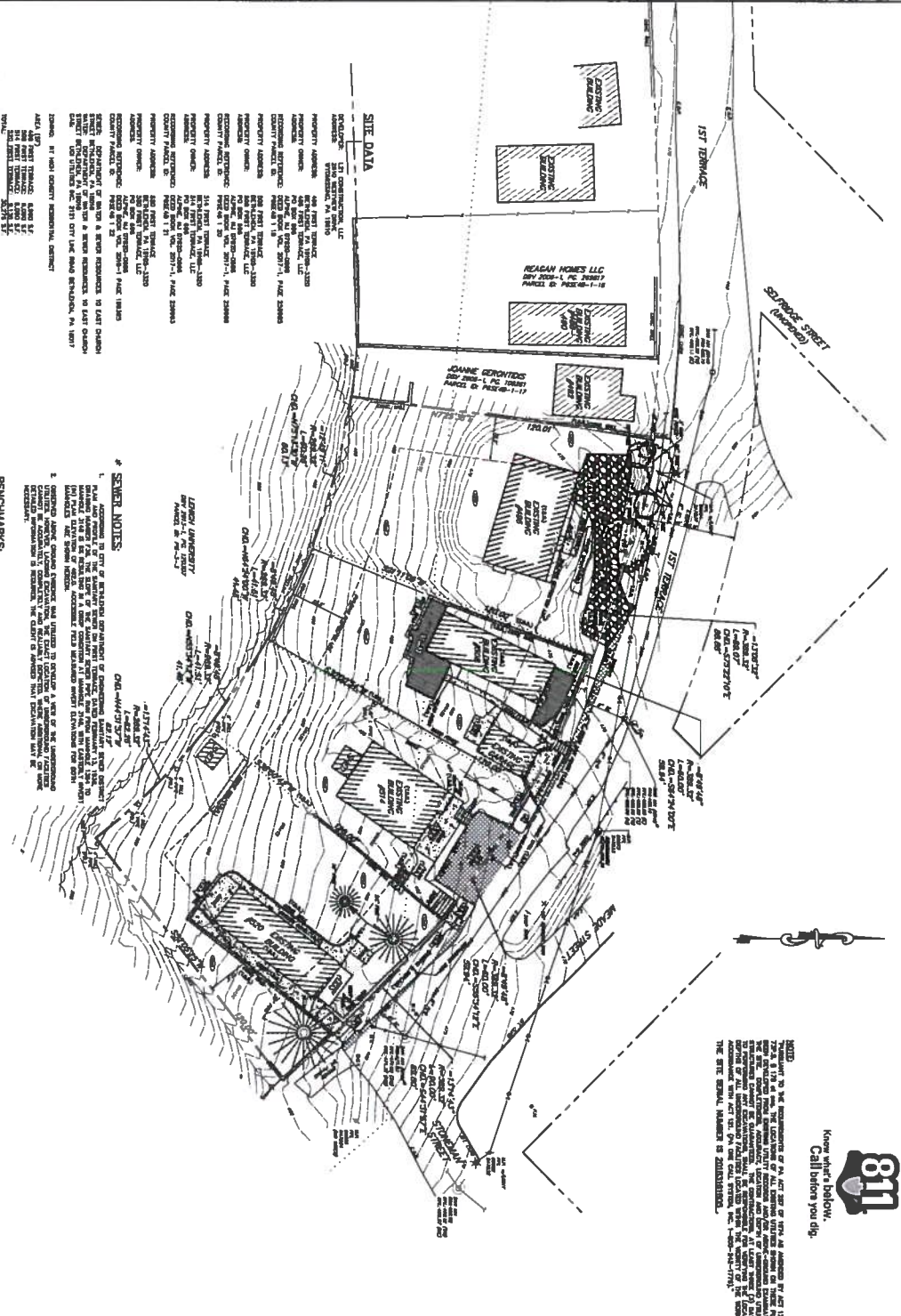
### EXISTING FEATURES & DEMOLITION PLAN

FIRST TERRACE HOUSING  
LEHIGH PROPERTIES LLC  
CITY OF BETHLEHEM  
NORTHAMPTON COUNTY, PA

**BARRY ISETT & ASSOCIATES**  
610.398.0904  
barryisett.com

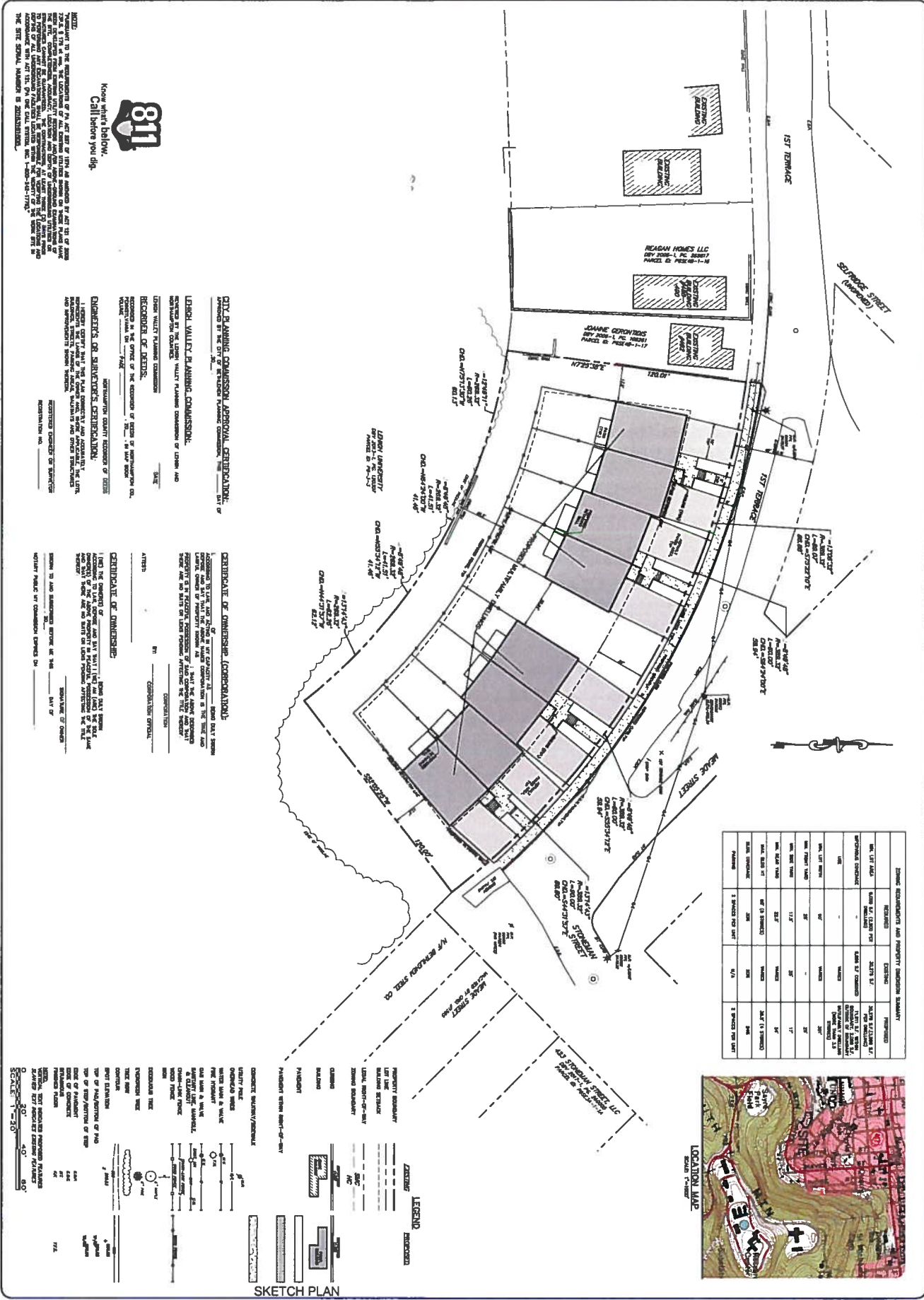
REVISIONS	DATE	BY
REVISION 01	4/2/2015	ABC

**EF-1**  
DATE: 10/11/10  
SCALE: 1"=20'  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: 10/11/10  
SCALE: 1"=20'  
DRAWN BY: [Name]  
CHECKED BY: [Name]



- #### SURVEY PLAN NOTES:
- The survey was conducted in accordance with the provisions of the Surveying Law of 1971, as amended, and the rules and regulations of the Board of Survey.
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- #### BENCHMARKS:
1. B.M. 101: A steel benchmark set on the corner of First Terrace at W. Park St.
  2. B.M. 102: A steel benchmark set on the corner of First Terrace at W. Park St.
  3. B.M. 103: A steel benchmark set on the corner of First Terrace at W. Park St.
  4. B.M. 104: A steel benchmark set on the corner of First Terrace at W. Park St.
  5. B.M. 105: A steel benchmark set on the corner of First Terrace at W. Park St.
  6. B.M. 106: A steel benchmark set on the corner of First Terrace at W. Park St.
  7. B.M. 107: A steel benchmark set on the corner of First Terrace at W. Park St.
  8. B.M. 108: A steel benchmark set on the corner of First Terrace at W. Park St.
  9. B.M. 109: A steel benchmark set on the corner of First Terrace at W. Park St.
  10. B.M. 110: A steel benchmark set on the corner of First Terrace at W. Park St.
- #### SOIL CLASSIFICATIONS:
- CLAYSTONE SANDWYLL LOAM  
20-25% SLOPE  
URBAN LAND-DISTURBED COMPLEX  
B-206 SLOPE

**EXHIBIT B**



EXISTING DEVELOPMENT AND PROPERTY INFORMATION	EXISTING	PROPOSED
NO. LOT AREA	10,000 SQ. FT.	10,000 SQ. FT.
NO. OF UNITS	10	10
NO. OF GARAGES	10	10
NO. OF PARKING SPACES	10	10
NO. OF STORIES	1	1
NO. OF STORIES (PROPOSED)	1	1
NO. OF STORIES (EXISTING)	1	1
NO. OF STORIES (PROPOSED)	1	1
NO. OF STORIES (EXISTING)	1	1
NO. OF STORIES (PROPOSED)	1	1
NO. OF STORIES (EXISTING)	1	1
NO. OF STORIES (PROPOSED)	1	1



**CITY PLANNING COMMISSION APPROVAL CERTIFICATION:**  
 APPROVED BY THE CITY OF BETHLEHEM PLANNING COMMISSION, THIS DATE: \_\_\_\_\_

**LEHIGH VALLEY PLANNING COMMISSION:**  
 APPROVED BY THE LEHIGH VALLEY PLANNING COMMISSION OF LEHIGH AND BERKSHIRE COUNTIES, THIS DATE: \_\_\_\_\_

**RECORDING OFFICER:**  
 APPROVED BY THE OFFICE OF THE RECORDER OF DEEDS OF NORTHAMPTON COUNTY, THIS DATE: \_\_\_\_\_

**CONTRACTOR'S AND SUBCONTRACTOR'S CERTIFICATION:**  
 I HEREBY CERTIFY THAT THE PLAN, SPECIFICATIONS AND ASSURANCES, CONTRACT, AGREEMENT, STATEMENTS, AND OTHER DOCUMENTS SUBMITTED TO THE CITY OF BETHLEHEM AND THE LEHIGH VALLEY PLANNING COMMISSION ARE TRUE AND CORRECT AND THAT I AM NOT PROVIDING ANY INFORMATION THAT IS FALSE OR MISLEADING.

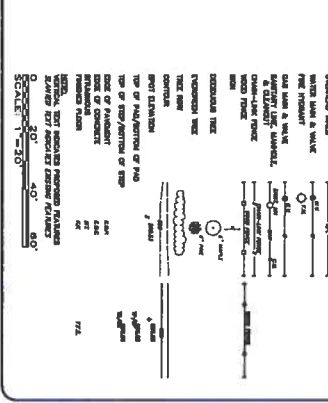
CONTRACTOR'S NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

**CERTIFICATE OF OWNERSHIP (CORPORATIONS):**  
 I, \_\_\_\_\_, being the owner of the above described property, do hereby certify that the information herein is true and correct and that I am not providing any information that is false or misleading.

NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

**CERTIFICATE OF OWNERSHIP:**  
 I, \_\_\_\_\_, being the owner of the above described property, do hereby certify that the information herein is true and correct and that I am not providing any information that is false or misleading.

NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_



**REVISIONS**

NO.	DATE	BY
1	01/20/18	OC

**DATE** 01/20/18 **BY** OC

**SITE PLAN**  
**FIRST TERRACE HOUSING**  
**LEHIGH PROPERTIES LLC**  
**CITY OF BETHLEHEM**  
**NORTHAMPTON COUNTY, PA**

**BARRY ISETT & associates**  
 610.398.0904  
 barryisett.com

**SP-1**



Exhibit C

