

**ZONING HEARING BOARD OF BETHLEHEM TOWNSHIP,
NORTHAMPTON COUNTY, PENNSYLVANIA**

AUGUST 29, 2018

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING APPELLANTS HAVE FILED AN APPEAL FOR A PUBLIC HEARING BEFORE THE ZONING HEARING BOARD OF THE TOWNSHIP OF BETHLEHEM, A HEARING TO BE HELD AT 6:30 PM ON WEDNESDAY, AUGUST 29, 2018 AT THE TOWNSHIP MUNICIPAL BUILDING, 4225 EASTON AVENUE, BETHLEHEM, PA 18020. THE MEETING, AMONG OTHER ISSUES, CONCERNS THE FOLLOWING ZONING APPEALS:

Appeal # 07-2018 Birchwood Commons, LLC. The Appellant seeks a determination by the Zoning Hearing Board that Section 509(M) of the Municipalities Planning Code renders Section 275-9A(4)(c)[2] of the Bethlehem Township Zoning Code substantively invalid. As a result, the Appellant also seeks return of the fee paid by the Appellant to initiate the present appeal.

The Appellant asserts that the Township requirement of submission of an “as-built” engineering plan as a prerequisite to the issuance of a certificate of occupancy regarding a newly constructed apartment complex is violative of Section 509(M).

The real estate is located in the Medium High Density Residential Zoning District (MHDR), Neighborhood Enhancement Overlay District (NEOD), and the Streetscape Enhancement Overlay District (SEOD). The real estate maintains Northampton County Tax Parcel Identification number N7NE4 59 2 0205, and is described at Northampton County Deed Book 2015-1 page 148014.

Appeal # 08-2018 NVR Inc. seeks what the Appellant asserts to be a de minimus dimensional variance from the Bethlehem Township Zoning Code for the lot located at 4777 Rafi Road, Bethlehem Township Pennsylvania. A variance is sought from Section 275-257.I of the Code which requires a rear yard setback of 5 feet. Specifically, Section 275-257.I refers to Exhibit XXXI-A, which in turn refers to Exhibit XXIX-A of the “Emrick Town Center” design guidelines drafted under date of September 16, 2004. The Appellant proposes a 4.69 foot setback, thereby seeking a variance of .31 feet. The real estate is located in the Office/Business District (AG), the Mixed-Use Village Overlay District (MUVOD), and Streetscape Enhancement Overlay District (SEOD). The real estate maintains Northampton County Tax Parcel Identification Number N8 1 1B-160 0205, and is described at Northampton County Deed Book 2018-1, Page 138629.

All interested parties are invited to attend and be heard.

Matthew Lubitz

Zoning Officer

Telephone: (610) 814-6464