



CITY OF ALLENTOWN

No. \_\_\_\_\_

**RESOLUTION**

**R182 - 2023**

***Introduced by the Administration on October 18, 2023***

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Denial of a Certificate of Appropriateness – 1410 W. Linden Street

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***Resolved by the Council of the City of Allentown, That***

**WHEREAS** a Certificate of Appropriateness is required under the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania No.167, June 13, 1961 (P.L.282) known as the Pennsylvania Historic District Act; and City of Allentown has adopted a Historic District Ordinance, Article 1391, under the provisions allowed in the Pennsylvania Historic District Act; and

**WHEREAS** the owner, Miriam Montanez, applied to the Historical Architectural Review Board (HARB) for a Certificate of Appropriateness to legalize the replacement of the front porch, as described in the attached final report; and

**WHEREAS** the HARB held a meeting on said matter on October 2, 2023, where a representative for the applicant was not in attendance; and

**WHEREAS** based on the statements and evidence presented, the HARB made the following findings of fact, as detailed in the attached case report:

1. The porch was significantly altered without a building permit or HARB approval.
2. A first notice of violation was issued to the property owner on July 19, 2022 for the inappropriate alteration of the front porch, and a second notice of violation was issued to the property owner on August 25, 2022.
3. On numerous occasions, the applicant requested to table the review for one to two months to allow time to work with a contractor to create a scope of work to correct the violation. Requests to table the review were made and granted at the following HARB meetings: November 7, 2022; December 5, 2022; February 6, 2023; April 3, 2023; August 7, 2023; and September 5, 2023
4. The applicant or a representative actively participated in the reviews at the following HARB meetings: May 1, 2023; June 5, 2023; and July 10, 2023.
5. The HARB found that the violation has been open for more than a year and little progress has been made to appropriately correct the violation.
6. The HARB found that the matter could no longer be tabled without a direct request from the applicant.

**WHEREAS**, based on the above findings of fact, the HARB agreed on the motion not to legalize the replacement of the front porch, and recommended to City Council denial of a Certificate of Appropriateness as detailed in the attached case report.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Allentown that a Certificate of Appropriateness is hereby denied for the above referenced exterior alteration.