



Community Development Department

ZONING HEARING BOARD AGENDA

Thursday, February 18, 2021

7: 00 P.M.

The Zoning Hearing Board meeting will be held via Zoom and streamed live on the Radnor Township YouTube Channel at <https://www.youtube.com/channel/UCvh6jeMQTvo3ojCTh8wZkbA>. If you would like to participate in the meeting, please send an email to publiccomment@radnor.org. This email address will only be monitored during the meeting. E-mails sent to this address during the meeting will be made a part of the record or otherwise addressed during the meeting.

1. Call to Order

2. Pledge of Allegiance

3. **APPEAL #3084**

The Applicant, Carbon Health, property located at 200 & 220 W Lancaster Avenue and zoned WBOD. The Applicant is requesting the following relief: (i) a determination that the proposed use is permitted under Section 28-53.7.a; or (ii) alternatively, and to the extent required, if the proposed use is considered as an office use, variances from Section 280-53.7B & 280-53.10 to allow an office use in a vacant building which has just one floor, (iii) a variance from Section 280-53.12.B(2) to not provide additional parking spaces on the Property; and (iv) any other relief deemed necessary for the proposed occupancy of the vacant building.

4. **APPEAL #3085**

The Applicant, Custom Finishers, property located at 550 E Lancaster Avenue and zoned PB Planned Business. The Applicant is requesting relief from Section 280-123.B of the Code to permit the installation of one (1) wall sign greater than sixty (60) square feet and higher than fifteen (15) feet above existing grade.

5. **APPEAL #3086**

The Applicant, Jennifer & Matthew Breen, property located at 14 Lowrys Lane and zoned R4 Residential. The Applicant is requesting relief from Section 280-30.E of the Code to extend a second story addition 24" beyond the existing non-conforming exterior garage wall which is current 23' from the rear property line.+

6. **APPEAL #3087**

The Applicant, Tran Che & Jeffrey Guagliardo, property located at 507 Shadeland Road and zoned R1 Residential. The Applicant is seeking a variance from Section 280-17 and 280-101 to install a generator, a 10' x 18' shed and an air conditioning unit (defined as accessory structures under Section 280-4 and 280-17), on the southside of the lot which is considered to be a "front yard" due to the corner lot placement of the property as defined in Section 280-4 "Yard Requirements for Corner Lots."

7. **APPEAL #3088**

The Applicant, BDN 250 King of Prussia 1, LP, property located at 250 King of Prussia Road and zoned PLO Planned Laboratory Office. The Applicant is seeking a variance from Section 280-64.C to permit (i) a setback of 43.39 feet (+/-) opposite King of Prussia Road to and (ii) a setback of 17.17 feet (+/-) opposite Radnor Chester Road; a variance from Section 280-64.B to allow a building/structure area of 42.4% (+/-); a variance from Section 280-64.B to allow a landscape area of 27.8%; and any other relief deemed necessary for the project.

8. **APPEAL #3089**

The Applicant, Davis Development Group LLC, property located at 471 Barclay Road and zoned R1 Residential. The Applicant is seeking relief from Section 280-15 (C) to raze the existing dwelling and construct new dwelling on a corner lot that will reduce the front yard setback along South Ithan Avenue to 35 feet instead of the 60 feet required.

The next meeting of the ZHB is scheduled for March 18, 2021. Applications for the March 18, 2021 meeting must be submitted on or before February 16, 2021.

ZONING HEARING BOARD APPLICATION
TOWNSHIP OF RADNOR
301 IVEN AVENUE
WAYNE, PA 19087
610-688-5600
FAX: 610-971-0450
www.radnor.com
www.radnor.com

REVISED

RECEIVED
JAN 20 2021
COMMUNITY DEVELOPMENT

TOWNSHIP USE ONLY
APPEAL # <u>3084</u>
FEE: _____
DATE RECEIVED: _____

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an **electronic submittal in pdf format (CD or thumb drive)** must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. *Incomplete applications will not be accepted for processing.*

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 200 & 220 W. Lancaster Avenue, Wayne, PA 19087

Name and address of Applicant: Carbon Health c/o Grant Guidinger, 300 California Street San Francisco, CA 94104

Telephone Number: 720.675.8554 Email: grantguidinger@carbonhealth.com

Property Owner (if different than above): Wayne Town Center, L.P.

Owner address: P.O. Box 125, Devon, PA 1933

Telephone number: c/o 610.941.2459 Email: c/o gbroseman@kaplaw.com

Attorney's name: George W. Broseman, Esquire

Address: 910 Harvest Drive; PO Box 3037 Blue Bell, PA 19422

Telephone number: 610.941.2459 Email: gbroseman@kaplaw.com

Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)*

(i) a determination that the proposed use is permitted under Code § 280-53.7.A; or (ii) alternatively, and to the extent required, if the proposed use is considered as an office use, a variance from Code §§ 280-53.7,B & 280-53.10 to allow an office use in a vacant building which has just one floor; (iii) to the extent that the proposed use is considered to be an office use a variance from Code § 280-53.12.B(2) to not provide additional parking spaces on the Property; and (iv) any other relief deemed necessary for the proposed occupancy of the vacant building.

Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)*

Applicant is unaware of any prior Zoning Hearing Board applications pertaining to the vacant retail building at 220 W. Lancaster Avenue. There were two (2) prior Zoning Hearing Board decisions pertaining to the other building on the property (200 W. Lancaster Avenue) as follows: (1) Appeal No. 2828 (2010) involving proposed signage; and (2) Appeal No. 2854 (2011) involving outdoor dining.

Brief narrative of improvements: (attach additional pages if necessary)

Applicant proposes to utilize a vacant retail building with modifications that would be subject to applicable permitting. No site improvements are proposed at this time.

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. **Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:**
 - a) **lot lines and lot dimensions described in metes and bounds (in feet);**
 - b) **total lot area;**
 - c) **location of easements and rights of way, including ultimate rights of way;**
 - d) **location of all setback lines for existing and proposed structures;**
 - e) **location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;**
 - f) **location of existing and proposed improvements;**
 - g) **table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and**
 - h) **all other features or matters pertinent to the application.**

PLANS SHALL NOT EXCEED 24" X 36" , AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 ½" X 11" AT FILING

2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)



SIGNATURE OF APPLICANT

By: George W. Brosman
Attorney for Applicant

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com



TOWNSHIP USE ONLY
APPEAL # <u>3085</u>
FEE: _____
DATE RECEIVED: _____

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. *Incomplete applications will not be accepted for processing.*

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 550 E. Lancaster Avenue, St. David's PA

Name and address of Applicant: Custom Finishers
7205 Hibbs Lane, Levittown PA 19057

Telephone Number: 215 8728494 Email: dquigley@cfsigns.com

Property Owner (if different than above): KMO-361 Realty Associates, LLC

Owner address: Olshan Properties, 600 Madison Avenue 14th Floor, New York, NY 10022

Telephone number: 212 935 1330 Email: aolshan@olshanproperties.com

Attorney's name: Craig R. Lewis, Esq.

Address: Kaplin Stewart, 910 Harvest Drive, Suite 200 Blue Bell, PA 19422

Telephone number: 610 941 2584 Email: rlewis@kaplaw.com

Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)*

Relief is hereby requested from Section 280-123.B of the Radnor Township Code to permit the installation of one wall sign greater than 60 square feet and higher than (15) feet above existing grade.

Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)*

By Resolution 2012-20, the Radnor Township Board of Commissioners approved KMO's proposed expansion of the center to include a free standing bank with drive-thru. A written decision dated September 20, 2018 granted relief from the sign code to permit one sign in excess of (60) square feet and two signs to be located higher than 15' above grade for the two tenants known as Home Sense and Old Navy. Appeal 3032 dated January 1, 2019 granted relief from the sign code to permit the installation of two wall signs to be located higher than 15' above grade for the two tenants know as Micro Center and Home Goods.

Brief narrative of improvements: *(attach additional pages if necessary)*

The proposed improvements are for a single faced set of face lit channel letters reading "TJ Maxx". The dimensions of the proposed sign are 3'-11.5" high by 18'-6" wide. This yields a sign area of 74 square feet. The sign is to be installed on the storefront facade at a height of 27'-1-" from grade.

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. **Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:**
 - a) **lot lines and lot dimensions described in metes and bounds (in feet);**
 - b) **total lot area;**
 - c) **location of easements and rights of way, including ultimate rights of way;**
 - d) **location of all setback lines for existing and proposed structures;**
 - e) **location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;**
 - f) **location of existing and proposed improvements;**
 - g) **table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and**
 - h) **all other features or matters pertinent to the application.**

PLANS SHALL NOT EXCEED 24" X 36" , AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 ½" X 11" AT FILING

2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)



SIGNATURE OF APPLICANT

ATTORNEY FOR APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

TOWNSHIP USE ONLY
APPEAL # <u>3086</u>
FEE: _____
DATE RECEIVED: _____



GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. *Incomplete applications will not be accepted for processing.*

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 14 Lowrys Lane Bryn Mawr, PA 19010

Name and address of Applicant: Jennifer & Matthew Breen
14 Lowrys Lane Bryn Mawr, PA 19010

Telephone Number: 267-250-3965 Email: jennfelicebreen@gmail.com

Property Owner (if different than above): _____

Owner address: 14 Lowrys Lane Bryn Mawr, PA 19010

Telephone number: 267-250-3965 Email: jennfelicebreen@gmail.com

Attorney's name: N.A.

Address: _____

Telephone number: _____ Email: _____

Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)*

RELIEF REQUESTED FOR EXTENSION OF NEW SECOND STORY ADDITION 24" BEYOND EXISTING NON-CONFORMING EXTERIOR GARAGE WALL, WHICH CURRENTLY IS APPROXIMATELY 23' FROM REAR PROPERTY LINE. CURRENT REAR YARD SETBACK IS 30

Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)*

Brief narrative of improvements: *(attach additional pages if necessary)*

SECOND FLOOR ADDITION ABOVE EXISTING GARAGE,
WITH NEW BEDROOM, MASTER BATH & CLOSET, EXTENDING
2'-0" BEYOND GARAGE WALL BELOW TOWARD REAR PROPERTY
LINE (SEE ATTACHED SKETCH)

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:
 - a) lot lines and lot dimensions described in metes and bounds (in feet);
 - b) total lot area;
 - c) location of easements and rights of way, including ultimate rights of way;
 - d) location of all setback lines for existing and proposed structures;
 - e) location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;
 - f) location of existing and proposed improvements;
 - g) table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and
 - h) all other features or matters pertinent to the application.

PLANS SHALL NOT EXCEED 24" X 36", AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 1/2" X 11" AT FILING

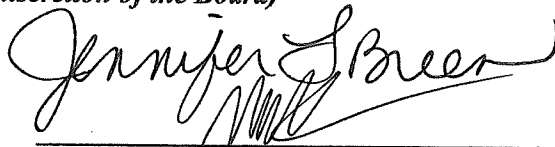
2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)



SIGNATURE OF APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com



TOWNSHIP USE ONLY
APPEAL # <u>3087</u>
FEE: _____
DATE RECEIVED: _____

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. Incomplete applications will not be accepted for processing.

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

507 Shadeland Road Villanova, PA 19085

Property Address: _____

Tran Che & Jeffrey Guagliardo

Name and address of Applicant: _____

507 Shadeland Road Villanova, PA 19085

Telephone Number: (610) 322-6078 (Tran) Email: tranbche@gmail.com

Property Owner (if different than above): Same as above

Owner address: Same as above

Telephone number: (570) 498-5761 (Jeffrey) Email: jeffrey.guagliardo@gmail.com



Attorney's name: Not Applicable

Address: _____

Telephone number: _____ Email: _____

Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)*

Please see attached pages.

Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)*

Please see attached pages.

Brief narrative of improvements: *(attach additional pages if necessary)*
Please see attached pages.

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. **Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:**
 - a) **lot lines and lot dimensions described in metes and bounds (in feet);**
 - b) **total lot area;**
 - c) **location of easements and rights of way, including ultimate rights of way;**
 - d) **location of all setback lines for existing and proposed structures;**
 - e) **location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;**
 - f) **location of existing and proposed improvements;**
 - g) **table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and**
 - h) **all other features or matters pertinent to the application.**

PLANS SHALL NOT EXCEED 24" X 36" , AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 ½" X 11" AT FILING

2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)



SIGNATURE OF APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

Relief requested and/or basis for appearing before the Zoning Hearing Board including specific citation to any and all sections of the Zoning Code relevant to the appeal.

Homeowners at 507 Shadeland Road are seeking a variance to install a generator, a 10'x18' shed, and an air-conditioning unit (defined as accessory structures under §280-4 and §280-17), at their single-family dwelling on the southside of the lot which is considered to be a "front yard" due to the corner lot placement of the property, as defined in §280-4 "Yard Requirements for Corner Lots" (please see Exhibits A, B, C, F).

According to §280-4 definition of "Yard Requirements for Corner Lots," "[...] in the case of a corner lot having frontages on two streets, there shall be provided two front yards, one along each street line." With 507 Shadeland Road located on a corner lot, §280-17 outlines, "Accessory structures to a use permitted herein shall be located [...] (c) in the rear yard and side yard of a lot, in which case they shall not be located closer than 10 feet from a side or rear property line. (d) Air-conditioning units shall in all cases be at least 15 feet from any property line."

Although 507 Shadeland Road is a property located on a corner lot, the adjacent street on the south side of the property is a dead-end street with one home, 697 Knox Road, on the opposite side of the proposed generator, shed and installed AC location. The dead-end street can be seen by viewing Exhibits B & D. The property located at 697 Knox Road can be viewed in Exhibit E.

The Homeowners at 697 Knox Road have no objection to the proposed location of the generator, shed and installed AC unit at 507 Shadeland Road. In support of this, please see the attached letter signed by Todd and Edwina Erkis, homeowners at 697 Knox Road under Attachments 2(c).

In addition to the referenced photographs, images from Google Maps of 507 Shadeland Road are also being submitted to provide additional context to the property's location as it relates to the dead-end Knox Road on the southside of the property (please see Exhibit B).

Alternate locations have been explored for the generator and shed. The generator was alternately proposed to be installed on the east side of the home by the rear walkway (see Exhibit G), however the generator would protrude onto the walkway. Regarding the shed, consideration was given to the east side of the property in the rear yard by the playhouse, however due to the significant slope, installation of the shed at this location would be a hardship.

In April 2020, the homeowners needed to replace their broken air conditioning (AC) unit and requested Quality Degree Inc. to install the new unit. The homeowners inquired with Quality Degree if a permit would be required for the installation, however due to the COVID-19 health crisis, Radnor Township office was closed, and Quality Degree Inc. indicated that permits were not needed at this time (see pages 47-48). With a newborn at home, the homeowners moved forward with the AC unit installation on May 1, 2020 and later learned through the generator application process that a variance would be required due to their property falling under the corner lot definition under Radnor Township Zoning Code.

Homeowners are requesting the Zoning Hearing Board grant a variance under §280-101 Nonconforming uses, structures and lots of the Zoning Code to the homeowners for installation of the generator, 10'x18' shed and installed AC unit, on the south side of the property. Attachment 1 Zoning Plan outlines the proposed location of the generator, shed, and location of the installed AC unit.

Photo Exhibits in Attachment 3

Exhibit A—Front of 507 Shadeland Road from Shadeland Road (2 photos).....Pages 52-54
Exhibit B—Google Map image of 507 Shadeland Road.....Pages 55-56
Exhibit C—507 Shadeland Road from intersection of Shadeland Road and Knox Road...Pages 57-58
Exhibit D—Dead end on Knox road, south of 507 Shadeland Road.....Pages 59-60
Exhibit E—697 Knox Road from Southside of 507 Shadeland Road.....Pages 61-62
Exhibit F—South side of 507 Shadeland Road from Knox Road (2 photos).....Pages 63-65
Exhibit G—Rear walkway on the east side of 507 Shadeland Road.....Pages 66-67

Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions:

On November 2, 2020, Kevin Kochanski, Director of Community Development for Radnor Township, issued a rejection of the generator permit application submitted by Jonathan Vorchheimer of JCM Machinery Inc. (GenPro Power Systems) of Quakertown, Pennsylvania via e-mail.

Tran Che, property owner, requested clarification from Mr. Kochanski as to whether a variance was still needed since the property is adjacent to a dead-end street. Mr. Kochanski responded on November 9, 2020, indicating that a variance would be required by the Zoning Hearing Board (pages 7-11).

On November 20, 2020, Mr. Kochanski approved a permit to install the generator on the east side of the home in the rear yard. Placement of the generator in this location; however, would interfere with the rear walkway, therefore the homeowners decided to seek relief through this variance request to place the generator on the south side of the property so as to not interfere with a walkway (pages 12-14).

Below are the emails mentioned above.

Brief narrative of improvements:

Installation of one Kohler 20kW generator and one 200 Amp Automatic Transfer on the southside of the property;

Placement and install of a 10' x 18' shed on the southside of the property; and

Installed one Lennox Merit Series 13ACX Air Conditioning Unit on the southside of the property and one Lennox Merit Series CBA25UHV Air Handler Unit in the attic of the property;

ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

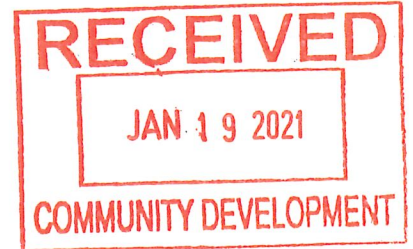
WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com



TOWNSHIP USE ONLY
APPEAL # <u>3088</u>
FEE: _____
DATE RECEIVED: _____

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an **electronic submittal in pdf format (CD or thumb drive)** must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. *Incomplete applications will not be accepted for processing.*

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 250 King of Prussia Road, Radnor PA 19087

Name and address of Applicant: BDN 250 King of Prussia I, LP c/o Jos. Traynor, Brandywine Realty Trust, FMC Tower @ Cira Centre South

2129 Walnut St.; Ste 1700; Philadelphia, PA 19104

Telephone Number: 215.397.1583 Email: joseph.traynor@bdnreit.com

Property Owner (if different than above): [same as above]

Owner address: [same as above]

Telephone number: [same as above] Email: [same as above]

Attorney's name: George W. Broseman

Address: 910 Harvest Drive, PO Box 3037 Blue Bell, PA 19422

Telephone number: 610.941.2459 Email: gbroseman@kaplaw.com

Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)*

- a. Variances from Code §280-64.C to permit (i) a setback of 43.39 feet (+/-) opposite King of Prussia Road to and (ii) a setback of 17.17 feet (+/-) opposite Radnor Chester Road;
- b. A variance from Code §280-64.B to allow a building/structure area of 42.4 % (+/-);
- c. A variance from §280-§280-64.B to allow a landscaped area of 27.8%; and
- d. Any other relief deemed necessary for the Project.

Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)*
See attached addendum made a part hereof.

Brief narrative of improvements: (*attach additional pages if necessary*)
See attached addendum made a part hereof.

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. **Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:**
 - a) **lot lines and lot dimensions described in metes and bounds (in feet);**
 - b) **total lot area;**
 - c) **location of easements and rights of way, including ultimate rights of way;**
 - d) **location of all setback lines for existing and proposed structures;**
 - e) **location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;**
 - f) **location of existing and proposed improvements;**
 - g) **table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and**
 - h) **all other features or matters pertinent to the application.**

PLANS SHALL NOT EXCEED 24" X 36", AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 ½" X 11" AT FILING

2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)



SIGNATURE OF APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com



TOWNSHIP USE ONLY
APPEAL # <u>3089</u>
FEE: _____
DATE RECEIVED: _____

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an **electronic submittal in pdf format (CD or thumb drive)** must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. Incomplete applications will not be accepted for processing.

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 471 Barclay Road

Name and address of Applicant: Davis Development Group LLC

Telephone Number: (610) 656-7289 Email: davisdevelopmentgroupllc@gmail.com

Property Owner (if different than above): Matthew Frey and Donna Pironti

Owner address: 471 Barclay Road

Telephone number: (215) 287-8656 Email: matthew.frey71@gmail.com

Attorney's name: Alfred R. Fuscaldo, Esquire

Address: 613 Patriot Lane, Phoenixville, Pa 19460

Telephone number: 484-302-5481 Email: al@fuscaldolaw.com

Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)* ~The Property is located within the R-1 Residential Zoning District. The Property is non-conforming as to lot size. The Property is an irregularly shaped corner property with frontage on both South Ithan Avenue and on Barclay Road. Barclay Road is a residential street. South Ithan Avenue is local or minor collector street. The Blue Route (I-476) is situated on the opposite side of South Ithan Avenue and across from the Property. Section 280-15(C) of the Radnor Township Zoning Code requires a 60 foot front yard for each street on which a property has frontage. The Applicant proposes to raze the existing ranch style dwelling on the Property, which dwelling is oriented on a diagonal facing South Ithan Avenue, and replace it with a new single family dwelling consistent with the style of home in the Barclay Road neighborhood and oriented to face Barclay Road, the street on which its driveway is located so as to be better integrated with its residential neighborhood. Applicant seeks variance relief to permit the S. Ithan Avenue front yard to be 35 feet rather than the required 60 feet. With the dwelling reoriented to face Barclay Road exclusively, the South Ithan Avenue area of the Property reads as a side yard. The side yard requirement in the R-1 Residential District is 25 feet minimum and 60 feet in the aggregate. With the new proposed orientation of the dwelling, the remaining side yard (25 feet) and the proposed S. Ithan Avenue front yard (35 feet) meet the spirit of the Zoning Code's 60 foot aggregate side yard requirement. The proposed plan will comply with all other area and bulk requirements in the R-1 District. In addition, the Applicant respectfully requests such additional relief as the Board deems appropriate.

Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: (*attach additional pages if necessary*)

None.

Brief narrative of improvements: (attach additional pages if necessary)

A detached single-family dwelling exists on the property. The Applicant proposes to raze the existing dwelling and construct a new single-family dwelling on the property per the attached plan.

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. **Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:**
 - a) **lot lines and lot dimensions described in metes and bounds (in feet);**
 - b) **total lot area;**
 - c) **location of easements and rights of way, including ultimate rights of way;**
 - d) **location of all setback lines for existing and proposed structures;**
 - e) **location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;**
 - f) **location of existing and proposed improvements;**
 - g) **table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and**
 - h) **all other features or matters pertinent to the application.**

PLANS SHALL NOT EXCEED 24" X 36" , AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 ½" X 11" AT FILING

2. **List of witnesses and summary of their testimony attached.** The Applicant and the Applicant's engineer will testify in support of the application.
3. **Photographs of the property at issue and all adjoining properties.** SEE ATTACHED.
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*). **NOT APPLICABLE.**

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*). **LETTER OF AUTHORIZATION ATTACHED.**

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting NO.*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*). **NOT APPLICABLE.**
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*) **THE APPLICANT WILL TESTIFY.**

Alfred R. Fuscaldo Attorney for the Applicant
SIGNATURE OF APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.