



Community Development Department

ZONING HEARING BOARD AGENDA

Thursday, April 15, 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 register at https://us02web.zoom.us/webinar/register/WN_gtDMRhYDQNOONx0KnCCbaA and the meeting link will be sent to you via email.

1. Call to Order

2. Pledge of Allegiance

3. APPEAL #3075

The Applicant, Wayne Center LP, property located at 216 E Lancaster Avenue, request an extension of time for obtaining a permit under Section 280-144 of the Zoning Code for an additional six (6) months to November 2, 2021.

4. APPEAL #3077

The Applicant, Markier Properties LLC, property located at Sproul Road & Highfield Road, request an extension of time for obtaining a permit under Section 280-114 of the Zoning Code for an additional six (6) months to November 2, 2021.

5. 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. **Continued from the March 18, 2021 meeting.**

6. 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. **Continued from the March 18, 2021 meeting.**

7. APPEAL #3093

The Applicant, CG Wayne, LLC, property located at Eagle Road and Radnor Street Road and zoned PI Planned Institutional. The Applicant is requesting a variance from Section 280-112 to permit and such other relief as deemed necessary by the Board. Applicant is proposing a residential development on the subject property.

8. APPEAL #3094

The Applicant, Matt Silverio, property located at 684 Conestoga Road and zoned R1 Residential. The Applicant is seeking relief a dimensional variance from Section 280-15.C in order to remove an existing brick patio and replace it with a composite deck with a pergola on a portion of the deck.

The next meeting of the ZHB is scheduled for May 20, 2021. Applications for the May 20, 2021 meeting must be submitted on or before April 20, 2021.

PETRIKIN, WELLMAN, DAMICO, BROWN & PETROSA
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW

THE WILLIAM PENN BUILDING
109 CHESLEY DRIVE
MEDIA, PA 19063

JOSEPH A. DAMICO, JR.
DONALD T. PETROSA
STEVEN A. COHEN
DENIS M. DUNN*
MARK D. DAMICO
KENNETH D. KYNETT*
H. FINTAN McHUGH*
CHARLES G. MILLER*

MALCOLM B. PETRIKIN
(1934-1995)
JOHN W. WELLMAN
(1951-2002)
STEVEN G. BROWN
(1970-2010)

FAX 610-565-0178

*ALSO MEMBER NEW JERSEY BAR

February 26, 2021

Direct Dial: 610-892-1858
e-mail: dp@petrikin.com

Zoning Hearing Board
Township of Radnor
301 Iven Avenue
Wayne, PA 19087

RE: *Appeal No. 3075*
Appeal of Wayne Center, L.P.
216 E. Lancaster Avenue, Wayne, PA 19087
Our File No.: 094186-34

Dear Zoning Hearing Board Members:

I represent Wayne Center, L.P., the owner of the premises at 216 E. Lancaster Avenue, Wayne, PA. The Board approved our application for a special exception to change one nonconforming use to another nonconforming use as set forth in the Board's Decision. The Decision indicates that it will expire if the Applicants fail to obtain a building permit within six (6) months of November 2, 2020. I believe this would mean that the Applicants would have to obtain a building permit by May 2, 2021.

The owner and the proposed tenant, CMG, LLC, are close to finalizing the lease for the premises. Although we expect that to occur very soon, plans will have to be prepared for the fit-out work to convert the former real estate office to the proposed medical office. Accordingly, it is apparent that an extension of the zoning approval will be required.

Accordingly, I am writing to respectfully request that the deadline for obtaining the building permit be extended from the current deadline of May 2, 2021 until November 2, 2021.

Assuming the Board has a meeting scheduled for April 15, 2021, I would respectfully request that this matter be placed on the agenda for that meeting so that we may obtain the extension before the current expiration date of May 2, 2021.

Zoning Hearing Board
Township of Radnor
February 26, 2021
Page -2-

I would appreciate if someone would confirm that this matter will be placed on the agenda for the April 15, 2021 meeting of the Radnor Township Zoning Hearing Board.

Thank you very much for your kind consideration.

Very truly yours,



DONALD T. PETROSA

DTP

cc: Kevin W. Kochanski, RLA, CZO, Zoning Officer (Via Email & First Class Mail)
Constantine Z. Economides, Esquire, ZHB Solicitor (Via Email & First Class Mail)
Paul Aschkenasy (Via Email)
Kevin Cross, M.D. (Via Email)

PIERCE, CANIGLIA & TAYLOR

ATTORNEYS AT LAW

125 Strafford Avenue - Suite 110

P. O. Box 312

Wayne, Pennsylvania 19087

**JAMES M. PIERCE
NICHOLAS J. CANIGLIA
KENNETH C. TAYLOR**

**TELEPHONE
(610) 688-2626
FAX
(610) 688-5761**

EMAIL

Nick@piercecanigliataylor.com

March 30, 2021

Kevin Kochanski
Director of Community Development
Radnor Township Municipal Building
301 Iven Avenue
Wayne, PA 19087

RE: APPEAL OF MARKIER PROPERTIES, LLC

Appeal No. 3077

Premises: Sproul Road and Highfield Road, Bryn Mawr, PA

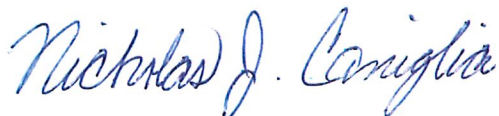
Request for Extension of Time to Obtain Permit

Dear Kevin:

The Board had previously granted relief on November 2, 2020 on the above Zoning Appeal to permit construction of a home in the front yard setback on a corner lot which will not encroach on the setback more than the adjacent existing home. The sale of the lot is currently in litigation, which necessitates this request that the Zoning Board extend the time for obtaining a permit under Section 280-144 of the Zoning Code for an additional six (6) months to November 2, 2021.

Thank you for your time and consideration.

Very truly yours,



NICHOLAS J. CANIGLIA

c. Constantine Z. Economides, Esquire
James McPhillips

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 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>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

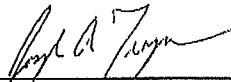
- 2. List of witnesses and summary of their testimony attached.**
- 3. Photographs of the property at issue and all adjoining properties.**
- 4. Copies of any written professional reports, including traffic studies, land planning studies,**

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 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>3093</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: Eagle Road and Radnor Street Road

Name and address of Applicant: CG Wayne, LLC

c/o The Concordia Group, 161 Leverington Ave., Ste 101, Philadelphia, PA 19127

Telephone Number: _____ Email: dtuohey@concordiagroup.biz

Property Owner (if different than above): Eastern University

Owner address: 1300 Eagle Road, St. David's, PA 19087

Telephone number: _____ Email: pjones1@eastern.edu



Attorney's name: David J. Falcone - Saul Ewing Arnstein & Lehr

Address: 1200 Liberty Ridge Drive, Ste 200, Wayne, PA 19087

Telephone number: 610-251-5752 Email: david.falcone@saul.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)*

Applicant is requesting a variance from the restrictions of Section 280-112 (Slope Controls) to permit disturbance of man made steep slopes, and such other relief as deemed necessary by the Board.

Applicant is proposing a residential development on the subject property. The subject property contains man-made slopes created as part of a prior development. Applicant is seeking to disturb those slopes.

The applicable section of the Township Zoning Code is Section 280-112.

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)*

See attached narrative.

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

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>3094</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: 684 Conestoga Road

Name and address of Applicant: Matt Silverio

684 Conestoga Road, Villanova PA 19085

Telephone Number: 484-343-8532 Email: mattsilverio@gmail.com

Property Owner (if different than above): same

Owner address: SAME

Telephone number: SAME Email: SAME



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)*

I am requesting relief (dimensional variance) from R-1 Zoning Code § 280-15, point C: Front yard, "There shall be a front yard on each street on which a lot abuts, which shall not be less than 60 feet in depth," (<https://ecode360.com/11078529>) in order to remove an existing brick patio that fell into a state beyond repair under the prior owners and replace it with composite deck structure with an open, aluminum pergola on a portion of the deck (see figure x)

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

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

Remove existing dilapidated brick patio. Install composite decking over existing patio area. Install open aluminum pergula. Install seepage bed to comply with stormwater code.

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* 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*). NO
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*) YES



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.