



Community Development Department

ZONING HEARING BOARD AGENDA

Monday, November 15, 2021

7: 00 P.M.

1. Call to Order
2. Pledge of Allegiance

3. APPEAL #3109

The Applicant, Michael and Heather Anne Murphy, property located at 105 Summer Hill Lane and zoned AC-DM Agricultural Conservation Density Modification. The Applicants request a variance from Section 280-112(D) to allow grading, pool, pool house and decking in steep slopes and a special exception from Section 280-112(N)(2) to allow sanitary sewer lateral and stormwater management facilities in the steep slope.

4. APPEAL #3111

The Applicant, James and Christine Flynn, property located at 236 N Aberdeen Avenue and zoned R5 Residential. The Applicants request de minimis variance or in the alternative, variances from Section 280-112.D (and any other relief deemed necessary) to allow improvement of and disturbance to certain steep slopes.

The next meeting of the ZHB is scheduled for November 18, 2021. Applications for the November 18, 2021 meeting must be submitted on or before October 19, 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

TOWNSHIP USE ONLY
APPEAL # <u>3109</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: 105 Summer Hill Lane, Wayne, PA 19087

Name and address of Applicant: Michael McAdam and Heather Anne Murphy - 105 Summer Hill Lane, Wayne, PA 19087

Telephone Number: (215) 806-9777 Email: mmcada22202@yahoo.com

Property Owner (if different than above): Same

Owner address: _____

Telephone number: _____ Email: _____



Attorney's name: Edward J. Hughes, Esquire

Address: 1250 Germantown Pike, Suite 205, Plymouth Meeting, PA 19462

Telephone number: (610) 279-6800 Email: ehughes@hkolaw.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)*

Variance to allow grading, pool, pool house and decking in steep slopes, Section 280-112(D); special exception to allow sanitary sewer lateral and stormwater management facilities in steep slope, Section 280-112(N)(2).

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 not aware of any previous Zoning Hearing Board Decisions.

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

Applicant proposes to install a pool, pool house and decking. The pool is 20 ft. x 38 ft. with an attached 8 ft. x 8 ft. spa and 8 ft. x 14 ft. sun spa, a 503 SF open air pool house with roof, associated concrete decking and a 2 ft. wide x 2.5 ft. deep x 35 ft. long seepage bed in the rear yard and relocation of a sanitary sewer lateral in the rear yard.

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

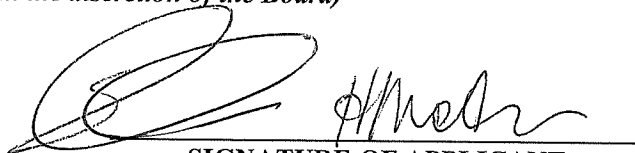
2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

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*).
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
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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: 236 North Aberdeen Avenue, Wayne, PA 19087

Name and address of Applicant: James and Christine Flynn
236 North Aberdeen Avenue, Wayne, PA 19087

Telephone Number: 484-614-5876 Email: cflynn@rockwellcustom.com

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

Owner address: _____

Telephone number: _____ Email: _____



Attorney's name: Nicholas J. Caniglia, Esquire

Address: 125 Strafford Avenue, Suite 110, Wayne, PA 19087

Telephone number: 610-688-2626 Email: Nick@PierceCanigliaTaylor.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)*

In connection with the construction of two new single-family semi-detached dwellings and related improvements, Applicants request de minimis variances, or in the alternative, variances, from Code §280-112.D (and any other relief deemed necessary) to allow improvement of and disturbance to certain steep slopes on the Property at 236 North Aberdeen Avenue. Alternatively, Applicants seek a determination that no relief is required because Code §280-112 should not apply to legally non-conforming man-made steep slopes. See attached Narrative.

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

Appeal No. 3041 was heard on July 18, 2019. The Applicants sought variances from Section 280-35(A)(1) regarding minimum lot width and Section 280-35(A)(3) regarding front yard setback to allow for the preservation of the existing home and construction with a new single family detached home. The requests for variance relief were denied.

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

Applicants will demolish the existing single family detached dwelling and construct two new single-family semi-detached homes and related improvements as shown on the attached plans.

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 - 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.**

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2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
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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*).

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