



Community Development Department
ZONING HEARING BOARD AGENDA

Thursday, February 20, 2020
7: 00 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Reorganization
4. **APPEAL #2904**
The Applicant Anthony and Gloria Mari, property located at 203 Church Street, request an extension of the time for obtaining a permit under Section 280-144 of the Zoning Code for an additional six (6) months to August 24, 2020.
5. **APPEAL #3054**
The Applicant, Michael and Susan Tague, property located at 520 Watch Hill Road and zoned R1 Residential. The Applicant seeks a variance from Section 280-15(C) of the code in order to construct a one story open porch and/or request a special exception from Section 280-101(A)(2) if applicable or needed to expand an existing non-conforming building.
6. **APPEAL #3055**
The Applicant, Maureen Daley, property located at 114 Trianon Lane and zoned R2 Density Modification. Applicant seeks a variance from Section 280-97B.(3) of the Code to continue the existing non-conformity and reconstruct the deck in the same location. The exist deck does not comply with the Zoning Code's requirement for rear yard setback. Applicant seeks a variance of the Zoning Code or such other relief in accordance with the Plans and Exhibits submitted.
7. **APPEAL #3056**
The Applicant, Smyth Family Realty LLC, property located at 327 E Lancaster Avenue and zoned C3 Commercial. The Applicant seeks a variance from the following Section of the Zoning Code relating to Signs in Commercial Districts: 280-122C.(7)(b) – sign area and sign height for wall signs; 280-122C.(7)(c)[1][a] – sign area and sign height for freestanding sign; and 280-122C.(8)(a) – sign area and sign height for directional sign. In the alternative, Applicant requests such other relief consistent with the exhibits and testimony.
8. **APPEAL #3057**
The Applicant, Rosemarie and Todd Dhavale, property located at 403 Barclay Road and zoned R1 Residential. The Applicant seeks a variance from Section 280-15C of the Code to construct an addition in the front yard setback.

The next meeting of the ZHB is scheduled for March 19, 2020. Applications for the March 19, 2020 meeting must be submitted on or before February 18, 2020.

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>3054</u>
FEE: <u>550⁰⁰</u>
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: 520 WATCH HILL ROAD, VILLANOVA

Name and address of Applicant: MICHAEL & SUSAN TAQUE

Telephone Number: (610) 331-1757 Email: MTAQUE@COMCAST.NET

Property Owner (if different than above): _____

Owner address: _____

Telephone number: _____ Email: _____



Attorney's name: OWNER REPRESENTING HIMSELF

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)*

(SEE ATTACHED)

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)

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

(SEE ATTACHED)

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

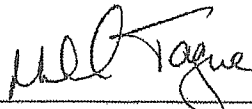
2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

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

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Requested Relief

Tague Residence – 520 Watch Hill Road

Michael and Susan Bainbridge Tague (applicants) own the property at 520 Watch Hill Road in Villanova, which is located in an R-1 District. The home was built in 1966 and has an existing front porch that intrudes into the existing 60' front yard setback (by 4.7'). The applicants seek to erect a one story open porch, replacing the existing porch and expanding it across the face of the home and toward the street. The majority of the porch would extend into the front yard setback from 9.25' (west corner) to 3.25' (east corner). A center gable at the front door would extend 10.5' into the setback at its eastern corner. The site plan depicts all of the above.

Applicants seek a variance from the code (280-15-(C)) in order to build the above and also request a special exception under 280-101(A)(2) if applicable or needed (expansion of a non-conforming building).

ZONING HEARING BOARD APPLICATION

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WAYNE, PA 19087

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TOWNSHIP USE ONLY
APPEAL # <u>3055</u>
FEE: <u>550⁰⁰</u>
DATE RECEIVED: _____

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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: 114 Trianon Lane, Villanova, PA 19085

Name and address of Applicant: Maureen E. Daley

114 Trianon Lane, Villanova, PA 19085

Telephone Number: 215-528-1419 Email: MDaley@rawle.com

Property Owner (if different than 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)*

The Property is zoned R-2 Density Modification. Applicant purchased the Property in June of 2017. Upon applying for a permit to replace an existing deck in the rear of her home, Applicant was informed by the Township that the existing deck does not comply with the Zoning Code's requirement for rear yard setback. Applicant seeks to continue the existing non-conformity and reconstruct the deck in the same location. Applicant seeks a variance from section 280-97B.(3) of the Zoning Code, or such other relief in accordance with the Plans and Exhibits submitted.

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

None to Applicant's knowledge.

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

The Property is zoned R-2 Density Modification. Applicant purchased the Property in June of 2017. Unbeknownst to Applicant permits were not require for the construction of a deck which is 14.23 feet from the rear property line. The Zoning Code requires a 30 foot rear yard setback. Applicant only discovered the discrepancy upon applying for a permit to reconstruct the deck in the same location. Applicant seeks to legitimize the location of the existing deck with the Township. The rear of Applicant's Property borders the open space for the Trianon Density Modification Development as indicated on Exhibit A-4, and, therefore has no impact on any adjacent neighbors.

Witnesses:

Applicant – Will describe the Property and the non-conformity.

Applicant reserves the right to call other witnesses at the time of the hearing.

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.

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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.
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

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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*).
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TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

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TOWNSHIP USE ONLY
APPEAL # <u>3056</u>
FEE: <u>900⁰⁰</u>
DATE RECEIVED: _____

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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: 327 E. Lancaster Avenue, Wayne, PA

Name and address of Applicant: SMYTH FAMILY REALTY LLC
327 E. Lancaster Avenue, Wayne, PA 19087

Telephone Number: 610-520-2000 Email: Smyth111@jrml.com

Property Owner (if different than 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@pierceanigliataylor.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 seeks a variance from the following Sections of Article XXI of the Zoning Ordinance relating to Signs in commercial districts: §280-122C.(7)(b) – sign area and sign height for Wall signs; §280-122C.(7)(c)[1][a] – sign area and sign height for freestanding sign; and §280-122C.(8)(a) – sign area and sign height for directional sign. In the alternative, applicant requests such other relief consistent with the exhibits and testimony.

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

None to Applicant's knowledge except relief was granted under appeal Number 3031 to construct an addition to the existing building consistent with the corporate requirements of Jaguar.

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

The Property is zoned C-3 Service Commercial District. The site is used and occupied as an automobile dealership occupied by Jaguar/Range Rover Main Line owned by the principal of the property owner. The property fronts on Lancaster Avenue and Iron Works Way. The property is being renovated and signage replaced in accordance with the new corporate requirements of Jaguar. Applicant desires to install Wall signs as indicated in the Exhibits which total 55.63 square feet on Lancaster Avenue with a height of 23'8"; 8.48 SF on Iron Works Way with a height of 23'8"; and 6.69 SF on the rear of the building. The Zoning Code requires a height of no more than 15 feet and Walls signs totaling no more than 60 S.F. Applicant also proposes a Freestanding sign of 37.35 S.F. with a height of 10'10". The Code permits Freestanding signs not to exceed 30 S.F. and no higher than 10'. A Directional sign is also requested of 23.79 S.F. and 6'11" high which exceeds what the Code permits for a Directional sign but conforms to the Code requirement for a Secondary Ground sign.

Witnesses: Mike Smyth – Owner of property and operator of dealership.
Kevin Dowell – KD2Architects

Applicant reserves the right to call other witnesses at the time of the hearing.

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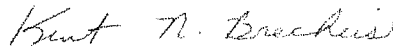
2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

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ZONING HEARING BOARD APPLICATION

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301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

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TOWNSHIP USE ONLY
APPEAL # <u>3057</u>
FEE: <u>550⁰⁰</u>
DATE RECEIVED: _____

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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: 403 Barclay Road, Bryn Mawr, PA 19010

Name and address of Applicant: Todd and Rosemarie Dhavale

403 Barclay Road, Bryn Mawr, PA 19010

Telephone Number: 508-725-1944 Email: todd.dhavale@gmail.com

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

Owner address: _____

Telephone number: _____ Email: _____

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)*

Applicant is proposing to build an addition to an existing single-family detached home (the Property is zoned R-1 Residence District) and is requesting a variance from § 280-15 C. regarding front yard setback.

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

None to Applicant's knowledge

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

The Property, Folio #36-07-04156-00, is Zoned R-1 Residence District and consists of 1.213 net acres. The addition involves adding a 25' x 30' first-floor master bedroom, bathroom, closet and laundry area on the side of the existing primary residence.

As shown on the survey, there is a stream (Kirks Run) running through the Property. The riparian buffer setback for the stream combined with the front yard setback creates a limitation on land available for the proposed addition due to the path of the stream and the angle formed by the conjunction of the two setbacks. The decision was to request a variance on the front yard setback as opposed to the riparian buffer setback for environmental and groundwater reasons.

Without the front yard variance the proposed addition would need to be smaller and stepped back from the front of the existing home, which would create a façade that is not harmonious with other homes of this style in the neighborhood.

The minimum front yard for single-family detached homes in the R-1 Residence District is 60 feet. The proposed addition would be approximately 53 feet from the right-of-way line for Barclay Road at its minimum point, and approximately 63 feet from the existing curb of Barclay Road at its minimum point.

Witnesses:

Todd and/or Rosemarie Dhavale – Owners of the Property will describe the Property and the proposal as required.

Applicant reserves the right to call other witnesses at the time of the hearing.

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);
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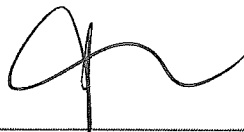
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ADDITIONAL REQUIREMENTS

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2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? NO (*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. YES If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and 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*)



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