



Community Development Department

ZONING HEARING BOARD AGENDA

Thursday, November 19, 2020

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 #2099

The Applicant, Patricia McKenna, property located at 333 Chamouinix Road, request an extension of the time for obtaining a permit under Section 280-144 of the Zoning Code until April 1, 2021.

4. APPEAL #3080

The Applicant, Garrett Hill Alehouse, property located at 157-159 Garrett Avenue and zoned C1 commercial. Applicant seeks to remove condition #14(d) imposed upon the property as part of Appeal #2575 regarding windows being kept closed while the restaurant was open for business. Applicant received temporary relief from this condition as part of Appeal #3000 which is set to expire on November 21, 2020.

5. APPEAL #3081

The Applicant, Taylor and Allison Rooke, property located at 422 N Bellevue Avenue and zoned R4 Residential. The Applicant seeks a variance from Section 280-109.A which limits the height of a fence in the front yard setback in the R4 Zoning District to 4 feet. Applicant seeks to install a fence 6 feet high along its Eagle Road property line. In the alternative, Applicant requests any other relief in accordance with the Plans and Exhibits submitted.

The next meeting of the ZHB is scheduled for December 17, 2020. Applications for the December 17, 2020 meeting must be submitted on or before November 17, 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>3080</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: 157-159 Garrett Avenue Bryn Mawr, PA 19010

Name and address of Applicant: Garrett Hill Alehouse/Angie Mitchell
632 Overhill Road Ardmore, PA 19003

Telephone Number: 484-620-0376 Email: angie.mitchell1313@gmail.com

Property Owner (if different than above): _____

Owner address: _____

Telephone number: _____ Email: _____

Attorney's name: _____

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)*

In response to an Appeal No. 2575, the prior owner of this property was granted a parking variance in order to convert the existing bar into a restaurant. As part of that approval, the Zoning Hearing Board imposed the following condition 14(d) reads: "(d) In order to reduce emanating noise from the subject premises, the windows of the subject premises shall be kept closed at all times when the New Restaurant is open for business". On October 10, 2017 under Appeal No. 3000 the Board granted relief of this condition for a period of three years expiring November 21, 2020. Pursuant to the order we are now seeking a renewal of the Board's order dated November 21, 2017. Also it is requested since operating with 3 years and applying twice with repeat applications and applicable fees, that the Condition 14(d) be eliminated entirely.

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

Zoning Hearing Board Decision #2575 #3000 are attached.

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

No improvements are requested.

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.

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TYPE OR PRINT

Property Address: 422 N. Bellevue Avenue, Wayne, PA

Name and address of Applicant: Taylor and Allison Rooke
422 N. Bellevue Avenue, Wayne, PA 19087

Telephone Number: 215-817-0112 Email: trooke86@gmail.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-4 Residential. Applicant seeks a variance from Section 280-109.A which limits the height of a fence in the front yard setback in the R-4 Zoning District to 4 feet. Applicant seeks to install a fence 6 feet high along its Eagle Road property line. In the alternative, Applicant requests any 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-4 Residential. The Property is a corner lot located at the intersection of Eagle Road and N. Bellevue Avenue. Unlike all other zoning districts the height of fences in the front yard setback in the R-4 and R-5 zoning districts is 4 feet. The other districts permit 6-foot high fences. Applicant wishes to construct a six-foot high fence which is within the front yard setback on Eagle Road. The proposed fence will comply with the 4-foot height requirement along N. Bellevue Avenue.

Witnesses:

Applicant – Will describe the Property and need for fence.

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

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