



Community Development Department
ZONING HEARING BOARD AGENDA

Thursday, July 18, 2019
7: 00 P.M.

1. Call to Order

2. Pledge of Allegiance

3. **APPEAL #3041**

The Applicant, James and Christine Flynn, property located at 236 North Aberdeen Avenue, zoned R5 Residential. Applicant seeks to subdivide the property into two (2) lots to allow for preservation of the existing home and construction of a new single family detached home. Applicant seeks variances from Section 280-35A(1) regarding minimum lot width and Section 280-35A(3) regarding front yard setback. **Continued from the June 20, 2019 meeting.**

4. **APPEAL #3042**

The Applicant, All Seasons Flowers and Produce, property located at 912 Conestoga Road and zoned GH-CR. Applicant conducts a florist and related services at the Property. Applicant seeks relief from Section 280-49.11(B) and/or (D) of the GHZD (Garrett Hill Zoning District) to permit the seasonal sales of flowers and related products within the front yard setback. Applicant seeks a variance or such other relief required to permit the sales and storage within the front yard setback. Applicant previously received temporary relief on February 16, 2017, Appeal #2982 for this which expires May 31, 2019. **Continued from the June 20, 2019 meeting.**

5. **APPEAL #3044**

The Applicant, Simon Dibble, property located at 94 Oakford Road and zoned R3 residential. Applicant a variance from Section 280-25(E) of the Code to construct a deck to the rear of the home. In the alternative, Applicant contends that the use is permitted by right.

The next meeting of the ZHB is scheduled for September 19, 2019. Applications for the September 19, 2019 meeting must be submitted on or before August 20, 2019.

A-1

10/18

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>304H</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: 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): _____

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)*

Applicant seeks to subdivide the property into two lots to allow for preservation of the existing home and construction of a new single-family detached home. Applicant seeks variances from §280-35 A. (1) regarding minimum lot width and §280-35 A. (3) 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 is Zoned R-5 Residence District and consists of 0.4056 acres (17,670 S.F.). There is an existing home on the property, constructed in 1888 by Jonathan Lengel, a prominent Radnor architect and builder, as the Lengel family home. Applicant has resided in the existing home since 2008 and now wishes to build a larger home for their young family, while preserving the existing home. If the variance requested is not granted, the Property could be developed by-right as a pair of single-family semi-detached homes, requiring the demolition of the existing home. The minimum lot width required for a single-family detached home in the R-5 zoning district is 55 feet. Lot 1, with the existing home, will have a lot width of 47.7 feet and Lot 2, with the new proposed home will have a width of 51.0 feet. The Applicant would like the new home to be harmonious with the existing homes on the street by matching the front setbacks. The minimum front yard for single-family detached homes in the R-5 zoning district is 25 feet. The homes on the north side of the street have front setbacks between 10.44 and 18.8 feet, with many of the homes having porches approximately 10.5 feet back from the right-of-way. Lot 2 will have the new proposed home with a front setback of 11.5 feet to the front porch and 17.4 feet to the main façade of the house.

Witnesses:

Christy Flynn - Owner of the Property will describe the Property and the proposal.
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.**

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

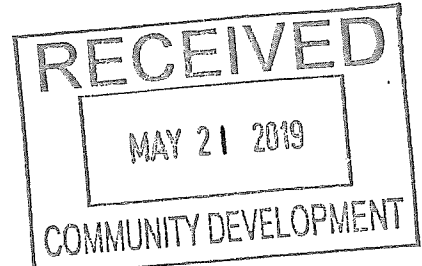
WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

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TOWNSHIP USE ONLY
APPEAL # <u>3042</u>
FEE: _____
DATE RECEIVED: _____

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TYPE OR PRINT

Property Address: 912 Conestoga Road, Rosemont, PA

Name and address of Applicant: All Seasons Flowers and Produce LLC
912 Conestoga Road, Rosemont, PA 19010

Telephone Number: 484-222-6106 Email: margaretm1033@gmail.com

Property Owner (if different than above): Angela DiFelice

Owner address: 300 Poplar Avenue, Devon, PA 19333

Telephone number: _____ Email: _____



Attorney's name: Nicholas J. Caniglia, Esquire

Address: 125 Strafford Ave., 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)*

The Premises is Zoned GH-CR, Garrett Hill-Conestoga Road Zoning District. Applicant conducts a florist and related services at the Property. Applicant seeks relief from Section 280-49.11(B) and/or (D) of the GHZD (Garrett Hill Zoning District) to permit the seasonal sales of flowers and related products within the front yard setback. Applicant seeks a variance or such other relief required to permit the sales and storage within the 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 relevant to this Application.~~

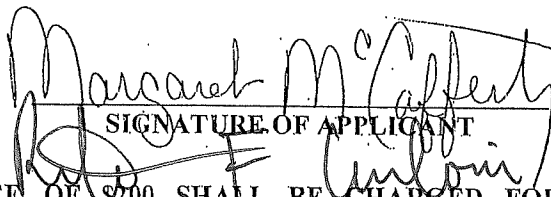
Appeal 2982

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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WAYNE, PA 19087

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TOWNSHIP USE ONLY
APPEAL # <u>3044</u>
FEE: _____
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TYPE OR PRINT

Property Address: 94 Oakford Road, Wayne, PA 19087

Name and address of Applicant: Simon J. Dibble. 94 Oakford Road
Wayne, PA 19087

Telephone Number: 610 507 3073 Email: simon.dibble@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)*

We request a variance allowing us to build a deck that will extend beyond the 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

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

Deck on rear of house. Size is 260 SQFT.

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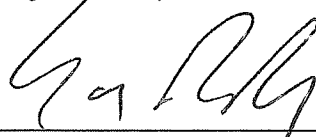
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