



Community Development Department
ZONING HEARING BOARD AGENDA

**Thursday, January 18, 2018
7: 00 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. **APPEAL #3008**

The Applicant, Rogers Johnson, property located at 340 Conestoga Road and Zoned R-2, seeks relief from Section 280-20 of the Zoning Code in regard to side yard and aggregate side yard to construct an addition, 280-20 states that for principal buildings, there shall be two side yards which shall be less than 45' in aggregate and neither of which shall be less than 20' in width. Proposed 11' X 18' location of the garage will reduce the side yard aggregate to be 36'. The eastern side yard will be reduced from 26' to 15' which is below 20' minimum.

4. **APPEAL #3009**

The Applicant, Besco Company c/o Equity Realty Brokers, property located at 368-381 W. Lancaster Avenue, a/k/a 371B W. Lancaster Avenue and Zoned PB, contends that the proposed use is permitted pursuant to Sections 280-59.A.(1) and/or 280-59.A(2). In the alternative, Applicant seeks a variance from Section 289-59.A and/or Section 289.B to allow the proposed use at the Property.

5. **APPEAL #3010**

Pursuant to the request of the Township and neighbors, the Applicant, Villanova University, property located at 800 E. Lancaster Avenue, Pike Field, and Zoned PI, seeks a variance from the six (6') foot height requirement of section 280-109 of the Zoning Code to install, on Pike Field, a temporary eight (8") foot high fence around the temporary parking and material lay down area for construction of the Performing Arts Center. In the alternative, Applicant seeks any necessary relief as may be required.

The next meeting of the ZHB is scheduled for February 16, 2018. Applications for the February 16, 2018 meeting must be submitted on or before January 16, 2018.

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>3008</u>
FEE: <u>550</u>
DATE RECEIVED: <u>12/7/2017</u>

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: 340 Conestoga Rd Wayne, PA 19087

Name and address of Applicant: Rogers Johnson
340 Conestoga Rd Wayne PA 19087

Telephone Number: 610-293-0346 Email: rogers.johnsonjr@
Verizon.net

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

Owner address: 340 Conestoga Rd Wayne PA 19087

Telephone number: 610-293-0346 Email: rogers.johnsonjr@
Verizon.net

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)

280-20: states that for principal buildings, there shall be two side yards which shall be not less than 45' in aggregate and neither of which shall be less than 20' in width. Proposed 11' x 18' location of the garage will reduce the side yard aggregate to 36'. The eastern side yard will be reduced from 26' to 15' which is below the 20' minimum.

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)

Proposed addition onto existing home - 11' x 18'
E-4 wood frame & wall/roof panel garage with
E-4 wood frame & wall/roof panel sunroom
above. Addition to have shingles and siding
installed to match existing.

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 1/2" X 11" AT FILING

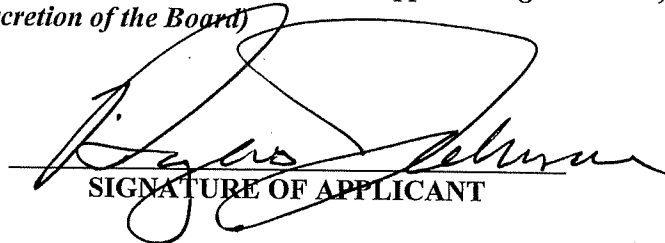
2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

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>3009</u>
FEE: <u>900</u>
DATE RECEIVED: <u>12/18/17</u>

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: Unit 12, Strafford Shopping Center, 368-381 W. Lancaster Ave., Wayne, PA 19087
a/k/a 371B W. Lancaster Ave., Wayne, PA 19087

Name and address of Applicant: Besco Company c/o Equity Retail Brokers, 531 W. Germantown Pike,
Suite 103, Plymouth Meeting, PA 19462

Telephone Number: 484-417-2226 **Email:** kmcevoy@equityretailbrokers.com

Property Owner (if different than above): _____

Owner address: _____

Telephone number: _____ **Email:** _____

Attorney's name: Donald T. Petrosa, Esquire

Address: 109 Chesley Drive, Media, PA 19063

Telephone number: 610-892-1858 **Email:** dp@petrikin.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 the owner of the Strafford Shopping Center located at 368-381 W. Lancaster Ave., Wayne, PA 19087 (sometimes referred to as 373 or 375 W. Lancaster Ave.) (the "Property"). Applicant proposes to lease vacant Unit 12, a/k/a 371B W. Lancaster Ave., for use as a Pilates Studio and personal fitness training center with the sale of incidental products related to Pilates and personal fitness training. The Zoning Officer has advised Applicant's counsel that he considers the proposed use to be an indoor place of amusement or recreation, which he has determined is only allowed in a Planned Business (PB) District not less than 20 acres in size pursuant to Section 280-59.B.(3) and that since the Property is less than 20 acres, relief from the Zoning Hearing Board is needed for the proposed use. Applicant appeals from the interpretation/determination of the Zoning Officer and contends that the proposed use is a permitted use at the Premises and on the Property as a retail store and/or studio pursuant to Sections 280-59.A.(1) and/or 280-59.A.(2). In the alternative, Applicant requests a variance from Section 280-59.A and/or Section 280-59.B to allow the proposed use at the Premises/Property.

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 previous decisions by the Zoning Hearing Board pertinent to the Property.

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

No new buildings or site improvements are proposed.

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*
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, Managing Partner

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

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WAYNE, PA 19087

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TOWNSHIP USE ONLY
APPEAL # <u>3010</u>
FEE: _____
DATE RECEIVED: <u>12/19/17</u>

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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: 800 Lancaster Avenue, Villanova, PA (Pike Field)

Name and address of Applicant: Villanova University
800 Lancaster Avenue, Villanova, PA 19085

Telephone Number: 610-519-7450 Email: chris.kovolski@villanova.edu

Property Owner (if different than above): _____

Owner address: _____

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@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)*

Pursuant to the request of the Township and neighbors, Applicant seeks a variance from the six (6') foot height requirement of section 280-109 of the Zoning Code to install on Pike Field a temporary eight (8') foot high fence around the temporary parking and material lay-down area for construction of the Performing Arts Center. In the alternative, Applicant seeks any necessary relief as may be required under the Plans and exhibits submitted herewith.

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

There are no prior zoning applications relevant to this Application.

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

The Premises is Zoned PI-Planned Institutional. Applicant's temporary parking and material lay-down area during the construction of the Performing Arts Center will be located on Pike Field. During discussions with the Township and the neighbors, it has been suggested that an eight (8') high fence be installed around the temporary parking and material lay-down area. Section 280-109 of the Zoning Code permits fencing no higher than six (6') feet. The fence will be removed after the completion of the construction of the Performing Arts Center and the temporary parking and lay-down area associated therewith will be returned to its current grass field condition.

List of Witness:

Christopher Kovolski – Representative of Villanova University describing the proposal and exhibits.

Robert Morro, P.E. – Professional Engineer describing the Site Plan and height requirements.

Marilou Smith – Project Manager for the construction.

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

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