



Community Development Department  
**ZONING HEARING BOARD AGENDA**

**Thursday, February 15, 2018  
7: 00 P.M.**

1. Call to Order
2. Pledge of Allegiance

**3. APPEAL #3011**

The Applicant Charles and Joy Boschen, property located at 534 Hilaire Road and Zoned R-3, seeks a variance from the side yard requirements of Zoning Code Section 280-25(D)(1) in order to construct an attached garage addition to the southwest corner of the existing dwelling. The garage will create a compliant west side yard setback of 15 feet, but will leave an existing noncompliant east side yard of 11.6 feet. The aggregate side yard therefore will be 26.6 feet, which also will be noncompliant. There is no other location on the property that is suitable for construction of the garage. The Zoning Hearing Board found in Appeal 2287 that a hardship exists peculiar to this property, not created by the applicants, because of the lot's "extreme narrowness [77.6 feet at the building line] and orientation of the existing residence." In the alternative, applicants contend that the proposed addition is permitted by right.

**4. APPEAL #3012**

The Applicant First Resource Bank, property located at 321 West Lancaster Avenue and Zoned CO seeks a variance from Section 280-103.B(11) to allow a stacking length of less than twelve vehicles; Section 280-109.A to allow a fence height of greater than 6 feet (for the purposes of providing a greater buffer to the properties abutting the rear of the subject property); Section 280-122.C(2) to permit the proposed wall sign to exceed a sign height of 15 feet above the existing grade; and any other variances and/or relief that the Zoning Hearing Board may deem necessary.

**5. APPEAL #3013**

The Applicant Leslie Enright, property located at 108 Owens Lane and Zoned R-5 seeks to replace its current garage with a new garage which will not increase the current non-conformities in regards to front yard setback, side yard setback, and parking within the front yard setback. Applicant seeks a variance from the following sections of the Zoning Code 280-35(A)(7) and 280-105(F), or such other relief consistent with the Plans submitted herein. In the alternative, applicant contents that the relief is permitted by right.

*The next meeting of the ZHB is scheduled for March 15, 2018. Applications for the March 15, 2018 meeting must be submitted on or before February 13, 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

<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>3011</u>
FEE: <u>550<sup>00</sup></u>
DATE RECEIVED: <u>12/21/17</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](http://www.radnor.com) for a copy of our current fees.

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TYPE OR PRINT

Property Address: 534 Hilaire Road, St. Davids, PA 19087

Name and address of Applicant: Charles and Joy Boschen  
534 Hilaire Road, St. Davids, PA 19087

Telephone Number: 610-687-0847 Email: charles.boschen@wsp.com

Property Owner (if different than above): \_\_\_\_\_

Owner address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

Attorney's name: \_\_\_\_\_

James J. Greenfield  
669 Mill Road  
Villanova, PA 19085

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

610-527-0555

\_\_\_\_ Email: greenfieldlaw@comcast.net \_\_\_\_\_

**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)***

Applicants seek a variance from the side yard requirements of Zoning Code § 280-25(D)(1) in the R-3 district in order to construct an attached garage addition to the southwest corner of the existing dwelling. The garage will create a compliant west side yard setback of 15 feet, but will leave an existing noncompliant east side yard of 11.6 feet. The aggregate side yard therefore will be 26.6 feet, which also will be noncompliant. There is no other location on the property that is suitable for construction of the garage.

The Zoning Hearing Board found in Appeal 2287 that a hardship exists peculiar to this property, not created by the applicants, because of the lot's "extreme narrowness [77.6 feet at the building line] and orientation of the existing residence."

In the alternative, applicants contend that the proposed addition is permitted by right.

**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 decision in Appeals 2287 and 2936

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

Property is improved by a single-family detached dwelling. The Zoning Hearing Board, in Appeal 2287, granted a variance for a rear deck that intrudes into the rear yard setback. In Appeal 2936, the Board granted a variance to allow an accessory generator within 10 feet of the east side yard line. The proposed garage will be attached to the southwest corner of the dwelling.

**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*). 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 Attorney for 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**

<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>3012</u>
FEE: <u>900<sup>00</sup></u>
DATE RECEIVED: <u>1-9-18</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](http://www.radnor.com) for a copy of our current fees.

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 TYPE OR PRINT

Property Address: 321 West Lancaster Avenue

Name and address of Applicant: First Resource Bank  
1 E. Uwchlan Avenue, Suite 420, Exton, PA 19341

Telephone Number: \_\_\_\_\_ Email: gmarshall@firstresourcebank.com

Property Owner (if different than above): Amazing Amy, LLC

Owner address: 303 W. Lancaster Avenue, #288, Wayne, PA 19089

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

Attorney's name: Debra A. Shulski, Esquire, Riley Riper Hollin & Colagreco

Address: P.O. Box 1265, Exton, PA 19341

Telephone number: 610-458-4400 Email: debbie@rrhc.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 the following dimensional variance relief:

- 1) § 280-103.B(1) to allow a stacking length of less than twelve vehicles.
- 2) § 280-109.A to allow a fence height of greater than 6 feet (for purposes of providing a greater buffer to the properties abutting the rear of the subject property).
- 3) § 280-122.C(2) to permit the proposed wall sign to exceed a sign height of 15 feet above the existing grade.
- 4) Any other variances and/or relief that the Zoning Hearing Board may deem necessary.

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

None known.

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

The property contains an existing commercial building previously approved for medical office use. Applicant is proposing improvements to the building for purpose of retrofitting it for a bank use (with a drive-thru lane) which will result in a net decrease in the size of the building. Improvements are also proposed to the internal circulation pattern including a proposed second access point.

With respect to signage, Applicant is proposing a wall sign to be located on the building greater than 15 feet above the existing grade which is necessary given the architectural elements of the building. Note that all signage is compliant with the applicable sign area requirements and relief is only sought as to the location of the wall sign on the building.

**ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:** See enclosed plans and thumb drive.

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.** See attached cover letter enclosed as part of this submission.
3. **Photographs of the property at issue and all adjoining properties.** See attached aerial photographs.
4. **Copies of any written professional reports, including traffic studies, land planning studies,**  
To be determined.



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*). See enclosed Owner Authorization Letter.

#### 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

Attorney for 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

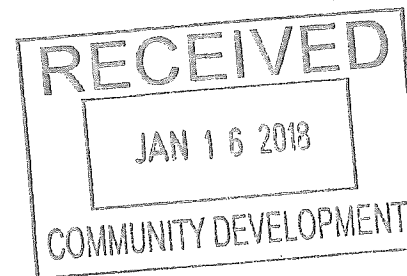
WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

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<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>3013</u>
FEE: <u>550<sup>00</sup></u>
DATE RECEIVED: <u>1-16-18</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.*

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TYPE OR PRINT

Property Address: 108 Owens Lane, Wayne, PA

Name and address of Applicant: Leslie Enright

108 Owens Lane, Wayne, PA 19087

Telephone Number: 610-995-0682 Email: senna142@gmail.com

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@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 to replace its current garage with a new garage which will not increase the current non-conformities in regards to front yard setback, side yard setback, and parking within the front yard setback. Applicant seeks a variance from the following sections of the Zoning Code 280-35(A)(7) and 280-105(F), or such other relief consistent with the Plans submitted herein. In the alternative, applicant contends that the relief is permitted by right.

**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 R-5. Existing on the site is a single family attached structure and a garage both of which are legally non-conforming. A portion of the existing garage is located over the side property line onto the neighboring property. The garage is also located within the front yard setback. Applicant wishes to remove the existing garage and place it totally on her property. She will not be increasing any of the existing non-conformities relating to front and side yard setbacks.

Applicant will testify regarding existing and proposed conditions.  
Applicant reserves the right to call other witnesses at the time of the hearing.

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SIGNATURE OF APPLICANT

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