



Community Development Department  
**ZONING HEARING BOARD AGENDA**

Thursday, June 21, 2018  
7: 00 P.M.

1. Call to Order
2. Pledge of Allegiance

3. **APPEAL #3015**

The Applicant, Sarah Chang, property located at 107 South Spring Mill Road and Zoned R2 Residential seeks a variance from Section 280-109 of the Code to replace her existing six (6) foot fence with an eight (8) foot fence.

4. **APPEAL #3016**

The Applicant, Eadeh Family Limited Partnership, property located at 517 East Lancaster Avenue and Zoned R5 Residential seeks a Special Exception under Section 280-101(A)(1) which provides that any change in non-residential occupancy shall be deemed a change of use for the purposes of this section.

5. **APPEAL #3017**

The Applicant, Crotonville Holdings LLC, property located at 1024 East Lancaster Avenue and Zoned R5 Residential seeks to convert approximately 450 square feet of an existing 3,370 square foot office building to retail use for a medical dispensary. Applicant seeks a variance from Section 280-34 of the Zoning Code for the retail use, a Special Exception from Section 280-101(A)(1) of the Code to convert one non-conforming use to another non-conforming use, or a modification of the conditions imposed by a prior decision of the Zoning Hearing Board. Additionally, Applicant seeks a variance from Section 280-103(B) and/or Section 280-4 of the Code regarding number and size of parking spaces, contends that the parking is an existing non-conformity, or that it is permitted by right. In the alternative Applicant requests such other relief as may be required consistent with this application, the exhibits, and the testimony presented at the hearing.

***The next meeting of the ZHB is scheduled for July 19, 2018. Applications for the July 19, 2018 meeting must be submitted on or before June 19, 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>3015</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](http://www.radnor.com) for a copy of our current fees.

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TYPE OR PRINT

Property Address: 107 South Spring Mill Road, Villanova, PA, 19085

Name and address of Applicant: Sarah Chang  
107 South Spring Mill Road Villanova, PA, 19085

Telephone Number: 484 680 3647 Email: SC@Sarahchang.com

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

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

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

Attorney's name: Adam Lauer/Blank Rome

Address: One Logan Square, 130 North 18<sup>th</sup> Street Philadelphia PA 19106

Telephone number: 215 569 5764 Email: Lauer@BlankRome.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)

Chapter 280 Zoning Article XX General Regulations  
280-109 Fences and Walls A.

Respectfully requesting permission to build an 8 Foot Fence to replace my existing backyard 6 Foot Fence. I have witnessed coyotes jumping over my existing Fence and kill my Friend's 2 Dogs and have had another coyote jump over my Fence and tear my Pool cover.

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)**

Respectfully request permission to replace my existing 6 foot Fence with an 8 Foot Fence in my backyard. I have had coyotes jump over my existing fence and kill my Fries 2 Dogs, and have had another coyote jump over my fence and tear my pool cover. Signed Statement from my friend who's dogs were killed attached as well as a signed invoice for my pool replacement costs,

**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*)

*I will be present at the hearing with my attorney.*

  
\_\_\_\_\_  
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.

*Township of Radnor, PA  
Tuesday, June 6, 2017*

## Chapter 280. Zoning

### Article XX. General Regulations

#### § 280-109. Fences and walls.

[Amended 9-22-1980 by Ord. No. 80-21; 5-12-1997 by Ord. No. 97-11]

- A. No fence or wall, except for retaining walls or the walls of a building as permitted under the terms of this chapter, shall exceed a height of six feet, provided further that within R-4 and R-5 Districts, no fence or wall erected within the required front yard setback shall exceed a height of four feet.
- B. All fences shall be erected with the finished side facing adjacent properties. The finished side shall be considered the side without the structural members.
- C. Barbed wire or electrified fences shall be permitted only in AC Districts on lots used for agricultural purposes exceeding five acres in size.

# ZONING HEARING BOARD APPLICATION

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301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

TOWNSHIP USE ONLY
APPEAL # <u>301b</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](http://www.radnor.com) for a copy of our current fees.

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TYPE OR PRINT

Property Address: 517 East Lancaster Avenue, Wayne, PA

Name and address of Applicant: Eadeh Family Limited Partnership, 511 Old Lancaster Road, Suite 8, Berwyn, PA 19312

Telephone Number: 610-647-1776 Email: staceyballard@eadeh.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@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 is changing the occupancy of an existing legally non-conforming office use to another office use. Applicant seeks a special exception under §280-101(A)(1) which provides that any change in nonresidential occupancy shall be deemed a change of use for the purposes of this section.

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

In Appeal Number 1807 dated March 20, 1986 the former owner of the Property, John Sheldrake, Inc., requested permission to operate a commercial enterprise within existing residential apartments. The request was Denied.

In Appeal Number 2972 dated October 7, 2016 a special exception was granted under §280-101(A)(1) to change the occupancy of the building from Planned Parenthood to a doctor's office.



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

The Premises is zoned R-5 and consists of an existing 57 unit apartment building, a 2,200 square foot office building, and a single-family residence. The office use is a legally non-conforming use which was permitted as offices under the former R-5 zoning district. The former tenants have vacated the premises. The new tenant proposes to house his wealth management consulting business in the location.

**List of Witnesses:**

Stacey Ballard – President of Eadeh Enterprises – Will testify as to the subject premises and the former use.

Frank Grabuski - Will testify regarding the proposed use.

Applicant reserves the right to present further witnesses and testimony.

**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

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*)

  
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# ZONING HEARING BOARD APPLICATION

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WAYNE, PA 19087

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<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>3017</u>
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*TYPE OR PRINT*

Property Address: 1024 E. Lancaster Avenue, Rosemont, PA

Name and address of Applicant: Crotonville Holdings LLC  
1024 East Lancaster Avenue, Rosemont, PA 19010

Telephone Number: 610-525-8696 Email: brian.ruck@rnrgp.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@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 convert approximately 450 square feet of an existing 3,370 square foot office building to retail use for a medical dispensary. Applicant seeks a variance from §280-34 of the Zoning Code for the retail use, a special exception from §280-101(A)(1) of the Code to convert one non-conforming use to another non-conforming use, or a modification of the conditions imposed by a prior decision of the Zoning Hearing Board. Additionally, Applicant seeks a variance from §280-103(B) and/or §280-4 of the Code regarding number and size of parking spaces, contends that the parking is an existing non-conformity, or that it is permitted by right. In the alternative Applicant requests such other relief as may be required consistent with this application, the exhibits, and the testimony presented at the hearing.

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

Appeal Number 832 dated March 1, 1963 granted variance for office building in R-6 Residential Zoning District.

Appeal Number 1019 dated May 12, 1967 amended prior grant of variance.

Appeal Number 1559 dated March 26, 1981 – Change conditions of prior grant.

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

The Premises is Zoned R-5. Since 1963 the property has been used as an office building. The property is adjacent to other commercial uses. Applicant seeks to convert approximately 450 square feet of the existing 3,370 square feet of office space to retail for a medical dispensary to be owned and operated by Ilera Healthcare, a state licensed health care company. The retail use will employ three individuals at peak time of employment: a pharmacist, a receptionist, and a wellness associate. The remainder of the building on the second floor will be used for four offices for the healthcare company, which upon obtaining the requested variances will locate its corporate headquarters in Radnor Township. The hours of operation are anticipated to be 11 a.m. to 7 p.m. six days per week. Any deliveries will occur during normal business hours prior to opening.

Representative of Applicant will testify regarding existing and proposed conditions of the property. Representative of owner of business will testify regarding the operations. 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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