

## LEGAL NOTICE

NOTICE IS HEREBY GIVEN in accordance with Chapter 280-142.F & G that the Zoning Hearing Board of Radnor Township will hold a public hearing at the Township Municipal Building, 301 Iven Avenue, Wayne, PA on **Thursday, July 19, 2018 at 7:00 p.m.** to hear the following Appeal(s):

### **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. **Application continued from the June 21, 2018 meeting.**

### **APPEAL #3018**

The Applicant, John Velutini, property located at 106 Walnut Avenue and Zoned R2 Residential is seeking relief from Chapter 280, Zoning, Article XVII. Floodplain Conservation District, Section 280-76. Permitted uses; or such other relief as required by the zoning code.

Please Publish: July 1, 2018  
July 8, 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>3017</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: 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.

**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

www.radnor.com



TOWNSHIP USE ONLY
APPEAL # <u>3018</u>
FEE: <u>550<sup>00</sup></u>
DATE RECEIVED: <u>6-19-18</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: 106 Walnut Avenue, Wayne PA 19087

Name and address of Applicant: John Velutini  
106 Walnut Avenue, Wayne PA 19087

Telephone Number: 610-331-4139 Email: jvelutini106@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)***

Seeking relief from Chapter 280, Zoning, Article XVII. Floodplain Conservation District, 280-76. Permitted uses; or such other relief as required by the zoning code.

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

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

464 sq. ft. of improvements consisting of an at-grade flagstone patio and a 4ft. raised deck constructed of pressure treated lumber, composite boards & vinyl.  
Application complies with all other zoning requirements.

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. Applicant & Dave Fiorella (Momence) will testify to existing conditions and proposed use
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*).


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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*) *Applicant will be present*

  
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SIGNATURE OF APPLICANT

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