



Community Development Department  
**ZONING HEARING BOARD AGENDA**

**Thursday, September 20, 2018**  
**7: 00 P.M.**

1. Call to Order

2. Pledge of Allegiance

3. **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 July 19, 2018 meeting.**

4. **APPEAL #3020**

The Applicant, Muhammad Kahn, property located at 658 Glenwyd Road and Zoned R1-DM Residential seeks a variance from Section 280-97.B(2) to construct an addition which will reduce a portion of the required side yard of 25 feet to 10 feet. Applicant's property was developed under the Density Modification Development provisions of the Code.

5. **APPEAL #3021**

The Applicant, KMO-361 Realty Associates, LLC, property located at 550 East Lancaster Avenue and Zoned PB seeks relief from Section 280-123.B of the Code to permit installation of one (1) wall sign in excess of sixty (60) square feet and two (2) wall signs higher than fifteen (15) feet above existing grade.

6. **APPEAL #3022**

The Applicant, Corey McCann, property located at 336 Belrose Lane and Zoned R3 Residential seeks relief from Section 280-109 Fences and Walls to install a 6 foot vinyl privacy fence along southern border of property connecting at southeast corner of property and extending along eastern border of property. Applicant is requesting a variance for addition of 1 foot of lattice over the 6 foot privacy fence previously mentioned for a total height of 7 feet.

7. **APPEAL #3023**

The Applicant, Villanova University, property located at 800 East Lancaster Avenue and Zoned PI Planned Institutional seeks to construct a campus gateway and pedestrian entrance at the westernmost edge of Main Campus on Lancaster Avenue. Applicant seeks a variance from Section 280-123(D)(1) of the Zoning Code which limits freestanding signs in the PI Planned Institutional District to 10 feet above mean grade. Applicant seeks such other relief as may be required.

***The next meeting of the ZHB is scheduled for October 18, 2018. Applications for the October 18, 2018 meeting must be submitted on or before September 18, 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>3020</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: 658 Glenwyd Road, Bryn Mawr, PA 19010

Name and address of Applicant: Dr. Muhammad Aslam Khan  
658 Glenwyd Road, Bryn Mawr, PA 19010

Telephone Number: 610-551-8294 Email: aslamkhan2@hotmail.com

Property Owner (if different than above): Muhammad Aslam Khan & Lubna M. Zuberi

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

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

Attorney's name: Jamie Jun, Fromhold Jaffe & Adams

Address: 789 E Lancaster Avenue, Suite 220, Villanova, PA 19085

Telephone number: 610-527-9100 Email: jj@fromholdjaffe.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)***

Code § 280-139 C authorizes the Zoning Hearing Board to hear requests for variances. Applicant's property was developed under the Density Modification Development provisions of the Code. Applicant seeks a variance from Code § 280-97 B(2) to construct an addition which will reduce a portion of the required side yard of 25 feet to 10 feet. The proposed addition is needed to accommodate Dr. Khan's mother-in-law who has limited mobility due to Alzheimer's and is not able to access many parts of the existing split-level home. The proposed addition, if approved, will have no adverse impact on the safety, health, morals, and general welfare of the Township.

**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)*

The Property, a 21,000 SF lot with frontages on Glenwyd Road and Bryn Mawr Avenue, is improved with a single family dwelling. Applicant proposes a 751 SF addition to the western side of the existing home which will be 10 feet from that side lot line.

**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*
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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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, ATTACHMENT**

**2. List of witnesses and summary of their testimony.**

Dr. Muhammad Aslam Khan will provide testimony as to the existing home and necessity for the proposed addition.

Mr. Aaron Boyd from Gardener/Fox Associates, Inc. will provide testimony as to the existing home and necessity for the proposed location of the addition.



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APPEAL # <u>3021</u>
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*TYPE OR PRINT*

Property Address: 550 E. Lancaster Avenue, St. Davids, PA

Name and address of Applicant: KMO-361 Realty Associates, LLC

c/o Olshan Properties, 600 Madison Avenue, 14th Floor, New York, NY 10022

Telephone Number: 614-289-5828 Email: kmarshall@olshanproperties.com

Property Owner (if different than above): KMO-361 Realty Associates, LLC

Owner address: Andrea Olshan, Olshan Properties, 600 Madison Avenue, 14th Floor, New York, NY 10022

Telephone number: 212-935-1330 Email: aolshan@olshanproperties.com

George W. Broseman, Esquire      Attorneys for Applicant  
Craig Robert Lewis, Esquire  
Identification Nos. 62649 and 83564  
Union Meeting Corporate Center  
910 Harvest Drive  
Post Office Box 3037  
Blue Bell, PA 19422  
(610) 941-2459  
gbroseman@kaplaw.com  
rlewis@kaplaw.com

**BEFORE THE ZONING HEARING BOARD  
OF THE TOWNSHIP OF RADNOR, DELAWARE COUNTY, PENNSYLVANIA**

*In the Matter of:*

KMO-361 Realty Associates, LLC  
Owner/Applicant  
T.M.P. 36-03-01702-02

*Premises:*

St. David's Square Shopping Center  
550 E. Lancaster Avenue  
St. David's, PA

**ADDENDUM TO ZONING HEARING BOARD APPLICATION**

KMO-361 Realty Associates, LLC, through their attorneys George W. Broseman and Craig Robert Lewis, hereby file this Zoning Hearing Board Application seeking relief from Section 280-123.B of the Radnor Township Code to permit installation of one (1) wall sign in excess of sixty (60) square feet and two wall signs higher than fifteen (15) feet above existing grade, at the property located at 550 E. Lancaster Avenue, known as the St. David's Square Shopping Center, and in support thereof state as follows:

1.     Name and Address of Applicant. Applicant is KMO-361 Realty Associates, LLC ("KMO") the legal owner of the St. David's Square Shopping Center ("Center"), as evidenced by a deed dated May 7, 1986, which was recorded in the Delaware County Recorder of Deed's Office in Deed Book 338, page 1066. A copy of that deed is attached hereto as Exhibit "A".



Attorney's name: Craig R. Lewis, Esquire and George W. Broseman, Esquire

Address: Kaplin Stewart, 910 Harvest Drive, Suite 200, Blue Bell, PA 19422

Telephone number: 610-941-2584 Email: rlewis@kaplaw.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)*

Variance from Section 280-123

See attached Narrative for further explanation

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 Narrative

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

See attached Narrative

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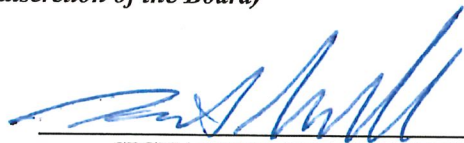
2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

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*).

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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*).
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SIGNATURE OF APPLICANT

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TYPE OR PRINT

Property Address: 336 Belrose Ln.

Name and address of Applicant: Corey McCann  
336 Belrose Ln., Radnor, PA 19087

Telephone Number: 318-240-4525 Email: coreymccannsvm@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 XX. General Regulations, 280-109 Fences and Walls.

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.

**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)**

Installing 6ft vinyl privacy fence along southern border of property (48 linear ft) connecting at southeast corner of property and extending along eastern border of property for an additional 120 linear ft.

Applicant requesting variance for addition of 1 foot lattice over the 6 foot privacy fence previously mentioned for a total height of 7 feet.

Purpose includes noise and additional occlusion of line of sight from Septa Rail adjacent to rear of property and Euro Coachwork (body shop) and multi-level commercial building in close proximity to east of property.

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  - 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.** *Applicant will testify to existing conditions and proposed improvements.*
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*).
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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SIGNATURE OF APPLICANT

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ZONING HEARING BOARD APPLICATION

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\*\*\*\*\*

TYPE OR PRINT

Property Address: Villanova University

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

Telephone Number: 610-519-7450 Email: christopher.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@piercecaniigliataylor.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 construct a campus gateway and pedestrian entrance at the westernmost edge of Main Campus on Lancaster Avenue. The sign and pedestrian entrance will duplicate a former sign (Exhibit A-3) and pedestrian entrance that was located nearby along Lancaster Avenue. The highest point of the arch will be 12 feet above mean grade although the sign itself is 4 feet from bottom to top and will sit on stone pillars that are approximately 6 feet 10 inches high. Applicant seeks a variance from Section 280-123(D)(1) of the Zoning Code which limits freestanding signs in the PI-Planned Institutional District to 10 feet above mean grade. In the alternative, Applicant seeks such other relief as may be required consistent with the Exhibits and narrative presented herein.

**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.

**Brief narrative of improvements:**

Villanova University seeks to construct a campus gateway and pedestrian entrance on the westernmost edge of Main Campus on Lancaster Avenue. The project is funded in part by a state grant that is supporting the University's efforts to enhance pedestrian safety by relocating the sidewalk along Lancaster Avenue away from the curb, installing new lighting and adding continuous fencing to discourage jaywalking. The new campus gateway and pedestrian entrance serves to distinguish between the sidewalk and the entrance to campus. The sign and pedestrian entrance will duplicate a former sign and pedestrian entrance that was located nearby along Lancaster Avenue (See, Exhibit A-3). The Radnor Zoning Code §280-123(D)(1) requires that freestanding signs in the PI-Planned Institutional District not exceed 10 feet above mean grade. The proposed sign is 12 feet at its highest point above the mean grade. In order to insure the safety of pedestrians walking underneath the archway the lowest point of the sign is elevated 8 feet above mean grade. The sign itself is 4 feet from bottom to top. The lettering reads "Villanova University". The sign letters are one foot high.

List of Witness:

Christopher Kovolski – Representative of Villanova University describing the proposal.  
Applicant reserves the right to call other witnesses at the time of the hearing.



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

SEE ATTACHED

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