



Community Development Department  
**ZONING HEARING BOARD AGENDA**

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

1. Call to Order

2. Pledge of Allegiance

3. **APPEAL #3014**

The Applicant James and Leslie Ryan, property located at 8 Duncan Lane, request an extension of the time for obtaining a permit under Section 280-144 of the Zoning Code for an additional six (6) months to April 19, 2019.

4. **APPEAL #3024**

The Applicant, Andrew and Lauren Yorks, property located at 217 East Laurier Place and zoned R1 seeks a variance from Section 280-112.D of the Code to construct a swimming pool and appurtenances in the steep slope areas. A variance from Section 280-15.F of the Code to exceed the maximum impervious coverage requirement of 22%, a total of 25.3% is proposed.

5. **APPEAL #3019**

The Applicant Mark and Fanny Donofrio, property located at 15 Arthur Road and Zoned R4 Residential seek to appeal the Zoning Officer's Enforcement Notice dated June 18, 2018 and any other variance or relief necessary for the construction of a fence.

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



|                          |
|--------------------------|
| <b>TOWNSHIP USE ONLY</b> |
| APPEAL # <u>3024</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.

\*\*\*\*\*

*TYPE OR PRINT*

Property Address: 217 East Laurier Place, Bryn Mawr, PA 19010

Name and address of Applicant: Mr. Andrew M. Yorks and Mrs. Lauren S. Yorks  
217 East Laurier Place, Bryn Mawr, PA 19010

Telephone Number: 215.619.9000 Email: amyorks@outlook.com

Property Owner (if different than above): Mr. Andrew M. Yorks and Mrs. Lauren S. Yorks

Owner address: 217 East Laurier Place, Bryn Mawr, PA 19010

Telephone number: 610.525.0252 Email: amyorks@outlook.com

Attorney's name: Len Haberman

Address: 963 S. Hunt Rd, Newtown Sq

Telephone number: 215-850-9400 Email: lenhaberman@me.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)**

The following variances are requested:

1. A variance is requested for the disturbance of steep slopes - Section No. 280-112.D. of the Radnor Township Zoning Ordinance. To allow the construction of a swimming pool and appurtenances in steep slope areas.
2. A variance is requested for exceeding the maximum impervious coverage requirements - Section No. 280-15.F of the Radnor Township Zoning Ordinance. The allowable impervious coverage in the R-1 Residential District is 22%. A total coverage of 25.3% is proposed.

A Zoning Determination request letter from Alta Design Associates, Inc. (Alta), dated July 6, 2018, was submitted to Mr. Kevin Kochanski, the Radnor Township Director of Community Development. The letter was accompanied by the required \$100.00 Zoning Determination Fee. Mr. Kevin Kochanski sent a preliminary Zoning Compliance letter in response, dated July 26, 2018. Copies of both of these letters are attached.

**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)*

The proposed project includes the construction of a new swimming pool and spa with pool deck, pergola, shed, and other appurtenances. Boulder steps and walls are proposed around the perimeter of the new swimming pool, pool deck and pergola. Stormwater management facilities shall be designed and constructed to manage the runoff from the increased impervious area.

**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.**



July 6, 2018

Radnor Township  
301 Iven Avenue  
Wayne, PA 19087-5297

Attn: Mr. Kevin Kochanski  
Director, Zoning Officer

Re.: 217 E. Laurier Place  
Radnor Township, Delaware County, Pennsylvania  
Alta File No.: 1620-09

Dear Mr. Kochanski,

This letter serves as a request for Zoning Determination review for the referenced project. The project includes a new swimming pool with pool deck, covered patio, pool house, and other appurtenances, new boulder steps and walls, and a new permeable paver patio with pergola. Based on our preliminary review of the Radnor Township Code, the project may be affected by the following two sections of the ordinance. The required \$100 Zoning Determination Fee is attached.

1. Section No. 280-15.F., which states that the maximum impervious surfaces for the R-1 Residence Zoning District is 22%.
2. Section No. 280-112.D.(5), which states, "D. The following uses and no others shall be permitted on steep slope areas where such uses are permitted in the zoning district containing such tracts: (5) Parks and recreation uses, such as skiing, sledding, hiking, equestrian, and bicycle trails, scenic overlooks and outdoor education areas. Swimming pools shall be prohibited."

If you require any additional information, please feel free to contact this office.

Sincerely,  
**ALTA DESIGN ASSOCIATES, INC.**

Timothy M. Brouse, P.E.  
Engineer

CLB/TMB

Attached: as noted

Copy: Mr. Matt Landis, Platinum Pools  
Mr. Andrew Yorks & Mrs. Lauren Yorks, Homeowners

LISA BOROWSKI  
*President*

LUCAS A. CLARK, ESQ.  
*Vice President*

JAKE ABEL

RICHARD F. BOOKER, ESQ.

SEAN FARHY

JOHN NAGLE

JACK LARKIN, ESQ.



**RADNOR TOWNSHIP**  
301 IVEN AVENUE  
WAYNE, PENNSYLVANIA 19087-5297

Phone (610) 688-5600  
Fax (610) 971-0450  
www.radnor.com

ROBERT A. ZIENKOWSKI  
*Township Manager*  
*Township Secretary*

JOHN B. RICE, ESQ.  
*Solicitor*

KATHRYN GARTLAND  
*Treasurer*

July 26, 2018

Timothy M. Brouse, P.E.  
Alta Design  
Matsonford Road  
West Conshohocken, PA 19428

**SUBJECT: ZONING COMPLIANCE**  
**217 EAST LAURIER PLACE**

Mr. Brouse,

I am in receipt of your letter received on July 16, 2018 requesting an opinion regarding the proposed improvements on the subject site. The site is located in the R-1 Zoning District. The proposed improvements consist primarily of grading within steep slope areas for the construction of a paver patio, deck steps, and a swimming pool and pool house.

I offer the following for your consideration:

1. A variance would be required for the disturbance of steep slopes – ZO Section 280-112.D
2. A variance would be required for exceeding the maximum impervious coverage requirements – 280-15.F. Please note that you would need to provide a manufacturer specification on any permeable pavers to determine the extent of any credit towards impervious coverage.

A thorough zoning review has not been completed. This opinion applies only to the issue noted above. The property owner is responsible for securing all other necessary permits and approvals; as well as compliance with all applicable Municipal Codes/Regulations. If you have any questions regarding this determination, please contact me.

If you have any questions regarding this opinion, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin W. Kochanski".

Kevin W. Kochanski, RLA, CZO  
Director of Community Development

CC: Property File

# 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>3019</u>     |
| FEE: <u>\$ 550</u>       |
| 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.

\*\*\*\*\*

*TYPE OR PRINT*

**Property Address:** 15 ARTHUR ROAD, BRYN MAWR, PA 19010

**Name and address of Applicant:** MARK AND FANNY DONOFRIO: 15 ARTHUR ROAD, BRYN MAWR, PA 19010

**Telephone Number:** 610-662-4859 **Email:** MARKUPENN@GMAIL.COM

**Property Owner (if different than above):** N/A

**Owner address:** N/A

**Telephone number:** N/A **Email:** N/A



Attorney's name: PRO SE FILING / ADVISING ATTORNEY KELLY DONOHOE

Address: 595 LANCASTER AVENUE SUITE 203, ST. DAVIDS, PA 19087

Telephone number: 610-263-0117 Email: KDONOHOE@SANDDLAWYERS.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)***

TBA - We are opposing the Zoning Officer's Enforcement Notice; we may also seek other relief. In this regard, we're filing the initial application fee today (07/17/18), as well as an additional fee of \$200 for a continuance. We're filing this continuance because Radnor Township delayed our Right-to-Know Requests (please see attached). The information in these requests is necessary for our defense (statement of claim, exhibits, etc). We may also file additional Right-to-Know Requests based on information we eventually uncover from these pending Right-to-Know Requests. Related, some of the witnesses, such as the party who approved our building permit, may no longer work for Radnor Township. We will have to correspond with Solicitor Rice to determine these facts. Solicitor Rice may also be a witness. Regarding scheduling, the next available hearing dates in September or October should be more than sufficient to accommodate our Right-to-Know Requests, subject to any delays on Radnor Township's behalf. Please expect our complete file, following this application and continuance.

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

TBA - We are opposing the Zoning Officer's Enforcement Notice; we may also seek other relief. In this regard, we're filing the initial application fee today (07/17/18), as well as an additional fee of \$200 for a continuance. We're filing this continuance because Radnor Township delayed our Right-to-Know Requests (please see attached). The information in these requests is necessary for our defense (statement of claim, exhibits, etc). We may also file additional Right-to-Know Requests based on information we eventually uncover from these pending Right-to-Know Requests. Related, some of the witnesses, such as the party who approved our building permit, may no longer work for Radnor Township. We will have to correspond with Solicitor Rice to determine these facts. Solicitor Rice may also be a witness. Regarding scheduling, the next available hearing dates in September or October should be more than sufficient to accommodate our Right-to-Know Requests, subject to any delays on Radnor Township's behalf. Please expect our complete file, following this application and continuance.

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

TBA - We are opposing the Zoning Officer's Enforcement Notice; we may also seek other relief. In this regard, we're filing the initial application fee today (07/17/18), as well as an additional fee of \$200 for a continuance. We're filing this continuance because Radnor Township delayed our Right-to-Know Requests (please see attached). The information in these requests is necessary for our defense (statement of claim, exhibits, etc). We may also file additional Right-to-Know Requests based on information we eventually uncover from these pending Right-to-Know Requests. Related, some of the witnesses, such as the party who approved our building permit, may no longer work for Radnor Township. We will have to correspond with Solicitor Rice to determine these facts. Solicitor Rice may also be a witness. Regarding scheduling, the next available hearing dates in September or October should be more than sufficient to accommodate our Right-to-Know Requests, subject to any delays on Radnor Township's behalf. Please expect our complete file, following this application and continuance.

**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.**