



Community Development Department
ZONING HEARING BOARD AGENDA

Thursday, November 15, 2018
7: 00 P.M.

1. Call to Order

2. Pledge of Allegiance

3. **APPEAL #3025**

The Applicant, Michael and Janice Carson, property located at 310 Oak Lane and zoned R2 Residential requests relief to construct a detached garage in the front and side yard setbacks. Applicant seeks a variance from Section 280-22 or such other relief consistent with the plans and exhibits presented.

4. **APPEAL #3026**

The Applicant, Kids' Clubhouse of the Main Line, LLC, property located at 150 N Radnor Chester Road and zoned PB Planned Business seeks to operate a child day care center in 4,244 square feet of a 340,380 square foot building. The day care center will serve the needs of the surrounding tenants in the business community. Applicant seeks a variance from Section 280-59 of the Zoning Code, or contends that the use is permitted as part of the total development of an integrated planned business community. Applicant further seeks relief from Section 280-103(B)(19) regarding the required number of off street parking spaces for the child day care use. Additionally, Applicant seeks any other relief required by the Zoning Code consistent with the exhibits and testimony presented.

The next meeting of the ZHB is scheduled for December 20, 2018. Applications for the December 20, 2018 meeting must be submitted on or before November 20, 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

TOWNSHIP USE ONLY
APPEAL # <u>3025</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 for a copy of our current fees.

TYPE OR PRINT

Property Address: 310 Oak Lane, Wayne, PA

Name and address of Applicant: Michael and Janice Carson
310 Oak Lane, Wayne, PA 19087

Telephone Number: 610-687-6614 Email: MCarson2@verizon.net

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 requests relief to construct a detached garage in the front yard setback. Applicant seeks a variance from §280-22(B) or such other relief consistent with the plans and exhibits presented.

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.

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

The Premises is zoned R-2. The property is a corner lot and irregularly shaped. The existing home is legally non-conforming in regards to front yard setback. Applicant proposes to construct a detached garage located 25 feet from the edge of Beechtree Lane and 10 feet from the Beechtree Lane right-of-way. Except for the existing home and the western portion of the property where the proposed garage would be located, the property is within the 100-year floodplain, thereby preventing construction of a garage elsewhere on the site. In all regards, except for the requested relief, the application complies with zoning requirements.

List of Witnesses:

Applicant will testify to property and proposal.

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.**

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

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TOWNSHIP USE ONLY
APPEAL # <u>3026</u>
FEE: <u>900</u>
DATE RECEIVED: <u>10-16-18</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.*

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 150 Radnor Chester Road, Suite 140, Radnor, PA

Name and address of Applicant: Kids' Clubhouse of the Main Line LLC
c/o Angela Bruno, 820 Sproul Road, Bryn Mawr, PA 19010

Telephone Number: 484-948-9130 Email: Angela@kidsclubhousemainline.com

Property Owner (if different than above): Radnor Properties-SDC, L.P.

Owner address: 555 Radnor Chester Road, Radnor, PA 19087

Telephone number: 610-254-1343 Email: Lester.Santaniello@bdnreit.com



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)*

The Premises is zoned PB-Planned Business District. Applicant seeks to operate a child day care center in 4,244 square feet of a 340,380 square foot building. The day care center will serve the needs of the surrounding tenants in the business community. Applicant seeks a variance from §280-59 of the Zoning Code, or contends that the use is permitted as part of the total development of an integrated planned business community. Applicant further seeks relief from §280-103(B)(19) regarding the required number of off-street parking spaces for the child day care use. Additionally, Applicant seeks any other relief required by the Zoning Code consistent with the exhibits and testimony presented.

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 1666 dated July 13, 1983 granting a reduction in size of the parking spaces and confirming the required number of off-street parking spaces.

Brief Narrative of Improvements:

The Premises is zoned PB-Planned Business. The property consists of three buildings known as 130, 150, and 175 Radnor Chester Road. The gross square footage of all three buildings is 479,872 square feet. Applicant proposes to operate a day-care center for children aged 2-12 in 4,244 square feet of the first floor of the building located at 150 Radnor Chester Road. The maximum number of children permitted by State regulations is 45 which would require 8 employees. The target group is parents who work in the surrounding business community. The number of required parking spaces for an office use (§280-103(B)(11)) of the proposed 4,244 square feet is 12 spaces ($4,244 \times .8 = 3385.2 \div 300 = 11.3$). In regards to a day-care center, §280-103(B)(19) of the Zoning Code requires one space for each attendant plus 1 space for every 500 square feet of floor area. The required number of parking spaces for the day-care use at its peak operation is 15 spaces (8 attendants plus $4,244 \text{ SF} \times .8 = 3385.2 \div 500 = 7$). Currently the Premises contain 1,482 parking spaces, many of which are unoccupied.

List of Witnesses:

Angela Bruno – The business owner will testify to the operation of the day-care center.

Lester Santaniello – The representative of the Landlord will testify to the overall Premises, parking availability, and attempts to lease the site.

Applicant reserves the right to present further witnesses and testimony.

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