



Community Development Department
ZONING HEARING BOARD AGENDA

**Thursday February 16, 2017
7: 00 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. **APPEAL #2971** - The Applicant, Main Line Hospital Realty Corp., properties located at 804 County Line Road and 201 South Bryn Mawr Avenue, requests and extension of time to obtain a permit.
4. **APPEAL #2980** - The Applicants, Dan Berger and Ashly Berger, property located at 501 Huston Road and Zoned R1, seek relief from one of the front yard setback requirements for a corner lot. Applicant requests a variance from Section 280-15(C) of the Zoning Code in order to reduce one of the front yard setback requirements.
5. **APPEAL #2979** - The Applicant, The Emerson Group, properties located at 409, 411, 413 E. Lancaster Avenue and Zoned R5, seeks a special exception under Code Section 280-101 A. (2) to consolidate 409, 411, and 413 E. Lancaster Avenue, demolish the building on 411 E. Lancaster Avenue, and connect the buildings on 409 E. Lancaster Avenue and 413 E. Lancaster Avenue. In the alternative, if and to the extent required, Applicant seeks a variance from Code Section 280-34, which contains the use regulations of the R-5 Residence District, to consolidate the three lots and construct the proposed improvements. Applicant also seeks a variance from Code Section 280-105(F) to locate a parking area within the front yard setback and seeks any other special exception or variance relief that may be required for the proposed use and improvements.
6. **APPEAL #2981** - The Applicant, Villanova University, property located at 800 E. Lancaster Avenue and Zoned PI, seeks a variance from Section 280-120(I)(3) and/or 280-123 of the Code, or such other relief as may be required, to fasten temporary banners on the wall of three buildings facing Lancaster Avenue to commemorate its 175th Anniversary.
7. **APPEAL #2982** - The Applicant, All Seasons Flowers and Produce LLC, property located at 912 Conestoga Road and Zoned GH-CR, seeks relief from Section 280-49.11(B) and/or (D) of the GHZD to permit the seasonal sales of flowers and related products within the front yard setback. Applicant seeks a variance or such other relief required to permit sales, and storage after business hours within the front yard setback.

The next meeting of the ZHB is scheduled for March 16, 2017. Applications for the March 16, 2017 meeting must be submitted on or before February 14, 2017.

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>2979</u>
FEE:	<u>900</u>
DATE RECEIVED:	<u>12-19-16</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: 409, 411, and 413 E Lancaster Avenue, Wayne, PA 19087

Name and address of Applicant: The Emerson Group, c/o Paul Bloomfield, AIA, Bloomfield Architects,
105 N. Wayne Avenue, Wayne, PA 19087

Telephone Number: 610-254-9500 Email: paul@bloomfieldarchitecture.com

Property Owner (if different than above): Scott Emerson, c/o Patrick Gibbons

Owner address: 407 E Lancaster Avenue, Wayne, PA 19087

Telephone number: 610-971-9600 Email: gibbop@aol.com

Attorney's name: Fred B. Fromhold, Esquire, Fromhold Jaffe & Adams

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

Telephone number: 610-527-9100 Email: fbf@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)*

Please see attached.

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

Please see attached.

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

Please see attached.

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.

AMENDED
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>2981</u>
FEE: <u>900</u>
DATE RECEIVED: <u>1/2/17</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: 800 Lancaster Avenue, Wayne, PA

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

Telephone Number: 610-519-7450 Email: chris.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@pierceanigliataylor.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 celebrating its 175th Anniversary in 2017. To commemorate the event the Applicant desires to fasten temporary banners on the wall of three buildings facing Lancaster Avenue. Applicant seeks a variance from Section 120(I)(3) and/or 280-123 of the Code, or such other relief as may be required.

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: (*attach additional pages if necessary*)

The Premises is Zoned PI-Planned Institutional. Applicant is celebrating its 175th anniversary in 2017. Applicant desires to commemorate the event by installing temporary banners on the walls of three buildings as indicated on the Exhibits on the Stadium, Dougherty Hall, and Jake Nevin Field House. The temporary banners will exceed the height and time requirements of the Zoning Code. The banner on Dougherty Hall will exceed the area requirement. It is intended that the commemorative flags and banners would be removed shortly after the current academic year.

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.

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*).

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ADDITIONAL REQUIREMENTS

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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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WAYNE, PA 19087

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TOWNSHIP USE ONLY
APPEAL # <u>2982</u>
FEE: <u>905</u>
DATE RECEIVED: <u>1-17-17</u>

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TYPE OR PRINT

Property Address: 912 Conestoga Road, Rosemont, PA

Name and address of Applicant: All Seasons Flowers and Produce LLC

912 Conestoga Road, Rosemont, PA 19010

Telephone Number: 484-222-6106 Email: margaretm1033@gmail.com

Property Owner (if different than above): Angela DiFelice

Owner address: 300 Poplar Avenue, Devon, PA 19333

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)*

The Premises is Zoned GH-CR, Garrett Hill-Conestoga Road Zoning District. Applicant conducts a florist and related services at the Property. Applicant seeks relief from Section 280-49.11(B) and/or (D) of the GHZD (Garrett Hill Zoning District) to permit the seasonal sales of flowers and related products within the front yard setback. Applicant seeks a variance or such other relief required to permit the sales and storage within the front yard setback.

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: *(attach additional pages if necessary)*

Applicant sells flowers and related items on the Premises. Applicant conducts the seasonal sale and storage of flowers, pumpkins, and Christmas trees within the required front yard setback. The Property is surrounded by commercial enterprises and has no impact on the residential neighborhood.

List of Witness:

Applicant – Will describe the proposed use.

Applicant reserves the right to call other witnesses at the time of the hearing.

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