



Community Development Department
ZONING HEARING BOARD AGENDA

Thursday, April 21, 2016
7: 30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. **Appeal #2964** – The Applicants, Andrew J Sheehan and Heather G. Sheehan, property located at 340 Chamounix Road and zoned R-1, seek a variance from Section 280-76A of the Zoning Code pertaining to Floodplain regulations in order to provide for a covered front door landing on their home. Further the request is De Minimis.
4. **Appeal #2965** - The Applicant, Thomas Jefferson University, property located at 789 E. Lancaster Avenue and zoned C1 and R2, seeks a variance relief from Section 281-122(C)(2) for the installation of one (1) wall sign great than 50 square feet and higher than 15 feet above grade; and any other variances, special exceptions or special use permits that are necessary for the approval and installation of the proposed sign.
5. **Appeal #2966** - The Applicants, Anna C. and Kirby H. Slack, property located at 2 Earles Lane and zoned R1, seek relief from Section 280-15 (E) in regard to rear yard setback requirement in order to construct an addition. Further the request is De Miminis.

The next meeting of the ZHB is scheduled for May 19, 2016 at 7:30 p.m. Applications for the May 19, 2016 meeting must be submitted on or before April 19, 2016.

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>2964</u>
FEE: <u>550</u>
DATE RECEIVED: <u>3/18/16</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: 340 Chamounix Road, Wayne, PA 19087

Name and address of Applicant: Andrew J. Sheehan and Heather G. Sheehan
340 Chamounix Road, Wayne, PA 19087

Telephone Number: 415-225-6742 Email: andysheehan@yahoo.com

Property Owner (if different than above): _____

Owner address: _____

Telephone number: _____ Email: _____



Attorney's name: Nicholas J. Caniglia, Esquier

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 a variance from Section 28-76A of the Zoning Code pertaining to Floodplain regulations in order to provide for a covered front door landing on their home. All but a small portion of the rear of their residence is in the floodplain. The proposal would add approximately 37 square feet of impervious coverage and remain well below the required maximum impervious coverage. Further the request is de minimis.

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)

Applicant recently purchased the residence. Applicant seeks to provide an additional cover for their front door entrance. The total area of the covered porch will be 7.75' by 9.2' and would add a total impervious area of 37 square feet to the Premises. The impervious coverage would be increased from 16.3% to 16.4% and remain well within the permitted 22% impervious coverage. Engineered calculations indicate that the elevation of the house is outside of the 100 year floodplain.

Witnesses:

Applicant - Will testify to site.

Engineer - Will testify as to applicability of floodplain.

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

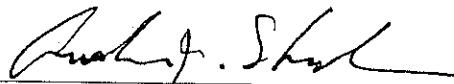
2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

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

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TOWNSHIP USE ONLY
APPEAL # <u>2965</u>
FEE: <u>900</u>
DATE RECEIVED: <u>3/18/16</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: 789 E. Lancaster Ave., Villanova, Pa 19085

Name and address of Applicant: Ernesto Betancourt, R.A., Senior Project Manager
Thomas Jefferson University, 130 S. 9th Street, Philadelphia, PA 19107

Telephone Number: 215-503-4375 Email: swhalen@klehr.com

Property Owner (if different than above): Enrico Partners, LP

Owner address: Two Villanova Ctr., 795 E. Lancaster Ave., Ste. 200, Villanova, PA 19085

Telephone number: 610-520-1765 Email: swhalen@klehr.com

Attorney's name: Ron Patterson, Esq./Sean Whalen, Esq.

Address: Klehr Harrison Harvey Branzburg LLP, 1835 Market St., Ste. 1400, Phila., PA 19103

Telephone number: 215-569-4092 Email: swhalen@klehr.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 variance relief for the installation of one (1) wall sign at the property, which is located in the Commercial Office zoning district, in accordance with the attached plans, from Section 280-122(C)(2) limiting total wall sign area to less than 50 SF and requiring all signs to be less than 15' above grade. Literal enforcement of the zoning code will impose an unnecessary hardship on Applicant, and yet the proposed sign will cause or create no detrimental impact to the public health, safety, welfare or traffic. Applicant hereby reserves the right to supplement and/or amend this application and the grounds for relief, and requests any other variances, special exceptions or special use permits that are necessary for approval and installation of the proposed sign.

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

Copies of prior decisions are attached hereto.

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

Property is improved with a 3-story masonry building, with a total of 90,000 SF for retail, restaurant and office spaces.

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

NO

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*

NO

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*).

N/A

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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ZONING HEARING BOARD APPLICATION

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TOWNSHIP USE ONLY	
APPEAL #	<u>2966</u>
FEE:	<u>550</u>
DATE RECEIVED:	<u>3/20/14</u>

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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: 2 Earles Lane, Newtown Square, PA 19073

Name and address of Applicant: Anna C. and Kirby H. Slack

Telephone Number: 610-724-0358 (KS) Email: kslack@me.com, aslack@me.com

Property Owner (if different than above): _____

Owner address: _____

Telephone number: _____ Email: _____

Attorney's name: James J. Greenfield

Address: 669 Mill Road, Villanova, PA 19085

Telephone number: 610-527-0555 Email: greenfieldlaw@comcast.net

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)

Applicants seek relief from the rear yard setback requirements of Zoning Code § 280-15(E) so that they can construct an addition on the north side of their home. The property is lawfully nonconforming with regard to area of 0.79 acre and its rear yard setback, which is now 30.7 feet. The proposed addition will reduce that rear yard setback to about 24 feet for that corner of the home. Applicants are entitled to relief for these reasons:

1. Applicants request a variance that is *de minimis*. The additional incursion will be about 21.8% of the current setback, and the area of incursion of the proposed addition into the existing setback is only about 54 square feet. Or:

2. Applicants are entitled to a variance because the unusual, five-sided configuration of the property poses a hardship that applicants did not create. From the southeastern rear corner of the property, the rear lot line initially proceeds northeast before turning and proceeding almost due north toward the property's northeast corner. Furthermore, the rear wall of the dwelling, which dates to 1842, roughly follows the portion of the rear lot line that runs northeast-southwest. As a result, the southeastern rear corner of the dwelling has a compliant rear yard setback of 45.7 feet, while the northeastern rear corner of the dwelling has a nonconforming setback of only 30.7 feet. In order to avoid additional incursion into the rear yard by the proposed 15 X 30 addition on the northeast side of the dwelling, the roof would have to be angled in a manner that is neither feasible nor attractive. The addition could not be constructed elsewhere without creating additional nonconformities. Or:

3. Applicants may build the proposed addition as a matter of right.

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

Applicants believe there are no previous Zoning Board decisions relating to the subject property. Applicants are conducting research to determine whether there are relevant decisions regarding this property and neighboring properties, and applicants will supplement this application if they find such decisions.

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

Applicants propose a 15 X 30 addition on the northeast side of the dwelling.

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);**
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 - c) **location of easements and rights of way, including ultimate rights of way;**
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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**
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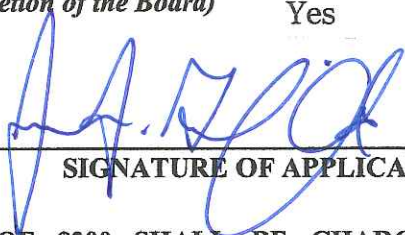
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ADDITIONAL REQUIREMENTS

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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*). 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*) Yes


Attorney for Applicants

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