



Community Development Department
ZONING HEARING BOARD AGENDA

Thursday September 15, 2016
7: 30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. **Appeal #2972** - The Applicant, Eadeh Family Limited Partnership, property located at 517 E. Lancaster Avenue and Zoned R5 is changing the occupancy of an existing legally non-conforming office use and seeks a special exception under Section 280-101(A)(1) of the Zoning Code or such other relief necessary under the Zoning Code.

The next meeting of the ZHB is scheduled for October 20, 2016 at 7:30 p.m. Applications for the October 20, 2016 meeting must be submitted on or before September 20, 2016.

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>2972</u>
FEE: <u>900</u>
DATE RECEIVED: <u>8/16/16</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: 517 East Lancaster Avenue, Wayne, PA

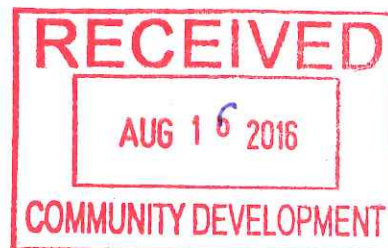
Name and address of Applicant: Eadeh Family Limited Partnership, 511 Old Lancaster Road, Suite 8, Berwyn, PA 19312

Telephone Number: 610-647-1776 Email: staceyballard@eadeh.com

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 is changing the occupancy of an existing legally non-conforming office use
Applicant seeks a special exception under Section 280-101(A)(1) of the Zoning Code or such other relief necessary under the Zoning Code.

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

In Appeal Number 1807 dated March 20, 1986 the former owner of the Property, John Sheldrake, Inc., requested permission to operate a commercial enterprise within existing residential apartments. The request was Denied.

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

The Premises is zoned R-5 and consists of an existing 57 unit apartment building, a 2,200 square foot office building, and a single-family residence. The office use is a legally non-conforming use which was permitted as offices under the former R-5 zoning district. The former tenant, Planned Parenthood, has vacated the premises. The proposed new tenant is Ankle and Foot Medical Center of Delaware Valley.

List of Witnesses:

Stacey Ballard – President of Eadeh Enterprises – Will testify as to the subject premises and the former use.

Alan Mlodzienski, DPM – Owner of Ankle and Foot Medical Center – Will testify regarding the proposed use.

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.