



Community Development Department
ZONING HEARING BOARD AGENDA

**Thursday October 20, 2016
7: 30 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. **Appeal #2973** - The Applicant, KMO-361 Realty Associate, LLC, property located at 550 E. Lancaster Avenue and Zoned PB, requests a dimensional variance from Section 208-103 of the Zoning Code to permit 887 off-street parking spaces where 897 parking spaces are required.
4. **Appeal #2974** - The Applicants, Michael and Amy Maguire, property located at 404 Grange Road and Zoned R4, request relief from Section 280-30 of the Zoning code in regard to rear and front yard setback in order to construct a roof over existing concrete patios.
5. **Appeal #2975** - The Applicant, NFB Enterprises LLC, property located at 326 Belrose Lane and Zoned R3, seeks a Special Exception under Section 280-101-A(1) of the Zoning Code or such other relief as may be required under the Zoning Code to continue the existing non-conforming use.

The next meeting of the ZHB is scheduled for November 17, 2016 at 7:30 p.m. Applications for the November 17, 2016 meeting must be submitted on or before October 18, 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>2973</u>
FEE:	<u>900</u>
DATE RECEIVED:	<u>9/19/16</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: 550 E. Lancaster Avenue, St. Davids, PA

Name and address of Applicant: KMO-361 Realty Associates, LLC

40 OLSHAN PROPERTIES, 600 MADISON AVE. 14th FLOOR NEW YORK, NY 10022

Telephone Number: 614-289-5828 Email: kmarshall@olshanproperties.com

Property Owner (if different than above): KMO-361 Realty Associates, LLC

Owner address: Andrea Olshan, Olshan Properties, 600 Madison Ave., 14th Floor
New York, NY 10022

Telephone number: (212) 935-1330 Email: aolshan@olshanproperties.com

Attorney's name: George W. Broseman, Esquire & Craig R. Lewis, Esquire

Address: Kaplin Stewart, 910 Harvest Drive, Blue Bell, PA 19422

Telephone number: 610-941-2459 Email: gbrosenan@kaplaw.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)*

Variance from Section 280-103 .

See attached narrative for further explanation.

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

See attached narrative

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

See attached narrative

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

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TOWNSHIP USE ONLY	
APPEAL #	<u>2974</u>
FEE:	<u>550</u>
DATE RECEIVED:	<u>9/19/16</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.*

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TYPE OR PRINT

Property Address: 404 Grange Road, Wayne, PA

Name and address of Applicant: Michael & Amy Maguire
404 Grange Road, Wayne, PA

Telephone Number: 610-637-1022 Email: mmlt15@aol.com

Property Owner (if different than above): same as above

Owner address: _____

Telephone number: _____ Email: _____

Attorney's name: none

Address: _____

Telephone number: _____ Email: _____

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)*

404 Grange Road is a corner lot at the intersection of Locust and Grange Roads. The lot is constrained by two front yards (set backs of 30'), one side yard (set back of 12' min) and a rear yard (set back of 30').

We are requesting relief from a front yard set back dimension of 30' to construct a roof over the existing concrete patio. The new patio roof will create a new set back of 23'-10". Additionally, we are requesting relief from the rear yard set back of 30' to construct a roof over an existing stair and landing. There is currently a non-conformity which provides for a 13'-1" rear yard setback, the new roof falls within the existing non-conformity. *Relief from section 280.30 of 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)*

This is the first appearance before the Zoning Hearing Board

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

We would like to construct a new roof over the existing front patio and a new roof over a rear stair and landing at the rear of the home. The front patio roof will be open on three sides to create a more pleasing front porch to sit and enjoy the neighborhood. The roof over the landing and stair at the rear of the home will provide protection from the elements while entering and exiting the home.

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

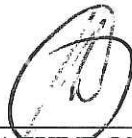
2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

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

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ZONING HEARING BOARD APPLICATION

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TOWNSHIP USE ONLY	
APPEAL #	<u>2975</u>
FEE:	<u>900</u>
DATE RECEIVED:	<u>9/20/14</u>

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TYPE OR PRINT

Property Address: 326 Belrose Lane, Radnor, PA

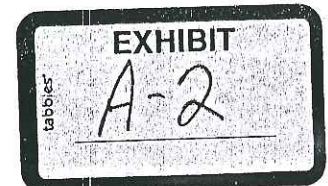
Name and address of Applicant: NFB Enterprises LLC, 355 E. Conestoga Road,
Wayne, PA 19087

Telephone Number: _____ Email: _____

Property Owner (if different than above): PBS Enterprises Inc

Owner address: 326 Belrose Lane, Radnor, PA 19087

Telephone number: _____ Email: _____



Attorney's name: Nicholas J. Canglia, 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 has entered into an Agreement of Sale for the purchase of the subject property. Applicant seeks to continue the existing legally non-conforming automotive body repair shop use at the Property. Applicant seeks a Special Exception under Section 280-101(A)(i) of the Zoning Code or such other relief as may be required 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)*
None to Applicant's knowledge.

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

The Premises is Zoned R-3. The Property consists of a building which houses an automotive body repair shop and a separate semi-detached single-family dwelling. Applicant has placed the property under Agreement of Sale conditioned upon zoning relief. Applicant intends to use the property for the same purposes as currently existing. Applicant intends to renovate the exterior of the buildings but will not construct any additions to the existing buildings.

List of Witness:

Representative of Former Owner -- describing former use.

Representative of Prospective Purchaser – describing proposed use

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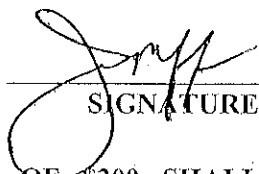
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