



Community Development Department  
**ZONING HEARING BOARD AGENDA**

**Thursday December 15, 2016**  
**7: 30 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. **Appeal #2976** – (continued) The Applicant, JGVS L.P., property located at 936 County Line Road and Zoned C1, seeks relief from Chapter 280, Section 122 with particular reference to subparagraphs C(1) and C(5)(a)-(c) and Chapter 280, Section 125 in addition to any other zoning section under Chapter 280, Article XXI which may be applicable in regard to the erection of a pole sign within the required setback.
4. **APPEAL #2977** - The Applicant, Irene M. Brotsky, property located at 208 Edenton Place and Zoned R2-DM, seeks a variance from Section 280-94(A) of the Zoning Code to continue the existing impervious coverage to make renovations to a pool deck, or such relief as may be required under the Zoning Code.
5. **APPEAL #2978** - The Applicant, Barbara Cobb, property located at 1 Woodsworth Court and Zoned R2, seeks a variance from Section 280-20.E of the Zoning Code in regard to rear yard setback and also requests variances, to the extent required from Sections 208-112.D & E of the Zoning Code to disturb an area of slopes to the rear of the existing dwelling. Alternately, Applicant contends that no variances are required because the slopes are manmade.

*The next meeting of the ZHB is scheduled for January 19, 2017. Applications for the January 19, 2017 meeting must be submitted on or before December 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**

<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>2977</u>
FEE: <u>550</u>
DATE RECEIVED: <u>11/5/14</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](http://www.radnor.com) for a copy of our current fees.

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TYPE OR PRINT

Property Address: 208 Edenton Place, Villanova, PA 19085

Name and address of Applicant: Irene M. Brotsky  
208 Edenton Place, Villanova, PA 19085

Telephone Number: \_\_\_\_\_ Email: irenebr321@gmail.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@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 purchased the Property in October of 2015. The Property is part of a density modification development for Edenton approved in 1997. The impervious coverage of the Property has not changed since it was initially sold to the original owner of the home in 1999. Upon applying for a grading permit for revision to the existing pool deck, Applicant was informed that the Property does not comply with the impervious coverage requirements of the Township's Zoning Code. Applicant seeks to continue the existing impervious coverage and make renovations to its pool deck which will not increase the current impervious coverage of the Property. Applicant seeks a variance from Section 280-94(A) of the Zoning Code, contends that the relief is permitted by right, by estoppel, 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-2 Density Modification. The Property was part of the density modification development for Edenton. The home and all of the Improvements were constructed in 1999. Prior to the Applicant's purchase of the Property there were two prior owners. Applicant purchased the Property in October of 2015. Applicant, nor the prior owners, had any knowledge that the Property was non-conforming on impervious coverage. There has been no increase of impervious coverage since 1999. The required impervious coverage is 35% (5,756.8 S.F.). The existing impervious coverage is 41.9% (6,899 S.F.). Applicant only became aware of the non-conformity upon her application for a building permit to redo the pool decking. Applicant seeks relief permitting the existing non-conformity and to redo the pool decking and patio which will not increase the current non-conformity.

**List of Witness:**

Former Owner – describing former use.

Current Owner – describing proposed use.

**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**

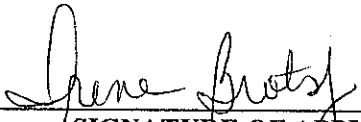
2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

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

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>2978</u>
FEE: <u>550</u>
DATE RECEIVED: <u>11/15/14</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](http://www.radnor.com) for a copy of our current fees.

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TYPE OR PRINT

Property Address: 1 Woodsworth Court, Wayne, PA 19087

Name and address of Applicant: Barbara Cobb  
1 Woodsworth Court, Wayne, PA 19087

Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

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

Owner address: \_\_\_\_\_

Telephone number: 610-975-0517 Email: bcobb@218enterprises.com

Attorney's name: George W. Broseman, Esquire

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

Telephone number: 610-941-2459 Email: gbroseman@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)**

Applicant requests a variance from Code Section 280-20.E (rear yard setback) to allow construction of a proposed addition that would extend into the required 40 foot rear yard setback area. Applicant also requests variances, to the extent required from Code Sections 280-112.D & E to disturb an area of slopes to the rear of the existing dwelling. Alternatively, Applicant contends that no variances are required from Code Sections 280.112.D & E because the slopes in question are manmade.

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

Applicant is not aware of prior ZHB approvals for the Property.

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

Existing single-family detached dwelling and related improvements.  
Proposed 1-story enclosed porch addition to rear of existing 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);
  - 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. Included.
3. Photographs of the property at issue and all adjoining properties. Included.
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*). Included.

#### 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* 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*). None anticipated.
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.

  
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SIGNATURE OF APPLICANT

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