



Community Development
Department

ZONING HEARING BOARD AGENDA

**Thursday, May 21, 2015
7: 30 P.M.**

1. Call to Order
2. **APPEAL #2939** The applicants, Kenneth G. Barringer and Elizabeth L. Weber, property located at 411 Louella Avenue and zoned R1, seek a variance from the restrictions of Zoning Code 280-15(D)(1) to allow aggregate side yards of 34.3 feet, and a variance from the restrictions of Code 280-15(F) to allow impervious coverage of 28.46% and a variance from 280-112(D) to allow expansion of a driveway backup area where there are steep slopes. In the alternative, Applicants contend that their proposed improvements are allowed by right.
3. **APPEAL #2941** The applicants, Peter McKenna and Peter Flint, property located at 125 Bloomingdale Avenue and zoned CO, seeks Special Exceptions pursuant to Sections 280-101(A)(2) regarding expansions of a non-conforming use to convert the existing 3 apartments to 3 condominium units. In the alternative applicant seeks a variance from 280-42. Applicant further seeks any other zoning or alternative relief required necessary for the conversion of the apartments to condominiums pursuant to the Plans presented with the Application.
4. **APPEAL #2942** The applicant, TGR, LLC, property located at 812-822 Glenbrook Avenue and 214 Bryn Mawr Avenue and zoned C1, seeks a Special Exception pursuant to Section 280-101(A)(1) and/or Section 280-101(A)(2) to construct apartments on the site. In the alternative the applicant seeks a variance from Section 280-47. Applicant is reducing the existing non-conformity in regards to number of parking spaces, applicant contends that no relief is required but in the alternative requests a variance from 280-103(B) and a special exception or variance from 280-105(F). Applicant further seeks any other zoning or alternative relief required pursuant to the Plans presented with the Application.
5. **APPEAL #2944** The applicant, Radnor Racquet Club, property located at 175 King of Prussia Road and zoned PLO, seeks to modify conditions imposed by Appeal No. 1339 dated 1977 which granted relief to construct a tennis building. Applicant seeks to modify the relief to permit a portion of the tennis courts to be used as an Indoor Rock Gym (rock climbing). In the alternative the applicant contends that the relief is permitted by-right or requests a variance from Section 280-63 of the Zoning Code. Additionally, Applicant intends to construct an extension to the existing walk-way within the riparian buffer setback. As a result Applicant seeks a Special Exception pursuant to 280-89.8(A) (riparian buffer. Applicant further seeks any other zoning or alternative relief required pursuant to the Plans presented with this Application.
6. **APPEAL #2946** The applicant, Michael D. Giardino, property located at 447 Inverary Lane and zoned R1-DM, seeks a Traffic Home Occupation under Section 280-115.1 Home Occupations of the Zoning Code.

The next meeting of the ZHB is scheduled for June 18, 2015 at 7:30 p.m. Applications for the June 18, 2015 meeting must be submitted on or before May 19, 2015.

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>2939</u>
FEE: <u>550</u>
DATE RECEIVED: <u>3/23/15</u>

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to his application. Ten (10) copies of this application and required attachments 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: 411 Louella Avenue

Name of applicant: Kenneth G. Barringer and Elizabeth L. Weber

Telephone number: 610-964-0857 Email: ken.barringer@comcast.net

Property Owner (if different than above): _____

Property address: _____

Telephone number: _____ Email: _____

Attorney's name: James J. Greenfield

Address: 669 Mill Road, Villanova, PA 19085

Telephone number: 610-527-0555

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)

In order to demolish an existing accessory garage and construct an attached addition that includes a two-car garage on their dimensionally nonconforming property in R-1, applicants seek these variances: (1) From the restrictions of Code § 280-15(D)(1) to allow aggregate side yards of 34.3 feet. The property is now nonconforming with aggregate side yards of 41.2 feet. (2) From the restrictions of Code § 280-15(F) to allow impervious coverage of 28.46%. The property's current impervious coverage of 22.8% was rendered nonconforming by Ordinance 2000-19, which limited impervious coverage at 22% in R-1. (3) From the restrictions of Code § 280-112(D) to allow expansion of a driveway backup area where there are steep slopes to the south.

This property formerly was zoned R-2 and existing nonconformities were exacerbated by rezoning to R-1 after the last expansion of the footprint of the dwelling about 1980. The property configuration creates the following hardships: (1) At 23,216 gross square feet, it has only about half the area required in R-1. (2) The width of the property at the building line is 87 feet, substantially below the 120 feet required in R-1. (3) The century-old dwelling is set only 9 feet from the rear property line and requires an unusually long driveway and thus substantially more impervious coverage. (4) The property contains steep slopes on the south side.

In the alternative, Applicants contend that their proposed improvements are allowed by right.

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

Zoning Appeal 1268, decided in April 1975, noted the property's nonconformities in R-2 and authorized use of the former carriage house structure as a dwelling. Appeal 1356, decided July 1976, granted a side yard variance for construction of an accessory, subterranean garage, which was then built in a different location. Copies of both decisions are attached.

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

The property is currently improved with a dwelling and an accessory garage. Applicants propose to demolish the accessory garage and add an addition to the front (west) and north side of the dwelling structure and expand a portion of the driveway toward the south side property line.

ATTACHMENTS: Ten (10) copies of each 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* 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*). 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 discontinued, or being dismissed, at the discretion of the Board*) Yes.

 
SIGNATURE OF APPLICANT

AN ADDITIONAL FEE F \$150 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
www.radnor.com
www.radnor.com

TOWNSHIP USE ONLY
APPEAL # <u>2942</u>
FEE: <u>900</u>
DATE RECEIVED: <u>4/24/15</u>

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to his application. Ten (10) copies of this application and required attachments 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: 812-822 Glenbrook Ave. & 214 Bryn Mawr Ave., Bryn Mawr, PA

Name of applicant: TGR, LLC

Telephone number: 215-341-7518 Email: trubin1206@gmail.com

Property Owner (if different than above): Main Line Health Systems

Property address: _____

Telephone number: _____ Email: _____

A-1

Attorney's name:

Nicholas J. Caniglia, Esquire

Address: 125 Strafford Avenue, Suite 110, Wayne, PA 19087

Telephone number: 610-688-2626 **Email:** NCaniglia@aol.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)*

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)*

See attached

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 Special Exception pursuant to Section 280-101(A)(1) and/or 280-101(A)(2) to construct apartments on the site. In the alternative applicant seeks a variance from Section 280-47. Applicant is reducing the existing non-conformity in regards to number of parking spaces, Applicant contends that no relief is required but in the alternative requests a variance from 280-103(B) and a special exception or variance from 280-105(F). Applicant further seeks any other zoning or alternative relief required pursuant to the Plans presented with this Application.

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 proposed improvements:

The Premises is zoned C-1. The current uses are a mix of commercial and non-conforming residential uses as described in the Plans. Applicant seeks to convert Premises A from 4 apartments and 2 commercial spaces to 6 apartments; Premises B from 4 apartments and 2 commercial spaces to 6 apartments; Premises C from 2 apartments and 1 commercial space to 3 apartments and commercial space; and the Premises F to 6 apartments. The current parking will remain which residential uses require less parking by Code and demand that the commercial use.

List of Witnesses and Summary of Testimony:

Representatives of Applicant and current owner as to current use.

Representatives of Applicant as to proposed use.

Applicant reserves the right to present other witnesses at the hearing.

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

See attached

ATTACHMENTS: Ten (10) copies of each 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 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 discontinued, or being dismissed, at the discretion of the Board*)



SIGNATURE OF APPLICANT

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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>2944</u>
FEE: <u>900</u>
DATE RECEIVED: <u>4/20/15</u>

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to his application. Ten (10) copies of this application and required attachments 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: 175 King of Prussia Road, Radnor, PA

Name of applicant: Radnor Racquet Club

Telephone number: 610-687-4049 Email: lloydhgoodman@gmail.com

Property Owner (if different than above): _____

Property address: _____

Telephone number: _____ Email: _____

Attorney's name:
Nicholas J. Caniglia, Esquire

Address: 125 Strafford Avenue, Suite 110, Wayne, PA 19087

Telephone number: 610-688-2626 **Email:** NCaniglia@aol.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)*

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)*

See attached

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

See attached

ATTACHMENTS: Ten (10) copies of each 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.

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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,

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 to modify the conditions imposed by Appeal Number 1339 dated 1977 which granted relief to construct a tennis building. Applicant seeks to modify the relief to permit a portion of the tennis courts to be used as an Indoor Rock Gym (rock climbing). In the alternative applicant contends that the relief is permitted by-right or requests a variance from Section 280-63 of the Zoning Code. Additionally, Applicant intends to construct an extension to the existing walk-way already within the riparian buffer setback. As a result Applicant seeks a Special Exception pursuant to 280-89.8(A) (riparian buffer). Applicant further seeks any other zoning or alternative relief required pursuant to the Plans presented with this Application.

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

Appeal Number 1339 (1977) – Granted a Variance to construct an indoor tennis building.
Appeal Number 1753 (1985) – Stipulation granted for restaurant use in addition to the tennis use.

Appeal Number 2905 (October 17, 2013) – Special Exception and a Variance to construct an addition for the restaurant use.

Brief narrative of proposed improvements:

The Premises is zoned PLO. In 1977 a variance was granted to construct a tennis building. Applicant proposes to use a portion of the tennis courts for a rock climbing gym. The uses are similar in that both are indoor recreational uses pursuant to the Zoning Code. There will be no additions to the Premises. Applicant also proposes to construct a 17-20 Square Foot extension to an existing walk-way as indicated on the Plans already located in the riparian buffer.

List of Witnesses and Summary of Testimony:

- Representatives of Applicant as to current use.
- Representatives of proposed tenant as to proposed use.
- Applicant reserves the right to present other witnesses at the hearing.

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*).
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 SIGNATURE OF APPLICANT

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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 # 2946

FEE: 550

DATE RECEIVED: 4/21/15

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to his application. Ten (10) copies of this application and required attachments 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: 447 Inveraray Lane, Villanova PA 19085

Name of applicant: Michael D Giardino

Telephone number: 610-902-0672 Email: MGiardino@LMdesignLLC.com

Property Owner (if different than above): _____

Property address: _____

Telephone number: _____ Email: _____

Attorney's name:

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)*

Home Occupation

Chapter 280: ZONING

§ 280-115.1 Home occupations.

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

None

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

Please see Attached Application Narrative

Summary:

No physical improvements contemplated.

Request is to approve operation of small architectural consulting business out of the basement of our home. Husband & wife are licensed architects. Business hosts one employee other than H/W principals. Typical Clients are large developers located in New Jersey, New York, Maryland, Massachusetts and Pennsylvania. Client interface is via telephone and meetings are almost exclusively held at client offices - with perhaps 3 or 4 client visits per year at home location.

ATTACHMENTS: Ten (10) copies of each of the following must be provided:

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2. **List of witnesses and summary of their testimony attached.**
Michael Giardino - see attached written statement.
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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SIGNATURE OF APPLICANT

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