



Community Development  
Department

**ZONING HEARING BOARD AGENDA**

**Thursday, July 16, 2015  
7: 30 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. **APPEAL #2947** The applicant, 115 Strafford Avenue, LLC, property located at 120 and 124 Bloomingdale Avenue and zoned R5, seeks variances from Code Section 280-112.D & E for disturbance to steep slopes; a variance from Code Section 280-35.B(3)(c) to permit a rear yard of 18 feet (+/-) where 30 feet is required; and any other relief necessary to disturb the steep slopes shown on the Plans. Alternatively, Applicant requests interpretation of Code 280-112.D & E that: disturbance to manmade steep slopes is not prohibited by Code; and/or interpretation that proposed retaining wall, portions of the proposed driveway, and related grading are permitted under Sections 280-112.D(8) and 280-112.E. and any other relief deemed necessary for proposed redevelopment project.
4. **APPEAL #2949** The applicant, Patrick and Tracey Carney, property located at 211 Orchard Way and zoned R1, seek a variance from Section 280-15, C Interior Lot R-1 Setback.
5. **APPEAL #2950** The applicant, Richard and Jackie Reinish, property located at 419 Oak Lane and zoned R2, request a variance from Section 280-22 with regard to the required side yard setbacks for accessory structures.
6. **APPEAL #2951** The applicant, St. Martin's Church, property located at 400 King of Prussia Road and zoned R1, seeks an appeal from determination by the Township Zoning Officer, pursuant to Section 280-101A of the Zoning Ordinance. In the alternative, Applicant requests a special exception to enable the operation of the proposed daycare/preschool facility by Les Petits Cherubs, LTD pursuant to its lease with the Applicant, pursuant to subsection 280-101A(1).

*The next meeting of the ZHB is scheduled for September 17, 2015 at 7:30 p.m. Applications for the September 17, 2015 meeting must be submitted on or before August 18, 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**



<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>2949</u>
FEE: <u>550</u>
DATE RECEIVED: <u>6/16/15</u>

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**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](http://www.radnor.com) for a copy of our current fees.

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*TYPE OR PRINT*

Property Address: 211 Orchard Way, St Davids, PA 19087

Name of applicant: Patrick and Tracey Carney

Telephone number: 484.680.0322 Email: tlcwayne@aol.com

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

Property address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

**Attorney's name:**

Linda Walters, Attorney at Law

**Address:** 37 West Avenue, Ste 103, Wayne, PA 19087

**Telephone number:** 610.687.4000

**Email:** lindawalters@sagerealtyllc.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 requesting a variance from Chapter 280 ,  
Section 280-15, C Interior Lot R-1 Setback.

The northeast rear setback is presently 10' and we  
are requesting relief to an 8.0' setback.

The stairwell for the garage addition has  
two corners that protrude into the setback.

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

Not applicable.

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

**Applicant is planning on renovating existing home and adding a garage to the eastern side of the property.**

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**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**

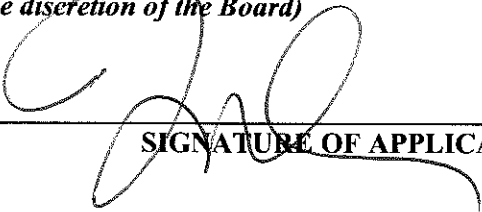
2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

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 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*)



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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>2950</u>
FEE: <u>550</u>
DATE RECEIVED: <u>6/16/15</u>

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**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](http://www.radnor.com) for a copy of our current fees.

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TYPE OR PRINT

Property Address: 419 OAK LANE / WAYNE, PA 19087

Name and address of applicant: RICHARD & JACKIE REINISH  
419 OAK LANE / WAYNE, PA 19087

Telephone number: 610.804.9646 Email: JACWEG@MSN.COM

Property Owner (if different than above): \_\_\_\_\_

Owner 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)*

APPLICANT REQUESTS A VARIANCE FOR SECTION 280.22 WITH REGARD TO THE REQUIRED SIDEYARD SETBACKS FOR ACCESSORY STRUCTURES. THE EXISTING FREE STANDING GARAGE IS TO BE CONNECTED TO THE PRIMARY STRUCTURE (SINGLE FAMILY RESIDENCE) & THEREFORE BELONGS PART OF THAT PRIMARY STRUCTURE WITH ALL APPLICABLE SETBACK REQUIREMENTS. THIS PROPOSED CONDITION IS NOW CONFORMING & INCREASES THE SIDE YARD NON CONFORMITY.

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

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

THE APPLICANT IS REMOVING THE EXISTING DECK & SUN ROOM FROM THE REAR OF RESIDENCE & BUILDING A NEW 1-STOREY KITCHEN & BREAKFAST ROOM ADDITION WITH A NEW MUD ROOM CONNECTOR TO THE EXISTING GARAGE. ADDITIONALLY THE EXISTING GARAGE IS TO BE RAISED 16" & REPAIRED AS NECESSARY (NO INCREASE IN AREA)

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,

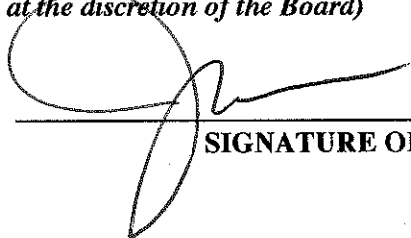


appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

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*
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

**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

www.radnor.com

www.radnor.com



TOWNSHIP USE ONLY
APPEAL # <u>2951</u>
FEE: <u>900</u>
DATE RECEIVED: <u>6/16/15</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.

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*TYPE OR PRINT*

Property Address: 400 King of Prussia Rd, Radnor, PA, 19087

Name of applicant: St. Martin's Church, Radnor

Telephone number: 610-688-4830 Email: cbishop@stmartinsradnor.org

Property Owner (if different than above): St. Martin's Church, Radnor

Owner address: 400 King of Prussia Road, Radnor, PA, 19087

Telephone number: 610-688-4830 Email: cbishop@stmartinsradnor.org

Zoning Classification: R-1 Residential

Attorney's name:

Fronefield Crawford, Jr., Esquire

Address: 220 West Gay Street, West Chester, PA, 19380

Telephone number: 484-356-1905

Email: fcrawford@fcrawfordlaw.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)*

1. Appeal from determination by the Township Zoning Officer that, pursuant to Section 280-101A of the Zoning Ordinance, Applicant does not have a "by right" ability to lease the 2nd and 3rd floors of the "Bolingbroke" accessory structure to a new tenant for daycare/preschool operations. Appended hereto is Applicant's counsel Memorandum of June 11, 2015, outlining the basis for Applicant's assertion of a "by right" ability to so lease the 2nd and 3rd floors to "Les Petits Cherubs, LTD" for operation of a daycare and preschool facility, constituting a continuation of the lawful, non-conforming accessory use of the Church property in continuous operation since approximately 1988.

2. In the alternative, Applicant requests the grant of a special exception to enable the operation of the proposed daycare/preschool facility by Les Petits Cherubs, LTD pursuant to its lease with the Applicant, pursuant to subsection 280-101A<sup>(1)</sup>

PL

280-101A(1)

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

We are not aware of any previous decisions of the Zoning Hearing Board relating to this property.

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

Applicant's lessee, Les Petits Cherubs, LTD, proposes to remove and/or relocate certain of the interior walls on the 2nd and 3rd stories of the Bolingbroke Mansion, and to enclose an existing porch, plus installation of new carpeting and painting, and new lighting fixtures. There is no proposed addition to the building itself.

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\_\_\_\_\_  
SIGNATURE OF APPLICANT

*attorney*

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