

LEGAL NOTICE

NOTICE IS HEREBY GIVEN in accordance with Chapter 280-142.F & G that the Zoning Hearing Board of Radnor Township will hold a public hearing at the Township Municipal Building, 301 Iven Avenue, Wayne, PA on **Thursday, May 16, 2013, at 7:30 p.m.** to hear the following Appeals:

APPEAL #2891

The Applicants, Barbara Barnes and Michael Stephano, property located at 132 Woods Lane and Zoned R-1 Density Modification. The Applicant seeks to construct a swimming pool in their rear yard. The Applicant seeks a variance and/or other required relief from:

1. Section 280-97B(4) of the Zoning Code relating to the distance from which an accessory structure may be located in the rear property line.
2. Section 280-112(D) of the Code governing uses permitted in steep slopes or contends that the use is allowed by Section 280-121(I) of the Code.
3. Section 280-94A of the Code regarding impervious surfaces.

APPEAL #2892

The Applicant, 115 Strafford Avenue, LLC, property located at 115 Strafford Avenue and split zoned CO and R-4. The applicant seeks the following relief:

1. A variance from Code § 280-92.A(4) to allow Density Modification Development on a tract of less than five (5) acres
2. A variance from Code § 280-91.G to allow proposed decks, patios and access walkways for the proposed carriage homes to extend into a required buffer area along the south side of the Property where it abuts land devoted to commercial use
3. A variance from Code § 280-29, a special exception under Code 280-101.A(1), or a modification of prior approvals granted by the Zoning Hearing Board in Appeal No. 2832 to allow the use of the Historic Building to be changed from a restaurant/bar use to office use
4. Variances from Code § 280-91.G and Code § 280-92.A(4) to allow the existing Historic Building to remain in the required buffer/building setback area where it abuts land devoted to commercial use
5. A determination that parking may remain in the front yard setback area along Strafford Avenue or alternatively a variance from Code § 280-105 to allow parking to remain in the setback
6. A variance from Code § 280-109 to allow an eight (8) feet high fence in the front yard setback and at other locations on the Property
7. Any other relief necessary to allow the proposed redevelopment of the Property.

Please Publish: April 28, 2013
 May 5, 2013

ZONING HEARING BOARD APPLICATION
TOWNSHIP OF RADNOR
301 IVEN AVENUE
WAYNE, PA 19087
610-688-5600
FAX: 610-971-0450
www.radnor.com

TOWNSHIP USE ONLY
APPEAL # <u>2891</u>
FEE: <u>\$ 550</u>
DATE RECEIVED: <u>4/16/13</u>

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

APPLICATION FEE: RESIDENTIAL \$550.00 NONRESIDENTIAL: \$700.00

PLEASE TYPE OR PRINT

Property address: 132 Woods Lane, Radnor, PA

Name of applicant: Barbara Barnes and Michael Stephano

Telephone number: 610-687-8086 Email: stephanofamily@comcast.net

Property Owner (if different than above): _____

Property address: _____

Telephone number: _____ Email: _____

Attorney's name: Nicholas J. Caniglia

Address: 125 Strafford Ave., Suite 110, Wayne, PA 19087

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

A-1

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 construct a swimming pool in their rear yard. The Property is zoned R-1 Density Modification. The rear of the Property is adjacent to the open space created by the Density Modification. Applicant seeks a variance and/or any other required relief from section 280-97B(4) of the Zoning Code relating to the distance from which an accessory structure may be located to the rear property line. The pool will be located on man-made steep slopes created at the time of the construction of the home. Applicant seeks a variance from Section 280-112(D) of the Code governing uses permitted in steep slopes or contends that the use is allowed by Section 280-112I of the Code. The Property is legally non-conforming in regards to impervious coverage. The Applicant will not increase this non-conformity. Applicant seeks any necessary relief, if any is required, from section 280-94A of the Code regarding impervious surfaces.

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 2552

Brief narrative of proposed improvements:

The Premises is zoned R-1 Density Modification. The Premises is legally non-conforming in regards to impervious coverage. The Premises abuts the Open Space for the Density Modification. Applicant seeks to construct a swimming pool in the rear of their Property which at its closest point will be 4.2 feet from the rear property line which abuts the Open Space. A portion of the pool intersects man-made steep slopes which were created at the time of the construction of the home

List of Witnesses and Summary of Testimony:

Applicant will testify as to existing conditions and proposed improvements.

Rob Lambert, the civil engineer for the project, will testify regarding the steep slopes and other physical features of the Property.

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

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

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 specifying whether the existing and/or proposed improvements comply with the zoning requirements, or specify the degree of any noncompliance; and,
- h) all other features or matters pertinent to the application

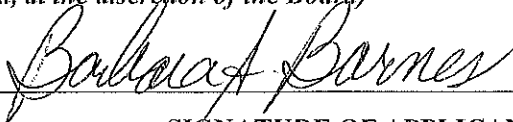
PLANS SHALL NOT EXCEED 24" X 36", AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 ½" X 11" AT FILING

Please indicate whether the following additional requirements are included:

- Y N List of witnesses and summary of testimony.
- Y N Photographs of the property at issue and all adjoining properties.
- Y N Copies of 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*)
- Y N 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 the appeal, or must be accompanied by a by a letter from the owner clearly authorizing tenant or buyer to file the appeal*)
- Y N Will this application involve land development or the subdivision of land. Applications that involve land development 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*
- Y N 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 prior to the meeting*)

Y N

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 in either the appeal being discontinued, or being dismissed, at the discretion of the Board)*



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
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PLEASE TYPE OR PRINT

Property address: 115 Strafford Avenue, Wayne, PA 19087

Name of applicant: 115 Strafford Avenue, LLC

Telephone number: (610) 721-1495 Email: berixson@comcast.net

Property Owner (if different than above): Iuthra 4, LLC

Property address: 115 Strafford Avenue, Wayne, PA 19087

Telephone number: Unknown Email: Unknown

Attorney's name: George W. Broseman

Address: 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)*

See attached supplement

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

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N.A.

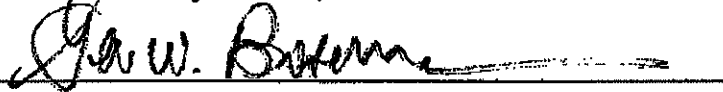
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SIGNATURE OF APPLICANT, by George W. Broseman, Attorney

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