

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, July 18, 2013, at 7:30 p.m.** to hear the following Appeals:

APPEAL #2892 (Continued from June 20, 2013)

The Applicant, 115 Strafford Avenue, LLC, property located at 115 Strafford Avenue and split zoned CO and R-4. The Applicant is amending its application to seek Zoning Hearing Board approvals required to redevelop the subject property by demolishing the existing structure and constructing a total of eleven (11) dwelling units within a unified group of multiple-townhouse buildings to be located on one lot and seeking 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 § 208-42 to allow residential use and related improvements in the CO Commercial-Office District;
3. Variances from Code § 280-91.G to allow (i) paved vehicle turn-around areas and (ii) a six feet high wall or fence in the required buffer area from the adjoining bank property, a portion of which is zoned residential;
4. To the extent required, variances from Code § 280-29 and Code § 280-93 to allow multiple-family townhouse buildings on the lot;
5. To the extent required, a variance from Code § 280-142.B requiring plans to be forwarded to the Planning Commission;
6. A variance from Code § 280-109 to allow a six (6) feet high wall in the front yard setback;
7. Any other relief necessary to allow the proposed redevelopment of the Property.

APPEAL #2895

The Applicant, Hydrocephalus Equality Advocacy Research United Society, at its successor in interest, property is located at 819 Glenbrook Avenue. Variances are requested from the parking and loading requirements of Sections 280-49(F), 280-103 and 280-104 of the Zoning Code for uses that are permitted by right. To the extent that a special exception or variances are required from the conversion provisions of Section 208-45, or variances are required from the dimensional requirements of Section 280-48 and special regulations of Section 280-49, such approvals and relief are respectfully requested.

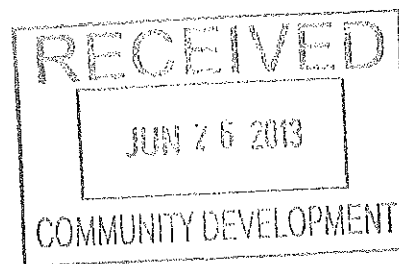
Please Publish: June 30, 2013
 July 7, 2013

George W. Broseman
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Direct Fax: (610) 684-2005
Email: gbroseman@kaplaw.com

June 26, 2013

VIA HAND DELIVERY

Kevin W. Kochanski, Zoning Officer
Director of Community Development
Radnor Township
301 Iven Avenue
Wayne, PA 19087



RE: 115 Strafford Avenue – Amended ZHB Application
Our Reference: 10073.001

Dear Mr. Kochanski:

I represent 115 Strafford Avenue, LLC, (“**Applicant**”) equitable owner of the property at 115 Strafford Avenue (“**Property**”) in Radnor Township. The Property is split-zoned, being located in the CO Commercial Office District and the R-4 Residence District. The Property has a long history of Zoning Hearing Board relief, including use variances. There have been repeated failed attempts to return the Property to productive use.

On April 15, 2013 we filed an application with the Radnor Township Zoning Hearing Board (“**Application**”) requesting relief to allow the redevelopment of the Property by renovating and preserving the existing vacant, boarded-up building for office use(s) and by constructing, eight (8) new carriage house, townhome units in the rear of the Property (collectively, “**Original Redevelopment Proposal**”).

On May 16, 2013 we appeared before the Zoning Hearing Board and the hearing was continued to June 20, 2013. One of the purposes of the continuance was to allow time for Applicant to attempt to further address issues raised by residents from Windsor Avenue and Farm Road (collectively “**Neighborhood**”) which are located to the east of the Property.

Applicant heeded that direction and filed a revised plan that modified the Original Redevelopment Proposal to convert the existing vacant, boarded-up building (*now approved for Bar & Restaurant use*) to four residential dwelling units. In addition, the proposal for eight new carriage home units in the rear of the Property was reduced to six dwelling units, (collectively, “**First Revised Redevelopment Proposal**”). The First Revised Redevelopment Proposal provided significantly more green space on the Property than the Original Redevelopment Proposal and shifted the proposed carriage homes even farther away from the

rear property line. It was reported to the Applicant that the Neighborhood would not support this plan. Accordingly, Applicant had submitted a further revision of the First Revised Development Plan that moved the proposed carriage homes still further away from the Neighborhood (*i.e. approx. 90 feet away from the rear property line*). It was reported to the Applicant that the Neighborhood would not support this plan either.

Prior to the June 20, 2013 Zoning Hearing Board hearing the Neighborhood's representatives advised Applicant that they would support a plan for 11 townhome units subject to various conditions including primarily that the closest building foundation wall to the rear property line would be a minimum of 120 feet and that Applicant would attempt to preserve a row of 6 pine trees located approximately 105 feet from the rear property line. The June 20, 2013 hearing was continued until July 18, 2013 to allow the Applicant to present a revised plan that would implement the conditions requested by the Neighborhood.

Applicant has had its engineers, Inland Design, prepare a revised plan entitled "115 Strafford Ave, Plan F", dated June 24, 2013 ("**Second Revised Development Plan**") that embodies the conditions discussed with the Neighborhood. Along with this letter we are submitting forty five (45) copies of the Second Revised Development Plan (10 required for the Zoning Hearing Board and 35 required for the Planning Commission per Township guidelines). Please forward these plans to the Radnor Township Planning Commission for another review of the Application and to the Zoning Hearing Board in advance of the July 18, 2013 hearing.

At this time we believe that the Second Revised Redevelopment Plan would reduce the Zoning Hearing Board relief required compared to that associated with the Original Redevelopment Plan. When it presents the Second Revised Redevelopment Plan to the Zoning Hearing Board at the continued hearing, Applicant anticipates that the following measures of relief associated with the Original Redevelopment Plan can be withdrawn:

1. a variance from Code § 280-91.G to allow accessory structures 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;
2. 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 existing, vacant, boarded-up building to be changed from a restaurant/bar use to office use;
3. variances from Code § 280-91.G and Code § 280-92.A(4) to allow the existing building to remain in the required buffer/building setback area;

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4. 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; and
5. 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;

The Second Revised Redevelopment Plan may require the following additional measures of relief:

1. A variance from Code § 208-42 to allow residential use and related improvements in the CO Commercial-Office District;
2. Variances from Code § 280-91.G to allow (i) paved vehicle turn-around areas and (ii) a six feet high wall or fence in the required buffer area from the adjoining bank property, a portion of which is zoned residential;
3. To the extent required, variances from Code § 280-29 and Code § 280-93 to allow multiple-family townhouse buildings on the lot;
4. A variance from Code § 280-109 to allow a six (6) feet high wall in the front yard setback;

It is noted that Applicant will maintain the requests for a variance from Code § 280-92.A(4) to allow Density Modification Development on a tract of less than five (5) acres; and any other measures of relief necessary to redevelop the Property.

As with the Original Redevelopment Plan, the Second Revised Redevelopment Plan will also require Conditional Use approval (*for Density Modification development*) and Land Development approval from the Radnor Township Board of Commissioners.

Applicant last appeared before the Radnor Township Planning Commission on May 6, 2013. We understand that this matter will be scheduled for another review before the Radnor Township Planning Commission on July 15, 2013.

If you have any questions or require any further information, please contact me immediately. Thank you for your attention to this matter.

Sincerely,


George W Broseman

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cc via e-mail: 115 Strafford Avenue Associates, LLC
Charles Dobson, P.E.
Fronfield Crawford, Esquire
Stephen Norcini, P.E.

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>2895</u>
FEE: <u>\$900</u>
DATE RECEIVED: <u>6/7/13</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: 819 Glenbrook Ave., Bryn Mawr, Radnor Township, Delaware County

Name of applicant: Hydrocephalus Equality Advocacy Research United Society and its successor in interest

Telephone number: _____ Email: _____

Property Owner (if different than above): Joseph and Dorothy Iannotta

~~Property~~ address: 2418 Chestnut Avenue, Ardmore, PA 19030

Telephone number: _____ Email: _____

Attorney's name: Michael E. Furey, Esquire, Attorney for H.E.A.R.U.S.

Address: 1043 S. Park Avenue, Audubon, PA 19403

Telephone number: (610) 666-7500 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)*

Please see narrative attached

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

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

The Applicant is not aware of previous Zoning Hearing Board decisions

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

Internal renovations

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 X 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)*

H.E.A.R.U.S.

BY

MaryBeth Godlewski, Executive Director
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.

H.E.A.R.U.S. ZONING HEARING BOARD APPLICATION

NARRATIVE

The property is currently used as a shoe repair shop. The owner previously lived at the premises and operated a shoe repair shop. The applicant is a 501C(3) recognized non-profit, named in the attached redacted Agreement of Sale. The intention is to use the property for offices related to non-profit services and a thrift shop to support the purposes of the non-profit. The proposed uses of office and retail are permitted pursuant to Section 280-47 of the Zoning Code in the C-1 District, but the property has no on-site parking or loading. As a result, variances are requested from the parking and loading requirements of Sections 280-49(F), 280-103 and 280-104 of the Zoning Code. The balance of the conditions regarding the property are existing nonconforming conditions. To the extent that a special exception or variances are required from the conversion provisions of Section 280-45, or variances are required from the dimensional requirements of Section 280-48 and special regulations of Section 280-49, such approvals and relief are respectfully requested.