



Community Development  
Department

**ZONING HEARING BOARD AGENDA**

**REVISED SEPTEMBER 4, 2013**

**Thursday, September 19, 2013  
7: 30 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. Appeal 2896 - 200 W. Lancaster Avenue - **Violation letters rescinded - Appeal withdrawn**

The Applicant, Lucky Dog Enterprises, LLC d/b/a White Dog, property located at 200 W. Lancaster Avenue and zoned WBOD is appealing the June 18, 2013 Enforcement Notice temporarily suspending Lucky Dog Enterprises' outdoor dining license.

4. Appeal 2897 - 200 W. Lancaster Avenue - **Violation letters rescinded - Appeal withdrawn**

The Applicant, Lucky Dog Enterprises, LLC d/b/a White Dog, property located at 200 W. Lancaster Avenue and zoned WBOD is appealing the June 14, 2013 Enforcement Notice regarding amplified music

5. Appeal 2898 - 200 W. Lancaster Avenue - **Violation letters rescinded - Appeal withdrawn**

The Applicant, Lucky Dog Enterprises, LLC d/b/a White Dog, property located at 200 W. Lancaster Avenue and zoned WBOD is appealing the June 14, 2013 Enforcement Notice regarding parking related to the outdoor dining area.

6. Appeal 2899 - 14 Oakford Road

The Applicant, Champion Window Company of Delaware Valley Inc., property located at 14 Oakford Road and zoned R3 is seeking relief from section 280-25.E for a rear yard setback of 33.50 feet where 35 feet is required.



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**Thursday, September 19, 2013  
7: 30 P.M.**

7. Appeal 2900 - Villanova Train Station (to be continued to the October 17, 2013 meeting)

The applicant, SEPTA, property located at the Villanova Train Station and zoned PI is seeking a variance from Section 280-4(B) regarding parking space, Section 280-69.B in regard to impervious coverage, and an interpretation from the Zoning Hearing Board in regard to existing setbacks being pre-existing nonconformities or in the alternative, the applicant may seek a variance from Section 280-69.E(3) regarding setbacks.

8. Appeal 2901 - 620 West Wayne Avenue

The applicant, Chad and Elisabeth Slate, property located at 620 West Wayne Avenue and zoned R1, is seeking a variance from Section 280-15E in regard to setbacks.

*The next meeting of the ZHB is scheduled for October 17, 2013 at 7:30 p.m. Applications for the October 17, 2103 meeting must be submitted on or before September 17, 2013.*

**ZONING HEARING BOARD APPLICATION**

**TOWNSHIP OF RADNOR**

**301 IVEN AVENUE**

**WAYNE, PA 19087**

**610-688-5600**

**FAX: 610-971-0450**

www.radnor.com

<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>2899</u>
FEE: <u>\$1550</u>
DATE RECEIVED: <u>8/14/13</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: 14 Oakford Rd Wayne Pa 19087

Name of applicant: Champion Window company of Delaware Valley Inc.

Telephone number: 856-662-3400 Email: \_\_\_\_\_

Property Owner (if different than above): Bob and Nancy Devos

Property address: 14 Oakford Rd Wayne Pa 19087

Telephone number: 610-687-3982 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)

Seeking De Minimis relief from section 280.25-E for a rear yard setback of 33.50' where 35' is required for a R-3 Zone

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)

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Construction of a 3 season sunroom on an existing non conforming rear yard 20'x10' concrete rear porch. The rear porch currently has a rear yard setback of 34.56' whereas a 35' setback is required. Also construct a wooden deck 7x12' attached to concrete patio/porch will have a setback of 33.50'. The Lot is on a corner and is irregularly shaped and the home is set at an angle and has a 40.92 Front yard setback, where as in a R-3 Zone 35' is required. IF the home was set at the 35' Front yard requirement The non conforming condition in the rear of the home would be an Issue, and would be at a 38.50' Rear yard setback.

**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.**

Witnesses to give testimony:

#1 Mr + Mrs Bob and Nancy Devos Homeowner

#2 Raymond Tomlin Jr. contractor

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**301 IVEN AVENUE**  
**WAYNE, PA 19087**  
**610-688-5600**  
**FAX: 610-971-0450**  
www.radnor.com

<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>2901</u>
FEE: _____
DATE RECEIVED: _____

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

\*\*\*\*\*  
PLEASE TYPE OR PRINT

Property address: 620 West Wayne Avenue, Wayne, PA

Name of applicant: Chad and Elisabeth Slate

Telephone number: \_\_\_\_\_ Email: slatecd@paslate.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's property is a corner lot with two front yards and a rear yard which is non-conforming as to the required rear yard setback. Applicant seeks a variance from Section 280-15E to construct a deck which partially will not increase the existing non-conformity and will partially intrude into the required rear yard setback. In the alternative, Applicant contends that the relief is permitted as of right since the yard where the deck is located is a side and not a rear yard, or requests such other relief as may be required.

**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 a corner lot zoned R-1 Residential. The Property is currently non-conforming regarding the rear yard setback. Applicant wishes to construct a deck which is partially within the existing non-conformity and partially into the required rear yard setback. If the rear yard was considered a side yard the Property would be in full compliance with all Zoning requirements.

**List of Witnesses and Summary of Testimony:**

Applicant will testify as to existing conditions and proposed improvements.  
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,
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