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**Date:** February 12, 2021

**To:** Steve Norcini, PE Township Engineer

**From:** Roger Phillips, PE

**cc:** Kevin W. Kochanski, RLA, CZO – Director of Community Development  
Mary Eberle, Esq. – Grim, Biehn, and Thatcher  
Damon Drummond, P.E. – Gilmore & Associates, Inc.  
Patricia Sherwin – Radnor Township Engineering Department

**RE:** 812-822 Glenbrook Avenue - Final Land Development Plan  
Tim Rubin– Applicant

Date Accepted: February 1, 2021

90 Day Review: May 2, 2021

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Gannett Fleming, Inc. has completed a review of the Final Land Development Plan for compliance with the Radnor Township Code. These Plans were reviewed for conformance with Zoning, Subdivision and Land Development, and other applicable codes of the Township of Radnor.

The applicant is proposing to re-construct an existing mixed-use building with 2 residential units and a day care to a new building with 3 residential units. This project is located in the C-1 district of the Township.

The applicant was before the Zoning Hearing Board on October 17, 2019. We have attached a copy of the Zoning Hearing Board decision. The Zoning Hearing Board order is as follows:

1. This application involves the premises located at 812-814 Glenbrook Avenue and zoned CI Commercial ("Premises").
2. Testimony and evidence on this application was presented at the properly noticed hearing held on October 17, 2019.
3. Applicant's Exhibits A-1 through A-12 were entered into the record at the October 17, 2019 hearing. (October 17, 2019 Hearing Transcript, 50:8-14).

The applicant has indicated on the plans that the following waiver, which was approved during the preliminary plan process, is being requested:

1. §250-21.B(1)(n) – For features within 500 feet of the site aerial map shown on the plan with features.

Gannett Fleming, Inc.

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812-822 Glenbrook Ave – Land Development Plan

Plans Prepared By: Schock Group LLC

Dated: 01/21/2021

Sewage Facilities Planning

1. Final plan approval will not be granted until Planning Approval is received from the PA DEP. The applicant has indicated they have requested capacity certifications from the downstream conveyance facilities.

Subdivision and Land Development

1. §250-21.B(1)(n) – Existing principal buildings (and their respective uses) and driveways on the adjacent peripheral strip. Sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site (this includes properties across streets) must be shown on the plans. The applicant has added part of the information to the vicinity plan. The applicant has requested a waiver from this requirement.

General

1. The applicant must record a copy of the consolidated deed that was prepared for the lot consolidation plan in 2016.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.  
Senior Project Manager

**RADNOR TOWNSHIP ZONING HEARING BOARD**

**APPEAL NO. 3046**

APPEAL OF Glenbrook Avenue Investors, LLC, premises located at 812-814 Glenbrook Avenue and zoned C1 Commercial (“C1”).

**DECISION OF THE ZONING HEARING BOARD**

**Relief Requested**

1. Applicant seeks permission to add an additional apartment to its previously approved two-unit apartment building.
2. Applicant intends to raze the existing building and reconstruct it in its same location and dimensions.
3. Applicant requests a special exception under Section 280-101(A)(1) or 280-101(A)(2) of the Zoning Code to expand an existing nonconforming use, a modification of previously granted relief, or a variance pursuant to Section 280-47 of the Code.
4. Applicant also requests such other relief as required in accordance with the Plans and Exhibits presented to the Zoning Hearing Board.

**Findings of Fact**

1. This application involves the premises located at 812-814 Glenbrook Avenue and zoned C1 Commercial (“Premises”).
2. Testimony and evidence on this application was presented at the properly noticed hearing held on October 17, 2019.
3. Applicant’s Exhibits A-1 through A-12 were entered into the record at the October 17, 2019 hearing. (October 17, 2019 Hearing Transcript, 50:8-14).
4. The applicant’s testimony and exhibits establish that during the previous owners’ possession, the existing wood building was damaged by water infiltration and is now structurally unsound. (*Id.*, 12:13 – 13:15, and 14:16 – 15:14, Exh. A-9).
5. The Premises is located adjacent to public rail transportation. (*Id.*, 11:1 – 11:7).
6. The rental market at this location is more conducive to the existing building being used as a three-unit building as opposed to a two-unit building. (*Id.*, 13:16).
7. The granting of this application will further the public’s interest by providing more moderate-priced housing in the Township. (*Id.*, 51:21 – 52:5).

**Conclusions of Law**

1. The Premises is nonconforming in its front and side yard setbacks.
2. The granting of relief, subject to the conditions set forth below, will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use of adjacent properties, nor be a detriment to the public welfare. This is evidenced by the lack of any public or Township objection to the requested relief, subject to the conditions set forth below.
3. The granting of relief, subject to the conditions set forth below, represents the minimum relief that will afford the Applicant's request.
4. The conditions set forth below to the Board's grant of a special exception are necessary to implement the purposes of the Municipal Planning Code and the Zoning Ordinance.

**Order**

Based on the record before the Board, the applicant is hereby **GRANTED** the following special exception:

1. A special exception is **GRANTED**, pursuant to Code Sections 280-101(A)(1) and 280-101(A)(2), to permit the expansion of the nonconforming use of the existing building (Premises C depicted on Applicant's Exhibit "A-12") from a two-unit building to its use as a three-unit building, consistent with the testimony presented, with the following limitations:
  - a. The proposed new structure replacing the existing building shall be on the same footprint as the existing building; and
  - b. The square footage of the new building, including parking, shall be no greater than the existing building.
2. Relief is granted only with respect to Zoning Code Sections 280-101(A)(1) and 280-101(A)(2).
3. No relief is granted with respect to any other provisions of the Zoning Code.

**BY ORDER OF THE ZONING HEARING BOARD**

/s/ **JOHN REILLY, CHAIRMAN**

/s/ **WILLIAM F. MARTIN**

/s/ **SCOTT SIMON**

/s/ **RICHARD J. WEITZMAN**

**Vice Chairman George F. Nagle is opposed to this Decision.**

**Alternate Board Member Jamie Forman was present but did not vote on this Application. Board Member Bradley Delizia was absent during this hearing.**

DATED: October 17, 2019

MAILED: November 25, 2019

THIS DECISION WILL EXPIRE IF THE APPLICANTS FAIL TO OBTAIN A BUILDING PERMIT WITHIN SIX MONTHS OF THIS DATE: November 25, 2019.