

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
10-01-2008 / PART II GENERAL LEGISLATION / Chapter 178, HISTORIC
DISTRICTS**

Chapter 178, HISTORIC DISTRICTS

[HISTORY: Adopted by the Board of Commissioners of the Township of Radnor 11-28-2005 by Ord. No. 2005-27; amended in its entirety 7-16-2007 by Ord. No. 2007-29.^{EN(1)} Amendments noted where applicable.]

GENERAL REFERENCES

Existing buildings -- See Ch. 132.

Design review -- See Ch. 150.

Zoning -- See Ch. 280.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
10-01-2008 / PART II GENERAL LEGISLATION / Chapter 178, HISTORIC
DISTRICTS / § 178-1 Title.**

§ 178-1 Title.

This chapter shall be known and cited as the "Historic Districts Ordinance" of the Township of Radnor, Delaware County, Pennsylvania.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
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DISTRICTS / § 178-2 Authority.**

§ 178-2 Authority.

This chapter is established pursuant to authority contained in the Pennsylvania Act of June 13, 1961, No. 167, as amended.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
10-01-2008 / PART II GENERAL LEGISLATION / Chapter 178, HISTORIC
DISTRICTS / § 178-3 Intent.**

§ 178-3 Intent.

This chapter is enacted for the purpose of protecting historic areas located within Radnor Township, identified as the "Radnor Historic Districts." This chapter is intended to protect and enhance the North Wayne Historic District, the Louella Court Historic District, and the South Wayne Historic District for the educational, cultural, economic, and general welfare of the public through preservation, protection, and regulation of buildings of historic interest or importance within the Districts. It is the further intent of this chapter to safeguard elements of architectural history throughout the Districts which have been determined to be of historic significance.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
10-01-2008 / PART II GENERAL LEGISLATION / Chapter 178, HISTORIC
DISTRICTS / § 178-4 Definitions.**

§ 178-4 Definitions.

As used in this chapter, the following terms shall have the meanings indicated, unless otherwise expressly stated. Applicable regulations in conjunction with these definitions shall be complied with.

ADDITION -- An extension or increase in the footprint, floor area, or height of the principal building or an accessory building.

APPLICANT -- Any individual, firm, association, partnership, corporation or other legal entity which shall be required to make application under this chapter.

BOARD OF COMMISSIONERS -- The Board of Commissioners of the Township of Radnor.

BUILDING -- Any combination of approved materials to form construction for occupancy and/or use.

BUILDING, ACCESSORY -- A building that is not a principal building on a lot and which is used for purposes that are entirely incidental and subordinate to those of the principal building. For purposes of this definition, garden sheds, bathhouses, and similar types of buildings shall not be included under the terms of this definition.

BUILDING, PRINCIPAL -- The main building on a lot or any building that is not an accessory building. Every single-dwelling, two-family, multifamily or nonresidential building shall be construed as a principal building for the purposes of this chapter.

CERTIFICATE OF APPROPRIATENESS -- The approval by the Township that certifies to the historical appropriateness of a particular request for the erection, addition or demolition of all or

part of a building within an historic district and authorizes the application for required permits.

DEMOLITION -- The dismantling or tearing down of all or part of any building.

DEPARTMENT -- The Community Development Department or other department designated by the Township Manager.

DIRECTOR -- The Director of Community Development of the Township or other employee designated by the Township Manager.

DISTRICTS -- The North Wayne Historic District, the Louella Court Historic District, and the South Wayne Historic District, as set forth under the provisions of this chapter.

ERECTION -- The construction of a principal building, addition or accessory building under the provisions of this chapter.

HARB -- The Board of Historical and Architectural Review as appointed by the Board of Commissioners.

TOWNSHIP -- The Township of Radnor, Delaware County, Pennsylvania.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
10-01-2008 / PART II GENERAL LEGISLATION / Chapter 178, HISTORIC
DISTRICTS / § 178-5 Applicability; certificate of appropriateness required.**

§ 178-5 Applicability; certificate of appropriateness required.

- A. The provisions of this chapter shall apply only to property within the North Wayne Historic District, the Louella Court Historic District, and the South Wayne Historic District, as certified by the Pennsylvania Historical and Museum Commission in accordance with the Act of June 13, 1961, P.L. 282, as amended, 53 P.S. § 8001 et seq. "An Act authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries; providing for the appointment of Boards of Architectural Review; empowering governing bodies of political subdivisions to protect distinctive historical character of these districts and to regulate the erection, restoration, demolition or razing of buildings within historic districts."
- B. The boundaries of the North Wayne Historic District, the Louella Court Historic District, and the South Wayne Historic District shall be designated on the Historic Resources Map that shall be available for public inspection at the Township Municipal Building and is attached as Exhibit A to this ordinance.
- C. No principal building or accessory building shall be erected, altered by addition, or

demolished, in whole or part, without full compliance with the provisions of this chapter and other applicable regulations of the Township.

- D. No person shall commence any work for the erection, addition or demolition of any principal building, addition or accessory building in whole or in part without obtaining a certificate of appropriateness as provided hereinafter.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
10-01-2008 / PART II GENERAL LEGISLATION / Chapter 178, HISTORIC
DISTRICTS / § 178-6 Board of Historical Architectural Review.**

§ 178-6 Board of Historical Architectural Review.

- A. Establishment. The Board of Commissioners hereby establishes a Board of Historical Architectural Review (HARB) for the purposes of administering the provisions of this chapter.
- B. Membership. The HARB shall be residents of the Township and consist of five members who shall, at the discretion of the Board, preferably include the following: one registered architect; one licensed real estate broker; and one person with technical knowledge in the field of building codes and inspections in the construction industry. The remaining two members shall have knowledge and interest in the preservation of historic districts.
- C. Terms of office. The term of office shall be for a period of five years. As first established, the Board of Commissioners shall appoint one member to serve for a period of three years, two members to serve for a period of four years, and two members to serve for periods of five years. Vacancies on the HARB shall be filled by the Board of Commissioners.
- D. Rules. The HARB shall elect from its membership a Chair and adopt rules and regulations to conduct business. Three members shall constitute a quorum. Approval, conditional approval, or denial of an application shall be by majority vote. A tie vote shall constitute a denial of an application.
- E. Meetings. The HARB shall schedule public meetings on a regular basis, or meetings shall be at the call of the Chair.
- F. Records. Records of all business transacted shall be filed in the Department. An annual report shall be filed following December 31, or at the request of the Board of Commissioners.
- G. Responsibilities. The HARB shall serve as an advisory body to the Board of Commissioners regarding the issuance of a certificate of appropriateness in accordance with the provisions of

this chapter.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
10-01-2008 / PART II GENERAL LEGISLATION / Chapter 178, HISTORIC
DISTRICTS / § 178-7 Design guidelines.**

§ 178-7 Design guidelines.

In reviewing applications for the issuance of a certificate of appropriateness, the HARB shall consider only those matters that are pertinent to the preservation of the historical aspects of each of the districts certified to have historical significance, including the following:

- A. Historical values representing the cultural, political, economic or social history of the Township.
- B. Relationship of the building to historic personages or events.
- C. Character-defining development patterns:
 - (1) The Louella Court District's overall development pattern is a prominent, focal, large estate building in the center of a ring of smaller homes, sharing a particular range of scale, with a central boulevard circulation pattern leading up to the middle of the front facade of the focal building.
 - (2) The North Wayne District's overall development pattern is a multiple block grid street pattern of street-facing homes of varying scales that mainly share a common range of front setbacks.
 - (3) The South Wayne District's overall development pattern is a multiple block grid and curvilinear street pattern of street-facing homes of varying scales that mainly share a range of common front setbacks.
- D. Significant architectural features of a certain historical period and type of construction:
 - (1) The Louella Court District includes mainly mid to late 19th Century and 1900s through 1930s design styles and features.
 - (2) The North Wayne District includes mainly 1870s to 1910s design styles and features.
 - (3) The South Wayne District includes mainly 1870s to 1910s design styles and features.
- E. Architectural additions and features proposed by the applicant.
- F. Design of the building as it relates to the historic character of the district. Consideration may

be given to the following in evaluating applications:

- (1) Preserving the overall relationship between the width of the front of the building and the height of the front of the building.
- (2) Preserving the overall relationship amongst the buildings within each district's development pattern.
- (3) Preserving the overall relationship of width to height of windows and doors.
- (4) Preserving the existing entrances or projections where possible or, if altering them, maintaining a pedestrian scale.
- (5) Preserving the architectural details of the building, including but not limited to cornices, roof pediments, lintels, arches, balustrades and chimneys.
- (6) Preserving roof shapes, such as gable, mansard, hip, flat, and/or other roof shapes.
- (7) Preserving compatibility with surrounding buildings in each district.
- (8) Making every attempt, if making horizontal or vertical additions, to retain architectural details.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
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DISTRICTS / § 178-8 Application review procedure.**

§ 178-8 Application review procedure.

- A. Applications. Prior to the filing of an application, Township staff may meet with applicants and refer them to design standards and guidelines adopted by the Township. Upon the filing of an application, the Director shall review the application to determine if it is subject to review by the HARB under the provisions of this chapter. Applications shall be filed with the Director 15 calendar days prior to the meeting of the HARB, on forms provided by the Department. The Director shall review the application to certify all required information has been submitted and refer same to the HARB for consideration at its next meeting. Incomplete applications shall be rejected and returned to the applicant. Where the HARB fails to take action on an application within 45 calendar days from the date of submission, such application shall be deemed approved unless the applicant has agreed, in writing, to an extension of time.
- B. If the application of a commercially-zoned property which is located within a district is under review by the Design Review Board, then one or more members of the HARB shall be

permitted to participate in that portion of the Design Review Board meeting at which said application is being reviewed and to make whatever recommendations consistent with this chapter for the Design Review Board's consideration of that application.

- C. Required information. Applications shall contain the name and address of the owner, name of the applicant if different than the owner, address of the property, description of the work, and any other information, where relevant, which the Director may require in order to process the application. Applications shall also be accompanied by the following information, required to review the application:
- (1) Site plans drawn to scale prepared by an engineer or surveyor registered in the Commonwealth of Pennsylvania.
 - (2) Architectural plans prepared by a registered architect or engineer, including building elevations where necessary, of the proposed construction drawn to scale, and such other information which the HARB may require to review the application consistent with the terms of this chapter.
 - (3) The HARB shall retain the right to waive the requirements of professionally prepared construction documents described in Subsection C(1) and (2) above where, in the HARB's judgment, the scope of the project does not warrant such documentation.
- D. Review of applications. In determining whether to recommend approval of an application, the HARB shall consider the design guidelines set forth in § 178-7 of this chapter and such other guidelines developed by the HARB pursuant to the objectives of this chapter. Applicant will allow access to the subject property by HARB members for inspection of the project at such reasonable times and upon reasonable notice and confirmation of said notice by the applicant.
- E. Time frame for HARB decisions. Within 10 calendar days following the final review of an application by the HARB, a written communication shall be forwarded to the applicant recommending the following:
- (1) Approval of the application as submitted.
 - (2) Approval of the application subject to changes and conditions not included in the application as submitted. Failure by the applicant to accept conditions of approval shall be deemed a denial of the application.
 - (3) Denial of an application, setting forth the reasons for such denial based upon the provisions of this chapter.
 - (4) The date on which such application will be considered by the Board of Commissioners.

- F. Report to the Board of Commissioners. Within 30 days following HARB's final review of an application, a report of HARB's recommendations shall be provided to the Board of Commissioners. Such report shall include the name of the applicant, the address of the property, the nature of improvements, and any other information the Board may require.
- G. The Board of Commissioners shall either:
- (1) Approve the certificate of appropriateness consistent with action taken by the HARB and authorize a certificate of appropriateness for building.
 - (2) Approve the application and authorize a certificate of appropriateness for building with modifications to the HARB recommendation.
 - (3) Reverse the recommendation of the HARB.
- H. Where an application is modified or denied by the Board, the applicant shall be notified in writing of the reasons for such action and advised of its right of appeal under provisions of this chapter.

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DISTRICTS / § 178-9 Enforcement.**

§ 178-9 Enforcement.

The Director shall be responsible for the enforcement of the provisions of this chapter and shall review the progress of the building and report to the Board of Commissioners and to the HARB as may be necessary to ensure compliance with this chapter.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
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DISTRICTS / § 178-10 Inapplicability.**

§ 178-10 Inapplicability.

This chapter shall not apply to any development or land disturbance occurring after its effective date to a development or land disturbance that:

- A. Is covered by a valid, unexpired plat in accordance with development regulations.
- B. Is covered by a current, executed public works agreement.

C. Is covered by a valid, unexpired Zoning Hearing Board approval or building permit.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
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DISTRICTS / § 178-11 Violations and penalties.**

§ 178-11 Violations and penalties.

Any individual, firm, association, partnership, corporation, or other legal entity which shall violate any provision of this chapter shall, upon conviction thereof, be subject to a fine of not more than \$1,000. Each day that a violation continues shall be deemed a separate offense.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
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DISTRICTS / § 178-12 Fees.**

§ 178-12 Fees.

Fees for the administration of this chapter shall be charged in accordance with the fee schedule set forth in Chapter 162, Fees, of the Township Code.

**CODE OF THE TOWNSHIP OF RADNOR PENNSYLVANIA, v104 Updated
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DISTRICTS / § 178-13 Severability.**

§ 178-13 Severability.

The provisions of this ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this section. It is hereby declared to be the intent of the Board of Commissioners that this section would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included.

Endnotes

1 (Popup - Popup)

Editor's Note: This ordinance has an effective date "90 days following enactment."