



Community Development Department

ZONING HEARING BOARD AGENDA

Thursday, September 23, 2021

7: 00 P.M.

1. Call to Order

2. Pledge of Allegiance

3. APPEAL #3089

The Applicant/Owner, property located at 471 Barclay Road, request an extension of time for obtaining a permit under Section 280-144 of the Code for an additional six (6) months to March 23, 2022.

4. APPEAL #3090

The Applicant, Radnor Rockwell LLC, property located at 1001 Eagle Road (36020097800) and zoned PI Planned Institutional. The Applicant seeks a special exception from Section 280-68.B to re-develop the subject property with a home for the aged and life care residence.

5. APPEAL #3105

The Applicant, David and Jennifer Fox, property located at 207 Ravenscliff Road and zoned AC-DM Agricultural Conservancy – Density Modification. The Applicants seek a variance from Section 280-112 of the Code to disturb areas of steep slopes to construct a swimming pool, spa and patio. The proposed improvements cannot be constructed without disturbing certain areas of steep slopes.

6. APPEAL #3106

The Applicant, Allison Moraca and Lee Satanoff, property located at 419 Oak Lane and zoned R2 Residential. The Property is legally nonconforming as to the lot area requirement. Applicant seeks a variance, and/or a de minimis variance from Section 280-20B of the Code to construct an addition to the rear of the home which will increase the building area by 217 square feet and exceed the required Building Area requirement by 1.7%. Applicant also requests such other relief as may be necessary consistent with the Exhibits and testimony presented at the Zoning Hearing.

7. APPEAL #3107

The Applicant, Sarah Mann, property located at 459 Sproul Road and zoned R1 Residential. The Property is surrounded by commercial and other non-residential uses, as well as Interstate 476. Pursuant to a variance from the Zoning Hearing Board received in 2008 the Property is currently used as a Montessori School. The Applicant proposes to use the building as chiropractic offices. The Applicant requests a variance from Section 280-14 of the Code to convert the use of the Property to chiropractic offices, or a special exception under Section 280-101(A)(1) for a conversion from one non-conforming use to another non-conforming use. Applicant also requests such other relief consistent with the Exhibits and testimony presented at the Zoning Hearing.

The next meeting of the ZHB is scheduled for October 21, 2021. Applications for the October 21, 2021 meeting must be submitted on or before September 21, 2021.

ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

TOWNSHIP USE ONLY
APPEAL # <u>3090</u>
FEE: _____
DATE RECEIVED: _____

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) 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.*

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 1001 Eagle Road, Wayne, PA 19087

Name and address of Applicant: Rockwell Radnor, LLC (c/o Mr. Greg Lingo)
124 East State Street, Media, PA 19063

Telephone Number: (302) 367-6648 Email: greg@rockwelldevelopmentgroup.com

Property Owner (if different than above): Valley Forge Military Academy Foundation (c/o Mr. John English)

Owner address: 1001 Eagle Road, Wayne, PA 19087

Telephone number: (610) 989-1200 Email: _____



Attorney's name: George W. Broseman, Esq.

Address: Kaplin Stewart - 910 Harvest Drive, P.O. Box 3037, Blue Bell, PA 19422

Telephone number: (610) 260-6000 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)*

The PI Planned Institutional District permits institutional uses including an institution or home for the aged, a convalescent home, nursing home or similar health facility, when authorized as a special exception by the Zoning Hearing Board. Accordingly, Applicant seeks a special exception under § 280-68.B. of the Radnor Township Code for approval to redevelop the Property as a home for the aged/life care residence. Please see attached addendum.

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

Applicant is not aware of any previous decisions pertaining to the Property.

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

Applicant proposes to redevelop the Property as a home for the aged / life care residence. Please see attached addendum for additional details

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. 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 any degree of compliance or 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

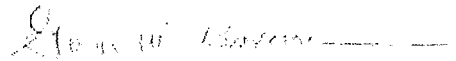
2. List of witnesses and summary of their testimony attached. - Please see attached addendum.
3. Photographs of the property at issue and all adjoining properties. - Please see attached addendum.
4. Copies of any written professional reports, including traffic studies, land planning studies,

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*). - None at present. Will be provided, if applicable.

5. 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 an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*). - Please see Exhibit "A" & Exhibit "B" to attached addendum.

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the 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* This application involves a lot line change and ultimately, a land development.
2. 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 before the hearing*). To be determined.
3. 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 either in the appeal being continued, or being dismissed, at the discretion of the Board*) Yes.



SIGNATURE OF APPLICANT

by: George W. Broseman, Esq., Counsel for Applicant

AN ADDITIONAL FEE OF \$200 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

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

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TOWNSHIP USE ONLY
APPEAL # <u>3105</u>
FEE: _____
DATE RECEIVED: _____

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) 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.

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 207 Ravenscliff Road, Wayne, PA 19087

Name and address of Applicant: David and Jennifer Fox

207 Ravenscliff Road, Wayne, PA 19087

Telephone Number: 610-453-3917 Email: david.francis.fox@gmail.com

Property Owner (if different than above): _____

Owner address: _____

Telephone number: _____ Email: _____



Attorney's name: Jamie Jun, Fromhold Jaffe & Adams

Address: 795 East Lancaster Avenue, Suite 260, Villanova, PA 19085

Telephone number: 610-527-9100 Email: jj@fromholdjaffe.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)*

Applicants propose to construct a new swimming pool, spa, swimming pool patio, and related improvements. In connection with these proposed improvements, applicants seek a variance from Code § 280-112 to disturb areas of steep slopes. Due to the existing grading and location of existing site improvements, the proposed improvements cannot be constructed without disturbing certain areas of steep slopes. The steep slopes to be disturbed appear to have been created after the lot was subdivided and the existing improvements constructed. The proposed improvements will not have any adverse impact on public health, safety, or welfare.

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

There are no previous decisions by the Zoning Hearing Board.

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

A new swimming pool, spa, and swimming pool patio are proposed to be constructed to the rear of the lot. A new stormwater management facility is proposed to be constructed in the front of the lot. The proposed improvements are shown on the enclosed Grading Permit Plans prepared by Momenee, Inc. dated June 9, 2021, last revised August 10, 2021. (See Sheet 2 of 5)

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. **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 any degree of compliance or 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

2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any 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*).

5. 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 an appeal, or must be accompanied by a by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the 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*
2. 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 before the hearing*).
3. 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 either in the appeal being continued, or being dismissed, at the discretion of the Board*)



SIGNATURE OF APPLICANT

AN ADDITIONAL FEE OF \$200 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
TOWNSHIP OF RADNOR
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WAYNE, PA 19087
610-688-5600
FAX: 610-971-0450
www.radnor.com
www.radnor.com

TOWNSHIP USE ONLY
APPEAL # <u>3106</u>
FEE: _____
DATE RECEIVED: _____

GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) 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.*

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 419 Oak Lane, Wayne, PA 19087

Name and address of Applicant: Allison Moraca and Lee Satanoff
409 Oak Lane, Wayne, PA 19087

Telephone Number: 484-209-0852 Email: lee@satanoffagency.com

Property Owner (if different than above): _____

Owner address: _____

Telephone number: _____ Email: _____



Attorney's name: Nicholas J. Caniglia, Esquire

Address: 125 Strafford Avenue, Suite 110, Wayne, PA 19087

Telephone number: 610-688-2626 Email: Nick@pierceanigliataylor.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)*

The Property is zoned R-2. The Property is legally nonconforming as to the lot area requirement. Applicant seeks to construct an addition to the rear of their home which will increase the building area by 217 square feet and exceed the required Building Area requirement by 1.7%. Applicant seeks a variance, and/or a de minimis variance, from Section 280-20B of the Zoning Code relating to the Building Area requirement. Applicant also requests such other relief as may be necessary consistent with the Exhibits and testimony presented at the Zoning Hearing.

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

Appeal of Craig Snider, Appeal Number 2384, dated August 5, 1999. Approved addition to building non-conforming as to side-yard setbacks and building area. Board granted relief to increase Building Coverage to 20.5% from the existing non-conformity of 19.9%. Applicant never constructed to the Building Coverage permitted by the variance and, in fact, reduced the Building Coverage to the now existing 18.2%. See Exhibit A-9.

Appeal of Richard and Jackie Reinish, Appeal Number 2950, dated August 25, 2015. Applicant sought to attach the existing residence to the existing detached garage which would have created a side yard setback of 2 feet. The Application was denied.

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

The Property is zoned R-2. The Property is legally non-conforming as to Lot Area, Lot Width, and Building Coverage. The Lot Area of the Property is 13,500 square feet (20,000 SF required) with a lot width of 60 feet (100' required). The lot is the smallest lot on the block (See Exhibit A-4). The Applicant proposes an addition to the rear of their home in order to enlarge an undersized kitchen. The proposed addition increases the building area by 217 square feet and squares-off the rear structure of the home. The current Building Area is legally non-conforming at 18.2%. The proposed total Building Area (including detached garage) is 19.7% of the Lot Area. The R-2 Zoning District requires that the Building Area not exceed 18% of the Lot Area. In 1999 the prior owner of the Property received a variance to increase the building area to 20.5%. That project was never completed in full and, in fact, the building area was reduced from the prior 19.9% to the current 18.2%.

Witnesses:

Applicant will describe the property and the proposed addition.

Applicant reserves the right to call other witnesses at the time of the hearing.

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. 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 any degree of compliance or 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 1/4" X 11" AT FILING

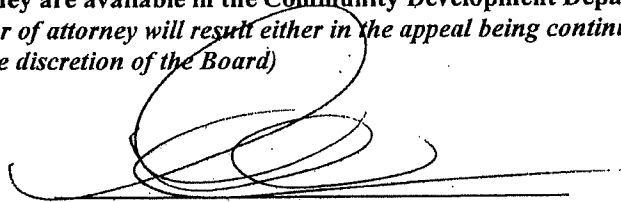
2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

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*).

5. 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 an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the 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*
2. 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 before the hearing*).
3. 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 either in the appeal being continued, or being dismissed, at the discretion of the Board*)



SIGNATURE OF APPLICANT

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ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

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WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

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TOWNSHIP USE ONLY
APPEAL # <u>3107</u>
FEE: _____
DATE RECEIVED: _____

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REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 459 Sproul Road

Name and address of Applicant: Sarah Mann
118 Radnor Avenue, Villanova, PA 19087

Telephone Number: 215-847-0842 Email: sarahmann@centercitymortgage.com

Property Owner (if different than above): Pamela Haigh

Owner address: _____

Telephone number: 267-251-6332 Email: PHaigh2417@verizon.net



Attorney's name: Nicholas J. Caniglia, Esquire

Address: 125 Strafford Avenue, Suite 110, Wayne, PA 19087

Telephone number: 610-688-2626 Email: Nick@piercecanigliataylor.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)*

The Property is zoned R-1 but is surrounded by commercial and other non-residential uses, as well as Interstate 476. Pursuant to a variance from the Zoning Hearing Board received in 2008 the Property is currently used as a Montessori school. Applicant has entered into an Agreement of Sale for the Property and proposes to use the building as chiropractic offices. There are no proposed additions to the structure and no proposed additional impervious coverage. Applicant requests a variance from §280-14 of the Zoning Code to convert the use of the Property to chiropractic offices, or a special exception under §280-101(A)(1) for a conversion from one non-conforming use to another non-conforming use. Applicant also requests such other relief consistent with the Exhibits and testimony presented at the Zoning Hearing.

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 2776 dated June 26, 2008 attached as Exhibit A-6.

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

The Property is zoned R-1. It is immediately adjacent to Conestoga Swim Club and the Blue Route (See, Exhibit A-5). In 2008 the Zoning Board granted a variance (Exhibit A-6) to the current owner to operate a Montessori School, which has occupied the site since that time. Applicant has entered into an Agreement of Sale to purchase the Property contingent on zoning approval for the conversion of the premises to chiropractic offices. The Property is in the flood plain. No additions are proposed to the building and the Applicant proposes no changes to the current impervious coverage.

Witnesses:

Applicant will describe the property and the proposed addition.

Current Owner of the Property will describe the current use of the property.

Applicant reserves the right to call other witnesses at the time of the hearing.

ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. 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:
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2. List of witnesses and summary of their testimony attached.
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ADDITIONAL REQUIREMENTS

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