



Community Development Department  
**ZONING HEARING BOARD AGENDA**

**Thursday, October 17, 2019**  
**7: 00 P.M.**

1. Call to Order

2. Pledge of Allegiance

3. **APPEAL #2979**

The Applicant, Scott Emerson, property located at 409, 411 and 413 East Lancaster Avenue request an extension of time for obtaining a permit under Section 280-144 of the Zoning Code for an additional six (6) month extension to March 25, 2020.

4. **APPEAL #3046**

The Applicant, Glenbrook Avenue Investors LLC, property located at 812-814 Glenbrook Avenue and zoned C1 Commercial. Applicant seeks permission to add an additional apartment to its previously approved 2-unit apartment building. The building is nonconforming in its front and side yard setbacks. Applicant intends to raze the existing building which has been damaged by casualty and reconstruct it in its same location and dimensions. Applicant requests a special exception under Section 280-101(A)(1) and/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. Applicant further requests such other relief as required in accordance with the Plans and Exhibits presented to the Zoning Hearing Board.

5. **APPEAL #3049**

The Applicant, Ryan Lovell and Amanda Edgar, property located at 33 Louella Court and zoned R4 Residential. Applicant seeks a variance from the impervious surfaces restriction of Code Section 280-30(F) in order to extend a driveway to the rear of the property and construct a one-car garage and separate space to park a second car. The additional paved area will cause an increase in impervious surface to 56.5%, exceeding the 40% authorized by Code in the R4 District.

**The next meeting of the ZHB is scheduled for November 21, 2019. Applications for the November 21, 2019 meeting must be submitted on or before October 22, 2019.**

**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**

<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>3046</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.

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TYPE OR PRINT

Property Address: 812-814 Glenbrook Avenue, Bryn Mawr, PA

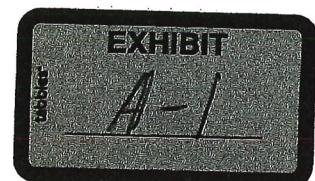
Name and address of Applicant: Glenbrook Avenue Investors LLC  
c/o Tim Rubin, 931 Haverford Road, Bryn Mawr, PA 19010

Telephone Number: 215-341-7518 Email: trubin1206@gmail.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)***

Applicant seeks permission to add an additional apartment to its previously approved 2-unit apartment building. The Building is nonconforming in its front and side yard setbacks. Applicant intends to raze the existing Building which has been damaged by casualty and reconstruct it in its same location and dimensions. Applicant requests a special exception under §280-101(A)(1) and/or §280-101(A)(2) of the Zoning Code to expand an existing non-conforming use, a modification of previously granted relief, or a variance pursuant to §280-47 of the Code. Applicant further requests such other relief as required in accordance with the Plans and Exhibits presented to the Zoning Hearing Board.

**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 2942 dated July 1, 2015 denied relief to convert the existing site consisting of 10 apartments and 17,639 SF of commercial space to 21 apartments and 800 SF of retail and 30 parking spaces.

Appeal Number 2954 dated October 29, 2015 granted relief to permit the construction of 14 apartments and 29 parking spaces.

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

The Property is zoned C-1 Commercial which does not permit residential use. Prior to its recent renovation in 2016, the Premises was legally non-conforming consisting of 4 buildings which were a mix of commercial (17,639 SF) and residential (10 apartments). The Premises was also non-conforming in regards to the required number of on-site parking spaces and remains non-conforming in regards to front and side yard setbacks. Prior zoning relief was granted to renovate the Premises to 14 apartments. The commercial space was removed and the required number of parking spaces was provided.

Applicant seeks to raze one of the existing buildings which has been damaged by casualty (See Exhibit A-9), Opinion of Structural Engineer), and re-construct it in the same location. The Building currently is permitted to house two (2) apartment units. Applicant requests permission to add one additional apartment. Applicant will also provide two (2) additional parking spaces within the structure to provide for the required number of on-site parking spaces.

Witnesses:

Applicant and Project Engineer will describe the Property will describe the Property and the proposal.

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 1/2" 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

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.

Prepared by and Return to:

Brandywine Abstract Company, LP  
615 Old Lancaster Road  
Bryn Mawr, PA 19010  
610-519-9300

File No. BAC15-0091

FOLIO # 36-05-02856-00 (A), 36-05-03031-00 (B),  
36-05-03032-00 (C) and 36-05-03033-00 (D)

*818 - Glenbrook*  
*214 - Bryn Mawr*  
*822 - Glenbrook*  
*814 - Glenbrook*  
This Indenture, made the 18<sup>th</sup> day of April, 2015

Between

**MAIN LINE REALTY CORPORATION, A PENNSYLVANIA NON-PROFIT CORPORATION, FORMERLY KNOWN AS BMH REALTY CORPORATION**

(hereinafter called the Grantor), of the one part, and

**GLENBROOK AVENUE INVESTORS LLC, A PENNSYLVANIA LIMITED LIABILITY COMPANY**

(hereinafter called the Grantee), of the other part,

Witnesseth, that the said Grantor for and in consideration of the sum of **Eight Hundred Thousand And 00/100 Dollars (\$800,000.00)** lawful money of the United States of America, unto it well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee

PREMISES A: Parcel 1

ALL THAT CERTAIN Lot or piece of ground with the buildings and improvements thereon erected, SITUATE in Radnor Township, Delaware County, Pennsylvania, described according to a survey and Plan thereof made by M.R. and J. B. Yerkes, made May 2, 1945 as follows, to wit:

BEGINNING at a point on the North side of Bryn Mawr Avenue (40.0 feet wide) at the distance of 20.0 feet North 8 degrees, 44 minutes West from a point in the middle of Bryn Mawr Avenue, said point is at the distance of 182.33 feet measured South 81 degrees, 16 minutes West from its intersection with the middle of Haverford Road. Thence from the beginning point along the North side of Bryn Mawr Avenue, South 81 degrees, 16 minutes West 40.62 feet to a point; thence partly crossing Bryn Mawr Avenue South 58 degrees, 31 minutes West 41.0 feet to a point; thence leaving Bryn Mawr Avenue by land of Philadelphia and Western Railway the two following courses and distance, (1) North 31 degrees, 03 minutes West 182.76 feet to a point; (2) North 58 degrees, 2 minutes East 44.70 feet to a stone; thence along the Northeast side of a right of way 15.0 feet wide by other land of Anne Vauclain and others the four following courses



# 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



<b>TOWNSHIP USE ONLY</b>
APPEAL # <u>3049</u>
FEE: <u>550</u>
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](http://www.radnor.com) for a copy of our current fees.

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*TYPE OR PRINT*

Property Address: 33 Louella Court, Wayne, PA 19087

Name and address of Applicant: Ryan L. Lovell & Amanda J. Edgar, 33 Louella Court, Wayne

Telephone Number: 717-644-3854 (Ryan) Email: shovell242@gmail.com

Property Owner (if different than above): \_\_\_\_\_

Owner address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

Attorney's name: James J. Greenfield

Address: 669 Mill Road, Villanova, PA 19085

Telephone number: 610-527-0555 Email: greenfieldlaw@comcast.net

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 seek a variance from the impervious surfaces restriction of Code § 280-30(F) in order to extend a driveway to the rear of the property and construct a one-car garage and separate space to park a second car. The additional paved area will cause an increase in impervious surfaces to 56.5%, exceeding the 40% authorized by Code in R-4. A variance is merited because:

1. The lot area of the property is nonconforming, with 3,933 square feet instead of the required 7,000 square feet.
2. The property does not now conform to the Code requirement of two off-street parking spaces. The current pull-in for one car is in the right-of-way and therefore is nonconforming.
3. Current one-car parking is not adequate to accommodate visitors, forcing them to park on-street near a curve with inadequate, possibly dangerous sight lines.
4. The current parking non-conformity can be corrected only by a long driveway with space next to the garage for a second car, which will avoid the shuttling of cars onto the street when one pulls out.
5. The proposed garage is in the only location where it will comply with Code.
6. Applicants are minimizing the degree of relief requested by: extending the paved area for the second car only far enough to allow clearance from the garage, rather than the full length of the garage; limiting the driveway to 8 feet wide near the road; and removing a portion of the existing concrete walk.
7. Nearly all of the single-family properties on Louella Court have garages.

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

None of which applicants are aware at this time. If applicants locate such decisions, they will be presented at the hearing.



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

The existing dwelling is a two-and-a-half story stucco twin home with a footprint of 834 square feet. The proposed garage will have a footprint of 252 square feet. The net addition of impervious surfaces, including the extended driveway and area for parking a second car, will be 871 square feet.

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  - 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**
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Attorney for Applicants  
\_\_\_\_\_  
SIGNATURE OF APPLICANT

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