



Community Development Department
ZONING HEARING BOARD AGENDA

**Thursday October 10, 2017
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 E. Lancaster Ave seek a one year extension of time to obtain permit.

4. **APPEAL #2996**

The Applicant, Brendan Reilly for 400 West Wayne LP, property located at 400 West Wayne Avenue and Zoned C1, seeks a variance from Section 280-103 (B) regarding parking spaces and Section 280-105 (A) regarding separation from street with other effective barrier against traffic of the Zoning Code, to renovate existing storage space to become a conference room for adjoining commercial space.

5. **APPEAL #2997**

The Applicants, Leif Zetterberg and Dr. Eric Zetterberg, property located at 791 Darby-Paoli Road and Zoned R1, seek a variance from Section 280-1 of the Zoning Code to install a second kitchen on the basement level to provide ADA access for aging parents.

6. **APPEAL #2998**

The Applicants, Rich McMonigle and Kathleen Chancler, property located at 428 Louella Avenue and Zoned R2, seek a variance from Section 280-20(D)(1) of the Zoning Code or, alternatively, a variance from section 280-22(B) of the Zoning Code regarding minimum separation between accessory structure and principal building or any other zoning relief required, to install a hot tub.

7. **APPEAL #2999**

The Applicant, Patricia D. McKenna, property located at 333 Chamounix Road and Zoned R1, seek a variance from Section 280-15(D)(1) of the Zoning Code in regards to required side yard setback and any other zoning relief require construct an addition to the corner of their home.

8. **APPEAL#3000**

The Applicant, 157-159 Garrett Avenue, property located at 157-159 Garrett Avenue and Zoned GH-CR, seeks a modification of the Zoning Hearing Board Appeal 2575. Applicant requests removal of the Board's condition which states, "In order to reduce noise emanating from the subject premises, the windows of the subject premises shall be kept closed at all times when the New Restaurant is open for business."

The next meeting of the ZHB is scheduled for October 19, 2017. Applications for the October 19, 2017 meeting must be submitted on or before September 19, 2017.

ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

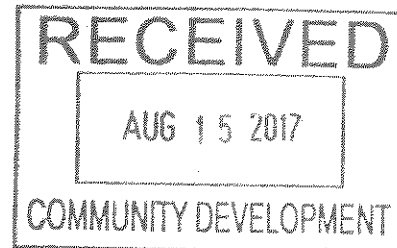
WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com



TOWNSHIP USE ONLY	
APPEAL #	<u>2996</u>
FEE:	<u>900</u>
DATE RECEIVED:	<u>8/15/17</u>

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: 400 West Wayne Avenue Wayne, PA 19087

Name and address of Applicant: Brendan Reilly for 400 West Wayne LP
533 W. Beachtree Ln. Wayne, PA 19087

Telephone Number: (215) 510-2992 Email: brendan@crescentrealestate.net

Property Owner (if different than above): 400 West Wayne LP

Owner address: Same as above

Telephone number: Same as above Email: Same as above

Attorney's name: NA

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)

Variances

Subsection 280-103(B) - Required Parking Spaces

- seeking variance to keep existing 7 parking spaces rather than the 11 required per code. Property consists of 3 residential units (2 bedroom apartments) and commercial space. Existing commercial space is 594 sq ft and will be expanded to 805 sq ft. Existing parking is already a non-conformity. Each residential unit will be allocated 2 spaces. The last space will be used for the commercial space which will house my business.

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

None

Variances (continued from above)

Subsection 280-105(A) Separation from street with other effective barrier against traffic.

- Existing non-conformity

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

Renovate existing storage space to become a conference room for adjoining commercial space. This will result in an increase in commercial space of 211 sq ft. The total commercial sq ft will increase from 594 sq ft to 805 sq ft. Business to occupy commercial space will be Crescent Real Estate. Applicant, Brendan Reilly, is broker/owner. No real estate agents work out of office and business may host 1 or 2 closings per month. Business is currently located in a 500 sq ft. office at 101 E. Lancaster Ave Wayne.

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.

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>2997</u>
FEE: <u>550</u>
DATE RECEIVED: <u>8/22/17</u>

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: 791 Darby-Paoli Road, Bryn Mawr, PA 19010

Name and address of Applicant: Elizabeth Springer
117 Browning Lane, Bryn Mawr, PA 19010

Telephone Number: 610-613-9457 Email: elizabeth@damesdesignllc.com

Property Owner (if different than above): Leif Zetterberg and Dr. Eric Zetterberg

Owner address: 791 Darby-Paoli Road, Bryn Mawr, PA 19010

Telephone number: 267-535-0797 Email: LZetterberg@seic.com

Attorney's name: George Broseman

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

Telephone number: 610-941-2459 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)*

To install a second kitchen on the basement level to provide ADA access for aging parents.

Zoning Code relevant to the appeal: 240-21

DWELLING UNIT

A building or entirely self-contained portion thereof containing complete housekeeping facilities, including not more than one kitchen used exclusively for the residence of one family.

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

n/a

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

Finish off basement of the home with full kitchen for aging parents

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 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

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

TOWNSHIP USE ONLY
APPEAL # <u>2998</u>
FEE: <u>550</u>
DATE RECEIVED: <u>8/20/17</u>

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: 428 Louella Avenue, Wayne, PA

Name and address of Applicant: Rich McMonigle and Kathleen Chancler

428 Louella Avenue, Wayne, PA 19087

Telephone Number: 215-587-1019 Email: RMcMonigle@postschell.com

Property Owner (if different than above): _____

Owner address: _____

Telephone number: _____ Email: _____

Attorney's name: Nicholas J. Caniglia, Esquire

Address: 125 Strafford Ave., 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)*

Property is zoned R-2 Residential. Applicant seeks relief to install a Hot Tub which violates the minimum aggregate side yard setback, although complying with the minimum side yard setback. Applicant seeks a variance from Section 280-20(D)(1) of the Zoning Code or, alternatively, a variance from section 280-22(B) of the Zoning Code regarding minimum separation between accessory structure and principal building. Applicant further seeks any other zoning relief required by this application and the exhibits attached hereto.

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 improvements: (attach additional pages if necessary)

The Premises is zoned R-2 Residential. Applicant seeks to install a Hot Tub on the side of their home. At its closest point the structure will be 20.7 feet from the side property line with an aggregate width of 40.7'. Section 280-20(D)(1) provides that for every single family detached dwelling there shall be two side yards not less than 45 feet in aggregate width with neither side yard less than 20 feet in width. The proposal complies with the minimum individual side yard setback but violates the aggregate side yard requirement. Alternatively, the proposed Hot Tub is an accessory structure since it is not a building. Section 280-22(C) permits accessory structures provided they are 10 feet from the side property line, however, Section 280-22(B) requires a 10 foot minimum separation from the principal building.

List of Witness:

Applicant – Testimony regarding home.

Engineer – Testimony regarding proposed addition.

Applicant reserves the right to call other witnesses at 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 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

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

TOWNSHIP USE ONLY
APPEAL # <u>2999</u>
FEE: <u>550</u>
DATE RECEIVED: <u>8/22/17</u>

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: 333 Chamounix Road, St. Davids, PA 19087

Name and address of Applicant: Patricia D. McKenna, 333 Chamounix Road,
St. Davids, PA 19087

Telephone Number: 610-389-4714 Email: pattydmck@gmail.com

Property Owner (if different than above): _____

Owner address: _____

Telephone number: _____ Email: _____

Attorney's name: Nicholas J. Caniglia, Esquire

Address: 125 Strafford Ave., 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 Premises is zoned R-1 Residential. Applicant's seeks to construct an addition to the corner of their home which will extend the rear line of their home. Applicant seeks a variance from Section 280-15(D)(1) of the Zoning Code in regards to required side yard setback. Applicant also seeks any other relief required under the Zoning Code consistent with the exhibits presented.

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 improvements: (attach additional pages if necessary)

The Premises is Zoned R-1. The property is non-conforming in regards to Minimum Lot Width. The house is situated on the required side yard setback of 25 feet. Applicant proposes an addition which is located 20.56 feet from the side property line. The gross building area of the area within the required setback is approximately 28 square feet. The proposed addition squares off the rear of the home due to the current location of the home (See, Exhibit A-4).

List of Witness:

Owner and her Husband – describing proposed plan.

Applicant reserves the right to call other witnesses at 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 ½" X 11" AT FILING

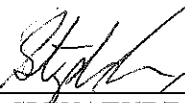
2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

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 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

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

TOWNSHIP USE ONLY
APPEAL # <u>3000</u>
FEE: <u>900</u>
DATE RECEIVED: <u>8/23/17</u>

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: 157-159 Garrett Avenue, Bryn Mawr, PA 19010

Name and address of Applicant: 157 Garrett Avenue, LP c/o Angelia Mitchell
632 Overhill Road, Ardmore, PA 19003

Telephone Number: 484-620-0376 **Email:** angie.mitchell1313@gmail.com

Property Owner (if different than above): _____

Owner address: _____

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

Address: 789 E Lancaster Avenue, Suite 220, 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)*

Applicant seeks a modification of the Zoning Hearing Board's Order in Appeal No. 2575. More specifically, Applicant requests removal of the Board's condition which states, "In order to reduce noise emanating from the subject premises, the windows of the subject premises shall be kept closed at all times when the New Restaurant is open for business."

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

The Zoning Hearing Board's decision in Appeal No. 2575 is attached.

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

No improvements are proposed.

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.**

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.