

A G E N D A

REORGANIZATION MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, JANUARY 16, 2014, AT 7:00 P.M. IN THE COMMISSIONERS MEETING ROOM, 2325 DARBY ROAD, HAVERTOWN, PA 19083

PRESENT: Edward Casulli
 Robert Kane
 Edward Magargee
 Kenneth Richardson
 Evelyn Yancoskie

ALSO PRESENT: Lori Hanlon-Widdop, Zoning Officer
 Joan Scheck, Deputy Zoning Officer

ITEM #1 REORGANIZATION/APPOINTMENTS

A. Motions to nominate candidates for the following seats:

- (1) Chairman _____
- (2) Vice-Chairman _____
- (3) Secretary _____

B. Motion to appoint _____ as Zoning Solicitor for the year 2014

C. Motion to appoint _____ as court stenographer for the year 2014

D. Motion to appoint _____ as primary newspaper of record and
 _____ as secondary newspaper of record for the year 2014

E. Motion to set the following 2014 calendar of meetings for the Zoning Hearing Board:

January 16 th	July 17 th
February 6 th & 20 th	August 14 th
March 6 th & 20 th	September 4 th & 18 th
April 3 rd	October 2 nd & 16 th
May 1 st & 15 th	November 6 th & 20 th
June 5 th & 19 th	December 4 th

Meetings shall convene at _____ P.M.

ITEM # 2 CONTINUED CASE:

Z13-31 Delaware County Outdoor, LLC, lessee of the properties at 510 West Chester Pike, Havertown, PA, D.C. Folio No.2209 02688 00, Zoned C-3 General Commercial District and 534 West Chester Pike, Folio # 2209 02689 00, Zoned R-4, Low-Medium Density Residential, and 1200 West Chester Pike, Havertown, PA, D.C. Folio No. 2209 02720 00, Zoned O-1 Office District, all located in the 2nd Ward of Haverford Township. Petitioner challenges the validity and constitutionality of the Haverford Township Zoning Ordinance, asserting that the provisions of Section 182-701 unlawfully excludes commercial off-premises advertising billboards (“Billboards”) in the Township. Petitioner requests a determination that DC Outdoor’s challenge has merit; the Haverford Township zoning ordinance is invalid and unconstitutional for excluding billboards in the Township and DC Outdoor is a successful challenger. (Continued – date to be announced at the 1/16/14 reorganization meeting)
No testimony will be taken at this meeting

ADJOURNMENT

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, February 6, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z14- 1 Peter Mignogna, lessee of a portion of the property located at 45 Glendale Road, Havertown, PA D.C. Folio # 22090112300, request a variance from the provisions of §182-727.B, to allow a 4' high spaced picket fence to be placed in the front yard on Claremont Blvd., to be used as a play area for the Starting Line Daycare and Learning Center. Zoned INS Ward 1

Interested parties are invited to participate subject to the procedures established by the Board. Any unfinished business after 11 p.m. will be continued to a future date.

Advertised: Daily Times
January 23, 2014 and January 30, 2014

HAVERFORD TOWNSHIP
ZONING HEARING BOARD
CONTINUED HEARING

The Zoning Hearing Board will hold a public meeting on Thursday, February 20, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider an appeal from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z14- 1 Peter Mignogna, lessee of a portion of the property located at 45 Glendale Road, Havertown, PA D.C. Folio # 22090112300, request a variance from the provisions of §182-727.B, to allow a 4' high spaced picket fence to be placed in the front yard on Claremont Blvd., to be used as a play area for the Starting Line Daycare and Learning Center. Zoned INS Ward 1

Interested parties are invited to participate subject to the procedures established by the Board. Any unfinished business after 11 p.m. will be continued to a future date.

Advertised: Daily Times
January 23, 2014 and January 30, 2014

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, FEBRUARY 20, 2014, AT 7:45 P.M., IN THE COMMISSIONERS MEETING ROOM, 2325 ROAD, HAVERTOWN, PA 19083

PRESENT: Robert Kane, Chairman
 Evelyn Yancoskie, Vice-Chairman
 Kenneth Richardson, Secretary
 Edward Casulli
 Edward Magargee

ALSO PRESENT: William Malone, Esq., Solicitor
 Lori Hanlon-Widdop, Zoning Officer
 Joan Scheck, Deputy Zoning Officer
 Arlene LaRosa, Court Stenographer

ITEM#1 CONTINUED CASE:

Z13-31 Delaware County Outdoor, LLC, lessee of the properties at 510 West Chester Pike, Havertown, PA, D.C. Folio No.2209 02688 00, Zoned C-3 General Commercial District and 534 West Chester Pike, Folio # 2209 02689 00, Zoned R-4, Low-Medium Density Residential, and 1200 West Chester Pike, Havertown, PA, D.C. Folio No. 2209 02720 00, Zoned O-1 Office District, all located in the 2nd Ward of Haverford Township. Petitioner challenges the validity and constitutionality of the Haverford Township Zoning Ordinance, asserting that the provisions of Section 182-701 unlawfully excludes commercial off-premises advertising billboards (“Billboards”) in the Township. Petitioner requests a determination that DC Outdoor’s challenge has merit; the Haverford Township zoning ordinance is invalid and unconstitutional for excluding billboards in the Township and DC Outdoor is a successful challenger.

Z 14-1 Peter Mignogna, lessee of a portion of the property located at 45 Glendale Road, Havertown, PA D.C. Folio # 22090112300, request a variance from the provisions of §182-727.B, to allow a 4’ high spaced picket fence to be placed in the front yard on Claremont Blvd., to be used as a play area for the Starting Line Daycare and Learning Center. Zoned INS Ward 1

ADJOURNMENT

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, March 6, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

- Z14- 2 K & B Property, LLC, owners of 584 Lancaster Ave, Bryn Mawr, PA, DC Folio# 2205 00457 00, who requests a variance from the provisions of §182-405.C(5)& (6), to allow for a second story addition to be built over the existing one story addition (granted by variance see; Case Z12-15), that will also encroach into the required side and rear yard setbacks. Zoned C-4 Ward 5
- Z14-3 Walgreens, lessee and Blackwater Falls Trust owner of the property at 2400 Darby Road, Havertown, PA, DC Folio # 2205 004570 00, who seek a variance from the provisions of §182-707.B Parking, a variance from §182-404.B, to allow a drive-thru window, a variance from §182-702, Visibility at Intersections, a variance from §182-701.E(1), to allow a 44.5 sq. ft sign, and a finding that the reduction of the impervious surface of 97.6% to 92.25% does not require relief, or in the alternative a variance form §182-404.C(8) Impervious Surfaces, and any and all other zoning relief deemed necessary to permit redevelopment of the property. Zoned C-3 Ward 3

Interested parties are invited to participate subject to the procedures established by the Board. Any unfinished business after 11 p.m. will be continued to a future date.

Advertised: Daily Times
February 20, 2014 and February 27, 2014

Zoning Hearing Board *Billboards* 3/20/14

HAVERFORD TOWNSHIP

ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, May 17, 2012, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z13-31

Delaware County Outdoor, LLC, lessee of the properties at 510 West Chester Pike, Havertown, PA, D.C. Folio No.2209 02688 00, Zoned C-3 General Commercial District and 534 West Chester Pike, Folio # 2209 02689 00, Zoned R-4, Low-Medium Density Residential, and 1200 West Chester Pike, Havertown, PA, D.C.

Folio No. 2209 02720 00, Zoned O-1 Office District, all located in the 2nd Ward of Haverford Township. Petitioner challenges the validity and constitutionality of the Haverford Township Zoning Ordinance, asserting that the provisions of Section 182-701 unlawfully excludes commercial off-premises advertising billboards (“Billboards”) in the Township. Petitioner requests a determination that DC Outdoor's challenge has merit; the Haverford Township zoning ordinance is invalid and unconstitutional for excluding billboards in the Township and DC Outdoor is a successful challenger.

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, April 3, 2014, at **7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

- Z14- 4 Travis Loving, owner of 2512 Prescott Road, Havertown, PA D.C. Folio #2203 01804 00, who seeks a variance from the provisions of §182-206.C(5)(a), to erect a front porch that will encroach into the required 30' front yard setback by 8'. Zoned R-4 Ward 4
- Z14-5 William & Bonnie Welch, owners of 25 Cambridge Road Haverford, PA D.C. Folio # 2204 00054 02, who seek a variance from the provisions of §182-202C.(7), to encroach into the required 40' rear yard setback by 15', a variance from the provisions of §182-720C., to construct a garage in the steep and very steep slope, a variance from §182-720.B to grade, fill, pave or disturb the vegetative cover in excess of the percentages allowed in 154A-5, and finally, a special exception from the provisions of §182-720.C(2)(d), C.(5)(c) & (d), to construct an access drive on steep & very steep slope. Zoned R-1 Ward 5

Advertised: Daily Times
March 20, 2014 and March 27, 2014

A G E N D A

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, APRIL 3, 2014, AT 7:45 P.M., IN THE COMMISSIONERS MEETING ROOM, 2325 ROAD, HAVERTOWN, PA 19083

PRESENT: Robert Kane, Chairman
 Evelyn Yancoskie, Vice-Chairman
 Kenneth Richardson, Secretary
 Edward Casulli
 Edward Magargee

ALSO PRESENT: William Malone, Esq., Solicitor
 Lori Hanlon-Widdop, Zoning Officer
 Joan Scheck, Deputy Zoning Officer
 Arlene LaRosa, Court Stenographer

ITEM#1 CONTINUED CASE:

Z14-3 Walgreens, lessee and Blackwater Falls Trust owner of the property at 2400 Darby Road, Havertown, PA, DC Folio # 2205 004570 00, who seek a variance from the provisions of §182-707.B Parking, a variance from §182-404.B, to allow a drive-thru window, a variance from §182-702, Visibility at Intersections, a variance from §182-701.E(1), to allow a 44.5 sq. ft sign, and a finding that the reduction of the impervious surface of 97.6% to 92.25% does not require relief, or in the alternative a variance from §182-404.C(8) Impervious Surfaces, and any and all other zoning relief deemed necessary to permit redevelopment of the property. Zoned C-3 Ward 3

ITEM#2 NEW CASES:

Z14-5 William & Bonnie Welch, owners of 25 Cambridge Road Haverford, PA D.C. Folio # 2204 00054 02, who seek a variance from the provisions of §182-202C.(7), to encroach into the required 40' rear yard setback by 15', a variance from the provisions of §182-720C., to construct a garage in the steep and very steep slope, a variance from §182-720.B to grade, fill, pave or disturb the vegetative cover in excess of the percentages allowed in 154A-5, and finally, a special exception from the provisions of §182-720.C(2)(d), C.(5)(c) & (d), to construct an access drive on steep & very steep slope. Zoned R-1 Ward 5
(See attached letter requesting a continuance)

Z14- 4 Travis Loving, owner of 2512 Prescott Road, Havertown, PA D.C. Folio #2203 01804 00, who seeks a variance from the provisions of §182-206.C(5)(a), to erect a front porch that will encroach into the required 30' front yard setback by 8'. Zoned R-4 Ward 4

ADJOURNMENT

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, May 15, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z14-6 Thomas Comerci, owner of 318 Farwood Road, Havertown, PA D.C. Folio #2208 00426 00, who requests relief from the provisions of Chapter 154 A-5, disturbance of groundcover and §182-720, Steep and Very Steep Slope to allow disturbance of 90% of very steep slope areas for the construction of concrete retaining wall to expand usable rear yard area. Zoned R-2 Ward 8.

Advertised: Daily Times
April 30, 2014 and May 7, 2014

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY,
MAY 15, 2014, AT 7:45 P.M., IN THE COMMISSIONERS MEETING ROOM, 2325 ROAD,
HAVERTOWN, PA 19083

PRESENT: Robert Kane, Chairman
 Evelyn Yancoskie, Vice-Chairman
 Kenneth Richardson, Secretary
 Edward Casulli
 Edward Magargee

ALSO PRESENT: William Malone, Esq., Solicitor
 Lori Hanlon-Widdop, Zoning Officer
 Joan Scheck, Deputy Zoning Officer
 Arlene LaRosa, Court Stenographer

ITEM#1 NEW CASE:

Z14- 6 Thomas Comerci, owner of 318 Farwood Road, Havertown, PA, D.C. Folio #2208 00426
00, who requests relief from the provisions of Chapter 154 A-5, disturbance of groundcover
and §182-720, Steep and Very Steep Slope to allow disturbance of 90% of very steep slope
areas for the construction of concrete retaining wall to expand usable rear yard area.
Zoned R-2 Ward 8.

ITEM #2 CONTINUED CASE:

Z14-3 Walgreens, lessee and Blackwater Falls Trust owner of the property at 2400 Darby Road,
Havertown, PA, DC Folio # 2205 004570 00, who seek a variance from the provisions of
§182-707.B Parking, a variance from §182-404.B, to allow a drive-thru window, a variance
from §182-702, Visibility at Intersections, a variance from §182-701.E(1), to allow a 44.5
sq. ft sign, and a finding that the reduction of the impervious surface of 97.6% to 92.25%
does not require relief, or in the alternative a variance form §182-404.C(8) Impervious
Surfaces, and any and all other zoning relief deemed necessary to permit redevelopment of
the property. Zoned C-3 Ward 3

ADJOURNMENT

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, June 5, 2014, at **7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

- Z14-7 Charles Moore, owner of 23 Sunny Hill Lane, Havertown, PA , D.C. Folio#22020276300, who seeks a variance from the provisions of §182-711A, to allow placement of a 12’x16’ shed within 2’ of rear and side property lines where a 5’ setback is required. Zoned R-5 Ward 1
- Z 14-8 New Cingular Wireless, d/b/a AT&T Mobility, lessees of a portion of the property at 501 Brookline Blvd., Havertown, PA D.C. Folio #22080009100, who request a special exception from the provisions of §182-728.E and §182-210.B (3), to permit the collocation of 12 telecommunications antennas on top of the bell tower behind stealth paneling to match the design of the church and to place radio equipment in a room inside of the church building. Such other and further interpretations, waivers and/or variances as may be required to establish the proposed telecommunications facility. Zoned INS, Institutional District, Ward 8
- Z14-9 John Fair, owner of 2415 Hirst Terrace, Havertown, PA, D.C. Folio # 22030134600, who seek variances from the provisions of 182-711.B(1) to allow a roof structure to be placed within 35” of the side property line where a minimum setback of 5’ is required and 0’ from the rear of the main structure where a 10’ setback is required. Zoned R-4 Ward 3

Advertised: Daily Times
May 21, 2014 and May 28, 2014

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, June 19, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z14-10 Anthony and Robin Marchesani, equitable owners of 1710 Woodmere Way, Havertown, PA, D.C. Folio # 2207 01597 00, who seeks a variance from the provisions of §182-713.B to allow the creation of a lot from a parcel that has an existing non-conforming dwelling with respect to §182-206.C(5), the existing dwelling encroaches into the required 30' front yard by 4.71'. Zoned R-4 Ward 7.

Advertised: Daily Times
June 4, 2014 and June 11, 2014

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, July 17, 2014, at **7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z14-8 New Cingular Wireless, d/b/a/ AT&T Mobility, lessees of a portion of the property at 501 Brookline Blvd., Havertown, PA D.C. Folio # 2208 00091 00, who request a special exception pursuant to §182-210.B(3), to permit telecommunication antennas on existing building, an interpretation that the proposed bell tower extension and communication equipment are projections not intended for or used for human occupancy, and being no more than fifteen(15) feet above the roofline of the existing bell tower, are permitted without need for a height variance pursuant too§182-705.A. An interpretation that the height of the existing bell tower of 57.25 feet above the ground complies with the maximum height requirements of §182-602.C(7), (which is 60 feet) and that the setback of the church building in relation to property lines is non-conforming. An interpretation that the existing church building complies with §182-210.B(3)(b)[3], in that the building complies with the applicable area and bulk regulations of the INS district as a non-conforming structure in terms of setbacks. In the alternative, grant of a dimensional height variance from §182-602.C(7) to allow the construction of a bell tower extension ten (10) feet to extend to an overall height of 67.25 feet and to allow for placement of radio equipment and panel antennas within the bell tower extension, also a variance from §182-210.B(3)(b)[3] to allow for the use of the existing church building for collocation of communication equipment, which building does not comply with all area and bulk regulations of the INS district, and in the alternative a determination that AT&T's proposed telecommunications is permitted by a validity variance. AT&T also applies for such other interpretations, waivers and/or variances as may ultimately be required. Zoned INS Institutional District Ward 8

Z14-11 Peter & Beth Stahl, owners of 44 Tunbridge Road a/k/a/ 45 Tunbridge Road, Haverford, PA, D.C. Folio # 2204 00678 00, who seek a variance from the provisions of §182-711.B(2), to allow the construction of a 24'2" x 51' 10" detached garage with workshop where a 25'x25' garage is the maximum size permitted. Zoned R-1 Ward 5

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, August 21, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

- Z14- 12 James Malloy owner of a property known as lot # 7 Hampstead Rd, Havertown, PA, D.C. Folio # 2208 00483 00, who seeks a special exception from the provisions of §182-803, to construct a single family dwelling on an existing non-conforming lot with a square footage of 5,940, instead of the 6000 sq. ft. required. The property is Zoned R-4 Ward 8
- Z14-13 Steven & Karen Sulpizio, owner of 1418 Brierwood Rd, Havertown, PA D.C. Folio #2201 00159 00, who seek a variance from the provisions of §182-207.C(7), to erect an eating area off the kitchen which will encroach into the required 25' rear yard setback by 5'. Zoned R-5 Ward 1
- Z14-14 Bob & Joe's Inc., owner of 2311 Darby Rd, Havertown, PA D.C. Folio # 2203 00616 00, who seeks a variance from the provisions of §182-701.B(4), to allow replacement of two manually changed gas price signs with LED gas price signs. Zoned C-3 Ward 3
- Z14-15 Blackwater Falls Trust and Catch Me If You Can, LLC, owners of 1301 West Chester Pike, Havertown, PA, D.C. Folio # 2201 02467 00, who seek a variance from the provisions of §182-701.B, to allow replacement of a manually changed gas price sign with an LED gas price sign, and to replace the Ultra Service sign with the name of the lessee that will be operating the automotive maintenance facility. Zoned C-5 Ward 1

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, September 4, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

- Z14-16 Frank & Margaret Welsh owners of 108 Buck Lane, Haverford, PA 19041, D.C. Folio # 2205 00055 00, ask the Zoning Hearing Board to find that the Revised notice was improperly issued, or that appellants' fence may otherwise remain installed, on the following alternative grounds: The installation of the fence is not in violation of the Code; appellants are entitled to keep the fence under the doctrines of vested rights and/or variance by estoppels; or appellants are entitled to a variance from the restrictions of Code §182-727.C. Zoned R-2 Ward 6
- Z14-17 Edward Doherty & Kristen Kahle owners of 2200 Olcott Avenue, Ardmore, PA, D.C. Folio # 2206 0097500, who request a variance from the provisions of 182-207.C, to allow the replacement of a roof over an existing rear patio which encroaches into the required 25' rear yard setback by 12'. Zoned R-5 Ward 6

Advertised: Delaware County Daily Times
August 20, 2014 and August 27, 2014

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, September 18, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z14- 18 Paul & Joanne DelSignore, owners of 2737 Darby Road, Ardmore, PA D.C. Folio # 2203 00648 00, who seek a variance from the provisions of §182-727.C, to allow a 4' fence to be placed on top of a retaining wall, which will exceed the 6' maximum allowable height permitted by ordinance. Zoned R-3 Ward 3

Z14-19 Greg Wheeler & Lisa Alessandrone, owners of 511 Wales Road, Havertown, PA, D.C. Folio # 2201 02209 00, who seek a variance from the provisions of §182-208C.(2)(f)[1], to erect a deck that will encroach into the required side yard setback by 4'. Zoned R-6 Ward 2

Advertised: Delaware County Daily Times
September 4, 2014 and September 11, 2014

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, October 16, 2014, at **7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z13-31 Delaware County Outdoor, LLC, lessee of the properties at 510 West Chester Pike, Havertown, PA, D.C. Folio No.2209 02688 00, Zoned C-3 General Commercial District and 534 West Chester Pike, Folio # 2209 02689 00, Zoned R-4, Low-Medium Density Residential, and 1200 West Chester Pike, Havertown, PA, D.C. Folio No. 2209 02720 00, Zoned O-1 Office District, all located in the 2nd Ward of Haverford Township. Petitioner challenges the validity and constitutionality of the Haverford Township Zoning Ordinance, asserting that the provisions of Section 182-701 unlawfully excludes commercial off-premises advertising billboards (“Billboards”) in the Township. Petitioner requests a determination that DC Outdoor’s challenge has merit; the Haverford Township zoning ordinance is invalid and unconstitutional for excluding billboards in the Township and DC Outdoor is a successful challenger.

Z14-21 Charles McAveney, owner of 129 N Eagle Road, Havertown, PA, D.C. Folio # 2201 00316 00, who requests a variance from the provisions of 182-701.C(1)(a), to allow placement of a 5’ high 3’x 5’ free-standing sign on the front lawn. Zoned R-4 Ward 2

Advertised: Delaware County Daily Times
October 1, 2014 and October 8, 2014

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, OCTOBER 16, 2014, AT 7:45 P.M., IN THE COMMISSIONERS MEETING ROOM, 2325 ROAD, HAVERTOWN, PA 19083

PRESENT: Robert Kane, Chairman
 Evelyn Yancoskie, Vice-Chairman
 Kenneth Richardson, Secretary
 Edward Casulli
 Edward Magargee

ALSO PRESENT: William Malone, Esq., Solicitor
 Lori Hanlon-Widdop, Zoning Officer
 Joan Scheck, Deputy Zoning Officer
 Arlene LaRosa, Court Stenographer

ITEM #1 DECISIONS:

Z14-20 Greg Wheeler & Lisa Alessandrone, owners of 511 Wales Road, Havertown, PA, D.C. Folio # 2201 02209 00, who seek a variance from the provisions of §182-208C.(2)(f)[1], to erect a second story deck that will encroach into the required 12' side yard setback by 6', and also to rebuild the existing landing and stairs which will attach to the deck causing an additional encroachment of 4'. Zoned R-6 Ward 2

Z14- 12 James Malloy owner of a property known as lot # 7 Hampstead Rd, Havertown, PA, D.C. Folio # 2208 00483 00, who seeks a special exception from the provisions of §182-803, to construct a single family dwelling on an existing non-conforming lot with a square footage of 5,940, instead of the 6000 sq. ft. required. In the alternative, a de minimis variance is requested from § 182-206.C(1). The property is Zoned R-4

ITEM #2 CONTINUED CASES:

Z14-11 Peter & Beth Stahl, owners of 45 Tunbridge Road, Haverford, PA, D. C. Folio #2204 00678 00, who request a modification of Zoning Hearing Board Order Z14-11

Z14- 18 Paul & Joanne DelSignore, owners of 2737 Darby Road, Ardmore, PA D.C. Folio # 2203 00648 00, who seek a variance from the provisions of §182-727.C, to allow a 4' fence to be placed on top of a retaining wall, which will exceed the 6' maximum allowable height permitted by ordinance. Zoned R-3 Ward 3

Z13-31 Delaware County Outdoor, LLC, lessee of the properties at 510 West Chester Pike, Havertown, PA, D.C. Folio No.2209 02688 00, Zoned C-3 General Commercial District and 534 West Chester Pike, Folio # 2209 02689 00, Zoned R-4, Low-Medium Density Residential, and 1200 West Chester Pike, Havertown, PA, D.C. Folio No. 2209 02720 00, Zoned O-1 Office District, all located in the 2nd Ward of Haverford Township. Petitioner challenges the validity and constitutionality of the Haverford Township Zoning Ordinance, asserting that the provisions of Section 182-701 unlawfully excludes commercial off-premises advertising billboards (“Billboards”) in the Township. Petitioner requests a determination that DC Outdoor’s challenge has merit; the Haverford Township zoning ordinance is invalid and unconstitutional for excluding billboards in the Township and DC Outdoor is a successful challenger.

ITEM #3 NEW CASES:

Z14-21 Charles McAveney, owner of 129 N Eagle Road, Havertown, PA, D.C. Folio # 2201 00316 00, who requests a variance from the provisions of 182-701.C(1)(a), to allow placement of a 5’ high 3’x 5’ free-standing sign on the front lawn. Zoned R-4 Ward 2

ADJOURNMENT

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, November 6, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z14-22 Sposato Homes, equitable owner of 304 Davis Road, Havertown, PA, D.C. Folio #2202 00217 00, who seeks a variance from the provisions of 182-206.C(6)(a), to allow the existing 4.43' side yard setback and a 4.99' side yard setback in lieu of the 8' minimum required and to allow a 9.42' aggregate side yard setback in lieu of the 20' required. A variance from the provisions of 182-206.C(5)(a), to allow an existing 26.06' front yard setback to remain instead of the 30' required and a variance from the provisions of 182-713.B, to allow the subdivision of a lot, of which the existing house does not meet the setbacks.
Zoned R-4 Ward 2

Z14-23 Smooth Operators, LLC, lessees and 1247 West Chester Pike Assoc., LP, owners of 1247 West Chester Pike, Havertown, PA, D.C. Folio # 2201 02466 00, who request a finding that the proposed use for a Smoothie King with a drive-thru and related offices is a use permitted by right as a fast food/take-out restaurant pursuant to §182-404.B(1)(t) and/or (u) in accordance with the various restaurant definitions in 182-106 and because a drive-thru establishment already exists that this is a continuation of the drive-thru use. In the alternative, a special exception pursuant to §182-404.B(3)©, to permit a fast-food/take-out restaurant with drive-thru. If it is determined that the proposed use is permitted by special exception, variances from §182-722.A.C.&D. are requested to permit a drive-thru facility within 200 feet of a residential district and within 200 feet of another drive-thru, to allow a driveway at the property line to be less than 24 feet in width, to allow the driveway to be less than 10 feet from the property line and within 65 feet of another driveway on the property. In the alternative a variance from the provisions of §182-404.B to permit the drive-thru and a finding that the available parking on the property is sufficient or, if required, a variance from §182-707.B, and any other relief deemed necessary to permit the proposed use. Zoned C-3 Ward 2

Z14-24 Anthony & Stephanie Davaro, owners of 631 Kenilworth Road, Ardmore, PA , D.C. Folio # 2206 01288 00, who request a variance to construct a 12' x 16' 2nd story deck that will encroach into the required 25' rear yard setback by 12 feet.
Zoned R-6 Ward 6

Advertised: Delaware County Daily Times
October 23, 2014 and October 30, 2014

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, November 20, 2014, **at 7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

- Z14-25 Delmont Partners, LLC, owners of 1325 Delmont Avenue, Havertown, PA, D.C. Folio #2206 00814 00, who seek a special exception from the provisions of §182-720.C.(5)© & (d), to allow a driveway within steep slope and §182-720.C.(5)(b), to allow sanitary sewer lateral and water service lines within steep slope. Also, variances from §182-720.C(3)(a)(b)(c)(g)& §182-720.C.(6), to allow a SFD within steep and very steep slopes, and a variance from §154A-5 to allow disturbance of vegetative ground cover on more than 15% of steep slope and more than 5% of very steep slope and any other relief deemed necessary for the proposed subdivision. Zoned R-6 Ward 6
- Z14-26 John Fair, owner of 2415 Hirst Terrace, Havertown, PA, D.C.. Folio # 2203 01346 00, who seeks a variance from the provisions of §182-711.B.(1)&(2), to allow a 12'x11' open seating area attached to the existing 12'x23' detached garage which encroaches into the required 5' side yard set-back by 3' and a variance to allow a 35'x12' structure that exceeds the maximum allowable size of an accessory structure. Zoned R-4 Ward 3
- Z14-27 Dr Iraj Shafagh, owner of 100 S. Eagle Road, Havertown, PA, D.C. Folio # 2209 00690 00, who requests a variance from the provisions of §182-701.C(a)[1], to allow a 12 sq. ft. free-standing sign where 1.5 sq. ft is permitted. Zoned R-5 Ward 1

Advertised: Delaware County Daily Times
November 5, 2014 and November 12, 2014

HAVERFORD TOWNSHIP
ZONING HEARING BOARD

The Zoning Hearing Board will hold a public meeting on Thursday, December 4, 2014, at **7:45 P.M.**, in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z14-28 Joseph & Catherine Levy, owners of 39 Hastings Avenue, Havertown, PA, D C. Folio # 2203 01153 00, who seek a variance from the provisions of 182-208.C(2), to allow the construction of a 14'6" wide addition and a 3' wide landing that will encroach into the required 12' side yard setback. Zoned R-6 Ward 3.

Z14-29 Paulo Ferreira and Raquel Ely, owners of 2227 Bryn Mawr Avenue, Ardmore, PA, D.C. Folio #2206 00431 00, who seek a variance from the provisions of 182-711.B(1), to erect a 6'x11' rear addition that will encroach into the required 10' separation between the garage and the proposed addition. Zoned R-6 Ward 6

Advertised: Delaware County Daily Times
November 10, 2014 and November 26, 2014