

Cheltenham Township, believing that public input is appropriate on any item coming before the Commissioners, will recognize any citizen wishing to address a specific item prior to the vote on that issue. In order to be recognized, please raise your hand.

## **BUILDING AND ZONING COMMITTEE**

### **AGENDA**

**WEDNESDAY, JANUARY 4, 2012**

**8:15 P.M.**

**CURTIS HALL IN CURTIS ARBORETUM  
CHURCH ROAD AND GREENWOOD AVENUE**

1. Review of the Zoning Hearing Board Agenda for January 9, 2012; see attached.
2. Review of Recent Decision(s) of the Zoning Hearing Board.
3. Report of the Building Inspector for December 2011. See attached.
4. Old Business
5. New Business
6. Citizens' Forum
7. Adjournment



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David G. Kravnik  
Township Manager

**ZONING HEARING BOARD**

**AGENDA**

**FOR**

**JANUARY 9, 2012**

**NOTICE**

**NOTICE IS HEREBY GIVEN** that an application for Zoning Relief for 327 Gerard Avenue, Elkins Park PA 19027 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

- a. **Cheltenham Township Building and Zoning Committee on Wednesday, January 4, 2012 at 8:00 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.**

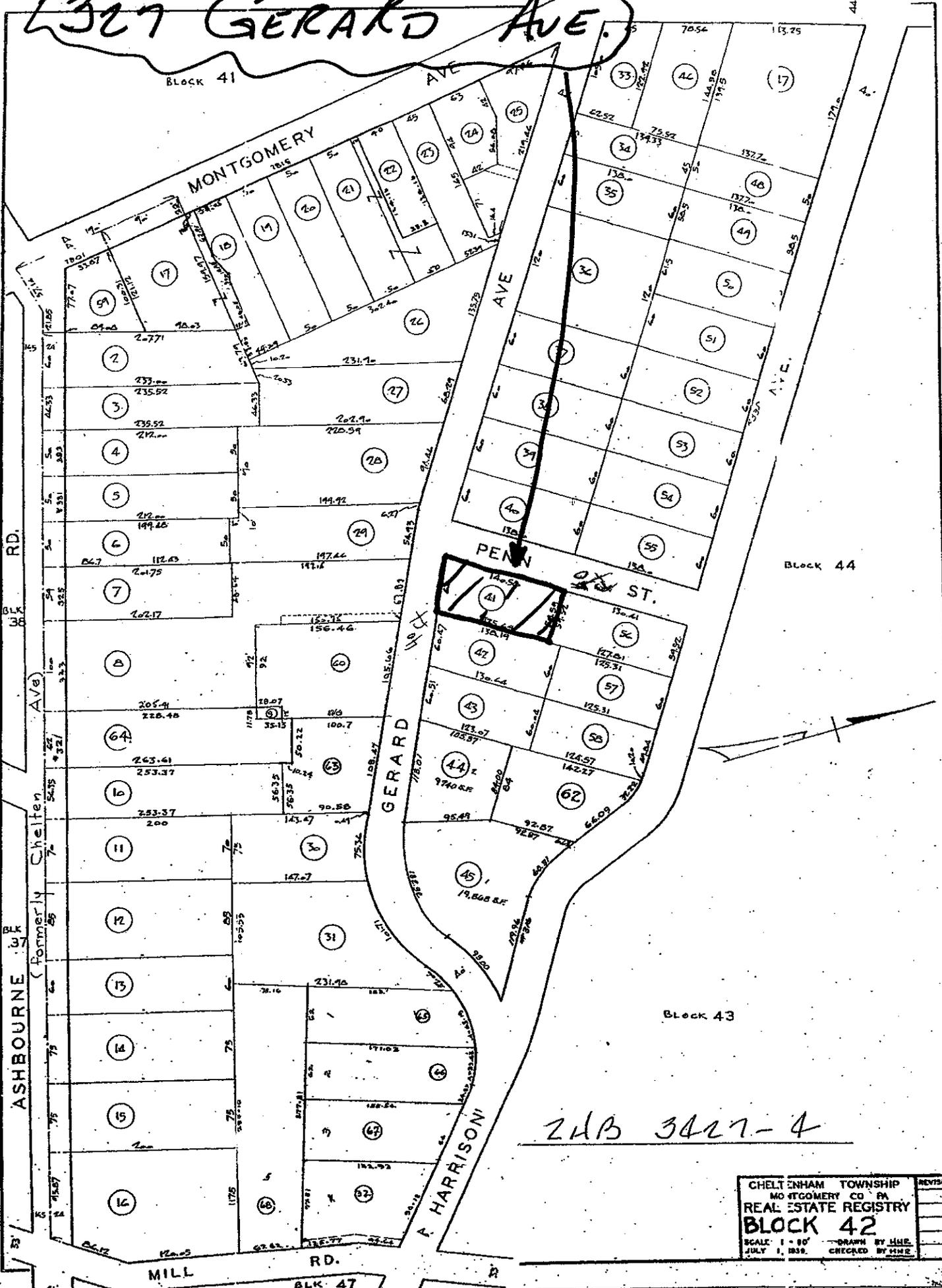
**This application will be heard by the Zoning Hearing Board on Monday, January 9, 2012 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.**

**APPEAL NO. 3427:** Petition of Spring Hill Holdings, LLC, owner of Premises known as 327 Gerard Avenue, Elkins Park, PA 19027, from the Decision of the Zoning Officer for a special exception in accordance with the Rules and Regulations of the Class R-5 Residence District as outlined in CCS 295-46.A.(2) for a front yard setback of 19' ± instead of the minimum required 40' from the Penn Street frontage of the Premises for a 20' x 20' (irr.) deck (existing) on the northeast side of the house.

**The above application, including site plans, is on file in the Township Administration Building, Building and Zoning Department, Room 204, 8230 Old York Road, Elkins Park, PA, 19027 and are open for review, Monday thru Friday, 8:00 AM to 4:30 PM.**

**Any person or persons with a disability requiring a special accommodation to participate in the meeting should notify Nancy K. Gibson at 215-887-1000 at least 5 work days prior to the meeting.**

# 327 GERARD AVE.

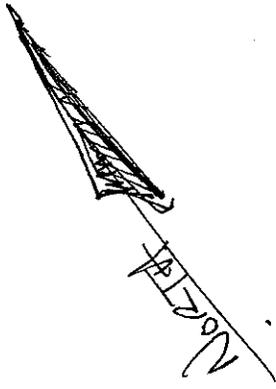


Block 44

Block 43

24B 3427-4

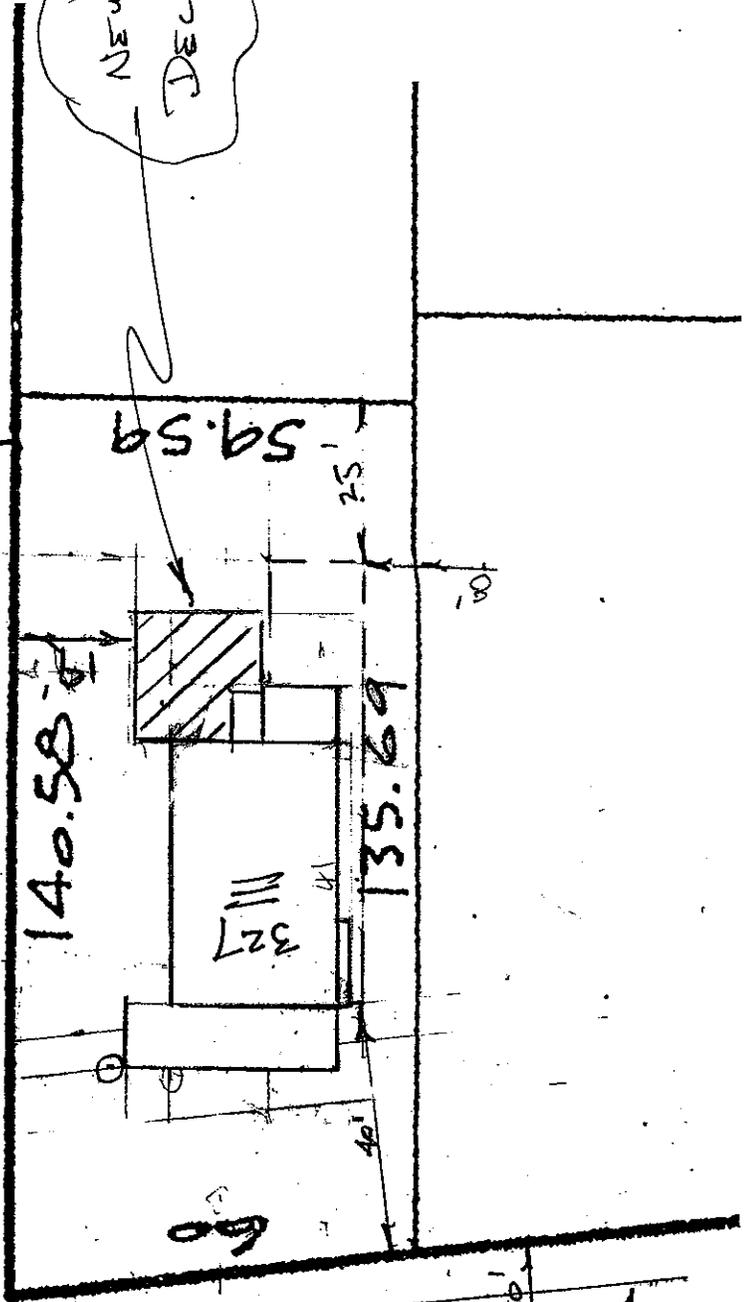
CHELTENHAM TOWNSHIP		REVISED
MONTGOMERY CO PA		
REAL ESTATE REGISTRY		
<b>Block 42</b>		
SCALE: 1" = 80'	DRAWN BY H.H.E.	
JULY 1, 1899	CHECKED BY H.H.E.	



NEW DECK

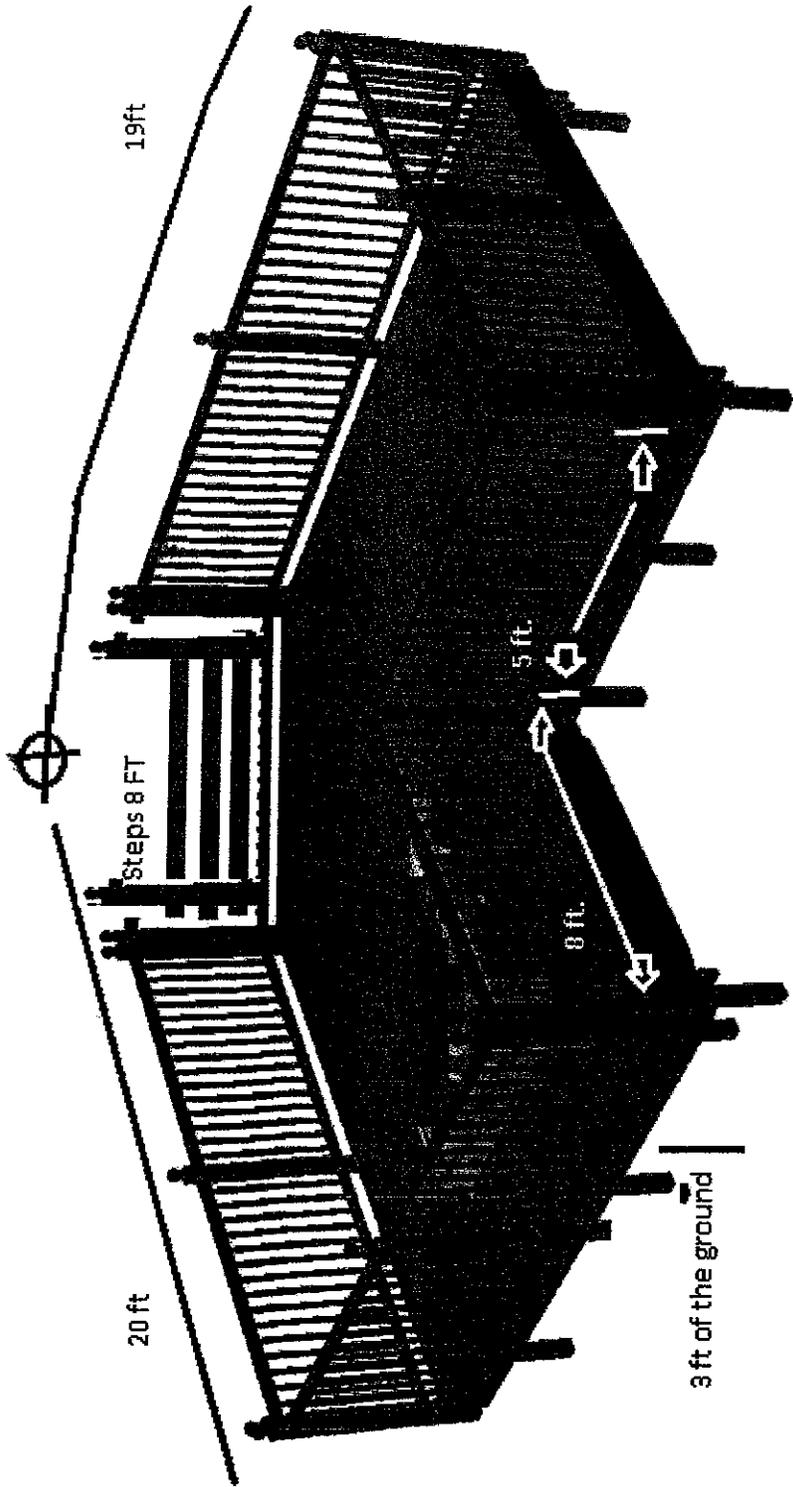
RAIN @ 40' WIDE

PENN ST.



GERALD AVE @ 40' W

ZAB 3A27-9



ZAB 3A27-10

**NOTICE**

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for 140 Lismore Avenue, Glenside PA 19038 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

- a. **Cheltenham Township Building and Zoning Committee on Wednesday, January 4, 2012 at 8:00 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.**

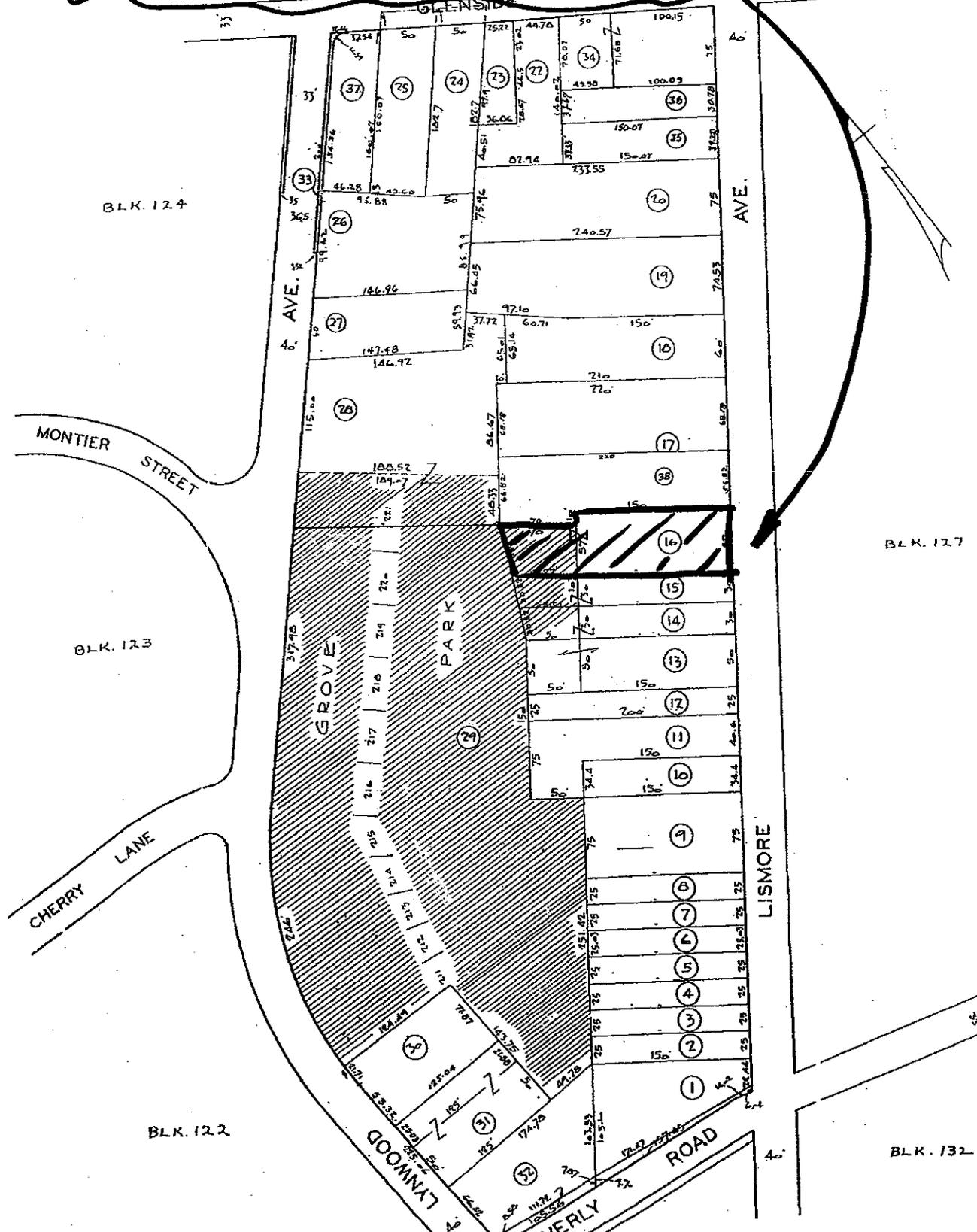
**This application will be heard by the Zoning Hearing Board on Monday, January 9, 2012 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.**

**APPEAL NO. 3428:** Appeal of Carole Anne Hensley, owner of Premises known as 140 Lismore Avenue, Glenside, PA from the Decision of the Zoning Officer for a variance from the Rules and Regulations of the Class R-5 Residence District as outlined in CCS 295-43. for the conversion of the existing Single-Family Dwelling to a Two-Family Detached Dwelling instead of one of the enumerated permitted uses.

**The above application, including site plans, is on file in the Township Administration Building, Building and Zoning Department, Room 204, 8230 Old York Road, Elkins Park, PA, 19027 and are open for review, Monday thru Friday, 8:00 AM to 4:30 PM.**

**Any person or persons with a disability requiring a special accommodation to participate in the meeting should notify Nancy K. Gibson at 215-887-1000 at least 5 work days prior to the meeting.**

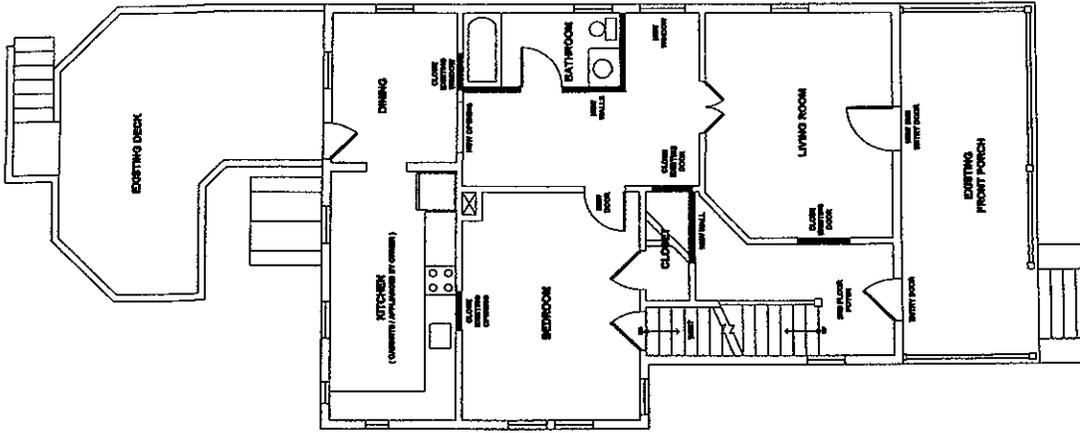
140 LISMORE AVE.



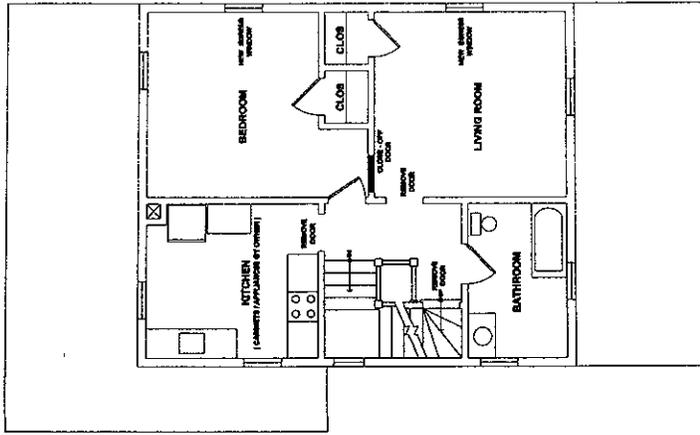
ZAB 3428-4

CHELTENHAM TOWNSHIP  
 MONTGOMERY CO. PA.  
**REAL ESTATE REGISTRY**  
**BLOCK 126**  
 SCALE - 1" = 60'  
 DRAWN BY P.F.K.  
 CHECKED BY H.H.R.

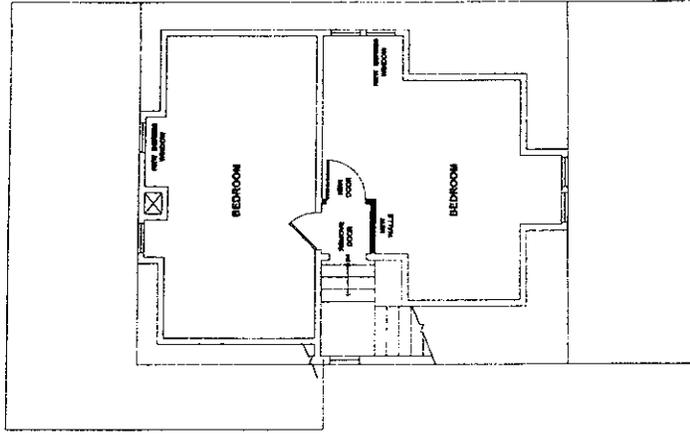
REVISED



1 1/4" = 1'-0"  
1ST FLOOR APARTMENT PLAN



2 1/4" = 1'-0"  
2ND FLOOR APARTMENT PLAN



3 1/4" = 1'-0"  
3RD FLOOR APARTMENT/ATTIC PLAN

OWNER: HENSLEY RESIDENCE  
140 LISMORE AVENUE  
GLENVIEW, PA 19038

NEW DUPLEX APARTMENTS

ARCHITECT: ALFRED S. JONES  
1515 EASTON ROAD  
ABINGTON, PA 19001  
PH 215 219 1350



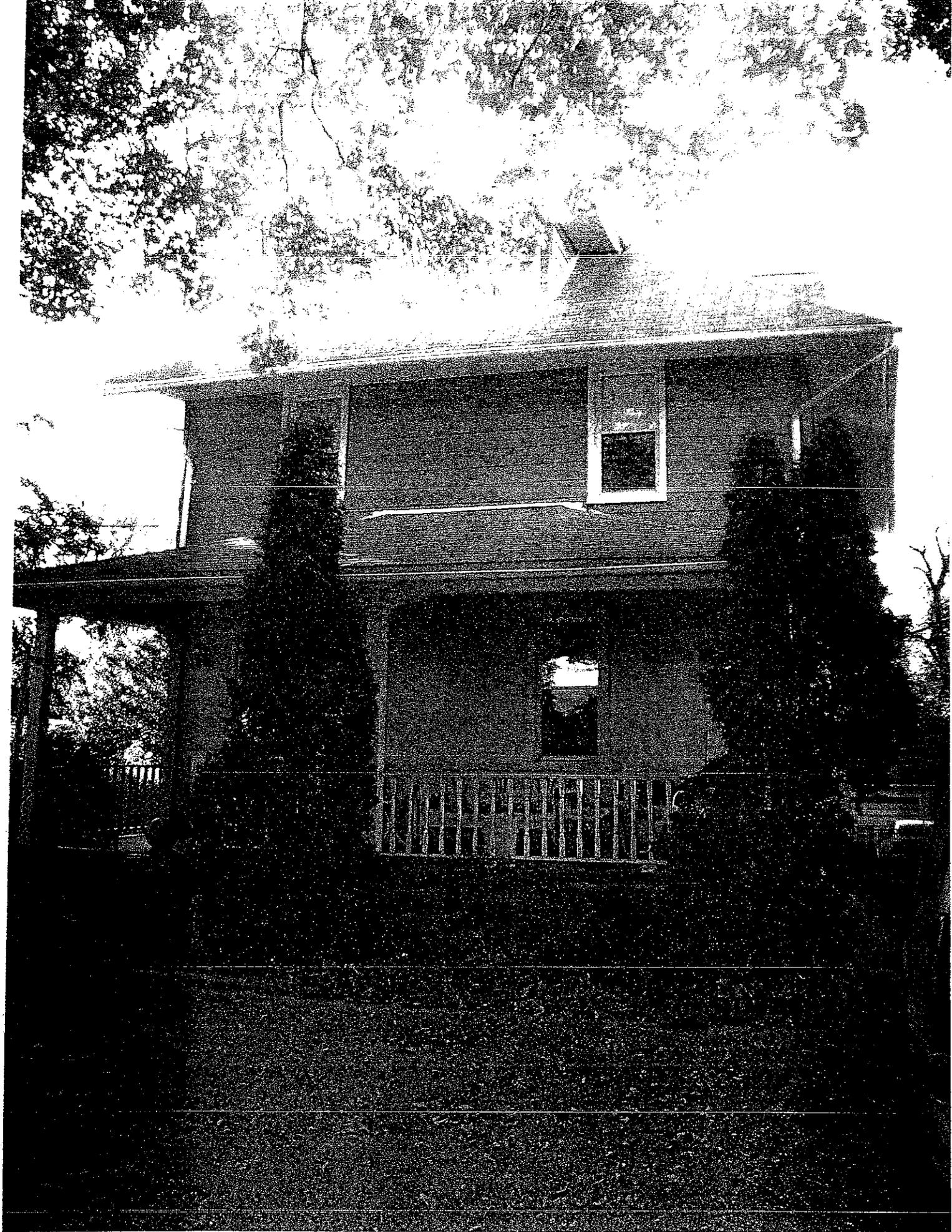
*Alfred Jones*

DATE: 10.04.11  
DRAWN BY: [Signature]  
SCALE: AS NOTED  
REVISION:

DWG. NO: A1

ZAP 3428-7





5125 31st St 13

**RECENT  
ZONING HEARING BOARD  
DECISIONS**

**ZONING HEARING BOARD  
OF CHELTENHAM TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**APPEAL NO. 3420**

Applicant: Elizabeth Sand Braun  
8321 Cadwalader Avenue  
Elkins Park, Pennsylvania 19027

Subject Premises : 8321 Cadwalader Avenue  
Elkins Park, Pennsylvania

Owner of Premises: Elizabeth Sand Braun

Nature of Application: Applicant appeals from the determination of the Zoning Officer finding that installation of a front sidewalk entrance trellis creating a less than required front yard setback would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article VII, Section 295-39, regulating yard setbacks.

Applicant seeks a variances from Section 295-39(A)(1) of the rules and regulations of the R-4 Residence District to allow the installation of a front sidewalk entrance trellis, measuring 9.08 feet in width by 4.75 feet in depth by 8.3 feet in height, with a lesser front yard setback of 6.38 feet instead of the minimum required 40 feet.

Time and Place of Hearing: Monday, October 17, 2011 – 8:00 p.m.  
Curtis Hall  
Church Road and Greenwood Avenue  
Wyncote, Pennsylvania

**FINDINGS OF FACT**

1. Applicant Elizabeth Sand Braun (“Applicant”) is the owner of the premises known as 8321 Cadwalader Avenue, Elkins Park, Pennsylvania (the “Property”).

2. Prior to the holding of the hearing in this matter, an advertisement, noting the time and place of the hearing and the contents of the appeal, was placed in a newspaper of general circulation.

3. The property is located in an R-4 Residence District and is improved by a single-family dwelling.

4. The following documents were made a part of the record:

ZHB-1. a listing of exhibits;

ZHB-2. a copy of the legal notice with regard to the holding of hearing;

ZHB-3. an Application to the Zoning Hearing Board, referenced as Appeal No. 3420;

ZHB-4. a location map marked as Real Estate Registry Block 5, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information on Property dated August 22, 2011;

ZHB-6. Building and Zoning Committee recommendation letter dated October 17, 2011;

ZHB-7. site plan;

ZHB-8. proposed plan for building trellis from B.F. Gotwals and Company; and

ZHB-9. a grouping of photographs of the Property.

5. Applicant proposes to enhance the front of the Property by installing a front sidewalk entrance garden trellis, measuring 9.08 feet in width by 4.75 feet in depth by 8.3 feet in height, located at the top of the steps from the sidewalk.

6. The proposed trellis creates a lesser front yard setback of 6.38 feet instead of the minimum required 40 feet.

7. The Property is not a corner property and the installation of a garden trellis will not block any sight lines.

8. The proposed trellis would include electrification and lights.

9. A grant of relief to allow the installation of a front sidewalk entrance trellis, measuring 9.08 feet in width by 4.75 feet in depth by 8.3 feet in height, with a lesser front yard setback of 6.38 feet instead of the minimum required 40 feet will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

10. A grant of relief to allow the installation of a front sidewalk entrance trellis, measuring 9.08 feet in width by 4.75 feet in depth by 8.3 feet in height, with a lesser front yard setback of 6.38 feet instead of the minimum required 40 feet will result in premises consistent with the character of the neighborhood and will not materially alter the character of the zoning district or of the community.

11. A grant of relief to allow the installation of a front sidewalk entrance trellis, measuring 9.08 feet in width by 4.75 feet in depth by 8.3 feet in height, with a lesser front yard setback of 6.38 feet instead of the minimum required 40 feet will not be contrary to the public interest.

### **CONCLUSIONS OF LAW**

1. Installation of a front sidewalk entrance trellis, measuring 9.08 feet in width by 4.75 feet in depth by 8.3 feet in height, with a lesser front yard setback of 6.38 feet instead of the minimum required 40 feet is not permitted by the Cheltenham Township Zoning Ordinance. However, in accordance with the Pennsylvania Municipalities Planning Code and the Cheltenham Zoning Ordinance, the Cheltenham Township Zoning Hearing Board is empowered to hear and decide requests for variances where it is alleged that strict conformance with the governing ordinances would result in unnecessary hardship.

2. Under the circumstances of this matter, Applicant has met her burden in establishing that, due to the unique physical circumstances of the Property and those imposed by surrounding properties, a failure to grant relief to allow the installation of a front sidewalk entrance trellis, measuring 9.08 feet in width by 4.75 feet in depth by 8.3 feet in height, with a lesser front yard setback of 6.38 feet would result in an unnecessary hardship.

3. The variance as hereafter granted is the minimum variance that will afford Applicant relief and represent the least departure from the governing regulations.

4. The variance will not be contrary to the public interest.

### **DECISION**

**WHEREFORE**, this 17<sup>th</sup> day of October, 2011, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, grants to Applicant a variance from the rules and regulations of Article VII, Section 295-39(A)(1) to allow the installation of a front sidewalk entrance trellis, measuring 9.08 feet in width by 4.75 feet in depth by 8.3 feet in height, with a lesser front yard setback of 6.38 feet.

This grant of relief is subject, however, to the following conditions:

- (1) a complete copy of the recorded deed of the subject Property shall be submitted to the Zoning Officer within four (4) weeks of the date of Hearing.

- (2) the proposed improvements shall be constructed in substantial conformity with the plans submitted to the Zoning Hearing Board and the presentation made to the Zoning Hearing Board at its October 17, 2011 meeting.

This grant of relief is not a waiver of any provision of the Cheltenham Zoning Ordinances not specifically addressed in this decision.

**CHELTENHAM TOWNSHIP ZONING HEARING BOARD**

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**PETER LABIAK, Chairman**

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**ALAN S. GOLD, Vice Chairman and Secretary**

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**AMEE FARRELL, Member**

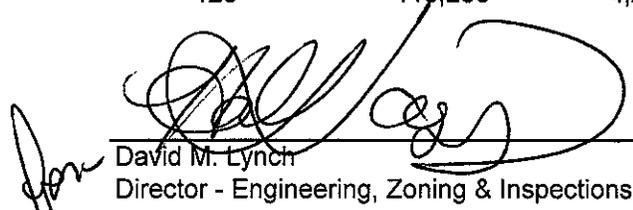
**THIS DECISION IS OFFICIALLY ISSUED ON DECEMBER 16, 2011.**

November 30, 2011

COMMISSIONERS OF CHELTENHAM TOWNSHIP  
ELKINS PARK, PA 19027

**COMMISSIONERS OF CHELTENHAM TOWNSHIP  
REPORT OF THE BUILDING INSPECTOR FOR DECEMBER, 2011**

	# PERMITS	TOT. FEES	\$ VALUE
<b>RESIDENTIAL</b>			
RENOVATIONS / ALTERATIONS	46	12,562	251,240
<b>MULTI-FAMILY</b>			
RENOVATIONS / ALTERATIONS	1	274	13,000
<b>COMMERCIAL</b>			
RENOVATIONS / ALTERATIONS	3	1,080	21,600
<b>INSTITUTIONAL</b>			
RENOVATIONS / ALTERATIONS	1	955	47,000
<b>FENCE</b>	1	206.2	206.2
<b>DECEMBER, 2011</b>	52	15,077.2	333,046.2
<b>DECEMBER, 2010</b>	35	12,655	594,216
<b>YEAR-TO-DATE 2011</b>	428	114,275.9	4,267,138.9
<b>TOTAL 2010</b>	424	272,993	13,868,965
<b>HEATING &amp; AIR CONDITIONING</b>			
<b>DECEMBER, 2011</b>	9	2,110	42,200
<b>DECEMBER, 2010</b>	5	495	20,000
<b>YEAR-TO-DATE 2011</b>	63	12,591	459,400
<b>TOTAL 2010</b>	56	33,578	1,613,000
<b>ELECTRICAL</b>			
<b>DECEMBER, 2011</b>	7	1,385	27,700
<b>DECEMBER, 2010</b>	6	394	14,000
<b>YEAR-TO-DATE 2011</b>	108	11,975	427,442
<b>TOTAL 2010</b>	128	118,265	4,225,950

  
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David M. Lynch  
Director - Engineering, Zoning & Inspections