

BUILDING AND ZONING COMMITTEE

Morton J. Simon, Jr. –Chairman
Harvey Portner- Vice Chairman
Kathy A. Hampton- Member
Charles D. McKeown-Member
Daniel Norris- Member
J. Andrew Sharkey- Member
Art Haywood- Ex-Officio Member

Wednesday, October 3, 2012

8:00 PM

Curtis Hall

AGENDA

1. Review of the Zoning Hearing Board Agenda for October 29, 2012.
See attached.
2. Review of the Planning Commission Meeting Minutes of September 24, 2012.
See attached.
3. Review of Recent Decision(s) of the Zoning Hearing Board.
4. Report of the Building Inspector for September 2012. See attached.
5. Old Business
6. New Business
7. Citizens' Forum
8. Adjournment



Bryan T. Havar
Acting Township Manager

ZONING HEARING BOARD

AGENDA

FOR

OCTOBER 29, 2012

NOTICE

NOTICE IS HEREBY GIVEN that an application for zoning relief for 333 Rices Mill Rd. Wyncote, PA 19095 (AKA Wyncote Elementary School) will be reviewed by the following Township Body which will offer recommendations to the Zoning Hearing Board:

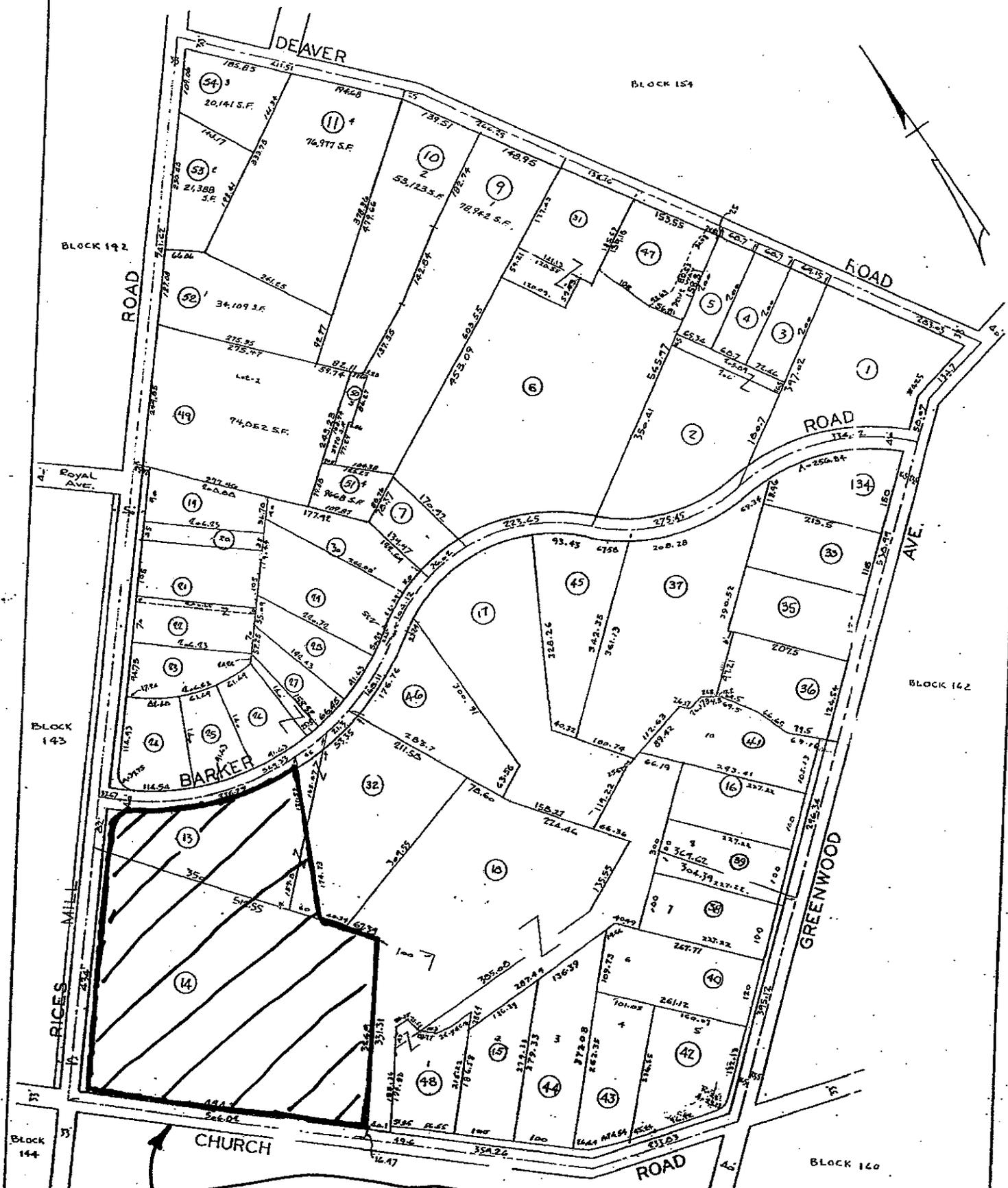
- a. **Cheltenham Township Building and Zoning Committee on Wednesday, October 3, 2012 at 8:00 P.M. in Curtis Hall at Curtis Arboretum, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on Monday, October 29, 2012 at 7:30 PM at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3450 - Appeal of School District of Cheltenham Township, 2000 Ashbourne Road, Elkins Park, PA owner of premises known as 333 Rices Mill Rd., Wyncote, PA (a/k/a Wyncote Elementary School), from the Decision of the Zoning Officer in order to demolish / remove the existing school and build a new Elementary School:

The following Zoning Relief is required for the proposed school building within the R-3 Residential District:

1. From CCS 295-23. (Building area) for relief to construct a 51,252 SF school building with 22.96% building coverage that exceeds the allowable 15%. The existing nonconforming building coverage is 19.22%.
2. From CCS 295-220A. (Front yard projections) for relief to construct a portion of the play area in the front yard setback along Church Road and to allow the proposed driveway widths along Rices Mill and Barker Roads to exceed 18 feet.
3. From CCS 295-221.B(5).(a) (Location of surface parking) to allow surface parking between the school building and Rices Mill and Barker Roads.



333 RICES MILL RD.

CHELTENHAM TOWNSHIP
 MONTGOMERY CO., PA.
 REAL ESTATE REGISTRY
BLOCK 155
 SCALE - 1"=100'
 JULY - 9 - 1930.
 DRAWN BY: T.P.K.
 CHECKED BY: H.M.R.

ZHB 3450-4

NOTICE

NOTICE IS HEREBY GIVEN that an application for zoning relief for 1309 Ashbourne Road, Elkins Park, PA 19027 will be reviewed by the following Township Body which will offer recommendations to the Zoning Hearing Board:

- b. Cheltenham Township Building and Zoning Committee on Wednesday, October 3, 2012 at 8:00 P.M. in Curtis Hall at Curtis Arboretum, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on Monday, October 29, 2012 at 7:30 PM at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO 3451 – Appeal of Patricia Fiedler, owner of premises known as 1309 Ashbourne Road, Elkins Park, PA, from the Decision of the Zoning Officer to allow the apartment over the garage to be rented to someone other than the owner of the property.

The property is zoned R-5 Residence District and contains a 2-1/2 story residential structure that houses three rental units (existing legal nonconformity) and a 1-1/2 story structure with a garage and an apartment unit over the garage. The previous zoning relief from appeals #661 and #243 required that only the property owner may occupy the garage apartment during the summer months, without improvements or heat and without any intention of renting the property.

The following Zoning Relief is required for the proposed garage apartment within the R-5 Residential District:

1. To modify the conditions of previous zoning appeals #661 and #243 to eliminate the imposed conditions and allow the apartment over the garage to be rented to someone other than the owner of the property.

Block 41

MONTGOMERY AVE

AVE

RD.

ASHBOURNE RD.

(Formerly Cheltenham Ave)

PENN ST.

GERARD

F. HARRISON

MILL RD.

BLK. 47

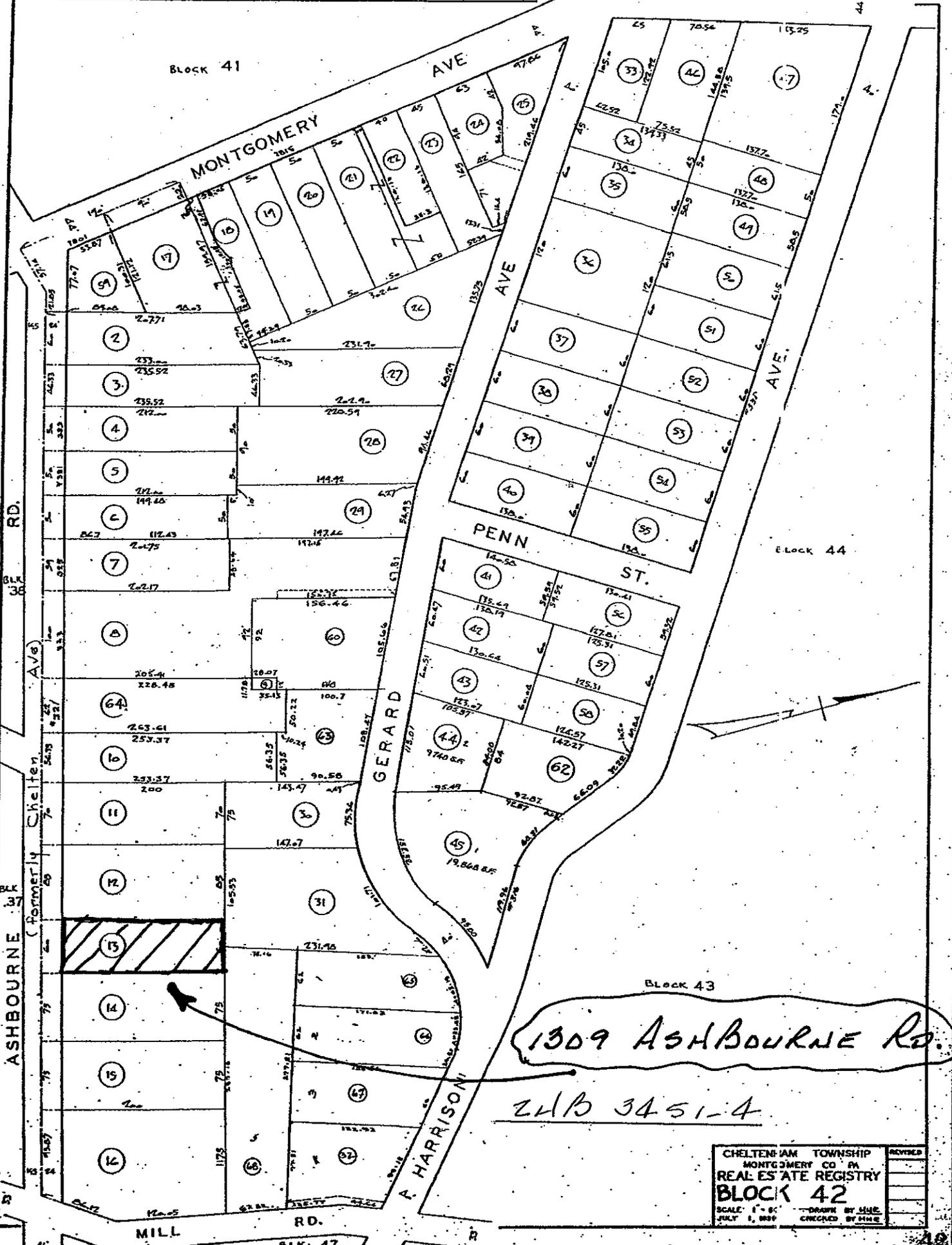
Block 44

Block 43

1309 Ashbourne Rd.

ZLB 3451-4

CHELTENHAM TOWNSHIP
 MONTGOMERY CO. PA
 REAL ESTATE REGISTRY
Block 42
 SCALE: 1" = 60'
 JULY 1, 1988
 DRAWN BY HME
 CHECKED BY HME





ARCHITECTS, PC
ARCHITECTURE
PLANNING
400 GREENWOOD AVENUE
WYANOCOTE, PA 19033
215.885-1500
800.334.2389

NO. 794 HAVO, O. 13111/AVY JL 808
PA, 19111

Proposed
Zoning Plan

for
1309 Ashbourne
Road

Elkins Park
PA 19027

for
Patricia A.
Fiedler

309 Paxton
Road
Glenside
PA 19038



REVISION:

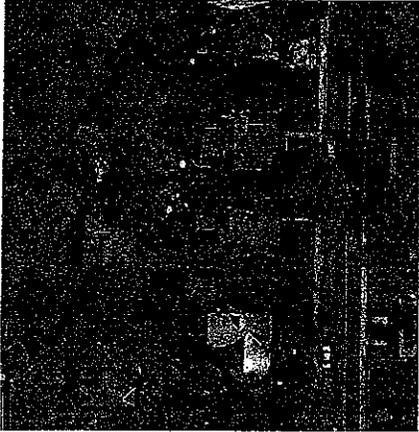
DATE:

SCALE: AS NOTED

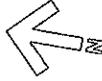
PROJ NO: 1227D

© COPYRIGHT 2012

PA-1



1 Aerial Photo of Existing Conditions
Scale: 1" = 40'



Site Information

Address 309 Ashbourne Road
Owner Patricia A. Fiedler

309 Paxton Road
Glenside, PA 19038

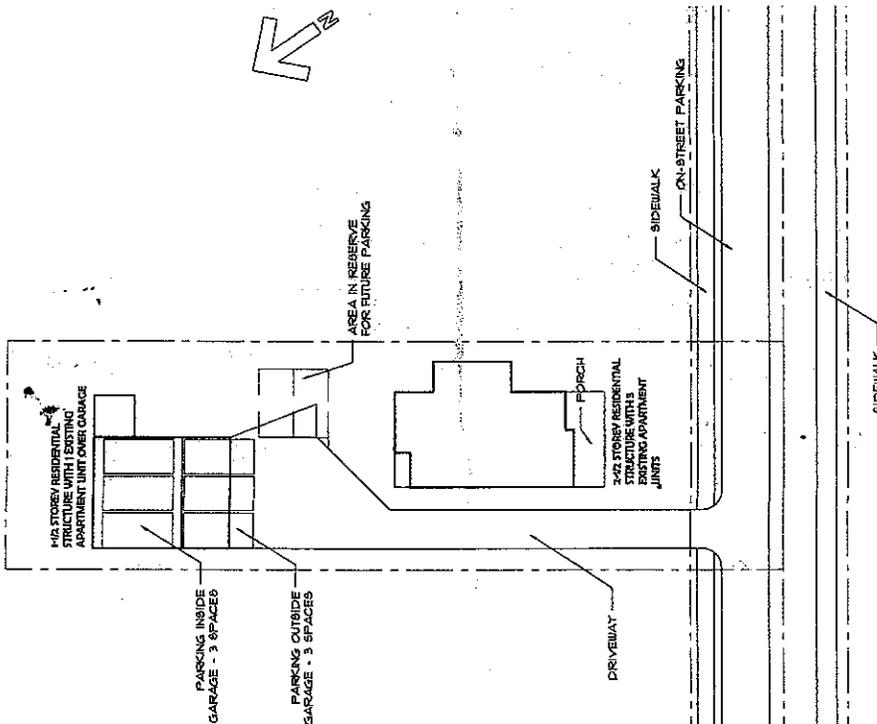
Parcel ID 31-00-00718-00-7
Block 042 Unit 01B

Zoning District R-5

Previous Zoning Appeals: #661 & #243

Existing Parking On-Site = 6 Parking Spaces

Parking Requirement - Multi-Family
1-1/2 Parking Spaces Per Unit = 6 Parking Spaces



1 Existing Site Plan
Scale: 1" = 40'



ZHP 3451-7

NOTICE

NOTICE IS HEREBY GIVEN that an application for zoning relief for 734 Willow Grove Ave., Glenside, PA 19038 will be reviewed by the following Township Body which will offer recommendations to the Zoning Hearing Board:

- b. Cheltenham Township Building and Zoning Committee on Wednesday, October 3, 2012 at 8:00 P.M. in Curtis Hall at Curtis Arboretum, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on Monday, October 29, 2012 at 7:30 PM at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO 3452 – Appeal of the Calvary Orthodox Presbyterian Church, owner of premises known as 734 Willow Grove Ave., Glenside, PA, from the Decision of the Zoning Officer to construct two (2) 24' x 20' additions and expand the existing parking lot.

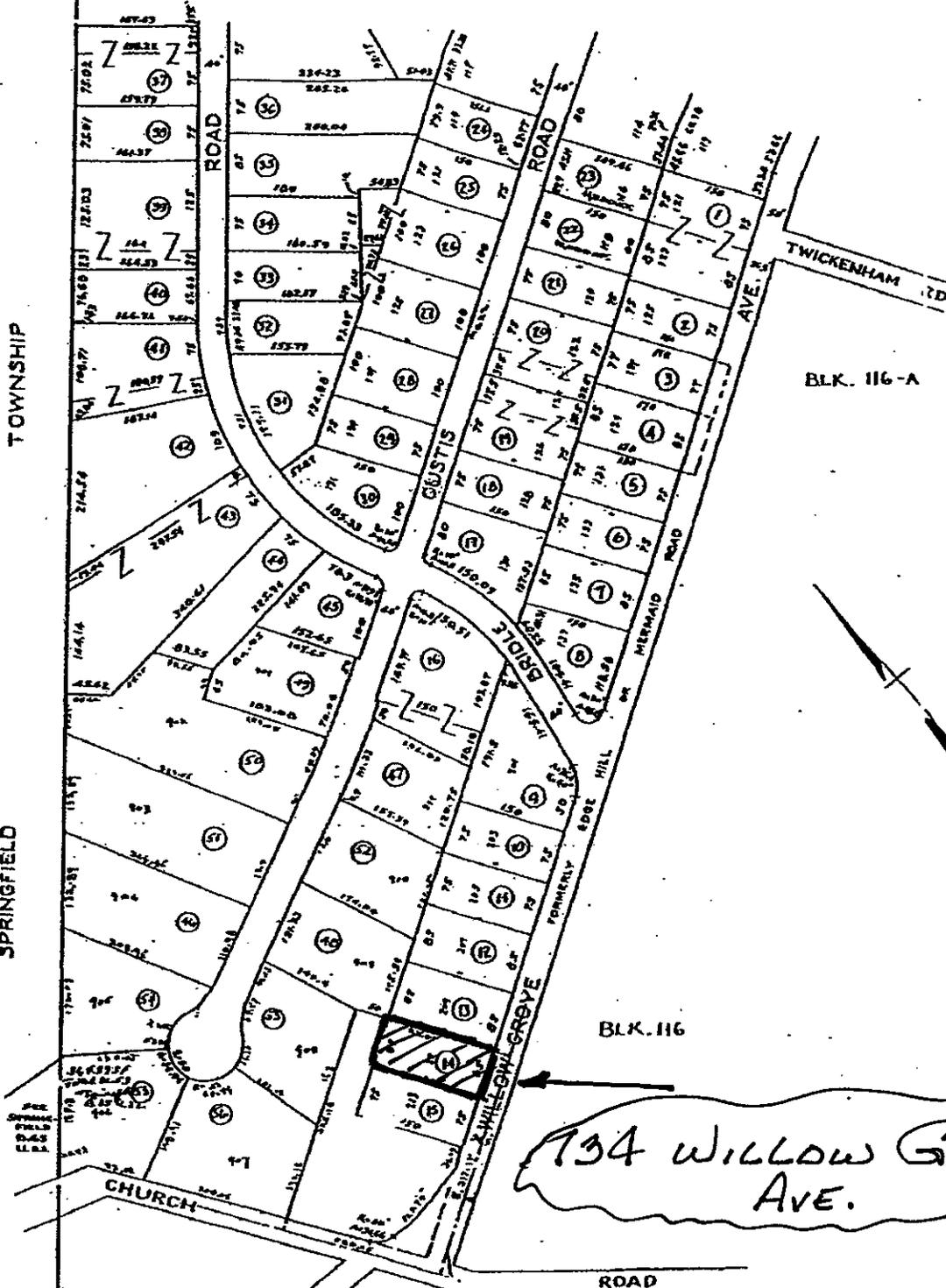
The following Zoning Relief is required for the proposed site improvements within the R-4 Residential District:

1. From section 295-39.A for relief to construct a two story 24' x 20' addition within the 40' front yard setback area. The proposed setback is 26.92'. The existing church building's front yard setback is 33.47' which is legal nonconforming as a result of PennDOT acquiring additional right-of-way along Willow Grove Ave.
2. From section 295-166.B for relief to allow the disturbance of 7,250 SF of steep slopes ($\geq 15\%$ slopes) to construct a building addition and for the expansion of the parking lot. Approximately 60.86% of the steep slopes on the site will be disturbed.
3. From section 295-221.H for relief from the parking requirement of 83 parking spaces based on 1 space per 100 SF gross floor area. The existing number of 48 parking spaces is an existing nonconformity.
4. In addition, a special exception is requested from section 295-227.B to allow for the expansion of the existing nonconforming building.

SEE BLOCK NO 108-A

TOWNSHIP

SPRINGFIELD



52
21B 3449-4

CHELtenham TOWNSHIP

BLOCK No. 108

SCALE 1" = 100'

The Planning Commission ("PC") meeting was held tonight at Curtis Hall. The following Planning Commission members were present: Messrs. Cross, Brockington, Leighton, DiBenedetto, Greenberg and also present was ex-officio members Harrower and Laughlin. Also present was Patrick J. Duffy, Director of Engineering, Zoning & Inspections and Carmen G. Reitano, Assistant to the Director of Engineering, Zoning & Inspections.

1. Acceptance of the minutes of the August 27, 2012 Meeting.

Mr. Leighton made a Motion to approve the minutes as amended, Mr. Brockington seconded the Motion; the Motion passed.

2. Review of Zoning Hearing Board Agenda for October 29, 2012.

APPEAL NO. 3450 - Appeal of School District of Cheltenham Township, 2000 Ashbourne Road, Elkins Park, PA owner of premises known as 333 Rices Mill Rd., Wyncote, PA (a/k/a Wyncote Elementary School), from the Decision of the Zoning Officer in order to demolish / remove the existing school and build a new Elementary School.

The following Zoning Relief is required for the proposed school building within the R-3 Residential District:

1. From CCS 295-23. (Building area) for relief to construct a 51,252 SF school building with 22.96% building coverage that exceeds the allowable 15%. The existing nonconforming building coverage is 19.22%.
2. From CCS 295-220A. (Front yard projections) for relief to construct a portion of the play area in the front yard setback along Church Road and to allow the proposed driveway widths along Rices Mill and Barker Roads to exceed 18 feet.
3. From CCS 295-221.B(5).(a) (Location of surface parking) to allow surface parking between the school building and Rices Mill and Barker Roads.

Glenn Harris, Renew Design Group, Jason Haring, Esq. Wisler Pearlstine and Bryan Goode, Gilbert Architects were present to discuss this application.

Mr. Harris gave a presentation of the plan. Mr. Harris stated that the School District intends to construct a new elementary school. Mr. Harris stated that the Township Code allows for 15% building area whereas the current school is taking up 19% (existing non conformity) and the proposed new elementary school will take up 22%.

Mr. Cross asked if there is state standards for the amount of grounds a school has, Mr. Harris stated that the State recommends certain amount of acreage depending on the type of school.

Mr. Harris stated that the School District looked at different alternatives but decided to keep the new school in the same area as the existing one to minimize impact on the neighborhood.

Messers Harris and Goode gave a presentation on the current location of the school. Mr. Harris stated that the busses currently use Barker Road and currently stage for pick-up and drop-off on Barker Road. Mr. Harris stated that parents frequently do not have space to drop off children which means a lot of times kids are crossing traffic.

Mr. Harris stated that the existing plan has 3 street frontages. Discussion ensued regarding access points on presented plan. Mr. Harris stated that the buses will come off of Rices Mill Road onto a loop system in the front of the building. There will be a secure entry point into the building with a small parking lot for visitors and the handicapped.

Mr. Harris stated that the Township Ordinance requires parking to the rear or side of the property and Mr. Harris stated that the School District feels they have substantially met the requirements.

Mr. Harris stated that there are 22 proposed parking spaces which will be made up of grass pavers to project a larger lawn area within the front yard setback areas. Mr. Harris pointed out the locations on the proposed plan. Discussion ensued regarding driveway widths noted on the plan.

Mr. Cross asked if the proposed bus loop considers turning width for buses. Mr. Harris confirmed that it's been calculated and verified.

Mr. Harris stated that the proposed playgrounds are in some of same play areas as what's currently there and a new fence will be installed.

Mr. Laughlin asked what type of surface were the play areas. Mr. Harris stated that the play areas would be primarily asphalt so children may continue to play without getting dirty. Mr. Laughlin asked about trash access and Mr. Harris located the proposed dumpster locations on the presented plan.

Mr. Goode gave a presentation on the classroom locations denoted on the plan.

Mr. DiBenedetto asked Mr. Goode to explain the Wyncote Elementary School compared to the Glenside Elementary School that was recently built. Mr. Goode stated that the Wyncote Elementary school is slightly bigger with a classroom capacity of 25 students. Mr. DiBenedetto asked if there was any input from community regarding the gym design. Mr. Goode stated no.

Discussion ensued about the usefulness of a gymnasium open to the public.

Mr. Cross stated that the layout of the building is compact and well considered and the bus queuing seems to make sense. Mr. Cross asked if there were any plans to occupy the back parking lot. Mr. Harris stated that the back playground areas can be used as overflow parking.

Mr. Goode stated they asked for comments from the community regarding design. Discussion ensued regarding the types of building materials being used.

Mr. Harrower pointed out the historic aspect and elements of the building and asked what if any historic preservation analysis of the existing building was performed. Mr. Goode stated in his professional opinion that the School District doesn't feel like there is any historic value of the property. In the School District's opinion the condition of the building is getting very run down.

Mr. Goode stated that the School District has to go in front of the Montgomery County Historical Commission per the Department of Education.

Mr. DiBenedetto asked if the school was designed around any silver standard or green initiatives. Mr. Goode stated that they followed all guidelines to create a sustainable project.

Mr. Goode stated that there is a green vegetative roof being installed over one of the kindergarten areas right outside of the library. Mr. Goode stated that from the library you can look down on the vegetative roof and it can be used as a teaching tool for the school students.

Mr. Harrower stated that he understands the logic of the plan. Mr. Harrower stated that it's a nice solution to a complicated site, even though he is partial to the current Elementary School.

Mr. DiBenedetto suggested some kind of policing around the bus turn around and the parent parking to prevent people from cutting through the emergency access.

Mr. DiBenedetto stated that he would like to see more of an effort to landscape the front of the property as they are replacing lawn with paved spaces. Mr. DiBenedetto stated that he doesn't want to see parking in the front but understands why it needs to be done.

Mr. Brockington made a motion of No Action, Mr. Greenberg seconded the motion; the motion passed.

APPEAL NO 3451 – Appeal of Patricia Fiedler, owner of premises known as 1309 Ashbourne Road, Elkins Park, PA, from the Decision of the Zoning Officer to allow the apartment over the garage to be rented to someone other than the owner of the property.

The property is zoned R-5 Residence District and contains a 2-1/2 story residential structure that houses three rental units (existing legal nonconformity) and a 1-1/2 story structure with a garage and an apartment unit over the garage. The previous zoning relief from appeals #661 and #243 required that only the property owner may occupy the garage apartment during the summer months, without improvements or heat and without any intention of renting the property.

The following Zoning Relief is required for the proposed garage apartment within the R-5 Residential District:

1. To modify the conditions of previous zoning appeals #661 and #243 to eliminate the imposed conditions and allow the apartment over the garage to be rented to someone other than the owner of the property.

Mr. Harold Lichtman was present for this application.

Mr. Reitano stated that the original owner was told by the Zoning Hearing Board he could use the space over the garage during the summer months only to maintain the property. It was never intended to be an apartment. Mr. Reitano stated that over the years a heating system has been installed and a full kitchen and bath.

Discussion ensued regarding the prior Zoning Hearing Board testimony from 1954 of the previous owner.

Mr. Lichtman stated that the new owner is asking the ZHB to remove the restriction. Mr. Laughlin asked when the new owner purchased the property. Mr. Lichtman stated 4 years ago and the property is listed as a triplex.

Mr. Lichtman pointed out that the use of the main building as apartments has been there since 1948. It's nothing new to the community. Mr. Cross asked if there was any reason why the Township would consider denying this request.

Mr. Duffy stated that he is ok with the proposed use but all the work done without permits should be subject to inspection.

Mr. Reitano stated that the concern is the condition of the building and the Township would like to see the building upgraded to meet current building code requirements.

Mr. Brockington made a motion of No Action with the following conditions:

- 1.) The applicant must apply for building permits and inspections to ensure the building is code compliant.
- 2.) Demonstrate that the current parking situation meets the zoning code.

Mr. DiBenedetto seconded the motion; the motion passed.

APPEAL NO 3452 – Appeal of the Calvary Orthodox Presbyterian Church, owner of premises known as 734 Willow Grove Ave., Glenside, PA, from the Decision of the Zoning Officer to construct two (2) 24' x 20' additions and expand the existing parking lot.

The following Zoning Relief is required for the proposed site improvements within the R-4 Residential District:

1. From CCS 295-39.A for relief to construct a two story 24' x 20' addition within the 40' front yard setback area. The proposed setback is 26.92'. The existing church building's front yard setback is 33.47' which is legal nonconforming as a result of PennDOT acquiring additional right-of-way along Willow Grove Ave.
2. From CCS 295-166.B for relief to allow the disturbance of 7,250 SF of steep slopes ($\geq 15\%$ slopes) to construct a building addition and for the expansion of the parking lot. Approximately 60.86% of the steep slopes on the site will be disturbed.
3. From CCS 295-221.H for relief from the parking requirement of 83 parking spaces based on 1 space per 100 SF gross floor area. The existing number of 48 parking spaces is an existing nonconformity.
4. In addition, a special exception is requested from CCS 295-227.B to allow for the expansion of the existing nonconforming building.

Scot Semich Esq. and Rich Knudsen, P.E. was present for this application.

Mr. Semich stated that the Church is not seeking to increase the number of seats in the church but to update the building for a better atmosphere for the attendants and accessibility. Mr. Semich stated that the applicant is proposing to add 2 additions. One of the additions will be for a better access to and from the church parking lot for safety. Mr. Semich stated that the new addition will also contain an elevator so the entire church is accessible to the handicapped membership.

Mr. Semich stated that the applicant proposes to increase the number of parking spots from 48 to 64 spaces. Mr. Semich stated that the church met with the neighbors to discuss the plan.

Mr. Semich stated that the second addition will be a nursery with some office and equipment space and stated that the nursery addition needs a front yard setback variance due to PennDOT taking over a portion of land due to right-of-way acquisition.

Mr. Knudsen stated that people are not able to get to the bathrooms located in the bottom level of the church and the facilities are not only inadequate but doesn't meet ADA requirements. The proposed additions address these problems.

Additions will match existing building with the same brick façade and roof materials etc.

Discussion ensued regarding variances needed for a parking lot expansion. Mr. Knudsen pointed out the steep slopes listed on the site plan and a wall is required. Discussion ensued regarding types of materials and colors for the retaining wall.

Mr. Knudsen stated that the applicant would be interested in getting feedback from the Shade Tree Advisory Committee on the types of landscaping that would be appropriate for the area. Mr. Laughlin expressed concern regarding the distance between the retaining wall to the property line. Mr. Laughlin stated that you need more than 10' for wall maintenance without encroachment on other properties.

Mr. Knudsen stated that a big issue is stormwater management. He noted that two underground basins are proposed. Discussion ensued regarding the retention basin location on the plan.

Community Comments:

Tim McCool from 707 Custis Road stated that the church has been good at explaining the proposed plans for the property. Mr. McCool stated that he agrees with Mr. Laughlin's concern about the 10' setback from the retaining wall for maintenance. Mr. McCool stated that he's not happy to see an 18' wall erected in his back yard, but wouldn't impede progress if the church remained willing to work with neighbors. Mr. McCool stated that the church has done its due diligence to try to handle all stormwater management.

Mr. Reitano stated that Mr. McCool has flooding issues and so do the neighbors. Mr. McCool stated that the bulk of the runoff is 95% to 98% above the church property.

Mr. Cross stated that the additions look attractive and the things that are being done will benefit the community and the congregation.

Discussion ensued regarding entrances and parking listed on plan. Mr. Semich stated that there is an informal agreement with Westminster Theological Seminary to allow for overflow parking.

Mr. Harrower expressed concern that kids jump off the stone walls that surround the property. Mr. Harrower recommended fences or railings to prevent someone from getting hurt.

Discussion ensued regarding types of fencing around new playground area.

Mr. Cross stated that the project appears to be well planned out and strongly encouraged that the fence not be an afterthought in planning.

Mr. Brockington made a motion of No Action, Mr. Greenberg seconded the motion; the motion passed.

3. Review of Cheltenham Township Development Application No. 12-0600- 506 Stahr Road- St. Nicholas Serbian Orthodox Church- Proposed Rectory.

Justin Ruby, P.E. of Mainstay Engineering was present for the application. Mr. Ruby stated that the main improvement is a proposed 2 storey rectory that remains in the footprint of the existing property. There will be a new sidewalk for the congregation as well as lighting improvements and stormwater management improvements.

Mr. Reitano stated that the previous zoning appeal process upheld the decision to allow the rectory but not in the steep slope areas. Mr. Ruby stated it's the same application as last year only in

compliance with zoning. Mr. Reitano stated there are no other issues and the issue of the hedges was resolved as it was proven by a professional land surveyor that the church owns the hedgerow.

Mr. Brockington made a motion of No Action, Mr. Greenberg seconded the motion; the motion passed.

4. Old Business

None

5. New Business

Ms. Nagy reminded the committee that there will be two (2) Zoning Hearing Board meetings in the month of October.

The October 15, 2012 meeting will address the Kerlin Farm appeal only and the October 29, 2012 meeting is a specialty meeting that will address all the other Zoning Hearing Board appeals.

Ms. Nagy stated that notification for the Kerlin Farm meeting was sent via postcard on September 18, 2012 to the neighbors informing them of the October 15, 2012 date.

Ms. Nagy also noted for the record that the October 29, 2012 meeting is not listed on the Township calendar but is reflected on the Township website and on Channel 42.

6. Adjournment

Mr. Cross made a motion for adjournment; Mr. Winneberger seconded the motion, the motion passed. The meeting adjourned at 9:15 P.M.



Bryan T. Havir

Acting Township Manager

Per Holly A. Nagy

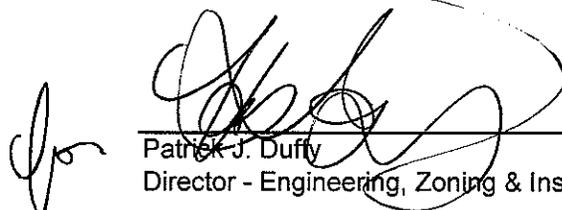
**RECENT
ZONING HEARING BOARD
DECISIONS**

September 26, 2012

COMMISSIONERS OF CHELTENHAM TOWNSHIP
ELKINS PARK, PA 19027

**COMMISSIONERS OF CHELTENHAM TOWNSHIP
REPORT OF THE BUILDING INSPECTOR FOR SEPTEMBER, 2012**

	# PERMITS	TOT. FEES	\$ VALUE
RESIDENTIAL			
RENOVATIONS / ALTERATIONS	22	4,133	206,650
MULTI-FAMILY			
RENOVATIONS / ALTERATIONS	0	0	0
COMMERCIAL			
RENOVATIONS / ALTERATIONS	1	3,275	163,750
INSTITUTIONAL			
RENOVATIONS / ALTERATIONS	0	0	0
FENCE	1	60	60
SEPTEMBER, 2012	24	7,468	370,460
SEPTEMBER, 2011	27	9,976	486,261
YEAR-TO-DATE 2012	462	141,656	6,865,532
TOTAL 2011	428	114,275.9	4,267,138.9
HEATING & AIR CONDITIONING			
SEPTEMBER, 2012	3	624	31,200
SEPTEMBER, 2011	6	1,747	88,000
YEAR-TO-DATE 2012	31	15,431	800,600
TOTAL 2011	63	12,591	459,400
ELECTRICAL			
SEPTEMBER, 2012	2	473	23,650
SEPTEMBER, 2011	6	795	40,000
YEAR-TO-DATE 2012	61	13,533	661,657
TOTAL 2011	108	11,975	427,442



Patrick J. Duffy
Director - Engineering, Zoning & Inspections