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

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

Wednesday, July 3, 2013
8:00 PM
Curtis Hall

AGENDA

1. Review of the Zoning Hearing Board Agenda for July 8, 2013.
   See Attached.

2. Review of the Planning Commission Meeting Minutes of June 24, 2013.
   See Attached.

3. Review of waiver request for building permit fees for Myers Elementary School.
   See Attached.

4. Review of the Economic Development Task Force recommendations for issuance of Certificates of Appropriateness for signage for the following:

   - Springleaf Financial – 7400 N. Front Street, Cheltenham for *signage.*

5. Review of recent Decision(s) of the Zoning Hearing Board.
   See attached

6. Report of the Building Inspector for June 2013.
   See attached.

7. Old Business

8. New Business

9. Citizens' Forum

10. Adjournment

Bryan T. Havir
Township Manager

ZONING HEARING BOARD

AGENDA

FOR

JULY 8, 2013

NOTICE

NOTICE IS HEREBY GIVEN that an application for zoning relief for 7801 Woodlawn Ave., Elkins Park, PA 19027 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

a. **Cheltenham Township Planning Commission on Tuesday, May 14, 2013 at 7:30 P.M. in Curtis Hall in Curtis Hall at Greenwood Avenue and Church Road, Wyncote, PA 19095.**

b. **Cheltenham Township Building and Zoning Committee on Wednesday, June 5, 2013 at 8:00 P.M. in Curtis Hall in Curtis Hall at Greenwood Avenue and Church Road, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on June 10, 2013 at 7:30 PM at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3465: (Continued) Appeal of Elizabeth and Scott Rawes owners of premises known as 7801 Woodlawn Ave., Elkins Park, PA 19027 zoned R-4, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 26' x 24'garage with a second floor in-law suite on the northeast side of the premises.

The following Zoning Relief is required for the existing single family dwelling:

a. A Variance from the rules and regulations of CSS 295-36 to allow the use of an in-law suite on the property which is not a permitted use under CCS 295-36 use regulations in the R-4 zoning district, and

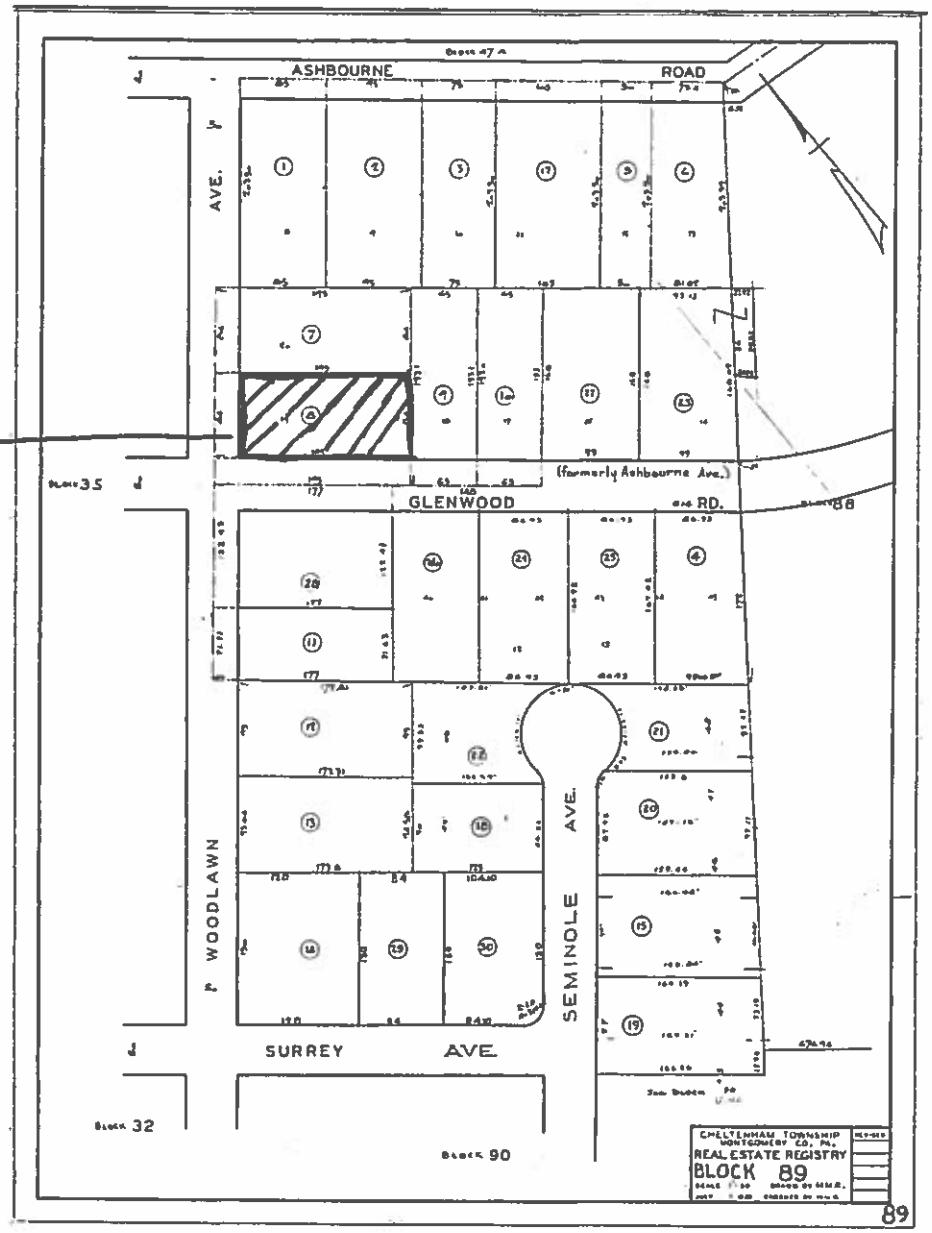
b. A Variance from the rules and regulations of CCS 295-39.B.(2) to allow the construction of a 26'x 24' garage/in-law suite with a side yard setback of 5' which is less than the required 10' side yard setback width, and

c. A Variance from "Fences and Walls" as outlined in CCS 295-223. in order to install 124' +/- of 6' high, solid fencing within the Glenwood Avenue frontage required front yard setback area of the Premises instead of the permitted 4' high 50% open fencing.

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 working days prior to the meeting.

01 Woodlawn

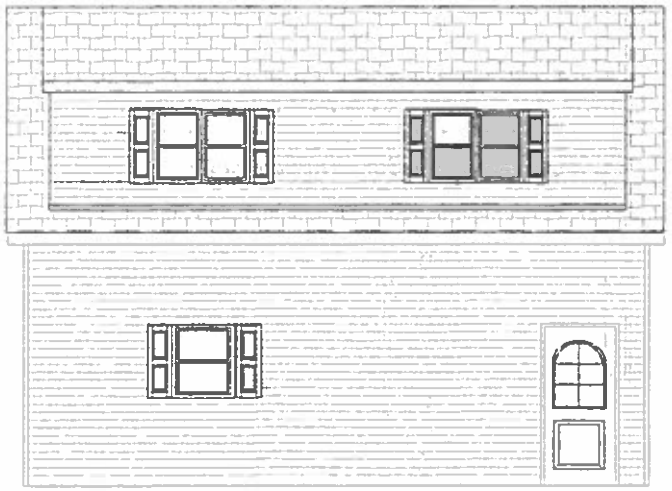


7HR 3465-4

Right Elevation

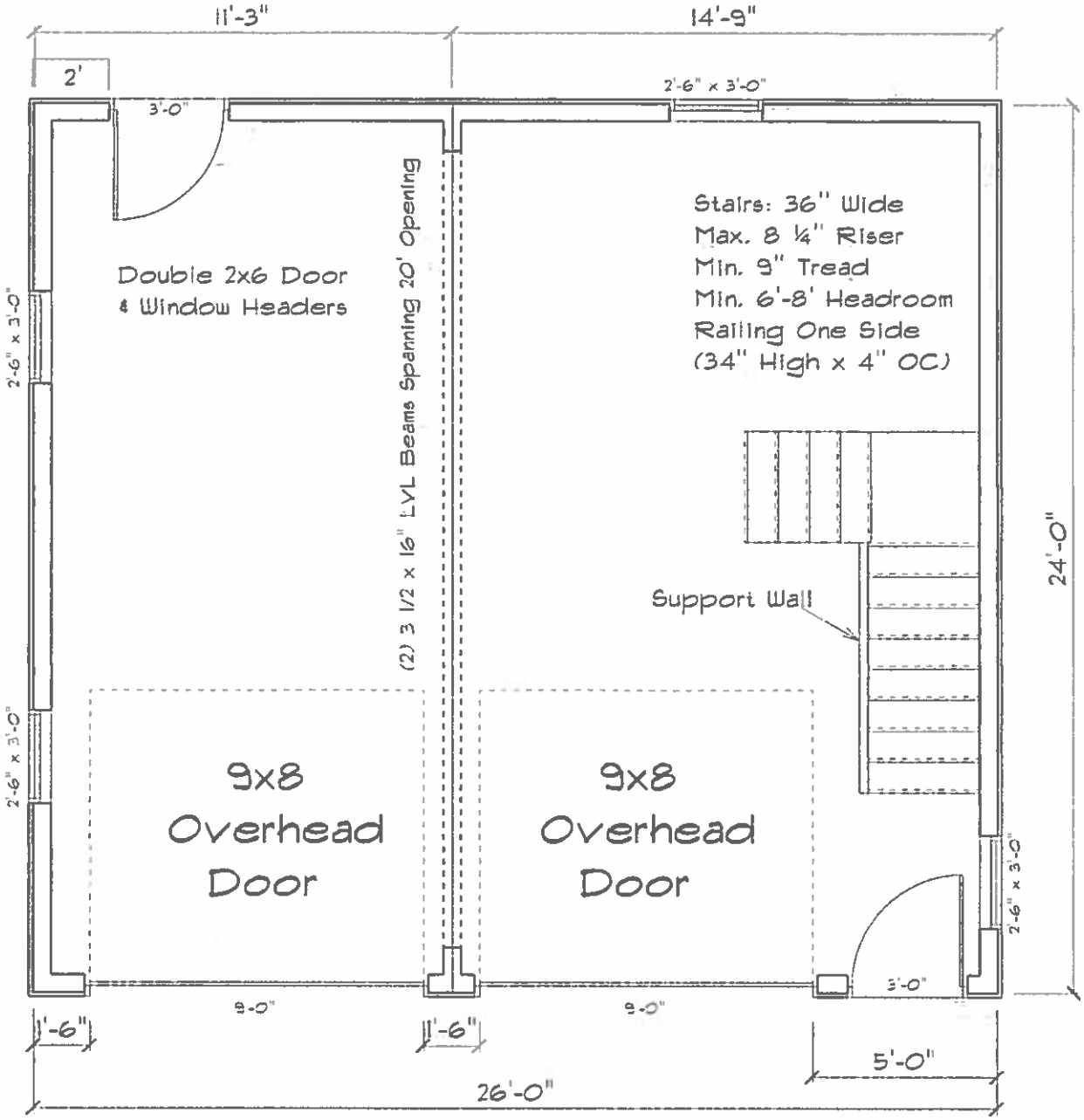
Front Elevation

Left Elevation



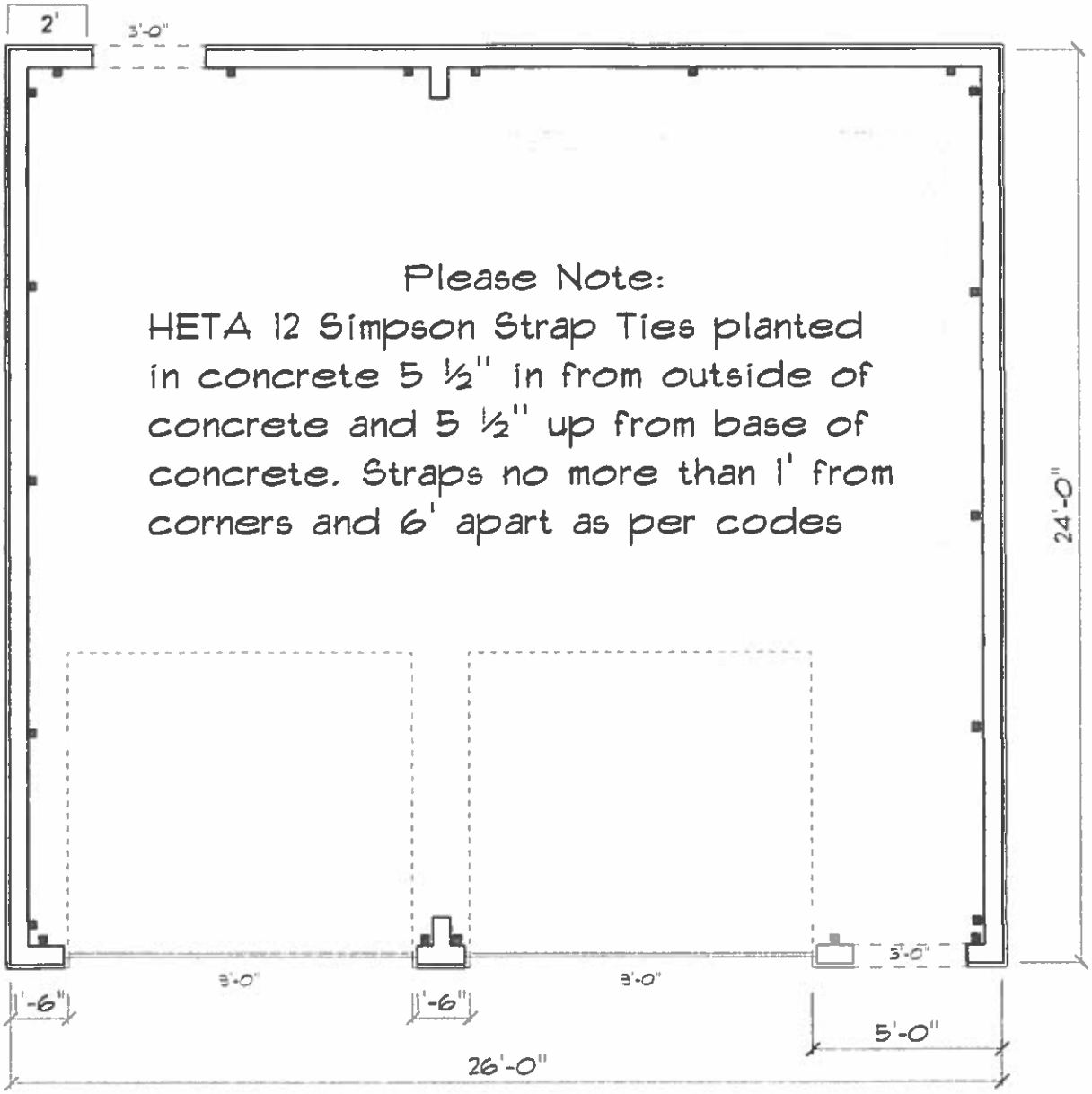
Rear Elevation

Construction Notes:	Builders:	Job Name:	Dimensions:
[illegible]	Stoltzfus Structures 5675 Lower Valley Road Atgen, Pa 19540 www.mgsheds.net	Libby Rawes 7801 Woodlawn Ave Elkins Park PA 19027	26x24 Mega Garage



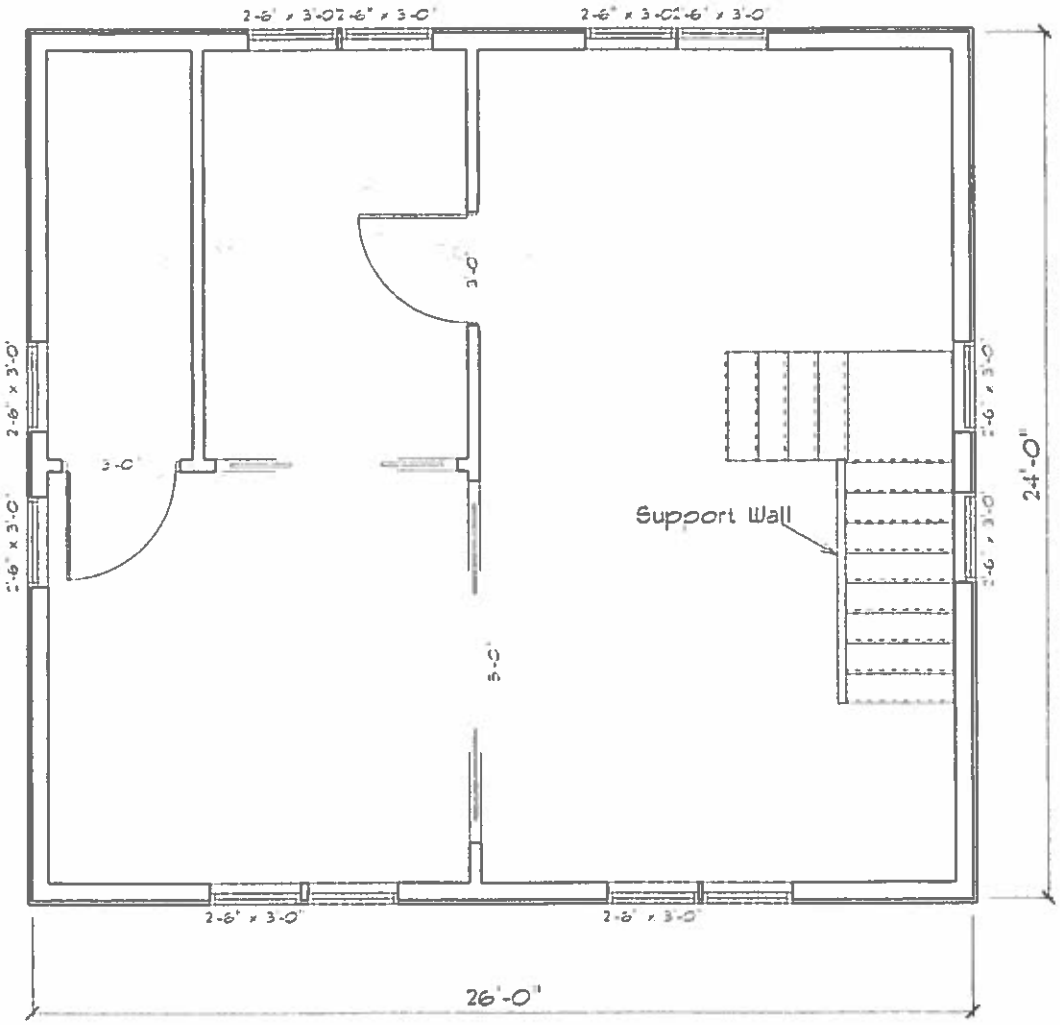
Floor Plan

Construction Notes:	Builders:	Job Name:	Dimensions:
Snow Load: 55 psf Wind Load: 90 mph Weathering: Severe Termite: Moderate to Heavy Decay: Slight to Moderate Flood Hazard: see Local Flood Map	Stoltzfus Structures 5075 Lower Valley Road Atglen, Pa 19310 www.mysheds.net	Libby Rawes 7801 Woodlawn Ave Elkins Park PA 19027	26x24 Mega Garage



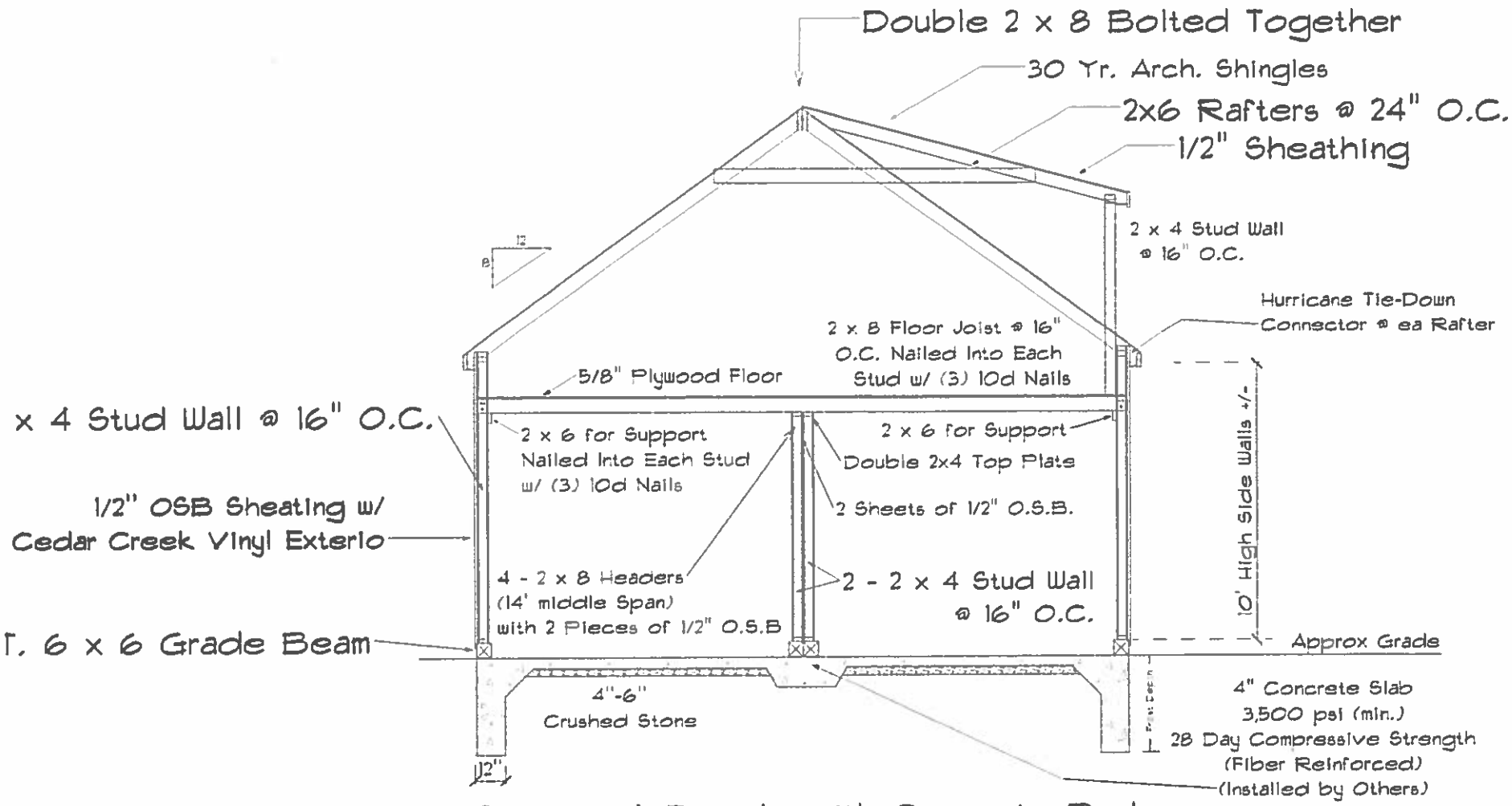
Concrete plan

Construction Notes:	Builders:	Job Name:	Dimensions:
Snow Load: 55 psf Wind Load: 90 mph Weathering: Severe Termite: Moderate to Heavy Decay: Slight to Moderate Flood Hazard: see Local Flood Map	Stoltzfus Structures 5075 Lower Valley Road Atglen, Pa 19310 www.mysheds.net	Libby Rawes 7801 Woodlawn Ave Elkins Park PA 19027	26x24 Mega Garage



2nd Floor Plan

Construction Notes:	Builders:	Job Name:	Dimensions:
Snow Load: 55 psf Wind Load: 90 mph Weathering: Severe Termite: Moderate to Heavy Decay: Slight to Moderate Flood Hazard: see Local Flood Map	Stoltzfus Structures 5075 Lower Valley Road Atglen, Pa 19310 www.mysheds.net	Libby Rawes 7801 Woodlawn Ave Elkins Park PA 19027	26x24 Mega Garage



Section A Detail - with Concrete Pad

Construction Notes:	Builders:	Job Name:	Dimensions:
Snow Load: 55 psf Wind Load: 90 mph Weathering: Severe Termite: Moderate to Heavy Decay: Slight to Moderate Flood Hazard: see Local Flood Map	Stoltzfus Structures 5075 Lower Valley Road Atglen, Pa 19310 www.mysheds.net	Libby Rawes 7801 Woodlawn Ave Elkins Park PA 19027	26x24 Mega Garage

May 30, 2013

David Jones
Director of Engineering, Zoning and Inspection
Cheltenham Township Building and Zoning
8230 Old York Road
Elkins Park, PA 13027

Dear David Jones,

We as neighbors of 7801 Woodlawn Ave, Elkins Park PA are writing today to show our support for the proposed garage and mother in law suite at this location. We understand the scope of the project and have seen and approve of project drawings and the proposed location of the structure.

As neighbors, we appreciate the value of this type of structure and consider it to be a valuable addition to the neighborhood not only aesthetically but for added accessibility and convenience for the home owners and their family. The owners of the property have the land to accommodate and the proposed location on the property would be appropriate in the community, as many other properties in the area have a very similar property layout and design.

We also have seen the homeowner's plans for the privacy fence on the Southwest perimeter of the property and have no objections. This too will be an aesthetically pleasing addition to the corner and will add valuable privacy, noise reduction and safety for the family's young child and pets. There is a problem with speeding in the immediate area and the family's young daughter and pets will garner great value from the addition of this fence.

We urge you to approve this application for zoning variance and building on this property as well as the privacy fence as we believe it will be a tasteful and valuable addition to the immediate neighborhood as well as for the homeowners themselves.

Thank you for your thoughtful consideration of this matter,

Rochelle Lent

[illegible]

Daniel S. Horaty

Christine MacArthur

Signatures Listed:

Rochelle Lent	7800 Woodlawn Ave
Tony Lent	7800 Woodlawn Ave
David Horowitz	239 Glenwood Rd
Christine McArthur	7725 Woodlawn Ave

Signatures not appearing, but discussed plans and received approval

7805 Woodlawn Ave.

NOTICE

NOTICE IS HEREBY GIVEN that an application for zoning relief for 8000 Old York Road, Elkins Park, PA 19027 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

a. **Cheltenham Township Planning Commission on Monday, June 24, 2013 at 7:30 P.M. at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.**

b. **Cheltenham Township Building and Zoning Committee on Wednesday, July 3, 2013 at 8:00 P.M. in Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on July 8, 2013 at 7:30 P.M. at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3467: Appeal of Anita T. Conner, owner of premises known as 8000 Old York Road, Elkins Park, PA 19027 from the decision of the zoning officer for the following zoning relief in order to allow a 4% expansion of an existing Accounting and Law office in a Class R-4 residential district.

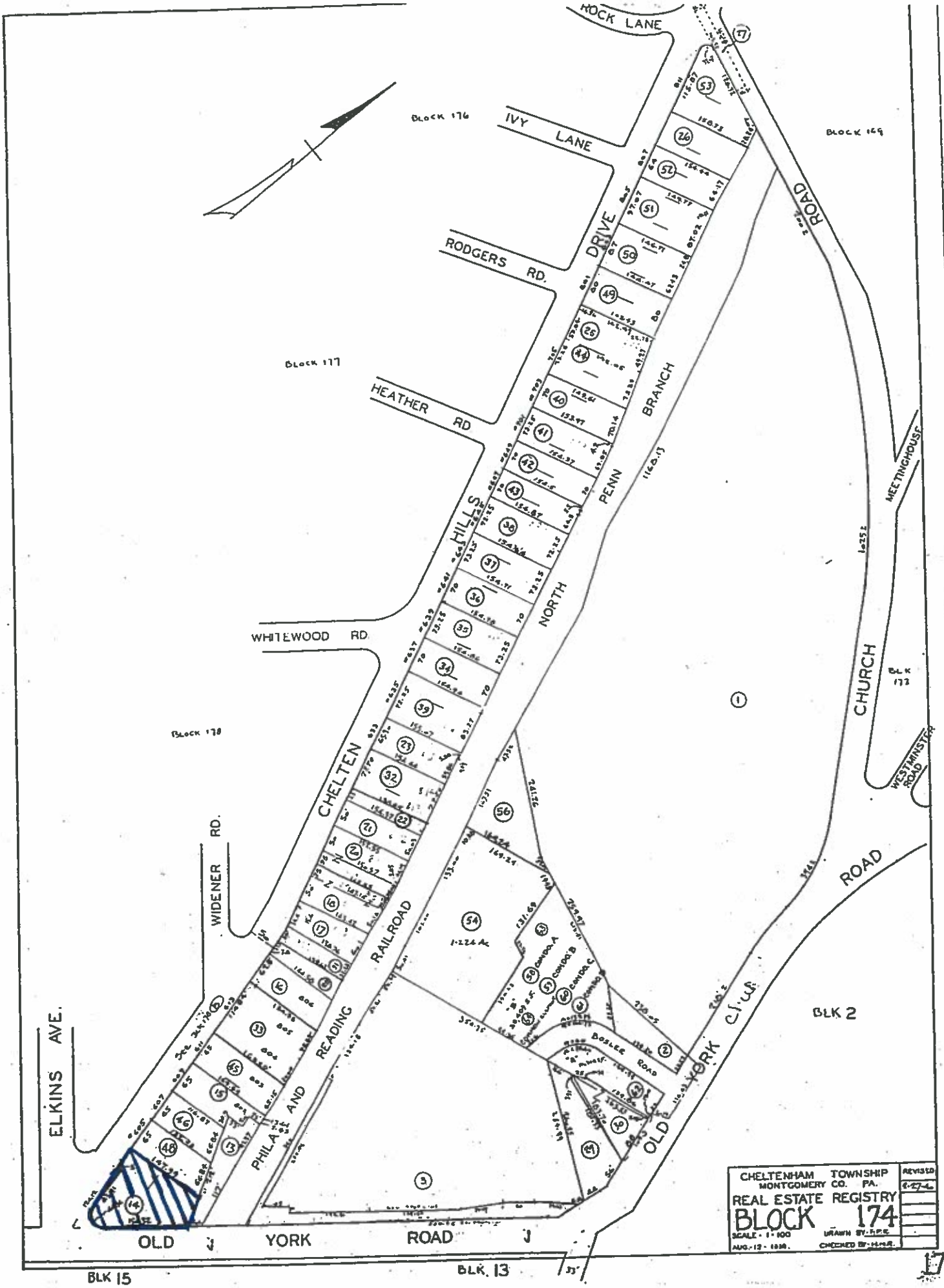
a. A special exception in accordance with Article XXIX of Chapter 295 of the Cheltenham Code as follows:

1. A Special Exception to permit alteration and expansion of a non-residential building in accordance with CCS 295-227.B. for an existing non-conforming use.

2. A Special Exception in accordance with CCS 295-227.C.(2) for an addition to non-conforming building not to exceed 25% of original building.

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 A.M. to 4:30 P.M.

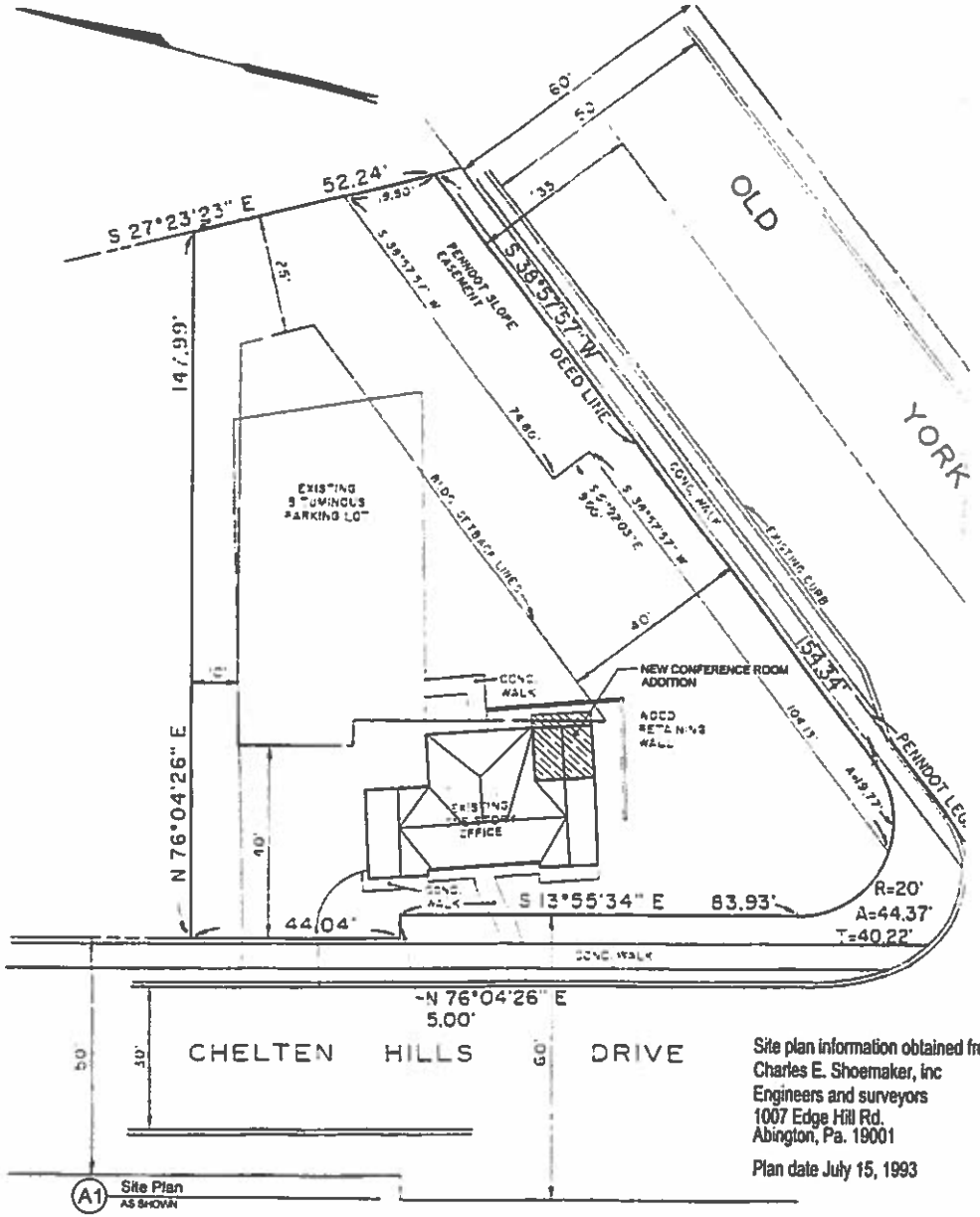
Any person or persons with a disability requiring a special accommodation to participate in the meeting should notify Nancy K. Gibson at 215-887-1000 at least 5 working days prior to the meeting.


ROCK LANE
IVY LANE
RODGERS RD.
HEATHER RD
WHITEWOOD RD.
WIDENER RD.
ELKINS AVE.
BLOCK 176
BLOCK 177
BLOCK 178
BLOCK 169
BLK 173
BLK 2
BLK 15
BLK. 13
CHELTEN HILLS DRIVE
NORTH PENN BRANCH
CHURCH ROAD
MEETINGHOUSE
WESTMINSTER ROAD
OLD YORK ROAD
PHILA. AND READING RAILROAD
BOSLER ROAD
CONDO A
CONDO B
CONDO C
CHELTENHAM TOWNSHIP
MONTGOMERY CO. PA.
REAL ESTATE REGISTRY
BLOCK 174
SCALE - 1 - 100
AUG. - 12 - 1938.
DRAWN BY - F.P.E.
CHECKED BY - H.H.R.
REVISED
174

ZONE R-4 REQUIREMENTS

LOT AREA	10,000 SF.
BUILDING AREA	20% MAX
FRONT YARD	40 FT.
SIDE YARD	10 FT.
REAR YARD	25 FT.
BUILDING HEIGHT	40 FT.

LOT AREA	16,538.77 SF.
BUILDING AREA EXIST.	1,245 SF
BUILDING AREA PROP.	1,285 SF
IMPERVIOUS AREA EXIST.	5363.25 SF
IMPERVIOUS AREA PROP.	5403.25 SF



Site plan information obtained from
Charles E. Shoemaker, inc
Engineers and surveyors
1007 Edge Hill Rd.
Abington, Pa. 19001

Plan date July 15, 1993

ZHB 3467-8

MA

Main Office
PO Box 250
Sergeantsville
New Jersey 0855
(609) 737-7976
FAX (609) 718-01

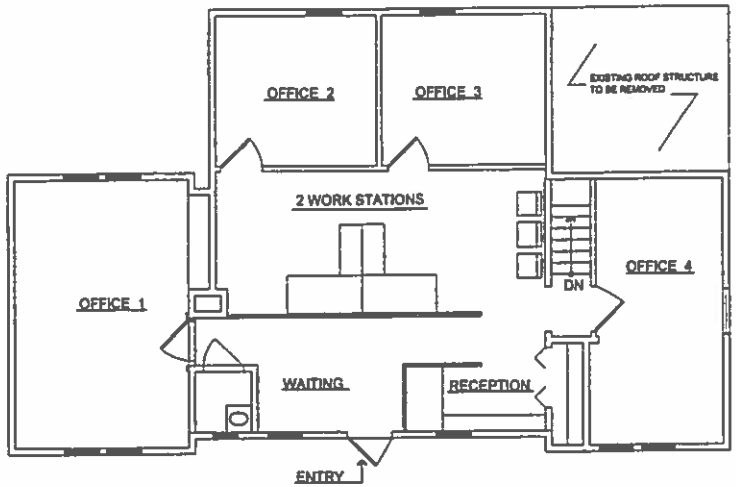
Anita T Conner Asso.,PC
8000 Old York Rd.
Elkins Park, PA 19027
Unit 014 Block 174

Site Plan

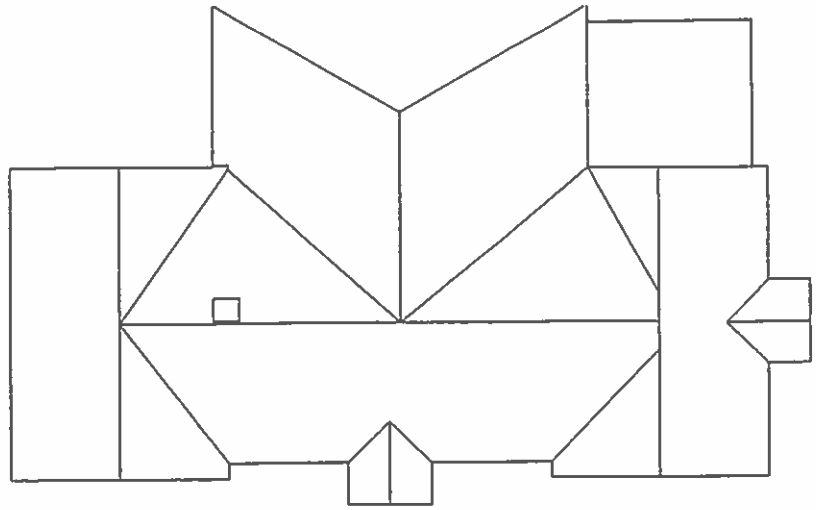
VARIANCE DWG
6/7/2013

A-1

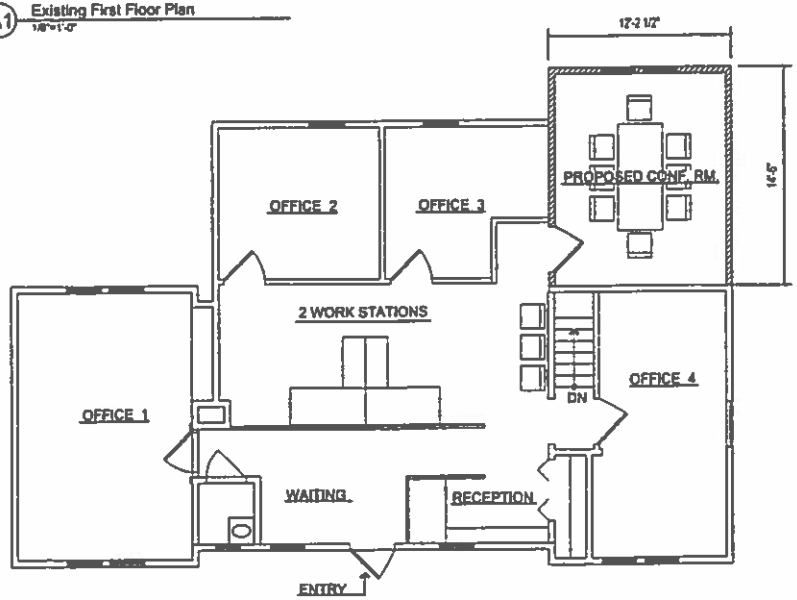
Sht.1 of 3



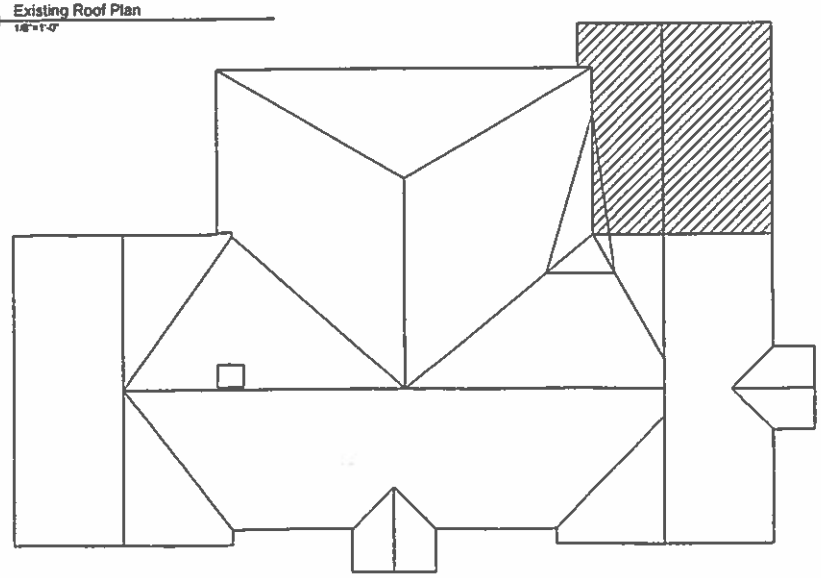
A1 Existing First Floor Plan
1/8"=1'-0"



A2 Existing Roof Plan
1/8"=1'-0"



B1 Proposed First Floor Plan
1/8"=1'-0"



B2 Proposed Roof Plan
1/8"=1'-0"

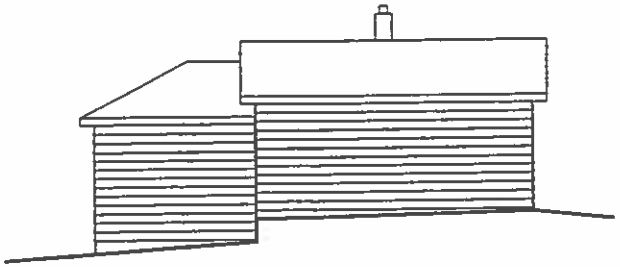
ZHB 3467-B.1

MA
Main Office
PO Box 250
Sergeantsville
New Jersey 08557
(609) 737- 7976
FAX (609) 718-0185

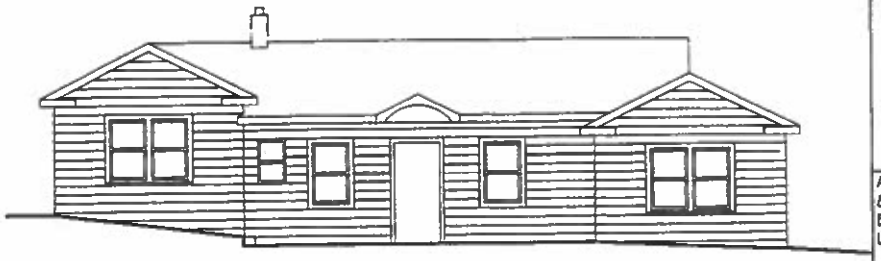
Anta T Conner Asso.,PC
8000 Old York Rd.
Elkins Park, PA 19027
Unit 014 Block 174

Plans

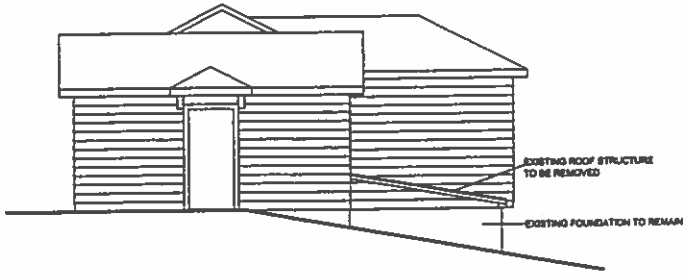
VARIANCE DWG
A-2
Sht.2 of 3



A1 Existing North Elevation
1/8"=1'-0"

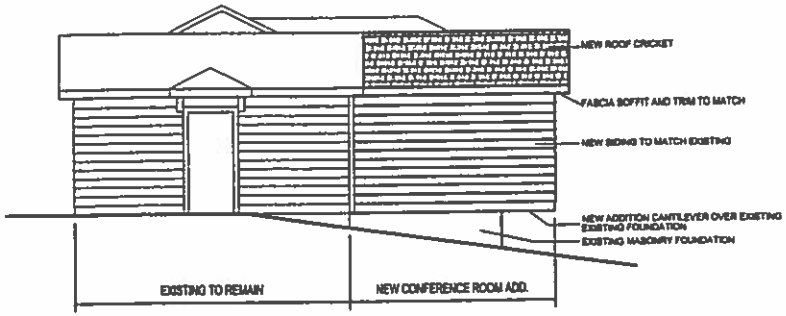


A2 Existing West Elevation
1/8"=1'-0"



B1 Existing South Elevation
1/8"=1'-0"

B2 Existing East Elevation
1/8"=1'-0"



C1 Proposed South Elevation
1/8"=1'-0"

C1 Proposed East Elevation
1/8"=1'-0"

ZHB 3467-8.2

MA
Main Office
PO Box 250
Sergeantsville
New Jersey 0855
(609) 737- 7976
FAX (609) 718-01

Anta T Conner Asso.,PC
8000 Old York Rd.
Elkins Park, PA 19027
Unit 014 Block 174

Elevations

VARIANCE DWG
8/7/2013

A-

Sht.3 o

NOTICE

NOTICE IS HEREBY GIVEN that an application for zoning relief for Good Pro Cheltenham, L.P. c/o Goodman Properties, 636 Old York Rd, 2nd Floor, Jenkintown, PA 19046 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

a. **Cheltenham Township Planning Commission on Monday, June 24, 2013 at 7:30 P.M. in Curtis Hall at Greenwood Avenue and Church Road, Wyncote, PA 19095.**

b. **Cheltenham Township Building and Zoning Committee on Wednesday, July 3, at 8:00 P.M. in Curtis Hall at Greenwood Avenue and Church Road, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on Monday, July 8, 2013 at 7:30 P.M. at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3468: Applicant is the equitable owner of a 3.65+ acre parcel of ground with frontage on Ogontz Avenue, Limekiln Pike, MacDonald Avenue and Clubhouse Lane. The property is located in a C1 Zoning District and is currently vacant.

Applicant proposes to develop the property for a WaWa Convenience Store containing 5,585 square feet with fueling stations. In this regard, Applicant requests the following zoning relief:

1. A variance under Section 295-98 of The Cheltenham Zoning Ordinance of 1929, as amended (the "Ordinance") so as to permit the property to be used as a Wawa convenience store containing 5,585 square feet with fueling stations;

2. A variance under Section 295-102 of the Ordinance for a reduction in the width of the 15 foot wide buffer along a public highway. The area between the proposed driveway and the Limekiln Pike right-of-way is 11.1 feet;

3. A variance under Section 295-101.A of the Ordinance to permit a canopy along Limekiln Pike to be located less than 60 feet from Limekiln Pike;

4. An interpretation under Section 295-221.B.(5)(a) of the Ordinance or, in the alternative, a variance under Section 295-221.B.(5)(a) of the Ordinance, to permit parking to be located between the building and the street;

5. A variance under Section 295-221.F of the Ordinance so as to increase the allowable parking area. The convenience store and the fueling stations use requires 31 parking spaces. Applicant is proposing 66 parking spaces, which is in excess of the maximum parking standard;

6. A variance under Section 295-221.K.(1) of the Ordinance so as to permit service and loading behind the building. Applicant proposes to have the loading on the side of the building (along Clubhouse Lane);

7. A variance under Section 295-196.A.(3) of the Ordinance so as to permit five (5) directional signs, each exceeding 4 square feet; and

8. Variances under Section 295-197.C.(1)(a) of the Ordinance, so as to permit: (a) two (2) free-standing, internally illuminated, double sided signs with LED price changer, one (1) containing 189.04 square feet with a height of 40 feet (located on Ogontz Avenue), and one (1) containing 99.94 square feet with a height of 25 feet (located on Limekiln Pike); (b) three (3) parallel wall signs with logo, one (1) containing 66.69 square feet (facing Limekiln Pike), one (1) containing 37.47 square feet on the rear of the building (facing the Clubhouse Lane/MacDonald Avenue intersection); and (c) an additional 3.92 square feet of parallel wall signage (pump signage), as per the attached signage plan, all of which parallel wall signs total 108.08 square feet, which total exceeds the maximum square footage permitted;

9. A variance under Section 295-221.B.(5)(b) of the Ordinance so as to permit off-street parking on the corner lots;

10. A variance under Section 225-221.C.(2)(c) of the Ordinance so as to permit the width of driveway entrance along Limekiln Pike to exceed 24 feet in width. The proposed driveway width is 30 feet;

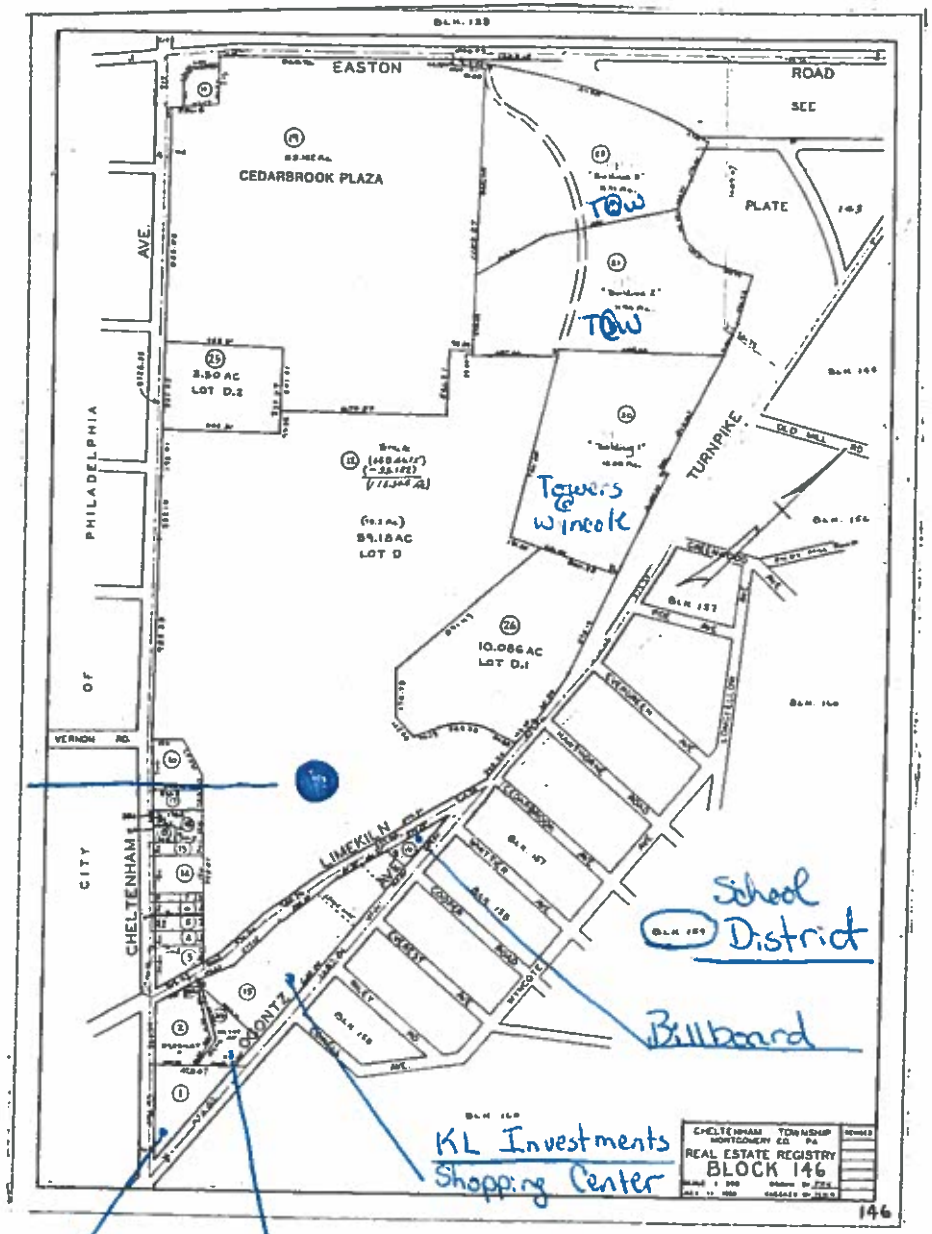
11. A variance under Section 225-223 of the Ordinance so as to permit the trash enclosure to be located approximately 20 feet from the rear yard setback area. The rear setback requirement is 50 feet;

12. To the extent that it is determined that the right-of-way line is located on the conservation easement boundary, Applicant requests additional relief under paragraphs 2 and 3 above as the setbacks may change; and

13. Applicant seeks such other variances, special exceptions and interpretations as may be required in order to develop the property in accordance with the plans submitted by Applicant.

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 A.M. to 4:30 P.M.

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 days prior to the meeting.



Proposed
WaWa

2501 Cheltenham
SEPTA

8140 Ogontz

ZHB 3468-4

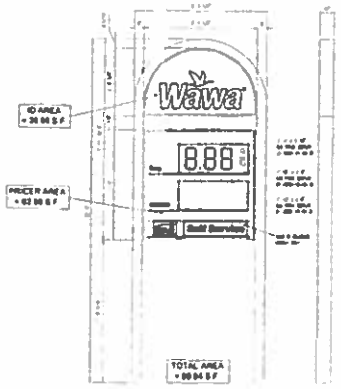
CONCEPT IMAGE: NEW WAWA
LIMEKILN PIKE AND OGONTZ AVENUE
ELKINS PARK, PENNSYLVANIA

SK030413-01a

prepared by:
SOHO ARCHITECTS, LLC
SWARTHMORE, PENNSYLVANIA

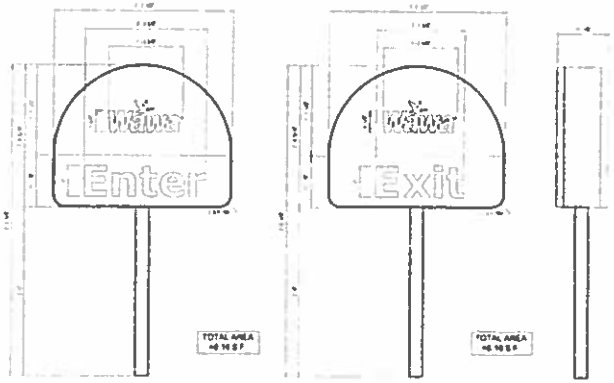
WAWA SIGNAGE TABLE

SIGN	QTY	DESCRIPTION	AREA (S.F.)
		DIRECTIONAL SIGNS	
		DIRECTIONAL SIGNS	
		PUMP INFORMATIONAL SIGNS	
		PUMP INFORMATIONAL SIGNS	

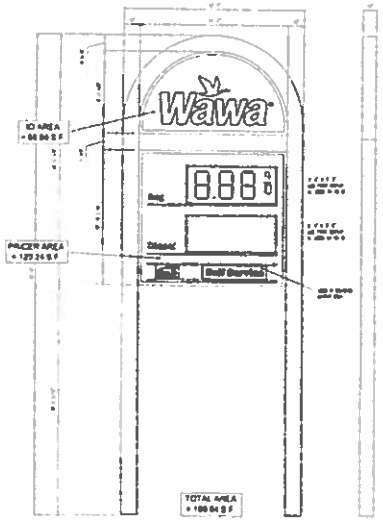


(P-100)

PROPOSED DOUBLE FACED INTERNALLY ILLUMINATED WAWA FREESTANDING PYLON SIGN W/ L.E.D. PRICE CHANGER

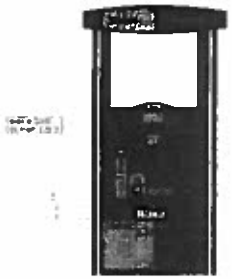


PROPOSED LARGE INTERNALLY ILLUMINATED WAWA DIRECTIONAL SIGN (DI-30)



(P-200)

PROPOSED DOUBLE FACED INTERNALLY ILLUMINATED WAWA FREESTANDING PYLON SIGN W/ L.E.D. PRICE CHANGER



PROPOSED PUMP INFORMATION SIGN (DIESEL GASOLINE)

PROPOSED PUMP INFORMATION SIGN (STANDARD GASOLINE)

PROPOSED INTERNALLY ILLUMINATED BUILDING MOUNTED LEGEND (FRONT)

PROPOSED INTERNALLY ILLUMINATED BUILDING MOUNTED LEGEND (REAR)

BOHLER ENGINEERING

REVISIONS

CALL BEFORE YOU DIG!

PROJECT

GOOD PRO CHELTENHAM, L.P.

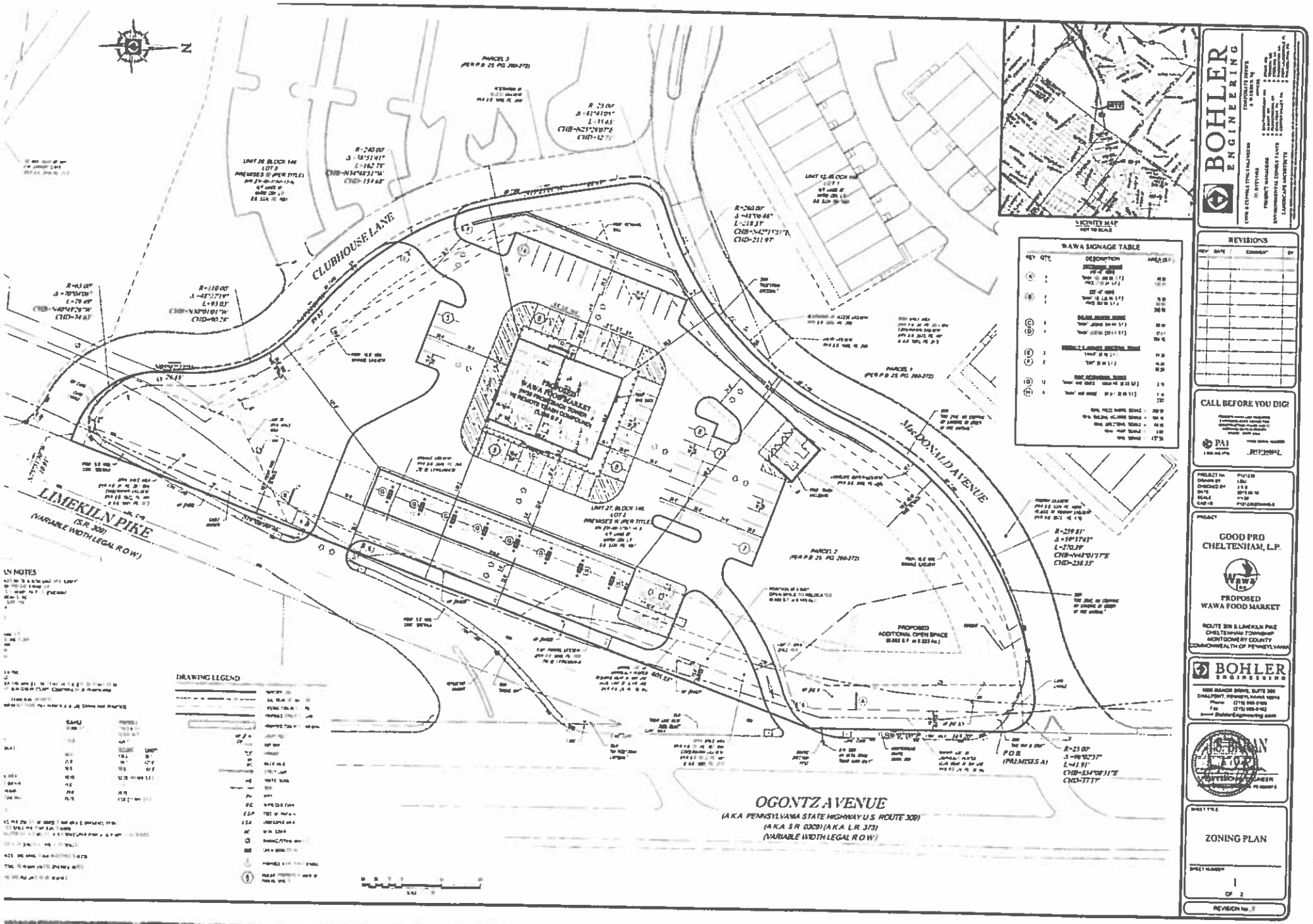
PROPOSED WAWA FOOD MARKET

ROUTE 309 & LINKEN PIKE
CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY
COMMONWEALTH OF PENNSYLVANIA

BOHLER ENGINEERING

SIGNAGE DETAILS

2



CLUBHOUSE LANE
LIMEKILN PIKE
(S.R. 309)
(VARIABLE WIDTH LEGAL R.O.W.)
MacDONALD AVENUE
OGONTZ AVENUE
(A.K.A. PENNSYLVANIA STATE HIGHWAY U.S. ROUTE 309)
(A.K.A. S.R. 0309) (A.K.A. L.R. 373)
(VARIABLE WIDTH LEGAL R.O.W.)
PROPOSED WAWA FOOD MARKET
PROPOSED ADDITIONAL OPEN SPACE
DRAWING LEGEND
VICINITY MAP
WAWA SIGNAGE TABLE
BOHLER ENGINEERING
REVISIONS
CALL BEFORE YOU DIG!
PA1
GOOD PRO CHELTENHAM, L.P.
PROPOSED WAWA FOOD MARKET
ROUTE 309 & LIMEKILN PIKE
CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY
COMMONWEALTH OF PENNSYLVANIA
BOHLER ENGINEERING
ZONING PLAN
1
OF 2

NOTICE

NOTICE IS HEREBY GIVEN that an application for zoning relief for 338 E. Laurel Avenue, Cheltenham, PA 19012 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

a. **Cheltenham Township Planning Commission on Monday, June 24, 2013 at 7:30 P.M. at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.**

b. **Cheltenham Township Building and Zoning Committee on Wednesday, July 3, 2013 at 8:00 P.M. in Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on July 8, 2013 at 7:30 P.M. at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3469: Appeal of David Barry, equitable owner of premises known as 338 E. Laurel Avenue, Cheltenham, Pa 19012 from the decision of the zoning officer for the following zoning relief in order to use the garage on the premises as an office and warehouse for the operation of a landscaping/snowplow business and storage of landscaping/snowplow equipment on the premises.

a. A Variance from the Rules and Regulations of the Class R-8 residential district as outlined in CCS 295-64.E. to allow "accessory use" of the existing garage as an office for the proposed business; and for the storage of equipment; and for use of the grounds for storage of plants, shrubs, trees and materials for planting off-site.

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 A.M. to 4:30 P.M.

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 working days prior to the meeting.

ZHB APPLICATION

ITEM #7. Describe proposed project use in detail:

To use the property located at 338 Laurel Avenue, (formerly Oldham Greenhouse and Nursery) for operating an owner/service and landscaping business the following use:

a. the main house (single family residence) for the owner's use

b. the garage for the storage of landscape equipment and snow plows

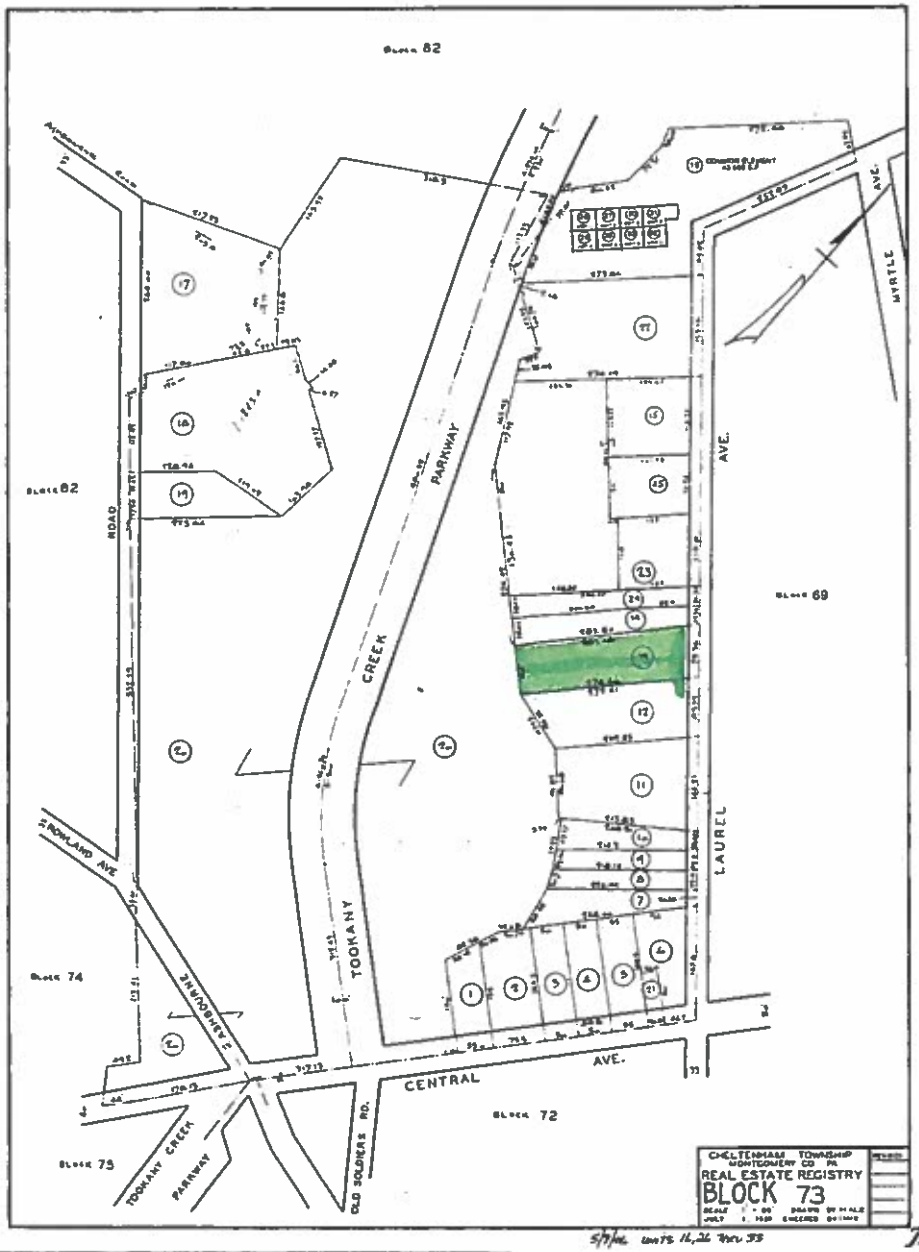
c. the management office for the landscaping business will be located in the existing garage on the property.

d. the storage of plants, shrubs, trees and materials on the grounds for planting off site

e. there will be no public sales and not open to the public

f. the landscaping service will also include on an "as needed basis" the dispatching of snow plows during weather events

→ MR #3469 - 3.2



5/7/86 units 16, 26 Nov 33

73

Pictometry Online 1.10.2

Welcome R Parkes | Coverage | Logout

Source: Address 338 e. laurel ave. 19012

Workspace Source: Address 338 e. laurel ave. 19012 Preferences Feedback Help

The Planning Commission ("PC") meeting was held tonight at Curtis Hall. The following Planning Commission members were present: Dr. Forman, Messrs. Cross, Leighton, Goldfarb, Winneberger, Laughlin and Harrower, Ex-Officio DiBenedetto and also present was David R. Jones, Interim Director of Engineering, Zoning & Inspections and Joseph V. Nixon, Montgomery County Planning Commission.

1. Acceptance of the minutes of the May 14, 2013 Meeting.

Mr. Cross amended the minutes as follows:

The word Storey should be spelled Story. Mr. Cross stated that in regards to the Wyncote Elementary School it should read architecturally significant not historically significant.

2. Review of Zoning Hearing Board Agenda for July 8, 2013.

APPEAL NO. 3465: (Continued), Appeal of Elizabeth and Scott Rawes owners of premises known as 7801 Woodlawn Ave., Elkins Park, PA 19027 zoned R-4, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 26'x 24' garage with a second floor in-law suite on the northeast side of the premises.

The following Zoning Relief is required for the existing single family dwelling:

a. A Variance from the rules and regulations of CSS 295-36.F.(2) to allow the construction of a 26' x 24' garage/in-law suite instead of one the many enumerated uses, and
b. A Variance from the rules and regulations of CSS 295-39.B.(2) to allow the construction of a 26' x 24' garage/in-law suite with a side yard setback of 5' which is less than the required 10' side yard setback width, and
c. A Variance from "Fences and Walls" as outlined in CCS-295-223. in order to install 124' +/- of 6' high, solid fencing within the Glenwood Avenue frontage required front yard setback area of the Premises instead of the permitted 4' high 50% open fencing.

No one was present for this application. Mr. Jones stated that this application has been in front of the Planning Commission before and the Planning Commission gave suggestions to help prepare for the Zoning Hearing Board (ZHB). Mr. Jones stated that the previous appeal didn't mention needing a variance for the use of an in-law suite.

Mr. DiBenedetto stated that he is concerned for neighbors adjacent to the property. Mr. DiBenedetto acknowledged the letter signed by neighbors but would also like to see the addresses associated from the signatures.

Mr. Laughlin stated that he would like to see where the neighbors properties are in relation to the applicants property.

Mr. Cross stated that the applicant needs to make it very clear what the intent of the project is. Mr. Jones stated that the ZHB is very thorough and suggested that the Planning Commission attach the rendering of the proposed story and a half as exhibit 1 to the minutes to be passed along to the ZHB with the Planning Commission recommendation.

Mr. Winneberger stated that the Committee doesn't know if the shown photographs of other garages have residence space above them. Mr. DiBenedetto stated that he takes issue with a 6' tall solid privacy fence as there is no air flow or ability to see through. Mr. DiBenedetto stated that he has seen numerous examples of privacy fences that are aesthetically pleasing and not as offensive. After further review it was determined that the proposed fence is a shadow box fence. Discussion ensued regarding types of fencing.

Mr. Winneberger made a Motion of No Action subject to the continued inclusion of the PC's comments from the last time this matter was discussed and inclusion of the exhibit in the minutes. Mr. Goldfarb seconded the Motion; the motion passed.

APPEAL NO. 3467: Appeal of Anita T. Conner, owner of premises known as 8000 Old York Road, Elkins Park, PA 19027 from the decision of the zoning officer for the following zoning relief in order to allow a 4% expansion of an existing Accounting and Law office in a Class R-4 residential district.

a. A special exception in accordance with Article XXIX of Chapter 295 of the Cheltenham Code as follows:

1. A Special Exception to permit alteration and expansion of a non-residential building in accordance with CCS 295-227.B. for an existing non-conforming use.
2. A Special Exception in accordance with CCS 295-227.C.(2) for an addition to non-conforming building not to exceed 25% of original building.

Mr. & Mrs. Conner and their contractor Steve Johnson were present for this application.

Mr. Johnson stated that the building is currently an accounting office and the applicant is in need of a conference room. Mr. Johnson stated that there would be no additional staff or extra cars needing parking, it's only for conference room space.

Mr. Johnson stated that there will be no change in the footprint of the building. Mr. Laughlin asked how long the expansion would be. Mr. Johnson stated that it would be 14' off of the back and would cantilever 2 ½' - 3'.

Mr. Johnson stated that the project would look like one building and would have the same windows and shutters. Mr. Cross stated that the plans were very clear. Mr. Laughlin stated that photographs of what is there now would be helpful. Mr. DiBenedetto stated that he appreciates that the commercial use looks like a residential building.

Mr. Cross suggested that the applicant get letters of approval and support from immediate neighbors. Mr. Cross stated that he agrees with Mr. DiBenedetto that the building blends nicely with the neighborhood.

Mr. Cross made a motion of approval. The motion was seconded by Mr. Winneberger.

APPEAL NO. 3469: Appeal of David Barry, equitable owner of premises known as 338 E. Laurel Avenue, Cheltenham, Pa 19012 from the decision of the zoning officer for the following zoning relief in order to use the garage on the premises as an office and warehouse for the operation of a landscaping/snowplow business and storage of landscaping/snowplow equipment on the premises.

a. A Variance from the Rules and Regulations of the Class R-8 residential district as outlined in CCS 295-64.E. to allow "accessory use" of the existing garage as an office for the proposed business; and for the storage of equipment; and for use of the grounds for storage of plants, shrubs, trees and materials for planting off-site.

David and Bill Barry were present for the application.

Mr. Jones stated that the applicant is seeking ZHB approval to operate a landscaping business and store equipment and materials to be used in conjunction with the proposed business.

Bill Barry stated that his son David Barry would be living in the main house and the equipment they use for their family owned landscaping business would be stored at the property. Bill Barry stated that they would park trucks, snow plows and other landscaping equipment and use some of the space for staging of supplies.

Bill Barry stated that they have most of the supplies delivered to the job site. Discussion ensued regarding where equipment would be stored. Mr. Laughlin asked if the areas are paved. Bill Barry stated that it's grass now but used to be stone. Mr. Laughlin asked if there were plans for blacktop or concrete pads. Bill Barry stated that there may be some stone put down for stabilization and nothing more.

Mr. Cross suggested having a site plan available indicating where the equipment will be located.

Mr. Cross suggested that Mr. Barry obtain letters of support from the neighbors and compile a history of the property.

Mr. Cross stated information should be provided on the hours of operation and how the property will be staged seasonally, Mr. Cross stated that the more information that is presented the better.

Mr. Laughlin stated that as long as Mr. Barry has support of the community it is a nice use of the property. Mr. Laughlin expressed concern about the open space behind the barn becoming storage of stone and vehicles resulting additional water runoff into Tookany Creek.

Dr. Forman asked if there would be any chemicals or road salt being stored on the property. Bill Barry stated that the gasoline will be in small gas cans similar to what people use at home and that there wouldn't be large 200 gallon tanks of gas on the property. Mr. Cross suggested identifying all materials that would be stored on the property. Mr. Jones stated that the ZHB is very through and will require a detailed site plan. Mr. Laughlin stated that in his opinion the space behind the barn should remain grass.

Mr. Cross stated that the Plan should list all existing features and list anything hazardous that might be stored on the property.

Mr. Winneberger made a motion of no action with the following conditions:

* A plot plan layout of vehicle storage areas to be provided.
* No impervious coverage should be installed to the rear of the garage
* Existing features plan be provided.
* List chemicals kept and location to be stored.
* Hours of operation be identified.

Dr. Forman seconded the motion, the motion passed.

Review of Cheltenham Township Development Application No.13-0520 – Calvary Orthodox Presbyterian Church-734 Willow Grove Avenue.

Rich Knuedsen, P.E. was present for this application.

Mr. Knuedsen stated that the application received ZHB approval in September and was now proceeding through the Land Development process.

Mr. Knuedsen stated that the original church was built in 1950 and is in desperate need of an upgrade. Mr. Knuedsen stated there are about 180 members of the church, and there are no plans to increase the membership of the church. Mr. Knuedsen explained that the elderly church members have stopped coming to church due to the poor access points of the facility.

Discussion ensued regarding presented plan. Mr. Knuedsen stated that there would be an elevator, updated toilet rooms as well as an area for a copier, a pastor's office and an area for supply storage.

Mr. Knuedsen stated that the old bathrooms are minimal and are not handicap accessible, in order to make the bathrooms accessible the Pastors study would need to be relocated. Mr. Knuedsen stated that the applicant is proposing to increase the number of parking spaces. There is an agreement with Westminster Theological for shared parking, but the congregants have to cross the busy roadway which is a safety hazard.

Discussion ensued regarding retaining wall and stormwater drainage. Mr. Knuedsen stated that the church would be providing an inlet to take water from neighboring properties through church property to drain into Church Road storm drainage system.

Mr. Knuedsen stated that the addition to the church building will match the architectural style of the current church.

Mr. Jones stated that the items presented in the Interim Township Engineer's review letter dated June 21, 2013 need to be addressed prior to plans being considered acceptable by the Engineer. Mr. Knuedsen was in agreement and indicated his intention to comply.

Dr. Forman suggested that Mr. Knuedsen review the Cheltenham Township Sustainability Plan. Discussion ensued regarding sustainability issues such as low flow toilets.

Mr. Winneberger made a motion to recommend approval of the plans to the Board of Commissioners; Mr. Cross seconded the motion, the motion passed.

APPEAL NO. 3468: Applicant Goodman Enterprises is the equitable owner of a 3.65+ acre parcel of ground with frontage on Ogontz Avenue, Limekiln Pike, MacDonald Avenue and Clubhouse Lane. The property is located in a C1 Zoning District and is currently vacant.

Applicant proposes to develop the property for a WaWa Super Store containing 5,585 square feet with fueling stations. In this regard, Applicant requests the following zoning relief:

1. A variance under Section 295-98 of The Cheltenham Zoning Ordinance of 1929, as amended (the "Ordinance") so as to permit the property to be used as a Wawa convenience store containing 5,585 square feet with fueling stations;

2. A variance under Section 295-102 of the Ordinance for a reduction in the width of the 15 foot wide buffer along a public highway. The area between the proposed driveway and the Limekiln Pike right-of-way is 11.1 feet;

3. A variance under Section 295-101.A of the Ordinance to permit a canopy along Limekiln Pike to be located less than 60 feet from Limekiln Pike;

4. An interpretation under Section 295-221.B.(5)(a) of the Ordinance or, in the alternative, a variance under Section 295-221.B.(5)(a) of the

Ordinance, to permit parking to be located between the building and the street;

5. A variance under Section 295-221.F of the Ordinance so as to increase the allowable parking area. The convenience store and the fueling stations use requires 31 parking spaces. Applicant is proposing 66 parking spaces, which is in excess of the maximum parking standard;

6. A variance under Section 295-221.K.(1) of the Ordinance so as to permit service and loading behind the building. Applicant proposes to have the loading on the side of the building (along Clubhouse Lane);

7. A variance under Section 295-196.A.(3) of the Ordinance so as to permit five (5) directional signs, each exceeding 4 square feet; and

8. Variances under Section 295-197.C.(1)(a) of the Ordinance, so as to permit: (a) two (2) free-standing, internally illuminated, double sided signs with LED price changer, one (1) containing 189.04 square feet with a height of 40 feet (located on Ogontz Avenue), and one (1) containing 99.94 square feet with a height of 25 feet (located on Limekiln Pike); (b) three (3) parallel wall signs with logo, one (1) containing 66.69 square feet (facing Limekiln Pike), one (1) containing 37.47 square feet on the rear of the building (facing the Clubhouse Lane/MacDonald Avenue intersection); and (c) an additional 3.92 square feet of parallel wall signage (pump signage), as per the attached signage plan, all of which parallel wall signs total 108.08 square feet, which total exceeds the maximum square footage permitted;

9. A variance under Section 295-221.B.(5)(b) of the Ordinance so as to permit off-street parking on the corner lots;

10. A variance under Section 225-221.C.(2)(c) of the Ordinance so as to permit the width of driveway entrance along Limekiln Pike to exceed 24 feet in width. The proposed driveway width is 30 feet;

11. A variance under Section 225-223 of the Ordinance so as to permit the trash enclosure to be located approximately 20 feet from the rear yard setback area. The rear setback requirement is 50 feet;

12. To the extent that it is determined that the right-of-way line is located on the conservation easement boundary, Applicant requests additional relief under paragraphs 2 and 3 above as the setbacks may change; and

13. Applicant seeks such other variances, special exceptions and interpretations as may be required in order to develop the property in accordance with the plans submitted by Applicant.

Mr. Bruce Goodman, from Goodman Properties, Rob Irons, P.E. from Bohler Engineering, and Peter Friedman, Esq. Attorney for applicant were present for this application.

Mr. Goodman stated that he is the equitable owner of the 3 ½ acre property. Mr. Goodman gave a PowerPoint presentation of the proposed location and layout of the proposed Super Wawa.

Mr. Goodman stated there would be 8 pumps with a total of 16 fueling stations.

Presentation ensued. Mr. Goodman stated that they would be able to provide a nice green area and that the applicant is currently working with PennDot to address any traffic concerns. Photos of the shop displays proposed development were shown.

Mr. Goodman stated that Wawa is prepared to sign a 20 year lease. Mr. Goodman stated that there would be ample landscaping and that the proposed development would clean up a vacant piece of property.

Photos were shown of current views and proposed views along Rte 309 and behind Wyngate Development.

Mr. Goodman stated that the requested 185 SF sign is much larger than what's allowed in the ordinance but he feels like it's necessary for the motorists traveling along Rte 309 to see the property and get in the proper lane of traffic to turn into the Wawa.

Mr. Cross asked if there were any detailed plans on what the building would look like. Mr. Goodman stated that there wasn't anything definite yet. Mr. Cross expressed concern about the queing of cars getting into the fueling position. Mr. Goodman introduced Rob Irons from Bohler Engineers to discuss specifics.

Mr. Irons explained that the current layout allows for full visibility of all pumps so that traffic will not have to circulate searching for another pump. Discussion ensued regarding pump location and circulation patterns.

Mr. DiBenedetto asked why everything could not be shifted to the right. Mr. Irons explained that the gas pumps need to be visible to the cashier, and is a state law which is enforced by the Fire Marshall.

Mr. DiBenedetto also asked why the driveway could not be moved away from the fueling stations. He expressed concerns about the size of the signs, location to the Rte 309 corridor for Wawa which is the entrance into Cheltenham Township. Mr. DiBenedetto inquired if a traffic study had been done. Mr. Irons stated that it has not been done yet.

Mr. Goodman stated that there would be a 6' fence on top of the proposed retaining wall; and that the previous proposed Hotel was on the high side of the lot and was 3 stories and would be significantly more visible to the neighbor.

Mr. Laughlin clarified that the property is zoned commercial, but is not zoned for a gas station which is why a use variance is being requested.

Mr. Laughlin expressed confusion regarding the shown right hand turning lane depicted on the pictures; Mr. Laughlin stated that he's concerned drivers would turn into Wawa thinking they were turning onto Limekiln Pike. Mr. Goodman stated that PennDot addressed that a right hand turn off Rte. 309 was the only safe way to handle the traffic flow in that area. Further discussion ensued regarding the size of the proposed signage.

Mr. Laughlin asked if the green space near the entrance drive would be utilized for Stormwater Management. Mr. Goodman stated that the Stormwater Management system is already in place and was constructed by the development at Wyngate. Mr. Irons stated that inlets would need to be installed but the stormwater management facilities are already constructed. Discussion ensued regarding Stormwater Management.

Mr. Laughlin expressed concern about the congested entry way Mr. Cross asked if it would be possible to lose a few of the pumps. Mr. Irons stated that Wawa feels like this is the appropriate number of fueling stations to handle the anticipated customer visits.

Mr. Cross expressed concern regarding not seeing a building prototype just a Photoshop presentation. Mr. Laughlin asked where a similar Wawa was located so he could visit it. Mr. Irons stated that he could get examples and provide them to the Township.

Mr. Winneberger felt that the community needs to see what the pumps and what the store would look like.

Discussion ensued regarding vehicular traffic and traffic in the neighboring development. Mr. DiBenedetto stated that the third entrance which is on Mac Donald Avenue moves more traffic into the community.

Mr. Goodman stated that this rear entrance is needed so that people could make a left hand turn out of the property onto Ogontz.

Mr. DiBenedetto was concerned about the property opposite the exit on Mac Donald Avenue. Mr. Goodman stated that he is the equitable owner of that property as well and nothing is planned for the property.

Dr. Forman suggested that Mr. Goodman review the Township's Sustainability Plan and look closely for anything that can be incorporated. She expressed concern about the air quality issues and idling cars. Dr. Forman stated that when the original hotel and Stormwater Management plan was developed it was a different climate, much has changed that the previous Stormwater Management plan is outdated, and calculations need to be changed.

Mark Tucker member of the Economic Development Task Force (EDTF) and a 30 year resident that was concerned about the Google map overview and the fact that it is not an actual site plan with rendering of an actual building. He suggested studies being done on the impact to the neighborhood and the impact on the standard quality of life for the neighbors in the Wyngate development. He stated that traffic is an issue now it will be much worse with a Super Wawa. He was concerned about the increase on crime, trash, stormwater and sustainability; and requested full studies be done on the issues. He expressed additional concern for the students at Cedarbrook Middle School attempting to cross the road to get to Wawa. He felt that an additional gas station is not needed as there are 3 within a 1 block radius; he was concerned that the Appeal seems to be on the fast track without the community having enough time to digest the issues and the community isn't adequately prepared for this project.

Donna Powell a Resident of Wyngate, stated that her house is 400 ' from the proposed Super Wawa; when she purchased her home she didn't consider the possibility of a Super Wawa being built so close to it. Ms. Powell stated that she feels as though this development would destroy the community. She had concern about traffic and people cutting though the development to bypass traffic; she is concerned regarding the signage and stated that the neighbors would be able to see the signage from their bedroom windows; noise 24/7 and she was also concerned about the School Bus stop at the intersection near the Super Wawa; the proposed underground storage tanks; the closest house to the Super Wawa is 80' away; she had stated that a Super Wawa will impact on Wyngate and will drastically decline property values in Wyngate.

Mr. Goodman stated that the proposed site development will not change much, because it can't. This is just the beginning and they are far away from completion and being able to build. A lot of the discussed issues will have to be addressed in Land Development and won't be approved instantly and this evening's meeting was for zoning only.

Mr. Cross suggested that Mr. Goodman take a second look at the access points, building signage and basic boundaries of the site development and asked if it would be difficult to change. Mr. Goodman

stated that what was presented is pretty much how it's going to stay. Discussion ensued regarding the Site Plan.

Community Comments:

Steve Harland -15 Old Cedarbrook- stated that he isn't opposed to commercial development, but to a Super Wawa so close to his home. He was concerned about traffic getting worse, and wanted to know the list of requested variances. Mr. Harland stated that the community wants more time to form a better response to this project.

Stephanie Cardo-Resident of Wyngate stated that not only do the residents of Wyngate have to contend with the developer renting out 22 of the homes in Wyngate but they now have to contend with a Super Wawa. The units have sunrooms which are open and exposed; any person could walk through the complex and look into homes. She is concerned about her right to privacy.

Ray Newton- Resident of Wyngate expressed concern about the school bus stop at the intersection in front of the proposed Super Wawa. This project will negatively impact the community and as a father with two small children with asthma, he was concerned about the gas fumes.

Clavon Harris -13 Old Cedarbrook Rd. wanted a halt to the rapid progress of the proposal as the community hasn't had time to formulate a plan.

Member Comments:

Mr. DiBenedetto was disappointed about the lack of flexibility the plan going to change and believed that the plans could and should change. He stated that the location makes sense from a development standpoint but from a community standpoint it raises a lot of issues that need to be addressed.

Mr. Harrower was concerned about the right turn issues coming into the Wawa property the tightness of the left hand turn out and the amount of light spillage coming from such a large illuminated sign.

Mr. Leighton stated that he understands the grade differentials and feels that all of the comments were good ones and that conversations between the residents and the developer should continue. He was concerned about children trying to cross the road from Cedarbrook Middle School attempting to get to the Wawa.

Mr. Winneberger stated that he didn't get a clear understanding of the appearance of the building and the overall site plan. He was concerned about the internal traffic flow and traffic patterns off of Rte. 309. He feels the signage isn't that big of an issue as there is a billboard nearby about 4 times higher than the proposed Wawa signage. Mr. Winneberger stated that he would like to see an traffic impact study as well as lighting and Stormwater Management being addressed.

Mr. Laughlin stated that he pays taxes in the Township and that the tax revenue a Wawa would generate would be significant. He expressed concern for the health, happiness and welfare of the residents of Wyngate if this project is built.

Dr. Forman stated that she is concerned with the light pollution and would like to see an evaluation of the height of the lamps in relation to light spillage. She also expressed concern about the safety of the students trying to cross the street from Cedarbrook Middle School. In her opinion, there are ways to do development and still maintain the character of the Township instead of development for development sake.

Mr. Jones stated that the Township is not moving this application ahead of any other applications, the Township is not moving the ball on this project, and when an applicant makes a timely application the Township has an obligation to follow the meeting protocols and schedules.

Mr. Goodman stated for the record that this application has not been reviewed for Land Development yet and is only in for zoning relief at this time.

Mr. Cross stated that he is troubled by the speed of this application and is worried about the ability of the Township and residents to vet through issues. Mr. Cross stated there are numerous issues that were brought up and that when development sites are being planned greater care needs to be taken in consideration of the impact to neighbors. Mr. Cross stated that he wants to see a project that is successful not only for Wawa but for the community at large. Mr. Cross stated that there are issues with safety, buffering, traffic among other things. Mr. Cross stated that this is not a project that can be fast tracked and the Township needs time to thoroughly review everything.

Mr. Laughlin made a motion of Denial as presented; Mr. Cross seconded the motion; the motion passed 4 to 2.

4. Old Business

None.

5. New Business

None.

6. Adjournment

Mr. Cross made a motion for adjournment; Mr. Goldfarb seconded the motion, the motion passed.

The meeting adjourned at 10:35 P.M.

Bryan T. Havir
Township Manager

Per Holly A. Nagy

SCHOOL DISTRICT OF CHELTENHAM TOWNSHIP

ADMINISTRATION BUILDING
OFFICE OF SUPPORT SERVICES
2000 Ashbourne Road • Elkins Park, PA 19027-1100 • 215-881-6311 • Fax: 215-881-6459

June 26, 2013

Mr. David Jones
Director of Engineering & Zoning
8230 Old York Road
Elkins Park, Pa. 19027

RECEIVED
JUN 26 2013
CHELTENHAM TOWNSHIP

Re: Request for Waiver

This is to inform you that The School District of Cheltenham Township is requesting a waiver for all fees associated with the permit process for Myers Elementary School construction project. The school district hired a civil engineer from New Road Construction to inspect this project on a daily basis. In addition it is required that the general contractor, Anthony Biddle hire an inspection and testing agency throughout the entire project.

During previous projects at Glenside Elementary School and Cheltenham Elementary School Cheltenham Township has waived these fees. Thank you for your consideration of this waiver request.

Sincerely,

Ray Bavi

Ray Bavi Ed.D.
Director of Support Services

CC: Dr. Natalie Thomas, Superintendent

Certificate of Appropriateness for Signage in Commercial Districts

This letter serves as a Certificate of Appropriateness for the construction of the project outlined below:

NAME OF BUSINESS: Springleaf Financial Inc.

ADDRESS OF PROPERTY: 7400 N. Front Street, Cheltenham, PA 19012

NAME OF PROPERTY OWNER: Peskin Realty

TELEPHONE # OF PROPERTY OWNER: 610-649-3550

TYPE OF WORK BEING DONE: New Signage

DATE OF REVIEW BY DESIGN COMMITTEE: 6-18-13

APPROVED BY: David Kratzer

TODAY'S DATE: 6-26-13

BUSINESS LICENSE #: _____

Now, therefore, on this _____day of _____, 2013, I, Bryan T. Havir, Township Manager, hereby issue this Certificate of Appropriateness for aforesaid work in the name of the Board of Commissioners of Cheltenham Township.

_____
Bryan T. Havir, Township Manager

PROJECT DESCRIPTION: The Applicant is installing 2 sets of channel letters and 1 face replacement on existing sign cabinet on site. Please see attached plans.

PHOTO 21

FRONT ELEVATION

SCOPE OF WORK:
INSTALLATION OF CHANNEL LETTERS IN LOCATION SHOWN

CUSTOMER TO PROVIDE:
ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN: **Notes:**

A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Heath Sign's requirement.

Any deviation from the above recommendations may result in:
1. Damage to or improper operation of the sign(s).
2. Delays and additional costs.

① Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.

② Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Heath Sign Co. will void the warranty.

INSTALLER IS RESPONSIBLE FOR:
ELECTRICAL NOTES:
1. INSTALLATION OF THESE (ELECTRICAL) SIGNS SHALL CONFORM TO THE REQUIREMENTS OF ARTICLE 600 OF THE N.E.C., U.L. 48 AND / OR OTHER APPLICABLE LOCAL CODES.
THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.
2. PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
12704 DuPont Circle Tampa, FL 33626
(813) 855-4415 (800) 284-3284 Fax (813) 854-3037

Manufacturing Facilities:
Corona, CA · Dallas, TX · Jacksonville, TX · Longmont, CO

Other Locations:
Corona, CA · Las Vegas, NV · Lawton, AR
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Revisions:
R1 4.22.13 GB Add Sign G Directional Side Door Vinyl

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Material Samples or Paint Color Match.

Client Approval/Date: _____
Landlord Approval/Date: _____

Account Rep:
Project Manager: DAVID LIVESAY
Drawn By: JC ROBERGE

Underwriters Laboratories Inc. · NEC
ELECTRICAL SIGNS WERE UL LISTED COMPONENTS AND SHALL MEET ALL OF N.E.C. STANDARDS.
ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 600 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Project / Location:
Springleaf Financial
380767M2
7400 N. FRONT STREET
CHELTENHAM, PA 19012

Job Number: 23-18762-10
Date: 4-16-13
Sheet Number: 1 of 14
Design Number: 23-18762-10 R1

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PHOTO 19

RIGHT SIDE ELEVATION

SCOPE OF WORK:
INSTALLATION OF CHANNEL LETTERS IN LOCATION SHOWN

CUSTOMER TO PROVIDE:
ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN. Notes:
A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit)
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Heath Signs requirement.
Any deviation from the above recommendations may result in:
1. Damage to or improper operation of the sign(s)
2. Delays and additional costs.

- Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
- Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Heath Sign Co. will void the warranty.

INSTALLER IS RESPONSIBLE FOR:
ELECTRICAL NOTES:
1. INSTALLATION OF THESE (ELECTRICAL) SIGNS SHALL CONFORM TO THE REQUIREMENTS OF ARTICLE 600 OF THE N.E.C., U.L. 48 AND / OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN
2. PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS

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Houston, TX · Corpus Christi, TX · Indianapolis, IN
Louisville, KY · Nashville, TN · Gaylord, MI · Tallahassee, Lee
Wilsonville, IL · Sunset, MN · Atlanta, GA
Tampa, FL · Oxford Heath, FL · Lincoln, IL

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Revisions
R1 4.22.13 GB Add Sign G Directional Side Door Vinyl

Colors Depicted in This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:
Landlord Approval/Date:

Account Rep
Project Manager: DAVID LIVESAY
Drawn By: JC ROBERGE

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Project / Location
Springleaf Financial
380767M2
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CHELTENHAM, PA 19012

Job Number	23-18762-10
Date	4-16-13
Sheet Number	4 of 14
Design Number	23-18762-10 R1

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PHOTO 27

PHOTO 28

SCOPE OF WORK:
(2) TWO REPLACEMENT FACES REQUIRED

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Remark: R1 4.22.13 GB Add Sign G Directional Side Door Vinyl

Client Approval/Date
Landlord Approval/Date

Account Rep
Project Manager: DAVID LIVESAY
Drawn By: JC ROBERGE

Project / Location:
Springleaf Financial
380767M2
7400 N. FRONT STREET
CHELTENHAM, PA 19012

Job Number: 23-18762-10
Date: 4-16-13
Sheet Number: 7 of 14
Design Number: 23-18762-10 R1

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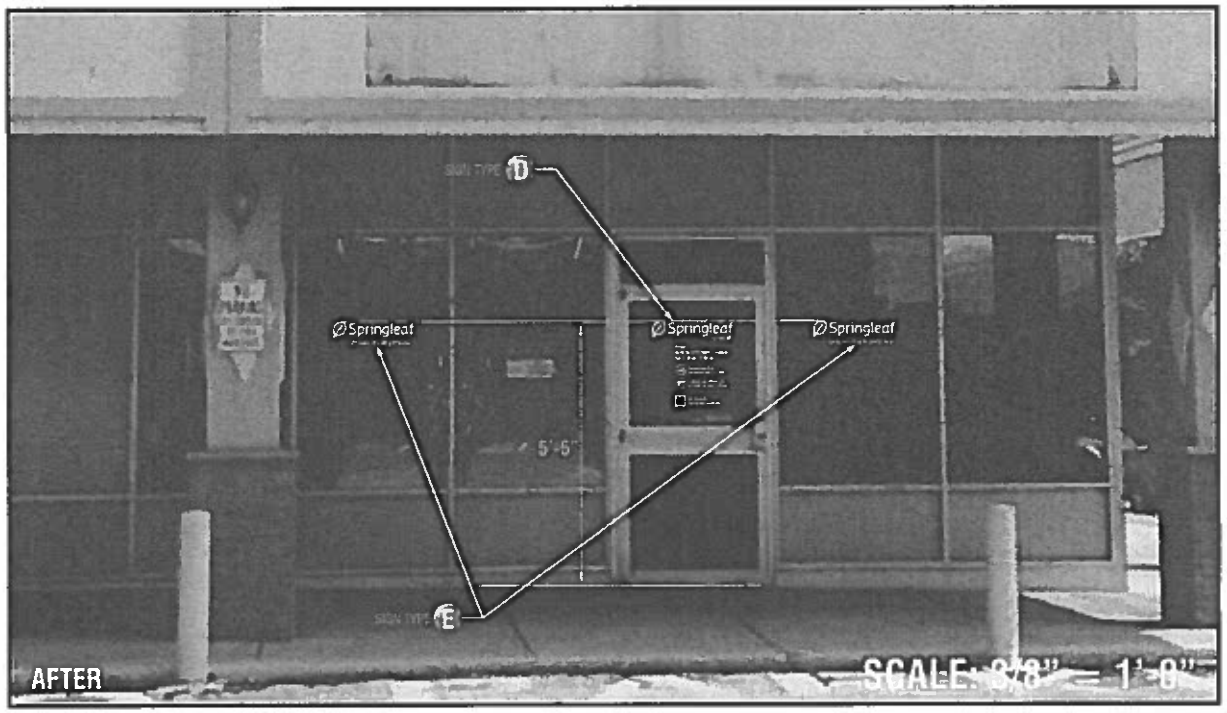
FRONT ELEVATION



FRONT ELEVATION

SCOPE OF WORK:
INSTALL @ EVEN TOPS VERTICAL
@LOCATIONS SHOWN.
@ 5'-6" HEIGHT

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Manufacturing Facilities
Office Locations

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Revisions:
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Client Approval/Date:
Landlord Approval/Date:

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Project Manager: DAVID LIVESAY
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Project / Location
Springleaf Financial
380767M2
7400 N. FRONT STREET
CHELTENHAM, PA 19012

Job Number: 23-18762-10
Date: 4-16-13
Sheet Number: 9 of 14
Design Number: 23-18762-10 R1

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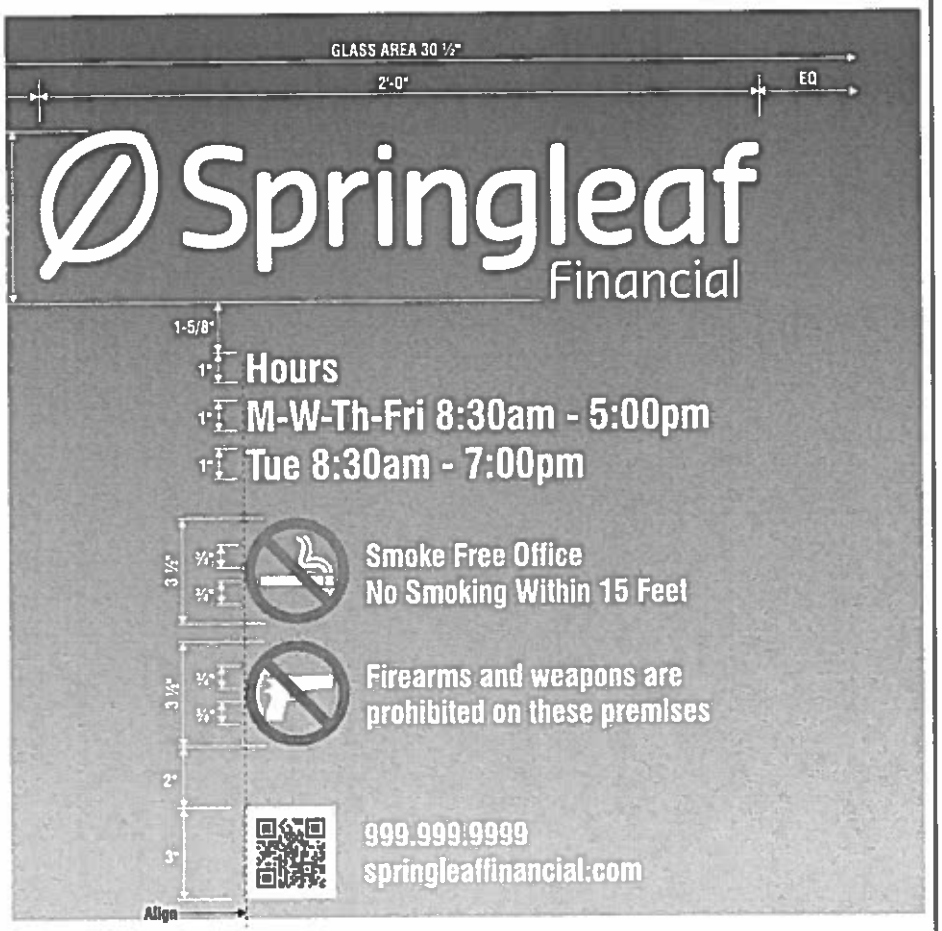

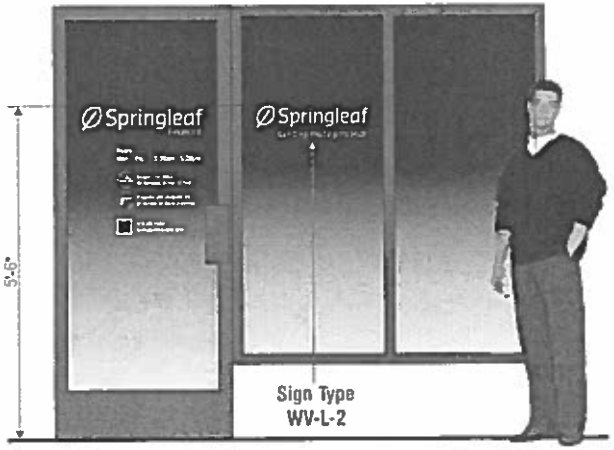

Typical Storefront Showing Placement of Door & Window Vinyl

SCALE : ½" = 1'-0"

SIGN TYPE 1 **Sign Type DV-1 / EXTERIOR DOOR VINYL**

SCALE : 3" = 1'-0"

ALL COPY: 2100-02 WHITE VINYL APPLIED 1ST SURFACE TO GLASS (FONT: Swis 721 Cn BT BOLD).

CIRCLES: 2100-14 TOMATO RED VINYL APPLIED 1ST SURFACE.

QR CODE: GRAPHIC DIGITALLY PRINTED ON WHITE VINYL APPLIED 1ST SURFACE.

NOTE:
QR CODE NEEDS A WHITE MARGIN EQUIVALENT TO 4 UNITS OF DATA IN ORDER TO ALLOW SCANNERS TO READ THE CODE (ILLUSTRATED BY THE DOTTED LINE).

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Project / Location: Springleaf Financial
380767M2
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CHELTENHAM, PA 19012

Job Number: 23-18762-10
Date: 4-16-13
Sheet Number: 10 of 14
Design Number: 23-18762-10 R1

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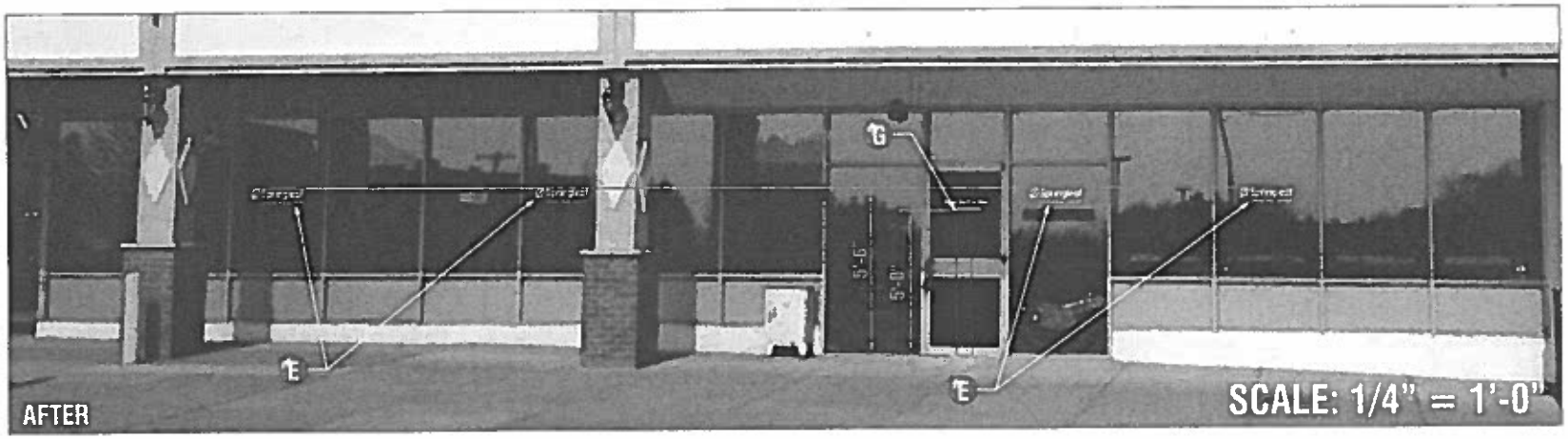
RIGHT SIDE ELEVATION

SCOPE OF WORK:
INSTALL @ EVEN TOPS VERTICAL
@LOCATIONS SHOWN.
@ 5'-6" HEIGHT



RIGHT SIDE ELEVATION

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Revisions:
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Colors Depicted in This Rendering May Not Match Actual Finished Materials. Refer To Product Sample as Per Exact Color Match
Client Approval/Date:
Landlord Approval/Date:

Account Rep
Project Manager: DAVID LIVESAY
Drawn By: JC ROBERGE
Underwriters Laboratories Inc. · NEC
ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 600 OF THE N.E.C. STANDARDS. TRANSFORMERS AND POWER SUPPLIES ARE LOCATED ON THE SIGNS.

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Job Number: 23-18762-10
Date: 4-16-13
Sheet Number: 12 of 14
Design Number: 23-18762-10 R1

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RECENT

ZONING HEARING BOARD

DECISIONS

ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

APPEAL NUMBER 3450

Applicant:	School District of Cheltenham Township 2000 Ashbourne Road Elkins Park, Pennsylvania
Subject Premises :	333 Rices Mill Road Wyncote, Pennsylvania
Owner of Premises:	School District of Cheltenham Township
Nature of Application:	Applicant appeals from the determination of the Zoning Officer finding that construction of a new elementary school with greater-than-permitted building coverage, less-than-required front yard setbacks, wider-than-permitted driveways and parking between the proposed building and a street would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article V, Section 295-23, regulating building coverage, and Article XXIX, Sections 220(A) and 221(B)(5)(a), regulating projections into a front yard, driveways and the location of surface parking.

Applicant seeks variances from the rules and regulations of the R-3 Residence District and the General Regulations as follows:

(1) a variance from Section 295-23 to allow total building coverage of 22.96% of the lot instead of the required 15%;

(2) a variance from Section 295-220(A) to allow construction of a play area in the front yard setback along Church Road and to

allow two driveway widths on Barker Road to exceed 18 feet; and

(3) a variance from Section 221(B)(5)(a) to allow surface parking to be located between the proposed school building and Rices Mill and Barker Roads.

Time and Place of Hearings:	November 19, 2012 – 7:30 p.m. January 14, 2013 – 8:10 p.m. February 26, 2013 – 7:30 p.m. Curtis Hall Wyncote, Pennsylvania

FINDINGS OF FACT

1. Applicant, School District of Cheltenham Township ("Applicant") is the owner of the premises known as 333 Rices Mill Road, Wyncote, Pennsylvania (the "Property").

2. Prior to the holding of the hearings 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-3 Residence District and is improved by the Wyncote Elementary School, a public elementary school with related improvements.

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 the hearings;

ZHB-3. an Application to the Zoning Hearing Board, referenced as Appeal No. 3450 with Addendum;

ZHB-4. a location map marked as Real Estate Registry Block 155, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information dated September 13, 2012;

ZHB-6. Building and Zoning Committee letter dated October 15, 2012;

ZHB 7. site plans for the proposed school;

ZHB 8. a rendering of the proposed school as viewed from Barker Road;

ZHB 9. a deed to the Property;

A-1. curriculum vitae of Glenn Harris;

A-2. deeds to the Property;

A-3. a rendered Existing Features Plan;

A-4. an alternative plan entitled Zoning Exhibit;

A-5. an alternative plan entitled Zoning Exhibit;

A-6. a rendered plan entitled Zoning Exhibit;

A-7. curriculum vitae of Brian K. Good, AIA;

A-8. a rendering of the proposed school as seen from Barker Road;

A-9. floor plans for the proposed school;

A-10. curriculum vitae of David H. Horner, P.E., PTOE;

A-11. Traffic Impact Study prepared by Horner and Canter Associates, dated December 14, 2012;

A-12. revised plan of development of Wyncote Elementary School;

A-13. floor plans;

A-14.2 through .5. existing and proposed building views;

A-15. School District of Cheltenham Township Wyncote Elementary School Room Comparison prepared by Gilbert Architects, Inc.; and

A-16. review of Traffic Impact Study by F. Tavani and Associates, Inc.

5. The Property consists of 5.1310 net acres.

6. The Property is irregular in shape and has frontage on Barker Road, Rices Mill Road and Church Road.

7. The Property contains areas along Church Road and an adjacent private parcel which are designated as having steep slopes.

8. The Property has unique physical circumstances and conditions.

9. Applicant has operated an elementary school at the Property since 1949, and the continued use of the Property is permitted pursuant to the Zoning Code, § 295-230.

10. The Zoning Board accepted architect Brian Wood as an expert architect and relied upon his testimony.

11. Mr. Good evaluated the existing building and found that the mechanical, electrical and other systems were failing and in deteriorated condition. The building has no elevator, and toilet rooms are not handicap-accessible. The walls are not insulated.

12. Mr. Good concluded that the building does not "really work with the educational program that the district has today."

13. Applicant proposes to demolish completely the existing school building and to construct a new building, new play areas, a surface parking field with parent drop-off lane and a bus loop.

14. Applicant does not propose to increase the student population other than by natural population growth in the area served by the school.

15. Mr. Good testified that the proposed building will accommodate current and projected enrollments.

16. The design of the building includes security measures so that the whole building may be "locked down." The design will require visitors to enter the building by the main entrance and staff to check visitors into the building.

17. Applicant proposes a new two-story building covering 51,252 square feet of the property, which is 22.96% of the Property. The total space provided on both floors is 84,831 square feet.

18. The existing school building occupies 19.22% of the lot area, and applicant represented that the building coverage permitted by governing ordinance is 15%.

19. The building project, the fourth in a series in which all Cheltenham School District elementary schools have been replaced or substantially rebuilt, is designed to provide program equity among Applicant's elementary schools.

20. Equity was described by Applicant's counsel as students attending Wyncote Elementary School with the same programs and facilities as those children attending Applicant's other elementary schools.

21. The proposed design of the new building will meet state standards for elementary school educational facilities.

22. The capacity of the new building will be the same as the existing building, providing classroom and ancillary space for full day kindergarten through fourth grade education.

23. Applicant's architects designed the new building to have a capacity for 500 students.

24. Applicant states that the increase in the building area of the school is a direct result of the Pennsylvania Department of Education's standards for elementary educational facilities and the necessity for providing program equity among its elementary schools.

25. Applicant represented that any "significant deviation" from the proposed size of the new school would require district wide redistricting of children which, in turn, requires a public referendum. The result of both would be expensive delay and additional public cost.

26. In view of the mandate to provide equity across the school district and in an effort to conform substantially to the governing dimensional controls, the proposed new school is the minimize size that will achieve Applicant's educational goals and responsibilities.

27. Mr. Good testified that a building smaller that the building proposed could not provide the required facilities under the current educational program.

28. Applicant qualified Mr. Glenn Harris as a landscape architect, and the Zoning Board accepted Mr. Harris as an expert in land planning. The Zoning Board relied on Mr. Harris' testimony.

29. Mr. Harris testified that the applicant had considered many alternative building configurations and orientations and concluded that the proposed two-story building occupying 51,252 square feet at ground level was the only workable plan of development. Applicant considered and rejected alternative renovation of the existing facility.

30. Applicant considered and rejected the idea of relocating the school at another location because land was not available in the Wyncote community and because the alternative was too expensive.

31. Applicant rejected a three-story building because it would exceed the Zoning Code's height limitation in the R-3 Residence District, would be out of character for the neighborhood and would require changes to an architecture design to be compatible with the community.

32. Mr. Harris testified that the proposed plan with a building coverage of 22.96% resulted in a variance that is the minimum variance that will afford relief to the applicant.

33. Mr. Harris testified that the proposed plan would not alter the essential character of the neighborhood, would not impair the lawful use or development of adjacent properties and would not adversely affect the public welfare.

34. Mr. Harris testified that the R-3 Residential District's dimensional controls are designed for residential use and do not contemplate educational use in the form of an elementary school.

35. Applicant proposes to provide 65 parking spaces to accommodate the needs of staff, visitors and accessible spaces, an amount in excess of the 48 required spaces. While the original plans illustrated parking spaces along the bus loop, Applicant revised its plans so that all 65 spaces will be placed within the surface parking lot.

36. Currently, the existing school has 51 parking spaces, a number that is insufficient to meet the parking needs of the school population as demonstrated by the use for parking of areas originally designated for children's play areas.

37. Although Applicant's preliminary plans anticipated 82 parking spaces, applicant sought to respond to neighbor's concerns about an increase in impervious surface and proposes less surface parking in order to minimize stormwater run-off.

38. Mr. Harris testified that 65 parking spaces were the minimum parking spaces that would adequately serve the needs of population of the proposed school building.

39. A portion of these parking spaces are proposed to be located in a surface parking lot and in the front yard setback.

40. The surface parking lot is positioned in the front yard setback in order to provide and to maximize a children's play area which is located to the rear of the building.

41. Mr. Harris testified that placing the bulk of the parking spaces in a parking field substantially to the side of the proposed building is in the spirit of the zoning ordinance.

42. Currently, student drop-off and pick-up by passenger vehicle or small van is accomplished by parking on Rices Mill and Barker Roads, a condition which is, at times, unsafe.

43. Applicant designed the surface parking lot with a student drop-off and pick-up area that will safely accommodate a queue of as many as 22 vehicles.

44. A portion of the children's play area is positioned within the front yard setback of the Property along Church Road.

45. Mr. Harris testified that Barker Road is more appropriate than Rices Mill Road or Church Road to serve as access to the surface parking lot and bus loop.

46. Applicant agreed to provide a landscape buffer between the surface parking lot and the sidewalk on Barker Road.

47. Applicant proposes two driveways along Barker Road, each of which exceeds the maximum allowed width of 18 feet. Each driveway is a two-way driveway. One accesses the surface parking lot and measures 24 feet in width, and one accesses the bus loop and measures 30 feet in width.

48. Applicant proposes a bus loop, accessible from Barker Road, which will eliminate the condition of buses loading and unloading on Barker and Rices Mill Roads.

49. Applicant represents that a separate on-site bus loop and a separate area for private vehicle pick-up and drop-off creates a safer condition than do the current conditions that include buses standing on Barker Road.

50. The bus loop can accommodate as many as 9 buses at one time which is the maximum number of buses that could be in use at the Property.

51. Mr. Harris testified that the widths of the driveways are the minimum widths that will provide two-way access to the surface parking lot and to the bus loop.

52. Mr. Harris testified that the applicant decided to place the surface parking to the left and front of the school building in order to preserve the rear and other side yards for children's play areas.

53. Mr. Harris further testified that the requested zoning relief to allow surface parking in the front yard is the minimum relief that will afford relief to applicant, will not alter the essential character of the neighborhood, will not substantially impair the lawful use of adjacent properties or endanger the public welfare.

54. Applicant had not developed a plan to address stormwater management in advance of its zoning application and acknowledges that Applicant will have to do so as part of its land development approval process.

55. The Zoning Board qualified David Horner as an expert in traffic engineering. Mr. Horner is a licensed professional engineer and a certified professional traffic operations engineers. The Zoning Board relied upon Mr. Horner's testimony.

56. Mr. Horner prepared a Traffic Impact Study for Wyncote Elementary School, dated December 14, 2012.

57. Under Mr. Horner's supervision, Horner and Canter Associates conducted traffic counts and made observations on roadway conditions and the operations of the existing school. Horner and Canter representatives observed and documented queuing of parent drop-offs, queuing of buses at the school, and pedestrian behaviors.

58. Mr. Horner concluded that the projected school traffic would not result in any change in the level of service to adjacent intersections.

59. Mr. Horner concluded that a bus loop with access from Barker Road was, from a traffic point of view, superior in design and function to a bus loop with access from Rices Mill Road because Barker Road is a lesser volume roadway.

60. Mr. Horner stated that a best practice is to separate bus activity from parent pick-up and drop-off activity.

61. Mr. Horner testified that the proposed plan properly provided for safe pedestrian activity.

62. During the course of the hearings, applicant revised plans and the Zoning Board accepted those revisions as constituting the application upon which the acted.

63. Applicant has demonstrated hardship.

64. A grant of relief to allow the construction of a new elementary school at the premises with greater-than-permitted building coverage 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.

65. A grant of relief to allow the construction of a new elementary school at the premises with greater-than-permitted building coverage will not substantially or permanently impair the use or development of adjacent property.

66. A grant of relief to allow the construction of a new elementary school at the premises with greater-than-permitted building coverage will not be contrary to the public interest.

67. A grant of relief to allow the construction of a new elementary school at the premises with front yard play areas 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.

68. A grant of relief to allow the construction of a new elementary school at the premises with front yard play areas will not substantially or permanently impair the use or development of adjacent property.

69. A grant of relief to allow the construction of a new elementary school at the premises with front yard play areas will not be contrary to the public interest.

70. A grant of relief to allow the construction of a new elementary school at the premises with surface parking between the new building and Barker Road with wider-than-permitted driveways 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.

71. A grant of relief to allow the construction of a new elementary school at the premises with surface parking between the new building and Barker Road with wider-than-permitted driveways will not substantially or permanently impair the use or development of adjacent property.

72. A grant of relief to allow the construction of a new elementary school at the premises with surface parking between the new building and Barker Road with wider-than-permitted driveways will not be contrary to the public interest.

DISCUSSION

The School District of Cheltenham Township (the "District") proposes to demolish the existing Wyncote Elementary School and to construct a new elementary school building at its property at 333 Rices Mill Road in the Wyncote section of Cheltenham Township. The 5.12 acre site is bordered by Church Road, Rices Mill Road and Barker Road (the "Property"). The existing building was initially constructed in 1949, and the District has determined that it cannot meet the needs of the school population and its obligations to the community under current building conditions. The District does not intend to expand the school population.

The Property is classified as within an R-3 Residence District. In accordance with the Zoning Code, § 295-230, the Board of Commissioners determined that the District may construct and operate a school on its property in any residential zoning district.[1] Although the impacts on a residential community are more similar to the impacts stemming from commercial and industrial uses, governing bodies traditionally permitted schools to be located in residential districts because the contributions to the public welfare outweighed the adverse effects. Those benefits included the ability of students and parents to walk to the school or travel by an otherwise short drive and the preservation of a sense of a community in the school. "Uses of land for educational purposes are highly favored." Robert M. Anderson, Law of Zoning in Pennsylvania, § 10.07-10.10 (1982). The District's presentation reflected these values and incorporated those interests.

---

[1] The School district of Cheltenham Township may erect and/or cause any building or any premises situate in the township of Cheltenham for educational purposes in any residence, commercial or manufacturing district without the necessity of obtaining consent of the Zoning Hearing Board. Zoning Code, § 295-30.

The property measures 5.12 acres and is smaller than two other District locations where the District demolished existing elementary schools and constructed new schools.[2] The District does not own other property in the Wyncote community that it can devote to this use and claimed that no other property of the necessary size was available for the new school.[3] Since the Property abuts three streets, the Property has three front yards. The Property is burdened by areas designated as having steep slopes.

The District's expert consultants uniformly attributed the size of the building to educational program requirements resulting from the application of standards mandated by Pennsylvania's Department of Education and the District's need to provide facilities and programs equal to those in the other elementary schools. The District is entitled to deference in regard to the educational decisions underlying the engineering and architecture of the new school.

The District's project team accommodated the program in a building measuring 84,831 square feet in a two-story building with a footprint of 51,252 square feet. While the footprint of the building could be reduced with the construction of a three-story building, the resulting building would exceed the zoning district's height limitation (40 feet for non-residential buildings) without mitigation. The Zoning Board agrees with the District that a building

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[2] The District operates four K-4 grade elementary schools: Wyncote Elementary School, Glenside Elementary School ("Glenside"), Cheltenham Elementary School ("Cheltenham") and Myers Elementary School ("Myers"). The existing Cheltenham and Glenside building were demolished and new buildings constructed. Myers underwent substantial renovation. The District also operates a 5-6 grade elementary school (the "Elkins Park School"), but references to elementary school in this discussion are limited to the K-4 grade schools.

[3] The District owns the property located nearby in Wyncote and used for Cheltenham High School. In the Record, there was no discussion about the particular use of this property and no suggestion that there was sufficient land on which to operate and build a new elementary school.

substantially in excess of the height limitation would be out of context with the surrounding homes, altering the essential character of the neighborhood.

The result of the proposed footprint is a property with a building area equal to 22.96% of the overall lot where the Zoning Code limits building area to 15% of the lot. Zoning Code, § 295-23. The existing condition at the elementary school is 19.22% of the lot. However, the impact of a variance to allow building coverage to exceed the limit can be mitigated by appropriate landscaping and stormwater management. Given the peculiarities of the physical characteristics of the Property and the necessary amount of gross floor area required in the building by the educational program, the Zoning Board concludes that a failure to grant relief from the 15% limitation on building coverage would result in an unnecessary hardship. The Zoning Board can protect the neighborhood and the public interest by conditioning a grant of relief to allow the building to occupy 22.96% with the obligation to prepare and follow a landscaping plan and provide stormwater management measures for the entire Property.

The District also seeks to allow surface parking between the school building and Barker Road, a condition prohibited by the Zoning Code, § 295-221(BB)(5)(a). The Property has substantial steep slopes along Church Road, which is also a highly travelled street. Based on these conditions, the Zoning Board finds that Church Road does not offer a safe entrance to the Property. The District's traffic expert testified that the safest access will be from Barker Road. The District also demonstrated the playground areas are appropriately located to the rear of the building, accessible from the lunchroom and multi-purpose rooms and secured. The Zoning Board notes that the playgrounds are programmatic, and the placement relative to teachers and administrators, when based on educational concerns, warrants deference from the Zoning Board.

Since the rear of the building is reserved for playground areas and Church Road does not offer a viable parking alternative, the only remaining area for the required parking is in an area between the building and Barker Road. That condition results from the unique conditions of the Property and the absolute requirements for the building size. A failure to grant relief to allow parking in the area between the building and Barker Road would result in an inability to provide parking, particularly in a safe manner, and would result in an unnecessary hardship.

Lastly, the District proposes two curb cuts on Barker Road, each of which exceeds 18 feet. The Zoning Code limits the number of driveways to one and the width to 18 feet. Zoning Code, § 295-200(A). The curb cut providing access to the surface parking lot is 24 feet in width and serves a two-way driveway. Delivery trucks and passenger vehicles will use the driveway. The District's experts testified that a driveway of this width is required in order accommodate the turning radiuses into the parking lot and to the school and to safely allow the two-way traffic.

In the same manner, the driveway and curb cut for access to the bus loop must be 30 feet in width to accommodate the bus traffic from Barker Road. Testimony about the safety conditions, the appropriateness of Barker Road for bus traffic and the turning radiuses were carefully scrutinized during the hearing. Safe operation of vehicular ingress and egress remains an paramount concern of the Zoning Board, which hereafter requires the Applicant to demonstrate the engineering necessary to assure safe operation to support the widths of the driveways and curb cuts. In addition, the traffic engineer testified that a safer condition would be created by separating the entrances to the bus loop and the surface parking lot. The Zoning

Board finds that a failure to allow the driveways to exceed in number and size the ordinance's limitation would result in unsafe conditions and an unnecessary hardship.

The Zoning Board concludes that the District has satisfied the requirements for variances as set forth in the Cheltenham Zoning Code and the Pennsylvania Municipalities Planning Code and grants zoning relief as hereafter set forth and conditioned.

CONCLUSIONS OF LAW

1. Construction of an elementary school with greater-than-permitted building coverage, playground areas and a surface parking lot in the front yards and two wider-than-permitted driveways 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 its 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 construction of an elementary school with greater-than-permitted building coverage, playground areas and a surface parking lot in the front yards and two wider-than-permitted driveways would result in an unnecessary hardship.

3. The variances as hereafter granted are the minimum variances that will afford applicant relief and represent the least departure from the governing regulations.

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

DECISION

WHEREFORE, this 11th day of March, 2013, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, grants to applicant the following variances:

(1) a variance from the rules and regulations of Article V, Section 295-23 to allow construction and operation of a new school building with building coverage of 22.96% of the Property; and

(2) a variance from the rules and regulations of Article XXIX, Section 220(A) to allow construction and operation of a new school building with playground areas within a front yard setback;

(3) variances from the rules and regulations of Article XXIX, Section 295-220(a) to allow construction and operation of a new school building with two driveways, one measuring 24 feet in width and one measuring 30 feet in width, along Barker Road; and

(4) a variance from the rules and regulations of Articles XXIX, Section 295-221(B)(5)(a) to allow surface parking between a new school building and Barker Road.

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

(1) Applicant shall, through the use of accepted turning radiuses, demonstrate that buses executing a right-hand turn out of the bus loop onto Barker Road can accomplish the turn without crossing into the lane for oncoming traffic;

(2) Applicant shall, through the use of accepted turning radiuses, demonstrate that buses making a right-hand turn from Barker Road into the bus loop can complete the turning maneuver without crossing into the lane for exiting traffic;

(3) buses shall make a right-hand turn only out of the bus loop;

(4) Applicant shall provide storm water management for all impervious surfaces at the Property as if all impervious structures were new and subject to the Township's pertinent codes;

(5) the 14 parking spaces demonstrated on Applicant's Exhibit A-12 located closest to Barker Road shall be constructed with pervious surfaces;

(6) Applicant shall develop the project with landscaping substantially consistent with that illustrated on Applicant's Exhibit A-12;

(7) if Applicant installs any exterior lighting, the lighting shall be "dark sky" lighting; and

(8) the proposed improvements shall be constructed in substantial conformity with the testimony and exhibits produced by the Applicant during the course of the hearings before the Zoning Hearing Board.

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

Voting in favor of the above grant of relief:

AMEE S. FARRELL, Chairperson
ALAN S. GOLD, Vice Chairman and Secretary
PETER LABIAK, Member

Neil Sklaroff, Esquire
Solicitor to the Cheltenham Township Zoning Hearing Board

THIS DECISION IS OFFICIALLY ISSUED ON JUNE 12, 2013.

ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

APPEAL NO. 3460

Applicant:	Lynnewood Real Estate LP 911 East County line Road Lakewood, New Jersey 08701
Subject Premises :	2047C Mather Way Elkins Park, Pennsylvania
Owner of Premises:	Lynnewood Real Estate LP
Nature of Application:	Applicant appeals from the determination of the Zoning Officer finding that construction of an accessory building, measuring no more than 13,500 square feet (4,700 square feet for a leasing office and 8,800 square feet for a community center and indoor recreation) instead of the enumerated permitted uses would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article XIII, Section 295-80, regulating permitted uses. Applicant seek a variance from Section 295-80(B) of the rules and regulations of the M-2 Multiple Dwelling District to allow the construction of an accessory building, measuring no more than 13,500 square feet (4,700 square feet for a leasing office and 8,800 square feet for a community center and indoor recreation) instead of the enumerated permitted uses.
Time and Place of Hearing:	Monday, March 11, 2013 – 7:50 p.m. Curtis Hall Church Road and Greenwood Avenue Wyncote, Pennsylvania

FINDINGS OF FACT

1. Applicant Lynnewood Real Estate LP ("Applicant") is the owner of the premises known as 2047C Mather Way, 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 a M-2 Multiple Dwelling District and is improved by an apartment complex.

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 the hearing;

ZHB-3. an Application to the Zoning Hearing Board, referenced as Appeal No. 3460;

ZHB-4. a location map marked as Real Estate Registry Block 172, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information dated February 22, 2013;

ZHB-6. Building and Zoning Committee recommendation letter dated March 11, 2013;

ZHB-7. Plan marked "Zoning Variance Plan" prepared by Boucher & James, dated February 6, 2013;

ZHB-8. copy of the recorded deed to the Property;

A-1. Zoning Variance Plan prepared by Boucher & James, dated February 6, 2013; and

A-2. copy of floor plan rendering of the proposed construction.

5. Applicant proposes to construct an accessory building, measuring no more than 13,500 square feet, 4,700 square feet of which will be used for a leasing office and 8,800 square feet of which will be used for an accessory community center and indoor recreation.

6. The proposed construction does not conform to the enumerated permitted uses for the Property.

7. John Tresslar of Boucher & James was sworn and accepted as an expert in engineering on behalf of Applicant. The Board relied upon Mr. Tresslar's testimony.

8. The proposed construction would be located nearly centrally between Ashbourne Lane on the east and Mather Way on the south, just to the southwest of the existing aquatics center in Lynnewood Gardens.

9. The only permitted use in the M-2 zoning district is residential apartments.

10. To remain marketable in comparison with other similar complexes, Applicant proposes to construct a building that would house both a leasing office and a community center, complete with a fitness center.

11. Currently, the existing leasing office is located in one of the existing apartment units.

12. Applicant proposes a separate access to the proposed building off Mather Way. The proposed driveway area is currently stoned, but will be paved, striped, have one more additional light standard, and provide necessary parking for the proposed leasing center/community center.

13. Mr. Tresslar testified that the building would be an "L" shape and that the footprint of the building measures 13,500 square feet.

14. According to the parking calculations for this proposed use, 53 additional parking spaces would be needed. Applicant intends to provide 55 additional parking spaces, three of which will be for handicapped parking to meet current ADA standards.

15. Mr. Tresslar testified that, with the additional impervious surface, Applicant will address storm water management.

16. Ted Steckbeck of the Matzel Group was sworn and accepted as an expert in design on behalf of Applicant. The Board relied upon Mr. Steckbeck's testimony.

17. The proposed building is broken down into two elements: one is an amenity element and the other the leasing center. The amenity area of the building is broken down into a fitness area with locker areas, a great room, a meeting room, a small business center area, and exterior patio areas.

18. Mr. Steckbeck testified that the exterior of the proposed building would be similar to the complex's brick and stone work with cedar shake materials in the same color as that of the apartment units.

19. The proposed great room area would contain large televisions, pool tables, and would be used as a gathering spot for the community. The amenity area would only be used by the residents of Lynnewood Gardens. The great room would also have a kitchen area containing a microwave, refrigerator and a sink, but no cooking facilities.

20. Mr. Steckbeck testified that, once the leasing offices are move to the proposed building, the existing space of the leasing office would be converted back into apartments.

21. To locate the proposed leasing center, visitors would follow the color-coded signage.

22. All of the existing roadways within the Lynnewood Gardens complex would remain the same.

23. The leasing center would operate between the hours of 9:00 a.m. to 6:00 p.m.; the fitness area would be available from 5:00 a.m. until midnight. The fitness area would only be available to tenants of Lynnewood Gardens via either an individual FOB system or an access card system.

24. Applicant will meet or exceed the landscape requirements on the Property.

25. Applicant intends to construct a building that is economical and efficient to operate, and HVAC will be located in the attic of the proposed construction.

26. The relocated model units would be located in the building known as 2053 Mather Way and the applicant agreed to notify the Township in advance of the unit numbers of the model apartments.

27. Applicant amended its application to move the existing two model units to those illustrated on the submitted plans as model units. The Zoning Hearing Board accepted the amendment.

28. A grant of relief to allow the construction of an accessory building, measuring no more than 13,500 square feet (4,700 square feet for a leasing office and 8,800 square feet for a community center and indoor recreation) instead of the enumerated permitted uses will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

29. A grant of relief to allow the construction of an accessory building, measuring no more than 13,500 square feet (4,700 square feet for a leasing office and 8,800 square feet for a community center and indoor recreation) instead of the enumerated permitted uses 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.

30. A grant of relief to allow the construction of an accessory building, measuring no more than 13,500 square feet (4,700 square feet for a leasing office and 8,800 square feet for a community center and indoor recreation) instead of the enumerated permitted uses will not be contrary to the public interest.

31. A grant of relief to allow two model units as nonresidential uses instead of the enumerated permitted uses will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

32. A grant of relief to allow two model units as nonresidential uses instead of the enumerated permitted uses 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.

33. A grant of relief to allow two model units as nonresidential uses instead of the enumerated permitted uses will not be contrary to the public interest.

CONCLUSIONS OF LAW

1. Construction of an accessory building, measuring no more than 13,500 square feet (4,700 square feet for a leasing office and 8,800 square feet for a community center and indoor recreation) instead of the enumerated permitted uses is not permitted by the Cheltenham Township Zoning Ordinance.

2. Use of existing residential units as two model units instead of the enumerated permitted uses is not permitted by the Cheltenham Township Zoning Ordinance.

3. 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.

4. Under the circumstances of this matter, Applicant has met its 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 construction of an accessory building, measuring no more than 13,500 square feet (4,700 square feet for a leasing office and 8,800 square feet for a community center and indoor recreation) and for the use of two existing residential units as two model units instead of the enumerated permitted uses would result in an unnecessary hardship.

5. The variances as hereafter granted are the minimum variances that will afford Applicant relief and represent the least departure from the governing regulations.

6. The variances will not be contrary to the public interest.

DECISION

WHEREFORE, this 11th day of March, 2013, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, grants to Applicant the following:

(1) A variance from the rules and regulations of Article XIII, Section 295-80(B), to allow the construction of an accessory building, measuring no more than 13,500 square feet (4,700 square feet for a leasing office and 8,800 square feet for a community center and indoor recreation); and

(2) a variance from the rules and regulations of Article XIII, Section 295-80(B), to allow two residential units to be used as model units.

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

(1) the hours of operation shall be 7 a.m. to 10 p.m., except for the fitness center, which may be open from 5 a.m. to 12 midnight;

(2) no alcohol may be served, sold, or consumed at the Property;

(3) membership shall be limited to residents of Lynnewood Gardens only;

(4) there shall be no monthly rental of any space to tenants or third parties;

(5) there shall be no private parties;

(6) landscaping shall be no less than as illustrated on Exhibits A-2 and A-3 submitted at the Zoning Hearing Board meeting on March 11, 2013; and

(7) 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 March 11, 2013 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

Voting in favor of the above grant of relief:

AMEE S. FARRELL, Chairperson
ALAN S. GOLD, Vice Chairman and Secretary
PETER LABIAK, Member

Neil Sklaroff, Esquire
Solicitor to the Cheltenham Township Zoning Hearing Board

THIS DECISION IS OFFICIALLY ISSUED ON JUNE 12, 2013.

ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

APPEAL NO. 3461

Applicant:	JC Melrose Country Club 7600 Tookany Creek Parkway Cheltenham, Pennsylvania 19012
Subject Premises :	7600 Tookany Creek Parkway Cheltenham, Pennsylvania
Owner of Premises:	JC Melrose Country Club
Nature of Application:	Applicant appeals from the determination of the Zoning Officer finding that replacement of existing signage for one freestanding sign with attached logo with a height in excess of the existing freestanding sign would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article XXV, Section 295-199, regulating nonconforming signs.

Applicant seeks variances from the rules and regulations of the R-1 Residence District as follows:

(1) a variance from Section 295-199 (A)(3) to allow the installation of one freestanding sign, measuring 10 feet wide by 5 feet high (50 square feet), to replace the existing entrance sign at the same location, plus an attached logo sign, measuring 40 inches in diameter (8.7 square feet), for a total area of approximately 58.7 square feet, instead of repainting, resurfacing or repairing the existing 24 square foot sign; and

(2) a variance from Section 295-199(A)(3) to allow for a total height of the proposed freestanding sign to be approximately 10.33

feet instead of the existing 6-8 foot in height.

Time and Place of Hearing:	Monday, March 11, 2013 – 8:45 p.m. Curtis Hall Church Road and Greenwood Avenue Wyncote, Pennsylvania

FINDINGS OF FACT

1. Applicant JC Melrose Country Club ("Applicant") is the owner of the premises known as 7600 Tookany Creek Parkway, Cheltenham, 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-1 Residence District and is improved by a country club.

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 the hearing;

ZHB-3. an Application to the Zoning Hearing Board, referenced as Appeal No. 3461;

ZHB-4. a location map marked as Real Estate Registry Block 87, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information dated February 13, 2013;

ZHB-6. Building and Zoning Committee recommendation letter dated March 11, 2013;

ZHB-7. a series of photograph simulations of the proposed sign;

ZHB-8. a rendering of the proposed sign, showing the dimensions and proposed lettering; and

ZHB-9. an aerial view of the Property, showing the existing signage.

5. Applicant proposes to install one freestanding sign with an attached logo at the top to replace the existing entrance sign at the same location on the Property.

6. The proposed freestanding sign, measures 10 feet wide by 5 feet high (50 square feet), and the attached logo sign, measures 40 inches in diameter (8.7 square feet), for a total area of approximately 58.7 square feet and a height of approximately 10.33 feet.

7. The existing signage is inadequate for moving vehicles to identify when looking for the country club entrance.

8. The Property contains several smaller signs on a chain-link fence and at the maintenance entrance. The record contains no evidence that these signs are lawful.

9. A grant of relief to allow the installation of one freestanding sign, measuring 10 feet wide by 5 feet high (50 square feet), to replace the existing entrance sign at the same location, plus an attached logo sign, measuring 40 inches in diameter (8.7 square feet), for a total area of approximately 58.7 square feet, instead of repainting, resurfacing or repairing the existing 24 square foot sign 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 one freestanding sign, measuring 10 feet wide by 5 feet high (50 square feet), to replace the existing entrance sign at the same location, plus an attached logo sign, measuring 40 inches in diameter (8.7 square feet), for a total area of approximately 58.7 square feet, instead of repainting, resurfacing or repairing the existing 24 square foot sign 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 one freestanding sign, measuring 10 feet wide by 5 feet high (50 square feet), to replace the existing entrance sign at the same location, plus an attached logo sign, measuring 40 inches in diameter (8.7 square feet), for a total area of approximately 58.7 square feet, instead of repainting, resurfacing or repairing the existing 24 square foot sign will not be contrary to the public interest.

12. A grant of relief to allow for a total height of the proposed freestanding sign to be approximately 10.33 feet instead of the existing 6-8 foot in height will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

13. A grant of relief to allow for a total height of the proposed freestanding sign to be approximately 10.33 feet instead of the existing 6-8 foot in height 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.

14. A grant of relief to allow for a total height of the proposed freestanding sign to be approximately 10.33 feet instead of the existing 6-8 foot in height will not be contrary to the public interest.

CONCLUSIONS OF LAW

1. Installation of one freestanding sign, measuring 10 feet wide by 5 feet high (50 square feet), plus an attached logo sign, measuring 40 inches in diameter (8.7 square

feet), for a total area of approximately 58.7 square feet is not permitted by the Cheltenham Township Zoning Ordinance.

2. A total height of approximately 10.33 feet for a freestanding sign along Tookany Creek Parkway is not permitted by the Cheltenham Township Zoning Ordinance.

3. 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.

4. Under the circumstances of this matter, Applicant has met its 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 one freestanding sign, measuring 10 feet wide by 5 feet high (50 square feet), plus an attached logo sign, measuring 40 inches in diameter (8.7 square feet), for a total area of approximately 58.7 square feet with the approximate height of 10.33 feet, to replace the existing entrance sign at the same location would result in an unnecessary hardship.

5. The variances as hereafter granted are the minimum variances that will afford Applicant relief and represent the least departure from the governing regulations.

6. The variances will not be contrary to the public interest.

DECISION

WHEREFORE, this 11th day of March, 2013, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, grants to Applicant the following variances:

(1) a variance from the rules and regulations of Article XXV, Section 295-199(A)(3), to allow the installation of one freestanding sign, measuring 10 feet wide by 5 feet high (50 square feet), to replace the existing entrance sign at the same location, plus an attached logo sign, measuring 40 inches in diameter (8.7 square feet), for a total area of approximately 58.7 square feet; and

(2) a variance from the rules and regulations of Article XXV, Section 295-199(A)(3), to allow for a total height of the proposed freestanding sign to be approximately 10.33 feet.

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

(1) Applicant must demonstrate to the zoning officer that each of the existing signs are lawful or removed before a building permit may be issues for the requested sign;

(2) 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.

(3) 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 March 11, 2013 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

Voting in favor of the above grant of relief:

AMEE S. FARRELL, Chairperson
ALAN S. GOLD, Vice Chairman and Secretary
PETER LABIAK, Member

Neil Sklaroff, Esquire
Solicitor to the Cheltenham Township Zoning Hearing Board

THIS DECISION IS OFFICIALLY ISSUED ON JUNE 12, 2013.

ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

APPEAL NO. 3462

Applicant:	Jared Z. Karr 8015 Cooke Road Elkins Park, Pennsylvania 19027
Subject Premises :	8015 Cooke Road Elkins Park, Pennsylvania
Owner of Premises:	Jared Z. Karr
Nature of Application:	Applicant appeals from the determination of the Zoning Officer finding that the installation of a shed, measuring 8 feet by 8 feet, creating a less than required side yard setback, would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article VIII, Section 295-46, regulating yard setbacks. Applicant seeks a variance from Section 295-46(B)(1) of the rules and regulations of the R-5 Residence District to allow the installation of a shed, measuring 8 feet by 8 feet, with a lesser side yard setback of 2 feet instead of the minimum required 8 feet.
Time and Place of Hearing:	Monday, April 11, 2013 – 7:30 p.m. Curtis Hall Church Road and Greenwood Avenue Wyncote, Pennsylvania

FINDINGS OF FACT

1. Applicant Jared Z. Karr ("Applicant") is the owner of the premises known as 8015 Cooke Road, 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-5 Residence District and is improved by a twin-house 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 the hearing;

ZHB-3. an Application to the Zoning Hearing Board, referenced as Appeal No. 3462;

ZHB-4. a location map marked as Real Estate Registry Block 174, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information dated March 7, 2013;

ZHB-6. Building and Zoning Committee recommendation dated April 4, 2013;

ZHB-7. layout of the property;

ZHB-8. description and photographs of the proposed shed;

ZHB-9. e-mail statements from the adjoining neighbors that there is no objection to the proposed shed location; and

ZHB-10. series of photographs of the Property.

5. Applicant proposes to install a shed, measuring 8 feet by 8 feet, within the rear yard of the Property.

6. The proposed location for the shed creates a lesser side yard setback of 2 feet instead of the minimum required 8 feet.

7. With the dimensions of the rear yard of the Property, any location for the proposed shed would violate a yard setback requirement.

8. Applicant's neighbors are in favor of the proposed project.

9. A grant of relief to allow the installation of a shed, measuring 8 feet by 8 feet, with a lesser side yard setback of 2 feet instead of the minimum required 8 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 shed, measuring 8 feet by 8 feet, with a lesser side yard setback of 2 feet instead of the minimum required 8 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 shed, measuring 8 feet by 8 feet, with a lesser side yard setback of 2 feet instead of the minimum required 8 feet will not be contrary to the public interest.

CONCLUSIONS OF LAW

1. Installation of a shed, measuring 8 feet by 8 feet, with a lesser side yard setback of 2 feet instead of the minimum required 8 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 his 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 shed, measuring 8 feet by 8 feet, with a lesser side yard setback of 2 feet instead of the minimum required 8 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 11th day of April, 2013, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, grants to Applicant a variance from the rules and regulations of Article VIII, Section 295-46(B)(1), to allow the installation of a shed, measuring 8 feet by 8 feet, with a lesser side yard setback of 2 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 before the issuance of the Building Permit; and

(2) the proposed improvements shall be constructed in substantial conformity with the testimony and exhibits produced by the Applicant during the course of the hearing before the Zoning Hearing Board.

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

Voting in favor of the above grant of relief:

AMEE S. FARRELL, Chairperson
ALAN S. GOLD, Vice Chairman and Secretary
PETER LABIAK, Member

Neil Sklaroff, Esquire
Solicitor to the Cheltenham Township Zoning Hearing Board

THIS DECISION IS OFFICIALLY ISSUED ON JUNE 12, 2013.

June 25, 2013

COMMISSIONERS OF CHELTENHAM TOWNSHIP
ELKINS PARK, PA 19027

COMMISSIONERS OF CHELTENHAM TOWNSHIP
REPORT OF THE BUILDING INSPECTOR FOR JUNE, 2013

	# PERMITS	TOT. FEES	$ VALUE
RESIDENTIAL			
RENOVATIONS / ALTERATIONS	44	4,325	216,250
MULTI-FAMILY			
RENOVATIONS / ALTERATIONS	0	0	0
COMMERCIAL			
RENOVATIONS / ALTERATIONS	2	215	10,750
INSTITUTIONAL			
RENOVATIONS / ALTERATIONS	0	0	0
FENCE	2	183.30	183.30
JUNE, 2013	48	4,723.30	227,183.30
JUNE, 2012	71	11,263	553,154
YEAR-TO-DATE 2013	306	50,033.50	2,630,281.5
TOTAL 2012	604	224,950	11,247,500
HEATING & AIR CONDITIONING			
JUNE, 2013	5	985	49,250
JUNE, 2012	2	589	29,450
YEAR-TO-DATE 2013	30	7,306	427,550
TOTAL 2012	48	20,671	1,033,550
ELECTRICAL			
JUNE, 2013	6	315	15,750
JUNE, 2012	15	2,115	105,750
YEAR-TO-DATE 2013	40	5,402	301,802
TOTAL 2012	80	20,055	1,002,750
PLUMBING			
JUNE, 2013	3	415	20,750
JUNE, 2012	NOT PREVIOUSLY RECORDED		
YEAR-TO-DATE 2013	51	6,680	333,000
TOTAL 2012	NOT PREVIOUSLY RECORDED		

David R. Jones
Interim Director - Engineering, Zoning & Inspections