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 D. McKeown, Sr. - Member
J. Andrew Sharkey - Member
Daniel Norris – Member
Art Haywood - Ex-Officio Member

**Thursday, September 3, 2013**
**8:00 PM**
**Curtis Hall**

## AGENDA

1. Review of the Zoning Hearing Board Agenda for September 17, 2013. (See attached)

2. Review of Planning Commission Minutes dated August 26, 2013. (See attached)

3. Review of Ad Hoc Zoning Committee Minutes dated August 28, 2013. (See attached)

   a) Review and discussion of the draft Zoning Ordinance and Map revising the Township's Zoning Code (available on the Township's website) http://www.cheltenhamtownship.org/pview.aspx?id=9568&catID=29

4. Consider recommending to The Board of Commissioners an Ordinance, amending Township Code entitled "Administration of Government", Chapter 5, Section 26. (See attached)

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

6. Report of the Building Inspector for August 2013. (See attached)

7. Old Business

8. New Business

9. Citizens' Forum

10. Adjournment

Bryan T. Havir
Township Manager

## 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.**

A meeting of the PLANNING COMMISSION was held this evening. The following Planning Commission members were present: Messrs. Cross, Goldfarb, Winneberger, Laughlin, Leighton, and Harrower. Also present were Amy Riddle Montgomery, Interim Township Engineer and Joseph V. Nixon, Montgomery County Planning Commission.

**1. Acceptance of minutes of the June 24, 2013 meeting.**

Motion was made and seconded to approve the minutes.

**2. Review of Zoning Hearing Board Agenda for September 9, 2013.**

**APPEAL NO. 3471:** Appeal of Sukhvir Singh of premises known as 300 S. Easton Road, Glenside, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to place a new freestanding sign in place of their existing sign in a Class C-4 Commercial and Business District.

a. A Variance in accordance with Article XXV, Signs of Chapter 295-197C.(1)(a). of the Cheltenham Code in order to place a freestanding sign measuring 90.6 sq. ft. instead of the allowed 50 sq. ft. and having a maximum height of 21'-8" instead of the allowed 15'-0".

No one was present for this application and no detail on the sign was provided.

The PC tabled the subject due to a lack of information.

**3. Review of Cheltenham Township Development Application No. 13-0510 – Record Plan Wyncote Elementary School – 333 Rices Mill Road**

Andrew Freimuth, Esq. (Wisler Pearlstine), Glenn Harris, RLA (Renew Design Group), David Horner, P.E. (Horner & Canter Assoc.), Danielle Hoffer (Architect), Dr. Ray Bavi (Cheltenham Township School District), and Crystal Clark (Wyncote Elementary School Principal) were present for this application.

Mr. Freimuth made a brief presentation about the plan and distributed a letter of waiver requests. He discussed Item 41 in the Township Engineer's review letter of July 11, 2013 specifically with respect to replacement of the existing handicap ramp at Rices Mill and Church Roads. The Township Engineer and Township Staff met with the Applicant last week to discuss this item and are in agreement to keeping the ramp as it currently exists as it appears that PennDOT will be doing improvements to Church Road in the future and the lengthy process of obtaining a Highway Occupancy Permit from PennDOT would delay the schedule for the new school. The Applicant

agreed to do additional improvements to the ramp and pedestrian crossing of Rices Mill at Barker Road and to eliminate the crosswalk at Barker Road since there is no sidewalk in the area.

Mr. Freimuth also discussed Item 4 in F. Tavani and Associates, Inc. letter of August 21, 2013 specifically related to the capacity of the proposed parent stacking area, which would be exceeded by demand at dismissal. There was discussion about how to achieve the required queuing area: 21 vehicles can queue on-site, 6 within the gored area on Barker Road, and up to 30 more on the east side of Rices Mill Road. The maximum number of parent vehicles observed in the study was 45.

Ms. Lorna Rosenberg commented that the Environmental Advisory Council is hoping to work with the school district to try to reduce the number of parents driving students to school.

Mr. Nixon questioned the use of the paved areas for play instead of open grass areas. Mr. Harris indicated that the students use the pavement in inclement weather and that many games are played on the pavement. The pavement will also be used for overflow parking. Ms. Clark stated that there are limited games that can be played on the grass and when the grass is wet, the students stay on the pavement.

A Motion to Recommend approval of the plans to the Public Works Committee was made and seconded.

**4. Review of Cheltenham Township Development Application No. 13-0530 – Record Plan Lynnewood Gardens Community Center 2047C Mather Way**

Jon Tresslar, P.E., P.L.S. (Boucher & James, Inc.) was present for this application.

Mr. Tresslar discussed the waivers that are being requested by the Applicant. The Commission suggested that the waiver requests will require Township Staff recommendation prior to going to the Board of Commissioners. Mr. Tresslar indicated that the Applicant will comply with all other items in the review letter by Patrick Duffy, P.E. (Township Conflict Engineer) dated August 10, 2013.

It was the opinion of Commission members that the tree replacements will need to meet the recommendations of the Shade Tree Advisory Committee. Mr. Tresslar indicated that they would comply.

Mr. Nixon stated that he would prefer a variety of trees as well as a pedestrian access connection along the new driveway or in another location to provide better access to the pool. He also discussed using a basin seed mixture in the above ground basin.

A Motion to Recommend approval of the plans as a Preliminary/Final submission to the Public Works Committee was made and seconded.

**5. Review of waiver request for Land Development Pep Boys, 245 S. Easton Road**

Mike Davis (Nave/Newell) and Allison Mathern (Pep Boys) were present for this application.

Mr. Davis gave an overview of the project and indicated several landscaping revisions that were requested by the Shade Tree Advisory Committee at their August 22, 2013 meeting.

Commission members asked what the hours of operation for the Pep Boys will be. Ms. Mathern indicated Monday through Friday 7:00 am to 7:00 pm, Saturday 7:00 am to 6:00 pm, and Sunday 9:00 am to 4:00 pm.

Mr. Cross asked if Pep Boys has evaluated the existing mechanical system as new roof top units may require a Land Development application. Ms. Mathern indicated that the evaluation had not been finalized and that it is generally a landlord responsibility. Mr. Cross suggested they inventory the existing units and discuss any changes with the Township Staff.

A Motion to Recommend approval of the waiver request to the Public Works Committee was made and seconded.

**6. Old Business**

None.

**7. New Business**

None.

**8. Adjournment**

Mr. Cross made a motion for adjournment; Mr. Goldfarb seconded the motion. The motion passed and the meeting was adjourned at 9:04 p.m.

Bryan T. Havir
Township Manager
Per Amy Riddle Montgomery, P.E.

# PUBLIC ATTENDANCE LIST

## PLANNING COMMISSION AGENDA

## MONDAY, AUGUST 26, 2013

*7:30 P.M.*

*(Please Print Clearly)*

| Print Name | Mailing Address | Telephone Number | E-mail Address |
|---|---|---|---|
| Ann Rappoport | 114 E. Waverly 19095 Annrappoport@comcast.net | 215-884-4155 | |
| Thom Cross | | | |
| Bill Winneberger | | | |
| Scott Laughlin | | | |
| ERIC LEIGHTON | | | |
| Dave Harrower | | | |
| David Horner | | | |
| Danielle V. Hoffer | | | |
| Andrew Freimuth | | | |
| Glenn Harris | | | |
| Lorna Rosenberg | | | |
| Natalie Thomas | | | |
| Jim Butt | | | |

*(Please Print Clearly)*

| Print Name | Mailing Address | Telephone Number | E-mail Address |
|---|---|---|---|
| Ray Bavi | | | |
| Joe Nixon | | | |
| Amy Montgomery | | | |
| [illegible] | | | |
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August 28, 2013
Township Building

A meeting of the AD HOC ZONING CODE REVISION COMMITTEE was held this evening. Members present were Messrs. Cohen, Cross, Harrower, Labiak, Leighton and Pransky. Also present were Interim Township Planner David Jones, Township Manager Bryan T. Havir and Joseph Nixon, Planner, representing the Montgomery County Planning Commission.

1. Mr. Nixon opened the meeting at 6 pm, and distributed the draft Ordinance and related documents revising the Township's Zoning Code. Said Ordinance and documents were reviewed, and the committee made certain changes as follows:

- Correction to spelling error.
- Clarification that the dwellings of estate dwellings to be protected by deed restriction.
- Buffer area for commercial properties increased to 25-feet.
- References to "radio/television towers/antennas" will also include "cell towers". Cell towers will also be included in C1 and C2 Districts and will require annual permits.

2. Mr. Nixon reviewed the Table of Uses for the various mapped districts and overlay districts and discussed certain uses that have not yet been placed into districts. Discussion ensued regarding the following matters:

- The Floodplain Ordinance – written to the standard proposed by the Montgomery County Planning Commission in order to comply with FEMA's requirements.

- The Historic Resources Overlay District will be incorporated and only include the provisions for the two (2) Historic Districts. The local landmarks on scattered sites will be regulated in a separate code outside of the Zoning Ordinance.

- Under "Agriculture" – Poultry and Live Stock to become "Accessory Uses" with conditions; Kennels to be considered " Light Industrial (LI)" usage.

- Riding Academies - not to be a permitted use and will be eliminated.

- Clarification of Uses heretofore not assigned a district as follows:

| Use | District |
|---|---|
| Car Wash | Industrial |
| Commercial School | C1, C2 |
| Dry Cleaners (on site) | LI, C1, C2 |
| Funeral Home | C1, C2 |
| (R2 as a Special Exception; to be a certain house size on state roads; no crematories permitted in residential districts) | |
| Radio/TV Stations | LI |
| Rental Agencies (vehicles) | C2, C1 |
| Veterinary Clinic | LI, C1,C2 |
| (LI – those with kennels; 200-foot buffer to abut a residential property) | |

| Use | District |
| --- | --- |
| Athletic/Health Clubs | C1, C2 |
| Golf Courses | R1 |
| Village Dwelling Unit | Included in Age-Restricted Overlay District |

There being no further business, upon motion of Mr. Cohen, the meeting was adjourned at 8:30 p.m.

Bryan T. Havir
Township Manager

**CHELTENHAM TOWNSHIP**

**ORDINANCE NO._____-13**

**AN ORDINANCE AMENDMENT TO THE CODE OF THE TOWNSHIP OF CHELTENHAM, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA, TO AMEND CHAPTER 5 THEREOF, ENTITLED "ADMINISTRATION OF GOVERNMENT", SECTION 26, ENTITLED "DEPARTMENT OF ENGINEERING, ZONING AND INSPECTIONS" IN ORDER TO ESTABLISH A SEPARATE DEPARTMENT OF ENGINEERING AND TO OTHERWISE SEPARATE THE DUTIES OF ZONING OFFICER FROM THOSE OF TOWNSHIP ENGINEER.**

**WHEREAS,** the Cheltenham Township Board of Commissioners is empowered to establish regulations to provide for the administration of government within the Township; and

**WHEREAS**, the Board of Commissioners is desirous of separating the offices of Township Zoning Officer and Township Engineer in order to permit the duties of those respective positions to be carried out more proactively and to have two individuals carry out the duties of those respective positions.

Now, therefore, it is hereby ordained and enacted that the Township Code is amended in court as follows:

**SECTION I.**

Section 5-26 of the Township Code is hereby deleted in its entirety and replaced with a new Section 5-26, entitled "Department of Zoning and Inspections," as follows:

**Section 5-26. Department of Zoning and Inspections.**

**A. Function.** The Department of Zoning and Inspections shall be responsible for the protection of persons and property throughout the Township through the general administration and enforcement of zoning, building and related structure and land use codes.

**B. Department Head.** The Department of Zoning and Inspections shall be headed by a Director, who shall also be the Zoning Officer of the Township and shall be responsible to the Township Manager for the performance of the functions of the Department. The Director and those duly authorized to act as agents shall have the powers of the Township police officers in reference to the authority to issue citations for the violation of those laws and ordinances within the scope of their employment to enforce. The Director and those acting as his or her agents shall have the authority to enter upon any premises for any lawful purpose arising in connection with or in the performance of their duties.

**C. Duties.** The duties of the Director shall be to:

(1) Enforce and administer zoning, building, electrical, plumbing, heating, demolition and such other related structural and land use codes as may be enacted by law or ordinance.

(2) Issue such licenses and permits as may be required by law or ordinance.

(3) Carry out those inspections of premises and facilities in the Township as necessary in fulfillment of the above.

(4) Render assistance and staff for the Zoning Hearing Board and enforce the order of the Zoning Hearing Board.

(5) Serve as a member of the Board(s) of Historical Architectural Review and the Electrical Examining Board.

**SECTION II.**

A new Section 5-28 entitled "Department of Engineering" is hereby enacted as follows:

**Section 5-28. Department of Engineering**

**A. Function.** The Department of Engineering shall be responsible for the protection of persons and property throughout the Township through the general administration and enforcement of the Township Subdivision and Land Developmental Ordinances, shall be responsible for the design and construction of Township engineering projects and shall provide such advice to the Township Manager and the Board of Commissioners as may be requested.

**B. Department Head.** The Department shall be headed by a Director, who shall be a registered professional engineer in the Commonwealth of Pennsylvania. The Director shall serve as Township Engineer and shall be responsible to the Township Manager for the performance of the functions of the Department.

**C. Duties.** The duties of the Director shall be to:

(1) Enforce and administer subdivision and land development ordinances.

(2) Be responsible for the planning, development, expansion, modification, design and administration, and cooperation with other appropriate departments and agencies, of Township facilities and maintain registration of real estate within the Township.

(3) Carry out those inspections on premises and facilities in the Township as necessary in fulfillment of the above.

(4) Render assistance to the Township Manager and the Board of Commissioners.

**SECTION III.** Nothing in this Ordinance or in the Code of the Township of Cheltenham shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued or any cause or causes of action existing under the said Code prior to the adoption of this amendment.

**SECTION IV.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, part or provisions had not been included herein.

**SECTION V.** This Ordinance shall supersede other requirements of the Code of the Township of Cheltenham with which it may be in conflict

**SECTION VI.** . In all other respects the Code of the Township of Cheltenham is hereby approved and accepted, as amended, and shall continue in full force and effect.

**SECTION VII.** This Ordinance shall take effect and be in full force from and after its approval and publication, as required by law.

**SECTION VIII.** All Ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**ORDAINED AND ENACTED** by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this _____ day of August, 2013.

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM

BY:_____
Art Haywood, President

ATTEST: _____
Bryan T. Havir, Township Manager
and Secretary

# RECENT

# ZONING HEARING BOARD

# DECISIONS

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

**APPEAL NO. 3464**

| | |
|---|---|
| Applicant: | William J. McCann<br>331 Paxson Avenue<br>Glenside, Pennsylvania 19038 |
| Subject Premises : | 331 Paxson Avenue<br>Glenside, Pennsylvania |
| Owner of Premises: | William J. McCann |
| Nature of Application: | Applicant appeals from the determination of the Zoning Officer finding that the construction of a one story addition, measuring 14 feet by 15 feet, to the rear of the residence, as well as the installation of a 6 foot high solid fence along the SEPTA right-of-way line, both of which create a less than required side yard setback would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article X, Section 295-60, regulating yard setbacks.<br><br>Applicant seeks a variance from Section 295-60(B)(1) of the rules and regulations of the R-7 Residence District to allow for the construction of a one story addition, measuring 14 feet by 15 feet, to the rear of the residence, as well as the installation of a 6 foot high solid fence along the SEPTA right-of-way line, creating a lesser side yard setback of 4.67 feet instead of the minimum required 7 feet in connection with the proposed addition. |
| Time and Place of Hearing: | Monday, June 10, 2013 – 7:40 p.m.<br>Curtis Hall<br>Church Road and Greenwood Avenue<br>Wyncote, Pennsylvania |

## FINDINGS OF FACT

1. Applicant William J. McCann ("Applicant") is the owner of the premises known as 331 Paxson Avenue, Glenside, 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-7 Residence District and is improved by a single-family residence.

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. 3464;

ZHB-4. a location map marked as Real Estate Registry Block 140, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information dated May 8, 2013;

ZHB-7. letter from Applicant, Debbie and Bill McCann;

ZHB-8. Decision of the Zoning Hearing Board at Appeal No. 3123, dated October 12, 2005;

ZHB-9. letter in support of application by neighbors Bruce Mettin and Carol Siegler;

ZHB-10. site plan of the residence showing the proposed addition; and

ZHB-11. set of three elevations for the proposed addition.

5. Applicant proposes to the construct a one story addition, measuring 14 feet by 15 feet, to the rear of the residence and install a 6 foot high solid fence along the SEPTA right-of-way line.

6. The proposed construction and installation create a less than required side yard setback.

7. The Zoning Hearing Board approved Applicant's identical application and zoning relief was granted at Appeal No. 3123. However, Applicant was unable to complete the construction at that time.

8. The construction will be located no closer to the side property line than the existing shed.

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

10. A grant of relief to allow the construction of a one story addition, measuring 14 feet by 15 feet, to the rear of the residence, as well as the installation of a 6 foot high solid fence along the SEPTA right-of-way line, both of which create a less than required side yard setback will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

11. A grant of relief to allow the construction of a one story addition, measuring 14 feet by 15 feet, to the rear of the residence, as well as the installation of a 6 foot high solid fence along the SEPTA right-of-way line, both of which create a less than required side yard setback 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.

12. A grant of relief to allow the construction of a one story addition, measuring 14 feet by 15 feet, to the rear of the residence, as well as the installation of a 6 foot high solid fence along the SEPTA right-of-way line, both of which create a less than required side yard setback will not be contrary to the public interest.

## CONCLUSIONS OF LAW

1. Construction of a one story addition, measuring 14 feet by 15 feet, to the rear of a residence, as well as the installation of a 6 foot high solid fence along the SEPTA right-of-way line, which create a less than required side yard setback, 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 construction of a one story addition, measuring 14 feet by 15 feet, to the rear of the residence, as well as the installation of a 6 foot high solid fence along the SEPTA right-of-way line 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 10th day of June, 2013, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, grants to Applicant a variance from the rules and regulations of Article X, Section 295-60(B)(1), to allow the construction of a one story addition, measuring 14 feet by 15 feet, to the rear of the residence, as well as the installation of a 6 foot high solid fence along the SEPTA right-of-way line, with a side yard setback at 4.67 feet.

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

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

(2) the proposed improvements shall be constructed in substantial conformity with the plans submitted to the Zoning Hearing Board and the presentation made 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 AUGUST 23, 2013.**

August 29, 2013

COMMISSIONERS OF CHELTENHAM TOWNSHIP
ELKINS PARK, PA 19027

**COMMISSIONERS OF CHELTENHAM TOWNSHIP**
**REPORT OF THE BUILDING INSPECTOR FOR AUGUST, 2013**

| | # PERMITS | TOT. FEES | $ VALUE |
|---|---|---|---|
| **RESIDENTIAL** | | | |
| RENOVATIONS / ALTERATIONS | 68 | 12,656 | 632,800 |
| **MULTI-FAMILY** | | | |
| RENOVATIONS / ALTERATIONS | 5 | 175 | 8,750 |
| **COMMERCIAL** | | | |
| RENOVATIONS / ALTERATIONS | 12 | 13,138 | 656,900 |
| **INSTITUTIONAL** | | | |
| RENOVATIONS / ALTERATIONS | 4 | 13,795 | 1,988,482 |
| **FENCE** | 5 | 282 | 282 |
| **AUGUST, 2013** | 94 | 40,046 | 1,988,482 |
| **AUGUST, 2012** | 45 | 32,452 | 1,603,976 |
| **YEAR-TO-DATE 2013** | 532 | 174,234 | 8,483,554 |
| **TOTAL 2012** | 604 | 224,950 | 11,247,500 |
| **HEATING & AIR CONDITIONING** | | | |
| **AUGUST, 2013** | 7 | 833 | 41,650 |
| **AUGUST, 2012** | 7 | 4,275 | 213,750 |
| **YEAR-TO-DATE 2013** | 35 | 15,675 | 811,050 |
| **TOTAL 2012** | 48 | 20,671 | 1,033,550 |
| **ELECTRICAL** | | | |
| **AUGUST, 2013** | 11 | 4,289 | 214,450 |
| **AUGUST, 2012** | 7 | 1,569 | 78,450 |
| **YEAR-TO-DATE 2013** | 70 | 17,349 | 852,457 |
| **TOTAL 2012** | 80 | 20,055 | 1,002,750 |
| **PLUMBING** | | | |
| **AUGUST, 2013** | 12 | 1,788 | 89,400 |
| **AUGUST, 2012** | NOT PREVIOUSLY RECORDED | | |
| **YEAR-TO-DATE 2013** | 68 | 10,542 | 526,100 |
| **TOTAL 2012** | NOT PREVIOUSLY RECORDED | | |

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