

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

Art Haywood - Chair
Morton J. Simon, Jr. - Vice Chair
Charles D. McKeown, Sr. - Member
Daniel B. Norris - Member
Ann L. Rappoport - Member
J. Andrew Sharkey - Member
Harvey Portner - Ex-Officio Member

**Wednesday, August 6, 2014
8:00 PM
Curtis Hall**

AGENDA

1. Action on Zoning Hearing Board Agenda items for August 11, 2014; see attached.
2. Receipt of the Planning Commission Minutes dated July 28, 2014; see attached.
3. Receipt of the Select Committee Minutes dated July 28, 2014; see attached.
4. Review of Recent Decision(s) of the Zoning Hearing Board.
5. Report of the Building Inspector for July, 2014; see attached.
6. Old Business.
7. New Business.
8. Citizens' Forum.
9. Adjournment.



Bryan T. Havar
Township Manager

ZHB AGENDA

AUGUST 11, 2014

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for Deborah Napper, owner of premises known as 1825 Chelsea Rd. Elkins Park, PA 19027, will be reviewed by the following Township Committees which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, July 28, 2014, at 7:30 P.M. at at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, August 6, 2014 at 8:00 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

This application will be heard by the Zoning Hearing Board on Monday, August 11, 2014 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3494 – Appeal of Deborah Napper, owner of premises known as 1825 Chelsea Rd., Elkins Park, PA, 19027, zoned R-5, where the existing lot is nonconforming as to area and width regulations, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 15'-7" wide x 16' deep deck at the rear of the residence:

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

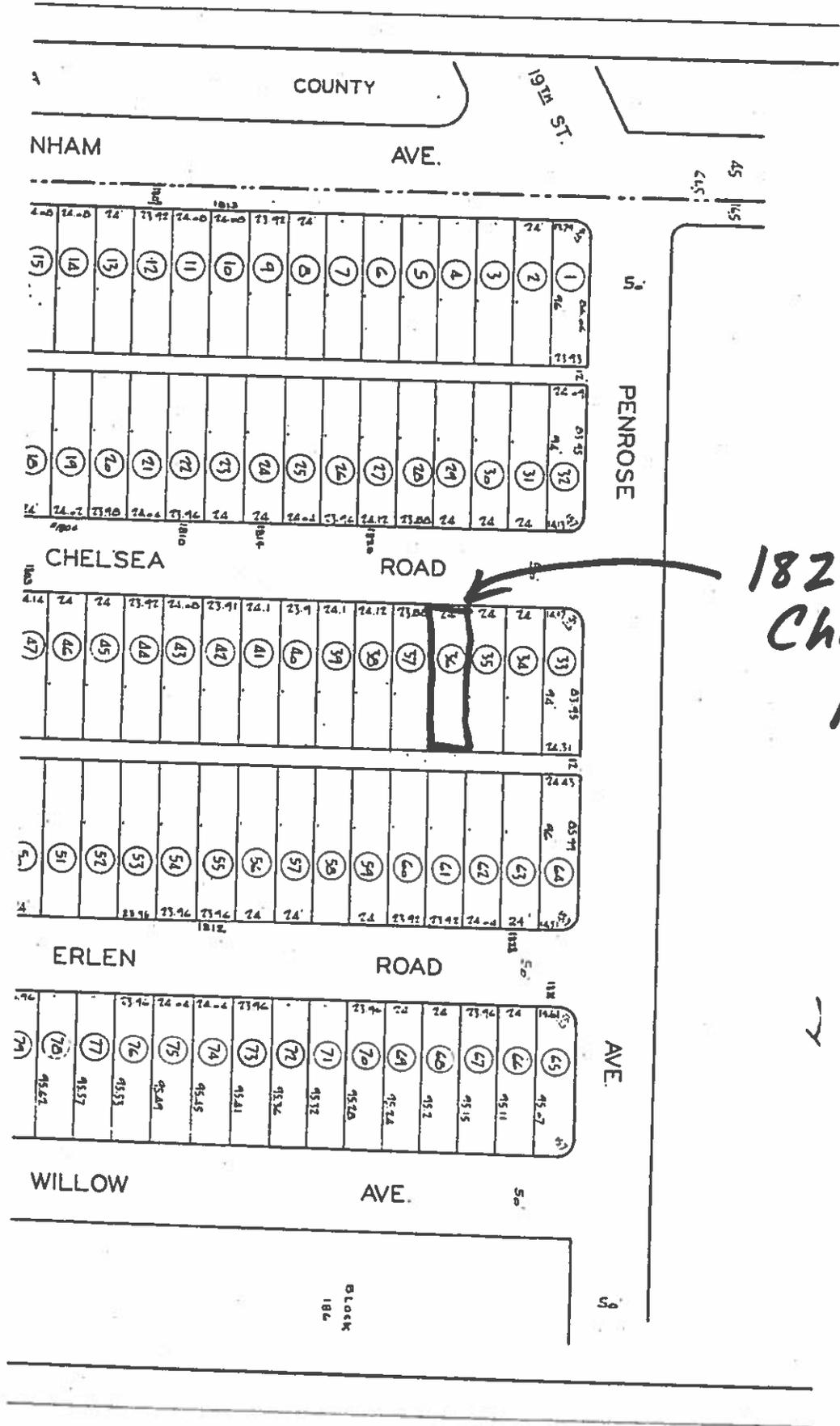
- a. A Variance from the rules and regulations of CSS 295-46.B.(2) to allow the construction of a deck with a side yard setback of 8'+/- which is less than the required 20' side yard setback width, and
- b. A Variance from CSS 295-46.C for a deck with a rear yard setback of 8'-6"+/- which is less than the required 15' rear yard setback depth.

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

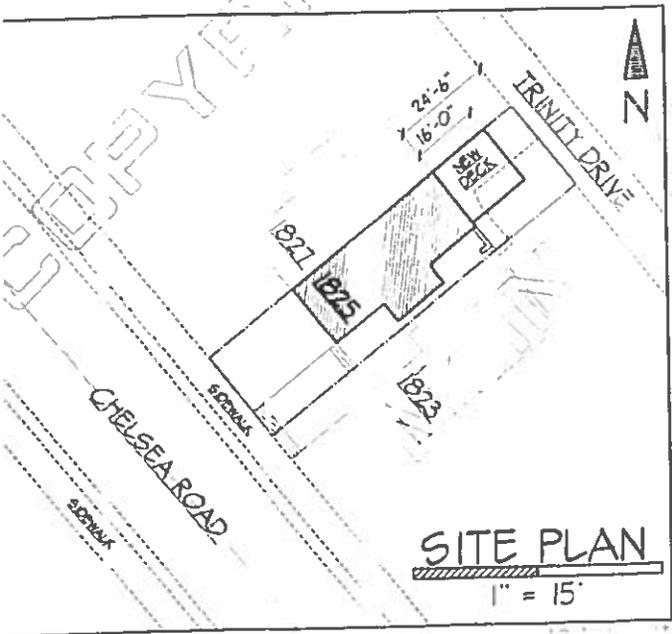
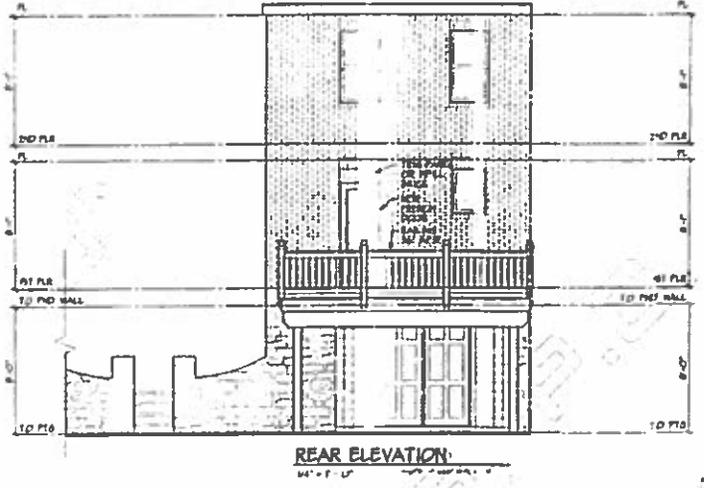
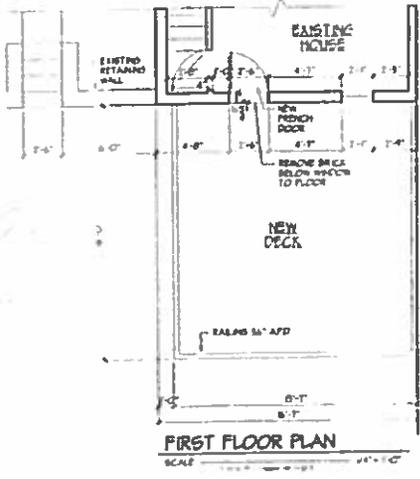
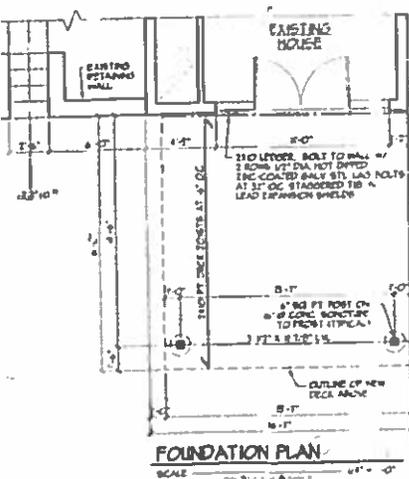
Any person or persons with a disability requiring a special accommodation to participate in the meeting should notify Nancy K. Gibson at 215-887-1000 at least 5 work days prior to the meeting.

ZHB #3494

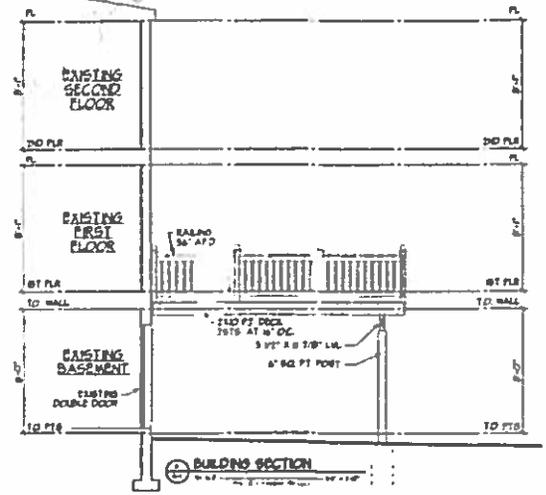
Zoning Officer



1825
Chelsea
Rd



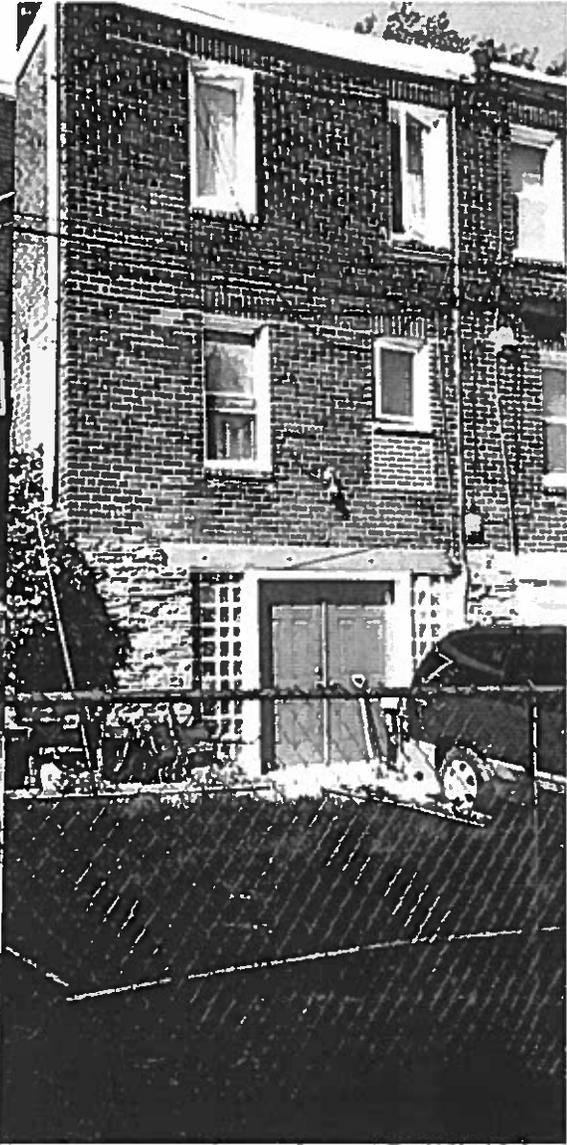
- GENERAL NOTES**
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2024 EDITION OF THE IRC CODES ADOPTED BY CHELSEA TOWNSHIP, MONROE COUNTY IN THE COMMONWEALTH OF PENNSYLVANIA.
 - GENERAL CONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS, STRUCTURES AND MATERIALS, AND SHALL BE RESPONSIBLE FOR ANY CHANGES TO THE EXISTING ATTENTION OF THE ARCHITECT.
 - GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLATION AND ACCOMMODATION OF PLUMBING AND ELECTRICAL SYSTEMS AND STRUCTURAL OR ARCHITECTURAL CHANGES SHALL BE MADE WITHOUT PRIOR APPROVAL BY THE ARCHITECT.
 - SHADED AREAS INDICATE NEW CONSTRUCTION AND MATERIALS.
 - ALL DIMENSIONS TO NEW PARTITIONS AND WALLS ARE TO EXTERIOR FACE AND EXTERIOR OPERATING FACE CONCRETE OR CURB FACE. ALL DIMENSIONS TO EXISTING PARTITIONS AND OPENING REEF AREAS ARE TO FINISHED WALL SURFACES.
 - STRUCTURAL BEAMS AND JOISTS SHALL BE SFA, RAUP & NO. 2 RANGES A TO C OR 2D0 FS. SMALL BEAM AND COLUMNS SHALL BE DOUBLE FOR 2X4 OR 2X6 GRADE MATERIAL A TO C OF 475 PSI.
 - NEW INTERIOR PARTITIONS AND CEILING SHALL BE FINISHED TO MATCH EXISTING SURFACES.
 - CONTRACTOR SHALL USE BEST EFFORT TO BALANCE AND REUSE EXISTING MATERIALS SUCH AS DOORS, HANDRAILS, PLUMBING AND ELECTRICAL FITTINGS. ALL NEW DOORS, HANDRAILS, TRIM, ETC. SHALL MATCH EXISTING MATERIALS IN STYLE, MATERIAL AND QUALITY.
 - WINDOW SIZES ARE BASED UPON ANDERSON WINDOWS. ALL SIZES OVER 4 SQUARE FEET AND/OR WITHIN 8" OF FLOOR AND IN PALMACHOCK LOCAL CODE SHALL BE TYPED.



REVISIONS
<p>McIntire & Carron & Associates, P.C. ARCHITECTS, ENGINEERS & PLANNERS 1110 CHELSEA ROAD, SUITE 100 CHELSEA, PA 19028 PH: 610-381-0111 FAX: 610-381-0121</p>
<p>THE NAPPER RESIDENCE 1825 CHELSEA ROAD ELKINS PARK, PA DECK ADDITION</p>
<p>FLOOR PLANS AND ELEVATION</p>
<p>DATE: 08/26/2024 DRAWN BY: [Signature] CHECKED BY: [Signature] SCALE: AS SHOWN PROJECT NO: 24-001</p>
<p>A-1</p>

ZHB 3494

NOTE: CONTRACTOR SHALL CHECK AND VERIFY EXISTING CONDITIONS BEFORE PROCEEDING WITH WORK.



1825 Chelsea Rd
ZHB 3A94

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for Betty and Odinel Casseus, owners of premises known as 1801 Erlen Rd. Elkins Park, PA 19027, will be reviewed by the following Township Committees which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, July 28, 2014, at 7:30 P.M. at at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, August 6, 2014 at 8:00 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

This application will be heard by the Zoning Hearing Board on Monday, August 11, 2014 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3495 – Appeal of Betty and Odinel Casseus, owners of premises known as 1801 Erlen Rd., Elkins Park, PA, 19027, zoned R-5, where the existing lot is nonconforming as to area and width regulations, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 18” wide x 12’ deep deck at the rear of the residence:

The following Zoning Relief is required for the existing single family semidetached dwelling on a corner lot:

- a. A special exception from the rules and regulations of CSS 295-46.A.(1) to allow the construction of a deck with a front yard setback of 17’+/- which is less than the required 40’ front yard setback depth, and
- b. A special exception from CSS 295-46.A.(2) for a deck with a front yard setback of 5’+/- which is less than the required 40’ front yard setback depth.

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.

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ZHB #3495

Zoning Officer

CHEL TENHAM AVE.

AVE.

PENROSE

AVE.

1	24.00	11.93
2	24.00	11.93
3	24.00	11.93
4	24.00	11.93
5	24.00	11.93
6	24.00	11.93
7	24.00	11.93
8	24.00	11.93
9	24.00	11.93
10	24.00	11.93
11	24.00	11.93
12	24.00	11.93
13	24.00	11.93
14	24.00	11.93
15	24.00	11.93
16	24.00	11.93
17	24.00	11.93

CEDAR

ROAD

CHELSEA

33	24.00	12.31
34	24.00	12.31
35	24.00	12.31
36	24.00	12.31
37	24.00	12.31
38	24.00	12.31
39	24.00	12.31
40	24.00	12.31
41	24.00	12.31
42	24.00	12.31
43	24.00	12.31
44	24.00	12.31
45	24.00	12.31
46	24.00	12.31
47	24.00	12.31
48	24.00	12.31
49	24.00	12.31

ERLEN

ROAD

65	24.00	12.31
66	24.00	12.31
67	24.00	12.31
68	24.00	12.31
69	24.00	12.31
70	24.00	12.31
71	24.00	12.31
72	24.00	12.31
73	24.00	12.31
74	24.00	12.31
75	24.00	12.31
76	24.00	12.31
77	24.00	12.31
78	24.00	12.31
79	24.00	12.31
80	24.00	12.31

LANE

WILLOW

AVE.

Block 186

Block 187

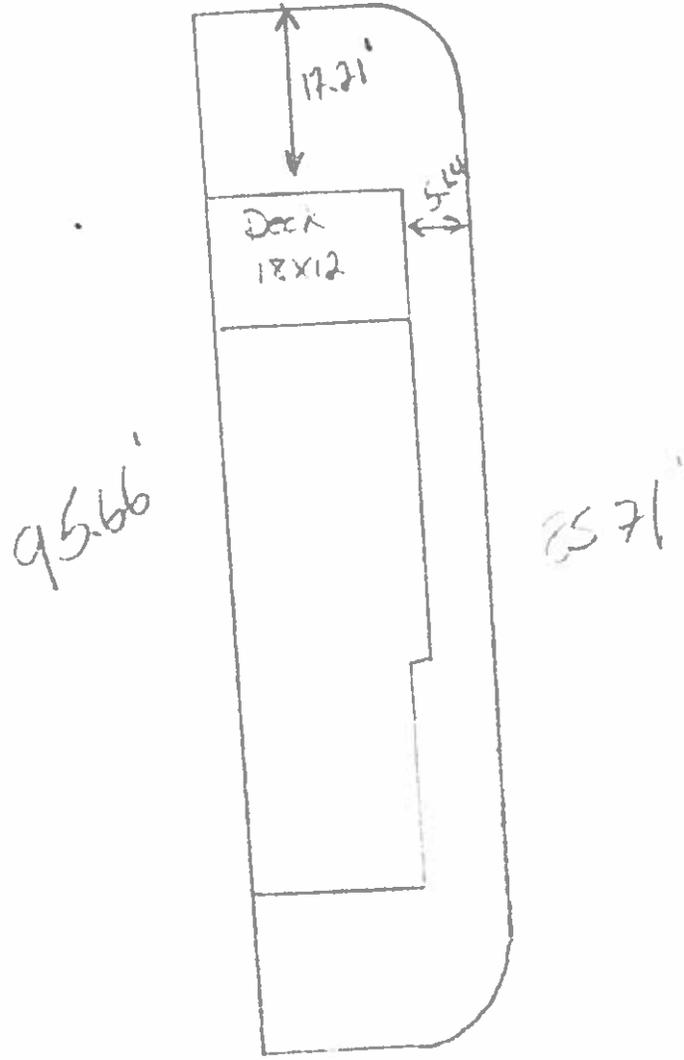
1801 Erken Rd

ZHO
1801 Erlen 34%



1801 Erlen ZHB 3495





1801 Erlen Rd.

ZHB 3495

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for Jemilex, Inc. DBA 101 Mobility of Greater Philadelphia, applicant for the owner of premises known as 7904 Toby Leech Dr., Elkins Park, PA 19027, will be reviewed by the following Township Committees which will offer recommendations to the Zoning Hearing Board:

- a. **Cheltenham Township Planning Commission on Monday, July 28, 2014, at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.**
- b. **Cheltenham Township Building and Zoning Committee on Wednesday, August 6, 2014 at 8:00 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on Monday, August 11, 2014 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3496: Appeal of 101 Mobility of Greater Philadelphia applicant for the owner of premises known as 7904 Toby Leech Dr., Elkins Park, PA 19027, zoned R-3, from the decision of the Zoning Officer for the following Zoning Relief in order to add a wheel chair ramp that is 27' Long with two 5'x5' platforms and 6' section extending onto the drive way, in front of the premises:

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

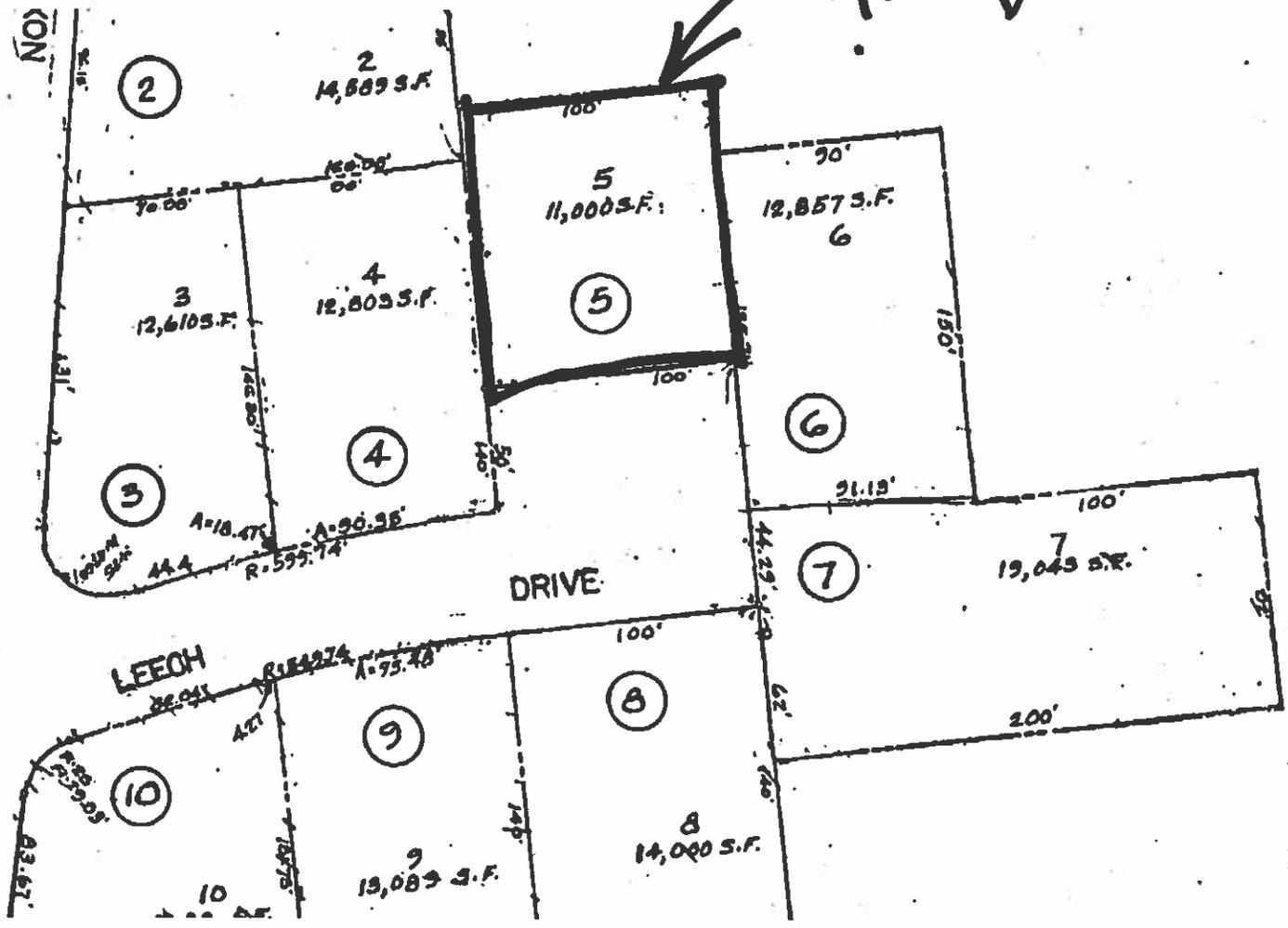
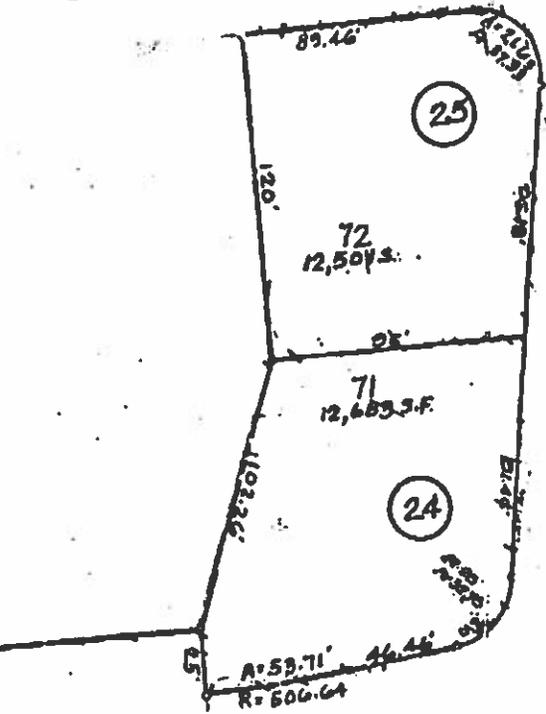
- a. **A variance from the rules and regulations of CCS 295-24.A(1) front yard regulations, and/or 295-227K nonconforming uses, to allow for the encroachment of a wheel chair ramp a distance of 18'6" into the nonconforming setback of 43' instead of the required 50' front yard setback.**

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.

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**ZHB #3496
Zoning Officer**

CAVERSHAM RD



7904 Leech
Toby Drive

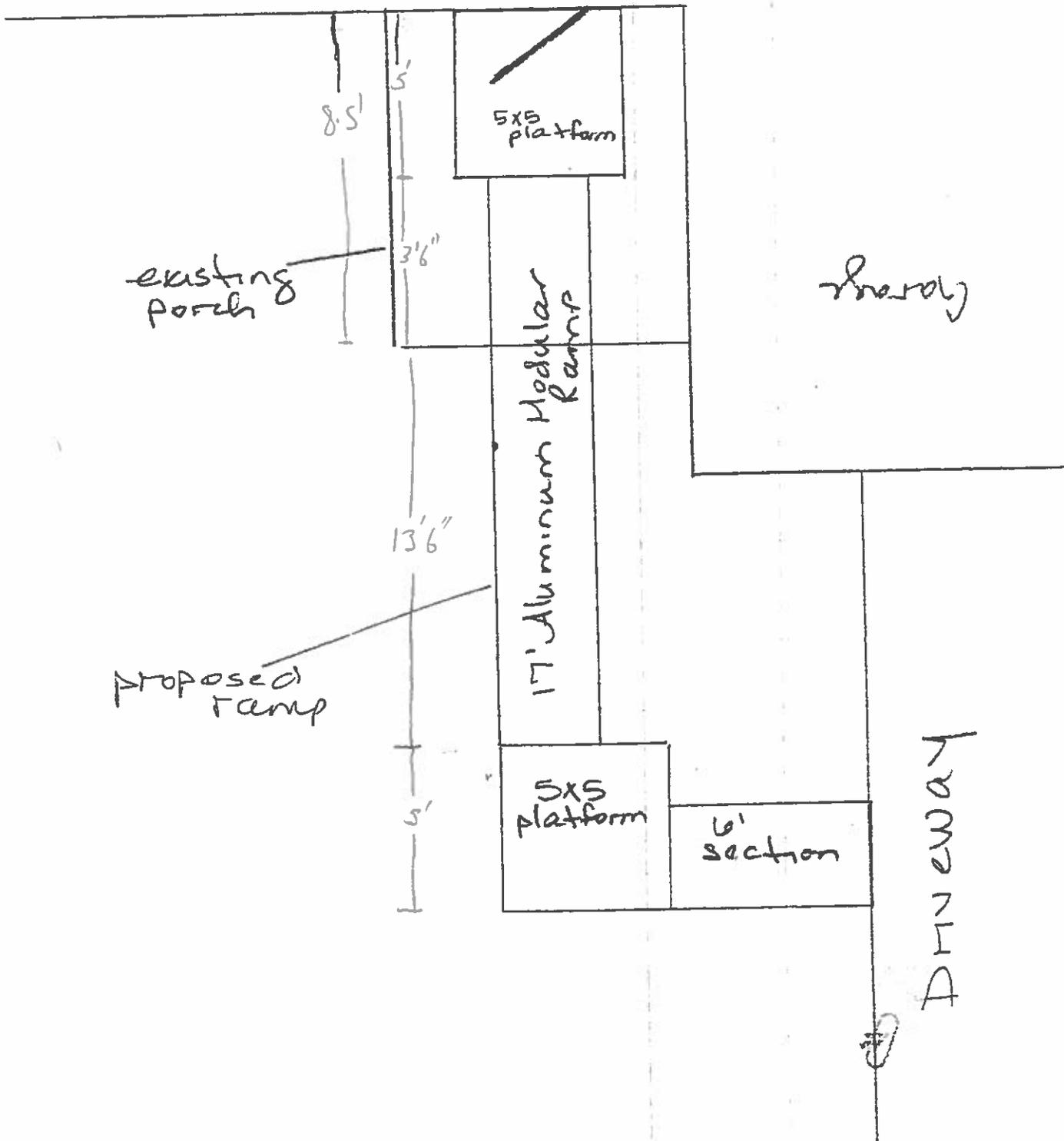
BL



7904 Toby Leech
ZHB 3496

ZHB 3494

7904 Toby Leach Dr
19027



NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for William R. May Funeral Home, Inc., equitable owner of premises known as 6 Royal Ave., Glenside, PA 19038, will be reviewed by the following Township Committees which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, July 28, 2014, at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, August 6, 2014 at 8:00 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

This application will be heard by the Zoning Hearing Board on Monday, August 11, 2014 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3497– Appeal of William R. May Funeral Home, Inc., equitable owner of premises known as 6 Royal Ave., Glenside, PA 19038, from the Decision of the Zoning Officer in order to change the use of the property to permit the operation of a Funeral Home with an approximate 1300 sq. ft. addition including additional parking and signage in an R-3 Residential District. The following variances are requested:

- a. From CCS 295-21 for a use as a Funeral Home other than the permitted enumerated uses for an R-3 Residential District.
- b. From CCS 295-24.C. for a lesser rear yard of 10' instead of the required 25'.
- c. From CCS 295-221.B(5)(a) for surface parking located between the building and the street with a lesser setback from the right-of-way of 8' rather than the required 10'.
- d. From CCS 295-221.B(5)(b) for the location of a surface parking lot on a corner lot located on an arterial road (Easton Rd.) as defined by the Cheltenham Township Comprehensive plan.
- e. From CCS 295-221.B(5)(c) to permit a surface parking lot extending more than 70' in width along a pedestrian street frontage without an outdoor café, urban garden, plaza, square, courtyard or landscaping feature with seating.
- f. From CCS 295-163 to permit the disturbance of existing steep slopes in conjunction with the construction of the proposed site improvements.

- g. From CCS 295-197.A. to permit the installation of an external illuminated monument sign with a maximum height of 4' above adjacent grade and with a total sign area of not greater than 20 sq. ft.
- h. From CCS 295-197.A. to permit the installation of a backlit parallel wall sign with a total sign area of not greater than 50 sq. ft.
- i. A special exception from CCS 295-24.A.(2) for a lesser front yard of 5' rather than the minimum 50' required for the installation of a monument sign.

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.

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ZHB #3497

Zoning Officer

SITE INFORMATION

PARCEL ID # 31-00-08710-00-7
 OWNER: DAVID TREVASKIS & DONNA L. ADELSBERGER
 PO BOX 530
 GLENSIDE, PA 19038
 APPLICANT: WILLIAM R. MAY FUNERAL HOME, INC.
 354 NORTH EASTON ROAD
 GLENSIDE, PA 19038

ZONING DISTRICT:	REQUIRED	ACTUAL
R-3		
SITE AREA	20,000 SF MIN	27,413 SF
ROAD FRONTAGE	100' MIN	141'
BUILDING AREA	15% MAX 4,112 SF	14% 3,838 SF
SETBACKS		
FRONT	50' MIN	50'
SIDE	25' MIN	N.A.
REAR	25' MIN	15'
BUILDING HEIGHT	40' MAX	35'

REQUIRED PARKING:
 FUNERAL HOME: 1PS/100 SF OF ASSEMBLY AREA
 ASSEMBLY AREA = 1281 GSF/100
 13 PARKING SPACES REQUIRED
 4 EMPLOYEES = 4 PARKING SPACES
 OFFICE SPACE:
 TOTAL REQUIRED: 17 PARKING SPACES
 TOTAL REQUESTED: 20 PARKING SPACES

Proposed
 Change of Use
 & Building
 Addition

6 Royal
 Avenue

Glenside, PA

for
 May Funeral
 Home

Glenside, PA

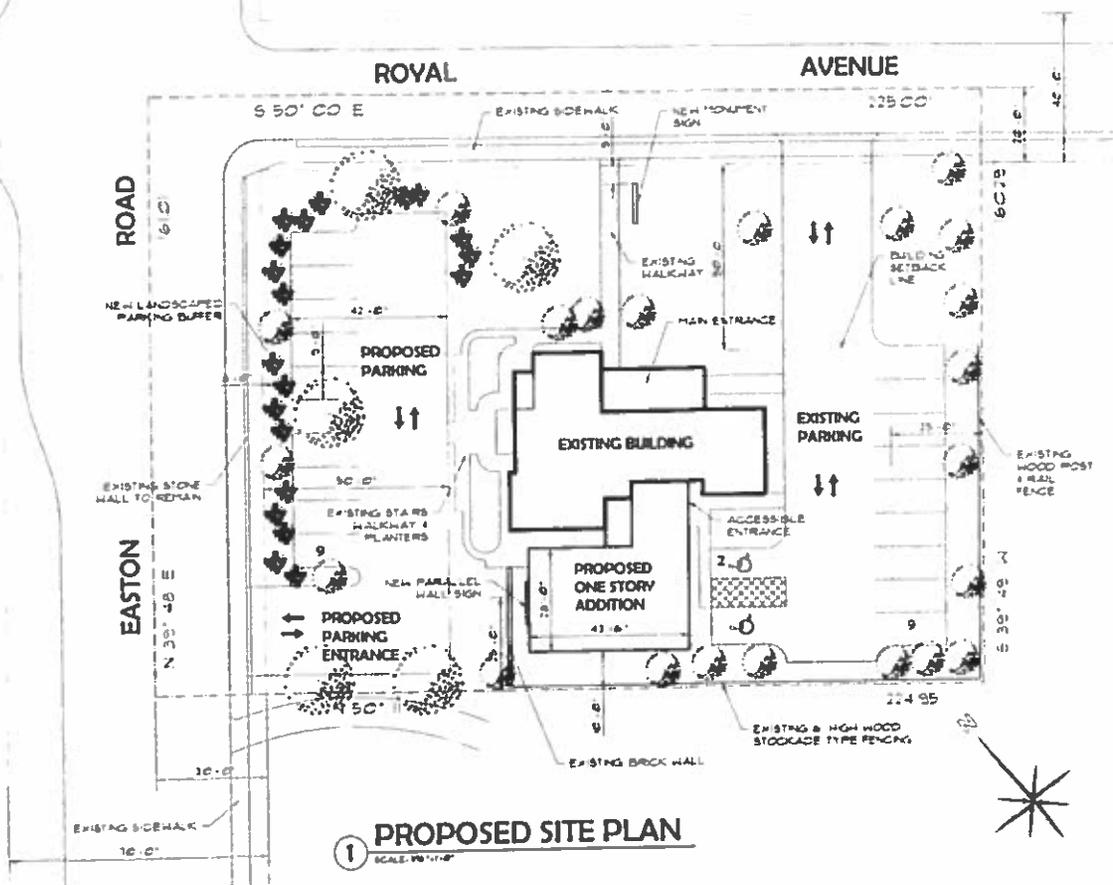
SITE LEGEND

- DEED PROPERTY LINE
- ADJUSTED PROPERTY LINE
- BUILDING SETBACK LINE
- CURB/PAVING LINE
- EXISTING TREES TO REMAIN
- PROPOSED LANDSCAPE BUFFER PLANTING

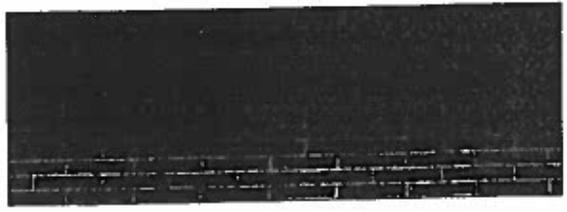
EXISTING CONDITIONS FROM SITE PLAN PREPARED BY
 PAULINE LAND SURVEYING DATED JANUARY 14, 2008 AND
 PREPARED FOR RECORD PLAN GLENTENNY TOWNSHIP
 DEVELOPMENT APPLICATION NO. 08-03 AND AS USUALLY
 CONFIRMED AND ADJUSTED.

REVISION	
DATE	15 July 2014
SCALE	AS NOTED
PROJ. NO.	14010
© COPYRIGHT 2014	

SP100



1 PROPOSED SITE PLAN
 SCALE: 1/8" = 1'-0"



2 PROPOSED SIGNS
 SCALE: 1/8" = 1'-0"

6 Royal Ave
 ZHB 3497

PLANNING COMMISSION

MINUTES

DATED

JULY 28, 2014

A regular meeting of the PLANNING COMMISSION was held July 28, 2014 at Curtis Hall, 1250 W. Church Road, Wyncote, PA. The following Planning Commission members were present: Vice Chairman William Winneberger, Irwin Goldfarb, Eric Leighton and Scott Laughlin. Also present were Joseph Nixon, Montgomery County Planner, Henry Sekawungu, Director of Planning and Zoning and Carmen Reitano Assistant to the Director of Planning and Zoning.

Mr. Winneberger called the meeting to order at 7:35 p.m.

1. Acceptance of the Minutes of the June 23, 2014 Meeting.

Mr. Eric Leighton made a motion for acceptance of the June 23, 2014 Planning Commission minutes; Mr. Goldfarb seconded the motion. The motion passed.

2. Review of the Zoning Hearing Board Agenda for August 11, 2014

APPEAL NO. 3494 – Appeal of Deborah Napper, owner of premises known as 1825 Chelsea Rd., Elkins Park, PA, 19027, zoned R-5, where the existing lot is nonconforming as to area and width regulations, from the Decision of the Zoning Officer in order to construct a 15'-7" wide x 16' deep deck at the rear of the residence.

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

- a. A Variance from the rules and regulations of CSS 295-46.B.(2) to allow the construction of a deck with a side yard setback of 8'+/- which is less than the required 20' side yard setback width, and
- b. A Variance from CSS 295-46.C for a deck with a rear yard setback of 8'-6"+/- which is less than the required 15' rear yard setback depth.

The applicant was present and Mr. Reitano presented an overview of the properties in this development, stating that any decks constructed in the rear yards required variances for side yard and front setbacks. Mr. Winneberger asked if there were any decks similar to what was being proposed, and the answer was yes. This would be conforming to other previously granted variances in this development.

Mr. Goldfarb made a motion to recommend approval of the application as submitted; Mr. Laughlin seconded the motion. The motion to recommend approval passed unanimously.

APPEAL NO. 3495 – Appeal of Betty and Odel Casseus, owners of premises known as 1801 Erlen Rd., Elkins Park, PA, 19027, zoned R-5, where the existing lot is

July 28, 2014

nonconforming as to area and width regulations, from the Decision of the Zoning Officer in order to construct a 18" wide x 12' deep deck at the rear of the residence.

The following Zoning Relief is required for the existing single family semidetached dwelling on a corner lot:

- a. A special exception from the rules and regulations of CSS 295-46.A.(1) to allow the construction of a deck with a front yard setback of 17'+/- which is less than the required 40' front yard setback depth, and
- b. A special exception from CSS 295-46A(2) for a deck with a front yard setback of 5'+/- which is less than the required 40' front yard setback depth.

The applicant was present and Mr. Reitano presented an overview and stated that this application was of a similar nature to the previous appeal. The applicant stated that construction of the deck would allow him to enjoy his property and the outdoors.

Mr. Leighton made a motion to recommend approval as submitted; Mr. Goldfarb seconded the motion. The motion to recommend approval passed unanimously.

APPEAL NO. 3496: Appeal of 101 Mobility of Greater Philadelphia applicant for the owner of premises known as 7904 Toby Leech Dr., Elkins Park, PA 19027, zoned R-3, from the decision of the Zoning Officer in order to add a wheel chair ramp that is 27' long with two 5'x5' platforms and 6' section extending onto the driveway, in front of the premises.

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

- a. A variance from the rules and regulations of CCS 295-24.A(1) front yard regulations, and/or CCS 295-227.K nonconforming uses, to allow for the encroachment of a wheel chair ramp a distance of 18'6" into the nonconforming setback of 43' instead of the required 50' front yard setback.

The applicant was not present. Mr. Reitano stated that this proposed use was considered a structure, and required Zoning relief from the front yard setbacks. The ramp will not require the full ADA review. It will require permitting and inspections for reasonable ADA compliance.

Mr. Leighton made a motion to recommend approval as submitted; Mr. Laughlin seconded the motion. The motion to recommend approval passed unanimously.

APPEAL NO. 3497– Appeal of William R. May Funeral Home, Inc., equitable owner of premises known as 6 Royal Ave., Glenside, PA 19038, from the Decision of the Zoning Officer in order to change the use of the property to permit the operation of a Funeral Home with an approximate 1300 sq. ft. addition including additional parking and signage in an R-3 Residential District. The following variances are requested:

- a. From CCS 295-21 for a use as a Funeral Home other than the permitted enumerated uses for an R-3 Residential District.
- b. From CCS 295-24.C. for a lesser rear yard of 10' instead of the required 25'.
- c. From CCS 295-221.B(5)(a) for surface parking located between the building and the street with a lesser setback from the right-of-way of 8' rather than the required 10'.
- d. From CCS 295-221.B(5)(b) for the location of a surface parking lot on a corner lot located on an arterial road (Easton Rd.) as defined by the Cheltenham Township Comprehensive plan.
- e. From CCS 295-221.B(5)(c) to permit a surface parking lot extending more than 70' in width along a pedestrian street frontage without an outdoor café, urban garden, plaza, square, courtyard or landscaping feature with seating.
- f. From CCS 295-163 to permit the disturbance of existing steep slopes in conjunction with the construction of the proposed site improvements.
- g. From CCS 295-197.A. to permit the installation of an external illuminated monument sign with a maximum height of 4' above adjacent grade and with a total sign area of not greater than 20 sq. ft.
- h. From CCS 295-197.A. to permit the installation of a backlit parallel wall sign with a total sign area of not greater than 50 sq. ft.
- i. A special exception from CCS 295-24.A.(2) for a lesser front yard of 5' rather than the minimum 50' required for the installation of a monument sign.

Mr. Lichtman presented the application on behalf of the applicant, May Funeral Home, the equitable owner (see attached). A proposed addition to the existing structure will be set back from the road and the requested variances are for the location of the parking area which is in the front yard setback, and also signage in the front yard. There are no exterior improvements to the existing building; only interior improvements.

July 28, 2014

The building is not a residential structure anymore due to the previous use as executive offices. All the existing parking is in the rear and abuts the neighboring property. The Zoning Ordinance requires one parking space per 100 square feet of gross floor area in parlors or assembly areas, and they would be required to come up with 18 parking spaces but are actually providing 21 spaces, and therefore, do not need relief from parking.

Several residents raised concerns about the following: the disruption that this use, which is a 24 hour service, would cause as opposed to the existing 9 a.m. to 5 p.m. business uses; the amount of increased traffic this would generate; parking spill over into the neighborhood given the varied number of people that would be attending viewings; line of sight issues as a result of the parking spill over into their neighborhood; the existing lack of sidewalks and placement of leaves; potential access issues for school buses and emergency vehicles; potential increase in trash; safety concerns for the kids in the neighborhood; all of which would create an unnecessary hardship, making this an unviable use for this location.

Mr. Lichtman indicated that there would be traffic control provided by the funeral home. The law offices will be moving out as the new owner has an agreement of sale in place.

The Planning Commission members, although in favor of a new business moving into the Township, were concerned about the lack of traffic controls as part of the application and traffic spillover into the neighborhood, and felt that they would be more comfortable if there was a parking plan and some kind of agreement or easement with some of the neighboring entities like Arcadia University and Bishop McDevitt High School. Parking is a huge concern that needs to be addressed with at least a parking study.

Mr. Goldfarb made a motion to recommend denial as submitted; Mr. Laughlin seconded the motion. The motion to recommend denial passed unanimously.

3. New Business

There was no old business.

4. New Business

- a. Consider and recommend an ordinance pertaining to the former Dominican Retreat House property located at 1750 Ashbourne Road, Elkins Park, to allow for its adaptive reuses rezoning of the property to the M4 Zoning District; and amending the subdivision and land development Ordinance to provide consistency and a change of the Township's zoning map to reflect said change. (see attached)**

Mr. Sekawungu introduced the first item under new business and stated that the M4 ordinance was before the Planning Commission for consideration of a recommendation to the Board of Commissioners to allow for the adaptive reuse of the Dominican Retreat at 1750 Ashbourne Road. Mr. Sekawungu stated that this was a three part ordinance that

July 28, 2014

includes a Subdivision and Land Development Amendment, a Zoning Map change and Zoning Ordinance Amendment. Mr. Muayad Abbas, representing Apeiron, informed the Planning Commission that they currently have an agreement of sale in place. The Ordinance is meant to create an adaptive reuse of the property allowing for a sustainable model use. The applicant proceeded with a power point presentation (see attached).

Public Comments:

Mr. David Cohen presented key unanswered questions as highlighted below:

- Historic resources are not defined.
- There are no design standards for additions to historic buildings.
- There is a lack of general design standards.
- Concern about the high density of residential dwellings and hotel rooms.
- The requirements of the common land development and master plan should be included in the Zoning Ordinance and the SALDO Ordinance.
- There should be specific language stating that the master plan will be reviewed by the Planning Commission and Commissioners, and that the Commissioners need to approve the master plan.
- Under Section 295-258D(2), it should be clearly noted that drug and alcohol, methadone clinics and inpatient mental health services are not allowed.
- Unclear what type of multiple dwelling development could occur.
- Under section 295-258D(6) K-12 and pre-schools and childcare facilities should be specifically prohibited.
- There are a number of existing Township ordinances, such as Age Restricted Overlay and Preservation Overlay, which the draft of the proposed M4 Ordinance appears to be in conflict with, but which as the M4 ordinance is written would still apply to the Elkins Estate property.
- Arts are allowed but not required. Things can change with a developer and so the need to tighten this ordinance.
- The M4 ordinance could be considered spot Zoning.

A resident asked if this was a viable location for a hotel. Mr. Abbas responded that this area is being considered as a destination. All the amenities that would be added to the use of this property, would be open to the public. The development would be in two phases with about 200 residential units and 100 hotel rooms, phased over a three year period. Phase 1 staging would be along Ashbourne Road, while staging on the La Mott side would be much later.

A representative of the artists community suggested that since there were three art centers in the community, it would be ideal to include them in the conversation as this is developed.

Mr. Pransky stated that he was in favor of the development but was concerned about the housing market in Cheltenham which has remained static, and as to how the Tyler Art

Institute and the potential increase in density at that location, would tie in to the larger development of the former Dominican retreat.

Mr. Laughlin raised the concern that this ordinance could be expanded to other properties like Lynwood Hall, Falcon Hill and Westminster Seminary, creating additional density issues at these locations. Mr. Asimos, Esq., representing the applicant responded by stating that the Ordinance as written, allows for some flexibility, but because it is specific to the Dominican Retreat, it would require the Township to go through similar legislative processes and may lead to a need to adopt an M5 or M6 for the other properties highlighted by Mr. Laughlin.

According to Mr. Laughlin, eight units per acre for a maximum of 250 units is too much density. Zero residential units seemed to translate to a 500 unit hotel making it too large a facility. Additionally, the use of the term distillery as one of the uses, opens this up to all kinds of liquor related uses, as opposed to a micro brewery. Mr. Laughlin also stated that the maps presented had a very marginal sight line for the proposed construction. He suggested having sight lines from the facade of the historic buildings to the street frontage. This would ensure that the new construction did not block the historic buildings making them materially impaired.

Mr. Leighton suggested that Mr. Nixon share the County Planning Commission's letter with the Planning Commission members present, but prior to the review, Mr. Asimos responded to some of the concerns raised, and stated that as part of their presentation, they identified the historic buildings that were built in 1910 and that there would be restricted covenants on these properties. The Township would be interested in preserving the historical and cultural resources and that is the intent of the ordinance. The Master Planning process would highlight the design standards to be utilized. Additionally, the ordinance does not allow educational uses; therefore there would be no kindergarten through grade 12.

Mr. Cohen suggested that the Master Planning process should involve not just staff, but the Planning Commission and the Board of Commissioners, and should happen prior to submitting or going through the Subdivision and Land Development Ordinance process and or Zoning processes. There needs to be a concerted public process.

Mr. Nixon presented his review letter. (See attached).

Mr. Pransky noted that the M4 Ordinance was tied into this proposed development and needed to be separated. Mr. Winneberger added that there was a need to look at previously adopted ordinances like the Age Restriction Overlays and Preservation Overlays, and compare them with the proposed M4 Ordinance so as to guarantee that there are no conflicts, and that the needs of the Township will be served.

After deliberating at length, the Planning Commission made a recommendation to approve the M4 ordinance with the following conditions:

July 28, 2014

- Stronger definition of the view shed to ensure that no structures are to be built in front of the historic buildings.
- Reduce hotel density and the overall density.
- Include open space and riparian coverage in the calculation.
- Include design standards so that any new buildings will include materials that are in keeping with the existing buildings.
- Incorporate the comments contained in the Montgomery County Planning Commission letter dated July 28, 2014.

Mr. Leighton made a motion to recommend approval; Mr. Goldfarb seconded the motion. The motion to recommend approval passed unanimously.

b. Planning and Zoning Director's report regarding Parking Analysis for 2 Roberts Block (see attached)

Mr. Sekawungu shared the parking analysis for 2 Roberts Block as presented at a prior meeting of the Economic Development Task Force. The Planning Commission members were pleased with the prospect of a Restaurant at this location, and affirmed that SEPTA was agreeable to the shared parking concept as long as vehicles were not parked overnight.

c. 2 Roberts Block Sewage Facilities Planning Module Application and Municipal Planning Agency Review (see attached).

Mr. Sekawungu introduced Mr. Fran Greene who stated that as part of the parking analysis, the applicant would also be required to submit a Sewage Planning Module to the Department of Environmental Protection (DEP). Component 4A of the application requires review and sign off by the Municipal Planning Agency, affirming that this is consistent with the Township's existing plans and ordinances. The Planning Commission agreed to authorize and have the Vice Chairman Mr. Winneberger, sign off on Component 4A of the application.

4. Adjournment

Mr. Winneberger made a motion for adjournment; Mr. Goldfarb seconded the motion; the motion passed. The meeting adjourned at 10:45 pm.



Bryan T. Havir
Township Manager

as per Henry Sekawungu

William R. May Funeral Home

6 Royal Avenue
Glenside, Pennsylvania

designed by

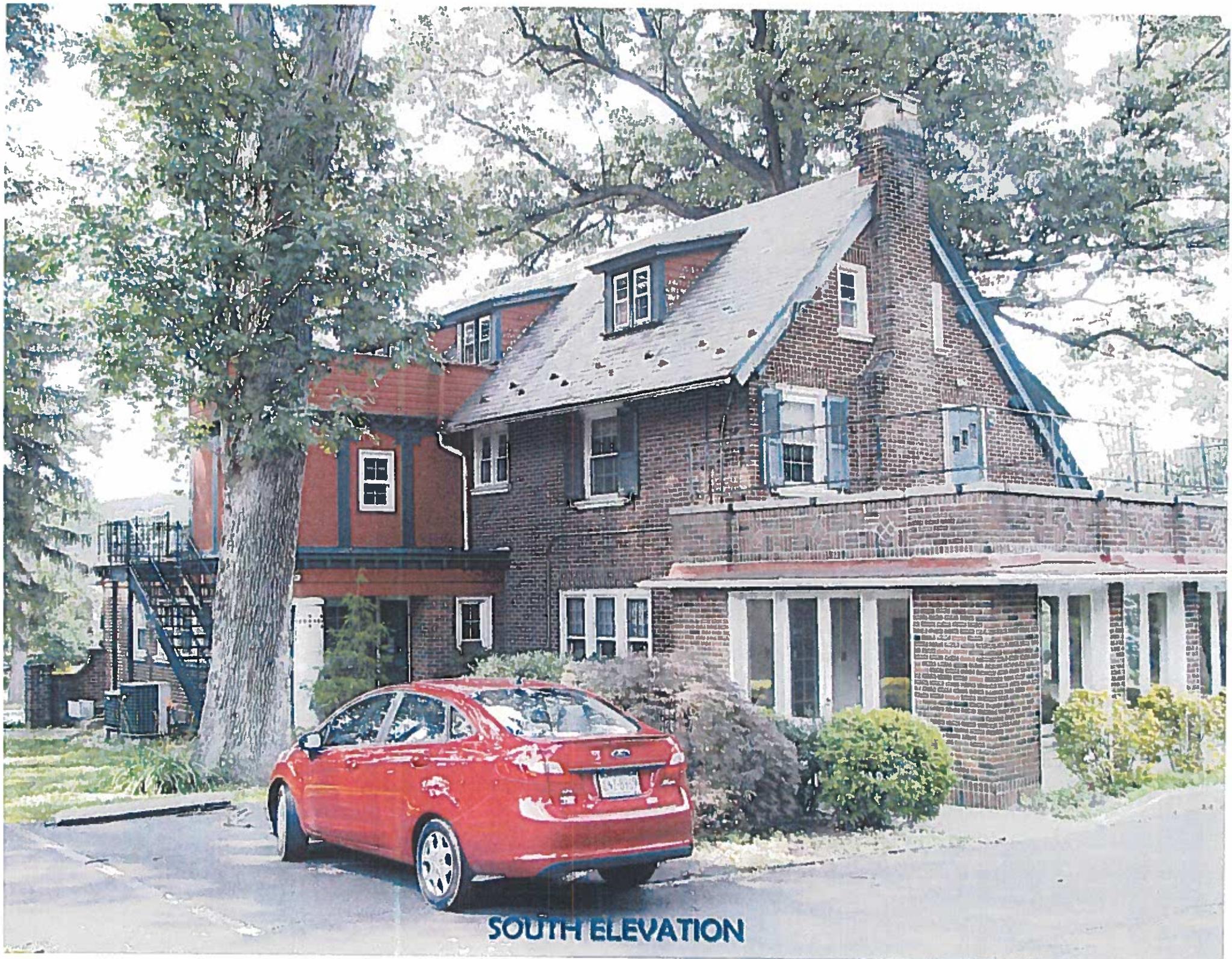


Architects, PC

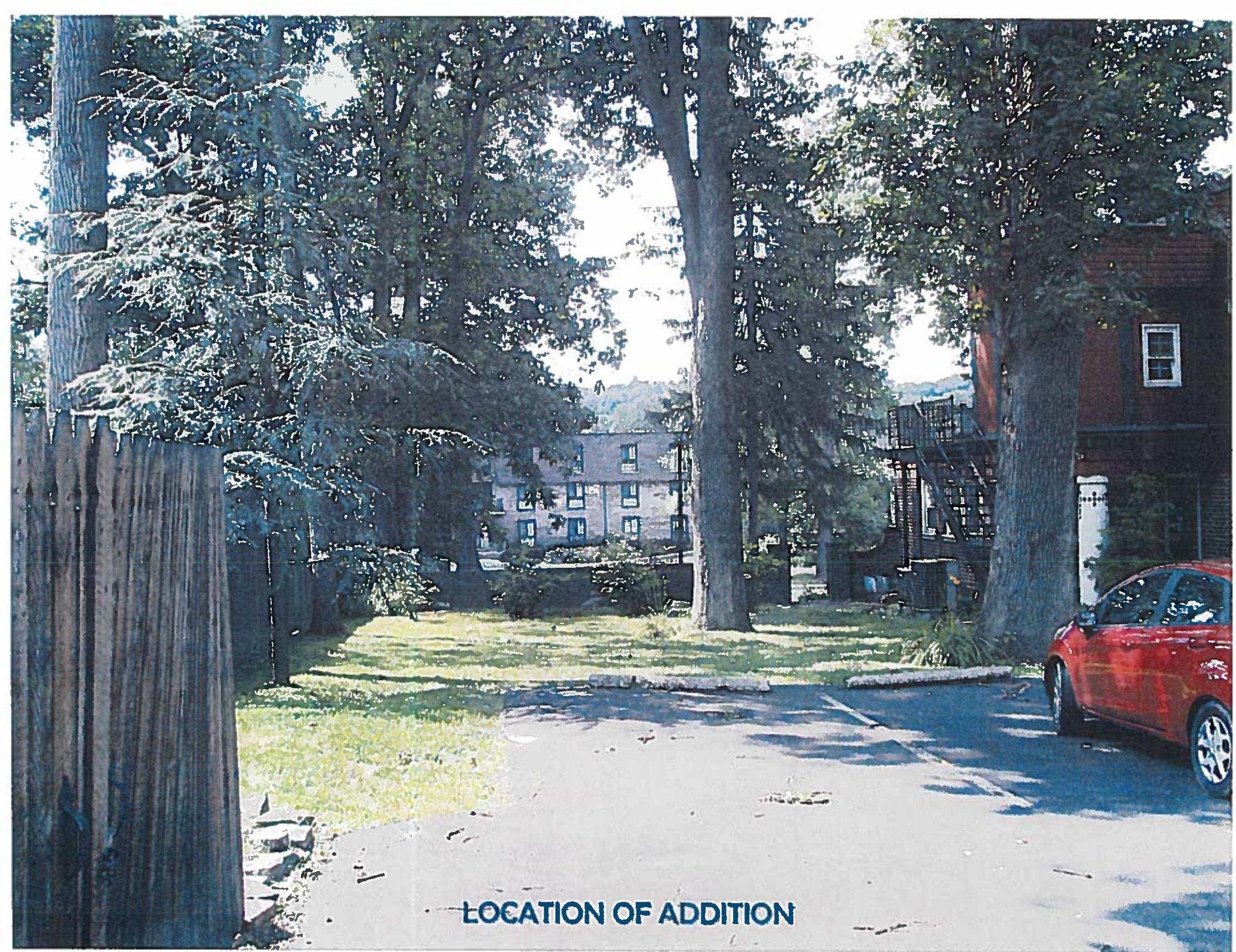
Architects and Planners

2063 Church Road

Glenside, Pennsylvania



SOUTH ELEVATION



LOCATION OF ADDITION



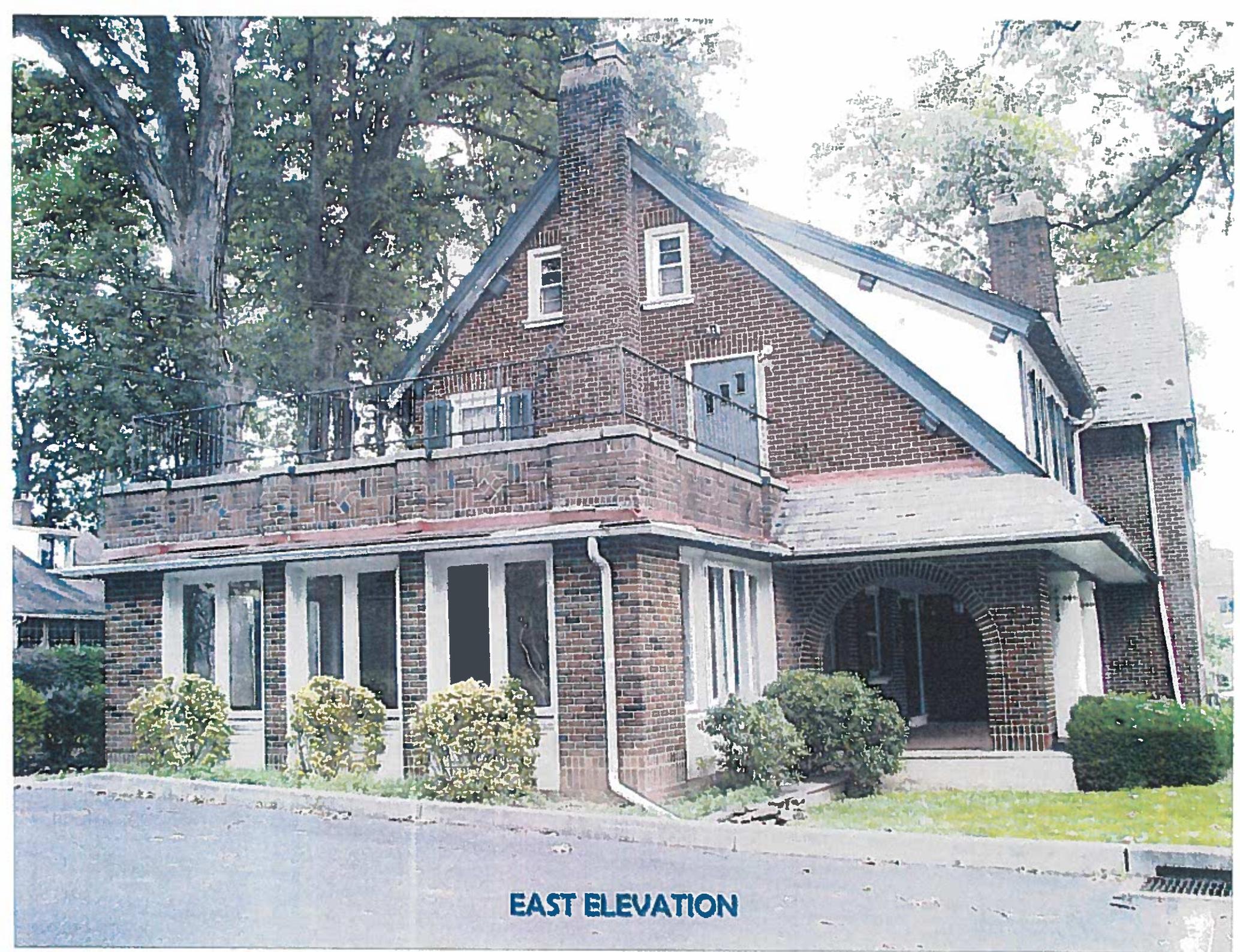
EASTON ROAD ELEVATION



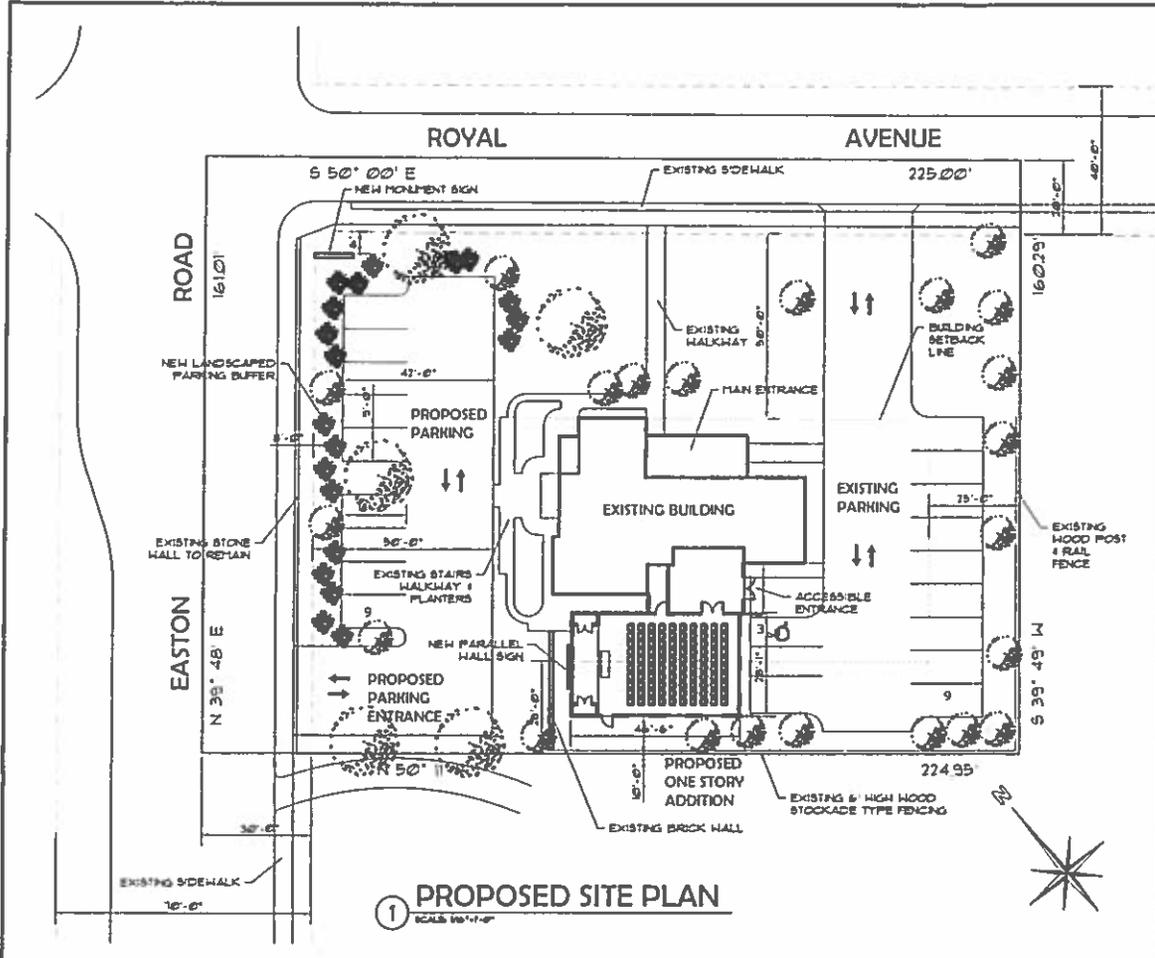
ROYAL AVENUE ELEVATION



ROYAL AVENUE & EASTON ROAD INTERSECTION



EAST ELEVATION



SITE INFORMATION

PARCEL ID # 31-00-08710-00-7
 OWNER: DAVID TREVASKIS & DONNA L. ADELSBERGER
 PO BOX 530
 GLENSIDE, PA 19038

APPLICANT: WILLIAM R. MAY FUNERAL HOME, INC.
 354 NORTH EASTON ROAD
 GLENSIDE, PA 19038

ZONING DISTRICT: R-3

	REQUIRED	ACTUAL
SITE AREA	20,000 SF MIN	27,413 SF
ROAD FRONTAGE	100' MIN	141'
BUILDING AREA	15% MAX 4,112 SF	14% 3,838 SF
SETBACKS		
FRONT	50' MIN	50'
SIDE	25' MIN	N.A.
REAR	25' MIN	10'
BUILDING HEIGHT	40' MAX	35'

REQUIRED PARKING:
 FUNERAL HOME: 1P5/100 SF OF ASSEMBLY AREA
 ASSEMBLY AREA = 1306 GSF/100
 14 PARKING SPACES REQUIRED
 OFFICE SPACE: 4 EMPLOYEES = 4 PARKING SPACES
 TOTAL REQUIRED: 18 PARKING SPACES
 TOTAL REQUESTED: 21 PARKING SPACES

SITE LEGEND

- DEED PROPERTY LINE
- - - ADJUSTED PROPERTY LINE
- BUILDING SETBACK LINE
- CURB/PAVING LINE
- EXISTING TRESS TO REMAIN
- PROPOSED LANDSCAPE BUFFER PLANTING

EXISTING CONDITIONS FROM SITE PLAN PREPARED BY PAHITSKI LAND SURVEYING DATED JANUARY 14, 2006, AND PREPARED FOR RECORD PLAN CHELSEHAM TOWNSHIP DEVELOPMENT APPLICATION NO. 08-03 AND AS VISUALLY CONFIRMED AND ADJUSTED.

GLP
 ARCHITECTS, PC
 ARCHITECTURE
 PLANNING
 2043 CHURCH ROAD
 GLENSIDE, PA 19038
 215 885 8000
 100 HADDONSTONE COURT
 CHERRY HILL, PA 08034
 610.234.1399
 NJ 7284 PA 7277 FL 0288

Proposed Change of Use & Building Addition

6 Royal Avenue
 Glenside, PA
 for
 William R. May Funeral Home, Inc.

Glenside, PA

NOT ALL TRESS AND PLANTING TO BE MAINTAINED. SEE SITE PLAN FOR TRESS TO REMAIN AND PLANTING TO BE MAINTAINED.

REVISION: 25 JULY 2014
 DATE: 11 JULY 2014
 SCALE: AS NOTED
 PROJ NO: M030

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SP100

Cheltenham Township Planning Committee Meeting

M4 District Zoning Ordinance
7/28/2014

APEIRON



MUAYAD ABBAS
Founding Partner
Chief Development
Officer

- Mr. Abbas is the founder and managing partner of Urbanis, a real estate development firm that is engaged in several projects in South Florida.
- He held a Vice President role at the Related Group's International arm, Related International, for its operations in Panama, Colombia, and Argentina, which included the development of mix-use projects valued at an excess of \$750M such as the Orient-Express Hotel and Residences.
- Prior to that, he was responsible for launching a privately-owned real estate development company in Kuwait and grew its portfolio of \$180M to more than \$500M in assets and pipeline projects.
- His development strengths are complemented by his previous experiences in architecture and town planning gained by working at world-renowned Duany Plater-Zyberk (DPZ) Architects and Town Planners.
- Mr. Abbas sits on the City of Miami Beach's Affordable Housing Advisory Committee and is an adjunct professor of real estate entrepreneurship at the University of Miami.

APEIRON

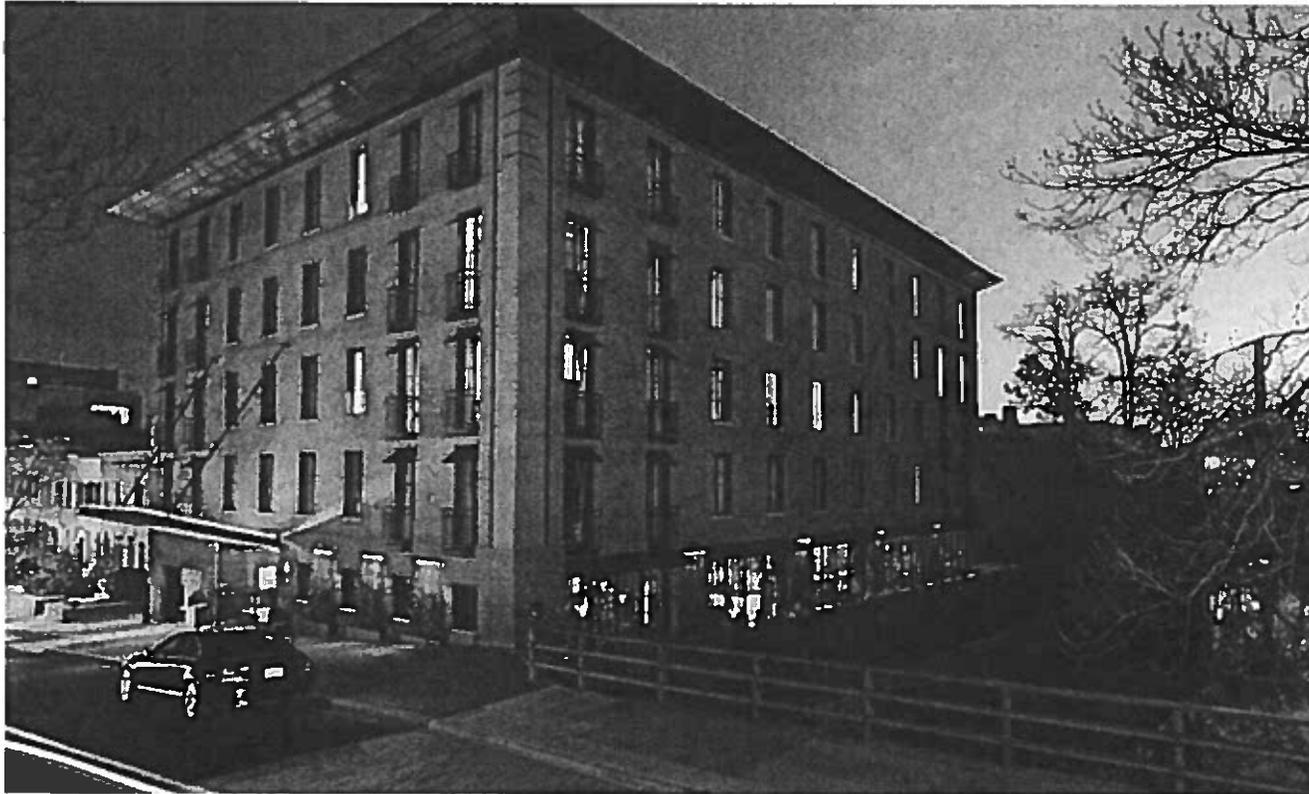


SAM HAGEMAN
VP - Development
NE Region

- Mr. Hageman has held executive level positions at institutional real estate firms such as Morgan Stanley and AIG Global Real Estate.
- He worked with Korman Residential on the acquisition of new property and third-party management in addition to coordinating the bids for over \$150M of acquisitions in the Tristate area as well as Florida. He was responsible for the introduction of a new equity relationship besides establishing working relationships with several workout groups of several banks (BB & T, Capital One, Citizen's Bank and Regions Financial).
- He has completed several for-sale projects representing more than 70 units and over \$25M within Philadelphia. In addition, he has consulted with Barzilay Development on a number of adaptive restoration projects primarily in the Philadelphia area.
- Mr. Hageman holds a BA in History from Portland State University and an MBA in Finance and Real Estate from University of North Carolina, Chapel Hill.

APEIRON

REPRESENTATIVE PROJECTS



Capella Georgetown, Washington DC

APEIRON

REPRESENTATIVE PROJECTS



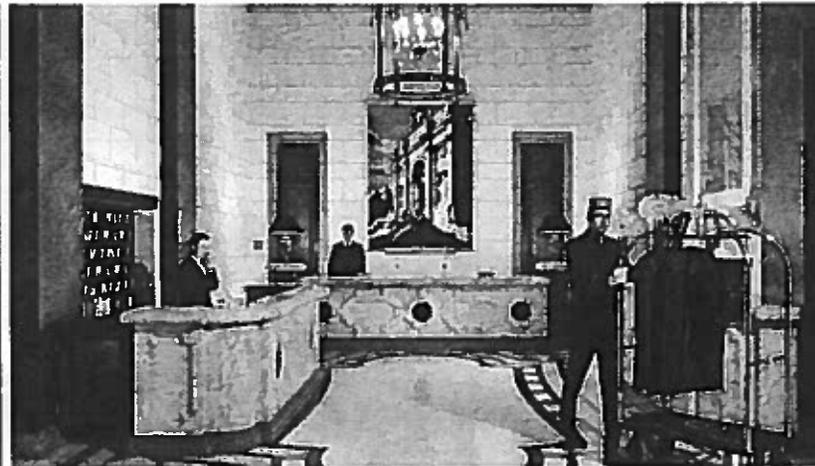
Capella Pedregal, Cabo San Lucas, Mexico

APEIRON

REPRESENTATIVE PROJECTS



St. Regis Hotel, Atlanta, GA



St. Regis Hotel, Roma, Italy

APEIRON

REPRESENTATIVE PROJECTS



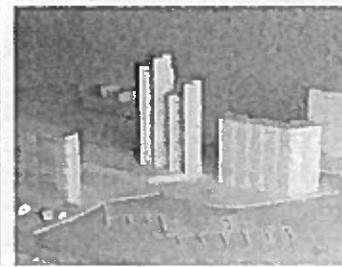
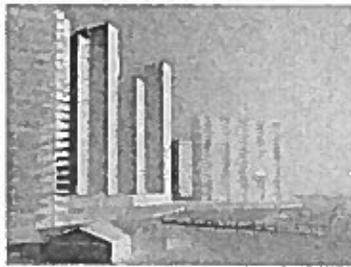
Waldorf Astoria, Shanghai, China



Hotel Alfonso XIII, Seville, Spain

APEIRON

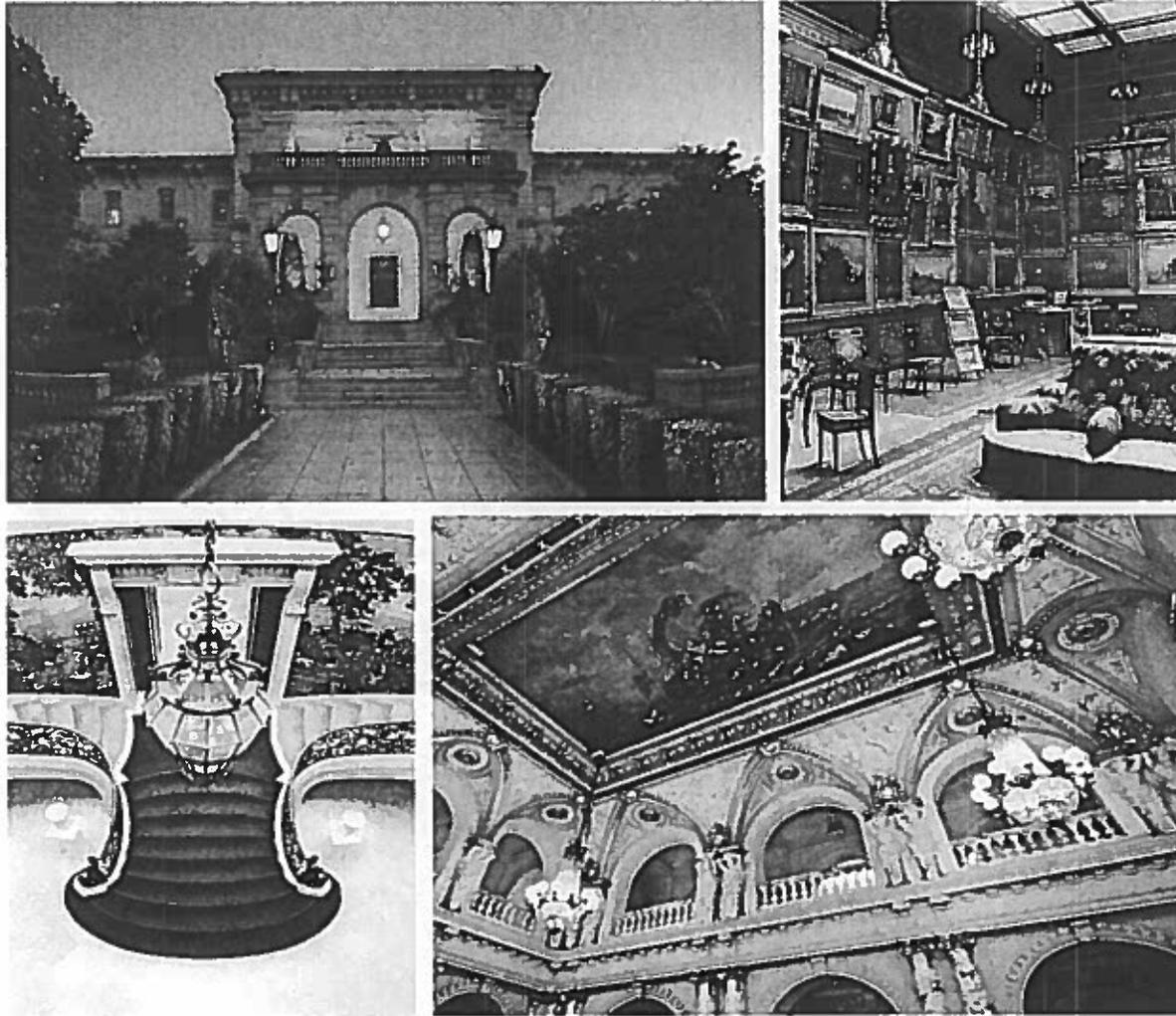
FUTURE FLAGSHIPS



Jockey Club, Miami, FL

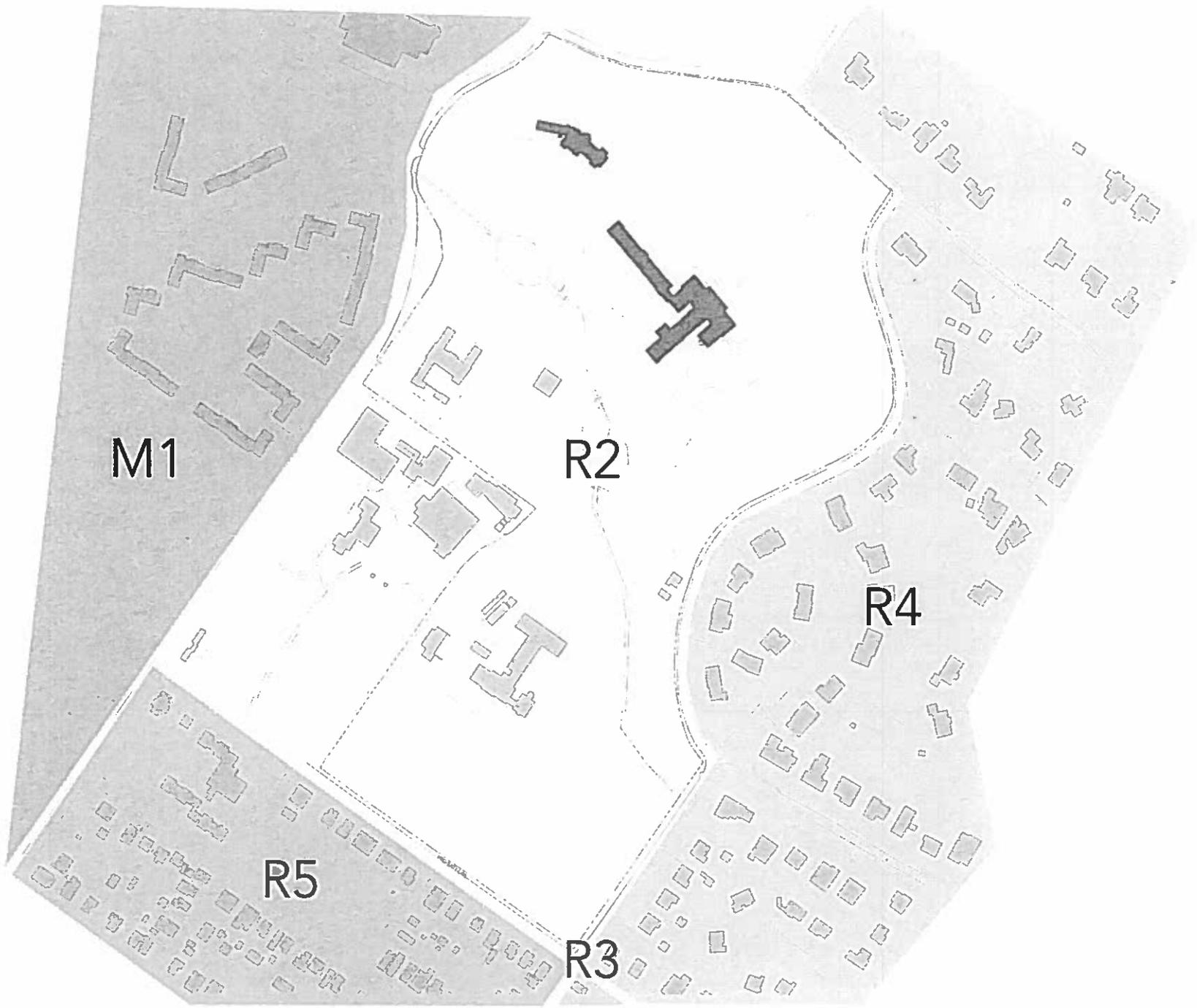
APEIRON

FUTURE FLAGSHIPS



Elkins Estate, Cheltenham, PA





M1

R2

R4

R5

R3

Ordinance Objectives:

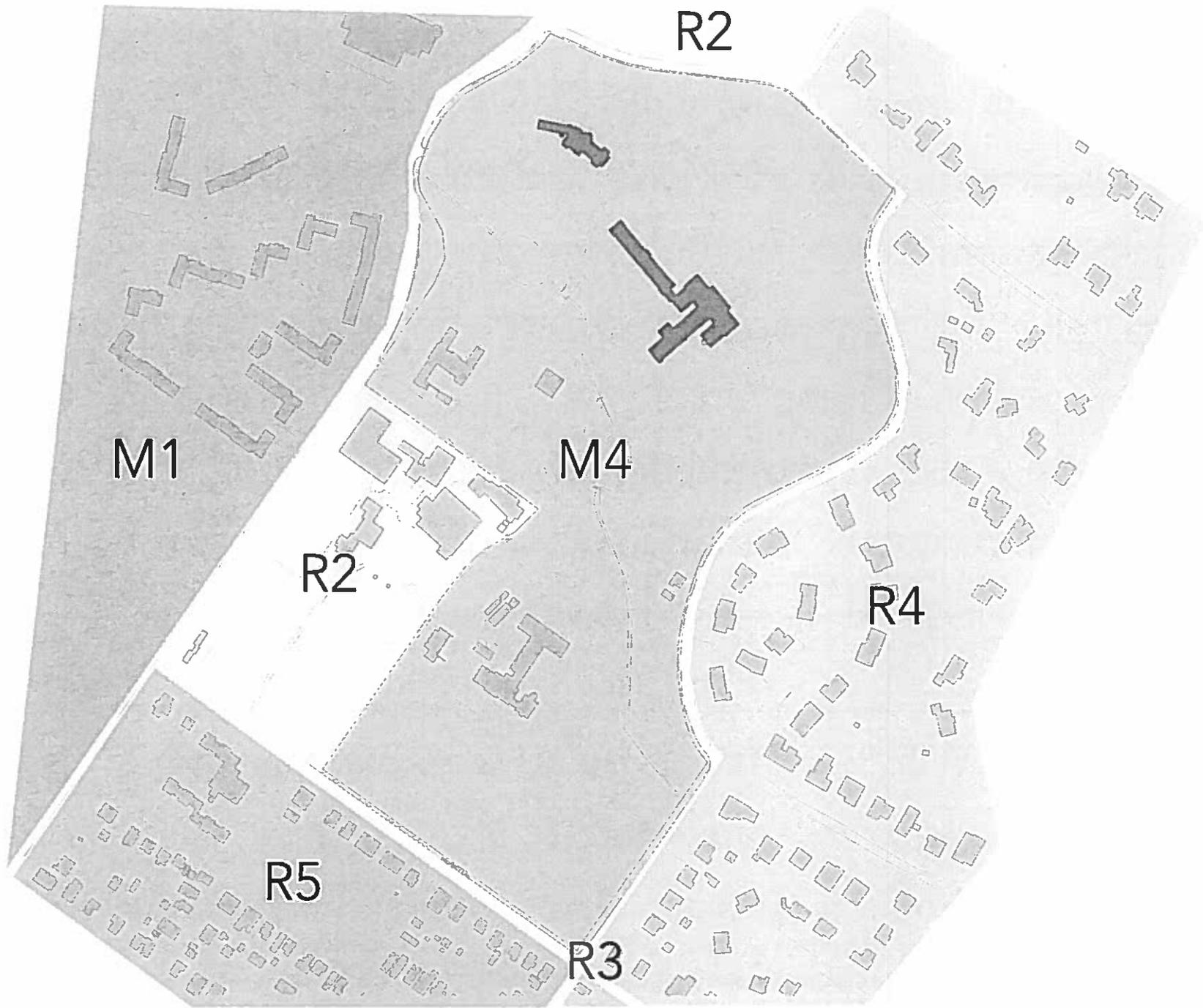
- Adaptive re-use of buildings that are historic resources - constructed prior to 1910
- Preserve and promote the use of such historic resources for cultural and artistic purposes - at least 3,000 SF. dedicated to these uses
- Integrate new development and adaptive re-use into an existing community
- Transition between lower and higher density uses
- Allow for a mix of compatible uses that provide for community-benefitting services

Ordinance highlights:

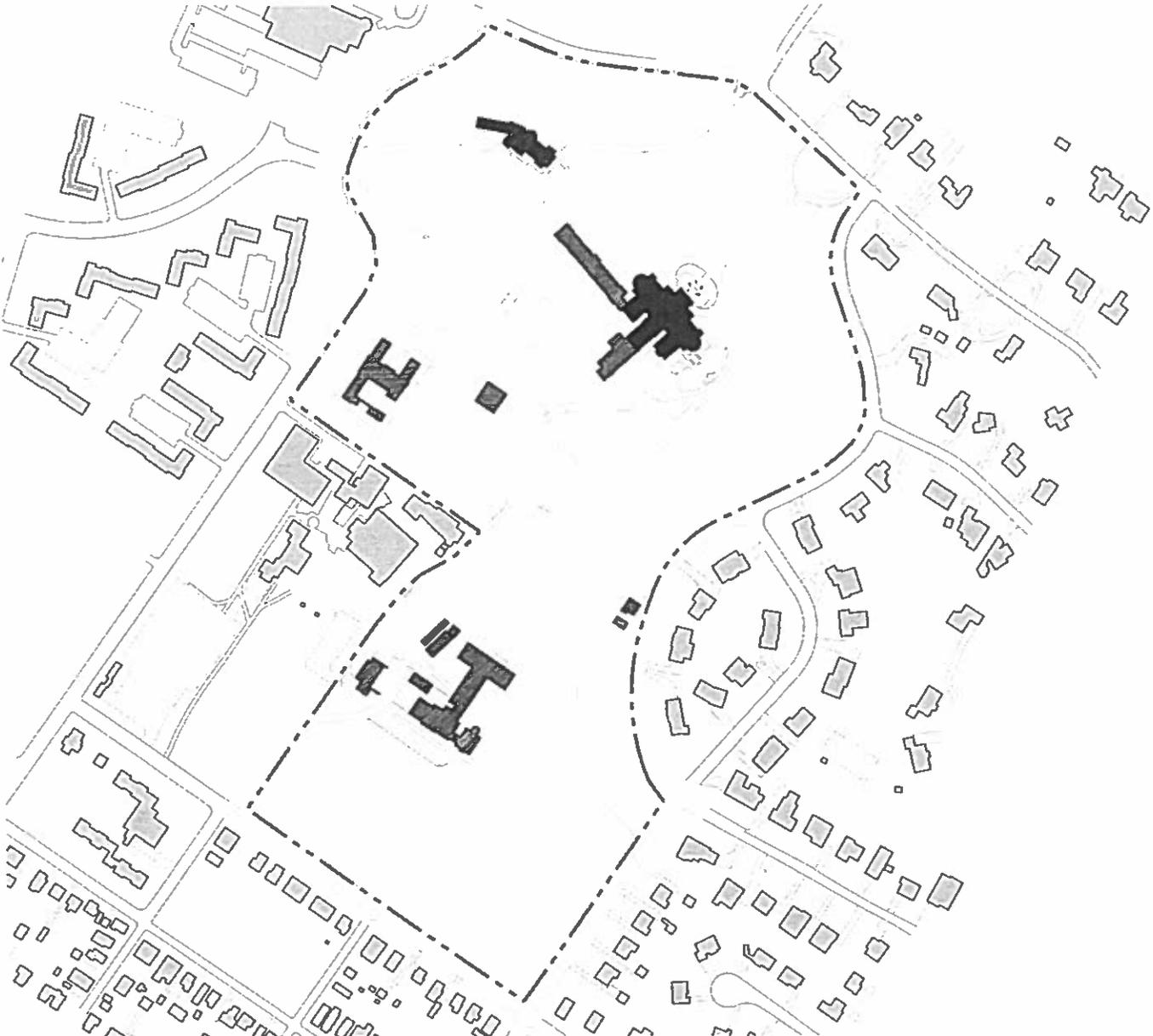
- Historic Preservation ~ Requires preservation of Elstowe Manor and Chelten House exterior and interior
- Art & Culture ~ Requires inclusion of art-related and cultural uses
- Views ~ Requires view sheds of historic resource from street to be maintained
- Diverse complementary uses ~ Requires mixed uses that allow for a sustainable community-enriching development
- Residential Density ~ Limited to 250 Multiple Dwelling units less hotel units (2 to 1)
- Hotel Density ~ Limited to 500 rooms with a reduction of 2 room per Multiple Dwelling unit of residential use

Ordinance highlights:

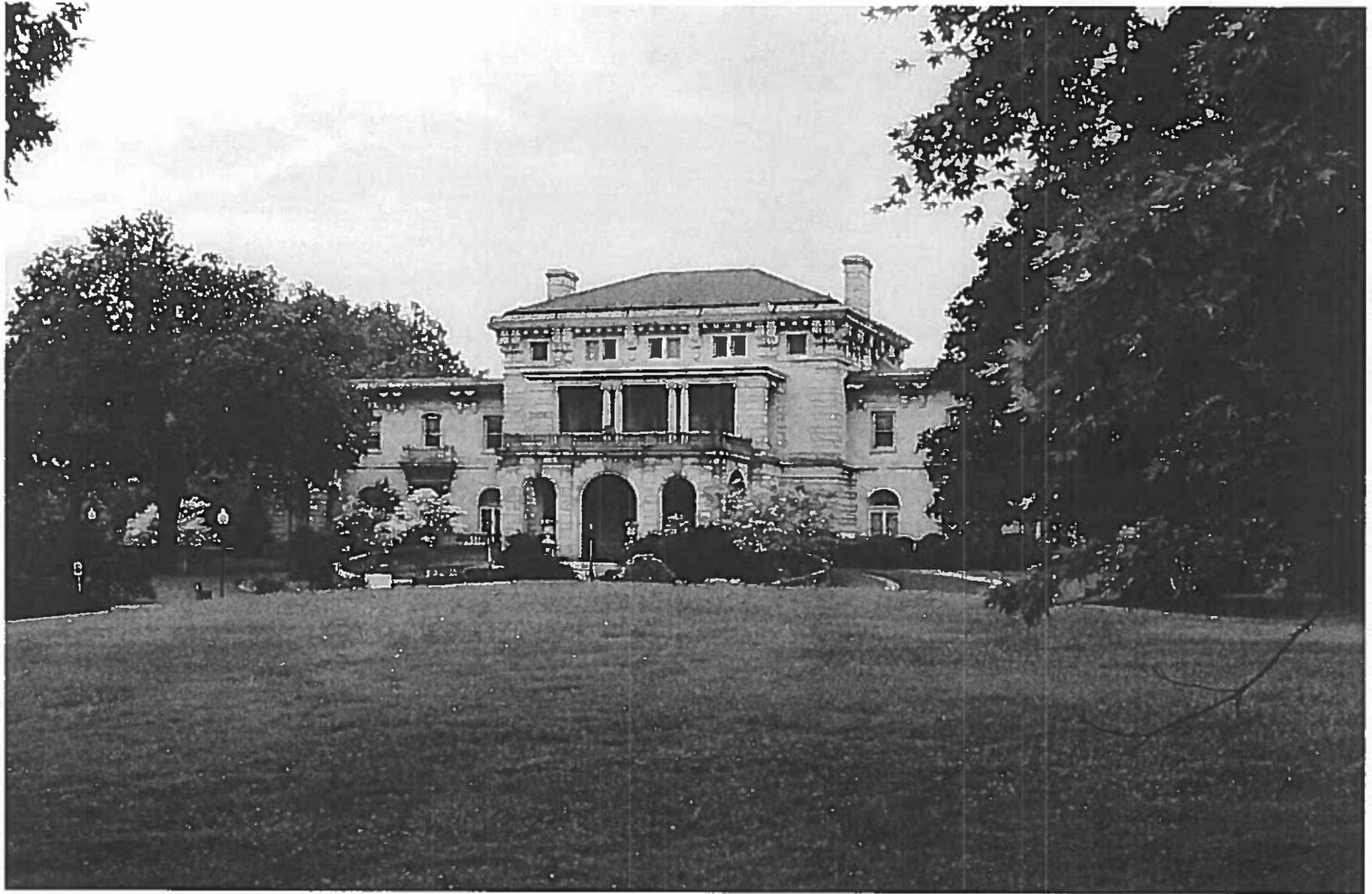
- Building Coverage ~ Limited to maximum of 20% (similar to R4)
- Setbacks ~ Requires 80' to 100' from street line
- Green Area ~ Protects and preserves existing grounds - requires minimum of 25% of total parcel
- Building Height ~ Limited to height of Historic Resources
- Parking ~ All contained within property with emphasis on reduced on-grade parking - At least 50% of off street parking to be underground
- Traffic Study ~ Will demonstrate no adverse impacts and recommend ways to mitigate if any
- Procedures ~ Requires a Master Plan submission in addition to standard Land Development submission



Historic Resources



Intend to Preserve - Built prior to 1910



Intend to Preserve - Built prior to 1910



Intend to Preserve - Built after to 1910

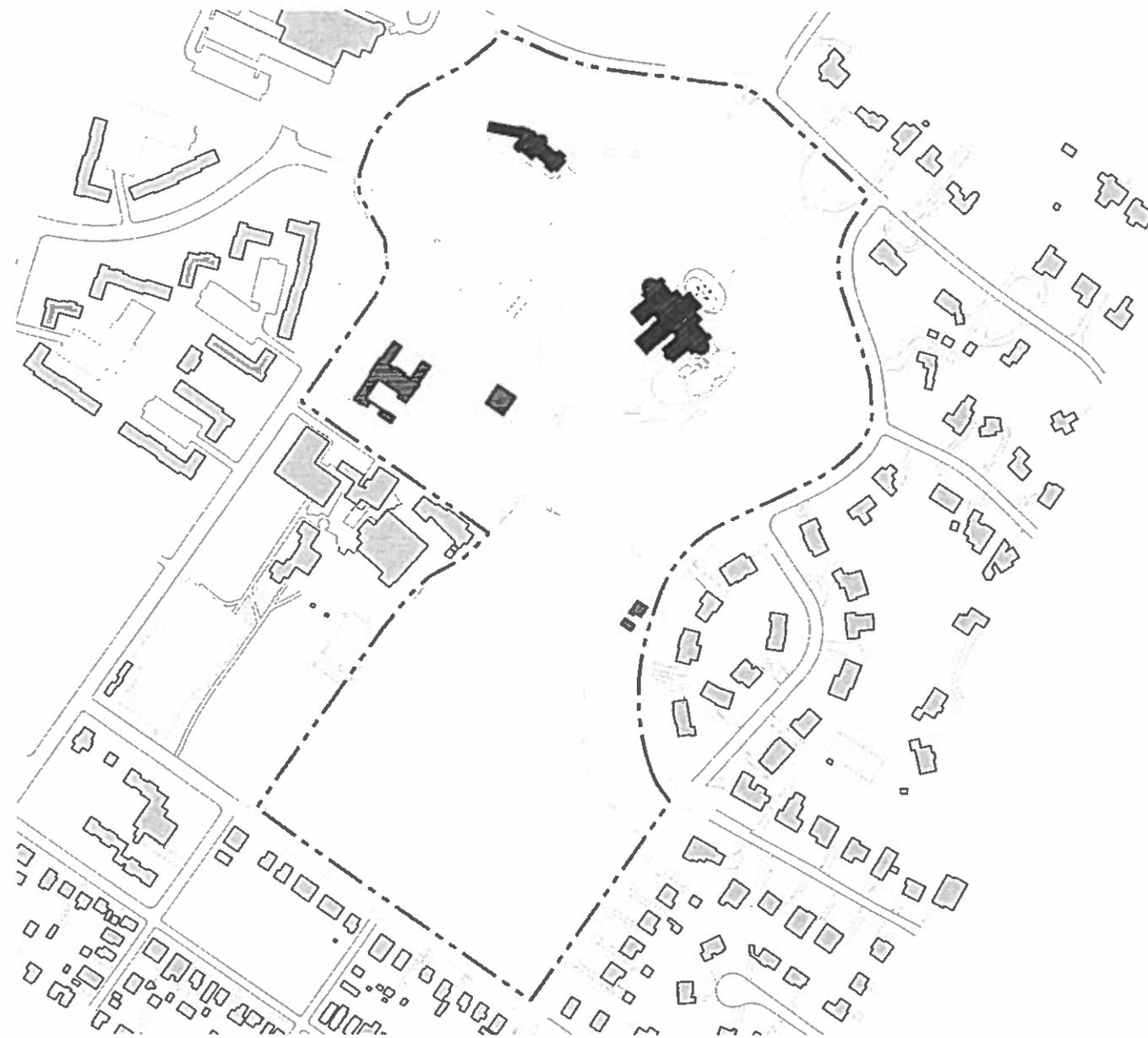


Intend to Preserve - Built after to 1910

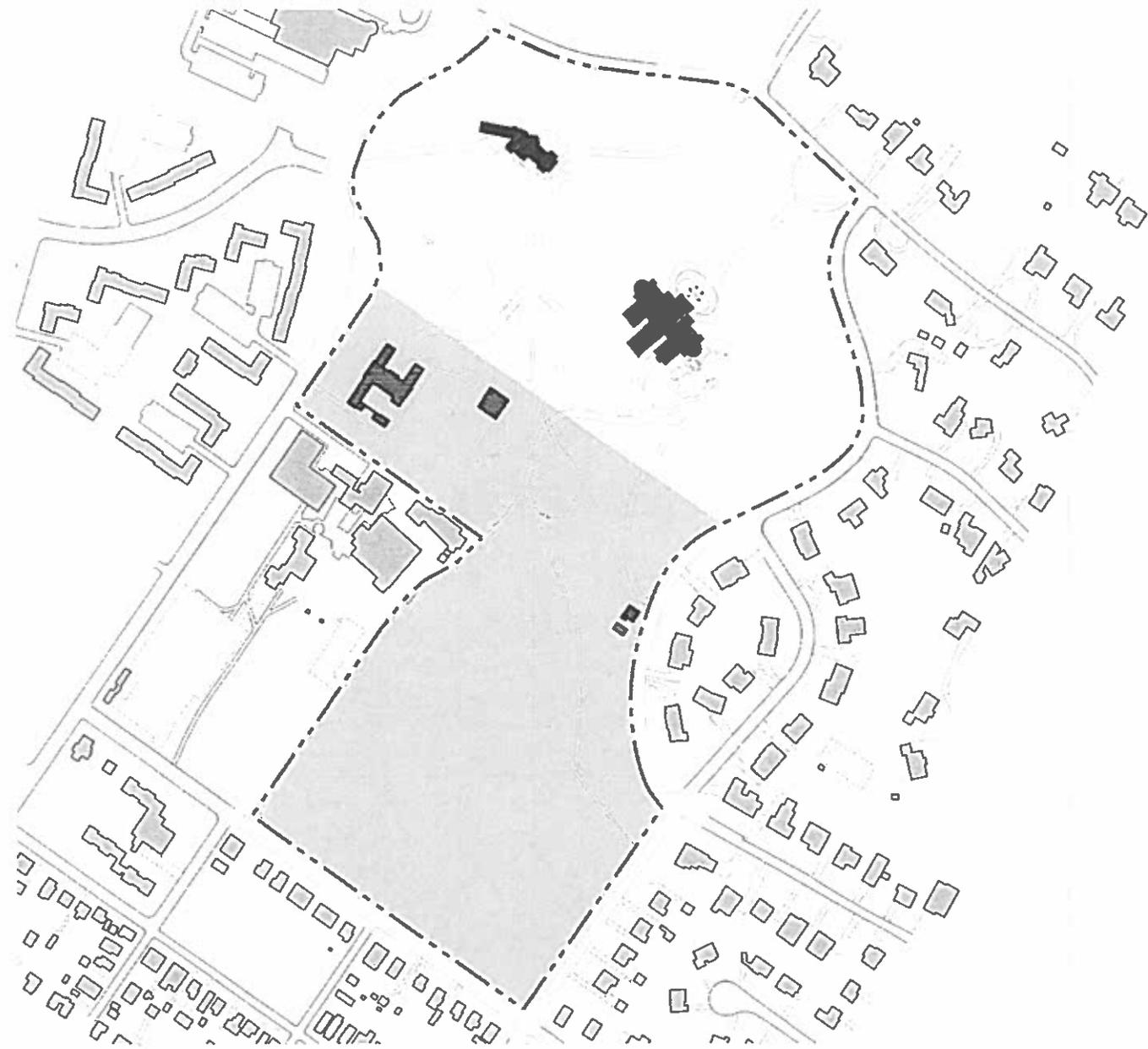


Intend to Preserve - Built after to 1910

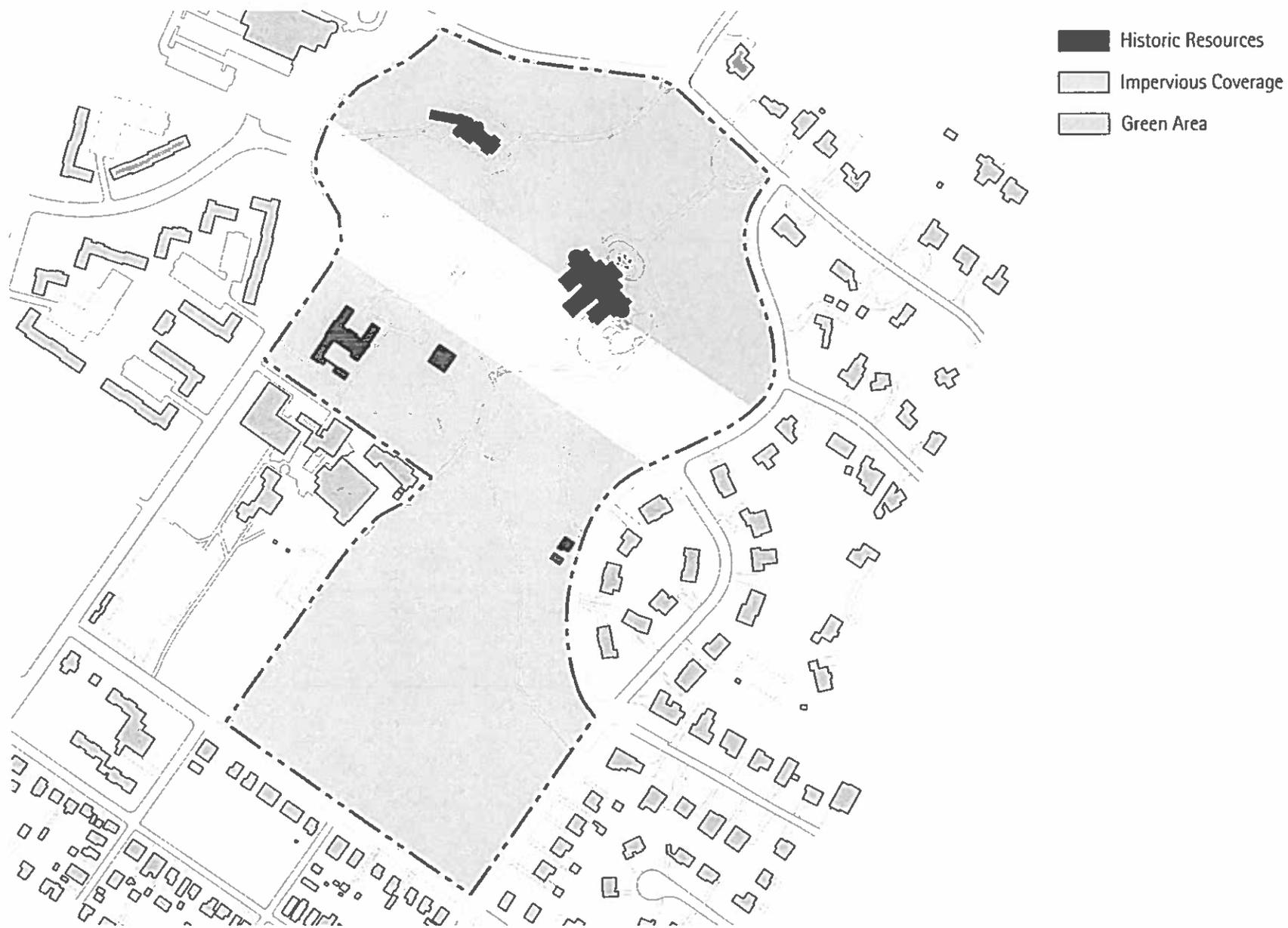


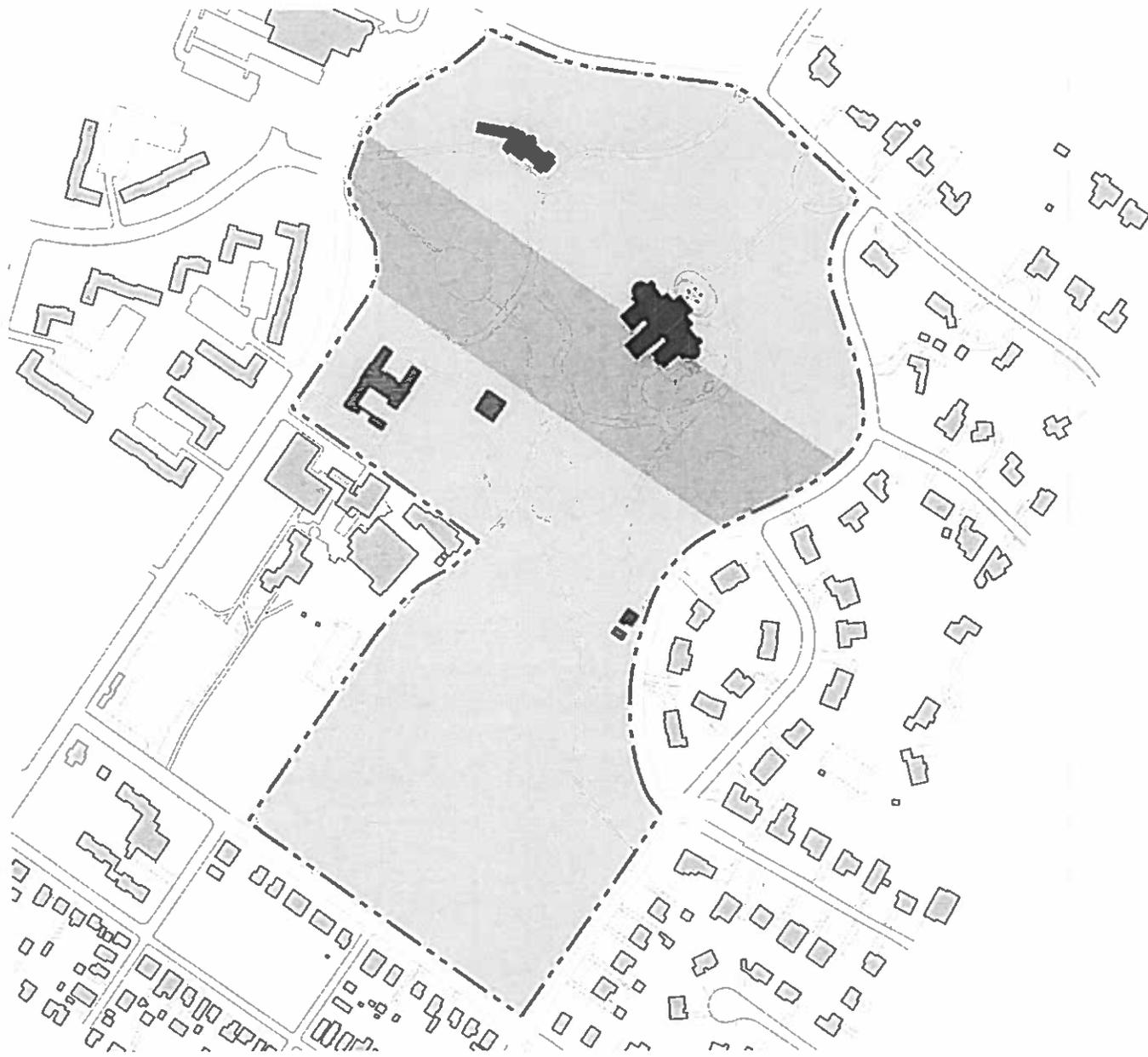


Historic Resources

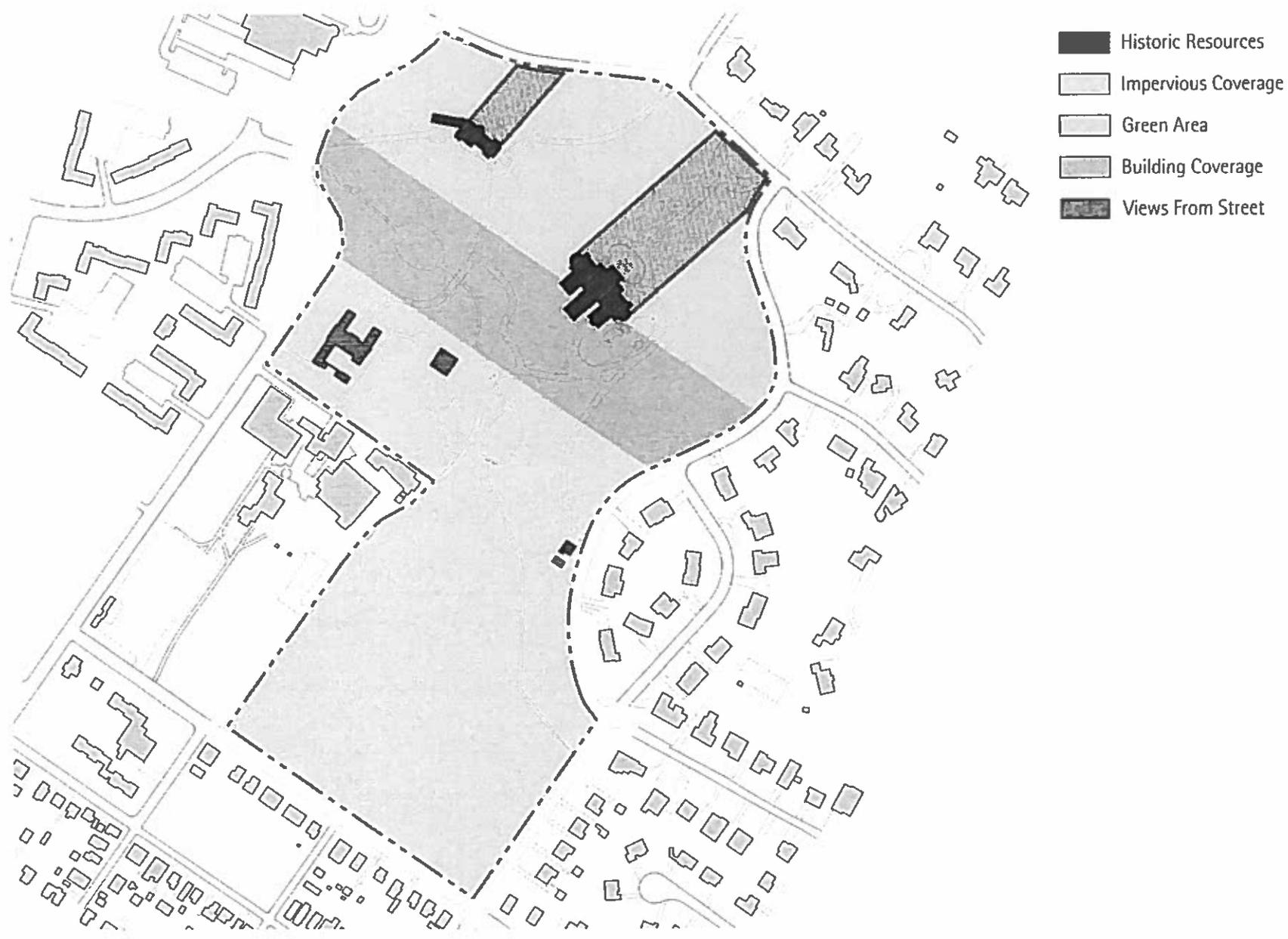


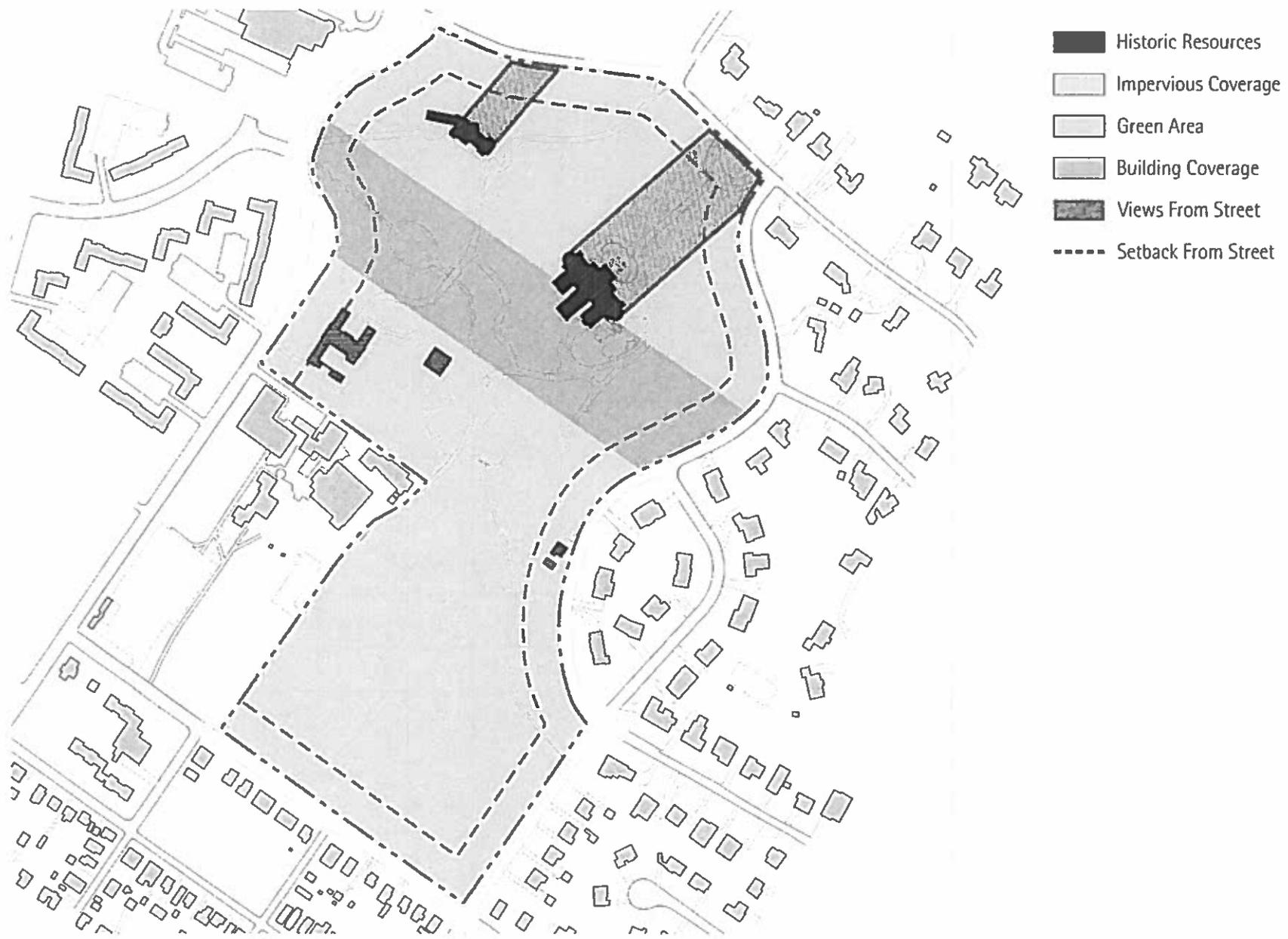
- Historic Resources
- Impervious Coverage

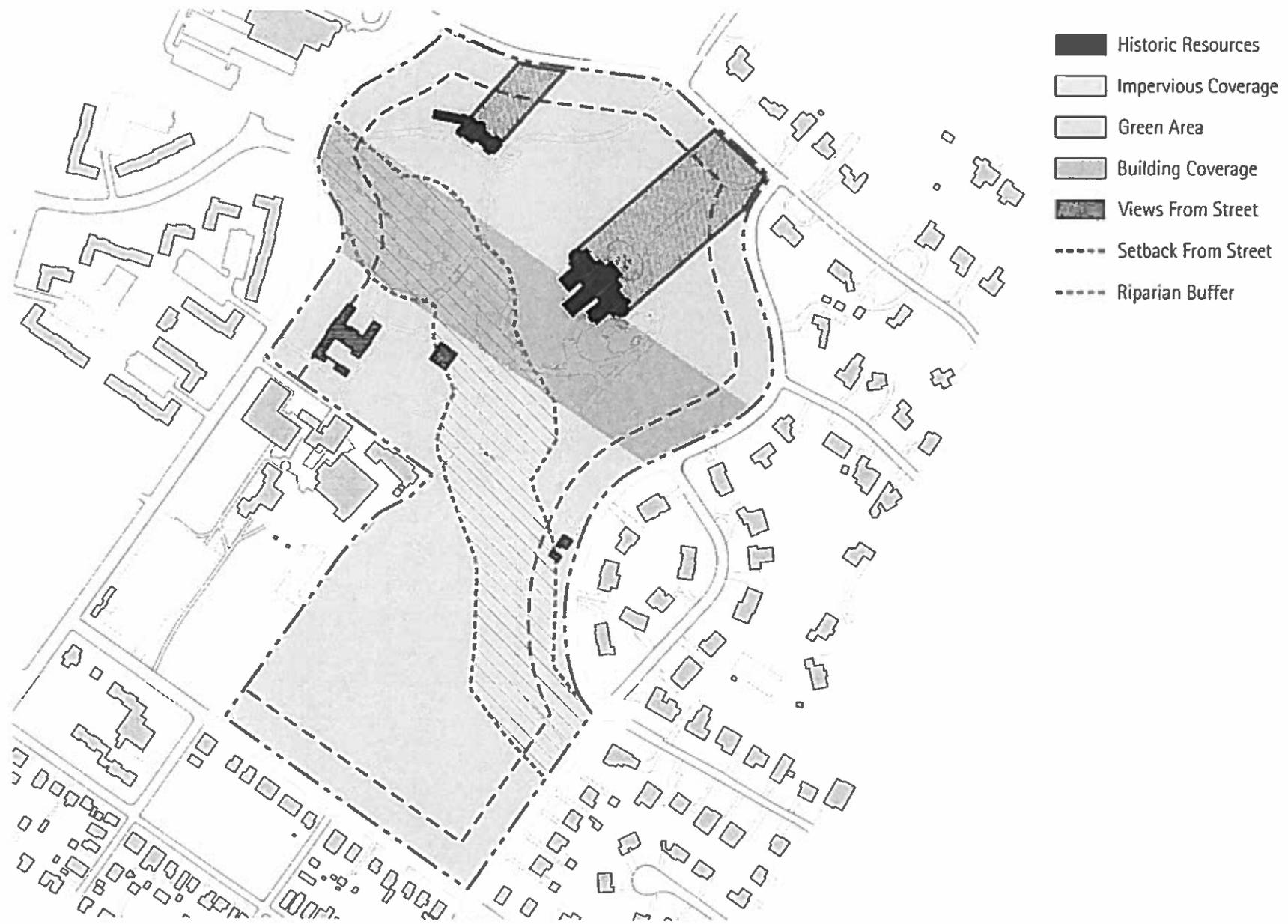


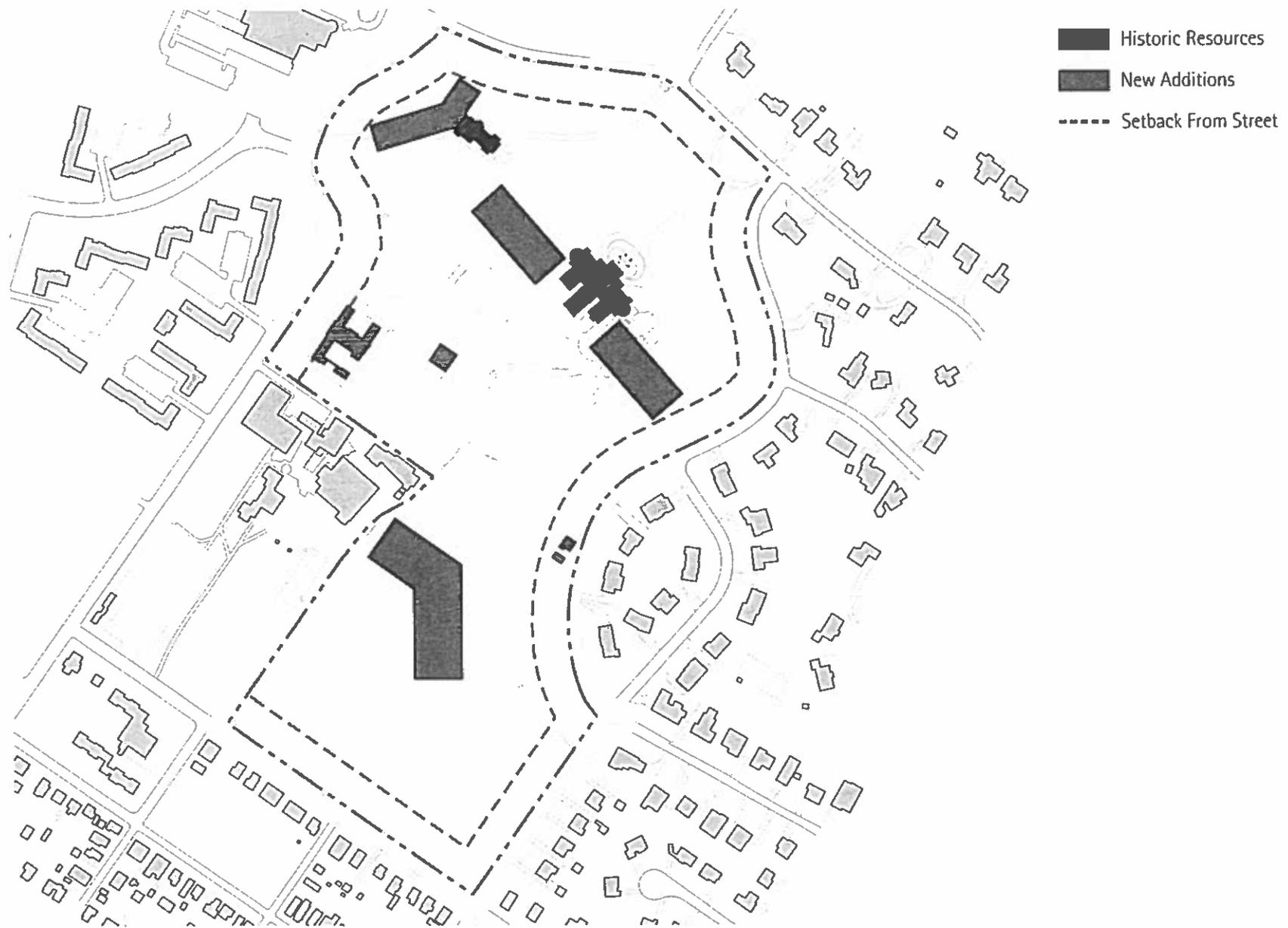


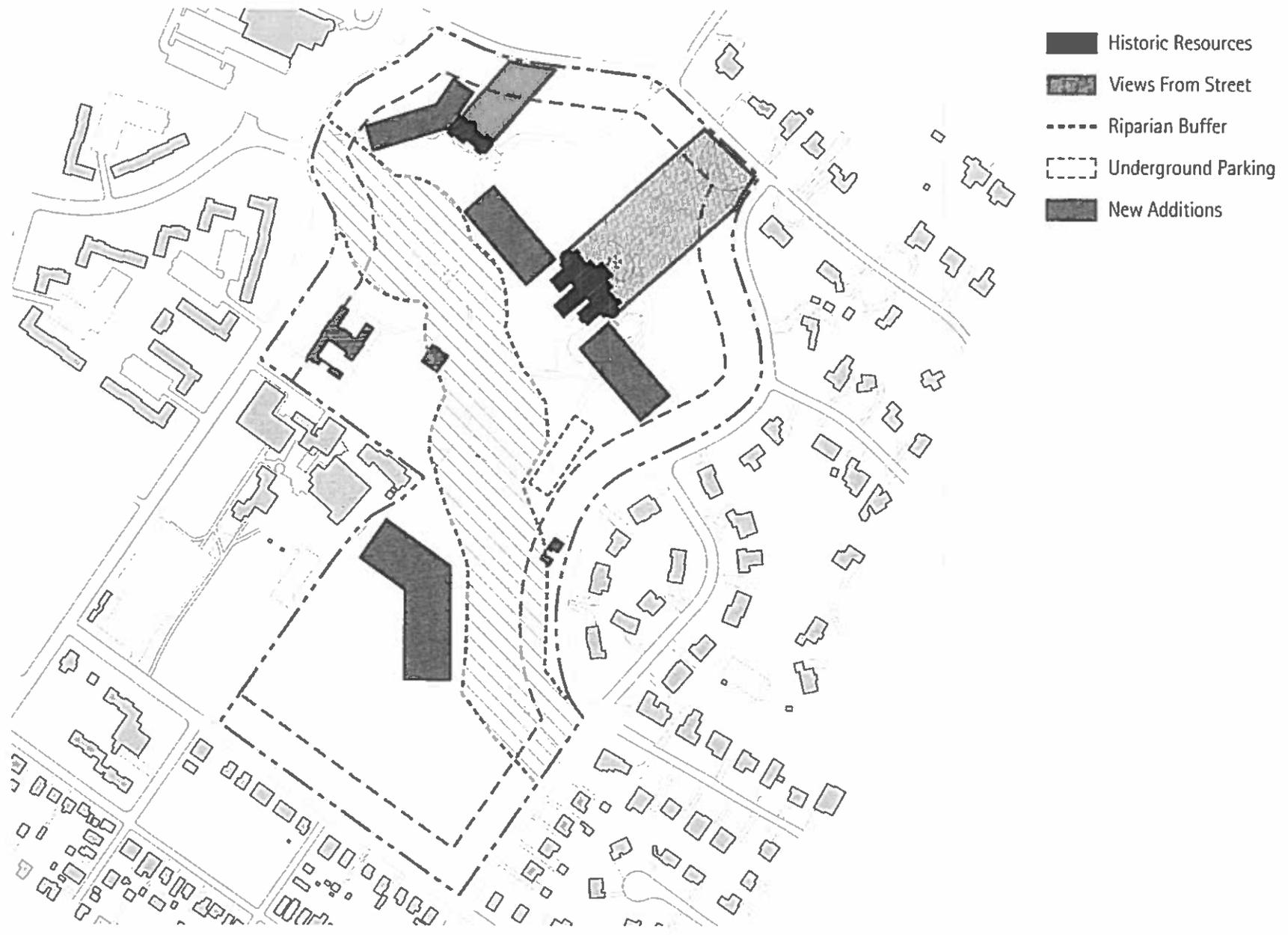
- Historic Resources
- Impervious Coverage
- Green Area
- Building Coverage

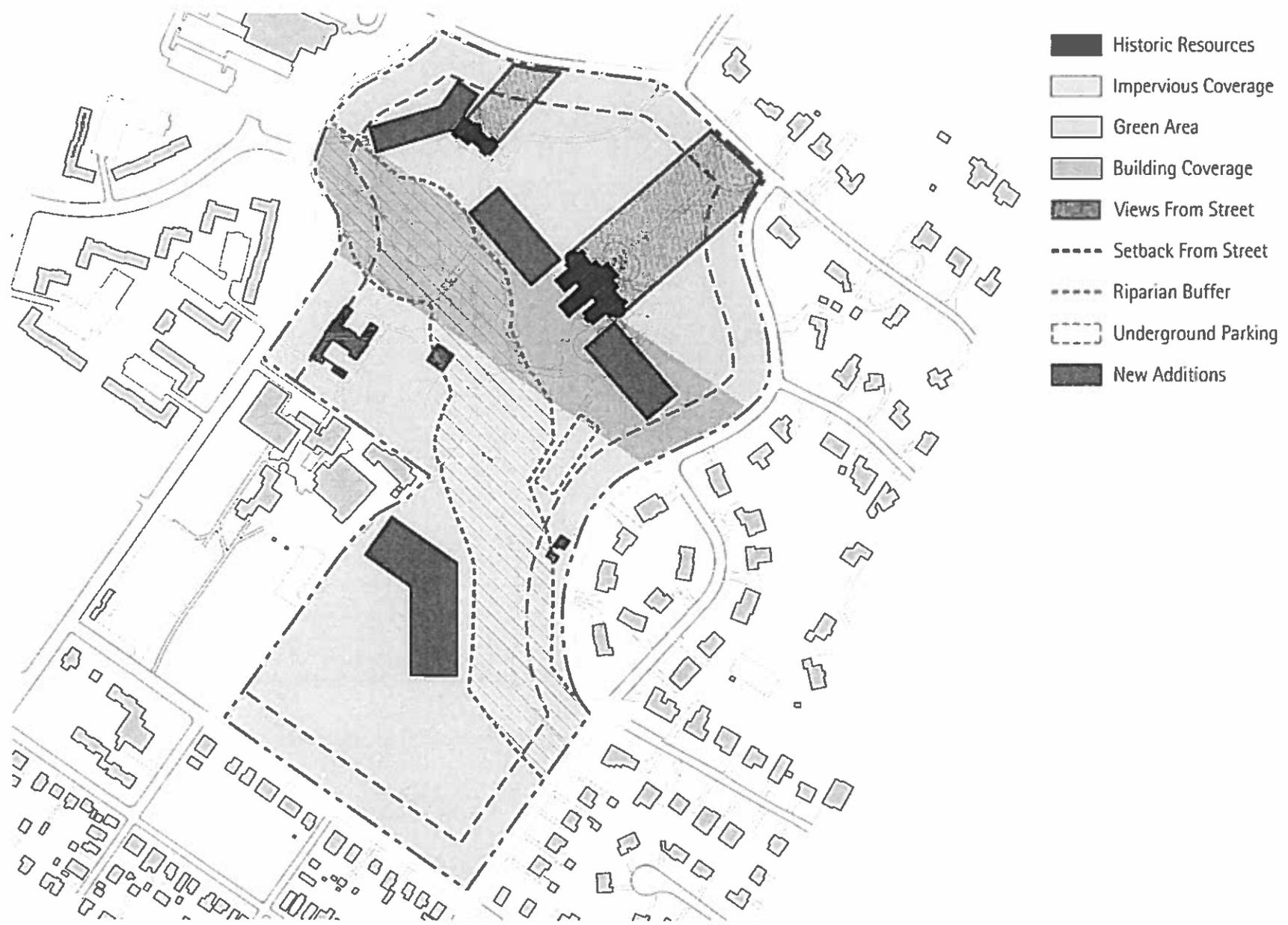












- Historic Resources
- Impervious Coverage
- Green Area
- Building Coverage
- Views From Street
- Setback From Street
- Riparian Buffer
- Underground Parking
- New Additions

Conclusion:

- Only the Elkins Estate is subject to the M4 ordinance
- The ordinance allows for a transitional zone from the surrounding low-density zones (R2-R4) to high-density zones (M1), which is contrary to spot zoning where a newly-created zone is irrational and incompatible with the surrounding zones
- The constraints on development in the ordinance are considerable and will guide any developer to the intended results
- The number of housing units - limited to 250 - is not enough to alter the local market forces
- The type of housing units - condominiums with hotel services - is not of the type that will yield many school children, therefore it is tax neutral or better

Conclusion:

- The historic preservation requirements are mandatory and as good or better than existing ordinances
- There is a forthcoming public process on the ordinance adoption
- There is an extensive public process on the master plan process
- There is also the public process of land development plan approval
- The Township Comprehensive Plan in 2005 shows the future use of the Elkins property as mixed use; it is not now zoned mixed-use, so this change generally follows the Plan
- The entire land development ordinance and storm water management ordinance will be applied to this project before development is approved

APEIRON

THOMAS PHIFER & PARTNERS Architecture

- Thomas Phifer approaches modernism from a humanistic standpoint, connecting the built environment to the natural world with a heightened sense of openness and community spirit that is based on a collaborative, interdisciplinary process. Since founding Thomas Phifer and Partners 1997, he has completed the North Carolina Museum of Art in Raleigh, North Carolina, the Raymond and Susan Brochstein Pavilion at Rice University in Houston, Texas, and the Salt Point House, the Millbrook House and the Taghkanic House, all in the Hudson River Valley of New York State.
- Thomas Phifer's buildings have been repeatedly honored by the American Institute of Architects, including seven AIA National Honor Awards and twelve AIA New York Honor Awards.

OLIN

OLIN STUDIO Land Planning & Landscape Design

- Landscape requires stewardship. By orchestrating the complexities of the modern landscape, OLIN's designs promote community building and inspire engagement with the natural world.
- OLIN is dedicated to affecting positive change through landscape architecture, urban design and planning. We are advocates for the artful creation and transformation of the public realm, and practice in a range of scales, including ecological and regional systems, urban districts, campuses, civic parks, plazas, and intimate gardens.
- From our studios in Philadelphia and Los Angeles, OLIN crafts timeless spaces that promote social interaction and enhance life. We successfully realize projects locally and internationally, each one reflecting its unique context. Through rigorous research, analysis and a dynamic design process, OLIN incorporates the intrinsic qualities of a site to generate a landscape that is embraced by its community. Sustainability is a central tenet of our holistic approach, uniting natural processes with technical innovation to produce contemporary and beautiful places.



SAUL EWING Land Use Counsel

- Saul Ewing LLP has 240 attorneys providing sophisticated legal services from offices in 11 locations along the East Coast. Our clients include regional, national and international businesses and nonprofits, individuals and entrepreneurs. The firm maintains offices in Philadelphia, Chesterbrook, Harrisburg and Pittsburgh, PA; Baltimore, MD; Boston, MA; Newark and Princeton, NJ; Wilmington, DE; Washington, D.C.; and New York, NY. The firm is led by a managing partner and Executive Committee, and supported by department chairs and office managing partners. In addition, Saul Ewing has a professional staff of more than 330 employees.
- Attorneys in the Land Use practice handle legal issues regarding regulatory compliance and community concerns in real estate transactions at the municipal, county and state levels. We work frequently with planning professionals, engineers, architects, environmental consultants, brokers and appraisers to deal with complex planning and zoning issues to help bring a project to life. In addition, our geographic reach enables us to provide seamless service to clients with multi-state operations.

Thank You

Key Unanswered Questions

- **There are a series of high level issues that raised concerns upon reviewing the draft ordinance; they include:**
 - ❑ Historic Resources are not defined.
 - ❑ There are no design standards for additions to historic buildings.
 - ❑ There are a lack of design standards.
 - ❑ Concern about the high density of residential dwellings and hotel rooms.
 - ❑ The requirements of the common land development plan/master plan should be included in the zoning ordinance and not the SALDO ordinance.
 - ❑ There should be specific language stating that the master plan will be reviewed by the Planning Commissioners and by the Commissioners in public meetings and that the Commissioners need to approve the master plan.
 - ❑ Under Section 295-258D(2), it should be clearly noted that drug and alcohol, methadone clinics and inpatient mental health services are not allowed.
 - ❑ Unclear what type of multiple dwelling development could occur.
 - ❑ Under section 295-258D(6) K-12 and pre-schools and childcare facilities should be specifically prohibited.
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**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JOSH SHAPIRO, CHAIR

LESLIE S. RICHARDS, VICE CHAIR

BRUCE L. CASTOR, JR., COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722

FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

July 28, 2014

Mr. Bryan Havir, Manager
Cheltenham Township
8230 Old York Road
Elkins Park, PA 19027

Re: MCPC #14-0135-001
Plan Name: M4 SALDO Amendment, M4 District
Zoning Ordinance Amendment, M4 Map Change
Cheltenham Township

Applicant's Name and Address

Cheltenham Township
8230 Old York Road
Elkins Park, PA 19027
Contact: Bryan Havir, Manager
Phone: 215-887-1000

Dear Mr. Havir:

We have reviewed the above referenced Subdivision and Land Development Ordinance, Zoning Ordinance, and map amendments in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as requested by your letter, on June 23, 2014. We forward this letter as a report of our review and recommendations.

Background

The applicant is proposing to create a new Zoning District out of three parcels that are currently zoned R2 Residential. The proposal also includes changes to the Subdivision and Land Development Ordinance in order to accommodate the new uses and a Zoning Map change.

The new district would allow for a wider variety of uses that are not currently allowed in the R2 in exchange for preservation of the historic and architecturally significant buildings located on the parcels. These uses include multiple dwelling units, restaurants, health and wellness clinics, fitness centers, apartment hotels, auditoriums, bakeries, offices, public gardens, and amphitheaters.

The proposal also includes open space requirements, parking standards, and the requirement for a traffic study for certain high-intensity uses. The amendment to the Subdivision and Land Development Ordinance includes additional procedures for developments which require a master plan available for review by the township and township staff. The Zoning Map change details the specific boundaries of the new district.

Review Comments

We have reviewed the proposal and offer the following comments:

1. **Spot Zoning.** The proposed Zoning District is only comprised of two large parcels in the center of the township. Although there may be some precedent for creating similar districts when special circumstances, such as the preservation of historic resources are a primary goal, make it desirable, the township may still be running the risk of spot zoning. The three parcels making up this district are under a single owner and the district does not expand outside of this area. As mentioned, there may be some leeway for special circumstances, but the township may want to ensure it is not at risk of having its ordinance challenged over spot zoning.
2. **Expand District.** One strategy to avoid spot zoning challenges may be to expand the proposed district. There is at least one neighboring parcel to the north with a significant historic building that could be included in the new district. In addition, the former Tyler School of art parcel could be included as it is largely surrounded by the proposed district even though it may not include historic or architecturally significant buildings. These extensions are logical, would extend protections to vulnerable historic buildings, and help protect the township from spot zoning challenges.
3. **Definitions.** The proposed ordinance does not include definitions that are specific to the type of development it is proposing. For instance, there is no definition of “historic resource” or “property with significant character” among others. The result is that these terms are vague and left to the discretion of the developer to determine. The township may want clarification of these terms and additional definitions for other important terms used in the ordinance that are not defined elsewhere.
4. **Historic Preservation Standards**
 - *Building Rehabilitation Standards:* Although restoration and rehabilitation of historic buildings is a stated priority of the ordinance, there are no standards for building rehabilitation included in the proposed ordinance. The township should consider standards that provide guidance to applicants looking to rehabilitate a historic structure or property.
 - *Fences, Walls, Gates, and Gardens:* The proposed ordinance contains no language requiring the preservation of historic features other than buildings. The walls, gates, fences, gardens, and other structures on these sites may also be historic, architecturally significant, or otherwise worthy of preservation as part of Cheltenham’s heritage. The township may want to include provisions that aim to preserve these features to the greatest extent possible.
 - *Cheltenham Historic Districts:* Cheltenham Township currently has a Historical District Overlay Ordinance that covers two areas of the township, Historic LaMott and Wyncote. These areas contain several historically and architecturally significant buildings and are administered by the Board of Historical Architectural Review (BHAR). The township may want to consider extending the range of the Historic Preservation District to include the parcels currently under consideration. The BHAR membership includes design, engineering, and preservation specialists

that may be best suited to ensuring the preservation of the township's historic and architectural resources. The BHAR reviews proposals and makes recommendations based on their appropriateness. This expertise and experience is an existing resource of which the township may want to take advantage.

5. **Multiple Dwelling and Hotel Use Density Calculation.** The proposed language is somewhat confusingly written and possibly contradictory on the issue of residential density, particularly when combined with a hotel use. Section 295-258.C.1.a.(iii) states that calculated density shall not be reduced by the presence of nonresidential buildings before describing how it will, in fact be reduced by the presence of hotel uses. This may or may not be self-contradictory, but it is confusingly written. The township may want the applicant to clarify this language and language throughout the proposal that may be confusing or vaguely written. This confusion could lead to conflicts in future interpretations of the ordinance.
6. **Density.** The proposed ordinance allows for a significant increase in residential and nonresidential density on the site. We understand that the proposed uses (multifamily and hotel) tend to require greater densities and in some configuration they may work in this area. However, we feel that the density allowed by this proposal would put too great a strain on the existing road network and infrastructure. The township may want to consider lower densities that would not have such an impact. Another tactic for the township could be to allow this greater density as a bonus for sustainable design or off-site improvements (both discussed below). This would allow the applicant greater density and provide the township with a tangible benefit.
7. **Three Bedroom Units.** The proposal allows for 40% of multiple dwelling units to be three bedroom units. Higher bedroom units tend to attract more families with school-aged children. We feel this number may be too high and recommend not exceeding 10% to 20% three bedroom units in order not to put additional strain on the Cheltenham School District and the township tax base.
8. **Offsite Improvements.** The new zoning district would allow for a significant increase in residential and nonresidential density on these parcels. Even if the township lowers the density as discussed above, local roads may not be adequate to handle the increased traffic from such uses. It may not be possible to develop the site as the applicant intends without off-site improvements that increase the local road network's capacity to handle the new traffic. In addition, more improvements may be necessary to improve safety for residents, pedestrians and bicyclists. The proposed language does require a traffic study, this study should make recommendations about off-site improvements that must be completed if the applicant is to develop the site.
9. **Transportation Impact Fee.** In order to fund some of these offsite improvements the township may want to investigate the feasibility of a Transportation Impact Fee (Act 209) that would require applicants to provide funding for off-site transportation improvements based on the size and impact of their proposals. This would be a powerful tool for the township to help mitigate the infrastructural costs of larger developments.

- 10. Sustainability Incentives/Requirements.** The township recently completed a Sustainability Plan that makes sustainable design and green buildings a priority in the community. The proposed ordinance provides no guidelines or recommendations for green buildings or sustainability initiatives. The township may want to require the applicant include these measures to help mitigate the impact of large-scale development and improve the environmental profile of the township.

Typical sustainability initiatives include integrated stormwater quality and management facilities (including stormwater reuse for irrigation), porous paving, green roofs, passive solar design, solar panels and other photovoltaics, high efficiency lighting, water conserving plumbing fixtures, shuttle service to public transit, geothermal heating and cooling, and preferred parking for electric or hybrid vehicles. These could be required by the township or used as a bonus to allow the applicant to reach their desired density.

- 11. Viewsheds.** The ordinance provides some language requiring the preservation of viewsheds but no standards for how those viewsheds should be preserved or maintained. In addition, the language only references views of historic buildings and not the open space itself. The township could require preservation of viewsheds of open space in addition to historic buildings. The feeling of open space and bucolic viewsheds is a benefit to the surrounding neighborhoods that the township may not want to sacrifice.

- 12. Open Space Preservation.** The proposed Ordinance required 25% of the tract to be preserved as Open Space. Considering the density allowed by the proposed ordinance, the township may want to require between 35% to 50% open space. This would help to preserve viewsheds and provide more of an amenity to residents and neighbors.

Additionally, the language provides few standards for how that preserved open space should be used, other than as a buffer. Will there be requirements for plazas, central open spaces, active recreation, or the preservation of existing vegetation and landscaping? The gardens and landscaping surrounding the historic buildings are a large part of their appeal and the township may want language that ensures their protection.

- 13. Design Standards.** The proposal does not include any design standards for new buildings being proposed for the site. Features such as the massing of buildings, types of materials used, building orientation, window requirements, façade treatments, and architectural compatibility with historic buildings. Including design requirements would give the township a greater degree of control and help to ensure that new construction meshed well with existing structures and does not overwhelm them or abutting neighborhoods. The township could even provide examples of the types of buildings and designs it would like to see. The county has published a series of model ordinances which would be able to provide design guidelines and examples for the township.

- 14. Four-Step Design Process.** In addition to the site master plan required in the amendment to the township's SALDO, the township may want to consider requiring applicants to follow a modified four-step design process as part of the subdivision and

land development review. This process would involve greater collaboration between an applicant and the township to resolve as many design issues and future impacts before the land development process.

This process requires a site inventory that would delineate all natural, open space, and historic features the township considers important for preservation, at least one site visit, and multiple sketch plans. Locations of housing units are tentatively sketched at this point, followed by the alignment of streets, sidewalks, and trails.

With this approach the township would be better able to guide development into appropriate configurations, help to mitigate impact on surrounding neighborhoods, and encourage development that is most suited to specific locations with diverse conditions. This approach was developed by Natural Lands Trust and is available as a model ordinance for natural features preservation on their website: www.natlands.org. With some slight alterations for the development of historic properties, this could be a useful tool to help the township guide potentially complicated projects.

15. Conditional Use Overlay. Instead of a mapped zoning district, the township may want to consider making this district an overlay district allowable by conditional use. This approach would have several benefits:

- *Greater Control:* As an overlay district, the township would have greater control over the development process and provide it with more time to fully assess the impact of any proposed development.
- *Conditions for Approval:* A conditional use would give the township a framework for imposing conditions for approval onto any proposed development, including stronger preservation standards, offsite improvements, and site-specific recommendations. The four-step design review process mentioned above could be included as a condition for approval that would help establish the best development for a particular site.
- *Spot Zoning:* An overlay would also help to avoid spot zoning challenges because it could be altered to apply to more sites throughout the township. With the additional controls granted by the conditional use approval process, the township would be able to encourage more appropriate development for certain locations.
- *Development Alternatives:* Currently the proposed ordinance provides no alternatives for developers looking to develop a site. As an overlay district, the proposal would not get in the way of a developer simply looking to develop a parcel with its underlying zoning or under any other applicable overlay district.

Recommendation

At this time we do not recommend approval of this proposed Zoning Ordinance amendment, Zoning Map change, and Subdivision and Land Development Ordinance change. We do not have an issue with the proposed uses or the overall intent of the proposed changes; in fact, we commend the applicant for making historic preservation of the township's cultural resources such a priority. Unfortunately the language of the proposed ordinance is somewhat confusing,

Mr. Bryan Havir, Manager

July 28, 2014

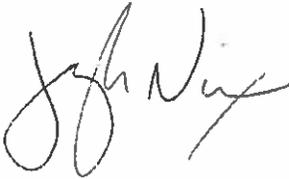
vague, and possibly contradictory. These issues may make it difficult for developers, the township, and township staff to interpret the ordinance during land development review, a situation the township may want to avoid.

We would like to offer our services as the township's planning consultant to rewrite the ordinance to address the issues raised above and any other issues raised by the township or township staff. This would be included under the existing contract with Cheltenham Township and incur no additional fee.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body adopt the proposed zoning ordinance text amendment; Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Nixon". The signature is fluid and cursive, with the first name "Joseph" written in a larger, more prominent script than the last name "Nixon".

Joseph Nixon, Community Planner
610.278.3737 – jnixon@montcopa.org

cc: All Township Commissioners
All Township Planning Commission Members
Henry Sekawungu, Township Director of Planning and Zoning
Amy Montgomery, Township Engineer
Joseph Bagley, Township Solicitor

SELECT COMMITTEE

MINUTES

DATED

JULY 28, 2014

Select Committee Minutes

July 28, 2014

Page 1 of 2

The first of several meetings of the SELECT COMMITTEE appointed by the Board of Commissioners at their meeting on July 16, 2014, was held this evening at the Township Administration Building, 8230 Old York Rd, Elkins PA. The following Select Committee members were present: David Cohen, Brad Pransky, Eric Leighton, Joe Nixon and Henry Sekawungu.

The meeting convened at 5:40 p.m. and Mr. Sekawungu provided an overview of what was expected of the Committee, which was to: review, edit, change and fine tune comments from the general public received during the four public meetings held earlier in 2014. The Select Committee will need to make a recommendation to the Commissioners on their findings by the end of 2014. As part of this review process, the Select Committee will be meeting every second and fourth Monday of the month from 5:30 p.m. to 7:00 p.m.

There were two additional letters received by the Township from Mr. & Mrs. Cerebi and from Mr. Hyslop which would be addressed accordingly.

The Committee agreed to go over all the comments generated from the public meetings in chronological order, and based on the responses to these comments at the meetings, the Committee highlighted the following items that will need additional review and deliberation:

January 29, 2014 Meeting

Q5: There are lots of changes with many implications. Has any financial analysis been done?

Q6: If a cost-benefit analysis would not occur until future development, isn't that too late to find out that the proposed zoning change is not appropriate?

Select Committee Response

- The financial and cost benefit analysis will be a time and cost venture, but the Committee will investigate other options. According to Mr. Nixon, the County has used different models on impacts of infrastructure on a community. A suggestion was also made to consider a financial analysis that compares the existing ordinance to the proposed ordinance. The committee will frame out a scope of work and general ball park for what it would cost for an analysis.

Q12: Regarding MU3 [mixed-use overlay district] for parcels of 10 acres or more, can it circumvent the intent of the underlying zoning? That is, if a district is zoned R1, but is eligible for MU3, then it seems there is no way that the R1 could be maintained.

Select Committee Response

- The Committee will consider reducing the mixed use overlay district from 10 acres to 7 acres, and having a mixed use component for any proposed residential use. The committee will utilize the map that identifies properties that are 10 acres or more for this review.

Select Committee Minutes

July 28, 2014

Page 1 of 2

Q13: As a follow-up to a previous question, couldn't multiple properties be cobbled together, thereby creating an elongated shape that might total 10 or more acres, making MU3 permitted, but where the irregular configuration would make it inappropriate?

Select Committee Response

- The Committee will consider additional restrictions for the mixed use overlay district, especially where there is potential of massing multiple properties for purposes of applying the overlay.

Q14: What are the expectations for any change in the population and what ratios are we shooting for?

Select Committee Response

- The Committee will review the school district population analysis report, to determine expectations for any change in the student populations and what ratios are sought. This will be in tandem with the Montgomery County Planning Commission who has done research on this.

Q17: The proposed Zoning calls for 3 to 4 story buildings near train stations; given the experience with the proposed parking garage at Wyncote, is this really appropriate?

Select Committee Response

- The Committee will consider the proposal to construct 3 to 4 story buildings near train stations and potential impacts. This ties in with the letter submitted, that pertains to the Wyncote Historic District, which will also be considered.

February 26, 2014

Q3: Suggestion to match up the districts and spell out the differences between the proposed and the existing.

Select Committee response

- The Committee will consider matching up the districts and the differences between the existing and the proposed. Can be difficult with this level of detail but a recommendation was made to use colors to show the differences, and also use examples of existing developments like Normandy Farms for what could be developed.

The meeting was adjourned at 7:00 p.m.



Bryan T. Havir
Township Manager

as per Henry Sekawungu

**REVIEW OF RECENT DECISIONS
OF THE ZONING HEARING BOARD**

**IN AND BEFORE THE ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP, PENNSYLVANIA**

**IN RE: Application of Arcadia University
 NO. 3473**

FINDINGS OF FACT, OPINION AND ORDER

I. PETITION

This matter is before the Board on the application of Arcadia University for property located at 450 S. Easton Road, Glenside, Philadelphia, PA 19038. Applicant requested the following:

a. Variances from the Rules and Regulations of the Class R-1 Residence District as outlined in CCS 295-07, for the expansion of the educational use on the premises (CTRERP Block 137, Units 26 and 27) by making the following improvements instead of the enumerated permitted uses:

 i. Construction of a new 5700+/- S.F., one-story (18' high) maintenance building.

 b. Variance from CCS 295-10(C), for a rear yard setback of 7' instead of the required 50'.

 c. Variances from the Rules and Regulations of the Steep Slope Conservation District as outlined in Article XXII of the Cheltenham Code, as follows:

i. From CCS 295-166(B) for the construction of site improvements associated with the improvements noted in a. and b., above, for property having a terrain gradient of 15% or more in a Steep Slope Conservation District.

ii. From CCS 295-167 for the construction of site improvements associated with the improvements noted in a. and b., above, instead of the enumerated permitted uses.

d. In the alternative to (a.) (b.) and (c.) above a Special Exception per CCS 295-227(C) for extension or expansion of a non-conforming use.

e. A Special Exception from CCS 295-251(A)(5) for a driveway and paved pedestrian trail corridor crossing.

f. A Variance from CCS 295-254(C) for a corridor crossing less than 1000 feet of buffer length.

g. A determination of man-made steep slope from the Township Engineer that an exemption applies under CCS 295-164(B)(2).

h. Variance from CCS 295-252(B) for a Parking Lot in the Riparian Corridor Conservation District or, in the alternative, an interpretation that CCS 295-250(B) or (C) applies for an existing driveway and parking lot in the Riparian Corridor.

At the Hearing, the application was amended to request a variance from CCS 295-9 allowing a building coverage of 11.6% rather than the permitted 10%.

II. HEARING

Hearing on the subject application was held on June 17, 2014.

The Hearing was held before Anee Farrell, Esq., Chairperson; Michael McCann, Alternate Board Member; Peter R. Labiak, Board Member, Carol M. Lauchmen,

Esq., Solicitor, and Carmen Reitano, Assistant Township Zoning Officer and Zoning Board Secretary.

Applicant was represented by William F. Kerr, Esquire.

III. FINDINGS OF FACT

The following findings were made following competent testimony before the Board.

1. The subject parcels are zoned R-1 Residence; however, prior to 2003 educational institution was a permitted use. In 2003, that use was no longer allowed. For years prior to 2003, on the property and in the R-1 zoning district, is the existing university use. Therefore, the use is a legal non-conformity. (N.T. p. 8)

2. What is proposed is the construction of (1) a maintenance/storage building approximately 4200 square feet; (2) a tennis dome storage building of approximately 1600 square feet; (3) rebuilding a driveway to the main building; and (4) a footbridge will be built across the creek. (N.T. p. 9-10, 13, 15-16) (Exhibit A-3)

3. Arcadia wishes to move all its maintenance equipment and accessory uses across the street off the main campus to a site partially acquired from and abutting Archdiocese property. The overall plan is to use all of the buildings on the main campus for educational purposes. (N.T. p. 9-10)

4. The proposed site is currently being used for storage and is not visible from the main campus. There will be both inside and outside storage of vehicles. (N.T. p.10, 24)

5. The main building will be for storage and repair of plows, vehicles, etc. The smaller building is solely to house the pieces of folded up tennis court dome. (N.T. p. 11)

6. For the riparian zone relief requests, it should be noted that the main building is pushed back into a slope so as not to encroach on the 100 foot setback line. The 7 foot rear yard between the rear wall of the main building and the lot line is actually at roof height and part of the walking trail being constructed. (N.T., p. 11-12) (Exhibit A-3)

7. There are proposed 2 creek crossings – the reconstruction of the existing vehicular crossing and a trail crossing that is part of the county wide trail system. The zoning ordinance says that crossings must be 1000 feet apart and the instant two are 200 feet apart. The Board finds that one being pedestrian and one vehicular either moots the requirement or renders it de minimis (N.T. p. 13)

8. Stream embankment correction work will also occur with the other work so there will be some disturbance of steep slopes during construction. (N.T. p. 14)

9. In reviewing the main campus and the subject area, there would be 11.6% building coverage of the 59.8 acres. The R-1 zoning requirement is 10% maximum, which is low for an education institutional use, and de minimis. (N.T. p. 20) (Exhibit A-1(2))

10. All of the requests of applicant Arcadia are existing non-conforming uses, or de minimis dimensional variations, or the result of the area's topography. None will negatively impact the neighbors.

IV. LEGAL DISCUSSION

The variance provisions of the Cheltenham Township Zoning Ordinance provide for an escape valve so that when regulations which apply to all are unnecessarily burdensome to

a few because of certain unique circumstances, means of relief from mandates of the ordinance is provided: National Land and Dev. Co. vs. Kohn, 419 Pa. 504 (1965).

Section 910.2 of the Municipalities Planning Code provides in part as follows:

"The Board may grant a variance provided the following findings are made where relevant in a given case:

(1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located;

(2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;

(3) That such unnecessary hardship has not been created by the appellant;

(4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and

(5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue."

Here, the applicant requests are necessitated by the topography and by the imposition on the almost 60 acres of university property of the zoning restrictions of the R-1 district.

V. ORDER

WHEREFORE, on June 17, 2014, the Cheltenham Township Zoning Hearing Board votes to approve all of Applicant's requests for said variances.

CHELTENHAM TOWNSHIP ZONING HEARING BOARD



AMEE FARRELL, CHAIRPERSON

MICHAEL McCANN, ALTERNATE BOARD MEMBER



PETER R. LABIAK, BOARD MEMBER

**IN AND BEFORE THE ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP, PENNSYLVANIA**

**IN RE: Application of Excel Auto Repair and Collision
 NO. 3484**

FINDINGS OF FACT, OPINION AND ORDER

I. PETITION

This matter is before the Board on the application of Excel Auto Repair and Collision for property located at 546-552 Township Line Road, Cheltenham, PA 19012.

Applicant requested the following relief:

- a. Variance from CCS 295-117 use regulations, in order to operate a used motor vehicle sales agency from their existing non-conforming auto repair and collision service business.
- b. A determination that the proposed on-site parking is a valid non-conforming use or, in the alternative a variance of the provisions of CCS 292-221F so as to permit parking in excess of 120% of the required minimum parking.
- c. Amended on 6/9/14) to add a variance under Section 295-197C(1)(a) so as to permit an additional free-standing, illuminated sign not exceeding 50 square feet.

The property is located in the Class C-3 Commercial and Business Zoning District.

II. HEARING

Hearing on the subject application was held on June 9, 2014.

The Hearing was held before Amee Farrell, Esq., Chairperson; Alan S. Gold, Vice Chairperson, Peter R. Labiak, Board Member; Carol M. Lauchmen, Esq., Solicitor, and Carmen Reitano, Assistant Township Zoning Officer and Zoning Board Secretary.

Throughout the proceedings the Applicant was represented by Michael Yanoff, Esquire.

III. FINDINGS OF FACT

The following findings were made following competent testimony before the Board.

1. The subject property is 546-552 Township Line Road (Cottman Avenue), Cheltenham and located in a C-3 zoning district. Although the entire lot has one owner, only the almost square portion abutting Cottman Avenue is before the Zoning Hearing Board. The oblong portion which has access onto Jefferson Avenue is fenced off from the “front parcel” and not part of the application. (N.T. p. 29-307) (Exhibit A-3, 4)

2. Excel/the Applicant, opened its business December 1, 2013 of complete automotive repair, including body work, mechanical and routine maintenance such as oil changes (N.T. p. 11-12)

3. The Applicant requests approval to (a) add the sale of used vehicles as an additional use; (b) exceed the minimum parking requirement; and (c) erect an additional free-standing pole sign. (N.T. p. 5, 12, 13) (Exhibit ZHB-3)

4. Given the need for a business sign to be visible from both directions, the obstruction of the existing sign visibility by a tree and the adjacent neighbor’s signage, and the willingness of the Applicant to accept a condition, the Zoning Hearing Board found that a new free-standing pole sign, compliant to zoning dimensions may be erected within the front yard setback at same encroachment into front yard as the existing sign. Within five (5)

days of the erection of the new sign, the existing sign shall be removed. The location of the new sign, east/west, within the front yard setback shall be determined during the land development process. (N.T. p. 17, 21-23, 26-27, 32-44)

5. Applicant agreed to turn off the new/proposed internally illuminated sign at 8:00 p.m. (N.T. p. 25)

6. The Applicant intends to have no more than ten (10) cars for sale and they would be parked behind and within the front yard fenced area. All visitor parking will be along Cottman Avenue outside the fence. Inside the fence will be the used cars for sale and vehicles being repaired. The parking exceeds the minimum required, but will be less than could be placed on the lot. (N.T. p. 14, 30) (Exhibit A-4)

7. The sale of used cars is a natural expansion of the existing non-conforming repair business. (N.T. p. 12-13)

8. Surrounding/nearby properties to the east are residential and to the west along Cottman Avenue are commercial (N.T. p. 30) (Exhibit A-3)

9. To buffer the adjacent residential property, the Applicant will construct a green zone varying in depth from ten (10) to twenty (20) feet along the side and rear. (N.T. p. 30-31) (Exhibit A-4)

IV. LEGAL DISCUSSION

The variance provisions of the Cheltenham Township Zoning Ordinance provide for an escape valve so that when regulations which apply to all are unnecessarily burdensome to a few because of certain unique circumstances, means of relief from mandates of the ordinance is provided: National Land and Dev. Co. vs. Kohn, 419 Pa. 504 (1965).

Section 910.2 of the Municipalities Planning Code provides in part as follows:

"The Board may grant a variance provided the following findings are made where relevant in a given case:

(1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located;

(2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;

(3) That such unnecessary hardship has not been created by the appellant;

(4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and

(5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue."

V. ORDER

The Applicant's requests are granted with conditions. The granted requests are that (1) the property may have an additional use as a used motor vehicle sales agency; (2) the parking is allowed per Applicant's Exhibit #4; and (3) a new free-standing sign encroaching into the front yard setback may be erected.

The conditions are that (1) green space be installed per Applicant's Exhibit #4; (2) the old sign be removed within five (5) days of the erection of the new sign; and (3) the sign be turned off at 8:00 p.m.

CHELTENHAM TOWNSHIP ZONING HEARING BOARD



AMEE FARRELL, CHAIRPERSON



ALAN S. GOLD, VICE CHAIRPERSON



PETER R. LABIAK, MEMBER

**IN AND BEFORE THE ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP, PENNSYLVANIA**

**IN RE: Application of Father Ihor Royik
 of Annunciation Catholic Church
 NO. 3489**

FINDINGS OF FACT, OPINION AND ORDER

I. PETITION

This matter is before the Board on the application of Father Ihor Royik of Annunciation Catholic Church for property located at 1206 Valley Road, Elkins Park, PA 19027. Applicant requested the following:

- a. A variance from CCS 295-36F in order to erect two (2) flag poles in the front yard setback; and
- b. A variance from the Rules and Regulations of a CCS 295-197A(4) in order to erect and maintain a non-conforming Reader Board sign measuring 23 square feet and 9 feet high in the front yard setback in addition to their existing free standing identification sign.

The property is located in the R-4 Residential Zoning District.

II. HEARING

Hearing on the subject application was held on June 9, 2014.

The Hearing was held before Amee Farrell, Esq., Chairperson; Alan S. Gold, Vice Chairperson; Carol M. Lauchmen, Esq., Solicitor, and Carmen Reitano, Assistant Township

Zoning Officer and Zoning Board Secretary. Peter R. Labiak, a church member recused himself from the Hearing and vote.

III. FINDINGS OF FACT

The following findings were made following competent testimony before the Board.

1. The subject property is at the corner of Old York Road and Valley Road in an R-4 district and is improved and utilized as a church, a permitted use in R-4. (Exhibit ZHB-3 and ZHB-4)
2. The Applicant proposes to erect two (2) flag poles as an accessory use in the front yard along Old York Road, one (1) USA flag and one (1) Ukranian flag. (N.T. p. 9)
3. With the flag poles, the Applicant proposes to erect a 23 square foot sign identifying the church. The sign would also have changeable copy with which to post services and special events. The sign would be internally illuminated, with no blinking. (N.T. p. 5-8) (Exhibit ZHB-9)
4. The existing sign is a small arch which is difficult to see from the roadway. It would remain after the new sign is erected. (N.T. p. 6, 7)

IV. DISCUSSION

The Board finds that the proposed flag poles are, when grouped with the proposed sign, an appropriate accessory use to the church.

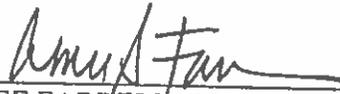
The church needs a sign that can be seen and which posts service times and events. The existing sign is so insignificant, and both signs may exist on the property.

V. ORDER

WHEREFORE, on June 9, 2014, the Cheltenham Township Zoning Hearing Board approves the variance from CCS 295-36F to permit the erection of two (2) flag poles as an accessory use.

A variance from CCS 295-197A(4) is approved to allow a 23 square foot Reader Board sign to be erected and leaving the existing small sign in place.

CHELtenham TOWNSHIP ZONING HEARING BOARD



AMEE FARRELL, CHAIRPERSON



ALAN S. GOLD, VICE CHAIRPERSON

**IN AND BEFORE THE ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP, PENNSYLVANIA**

**IN RE: Application of Arcadia University
NO. 3490**

FINDINGS OF FACT, OPINION AND ORDER

I. PETITION

This matter is before the Board on the application of Arcadia University for property located at 450 S. Easton Road, Glenside, PA 19038. Applicant requested the following relief:

a. Variances from the Rules and Regulations of the Class R-3 Residence District as outlined in CCS 295-21, for a short stay residential facility accessory to Arcadia University in the existing residential/administrative office building on the property at the Southwest corner of Church and Waverly Road;

b. In the alternative to (a), a Special Exception from CCS 295-227(B) for the alteration of a non-conforming building and CCS 295-227(C)(3) for the extension of a non-conforming use.

The property is located in the R3 Residential Zoning District.

II. HEARING

Hearing on the subject application was held on June 17, 2014.

The Hearing was held before Amee Farrell, Esq., Chairperson; Michael McCann, Alternate Board Member; Peter R. Labiak, Board Member; Carol M. Lauchmen, Esq.,

Solicitor, Henry Sekawungu, Director of Planning and Zoning; and Carmen Reitano, Assistant Township Zoning Officer and Zoning Board Secretary.

Throughout the proceedings the Applicant was represented by William F. Kerr, Esquire.

III. FINDINGS OF FACT

The following findings were made following competent testimony before the Board.

1. The subject property is zoned R-3, is one (1) acre in size, and is improved with a residential dwelling. (N.T. p. 7) (Exhibit A1-3)
2. Several years ago the Zoning Hearing Board granted the Applicant relief to change the then residential use to office use. Arcadia has now determined that the need is for a short stay residential facility. (N.T. p 6)
3. The structure is being rebuilt, restored, and will provide six (6) bedroom/bathroom suites to be used for visiting lecturers or other guests of the university. (N.T. p. 6-7)
4. Adequate parking will be provided. (N.T. p. 8)
5. The Applicant agreed to the condition that the facility would not be made available to rental by the public at large. (N.T. p. 8, 14)
6. At the Hearing, the Applicant offered the Zoning Hearing Board a different ground for approval; i.e., Section 295-227(F) which authorizes the Board "to determine what resumption or change of non-conforming use is of the same class of use and permissible". (N.T. p. 10-12)
7. The Zoning Hearing Board finds that the proposed use is permissible under the above cited section given that the use is less intensive than the office use, and would be

permissible as an accessory use under the overall non-conforming use of the property; namely, educational institution.

IV. DISCUSSION

The subject parcel is zoned R-3 and is adjacent to the main campus of the university. Although the Board finds that this application would fit under Section 295-227(F), the Board also approves the request as a variance, from office use to a short stay residential facility for use by the university's guests. The refurbished exterior will be a benefit to the neighborhood.

V. ORDER

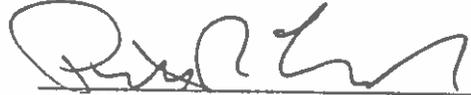
WHEREFORE, on June 17, 2014, the Cheltenham Township Zoning Hearing Board granted relief under Section 295-21 to allow the use of property at the southwest corner of Church and Waverly Roads, Glenside, as a short stay residential facility with the condition that there be no rental to the general public.

CHELLENHAM TOWNSHIP ZONING HEARING BOARD



AMEE FARRELL, CHAIRPERSON

MICHAEL McCANN, ALTERNATE BOARD MEMBER



PETER R. LABIAK, MEMBER

**BUILDING INSPECTOR'S
REPORT
FOR JULY, 2014**

July 29, 2014

COMMISSIONERS OF CHELTENHAM TOWNSHIP
ELKINS PARK, PA 19027

COMMISSIONERS OF CHELTENHAM TOWNSHIP
REPORT OF THE BUILDING INSPECTOR FOR JULY, 2014

	# PERMITS	TOT. FEES	\$ VALUE
RESIDENTIAL			
RENOVATIONS / ALTERATIONS	91	21347	1,067,350
MULTI-FAMILY			
RENOVATIONS / ALTERATIONS	0	0	0
COMMERCIAL			
RENOVATIONS / ALTERATIONS	2	1158	57,900
INSTITUTIONAL			
RENOVATIONS / ALTERATIONS	1	379	18,950
FENCE	5	617.50	617.50
JULY, 2014	99	23,501.50	1,144,817.50
JULY, 2013	31	11,559.50	561,192.50
YEAR-TO-DATE 2014	555	151,114.50	7,507,342.50
TOTAL 2013	794	336,313	16,810,520
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HEATING & AIR CONDITIONING			
JULY, 2014	23	4248	212,400
JULY, 2013	5	3,539	176,950
YEAR-TO-DATE 2014	69	20,416	1,017,350
TOTAL 2013	56	28,678	1,502,607
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ELECTRICAL			
JULY, 2014	27	3352	167,600
JULY, 2013	5	2968	148,400
YEAR-TO-DATE 2014	91	27,315	1,365,750
TOTAL 2013	98	37,164	1,843,207
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PLUMBING			
JULY, 2014	26	2721	136,050
JULY, 2013	5	2,074	103,700
YEAR-TO-DATE 2014	100	22,458	1,088,593
TOTAL 2013	105	25,255	1,261,750
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FOG PERMITS, JUNE 2014	5	2500	2500
GRADING PERMITS, JUNE 2014	0	0	0
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Henry Sekawungu
Director - Planning and Zoning