

BUILDING AND ZONING COMMITTEE

AGENDA

WEDNESDAY, SEPTEMBER 7, 2011

8:00 P.M.

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

**MICHAEL J. SWAVOLA – CHAIRMAN
ART HAYWOOD – VICE CHAIRMAN
KATHY A. HAMPTON - MEMBER
CHARLES D. MC KEOWN – MEMBER
J. ANDREW SHARKEY – MEMBER
MORTON J. SIMON, JR. – MEMBER
HARVEY PORTNER – EX-OFFICIO MEMBER**

1. Review of the Zoning Hearing Board Agenda for September 12, 2011; see attached.
2. Review of the minutes for the Planning Commission meeting of August 22, 2011; see attached.
3. Review of Recent Decision(s) of the Zoning Hearing Board
4. Report of the Building Inspector for July 2011 (see attached).
5. Old Business
6. New Business
7. Citizens' Forum
8. Adjournment



David G. Krainik
Township Manager

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for 7803 Montgomery Avenue, Elkins Park, PA 19027 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, August 22, at 7:30 P.M. at the Township Administration Building Boardroom, 8230 Old York Rd. Elkins Park, PA 19027.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, September 7, 2011 at 8:00 P.M. at Curtis Hall, at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

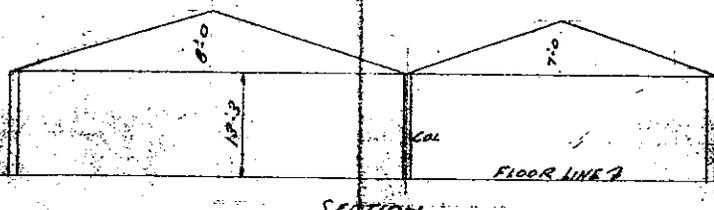
This application will be heard by the Zoning Hearing Board on Monday, September 12, 2011 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3413: Appeal of Montgomery Court Realty Co., L.P., owner of premises known as 7803 Montgomery Avenue, Elkins Park, PA 19027, from the Decision of the Zoning Officer in order to operate a Private Ambulance Service from the premises

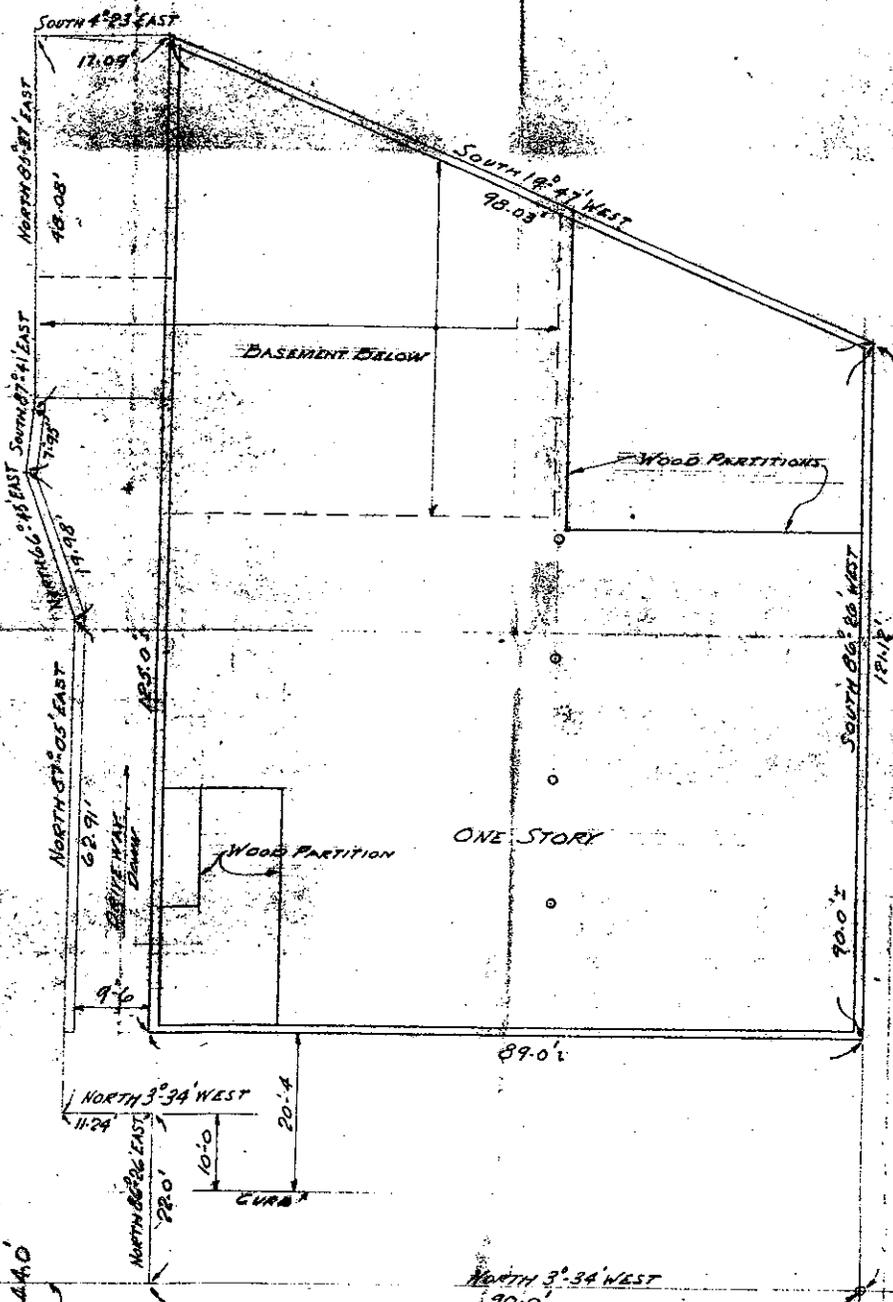
- a. A Determination that the storage of Private Ambulance on the premises overnight is not a function of the operation of a Private Ambulance Service and thus permitted as a legal nonconforming use of the premises per the grant of relief under ZHB Appeal No. 1563.
- b. In the alternative to a, above, a Determination, pursuant to "Nonconforming Uses" as outlined in CCS 295-227.F., that the operation of a Private Ambulance Service is of the same class of use as the previously approved nonconforming use(s) and thus permissible.
- c. In the alternative to a. and b., above, a Variance from the Rules and Regulations of the Class R-5 Residence District as outlined in CCS 295-43. for the operation of a Private Ambulance Service instead of one of the enumerated permitted uses.

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

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



NOTES:
 FIRST FLOOR AREA 10000 SQ. FT. A
 FIRST FLOOR CUBAGE 260000 CU. FT. A
 ROOF 2' 0" ABOVE GROUND FLOOR
 OUTSIDE WALLS - BRICK
 ROOF - WOOD CONSTRUCTION
 FLOOR - CEMENT



E. OF ASHBORNE RD.

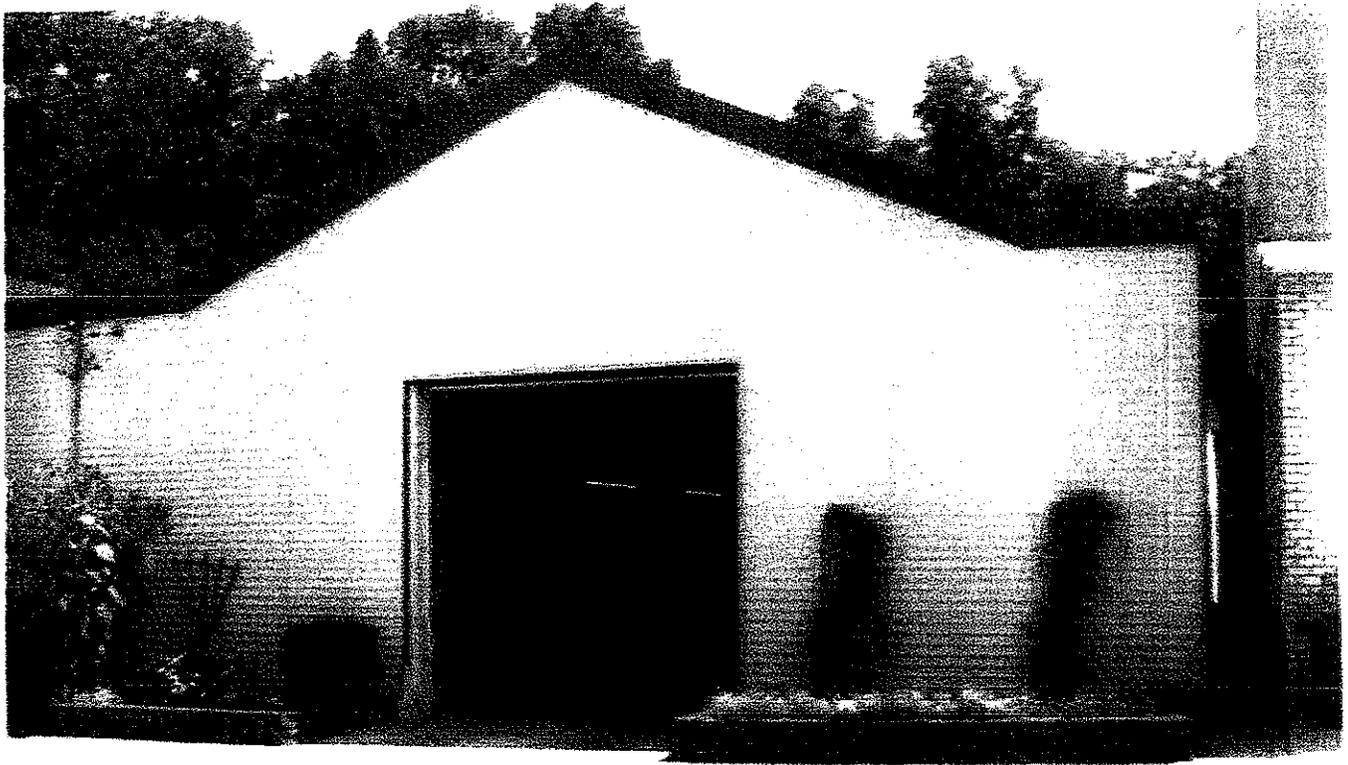
☐ OF MONTGOMERY AVE

100'-0"
 (NOT TO SCALE)

PLOT PLAN
 7803-09 MONTGOMERY AVE.
 ELKINS PARK PA.
 SCALE 1/8" = 1'-0"
 JAN. 25, 1958

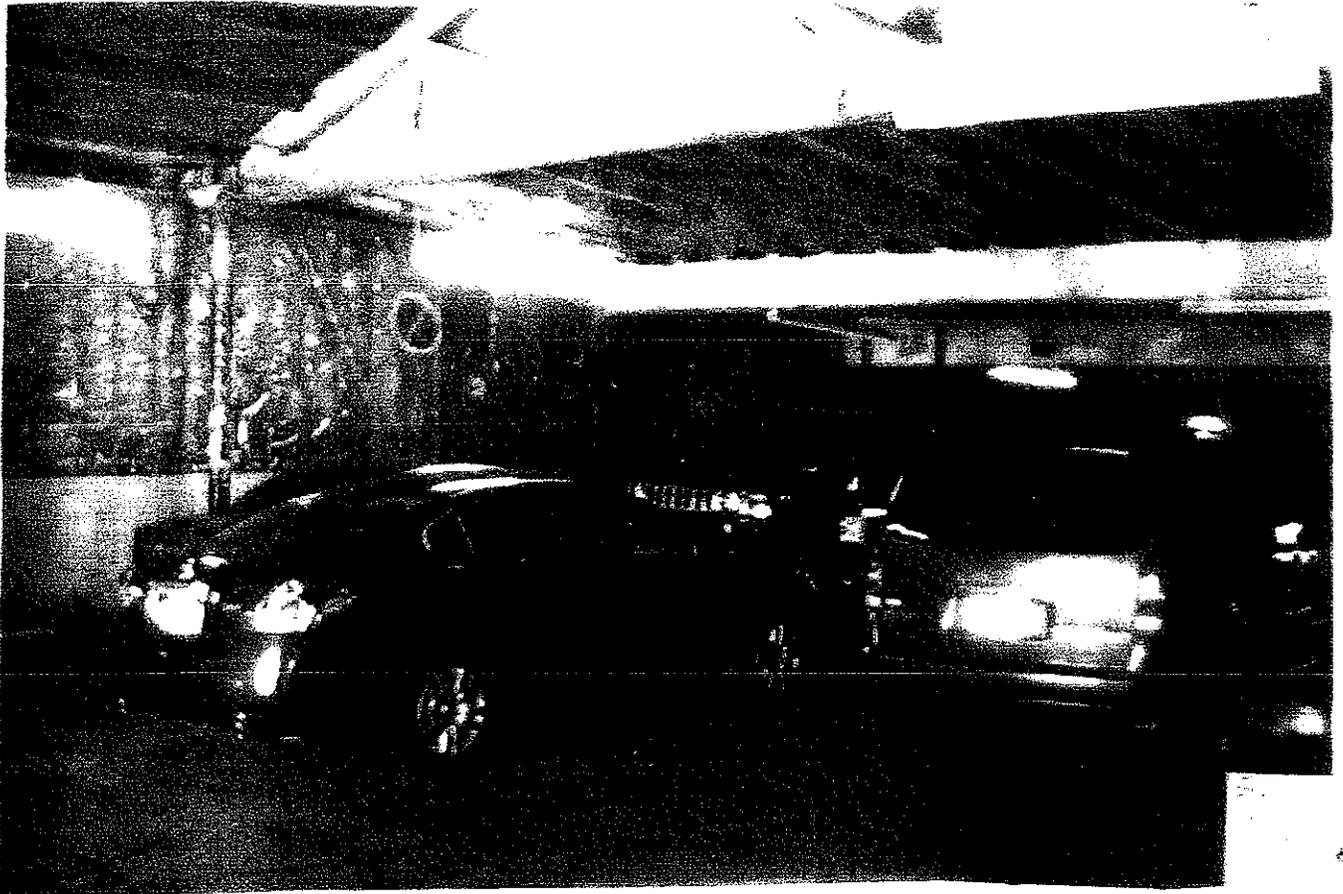
21P 34.3-8

ROSENGARTEN & KRAEMER
 ARCHITECTURAL ENGINEERS
 10 SOUTH BROAD ST. PHILADELPHIA, PA.



* Approximate location

2AB 3413-10.1



* Appendix 11: 00:00

2.13 3413-10.4

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for 8460 Limekiln Pike, Wyncote, PA 19095 (a/k/a Building No. 1 at "Towers at Wyncote" apartment complex), will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, August 22, at 7:30 P.M. at the Township Administration Building Boardroom, 8230 Old York Rd. Elkins Park, PA 19027.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, September 7, 2011 at 8:00 P.M. at Curtis Hall, 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, September 12, 2011 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

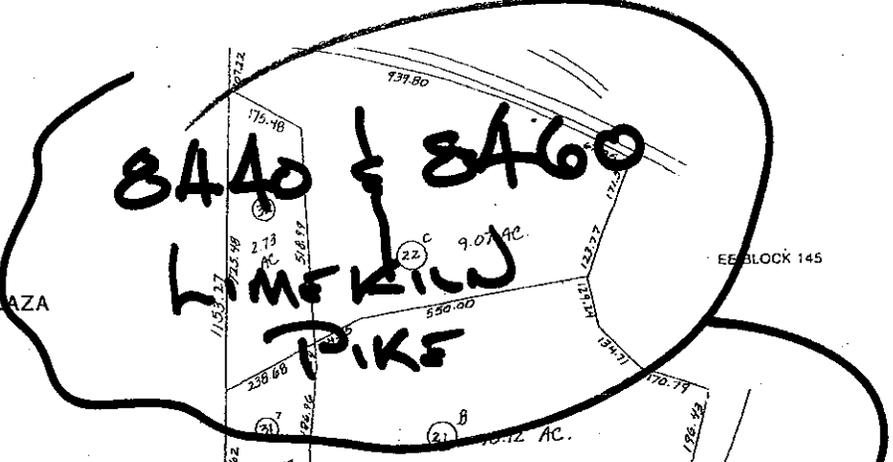
APPEAL NO. 3414: (Continued) Appeal of Fairfield Wyncote, LLC, owner of premises known as 8460 Limekiln Pike, Wyncote, PA 19095 (a/k/a Building No. 1 at the "Towers at Wyncote" apartment complex), from the Decision of the Zoning Relief in order to construct and operate a 75' x 132' (9,900 SF) Dog Park for the use of the residents of the Apartment Complex only:

- a. A Determination that a Dog Park is a "customary" accessory use for a Multiple Dwelling and thus permitted per CCS 295-98.D.
- b. In the alternative to a, above, a Special Exception in accordance with the Rules and Regulations of CCS 295-98.E. as the proposed Dog Park is of the same general character as any of the enumerated permitted uses.
- c. In the alternative to a. and b., above, a Variance from the Rules and Regulations of the Class C-1 Commercial District as outlined in CCS 295-98. for the proposed Dog Park instead of one of the enumerated permitted uses.

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

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

Blk. 140



19
33.122 AC.
CEDARBROOK PLAZA

EE BLOCK 145

8440 & 8460
LIMEKILL
PIKE

AVE.

PHILADELPHIA

OF

CITY

VERNON RD.

CHELLENHAM

452.31
3.50 AC.
Lot D.2.
452.31
3.30 AC.
335.26
5.13 AC.
118.95

12
22.15 AC.

28
24.24 AC.

36
3.59 AC.

27
3.63 AC.

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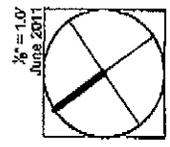
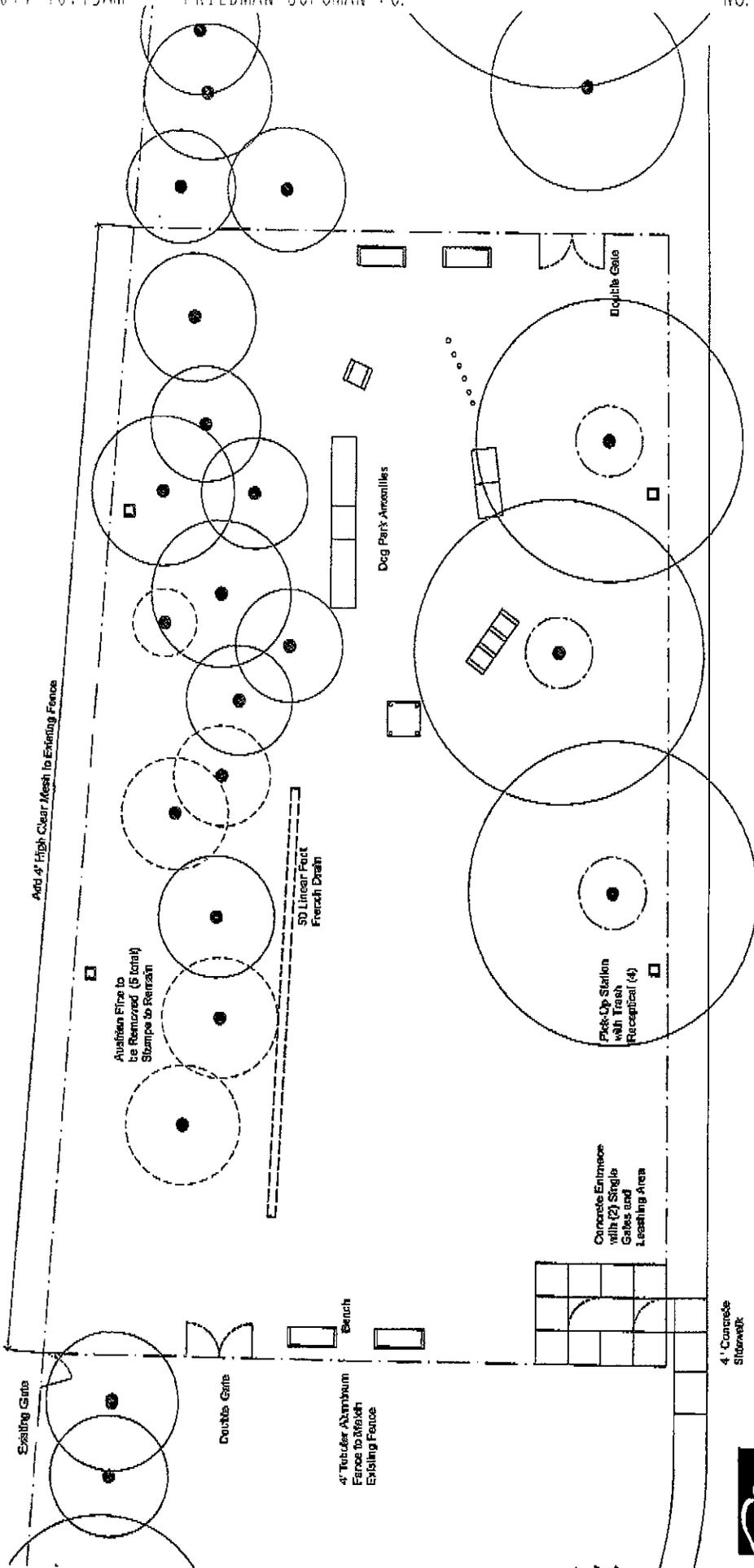
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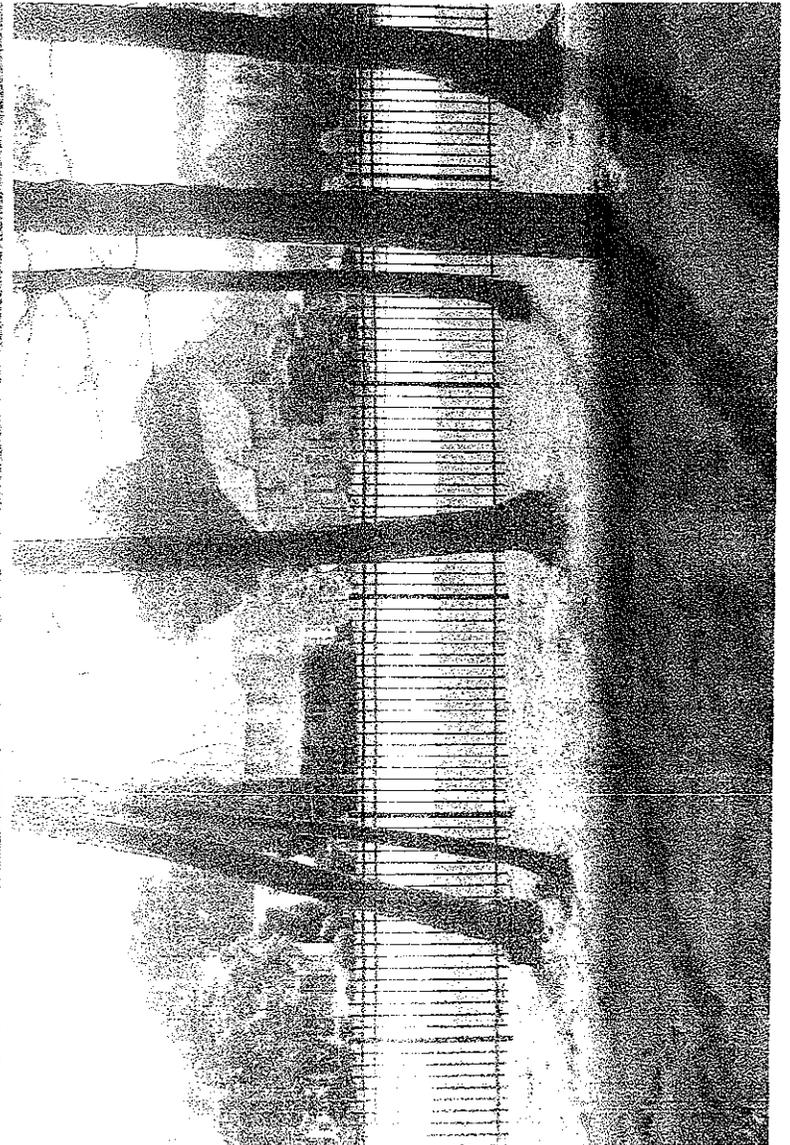
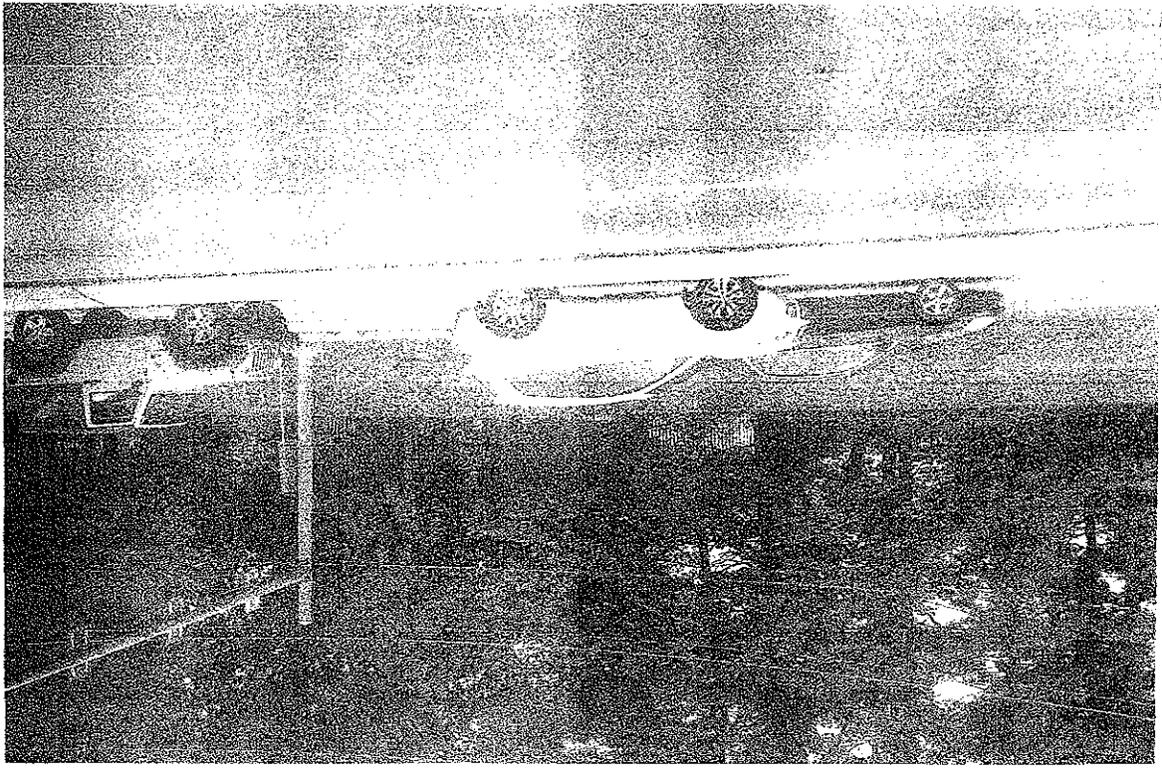
Route 3129

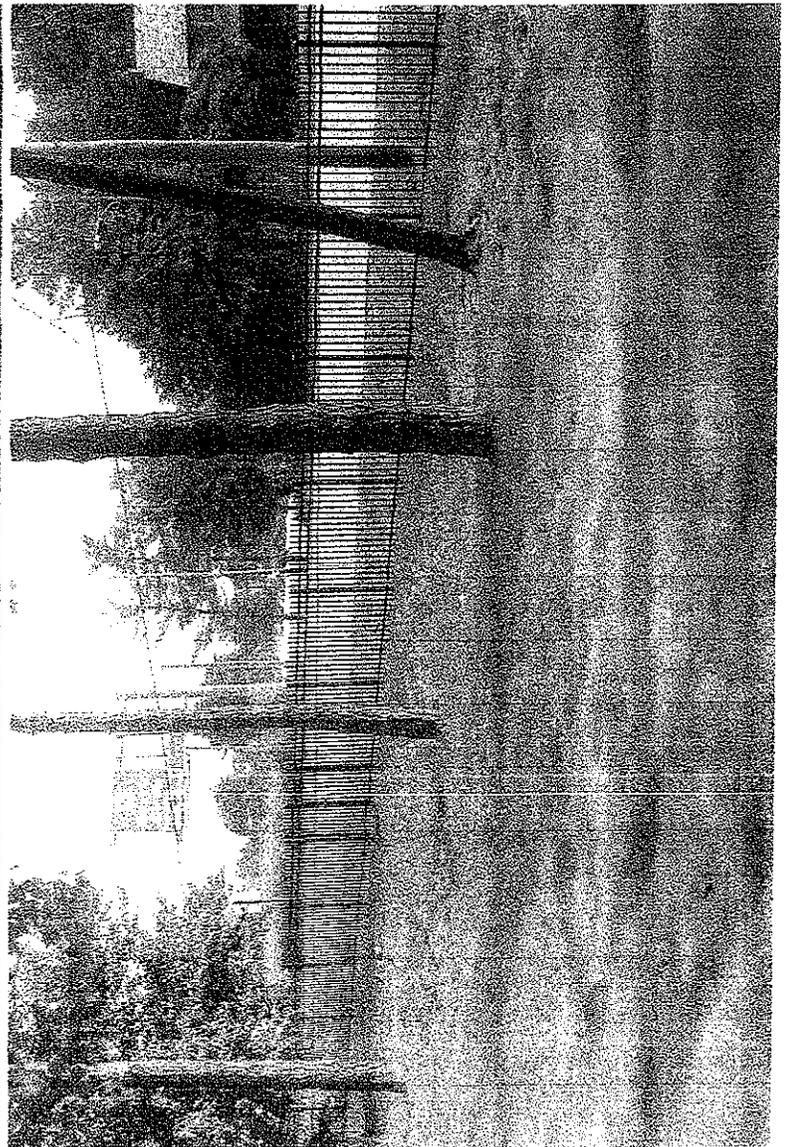
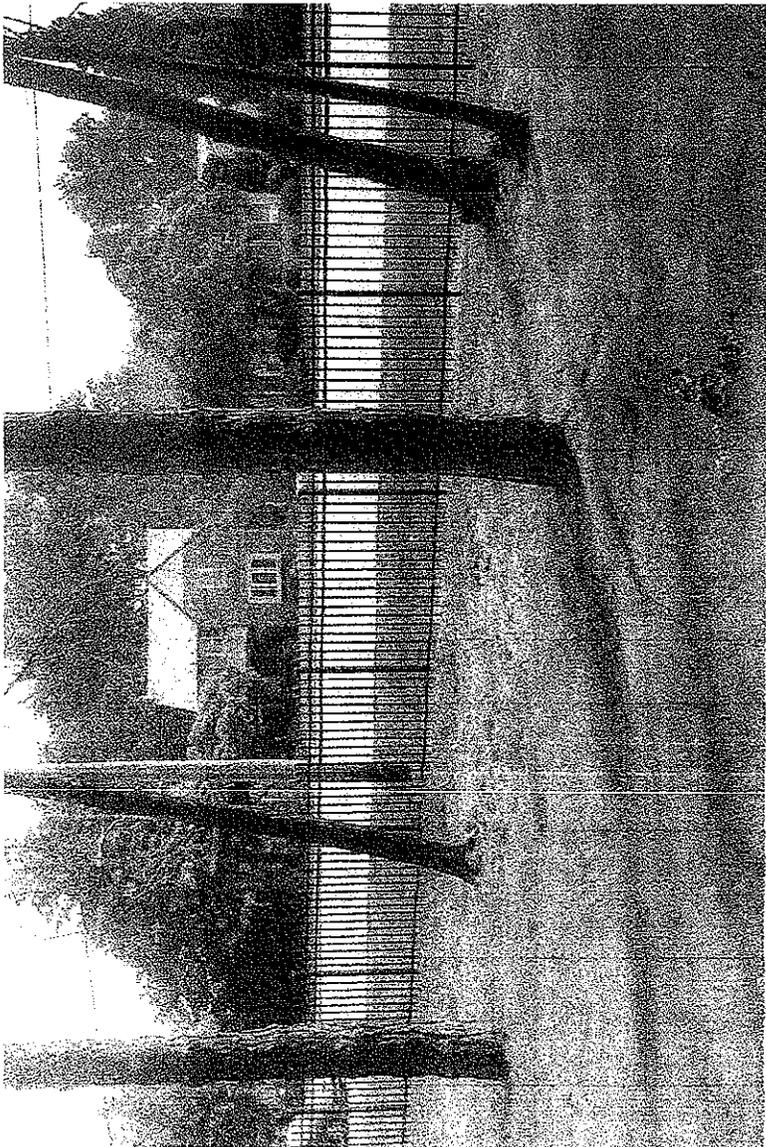


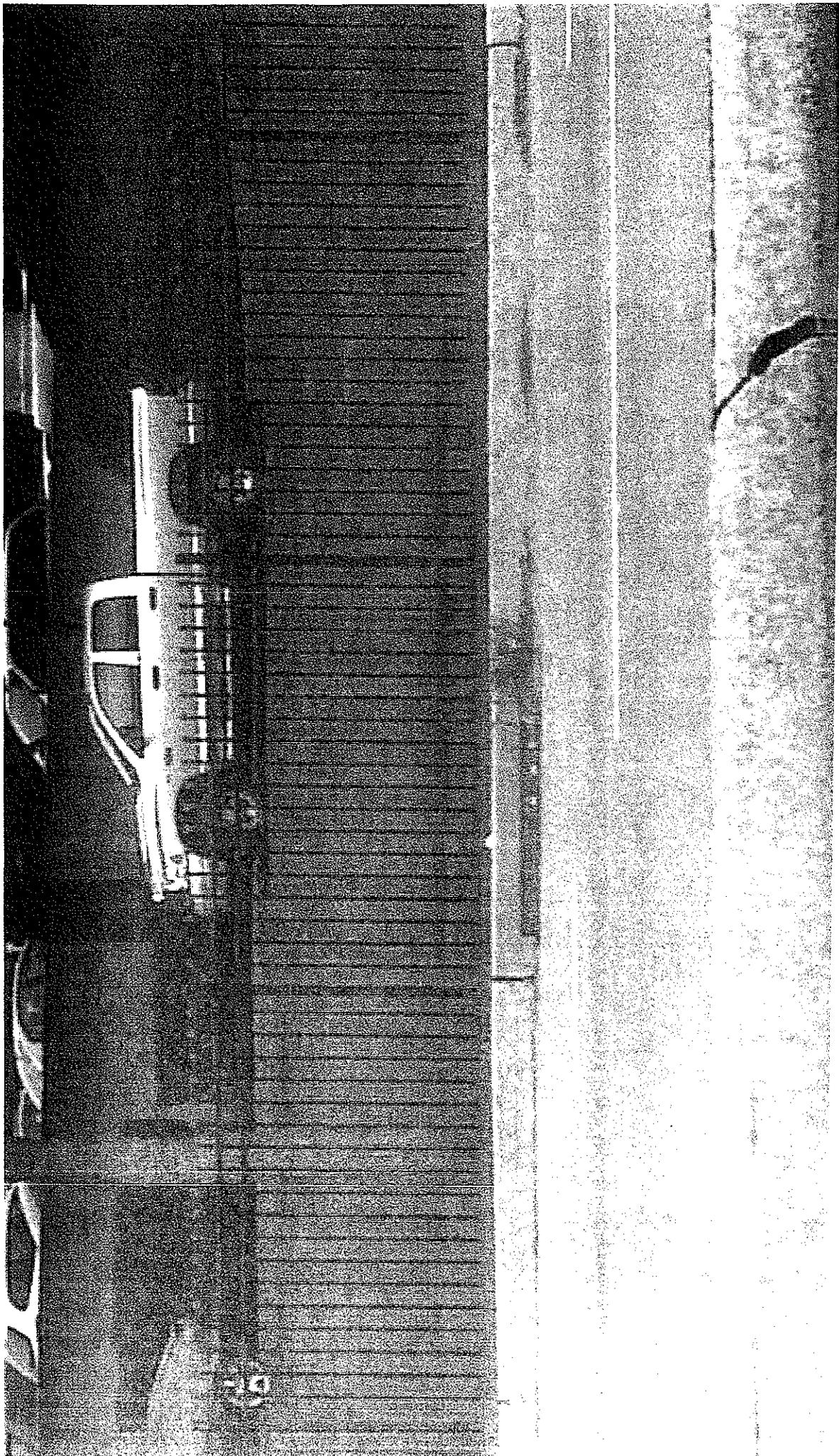
Concept Plan - Dog Park
Towers at Wyncote
 Chester Township, Montgomery County, Pennsylvania



243 3414-3.9







NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for 8031 Old York Road, Elkins Park, PA 19027 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, August 22, at 7:30 P.M. at the Township Administration Building Boardroom, 8230 Old York Rd. Elkins Park, PA 19027.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, September 7, 2011 at 8:00 P.M. at Curtis Hall, at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

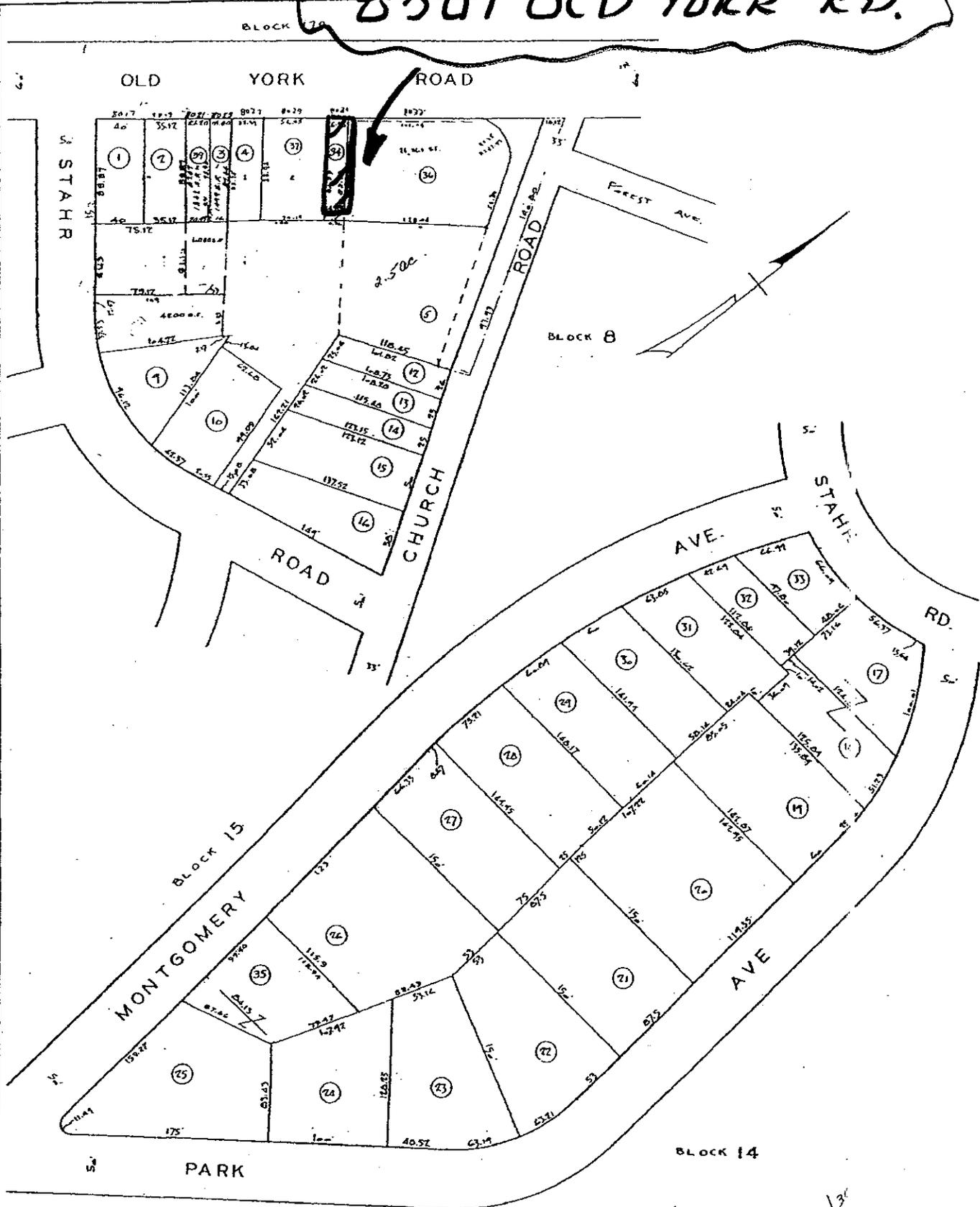
This application will be heard by the Zoning Hearing Board on Monday, September 12, 2011 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3415: Appeal of Dr. Rami E. Geffner, equitable Owner of 8031 Old York Road, Elkins Park, PA 19027 (formerly "Rosenbluth Travel"), from the Decision of the Zoning Officer for a Variance from the Rules and Regulations of "Parking and Loading" as outlined in CCS 295-221.H. for providing zero off-street parking spaces on the premises for a Medical Office instead of the required 5 parking spaces.

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.

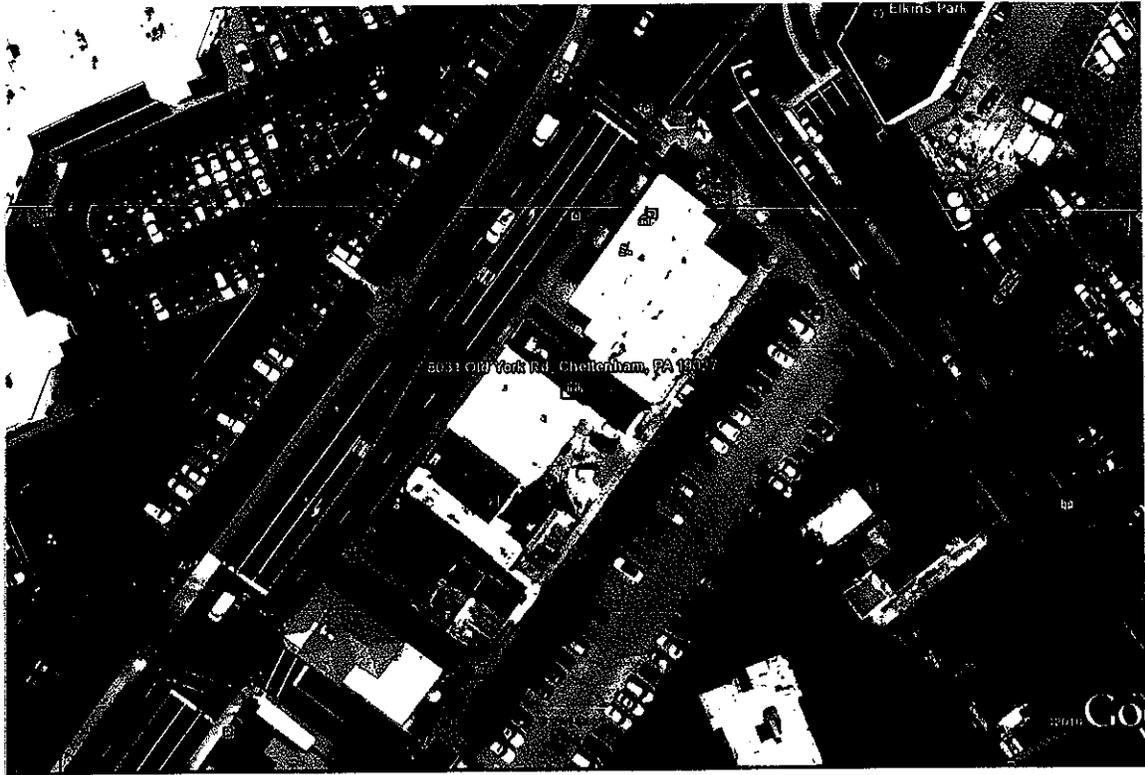
Any person or persons with a disability requiring a special accommodation to participate in the meeting should notify Nancy K. Gibson at 215-887-1000 at least 5 work days prior to the meeting.

8301 OLD YORK RD.



ZHB 3415-4

CHELTEMPHAM TOWNSHIP
 MONTGOMERY CO PA
 REAL ESTATE REGISTRY
BLOCK 13
 SCALE 1"=50'
 JULY 2, 1929. DRAWN BY MHC
 CHECKED BY MHC



ZHA 3415-8.2



ZAB 3415-8.1

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for 8200 Ogontz Avenue, Wyncote PA 19095 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, August 22, at 7:30 P.M. at the Township Administration Building Boardroom, 8230 Old York Rd. Elkins Park, PA 19027.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, September 7, 2011 at 8:00 P.M. at Curtis Hall, 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, September 12, 2011 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

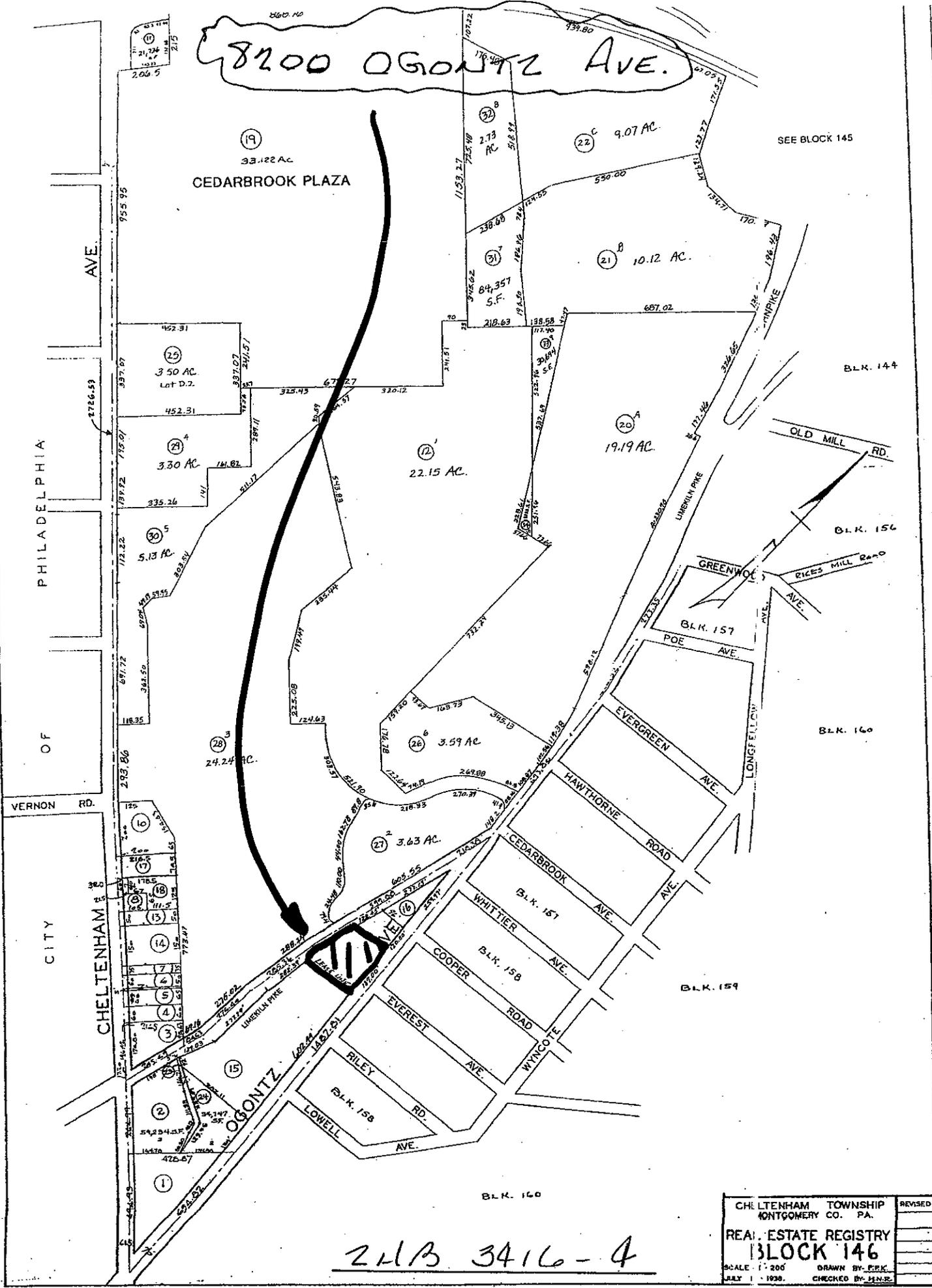
APPEAL NO. 3416: Appeal of Aldi, Inc., Tenant at 8200 Ogontz Avenue, Wyncote, PA 19095 (a/k/a "Ogontz Shopping Center"), from the Decision of the Zoning Officer for the following Zoning Relief in order to renovate and expand its Food Market facility on the premises from approximately 15,568 SF to approximately 18,302 SF:

- a. Zoning Relief from the Rules and Regulations of the Class C-2 Commercial and Business District as outlined in Article XVI of Chapter 295 of the Cheltenham Code, as follows:
 - i. A Variance from CCS 295-111.A.(1) for a lesser Front Yard Setback of 33.3' for the proposed building expansion from the Limekiln Pike frontage of the premises instead of the minimum required 40' (the minimum Front Yard Setback from the Limekiln Pike frontage of the existing Aldi's is 19.9').
 - ii. A Determination that the following nonconformities from CCS 295-114. are legal nonconformities:
 1. Green Area of 4.3%.
 2. No landscaped buffer strip at least 15' wide abutting entire perimeter of premises.
 3. Vehicular parking within 15' of the street lines.
 4. Five (5) driveways in excess of 20' width.
 - iii. In the alternative to a. ii, above, Variances from CCS 295-114., as follows:
 1. For a Green Area of 4.3% instead of the minimum required 25%.
 2. For no landscaped buffer abutting the entire perimeter of the premises instead of the minimum required 15' wide landscaped buffer.
 3. For vehicular parking within 15' of the street lines instead of no vehicular parking.
 4. For five (5) driveways in excess of 20' wide each instead of the permitted two (2) driveways not greater than 20' width each.
- b. A Determination that the proposed wall signage: on north façade: Aldi logo sign @ 31.2 SF and "Food Market" sign @ 21.3 SF; and on East façade: "Food Market" sign @ 21.3 SF is a continuation of existing non-conforming signage (Zoning Relief for three (3) parallel wall signs was granted under ZHB Appeal No. 3346).
- c. In the alternative to b., above, a Variance from CCS 295-197.C.(2) (b) [1] for three (3) parallel wall signs instead of the maximum permitted two (2) signs.

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.

8200 OGONTZ AVE.



21B 3416-4

CHELTENHAM TOWNSHIP MONTGOMERY CO. PA.		REVISED
REAL ESTATE REGISTRY		
BLOCK 146		
SCALE: 1" = 200'	DRAWN BY: K.F.K.	
JULY 1, 1928.	CHECKED BY: H.N.R.	

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for 325 High Avenue, Melrose Park, PA 19027 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, August 22, at 7:30 P.M. at the Township Administration Building Boardroom, 8230 Old York Rd. Elkins Park, PA 19027.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, September 7, 2011 at 8:00 P.M. at Curtis Hall, 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, September 12, 2011 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

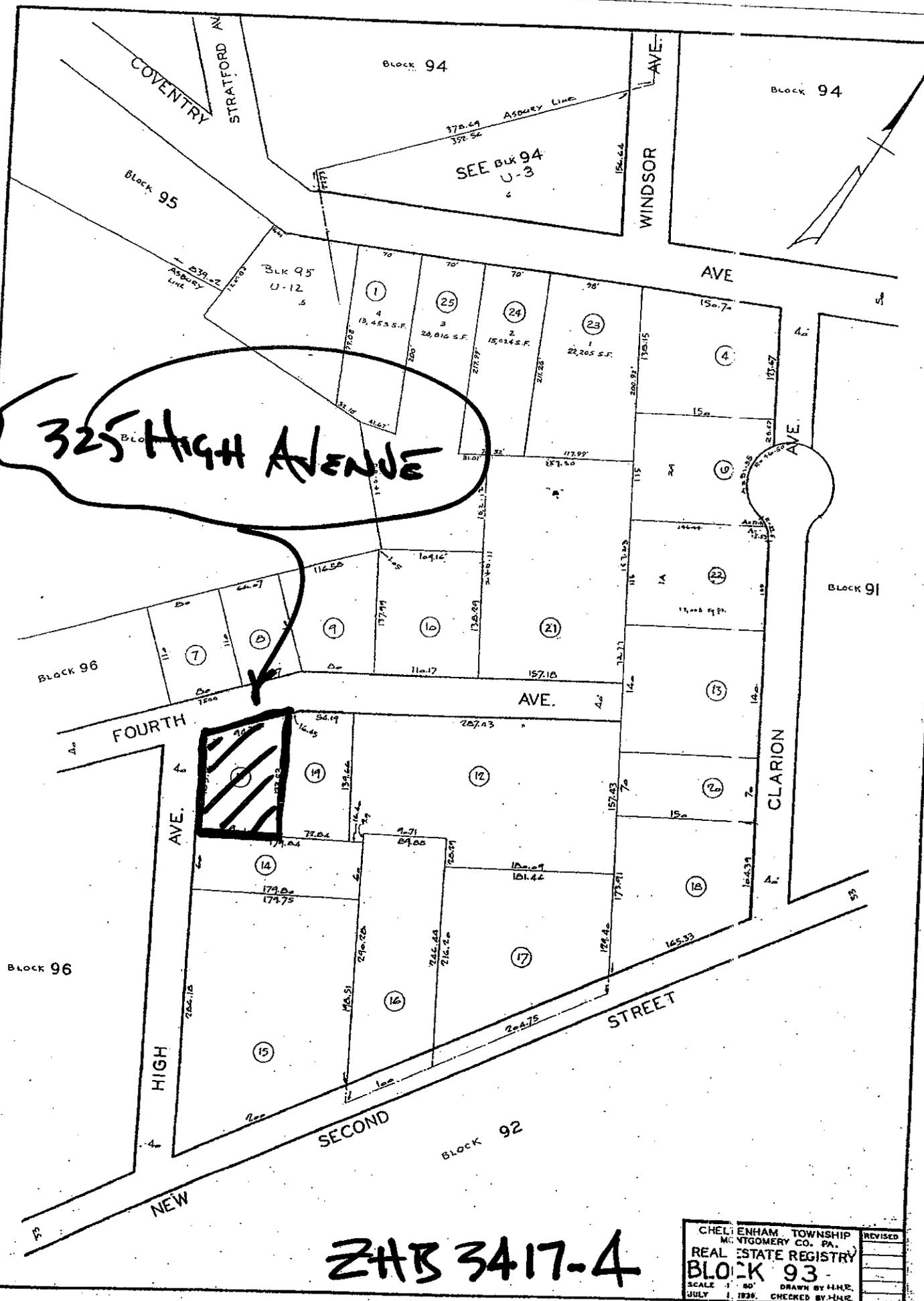
APPEAL NO. 3417: Appeal of Peter E. Olsho and Jane J. Wilkie, owners of premises known as 325 High Avenue, Melrose Park, PA 19027 from the Decision of the Zoning Officer for the following Zoning Relief in order to place a 8'X16' pre-fabricated shed in the rear yard of the premises:

- a. A Variance from the Rules and Regulations of the Class R-4 Residence District as outlined in CCS 295-39.B.(1) for a lesser Side Yard Setback of 5' for the shed instead of the minimum required 10'.
- b. A Variance from "Yard Regulations" as outlined in CCS 295-220.C. for a lesser Rear Yard Setback of 5' for the shed instead of the minimum required 15'.

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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325 HIGH AVENUE



ZHB 3417-4

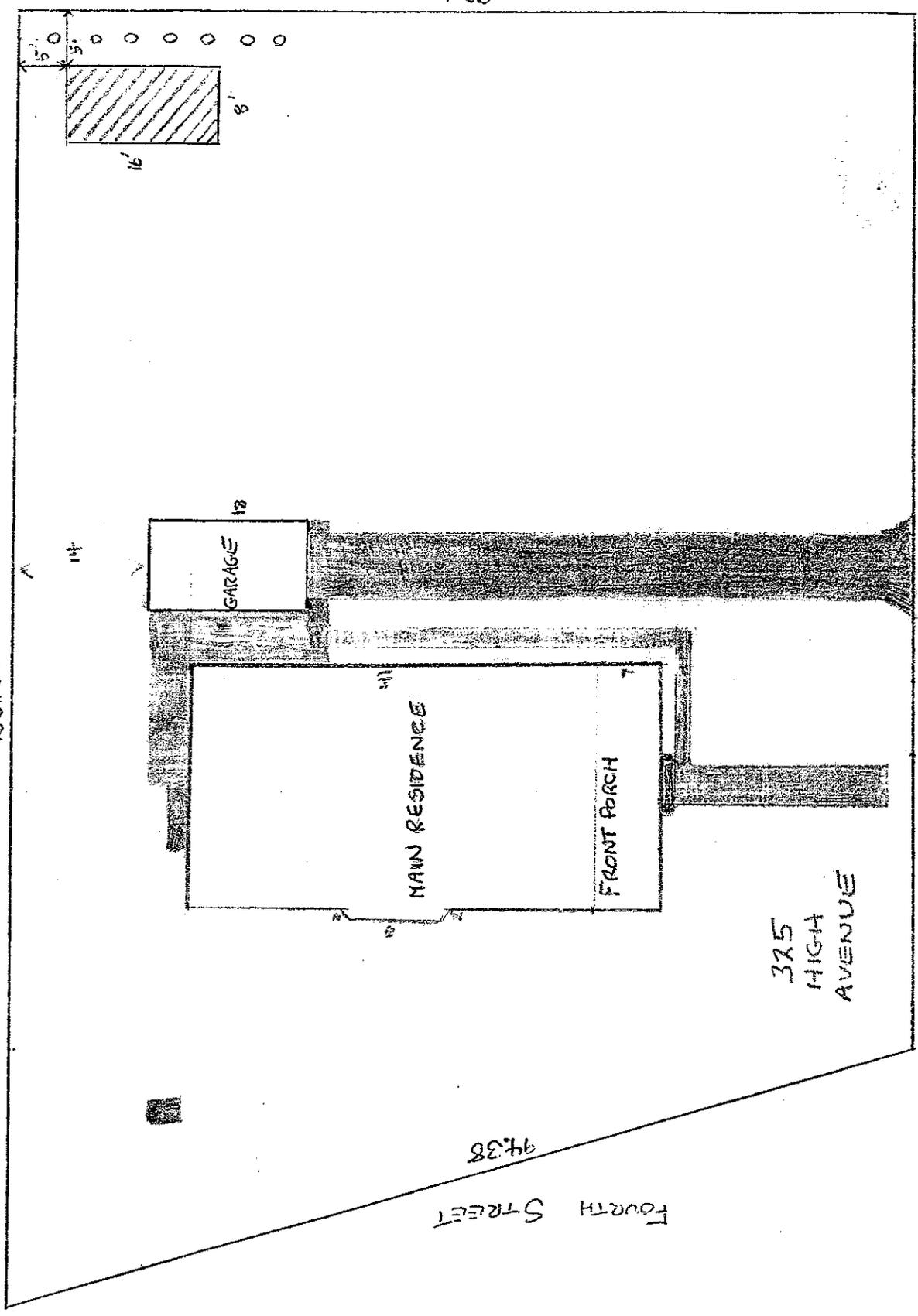
CHELTENHAM TOWNSHIP
 MONTGOMERY CO., PA.
 REAL ESTATE REGISTRY
BLOCK 93
 SCALE 1" = 60'
 JULY 1, 1929. CHECKED BY H.M.R.

REVISED

1" = 15'
 ○ = METEOROLOGICAL TREES
 ▨ = PHOTOGRAPH SHIELD

1'06

133.53



HIGH AVENUE

105.12

325
HIGH
AVENUE

FOURTH STREET
94.38

ZAB 3417-7.1

ZAB 3417-7.1

SHEDS USA
Delivered Built Guaranteed

No one puts more
into a shed."

Installed Sheds

GET IT
INSTALLED
More Sheds
More Sheds

All Prices INCLUDE Delivery & Installation

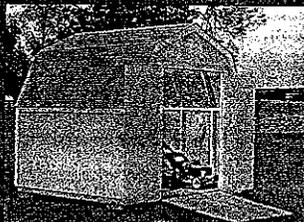


8' x 8' Val-U Sheds



Low Maintenance Vinyl

\$1,399



The Original with Smart Siding

\$999



ZKB 3417-8.1

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for 7845 Mill Road Elkins Park, PA 19027 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, August 22, at 7:30 P.M. at the Township Administration Building Boardroom, 8230 Old York Rd. Elkins Park, PA 19027.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, September 7, 2011 at 8:00 P.M. at Curtis Hall, at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

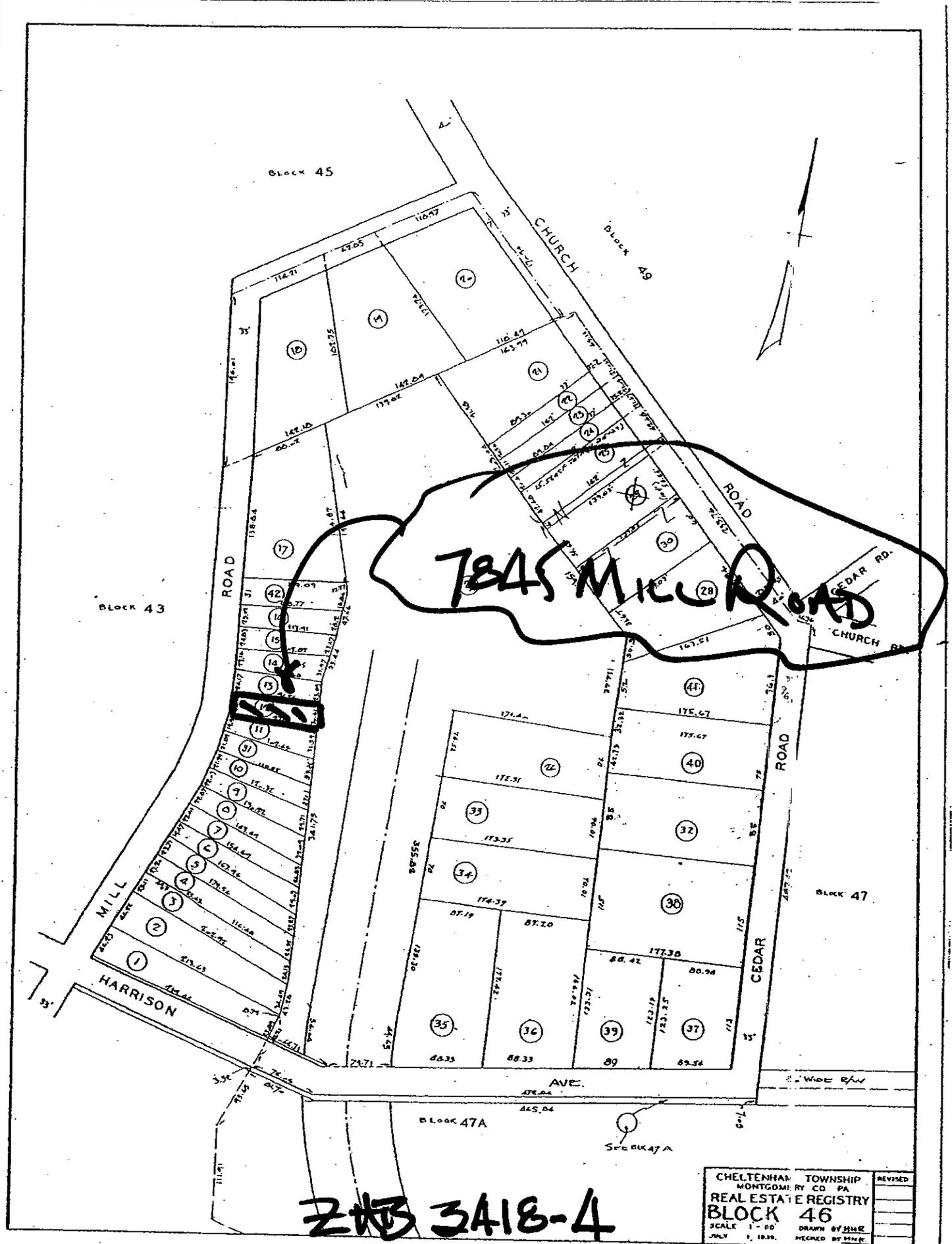
This application will be heard by the Zoning Hearing Board on Monday, September 12, 2011 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3418: Appeal of Israel and Michelle Rolling, owners of premises known as 7845 Mill Road, Elkins Park, PA 19027, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 18.75' x 13.75' (Irr.) addition to the rear of their residence:

- a. Zoning Relief from the Rules and Regulations of the Class R-7 Residence District as outlined in Article X of Chapter 295 of the Cheltenham Code, as follows:
 - i. A Variance from CCS 295-59. for a greater Building Area of 35.9% instead of the maximum permitted 35%.
 - ii. A Special Exception in accordance with CCS 295-60.B.(3) for a lesser Side Yard Setback of 3' from the south property line instead of the minimum required 9' (the southwest front corner of the residence is setback approximately 0.5' from the south property line).

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.



ZHS 3A18-4

CHELTENHAM TOWNSHIP
 MONTGOMERY CO PA
 REAL ESTATE REGISTRY
BLOCK 46
 SCALE 1" = 80'
 JULY 1, 1899
 DRAWN BY HINE
 CHECKED BY HINE

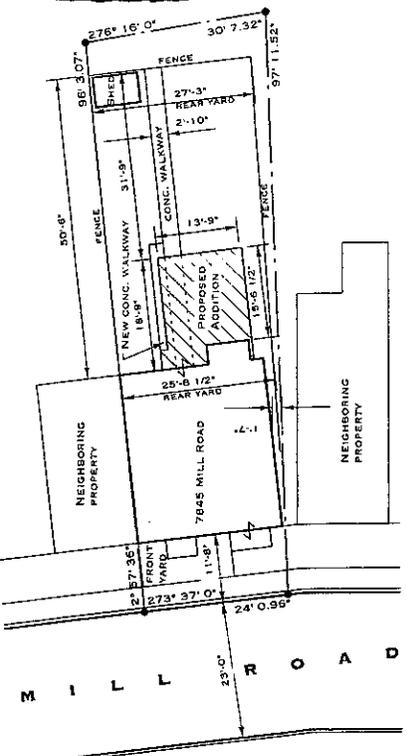
TOWNSHIP ZONING REQUIREMENTS - CHELTONHAM
7845 MILL ROAD, ELKINS PARK, PA

ZONING CLASS	FRONT YARD SETBACK	REAR YARD SETBACK	CONC. WALKWAY	REAR YARD SETBACK (MINIMUM FT.)	LOT WIDTH (MINIMUM FT.)	BUILDING AREA (% OF LOT AREA)	LOT AREA (MINIMUM S.F.)
R7	25	16	16	45	20	35%	2,500
PROPOSED R7	11'-6"	* 1'-58"	* 14'-2.5"	31'-8.75"	24'-0.96"	35.9%	2647

EXISTING	PROPOSED	NOTE
BUILDING AREA	712 S.F.	952 S.F.
IMPERVIOUS SURFACE AREA	987 S.F.	1175 S.F.

* EXISTING NON-COMFORMING

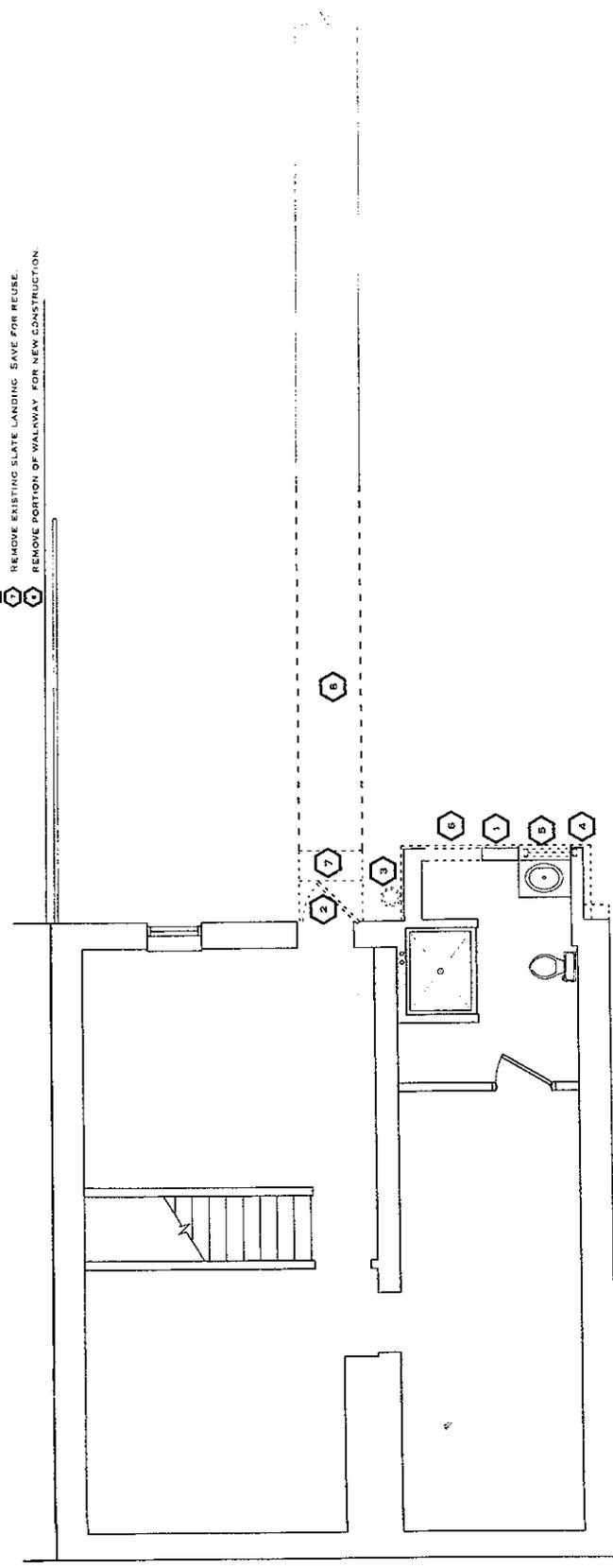
TACONY CREEK



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

DEMOLITION NOTES

- 1 REMOVE SIDING AND FURRING ON EXISTING BATHROOM
- 2 REMOVE AND RELOCATE EXISTING DOOR
- 3 REMOVE AND RELOCATE RADON EXHAUST AND PIPING
- 4 REMOVE AND RELOCATE HOSE BNG
- 5 REMOVE EXISTING WINDOW
- 6 REMOVE WINDOW AND PORTION OF WALL FOR NEW DOOR
- 7 REMOVE EXISTING SLATE LANDING SAVE FOR REUSE.
- 8 REMOVE PORTION OF WALKWAY FOR NEW CONSTRUCTION.



1 DEMOLITION PLAN
SCALE: 1/8"=1'-0"

ZHS 3418-7

PROJECT TITLE:
ROLLING RESIDENCE
REAR YARD ADDITION
7845 MILL ROAD
ELKINS PARK, PA 19027

SHEET NO:
A-1

PROJECT TITLE:
SITE PLAN
DEMOLITION PLAN

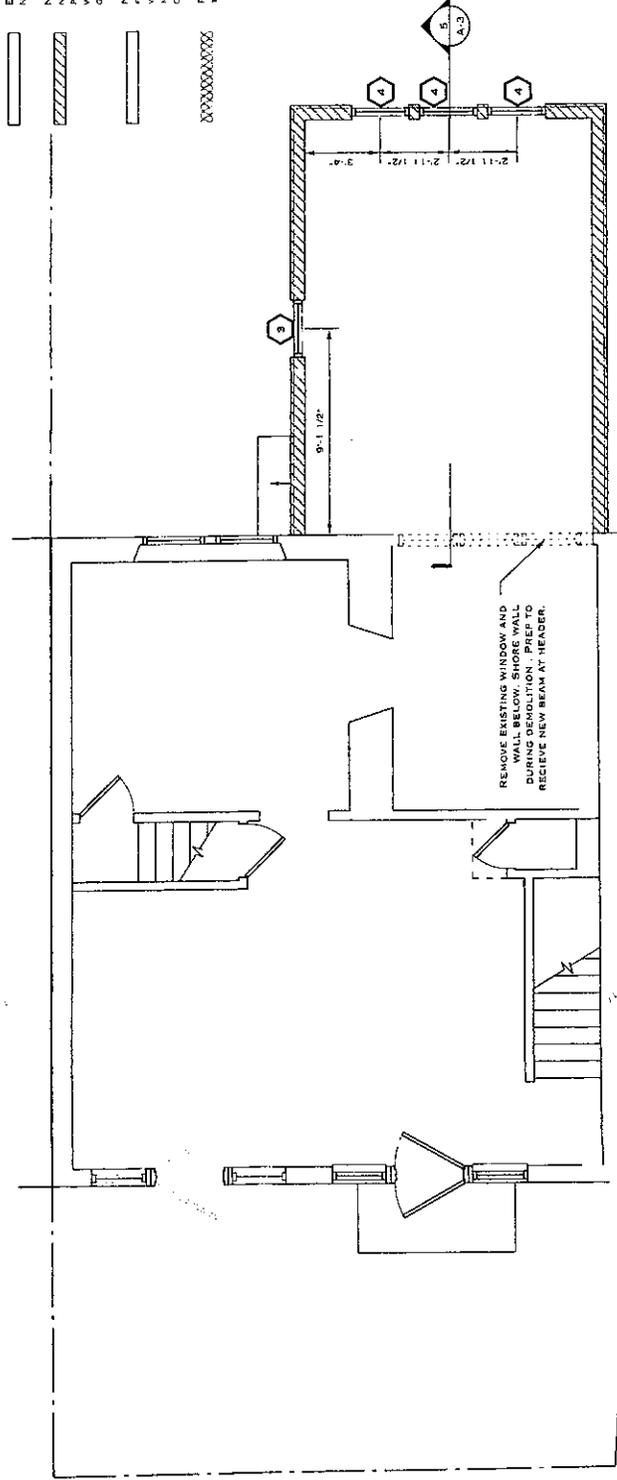
EARL BUSER, P.E.
1714 HOWE LANE
MAPLE GLEN, PA 19002

PROJECT MANAGER:
QUENTIN DAVID COE
PH: 617-447-4697

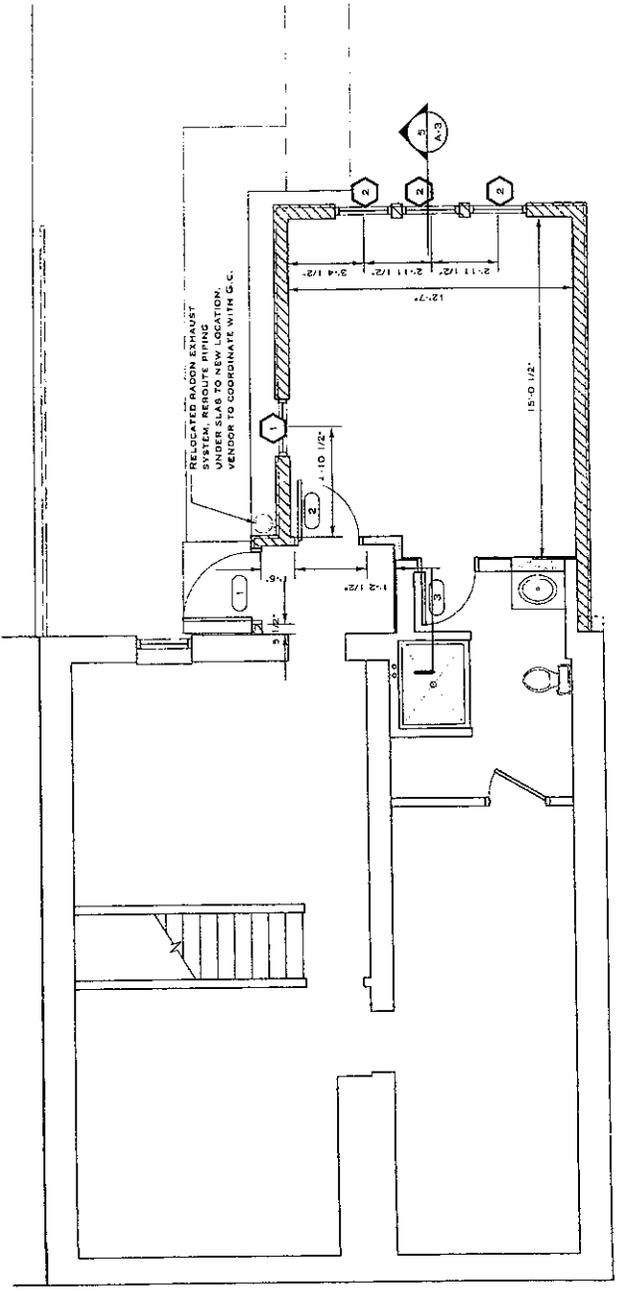
DATE: 11/11

SYMBOL LEGEND

- EXISTING WALL CONSTRUCTION OR ITEM TO REMAIN UNLESS NOTED OTHERWISE.
- NEW WALL CONSTRUCTION TO EXTEND FROM SUBFLOOR TO NEW ROOF. PROVIDE EXTERIOR LAP SIDING OVER BUILDING PAPER OVER 1/2" EXTERIOR GRADE SUBSTRATE OVER 2x4 NOM MIN. R19 INSULATION AND 1/2" PAINTED GWS AT INTERIOR.
- NEW INTERIOR WALL CONSTRUCTION TO EXTEND FROM SUBFLOOR TO FINISHED CEILING. PROVIDE 2x4 NOM WOOD STUDS WITH 1/2" EXTERIOR GRADE SUBSTRATE OVER 1/2" PAINTED GWS AT INTERIOR AND 1/2" UNFACED CEMENT BOARDS UNDER WALL TILE AT EXTERIOR.
- PROVIDE ACoustICAL BATT INSULATION IN WALLS FROM FLOOR TO FINISHED CEILING.



2 SECOND FLR. PLAN
SCALE: 1/8"=1'-0"



1 FIRST FLR. PLAN
SCALE: 1/8"=1'-0"

ZHS 3418-2



PROJECT TITLE
ROLLING RESIDENCE
REAR YARD ADDITION
7845 MILL ROAD
ELKINS PARK, PA 19027

SHEET TITLE
FLOOR PLAN

EARL BUSER, P.E.
1714 HOWE LANE
MAPLE GLEN, PA 19003
PROJECT MANAGER:
QUENTIN DAVID COE
PH: 617-447-4657

8/10/11

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for 215 Harrison Avenue, Glenside, PA 19038 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

- a. Cheltenham Township Planning Commission on Monday, August 22, at 7:30 P.M. at the Township Administration Building Boardroom, 8230 Old York Rd. Elkins Park, PA 19027.
- b. Cheltenham Township Building and Zoning Committee on Wednesday, September 7, 2011 at 8:00 P.M. at Curtis Hall, 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, September 12, 2011 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

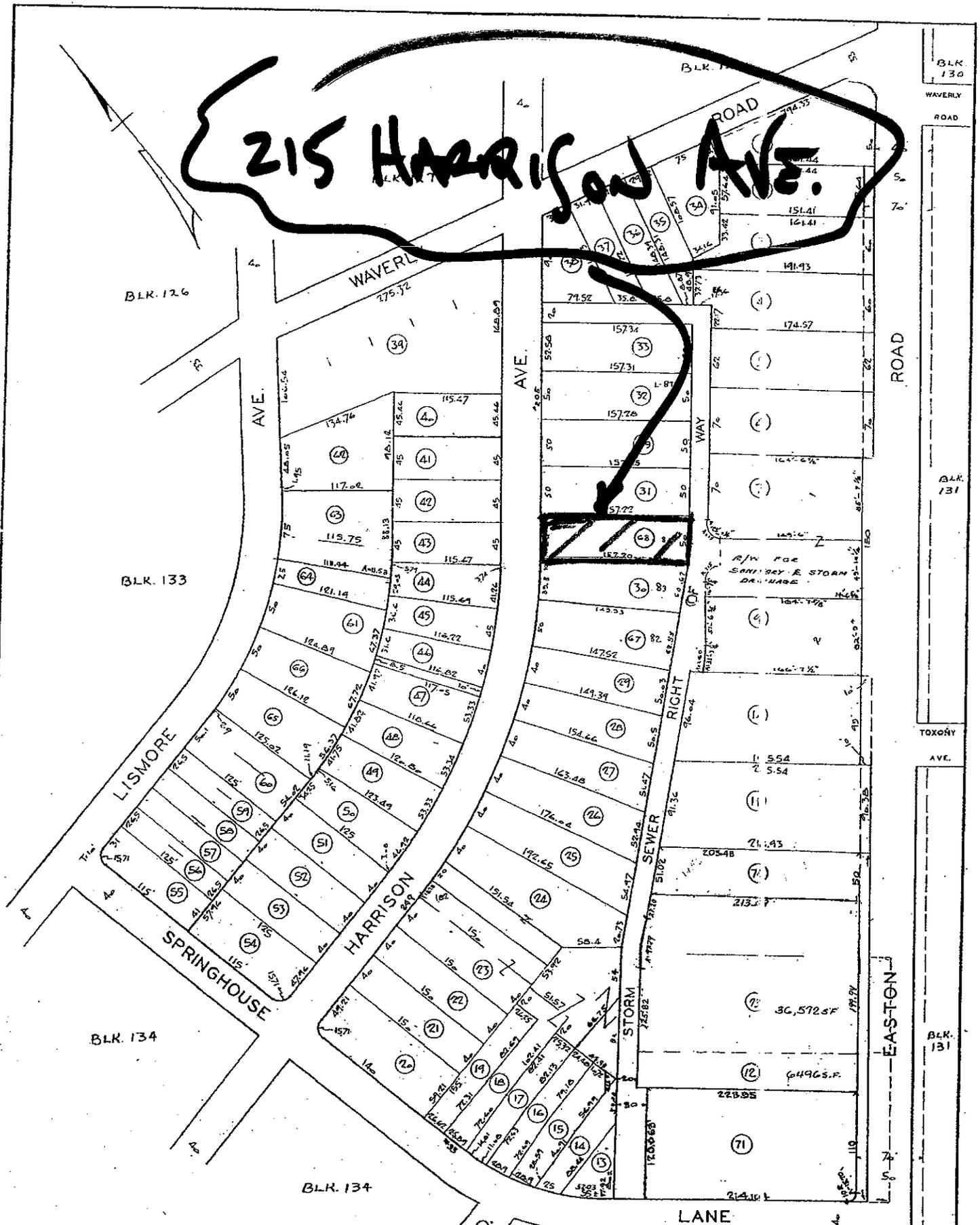
APPEAL NO. 3419: Appeal of Edmund P. Dornheim, owner of premises known as 215 Harrison Avenue, Glenside PA 19038 from the Decision of the Zoning Officer for Zoning Relief for the following:

- a. A Variance from the Rules and Regulations of "Fences and Walls" as outlined in CCS 295-223. for a 8' high, 50% open fence along the rear property line instead of the permitted 6' high, solid or open fencing.
- b. Variances from the Rules and Regulations of the Class R-5 Residence District as outlined in Article VIII of Chapter 295 of the Cheltenham Code, as follows:
 - i. From CCS 295-46.B.(1) for a 9' high arched gateway within the side yard setback area along the southwest property line instead of no permitted structure.
 - ii. From CCS 295-46.C. for a 9' high arched gateway within the rear yard setback area instead of no permitted structure.
- c. Variances from the Rules and Regulations of the "Floodplain Conservation District" as outlined in CCS 295-156., as follows:
 - i. For the 8' high, 50% open fencing.
 - ii. For the two (2) 9' high, arched gateways.

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.

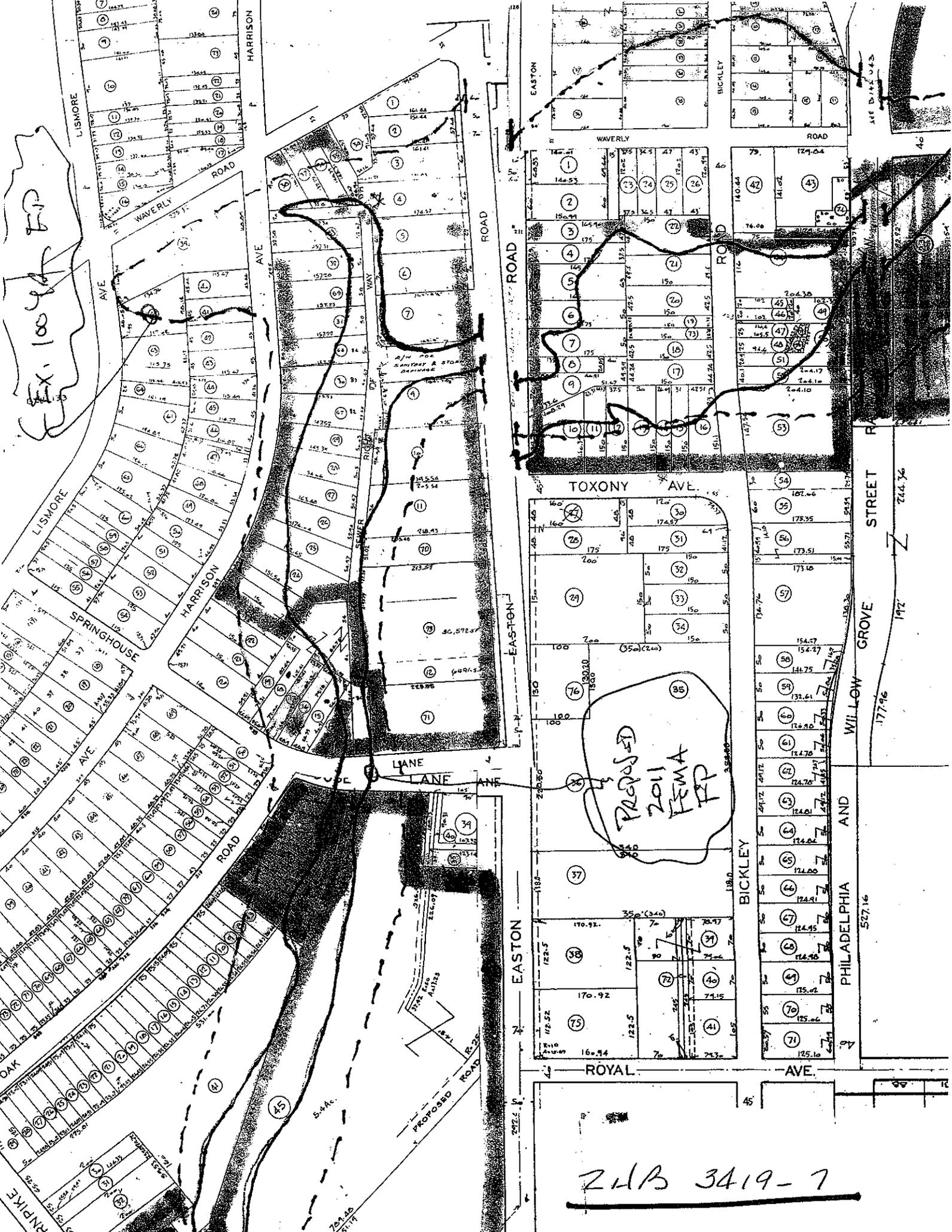
Any person or persons with a disability requiring a special accommodation to participate in the meeting should notify Nancy K. Gibson at 215-887-1000 at least 5 work days prior to the meeting.

215 Harrison Ave.



215 3419-4

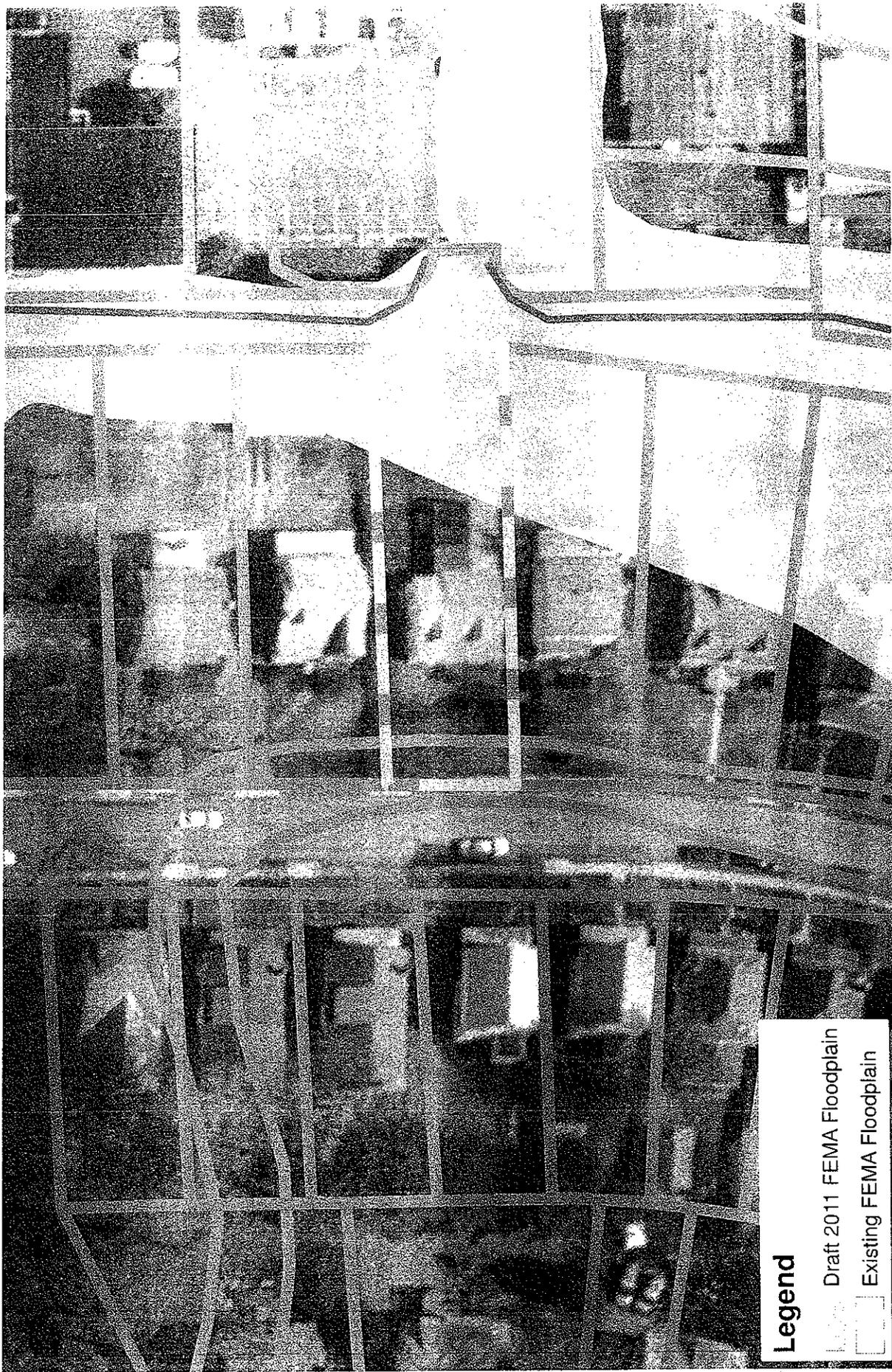
ELTENHAM TOWNSHIP
MONTGOMERY CO., PA.
RE: ESTATE REGISTRY
BLOCK 132
SCALE: 1" = 50'
JUNE 26, 1938. CHECKED BY: H.A.K.



EX. 100 (for FFP)

PROPOSED
2011
FEMA
FFP

ZLB 3419-7



Legend

□ Draft 2011 FEMA Floodplain

□ Existing FEMA Floodplain

PROPOSED 2011 FEMA 100-YEAR FLOODPLAIN MAP
Dornheim Property, 215 Harrison Avenue
Cheltenham Township, Montgomery County

Scale: 1"=50'

This map is for illustrative purposes only and is not an official FEMA map. Floodplain outlines provided by FEMA; Parcel outlines, streets, and streams provided by Montgomery County. Montgomery County and FEMA assume no liability for the use of this map.

2#3 3419 - 9

THE ORIGINAL RESTORATION MAGAZINE

www.oldhousejournal.com

Old House JOURNAL

Best Ways to Grow Old Houses

*Traditional Addition Treatments
Dormer Dos and Don'ts*

Pro Steps to Skim Plastering

Buyer's Guide for PERIOD DOORS

PLUS

The Gothic Revival Style

Victorian Garden Containers

Old House Living
Memories of Restoring

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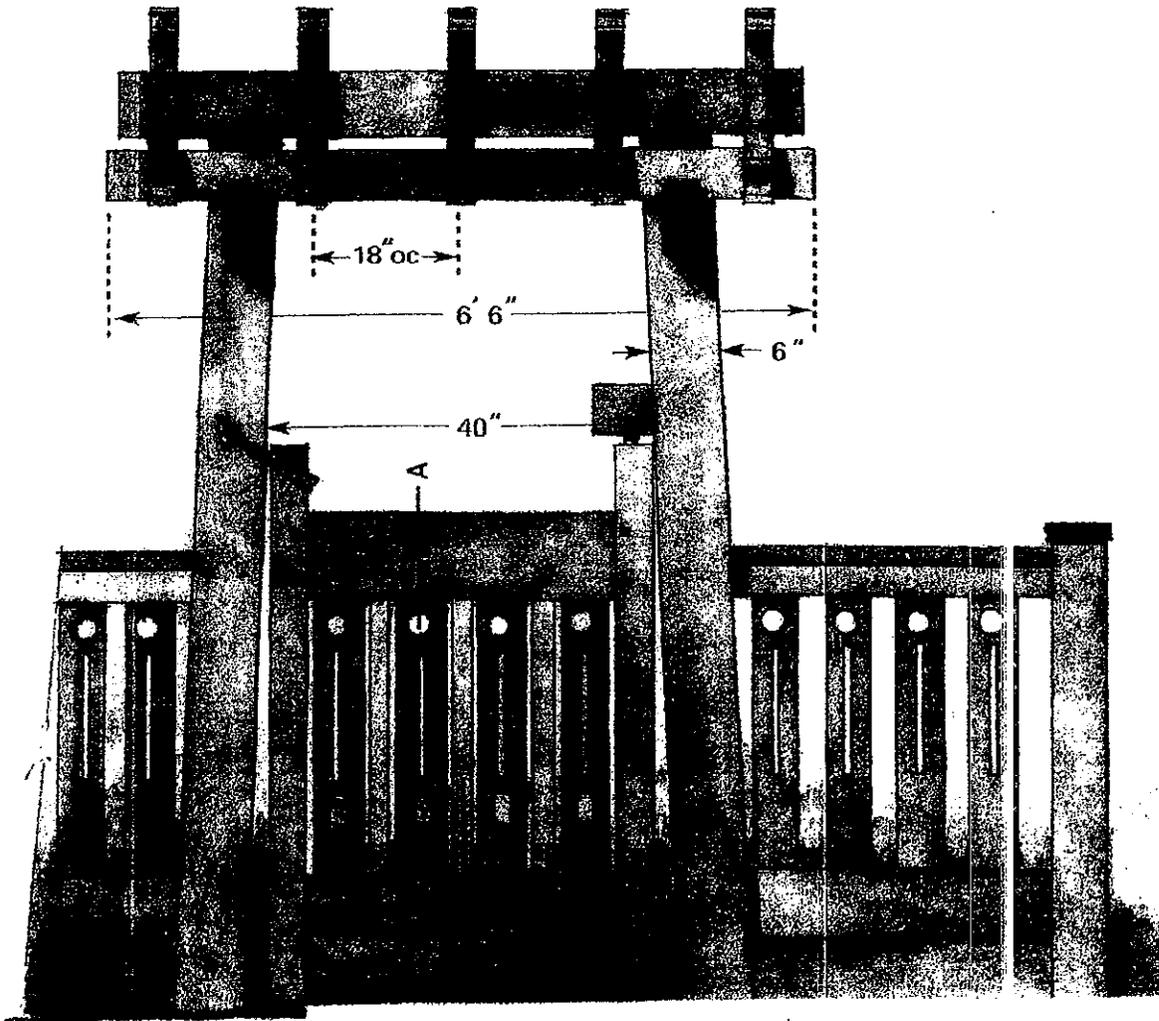


ZLB 3419-8.1

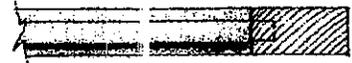
W-814

Arts & Crafts Pergola Gate

DRAWINGS BY ROBERT LEAN IA



Gate Section A-A



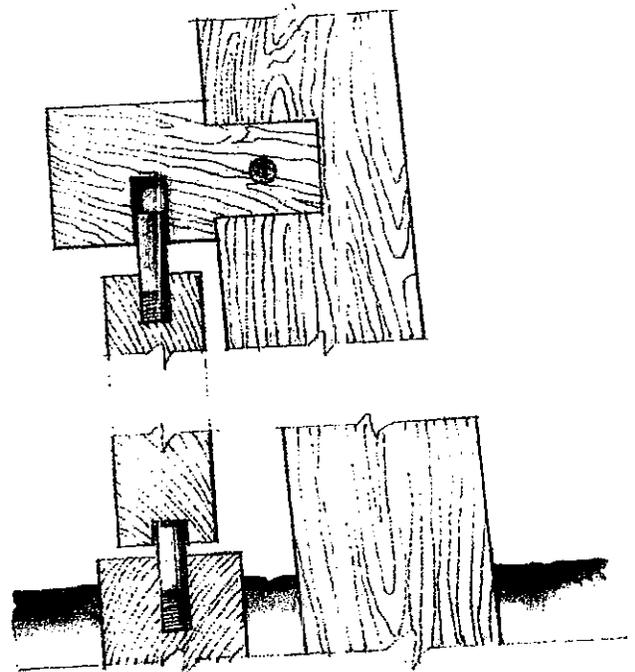
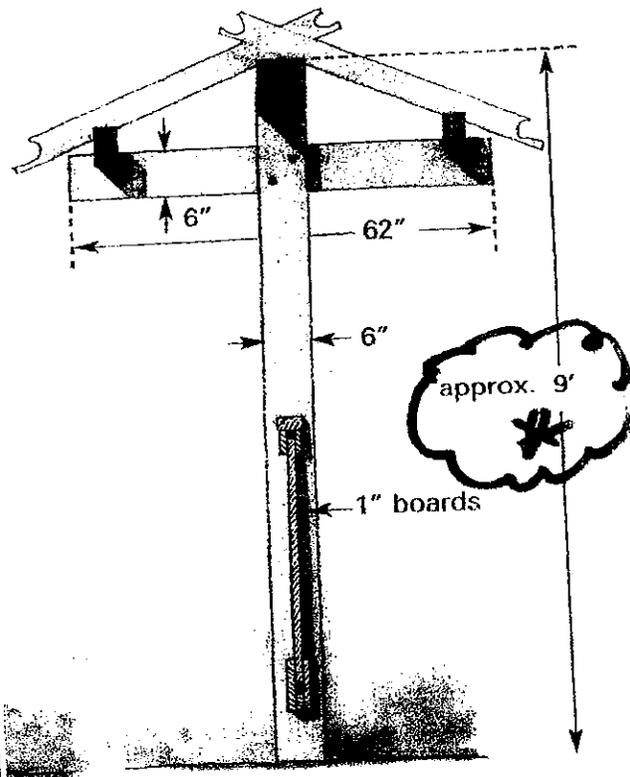
Gate Section C-C



Gate Section B-B

At the turn of the 20th century, the ancient pergola popped up in new forms on the lots of American suburban houses and estates, and no version was more popular or varied than those built during the heyday of the Arts & Crafts movement. When stripped of its classical columns, the pergola represented to Arts & Crafts adherents a near-perfect intersection of indoors and outdoors, natural and man-made, unadorned structure and pure design, and they put it to many architectural uses including the pergola as a gate in an Arts & Crafts fence, an "style" for the angled posts and rafters—a treat

21B 3419-8.2

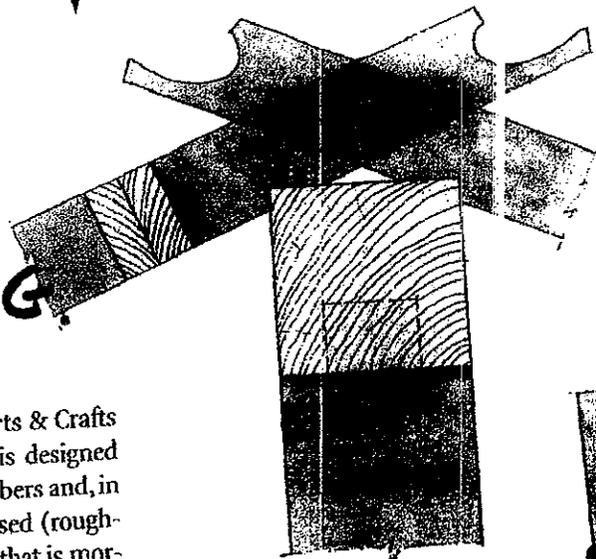


Top and Bottom Gate Pin Sections

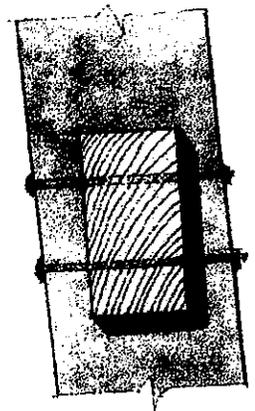
* ZONING
REQ'D FOR
OVER 6'-0" AFG.

295-223

Customary for most garden-variety Arts & Crafts
woodwork of the era, the gate and fence is designed
around plain, square-edged boards and timbers and, in
fact, was intended to be built with undressed (rough-
sawn) lumber. The gate is actually a frame that is mor-
tised and tenoned together with pegs so that it holds the
decorative slats. As designed, the gate swings not on
hinges but two vertical pins in sockets, and the two
main beams of the pergola are inserted through pock-
ets in the posts and secured with bolts. All dimensions
are approximate for relative sizes, and actual construc-
tion is up to the builder and the requirements of mod-
ern materials and building codes. Stain was recom-
mended as the final finish.



Pergola Header Section



Pergola Beam
Section

ZHB 3419-8.3

The Planning Commission ("PC") meeting was held tonight at the Township Administration Building.

The following Planning Commission members were present: Messrs. Cross, Leighton, Gordon, Goldfarb, Brockington, Laughlin and DiBenedetto. Also present was ex-officio member David Harrower. Also present was David M. Lynch, Director of Engineering, Zoning & Inspections.

1. Acceptance of the minutes of the July 25, 2011 Meeting.

Mr. Cross made a Motion for acceptance of the July 25, 2011 Planning Commission Meeting Minutes; Mr. Brockington seconded the Motion; the Motion passed.

2. Review of Zoning Hearing Board Agenda for September 12, 2011.

APPEAL NO. 3413: Appeal of Montgomery Court Realty Co., L.P., owner of premises known as 7803 Montgomery Avenue, Elkins Park, PA 19027, from the Decision of the Zoning Officer in order to operate a Private Ambulance Service from the premises

- a. A Determination that the storage of Private Ambulance on the premises overnight is not a function of the operation of a Private Ambulance Service and thus permitted as a legal nonconforming use of the premises per the grant of relief under ZHB Appeal No. 1563.
- b. In the alternative to a, above, a Determination, pursuant to "Nonconforming Uses" as outlined in CCS 295-227.F., that the operation of a Private Ambulance Service is of the same class of use as the previously approved nonconforming use(s) and thus permissible.
- c. In the alternative to a. and b., above, a Variance from the Rules and Regulations of the Class R-5 Residence District as outlined in CCS 295-43. for the operation of a Private Ambulance Service instead of one of the enumerated permitted uses.

Ms. Francine Boone, Esq., was present for this application.

Mr. Lynch stated that he received complaints about a private ambulance service being operated from this property.

Mr. Lynch stated that the issue is whether or not the parking (storage) of an Ambulance (s) at the Property is a function of the Private Ambulance Service.

Ms. Boone stated that this service is strictly for transport of patients in non emergency situations and that there are no sirens or lights when leaving the bay. Ms. Boone stated that there are a total of 4 ambulances and 3 employees in a 11 car garage. Ms. Boone noted for the record that she believes the Notice of Violation was issued in error.

Ms. Boone stated that all record keeping and employee services are ran out of the 1135 W. Cheltenham Avenue office. Ambulances are dispatched on Montgomery Avenue from the Cheltenham Avenue office location. Ms. Boone stated that the ambulances do not return to the Montgomery Avenue property until the end of the day. She noted any repairs to the ambulances were done at a Ford Dealership.

Ms. Boone asserted that parking of vehicles overnight is not a function of an ambulance service, and that a function of a business is employees on site, contracting clients, etc.

Mr. Cross stated that it seems to be that there isn't a full fledged business being operated from this location.

Ms. Boone stated that the Zoning Relief was previously granted for a public garage and that the Zoning Code says motor vehicles and does not list a specific kind. Mr. DiBenedetto stated that the worse case scenario is that this becomes a depot.

Mr. Lynch stated that storage parking overnight of the ambulances is part of the operation.

Mr. Laughlin asked if non conforming use includes minor repair? Mr. Lynch stated that he was advised by Township legal council that the last received zoning relief trumps everything prior to that.

Mr. Leighton made a Motion of No Action with the following conditions:

- Non emergency transport only.
- No sirens at any time.
- Garage door down at all times except to move vehicles in and out.
- Ambulances can make one trip in and one trip out each day.
- No maintenance or repair to be done on site.
- No parking on sidewalk or the street.
- No other functions of private ambulance business to be performed on property.

Mr. DiBenedetto seconded the Motion; the Motion passed.

APPEAL NO. 3414: (Continued) Appeal of Fairfield Wyncote, LLC, owner of premises known as 8460 Limekiln Pike, Wyncote, PA 19095 (a\k\ a Building No. 1 at the "Towers at Wyncote" apartment complex), from the Decision of the Zoning Relief in order to construct and operate a 75' x 132' (9,900 SF) Dog Park for the use of the residents of the Apartment Complex only:

- a. A Determination that a Dog Park is a "customary" accessory use for a Multiple Dwelling and thus permitted per CCS 295-98.D.
- b. In the alternative to a, above, a Special Exception in accordance with the Rules and Regulations of CCS 295 98.E. as the proposed Dog Park is of the same general character as any of the enumerated permitted uses.
- c. In the alternative to a. and b., above, a Variance from the Rules and Regulations of the Class C-1 Commercial District as outlined in CCS 295-98. for the proposed Dog Park instead of one of the enumerated permitted uses.

Mr. Michael Yanoff, Esq., was present to discuss this Application.

Mr. Lynch stated that the applicant had requested a continuance to consider screening and impact on the residents across Ogontz Avenue and Route 309.

Mr. Lynch stated he made a site visit on August 9, 2011; he distributed photographs of the site for the PC's review and noted the following:

- a. The area is already used as a dog walk as evidenced by a dog waste station.
- b. All of the existing trees have been limbed higher than 10'; they do not provide any screening of the area.
- c. The road noise from Ogontz Avenue is very loud; one cannot communicate across Ogontz Avenue by talking or yelling.

- d. Per Benjamin Barnes, Complex Manager, the main usage of the Dog Park would be in the morning, 6 AM to 9 AM and in the late afternoon, 4:30 PM to 6 PM.
- e. During most of the day one would not notice that a Dog Park was there.
- f. There is a potential security issue with screening and someone could hide between the existing Ogontz Avenue fencing and the screening trees.

Mr. Goldfarb made a Motion of No Action; Mr. Gordon seconded the Motion; the Motion passed.

APPEAL NO. 3415: Appeal of Dr. Rami E. Geffner, equitable Owner of 8031 Old York Road, Elkins Park, PA 19027 (formerly "Rosenbluth Travel"), from the Decision of the Zoning Officer for a Variance from the Rules and Regulations of "Parking and Loading" as outlined in CCS 295-221.H. for providing zero off-street parking spaces on the premises for a Medical Office instead of the required 5 parking spaces.

David A. Wollman, Esq., was present to discuss the Application.

Mr. Wollman stated that the practice will have a Staff of 4-5 people and that the hours of operation will be 8-5:30 PM with possibly one day going to 7 PM.

Mr. Cross asked if other businesses along this strip have dedicated spaces. Mr. Lynch stated that a couple have 3-4 spaces but most of them do not.

Mr. Leighton stated that there maybe ample spaces in evening but what's lot like during day? Mr. Cross stated that he's never been there when 1 space wasn't available. Mr. Cross stated that he assumes the Nail Salon also uses that lot. Mr. Cross noted that the lot is metered parking.

Mr. Harrower expressed concern about amount of space there. Mr. Cross questioned if parking is not allowed and a variance is not given what's the alternative? Mr. Lynch stated that if variance isn't granted they can't occupy the space. Mr. Wollman stated that if his client is not granted the variance they will not purchase the space.

Mr. Leighton stated that it's better to have the building occupied.

Mr. Goldfarb made a Motion of No Action; Mr. Gordon seconded the Motion; the Motion passed.

APPEAL NO. 3417: Appeal of Peter E. Olsho and Jane J. Wilkie, owners of premises known as 325 High Avenue, Melrose Park, PA 19027 from the Decision of the Zoning Officer for the following Zoning Relief in order to place a 8'X16' pre-fabricated shed in the rear yard of the premises:

- a. A Variance from the Rules and Regulations of the Class R-4 Residence District as outlined in CCS 295-39.B.(1) for a lesser Side Yard Setback of 5' for the shed instead of the minimum required 10'.
- b. A Variance from "Yard Regulations" as outlined in CCS 295-220.C. for a lesser Rear Yard Setback of 5' for the shed instead of the minimum required 15'.

Mr. Olsho present for the application.

Mr. Lynch stated that Mr. Olsho wishes to put up a 8x16 shed on the rear of his premises. Mr. Olsho provided a description of his shed plans with the signature of his supporting neighbors on the back.

Mr. Cross asked about the type of materials being used. Mr. Olsho stated that the shed is a prefabricated from Lowes and is made of vinyl. Mr. DiBenedetto asked about the height of shed Mr. Olsho stated that he has two options, either 5' or 6'.

Planning Commission Minutes

August 22, 2011

Page 4 of 7

Mr. Cross asked how the shed will be sitting on the ground, Mr. Cross expressed concern about damaging the root system of the surrounding Hemlock Trees. Mr. Olsho stated that more than likely the shed will sit on cinderblocks.

Mr. Olsho stated that he is trying to place the shed in a place that's the least obtrusive for everyone.

Mr. Goldfarb made a Motion of No Action; Mr. Gordon seconded the Motion; the Motion passed.

APPEAL NO. 3418: Appeal of Israel and Michelle Roling, owners of premises known as 7845 Mill Road, Elkins Park, PA 19027, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 18.75' x 13.75' (Irr.) addition to the rear of their residence:

a. Zoning Relief from the Rules and Regulations of the Class R-7 Residence District as outlined in Article X of Chapter 295 of the Cheltenham Code, as follows:

- i. A Variance from CCS 295-59. for a greater Building Area of 35.9% instead of the maximum permitted 35%.
- ii. A Special Exception in accordance with CCS 295-60.B.(3) for a lesser Side Yard Setback of 3' from the south property line instead of the minimum required 9' (the southwest front corner of the residence is setback approximately 0.5' from the south property line).

Mr. Roling was present to discuss this application.

Mr. Lynch stated that this application is for an addition on the back of the house.

Mr. DiBenedetto suggested that Mr. Roling speak to the other neighbors. Mr. Laughlin asked if there is rear access to the garage? Mr. Roling stated that the previous property owner converted the garage into a little room. Mr. Roling stated that they park their cars in front of house.

Mr. Cross asked Mr. Rolings about the shed in back. Mr. Roling stated that the small wooden shed was there when he bought the house. Mr. Cross suggested bringing final draft of plan as well of photographs of the existing shed to the ZHB.

Mr. DiBenedetto suggested talking to the neighbors towards the south as the addition would block the light to their house.

Mr. Goldfarb made a Motion of No Action; Mr. Gordon seconded the Motion; the Motion passed.

APPEAL NO. 3419: Appeal of Edmund P. Dornheim, owner of premises known as 215 Harrison Avenue, Glenside PA 19038 from the Decision of the Zoning Officer for Zoning Relief for the following:

- a. A Variance from the Rules and Regulations of "Fences and Walls" as outlined in CCS 295-223. for a 8' high, 50% open fence along the rear property line instead of the permitted 6' high, solid or open fencing.
- b. Variances from the Rules and Regulations of the Class R-5 Residence District as outlined in Article VIII of Chapter 295 of the Cheltenham Code, as follows:
 - i. From CCS 295-46.B.(1) for a 9' high arched gateway within the side yard setback area along the southwest property line instead of no permitted structure.
 - ii. From CCS 295-46.C. for a 9' high ached gateway within the rear yard setback area instead of no permitted structure.
- c. Variances from the Rules and Regulations of the "Floodplain Conservation District" as outlined in CCS 295-156., as follows:
 - i. For the 8' high, 50% open fencing.
 - ii. For the two (2) 9' high, arched gateways.

Mr. Dornheim was present for the application.

Mr. Dornheim stated that there is a large waterway running in the back of his property that the Township has put a chain link fence on either side. Mr. Dornheim would like to add an additional fence in front of the Township fence so he can grow things on it to have a visual buffer to block the view of Dunkin Donuts parking lot.

Mr. Lynch pointed out that a child could get through Mr. Dornheim's proposed fence very easily. Mr. Lynch stated that Rudy Kastenhuber, Public Works Superintendent will not approve the removal of the Township fence as it's a safety issue.

Mr. Cross asked if the Township drives on Mr. Dornheim's lawn to access manholes etc. Mr. Dornheim confirmed that they do. Mr. Cross stated that there should be an easement between the Township and Mr. Dornheim to protect his interests.

Mr. Cross asked about the logistics of the Township maintaining the waterway and the Dornheim's right to secure their property.

Mr. Lynch stated that Mr. Dornheim came in and spoke with himself and Mr. Kastenhuber and Mr. Kastenhuber has no objection to a fence being put up on Dornheim's property. Mr. Kastenhuber requested an opening the same size as what is currently there.

Mr. Harrower said that the Committee is sympathetic to Mr. Dornheim's request for a screened fence and acknowledged that the height isn't an issue. Mr. Harrower stated that the Committee needs to see more details and to find out if easements exist and if they do what are the dimension of easements.

Mr. Cross stated that if no easements exist that's a discussion Mr. Dornheim needs to have with the Township.

Mr. Goldfarb made a Motion of No Action; Mr. Gordon seconded the Motion; the Motion passed.

3. Review of Cheltenham Township Development Application No. 11-0560: Record Plan- Aldi Food Market Expansion @ Cheltenham Plaza-8200 Ogontz Avenue and Appeal No. 3416.

APPEAL NO. 3416: Appeal of Aldi, Inc., Tenant at 8200 Ogontz Avenue, Wyncote, PA 19095 (a/k/a "Ogontz Shopping Center"), from the Decision of the Zoning Officer for the following Zoning Relief in order to renovate and expand its Food Market facility on the premises from approximately 15,568 SF to approximately 18,302 SF:

a. Zoning Relief from the Rules and Regulations of the Class C-2 Commercial and Business District as outlined in Article XVI of Chapter 295 of the Cheltenham Code, as follows:

i. A Variance from CCS 295-111.A.(1) for a lesser Front Yard Setback of 33.3' for the proposed building expansion from the Limekiln Pike frontage of the premises instead of the minimum required 40' (the minimum Front Yard Setback from the Limekiln Pike frontage of the existing Aldi's is 19.9').

ii. A Determination that the following nonconformities from CCS 295-114. are legal nonconformities:

1. Green Area of 4.3%.
2. No landscaped buffer strip at least 15' wide abutting entire perimeter of premises.
3. Vehicular parking within 15' of the street lines.
4. Five (5) driveways in excess of 20' width.

iii. In the alternative to a. ii, above, Variances from CCS 295-114., as follows:

1. For a Green Area of 4.3% instead of the minimum required 25%.

Planning Commission Minutes

August 22, 2011

Page 6 of 7

2. For no landscaped buffer abutting the entire perimeter of the premises instead of the minimum required 15' wide landscaped buffer.
3. For vehicular parking within 15' of the street lines instead of no vehicular parking.
4. For five (5) driveways in excess of 20' wide each instead of the permitted two (2) driveways not greater than 20' width each.

b. A Determination that the proposed wall signage on north façade: Aldi logo sign @ 31.2 SF and "Food Market" sign @ 21.3 SF; and on East façade; "Food Market" sign @ 21.3 SF is a continuation of existing non-conforming signage (Zoning Relief for three (3) parallel wall signs was granted under ZHB Appeal No. 3346).

c. In the alternative to b., above, a Variance from CCS 295-197.C.(2) (b) [1] for three (3) parallel wall signs instead of the maximum permitted two (2) signs.

Michael Yanoff, Esq., and Mr. Ron Klos of Bohler Engineering was present to discuss the Appeal and the Land Development.

Mr. Lynch stated that Aldi intends to expand its Food Market by approximately 3000 SF by a 20' expansion on the north side of the building.

Mr. Lynch noted that Zoning Relief was required for a front yard setback encroachment along Limekiln Pike and for signage.

Mr. Klos noted that the zoning legal was incorrect as Aldi is proposing for (4) signs; Mr. Lynch stated that the application for this appeal specified three (3) signs and that the applicant would have to amend its appeal at the ZHB meeting.

Mr. Lynch noted the following about the Land Development Plan:

- a. The overall property boundary is incorrect as it does not properly reflect the recent PennDot 309 taking/road vacation actions.
- b. A portion of the northeast corner of the proposed expansion will be over the Township's Sanitary Sewer easement; however, the sewer is quite deep, this has no impact on the sewer.
- c. There is sufficient parking on the Property; however, the parking tabulation is incorrect.

Mr. Lynch also noted that there is a paved area north of the Dunkin Donuts that is inaccessible from Cheltenham Plaza but had been accessible from the Keystone Billboard property (tractor trailers had been parking in this area until recently; Keystone has erected fencing to block access.)

Mr. Lynch suggested that, as there is very little landscaping on Cheltenham Plaza that the paving be removed and the area appropriately landscaped; Mr. Lynch noted that the removal of paving would reduce the size of any required seepage beds.

The PC agreed that the paved area should be removed and landscaped; Mr. Yanoff stated he would discuss this with his client.

Mr. Goldfarb made a Motion of No Action on Appeal No. 3416; Mr. Brockington seconded the Motion; the Motion passed.

Mr. Goldfarb made a Motion for approval of CTDA No. 11-0560 subject to the following conditions:

- a. That the property boundary be correctly shown.
- b. That the parking tabulation be corrected.

- c. That the paving of the inaccessible parking area north of the Dunkin Donuts be removed and the entire area landscaped in accordance with the recommendations of the STAC.

- 4. **Old Business**
None

- 5. **New Business**
None

- 6. **Adjournment**

Mr. Cross made a motion for adjournment; Mr. Winneberger seconded the Motion, the Motion passed. The meeting adjourned at 10:00 P.M.



David G. Kraynik
Township Manager

Per Holly A. Nagy

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

APPEAL NO. 3402

Applicant: Enterprise Leasing Company of Philadelphia
170 North Radnor-Chester Road, #200-DD
Radnor, Pennsylvania 19087

Subject Premises : 1627 W. Cheltenham Avenue
Cheltenham, Pennsylvania

Nature of Application: Applicant appeals from the determination of the Zoning Officer finding that operation of the Property for automobile leasing and rental agency with ten off-site parking spaces and the installation of pylon and parallel wall signs would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article XXIX, Section 295-227, regulating nonconforming uses, Article IX, Section 295-50, regulating uses, Article XXIX, Section 295-221, regulating off-street parking, Article XXV, Section 295-199, regulating nonconforming signs, and Article XXV, Section 295-197, regulating signs requiring a permit.

Applicant seeks variances or determinations from the rules and regulations of the R-6 Residence District as follows:

- (1) a determination of nonconforming uses as outlined in Section 295-227(D) and (F) allowing the proposed use of the Property as an automobile leasing and rental facility to be of the same class of use as the existing nonconforming use (automotive repair facility) and thus permissible;

or, in the alternative,

- (2) a variance from Section 295-50 to allow the proposed use of the Property as an automobile leasing and rental facility instead of one of the enumerated permitted uses;
- (3) a determination that 10 off-street customer parking spaces are sufficient for the proposed use of the Property as an automobile leasing and rental facility in accordance with Section 295-221;
- (4) a determination in accordance with Section 295-199, that the change in sign faces of the existing 2 foot by 10 feet double-faced pylon sign is permissible;

or, in the alternative,

- (5) a variance from Section 295-197(A), to allow for a 2 foot by 10 feet double-faced pylon sign on an existing pole instead of no permitted signage on the Property; and
- (6) a variance from Section 295-197(A), to allow for a 3 foot by 15 feet parallel wall sign instead of no permitted signage on the Property.

Time and Place of Hearing: Monday, June 13, 2011 – 7:45 p.m.
Curtis Hall
Church Road and Greenwood Avenue
Wyncote, Pennsylvania

FINDINGS OF FACT

1. Applicant Enterprises Leasing Company of Philadelphia (“Applicant”) is the tenant of the premises known as 1627 W. Cheltenham Avenue, La Mott, Pennsylvania (the “Property”).

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

3. The property is located in an R-6 Residence District and is improved by a automotive repair facility

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

ZHB-1. a listing of exhibits;

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

ZHB-3. an Application to the Zoning Hearing Board, referenced as Appeal No. 3402;

ZHB-4. a location map marked as Real Estate Registry Block 191, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information on Property dated May 10, 2011;

ZHB-7. a portion of a site plan prepared by Phillip Jordan Architects for Enterprise Rent-A-Car for the parcel at 1607 West Cheltenham Avenue, dated April 28, 2011;

ZHB-8. a portion of a site plan prepared for Sun Oil Company dated August 20, 1968;

ZHB-9. an aerial photograph of the Property;

A-1. photograph of 6801 Germantown Avenue, Mount Airy, before renovation by Applicant;

A-2. photograph of 6801 Germantown Avenue, Mount Airy, after renovation by Applicant;

A-3. photograph of 602 Easton Road, Glenside, before renovation by Applicant; and

A-4. photograph of 602 Easton Road, Glenside, after renovation by Applicant;

A-5. photographs of Applicant's location on Lincoln Highway in Exton before renovation by Applicant;

A-6. photograph of Applicant's location on Lincoln Highway in Exton after renovation by Applicant; and

A-7. copy of lease between Stenton Properties, LLC, and Enterprise Leasing for the Property.

5. Applicant stated that the correct address for the Property is 1627 West Cheltenham Avenue, not 1607 West Cheltenham Avenue.

6. Applicant proposes to lease the improved portion of the Property fronting Cheltenham Avenue from the owner.

7. Applicant proposes to rehabilitate an existing building and operate an automobile leasing and rental facility at the Property. In particular, Applicant proposes to convert the interior of the building into office space and leave one of two existing bay areas for preparation work for vehicles including the washing and detailing of the vehicles in inventory.. No repairs would be done to the vehicles at the Property. In addition, Applicant proposes to construct an estate fence, measuring 6 feet in height, around the leased portion of the Property.

8. Applicant will not use the Property for truck repairs and will not lease trucks from this location.

9. While the automobile leasing and rental use of the Property requires a number of parking spaces for vehicle inventory at certain time of the day, the operation of the business will not require a large number of off-street parking spaces. For example, employees use vehicle inventory to get to and from work, driving rental cars to the Property and out at the end of the day. Applicant estimates that approximately five to seven cars will be located on the Property throughout the day. Applicant proposes to provide ten parking spaces for the operation of the business.

10. While applicant argues that the proposed automobile leasing and rental facility is similar to the former use of the Property for automobile repair, the pre-existing automobile service and repair is a use permitted in a C-4 Commercial and Business District (along with any use of the same general character exception any use permitted in a less restricted district). Motor vehicles sales agencies, storage garage and parking lots are use permitted in the C-2 Commercial districts.

11. A motor vehicles sales agency is not a use of the same class as a automobile service or repair shop.

12. Applicant amended its application to allow for the installation of an estate fence, measuring 6 feet in height, surrounding the proposed leased portion of the Property, where only a 4 foot high fence is permitted; the Board accepted the amendment.

13. The building on the Property will be renovated in accordance with Applicant's corporate identification program, which includes signage, stucco exterior and paint color, an effort designed to make it easier for the general public to recognize Applicant's buildings.

14. Applicant proposes to install a new double-face pylon sign, measuring 2 feet by ten feet, on the existing pole on the frontage of the Property on West Cheltenham Avenue, and a wall sign, measuring 3 feet by 15 feet, both using standard Enterprise logo, paint and coloration. Both signs will be illuminated, and the illumination will be controlled by a photocell so that the sign is lit when dark and goes off when light. Applicant has the capacity to install a time clock so that the sign illumination is not lit all night.

15. The proposed signs are necessary for the efficient and successful operation of the proposed use. The proposed signs are similar to those that would be permitted in a commercially zoned district.

16. Hours of operation would be Monday through Friday, 8 a.m. to 6 p.m. and Saturday, 9 a.m. to 12 noon, with no hours on Sunday.

17. No vehicles will be fueled at the Property, and there will be no remote drop-offs or automatic check-in of rented vehicles.

18. Applicant anticipates that there will be no more than four employees on the Property during business hours.

19. Applicant intends to maintain landscaping at the Property and will install concrete islands and concrete bumpers. Applicant intends to stripe and seal the existing macadam at the Property. There will be directional signs to control the flow and direction of traffic from the Property onto Old York Road.

20. A grant of relief to allow the proposed use of the Property as an automobile leasing and rental facility instead of one of the enumerated permitted uses will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

21. A grant of relief to allow the proposed use of the Property as an automobile leasing and rental facility instead of one of the enumerated permitted uses will result in premises consistent with the character of the neighborhood and will not materially alter the character of the zoning district or of the community.

22. A grant of relief to allow the proposed use of the Property as an automobile leasing and rental facility instead of one of the enumerated permitted uses will not be contrary to the public interest.

23. A grant of relief to allow operation of the proposed use at the Property with 10 off-street customer parking spaces will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

24. A grant of relief to allow operation of the proposed use at the Property with 10 off-street customer parking spaces will result in premises consistent with the character of the neighborhood and will not materially alter the character of the zoning district or of the community.

25. A grant of relief to allow operation of the proposed use at the Property with 10 off-street customer parking spaces will not be contrary to the public interest.

26. A grant of relief to allow operation of the proposed use with a double-faced pylon sign, each face of which will measure 2 feet by 10 feet, limited to 15 feet in total height, will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

27. A grant of relief to allow operation of the proposed use with a double-faced pylon sign, each face of which will measure 2 feet by 10 feet, limited to 15 feet in total height, will result in premises consistent with the character of the neighborhood and will not materially alter the character of the zoning district or of the community.

28. A grant of relief to allow operation of the proposed use with a double-faced pylon sign, each face of which will measure 2 feet by 10 feet, limited to 15 feet in total height, will not be contrary to the public interest.

29. A grant of relief to allow operation of the proposed use with a 3 foot by 15 feet parallel wall sign instead of no permitted signage on the Property will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

30. A grant of relief to allow operation of the proposed use with a 3 foot by 15 feet parallel wall sign instead of no permitted signage on the Property will result in premises consistent with the character of the neighborhood and will not materially alter the character of the zoning district or of the community.

31. A grant of relief to allow operation of the proposed use with a 3 foot by 15 feet parallel wall sign instead of no permitted signage on the Property will not be contrary to the public interest.

32. A grant of relief to allow for the installation of an estate fence, measuring 6 feet in height, surrounding the proposed leased portion of the Property, where only a 4 foot high fence is permitted will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

33. A grant of relief to allow for the installation of an estate fence, measuring 6 feet in height, surrounding the proposed leased portion of the Property, where only a 4 foot high fence is permitted will result in premises consistent with the character of the neighborhood and will not materially alter the character of the zoning district or of the community.

34. A grant of relief to allow for the installation of an estate fence, measuring 6 feet in height, surrounding the proposed leased portion of the Property, where only a 4 foot high fence is permitted will not be contrary to the public interest.

CONCLUSIONS OF LAW

1. The operation of an automobile leasing and rental facility with (1) 10 parking spaces, (2) a double-faced pylon sign with two faces, each measuring 2 feet by 10 feet, (3) a flat wall sign measuring 3 feet by 15 feet and (4) an estate fence, measuring 6 feet in height, in the front yard setback on a property located in an R-6 residence District is not permitted by the Cheltenham Zoning Code. However, in accordance with the Pennsylvania Municipalities Planning Code and the Cheltenham Zoning Ordinance, the Cheltenham Township Zoning Hearing Board is empowered to hear and decide requests for variances where it is alleged that strict conformance with the governing ordinances would result in unnecessary hardship.

2. Under the circumstances of this matter, Applicant has met its burden in establishing that, due to the unique physical circumstances of the Property and those imposed by surrounding properties, a failure to grant relief to allow renovation of an existing building and operation of the Property for automobile leasing and rental with the proposed parking spaces, signage and fence would result in an unnecessary hardship.

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

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

DECISION

WHEREFORE, this 13th day of June, 2011, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, grants to Applicant the following variances:

- (1) a variance from the rules and regulations of Article IX, Section 295-50, to allow use of the Property as an automobile leasing and rental facility;
- (2) a variance from the rules and regulations of Article XXIX, Section 295-221, to allow 10 off-street customer parking spaces for the proposed automobile leasing and rental facility;
- (3) a variance from the rules and regulations of Article XXV, Section 295-197(A) to allow the installation of a 2 foot by 10 feet double-faced pylon sign on an existing pole, as hereafter conditioned, on the Property;
- (4) a variance from the rules and regulations of Article XXV, Section 295-197(A) to allow the installation of a 3 foot by 15 feet parallel wall sign on the Property; and
- (5) a variance from the rules and regulations of Article XXIX, Section 295-223, to allow for the installation of an estate fence, measuring 6 feet in height, surrounding the leased portion of the Property.

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

- (1) a complete copy of the recorded deed of the subject Property shall be submitted to the Zoning Officer within four (4) weeks of the date of Hearing.
- (2) the proposed improvements shall be constructed in substantial conformity with the plans submitted to the Zoning Hearing Board and the presentation made to the Zoning Hearing Board at its June 13, 2011 meeting.
- (3) there shall be no rental of commercial trucks at the facility;
- (4) illumination for the signs shall be turned off within one hour after the close of business each day;
- (5) no point on the free-standing pylon sign or its support shall exceed 15 feet in height; and
- (6) no outdoor sound amplification shall be permitted.

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

CHELtenham TOWNSHIP ZONING HEARING BOARD

PETER LABIAK, Chairman

ALAN S. GOLD, Vice Chairman and Secretary

AMEE FARRELL, Member

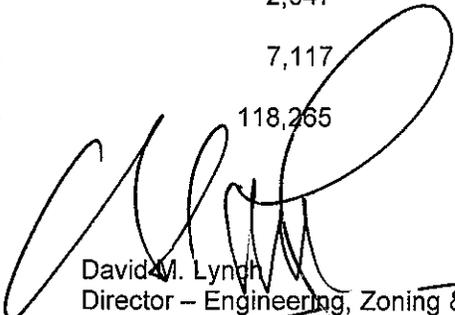
THIS DECISION IS OFFICIALLY ISSUED ON AUGUST 30, 2011.

August 23, 2011

COMMISSIONERS OF CHELTENHAM TOWNSHIP
ELKINS PARK, PA 19027

REPORT OF THE BUILDING INSPECTOR FOR AUGUST, 2011

	#	COST OF PERMIT	VALUE
RESIDENTIAL			
Renovations/Alterations	13	3,280	86,000
MULTI-FAMILY			
Renovations/Alterations	0	0	0
COMMERCIAL			
Renovations/Alterations	1	325	6,000
INSTITUTIONAL			
Renovations/Alterations	2	510	24,000
FENCE	2	154	154
AUGUST 2011	18	4,269	116,154
AUGUST 2010	37	15,684	745,154
TOTAL TO DATE 2011	252	54,434	2,160,461
TOTAL 2010	424	272,993	13,868,965
HEATING & AIR CONDITIONING			
AUGUST 2011	1	519	25,000
AUGUST 2010	4	5,396	266,000
YEAR TO DATE 2011	37	5,623	245,200
TOTAL 2010	56	33,578	1,613,000
ELECTRICAL			
AUGUST 2011	3	257	10,000
AUGUST 2010	13	2,947	135,000
TOTAL TO DATE 2011	74	7,117	273,000
TOTAL 2010	128	118,265	4,225,950



David M. Lynch
Director – Engineering, Zoning & Inspections