

September 5, 2012
Curtis Hall

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight, Chairman Morton J. Simon, Jr. presiding. Members present were Commissioners Hampton, Norris, Portner, and Sharkey. Staff present were Joseph Bagley, Wisler Pearlstine LLC; Patrick Duffy, Director of Engineering, Zoning and Inspections; and Bryan T. Havir, Acting Township Manager. A Public Attendance List is attached.

Mr. Simon called the meeting to order.

1. The Zoning Hearing Board Agenda for September 10, 2012 was reviewed as follows:

APPEAL NO. 3446 – Appeal of George Speaks, owner of premises known as 1810 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 12' x 20' deck to 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 12' x 20' deck with a side yard setback of 3' +/- which is less than the required 20' side yard setback width.
- b. A Variance from the rules and regulations of CSS 295-46.C to allow the construction of a 12' x 20' deck with a rear yard setback of 12' +/- which is less than the required 15' rear yard setback depth.

Upon motion of Mr. Portner, the Committee unanimously directed the Township Engineer/Zoning Officer to advise the Zoning Hearing Board that it takes no action on said appeal.

APPEAL NO. 3447: Appeal of Victoria Palm, Owner of Premises known as 212 Ryers Avenue, Cheltenham, PA 19012, zoned C-3, from the decision of the Zoning Officer for the following Zoning Relief in order to add a 19' x 19' deck and a 5' x 16' wheel chair ramp to the rear of the premises:

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

- a. A Variance from the rules and regulations of CSS 295-121.C to allow the construction of a 19' x 19' deck and a connecting 5' x 16' wheel chair ramp with a side yard setback of 6'+/- which is less than the required 8' side yard setback width.

Upon motion of Mr. Sharkey, the Committee unanimously directed the Township Engineer/Zoning Officer to advise the Zoning Hearing Board that it takes no action on said appeal.

APPEAL NO. 3448: Appeal of owners of premises known as 8320 Forrest Ave. Elkins Park, PA 19027, zoned R-4, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 12' Diameter, octagon shaped Gazebo in the northeast corner of the premises.

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

- a. A Variance from the rules and regulations of CSS 295-39.B.(2) to allow the construction of a 12' diameter gazebo with a side yard setback of 4'+/- which is less than the required 20' side yard setback width.
- b. A Variance from the rules and regulations of CSS 295-39.C to allow the construction of a 12' diameter gazebo with a rear yard setback of 4'+/- which is less than the required 25' rear yard setback depth.

Upon motion of Mr. Simon, the Committee unanimously directed the Township Engineer/Zoning Officer to advise the Zoning Hearing Board that it takes no action on said appeal.

APPEAL NO. 3449: Appeal of 1347 Cheltenham Ave. Associates, L.P., c/o David Ahn, 89 Bruce Drive, Holland, PA 18966, equitable owner of property known as 1347 Cheltenham Ave., Elkins Park, PA 19027, zoned C-4, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 24,240 SF restaurant with shared parking with 1330 Willow Ave., 1355 Cheltenham Ave. and 1349 Cheltenham Ave.:

The following Zoning Relief is required for the existing building, formerly used as an office building:

- a. A Variance from the rules and regulations of CSS 295-221.I to allow for a total of 57 shared parking spaces during the mid-day hours for the restaurant and banquet uses, which is less than the required 154 shared parking spaces that are being provided during the evening hours.

Michael Yanoff, Esq. was present to represent the applicant.

Upon motion of Mr. Portner, the Committee unanimously directed the Township Engineer/Zoning Officer to advise the Zoning Hearing Board that it takes no action on said appeal.

2. Upon motion of Mr. Portner, and unanimously approved by the Committee the Planning Commission Meeting Minutes of August 27, 2012 were received.

3. The Committee reviewed a recent Zoning Hearing Board decision on Appeal No. 3445 – 133 and 135 Cheltenham Avenue for a dialysis center. The Zoning Hearing Board granted relief subject to conditions.

Upon motion of Mr. Norris, the Committee unanimously approved to take no action on said decision.

4. Upon motion of Mr. Portner, and unanimously approved by the Committee, the Report of the Building Inspector for the month of August, 2012, was received.

5. Under Old Business: Mr. Bagley advised that the applicant on Appeal No. 3413 for a private ambulance service at 7803 Montgomery Avenue has filed an appeal in court. Mr. Bagley will be filing the appropriate documents on behalf of the Township.

6. Under New Business: The Committee discussed hiring a traffic consultant to review the traffic site assessment performed by McMahon Associate on behalf of Hansen Properties for the development of the Lloyd Estate in Laverock. Mr. Havar reviewed an opinion by the Township's traffic engineering consultant Frank Tavani who reported that McMahon will be revising their assessment. Mr. Tavani estimates that the cost of his evaluation will be approximately \$1,500.00 but he will not know the exact cost until he sees the revised assessment and visits the site. Mr. Duffy reported that he has requested that Hansen Properties replenish its escrow in the amount of \$4,500 to cover Mr. Tavani's expenses.

Upon motion of Mr. Sharkey, the Committee unanimously agreed to table a decision until McMahon Associates submits its revised assessment.

There being no further business, upon motion of Mr. Portner, the Committee unanimously agreed to adjourn the meeting.



Bryan T. Havir
Acting Township Manager

as per Anna Marie Felix



PUBLIC ATTENDANCE LIST
Public Safety Committee, 7:30 p.m.
Public Affairs Committee, 7:45 p.m.
Building and Zoning Committee, 8:00 p.m.
Wednesday, September 5, 2012
Curtis Hall

NAME (Please Print Clearly)	ADDRESS	E-MAIL and/or TELEPHONE
Cheryl Banks	7810 Caversham Dr	
Veronica Banks	Elkins PK	
S Fork	CC	