

July 23, 2007
Township Building

The regular meeting of the Planning Commission was held tonight in the Township Administration Building. The following members were present: Messrs. Brockington, Cross, Goldfarb, Gordon and Winneberger. Also present was: Mr. Carmen G. Reitano, Assistant to the Director - Engineering, Zoning & Inspections and Ms. Jean Holland, Montco Planning.

1. Upon motion of Mr. Gordon, seconded by Mr. Brockington, the minutes of the June 26, 2007 meeting were accepted as presented.

2. At this time the following Appeals to be heard at the August 13, 2007 Zoning Hearing Board meeting were discussed:

APPEAL NO. 3223 (Continued) – Appeal of Pennsylvania New Vision Youth Services, owner of premises known as 36 Limekiln Pike, Glenside, PA. The subject premises contains three (3) buildings. The one-storey building with frontage on Limekiln Pike was formerly used for retail purposes, namely a food market. The first floor of the two-storey building was used for retail purposes and the second floor is an apartment. There is also an existing garage on the premises.

Applicant proposes to demolish the existing garage and create a new parking area. The one-storey fronting on Limekiln Pike shall continue to be used for retail purposes. The first floor of the two-storey building will be used for offices and the second floor will be used for an apartment. The buildings are non-conforming as to front, rear and side yards.

The first 150' of depth of the premises off of Limekiln Pike is within the Class C-3 Commercial and Business District. The remainder of the premises (1425± S.F.) is within the Class R-5 Residential District.

Applicant appeals from the Decision of the Zoning Officer for the following Zoning Relief:

1. Within the C-3 Zoning District:
 - a. A determination that the apartment use of the second floor of the two-storey building is an existing legal non-conforming use and may continue to be used as an apartment. In the alternative, a variance from the rules and regulations of the Class C-3

- Commercial and Business District as outlined in CCS 295-117. for the use of the second floor of the two-storey building as an apartment instead of one of the permitted enumerated uses.
- b. Variances from the rules and regulations of the Class C-3 Commercial and Business District as outlined in Article XVII of Chapter 295 of the Cheltenham Code as follows:
- i. From CCS 295-124. for lesser Green Area than the required 3295 S.F. of Green Area.
 - ii. From CCS 295-124. for a lesser vehicular parking setback of 5'± along the Willow Grove Avenue frontage of the premises instead of the minimum required 15'.
 - iii. From CCS 295-124. for a reduction of the landscaping required within the vehicular parking setback area.
 - iv. From CCS 295-125. for no Buffer Area between the C-3 and R-5 Zoning District boundary lines instead of the required 17' wide Buffer Area.
2. Within the R-5 Zoning District
- a. A determination that the commercial use of this portion of the premises is a legal non-conforming use of the premises. In the alternative, a variance from the rules and regulations of the Class R-5 Residence District as outlined in CCS 295-43. for the commercial use of this portion of the premises instead of one of the permitted enumerated uses.

Mr. Reitano stated this Appeal was presented at the July 9, 2007 Zoning Hearing Board meeting and continued to August 13, 2007.

Upon motion of Mr. Cross, seconded by Mr. Gordon, the Commission reiterates its previous recommendation and takes no action.

APPEAL NO. 3225 (Decision only) – Appeal of First Korean Church of New York, Inc., owner of premises known as 920 Spring Avenue, Elkins Park, PA (a/k/a “Faith Theological Seminary” or “Widener Estate”) from the Decision of the Zoning Officer for a variance from the rules and regulations of the Class R-2 Residence District as outlined in CCS 295-14. for the use of the premises as a Church and a Domicile for a Caretaker/Assistant Pastor instead of one of the permitted enumerated uses.

Mr. Reitano stated the hearing on this Appeal has been closed and a decision will be rendered at the August 13, 2007 Zoning Hearing Board meeting.

APPEAL NO. 3227 – Appeal of Trinity Korean Presbyterian Church, owner of premises known as 506 Stahr Road, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 10' W x 62.5±' L driveway along the

southeast property line of the premises and to move an existing 8' x 12' shed from the southeast side of the building to the Church Road side of the building (said premises being within the Class R-5 Residence District):

- a. Special Exceptions in accordance with the rule and regulations of the Class R-5 Residential District as outlined in CCS 295-43.C. for the following:
 - a. For the driveway
 - b. For the relocated shed

- b. Variances from the rules and regulations of the “Steep Slope Conservation District” as outlined in CCS 295-169. as follows:
 - a. From CCS 295-169.A.(1) for the relocated shed
 - b. From CCS 295-169.A.(2) for the driveway
 - c. From CCS 295-169.A.(3) for the filling or removal of topsoil associated with the above.

Representatives of the Trinity Korean Presbyterian Church were present.

Mr. Reitano presented plans of the proposed project and stated this is a corner property, located at Church Road and Stahr Road. The Applicant is requesting Zoning Relief in order to construct a driveway on an existing green side yard area and relocate an existing shed. It was ascertained that the shed has already been relocated to the rear of the property.

Ms. Anita Cummins, 7945 Park Avenue, adjacent property owner, was present and stated that the applicant can utilize an entire parking lot behind the “Sousan’s Pharmacy”. It was also stated that the vehicles will have to ride over part of her driveway to access this driveway and sidewalk blocks have been broken. In addition to the sidewalk being broken an existing water valve box was exposed.

Mr. Reitano stated an apron can be constructed on the applicant’s property and that an Engineer can determine the turning radius and configuration of the driveway apron and curb cut location.

Ms. Cummins also has concerns regarding responsibility of the water valve box, the apron being chipped away and the ability of vehicles to turn around without driving on her property.

Mr. Reitano stated the Township Engineer will review the Application and determine if there is sufficient room for vehicles to turn into the proposed driveway and exit onto Park Avenue.

Upon motion of Mr. Cross, seconded by Mr. Goldfarb, the Commission takes no action.

It was also recommended that the Township Engineer review the Appeal Application and determine if there is a sufficient turnaround area, review the traffic flow, and determine responsibility for the utilities that will be disturbed by this construction. It is recommended that if the ZHB approves this Zoning Relief, such relief be contingent upon the Applicant constructing an appropriate curb cut, replacing any damaged blocks and that vehicles not encroach on the neighboring property.

APPEAL NO 3228 – Appeal of Chong Duk Kim, owner of premises known 21-23 E. Glenside Avenue, Glenside, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to have two (2) apartments at 21 E. Glenside Avenue and to have three (3) apartments at 23 E. Glenside Avenue:

- a. A variance from the rules and regulations of the Class C-3 Commercial and Business District as outlined in CCS 295-117. for two (2) apartments at 21 E. Glenside Avenue instead of the permitted one (1) apartment.
- b. In the alternative, a determination that the two (2) apartments at 21 E. Glenside Avenue constitutes a legal non-conforming use of the premises.
- c. A variance from the rules and regulations of the Class C-3 Commercial and Business District as outlined in CCS 295-117. for three (3) apartments at 23 E. Glenside Avenue instead of the permitted one (1) apartment.
- d. In the alternative, a determination that three (3) apartments at 23 E. Glenside Avenue constitute a legal non-conforming use of the premises.
- e. A determination as to the required off-street parking for 21 and 23 E. Glenside Avenue.

No representatives were present to discuss this Application.

Mr. Reitano stated this is the Rizzo's Pizza property and the applicant is requesting Zoning Relief to have two (2) apartments at 21 E. Glenside Avenue and three (3) apartments at 23 E. Glenside Avenue. He stated Zoning Relief was previously granted to utilize the property at 21 E. Glenside Avenue as apartments for family members only and at this time the Applicant (new owner) is requesting that non-family members be permitted to rent the apartments.

During the review of the application and absence of the applicant it was determined that there was insufficient information to review this application.

Upon motion of Mr. Goldfarb, seconded by Mr. Cross, it is recommended that Appeal No. 3228 be denied due to insufficient information.

APPEAL NO. 3229 – Appeal of George Murray, owner of premises known as 1827 Erlen Road, LaMott, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to add a 12' L x 23' W deck to the Willow Avenue side of the residence:

- a. From the rules and regulations of the Class R-5 Residence District as outlined in Article VIII of the Cheltenham Code as follows:
 - i. A variance from CCS 295-43. for expansion of a non-conforming use (single family attached) instead of one of the permitted enumerated uses.
 - ii. A Special Exception in accordance with CCS 296-46.A.(1) for a lesser front yard setback width of 15±' from the Willow Avenue frontage of the premises instead of the minimum required 40'.
 - iii. A variance from CCS 295-.46.B.(2) for lesser side yard width of 12"± on the northwest side of the deck instead of the minimum required 20'.
 - iv. A variance from CCS 295-.46.B.(2) for lesser side yard width of zero (0) feet on the southeast side of the deck instead of the minimum required 20'.
- b. In the alternative, a variance from the rules and regulations of "Non-conforming Uses" as outlined in CCS 295-227.K. for expansion of a non-conforming residential structure.

No representatives were present to discuss this Application.

Mr. Reitano presented plans of the proposed deck and informed the Commission that this project will be presented to the LaMott BHAR at its August 6, 2007 meeting. Sample

photos of the proposed deck and pictures of similar decks on the same street were presented.

Upon motion of Mr. Goldfarb, seconded by Mr. Brockington, the Commission takes no action.

APPEAL NO. 3230 - Appeal of Herbert Fersner, owner of premises known as 636 Croyden Road, Cheltenham, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to place a 10' x 10' shed near the southeast rear corner of the premises:

- a. A variance from the rules and regulations of the Class R-5 Residence District as outlined in CCS 295-46.B.(1) for a lesser side yard width of 3' instead of the minimum required 8'.
- b. A variance from the rules and regulations of "Yard Regulations" as outlined in CCS 295-220.C. for a lesser rear yard setback of 3' instead of the minimum required 15'.

Mr. Herbert Fersner, owner, was present to discuss this Application.

Mr. Fersner presented plans of the proposed shed and stated a design has not been determined, but is considering an "A" frame or "Barn" shape shed. Photographs of this property were also presented.

Upon motion of Mr. Cross, seconded by Mr. Goldfarb, the Commission takes no action.

APPEAL NO. 3231 – Appeal of Thomas Norpel, owner of premises known as 233 Barker Road, Wyncote, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to construct a 15' W x 26' L, one (1) storey addition to the side of the residence:

- a. Variances from the rules and regulations of the Class R-3 Residence District as outlined in Article V of the Cheltenham Code as follows:
 - i. From CCS 295-24.A.(1) for a lesser front yard setback of 40' instead of the minimum required 50'.
 - ii. From CCS 295-24.B.(1) for a lesser aggregate side yard width of 38.5'± instead of the minimum required 40'.
- b. In the alternative, a variance from the rules and regulations of "Non-conforming Uses" as outlined in CCS 295-227.K. for expansion of a non-conforming structure.

Mr. Thomas Norpel, owner, and the project contractor were present to discuss this Application.

Renderings of the proposed project were presented and it was stated that the existing house is a non-conforming structure. Elevations were presented and it was determined that the proposed building coverage area will be under the minimum coverage permitted. Mr. Norpel stated he spoke to the neighbors, who have reviewed the plans, and has not received any negative comments.

Upon motion of Mr. Cross, seconded by Mr. Goldfarb, the Commission takes no action.

3. At this time Cheltenham Township Development Application No. 07-05: Record Plan Primex Proposed Parking Lot – 431 W. Glenside Avenue was discussed.

Mr. David Green, owner, and Mr. Lance Kraemer, Architect, were present to discuss this Application.

Mr. Kraemer presented plans of the proposed parking lot and informed the Commission that Mr. Green purchased this property and demolished the existing structure with the intention of increasing parking. There will be plantings in front of the parking lot. A new gate, a new fence, and rolling gates to be opened during business hours will be installed. A Stormwater Management System will be constructed under the parking field. New signage will also be required.

Ms. Holland informed the Applicant that a landscape buffer of at least 3' high will be required.

Upon motion of Mr. Cross, seconded by Mr. Goldfarb, it is recommended that Cheltenham Township Development Application No. 07-05: Record Plan Primex Proposed Parking Lot – 431 W Glenside Avenue be approved contingent upon the Applicant complying with all buffering requirements.

4. Upon motion of Mr. Goldfarb, seconded by Mr. Brockington, the meeting adjourned.

David G. Kraynik
Township Manager

Per: Emma L. Wetzel