

June 3, 2008
Township Building

A regular meeting of the **BUILDING AND ZONING COMMITTEE** was held tonight, Chairman Paul R. Greenwald presiding. Members present were Commissioners McKeown, Sharkey, Simon and Swavola. Also present was Ex-Officio member Muldawer. Staff present were Andrew B. Cantor, Esq., Wisler, Pearlstine, Talone, Craig, Garrity & Potash; Bryan T. Havir, Assistant Township Manager; David M. Lynch, Township Engineer; Ruth Littner Shaw, Main Street Manager; and David G. Kraynik, Township Manager. A Public Attendance List is attached.

Mr. Greenwald called the meeting to order.

1. The Committee reviewed the Zoning Hearing Board agenda for June 9, 2008 as follows:

APPEAL NO. 3267 (CONTINUED) - Appeal of E. B. Miles, Jr., equitable owner, and Tony Biello & Sons, Inc., owner of premises known as 7875 Mill Road, Elkins Park, PA, from the Decision of the Zoning Officer for a determination pursuant to CCS 295-227.F. that the proposed non-conforming use of the premises as an automobile salvage yard is of the same class of use as the existing automobile salvage yard and permissible (said premises being within the Class R-5 Residence District).

Upon motion of Mr. Simon, and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that the Committee recommends a grant of relief on this appeal, subject to conditions, as previously stated.

APPEAL NO. 3272 (Amended and Continued) - Appeal of Keystone Outdoor Advertising Company, Inc., equitable owner of premises of a triangular tract of land situated at the south quadrant of the intersection of Old Limekiln Pike with Ogontz Avenue (a/k/a CTRERP Block 146, Unit 016), from the decision of the Zoning Officer for the following Zoning Relief in order to construct and operate a 45' high, 14' W x 48' L (672 SF), double-faced free-standing billboard sign on the premises:

- a. Variances from the rules and regulations of the Class C-4 Commercial and Business District as outlined in Article XVIII of Chapter 295 of the Cheltenham Code, as follows:
 - i. From CCS 295-127. for the "Billboard" use of the premises instead of one of the permitted enumerated uses.

- ii. From CCS 295-132. for a 36± wide driveway instead of the maximum permitted 20’.
- b. A Variance from the rules and regulations of “Signs” as outlined in CCS 295-197.C. for the “Billboard” sign instead of one of the permitted enumerated sign types.

Mr. Lynch advised that the height of said billboard had been dropped to 45-feet high.

Mr. Greenwald noted that at the May 6, 2008 meeting of the Committee, residents opposed additional traffic distractions at said location. This concern was also brought up at a recent Town Meeting held by Senator LeAnna Washington with PennDOT officials on the Route 309 Project. Mr. Greenwald made reference to a report from PennDOT that addressed issues raised at that meeting. One of the issues was driver confusion due to too many signs at said location.

Upon motion of Mr. Greenwald, and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that it recommends denial of this application as previously stated. Additionally, Mr. Greenwald amended his previous motion for denial and asked that it include, as a reason to deny, comments from a recent PennDOT report on the Route 309 Project that there was a lot of signage in the area and too much signage can lead to driver confusion, which adds to safety concerns and would have a negative impact.

APPEAL NO. 3279 (CONTINUED) - Appeal of Bethany Christian Services, prospective owner of the front 2.5± acres (on Old York Road) of 7827 Old York Road, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief:

- a. A variance from the rules and regulations of the Class R-4 Residence District as outlined in CCS 295-36. in accordance with the rules and regulations of “Executive Office or Research Office Conversion” as outlined in CCS 295.225. for the use of the premises as administrative offices for a human services organization instead of one of the permitted enumerated uses.
- b. A determination as to the parking required.

Mr. Cantor advised that he received a letter from the applicant's attorney advising that the Pennsylvania Municipalities Planning Code states that condo minimizing does not constitute a subdivision. Mr. Cantor asked for proof of the applicant's tax-exempt status and for a proposed PILOT. Upon motion of Mr. Simon, and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that the Committee takes no action on this appeal as previously stated.

APPEAL NO. 3285 (Continued) - Appeal of Brookview at Elkins Park, owner of apartment complex known as "Brookview at Elkins Park Apartment Homes" at 235 Ashbourne Road, Elkins Park, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to renew-update the apartment complex signage. (The apartment complex is within the M-2 Multiple Dwelling District):

- a. Variances from the rules and regulations of "Signs" as outlined in Article XXV of Chapter 295 of the Cheltenham Code, as follows:
 - i. From CCS 295-197.A (2)(a) for a monument sign (Sign A) at the complex entrance/exit having a sign area of 33.6± S.F. instead of the maximum permitted 20 S.F.
 - ii. From CCS 295-196.A.(3) for the following freestanding directional signage exceeding 4 S.F. with apartment complex logo instead of the permitted directional signage being 4 S.F. or less without logo:
 1. For Sign B: "Leasing Center" w/directional arrow at 12 S.F.
 2. For Sign C: "Leasing Center" w/directional arrow at 12 S.F.
 3. For Sign D: "Leasing Center" at 12 S.F.
 4. For Sign E: "Fitness Center" at 12 S.F.
 - iii. From CCS 295-97.A. for the following parallel wall signage with apartment complex logo instead of no permitted parallel wall signage:
 1. For Sign F: "Resident Services & Leasing Office at 4 S.F.
 2. For Sign G: "Hours..." at 4 S.F.
 3. For twenty (20) Signs H: Apartment unit address signs at 1.78 S.F.
 - iv. From CCS 295-196.A.(3) for the following freestanding directional signage not exceeding 4 S.F. with apartment complex logo instead of the permitted directional signage being 4 S.F. or less without logo:

1. For three (3) Signs I: “Future Resident Parking” at 4 S.F.
 2. For Sign J: “Swimming Pool” with directional arrow at 4 S.F.
- v. From CCS 295-197.A. for the following freestanding signage instead of no permitted freestanding signage except for development identification:
1. For two (2) Signs N.1: “Attention All Pets Must Be On A Leash” at 1.5 S.F.
 2. For two (2) Signs N.2: “Please Clean Up After Your Pet” at 1.5 S.F.

Mr. Lynch reported that due to the opposition of neighbors, said appeal has been continued.

Upon motion of Mr. Simon, and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that it recommends denial of this appeal based on a lack of hardship as previously stated.

APPEAL NO. 3286 - Appeal of Baron D. Eberenz, owner of premises known as 312 Paxson Avenue, Glenside, PA from the Decision of the Zoning Officer for the following Zoning Relief in order to construct an 8'x 12' shed in the rear yard of the premises:

- a. A variance from the rules and regulations of the Class R-7 Residence District as outlined in CCS 295-60. B. (1.) for a lesser side yard setback of 3' instead of the minimum required 7'.
- 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 6' instead of the minimum required 15'.

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

APPEAL NO. 3287 - Appeal of David I. Rosen, owner of premises known as 810 Pitt Road, Cheltenham, PA from the Decision of the Zoning Officer for a variance from the rules and regulations of the Class R-5 Residence District as outlined in CCS 295-46. C. for a lesser rear yard setback of 15' instead of the minimum required 25' in order to construct a 22' x 22'(Irr.) deck behind the house

Upon motion of Mr. McKeown, and unanimously approved by the Committee, the Township Engineer was directed to advise the Zoning Hearing Board that it recommends the grant of relief on said appeal.

2. Upon motion of Mr. Swavola, and unanimously approved by the Committee, the Planning Commission Meeting Minutes dated May 19, 2008 were accepted.

3. The Committee reviewed the AdHoc Zoning Review Committee Meeting Minutes of May 5 and May 19, 2008. Hal Lichtman, Committee Chairman, presented an update on that Committee's concept of a LaMott Town Center. He discussed a meeting with the Montgomery County Planning Commission, which approved the concept. The MONTCO Planning Commission feels that said concept would be unique to this region and suggested that as many stakeholders as possible be included in discussions. A meeting of interested parties may be held at the end of the month. A list of potential key contacts was distributed.

4. Upon motion of Mr. Swavola, and unanimously approved by the Committee, the AdHoc Zoning Review Committee Meeting Minutes dated May 5 and May 19, 2008, were accepted.

5. The Committee reviewed and approved Economic Development Task Force recommendations for issuance of Certificates of Appropriateness for signage within the Commercial Enhancement Districts as follows:

Upon motion of Mr. Simon, and unanimously approved by the Committee, a Certificate of Appropriateness was issued to Jiang Jewelry, 7903 High School Road, Elkins Park, for a replacement awning sign.

Upon motion of Mr. McKeown, and unanimously approved by the Committee, a Certificate of Appropriateness was issued to Cornucopia Deli, 582 Cottman Avenue, Cheltenham, for a replacement sign.

6. Upon motion of Mr. Swavola, and unanimously approved by the Committee, the Report of the Building Inspector for the month of May 2008 was accepted.

7. **Under Old Business:** Mr. McKeown inquired about the status of the Certificate of Occupancy (COA) for Dunkin Donuts, Township Line Road. Mr. Lynch explained that the business is currently operating under a temporary COA due to landscaping issues in PennDOT's right-of-way. Several ideas are being considered. The owner has hired a landscape architect, and Mr. Lynch has requested a concept plan.

There being no further business, upon motion of Mr. McKeown, and unanimously approved by the Committee, the meeting was adjourned.

David G. Kraynik
Township Manager

as per Anna Marie Felix