Cheltenham Township, believing that public input is appropriate on any item coming before the Commissioners, will recognize any citizen wishing to address a specific item prior to the vote on that issue. In order to be recognized, please raise your hand.

BUILDING AND ZONING COMMITTEE

Morton J. Simon, Jr.- Chair
Harvey Portner - Vice Chair
Kathy A. Hampton - Member
Charles D. McKeown, Sr. - Member
J. Andrew Sharkey - Member
Daniel Norris – Member
Art Haywood - Ex-Officio Member

Wednesday, October 2, 2013
8:00 PM
Curtis Hall

AGENDA

1. Review of the Zoning Hearing Board Agenda for October 21 and October 29, 2013. See attached.

2. Review of the Planning Commission Minutes dated September 23, 2013. See attached.

3. Review of Recommendations for Certificates of Appropriateness for signage in Commercial Districts. See attached.

4. Review of recent Zoning Hearing Board Decisions. See attached.

5. Old Business

6. New Business

   a. Consider recommending to the Board a Resolution authorizing a three (3) year renewal of the Township's contract with the Montgomery County Planning Commission for years 2014 through 2016. See attached

7. Report of the Building Inspector for September 2013. See attached.

8. Citizens' Forum

9. Adjournment

Bryan T. Havir
Township Manager

ZONING HEARING BOARD

AGENDA

FOR

OCTOBER 21, 2013

NOTICE

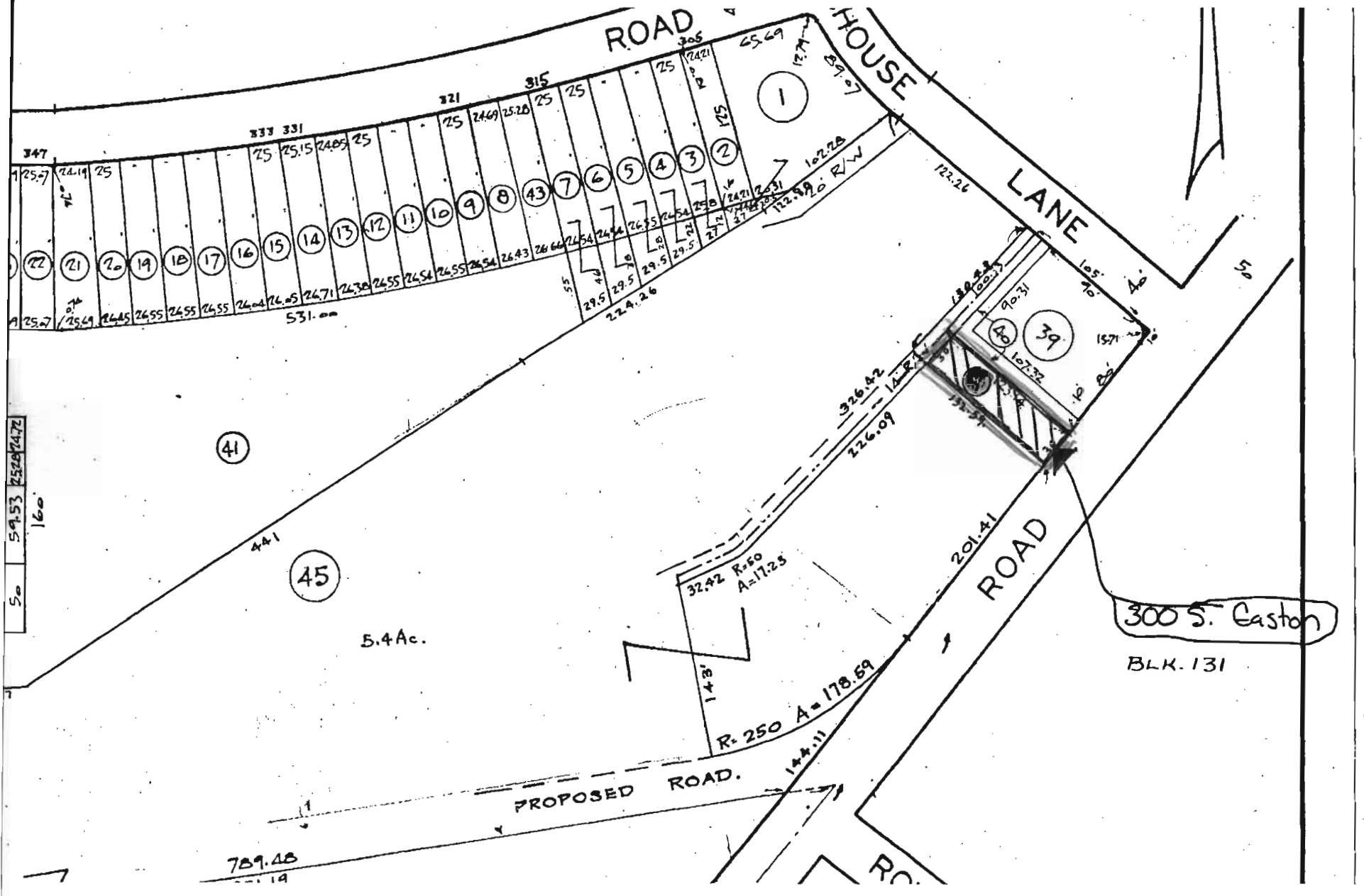
NOTICE IS HEREBY GIVEN that the Cheltenham Township Zoning Hearing Board will hold a public hearing on Monday, October 21, 2013 at 7:30 PM at Curtis Hall, Church Road and Greenwood Avenue, Wyncote, PA 19095, to consider the following applications for Special Exceptions and/or Variances from the terms of the Cheltenham Township Code, Chapter 295 thereof, entitled Zoning.

APPEAL NO 3471– Appeal of tenant of premises known as 300 S. Easton Rd. Glenside, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to place a new freestanding sign in place of their existing sign in a Class C-4 Commercial and Business District:

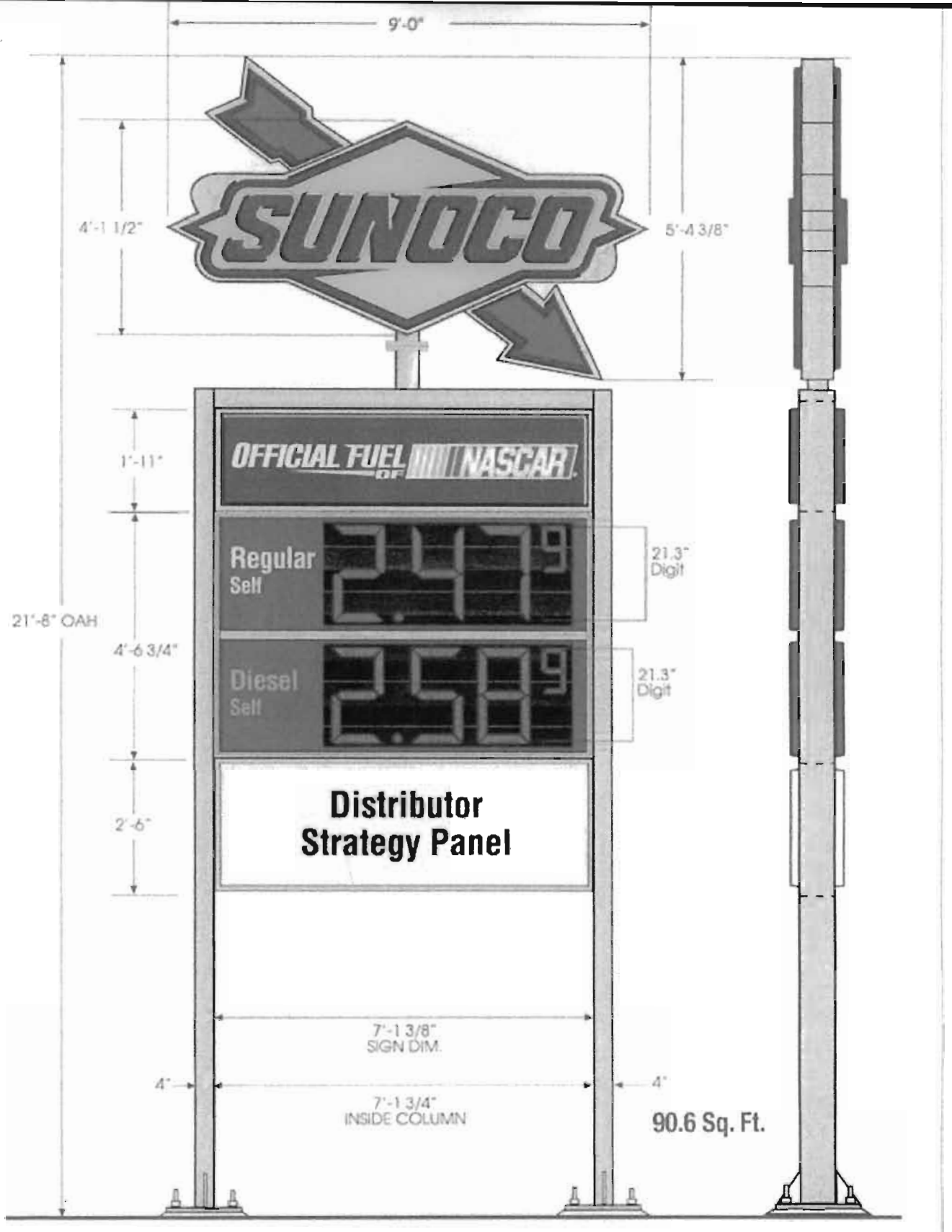
a. A Variance in accordance with Article XXV, Signs of Chapter 295-197 C.(1)(a). of the Cheltenham Code in order to place a freestanding sign measuring 94.38 sq. ft. instead of the allowed 50 sq. ft. and having a maximum height of 21'-8" instead of the allowed 15'-0".

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.


ROAD
HOUSE
LANE
ROAD
PROPOSED ROAD.
300 S. Easton
BLK. 131
5.4 Ac.
R=250 A=178.69
201.41
326.42
226.09
531.00
224.26
789.48
441
R=50
A=17.25

ZHB 3471-4



Close this window

ZHB3471-7

Township of Cheltenham

Montgomery County, Pennsylvania

Board of Commissioners
Art Haywood, *President*
Harvey Portner, *Vice President*
Kathy A. Hampton
Charles D. McKeown
Daniel B. Norris
J. Andrew Sharkey
Morton J. Simon, Jr.

Township Manager
Bryan T. Havir

Administration Building
8230 Old York Road
Elkins Park, PA 19027-1589

Phone: 215 887-1000
FAX: 215 887-1561
WWW.CHELTENHAMTOWNSHIP.ORG

MEMORANDUM

TO: David Jones, Interim Zoning Officer – Engineering, Zoning & Inspections

FROM: Bryan T. Havir, Township Manager

RE: Signage Applications

DATE: September 18, 2013

The following signage permit applications which were recently filed with your department were reviewed last evening at the Economic Development Task Force (EDTF) meeting:

- **Santander, 500 Central Avenue, Cheltenham Village District** – facade signage; free standing signage. Mr. Havir reported that the Design Committee indicated that it assumes that the façade signs and free standing signs are not lighted and that it conforms to zoning ordinance requirements and does not exceed zoning requirements. The EDTF recommends approval of the signage based on the conditions indicated above provided these new signs are inserts that replace existing signage.

- **Park Plates, 7852 Montgomery Avenue, Elkins Park East District** –facade signage. Mr. Havir reported that the Design Committee did like the signage but was not certain if the sign was backlit or face lit and asked for clarification. The EDTF recommends approval of the signage based on the condition outlined above and compliance with the zoning ordinance requirements.

- **State Farm, 421 Central Avenue, Cheltenham Village District** – insert for existing facade sign; awnings. EDTF recommended that awnings should be solid without name or phone number on them unless the sign insert does not have name or phone number on it. Approved with condition that it is in compliance with zoning ordinance requirements.

- **Sunoco, 300 S. Easton Road, Glenside District** – free standing LED Digital signage. The EDTF determined from the information submitted that the sign appears to be out of scale and out of compliance with the zoning ordinance requirements and with the Township's Commercial District Enhancement Plan and recommended that it not be approved because it was too large in size and too tall in height. The EDTF requested a 3-D rendering of the view of the proposed sign coming from Arcadia University into downtown Glenside headed north.

Please schedule Item #1, #2 and Item #3 for a consideration of issuance of a COA on the October 2, 2013 Agenda of the Commissioner's Building and Zoning Committee.

Thank you.

BTH/km

cc: Richard Parkes, Building and Zoning Department
Sue Drucker, Building and Zoning Department
David Kratzer, EDTF Design Committee

NOTICE

NOTICE IS HEREBY GIVEN that an application for zoning relief for Ogontz Autos LLC, 8141 Ogontz Ave. Philadelphia, PA 19150 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

a. **Cheltenham Township Planning Commission on Monday, September 23, 2013 at 7:30 P.M. in Curtis Hall at Curtis Arboretum, Wyncote, PA 19095.**

b. **Cheltenham Township Building and Zoning Committee on Wednesday, October 2, 2013 at 8:00 P.M. in Curtis Hall at Curtis Arboretum, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on Monday, October 21, 2013 at 7:30 PM at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO 3474 – Appeal of Ogontz Autos, LLC owner of premises known as 8141 Ogontz Ave., Philadelphia, PA 19050 from the Decision of the Zoning Officer for the following Zoning Relief in order to operate a used motor vehicle sales agency as a "primary use" and the existing Midas Auto Repair as an "accessory use" in a Class C-2 Commercial and Business District:

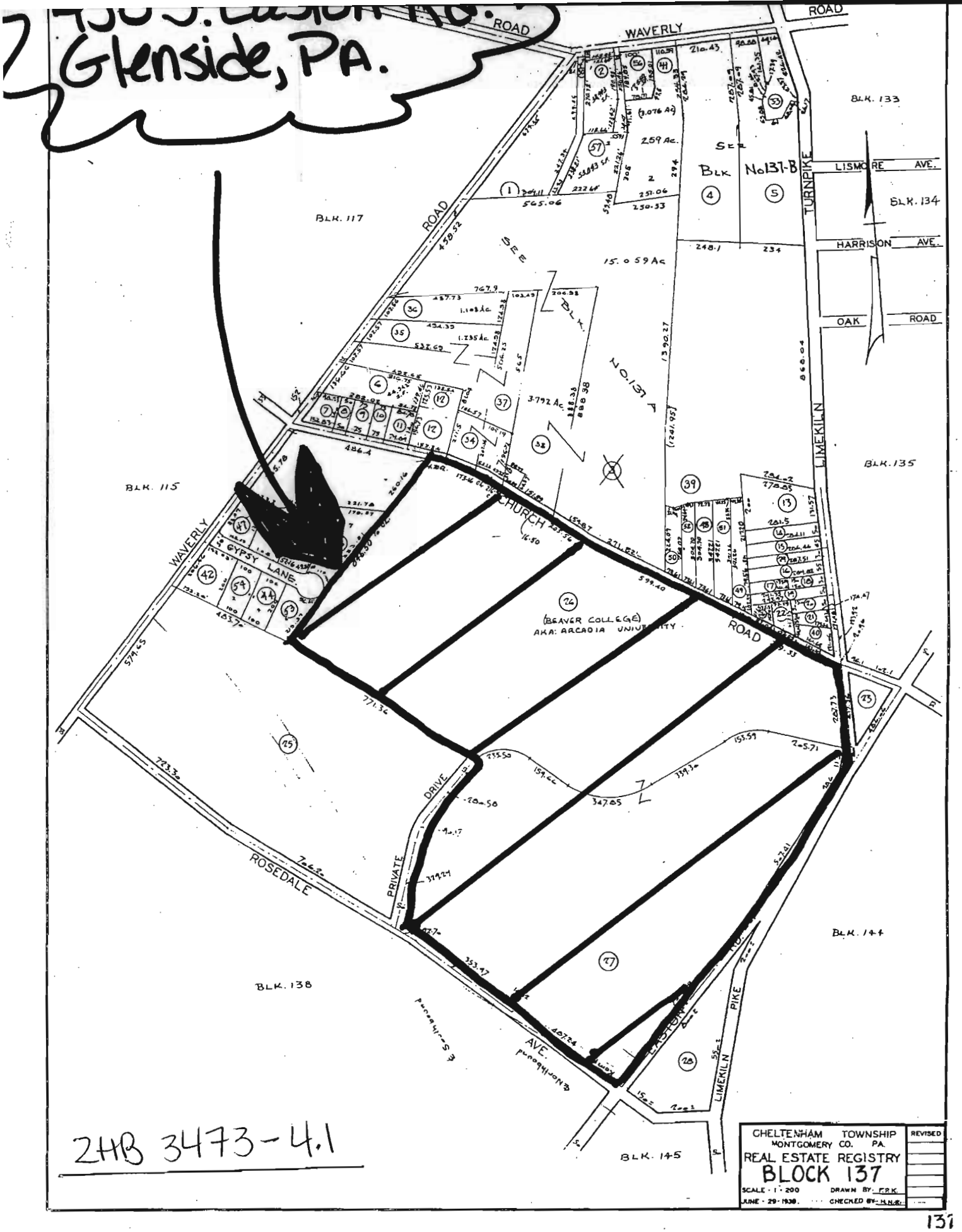
a. Variances from the Rules and Regulations of the Article XVI of Chapter 295-108 J. prohibiting the sale of used automobiles.

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

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

ZHB #3474

Zoning Officer



2HB 3473-4.1

137

NOTICE

NOTICE IS HEREBY GIVEN that an application for Zoning Relief for 450 S. Easton Road, 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, September 23, 2013, at 7:30 P.M. at the Township Administration Building Boardroom.**

b. **Cheltenham Township Building and Zoning Committee on Wednesday, October 2, 2010 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, October 21, 2013 at 7:30 P.M. at Curtis Hall, at Curtis Arboretum, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3473: Appeal of Arcadia University, owner of premises known as 450 S. Easton Road, Glenside, PA 19038, from the Decision of the Zoning Officer for the following zoning relief:

a. Variances from the Rules and Regulations of the Class R-1 Residence District as outlined in CCS 295-07. for the expansion of the educational use on the premises (CTRERP Block 137, Units 26 and 27) by making the following improvements instead of the enumerated permitted uses:
   i. Construction of a new 4400 +/- S.F., one-story (18' high) maintenance building.

b. Variance from CCS 295-10(C). for a rear yard setback of !0' instead of the the allowed 50'.

c. Variances from the Rules and Regulations of the Steep Slope Conservation District as outlined in Article XXII of the Cheltenham Code, as follows:
   i. From CCS 295-166(B.) for the construction of site improvements associated with the improvements noted in a. and b., above, for property having a terrain gradient of 15 % or more in a Steep Slope Conservation District.
   ii. From CCS 295-167. for the construction of site improvements associated with the improvements noted in a. and b., above, instead of the enumerated permitted uses.

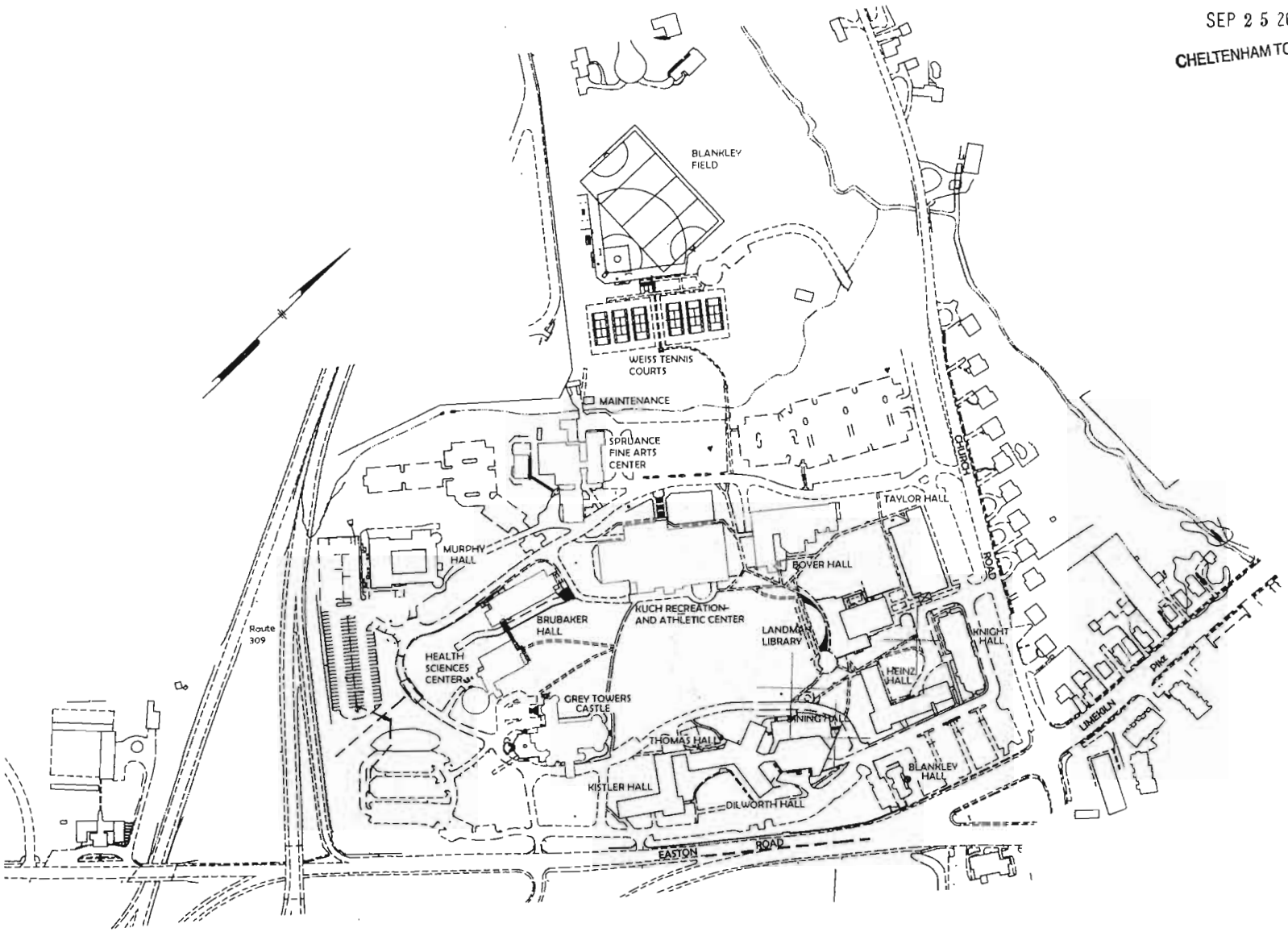
d. In the alternative to (a.) and (c.) above a Special Exception per CCS 295-227(C.) for extension or expansion of a non-conforming use.

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

ZHB #3473

Zoning Officer

RECEIVED
SEP 2 5 2013
CHELTENHAM TOWNSHIP



GLA ARCHITECTS, PC
ARCHITECTURE
PLANNING
2063 CHURCH ROAD
GLENSIDE, PA 19038
215.885.1300
120 HADDONTOWNE COURT
CHERRY HILL, NJ 08034
856.234.2389
NJ 7894 HAROLD LICHTMAN PA 7971 FL 8286

Proposed New Maintenance Building

450 South Easton Road Glenside, PA

for

ARCADIA UNIVERSITY

450 South Easton Road

Glenside ,PA

REVISION :
DATE : 16 Sep 2013
SCALE : AS NOTED
PROJ NO : 1308

© COPYRIGHT 2013

SP-1

ZONING HEARING BOARD

AGENDA

FOR

OCTOBER 29, 2013

NOTICE

NOTICE IS HEREBY GIVEN that an application for zoning relief for Good Pro Cheltenham, L.P. c/o Goodman Properties, 636 Old York Rd, 2nd Floor, Jenkintown, PA 19046 will be reviewed by the following Township Bodies which will offer recommendations to the Zoning Hearing Board:

a. **Cheltenham Township Planning Commission on Monday, June 24, 2013 at 7:30 P.M. in Curtis Hall at Greenwood Avenue and Church Road, Wyncote, PA 19095.**

b. **Cheltenham Township Building and Zoning Committee on Wednesday, July 3, at 8:00 P.M. in Curtis Hall at Greenwood Avenue and Church Road, Wyncote, PA 19095.**

This application will be heard by the Zoning Hearing Board on Monday, July 8, 2013 at 7:30 P.M. at Curtis Hall, Greenwood Avenue and Church Road, Wyncote, PA 19095.

APPEAL NO. 3468: Applicant is the equitable owner of a 3.65+ acre parcel of ground with frontage on Ogontz Avenue, Limekiln Pike, MacDonald Avenue and Clubhouse Lane. The property is located in a C1 Zoning District and is currently vacant.

Applicant proposes to develop the property for a WaWa Convenience Store containing 5,585 square feet with fueling stations. In this regard, Applicant requests the following zoning relief:

1. A variance under Section 295-98 of The Cheltenham Zoning Ordinance of 1929, as amended (the "Ordinance") so as to permit the property to be used as a Wawa convenience store containing 5,585 square feet with fueling stations;

2. A variance under Section 295-102 of the Ordinance for a reduction in the width of the 15 foot wide buffer along a public highway. The area between the proposed driveway and the Limekiln Pike right-of-way is 11.1 feet;

3. A variance under Section 295-101.A of the Ordinance to permit a canopy along Limekiln Pike to be located less than 60 feet from Limekiln Pike;

4. An interpretation under Section 295-221.B.(5)(a) of the Ordinance or, in the alternative, a variance under Section 295-221.B.(5)(a) of the Ordinance, to permit parking to be located between the building and the street;

PLANNING COMMISSION MINUTES

DATED

SEPTEMBER 23, 2013

The Planning Commission ("PC") meeting was held tonight in the Boardroom at the Township Administration Building. The following Planning Commission members were present: Messrs. Goldfarb, DiBenedetto, Harrower and Leighton; and also present was Richard B. Parkes, Engineering Aide of Engineering, Zoning & Inspections and Joseph V. Nixon, Montgomery County Planning Commission.

1. Acceptance of the minutes of the August 26, 2013 Meeting.

Minutes were approved with the exception of a correction to be provided in writing by Mr. Harrower at the next regularly scheduled monthly PC Meeting.

2. Review of Zoning Hearing Board for October 21, 2013.

APPEAL NO 3471– Appeal of tenant of premises known as 300 S. Easton Rd. Glenside, PA, from the Decision of the Zoning Officer for the following Zoning Relief in order to place a new freestanding sign in place of their existing sign in a Class C-4 Commercial and Business District:

a. A Variance in accordance with Article XXV, Signs of Chapter 295-197 C.(1)(a). of the Cheltenham Code in order to place a freestanding sign measuring 94.38 sq. ft. instead of the allowed 50 sq. ft. and having a maximum height of 21'-8" instead of the allowed 15'-0".

Mr. Singh, Sr. and Mr. Singh, Jr. were both present to discuss their application for a Sunoco sign at the above mentioned address.

Mr. Harrower asked if the sign could be lowered from the proposed 21 foot height to the allowed 15 foot height. A discussion ensued that if the sign was lowered the distributer panel at the bottom of the sign could create an obstruction of the right of way on Easton Road. It was suggested that the applicant should find out how other signs along Easton Road compare to the height and area of their proposed sign. In addition, present some pictures of the view into the right of way as well as a site plan where the proposed sign would be located.

Mr. Harrower made a motion to recommend denial of the sign as was presented and the motion was seconded by Mr. Leighton. The motion passed by all those in attendance. It was suggested that the applicant should bring additional information to the Building and Zoning Committee meeting to help make their case that the sign is appropriate.

APPEAL NO 3474 – Appeal of Ogontz Autos, LLC owner of premises known as 8141 Ogontz Ave., Philadelphia, PA 19050 from the Decision of the Zoning Officer for the following Zoning Relief in order to operate a used motor vehicle sales agency as a "primary use" and the existing Midas Auto Repair as an "accessory use" in a Class C-2 Commercial and Business District:

a. Variances from the Rules and Regulations of the Article XVI of Chapter 295-108 J. prohibiting the sale of used automobiles.

Tracy and Brian Beers were present for this application. They are requesting to open a used car business as their primary business and that the Midas Muffler shop would be an accessory use on the premises.

By state law, a used car business must have its own entrance for a sales office and not be part of a walk-thru to their accessory business. They mentioned that the building in the rear of the property would have a sales office entrance and that there would be spaces for at least 35 cars adjacent to this building. All the cars in the lot would be registered and "street worthy". No work would be performed on these vehicles outside the building. They said there would be some visibility from Shoppers Lane but the majority of their business would be based on internet sales.

A discussion ensued as to whether the business is a "primary use" or an "accessory use" to the Midas Muffler business. However, it did not matter to the applicant as he was concerned only that they could proceed with this addition to his present business.

Brian Beers brought up the fact that a C-2 Commercial District is the only district allowing the sale of automobiles.

Further discussion ensued that the Code is not specific as to whether the sale of new or used automobiles is allowed as a "primary" use but, it is specific in stating that the sale of used automobiles is not permitted as an "accessory" use in a C-2 district.

Mr. Harrower made a motion to recommend approval of the sale of used automobiles and the motion was seconded by Mr. DiBenedetto. The motion was approved by all those in attendance.

APPEAL NO. 3473: Appeal of Arcadia University, owner of premises known as 450 S. Easton Road, Glenside, PA 19038, from the Decision of the Zoning Officer for the following zoning relief:

a. Variances from the Rules and Regulations of the Class R-1 Residence District as outlined in CCS 295-07. for the expansion of the educational use on the premises (CTRERP Block 137, Units 26 and 27) by making the following improvements instead of the enumerated permitted uses:
   i. Construction of a new 4400 +/- S.F., one-story (18' high) maintenance building.
b. Variance from CCS 295-10(C). for a rear yard setback of 10' instead of the allowed 50'.
c. Variances from the Rules and Regulations of the Steep Slope Conservation District as outlined in Article XXII of the Cheltenham Code, as follows:
   i. From CCS 295-166(B.) for the construction of site improvements associated with the improvements noted in a. and b., above, for property having a terrain gradient of 15 % or more in a Steep Slope Conservation District.
   ii. From CCS 295-167. for the construction of site improvements associated with the improvements noted in a. and b., above, instead of the enumerated permitted uses.
d. In the alternative to (a.) and (c.) above a Special Exception per CCS 295-227(C.) for extension or expansion of a non-conforming use.
e. Variance from CCS 295-252(B) for a Parking Lot in the Riparian Corridor Conservation District or, in the alternative, an interpretation that CCS 295-250(B) or (C) applies for an existing driveway and parking lot in the Riparian Corridor.

Mr. Hal Lichtman was present for this application representing Arcadia University. He said that the building would back up to an existing steep slope adjacent to Holy Sepulchre Cemetery. Mr. Lichtman then presented plans showing the proposed location of a new maintenance building on the Arcadia University premises. He said the new building was necessary in order to have a shelter for the vehicles and for regular preventive maintenance on the vehicles indoors.

Mr. DiBenedetto requested that Mr. Lichtman show the proposed location of the maintenance building on sheet 1 of the overall site plan for Arcadia University. Mr. Lichtman stated that the

new building would not be in the Riparian Corridor but some of the driveway leading up to the building would be in the corridor. Mr. Lichtman also stated that a new culvert and driveway would go through the corridor and improvements would be made for the restoration of the stream bank within the work area.

Mr. Harrower made a motion to recommend approval of the construction of the new building and the motion was seconded Mr. DiBenedetto. The motion was approved by all those in attendance.

3. Old Business

None

4. New Business

In the absence of Mr. Lichtman, who already left the meeting, Mr. Harrower reflected that he would like to know how oils and other fluids would be contained within the building and not enter the stream. Further, were there any other alternative sites that were considered for the location of this building?

Both points should be addressed by the Building and Zoning Committee.

5. Adjournment

Mr. DiBenedetto made a motion for adjournment; Mr. Goldfarb seconded the motion, the motion passed. The meeting adjourned at 9:20 P.M.

Bryan T. Havir
Township Manager

Per Richard B. Parkes
Engineering & Zoning Aide

RECOMMENDATIONS FOR

CERTIFICATES OF APPROPRIATENESS

FOR SIGNAGE

IN COMMERCIAL DISTRICTS

Township of Cheltenham

Montgomery County, Pennsylvania

Board of Commissioners
Art Haywood, *President*
Harvey Portner, *Vice President*
Kathy A. Hampton
Charles D. McKeown
Daniel B. Norris
J. Andrew Sharkey
Morton J. Simon, Jr.

Township Manager
Bryan T. Havir

Administration Building
8230 Old York Road
Elkins Park, PA 19027-1589

Phone: 215 887-1000
FAX: 215 887-1561
WWW.CHELTENHAMTOWNSHIP.ORG

MEMORANDUM

TO: David Jones, Interim Zoning Officer – Engineering, Zoning & Inspections

FROM: Bryan T. Havir, Township Manager

RE: Signage Applications

DATE: September 18, 2013

The following signage permit applications which were recently filed with your department were reviewed last evening at the Economic Development Task Force (EDTF) meeting:

- **Santander, 500 Central Avenue, Cheltenham Village District** – facade signage; free standing signage. Mr. Havir reported that the Design Committee indicated that it assumes that the façade signs and free standing signs are not lighted and that it conforms to zoning ordinance requirements and does not exceed zoning requirements. The EDTF recommends approval of the signage based on the conditions indicated above provided these new signs are inserts that replace existing signage.

- **Park Plates, 7852 Montgomery Avenue, Elkins Park East District** –facade signage. Mr. Havir reported that the Design Committee did like the signage but was not certain if the sign was backlit or face lit and asked for clarification. The EDTF recommends approval of the signage based on the condition outlined above and compliance with the zoning ordinance requirements.

- **State Farm, 421 Central Avenue, Cheltenham Village District** – insert for existing facade sign; awnings. EDTF recommended that awnings should be solid without name or phone number on them unless the sign insert does not have name or phone number on it. Approved with condition that it is in compliance with zoning ordinance requirements.
- **Sunoco, 300 S. Easton Road, Glenside District** – free standing LED Digital signage. The EDTF determined from the information submitted that the sign appears to be out of scale and out of compliance with the zoning ordinance requirements and with the Township's Commercial District Enhancement Plan and recommended that it not be approved because it was too large in size and too tall in height. The EDTF requested a 3-D rendering of the view of the proposed sign coming from Arcadia University into downtown Glenside headed north.

Please schedule Item #1, #2 and Item #3 for a consideration of issuance of a COA on the October 2, 2013 Agenda of the Commissioner's Building and Zoning Committee.

Thank you.

BTH/km
cc: Richard Parkes, Building and Zoning Department
Sue Drucker, Building and Zoning Department
David Kratzer, EDTF Design Committee

RECENT

ZONING HEARING BOARD

DECISIONS

ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

APPEAL NO. 3465

Applicants:	Elizabeth and Scott Rawes 7801 Woodlawn Avenue Elkins Park, Pennsylvania 19027
Subject Premises :	7801 Woodlawn Avenue Elkins Park, Pennsylvania
Owner of Premises:	Elizabeth and Scott Rawes
Nature of Application:	Applicants appeal from the determination of the Zoning Officer finding that construction of a garage, measuring 26 feet by 24 feet, with a second floor in-law suite on the northeast side of the premises, which construction is not a permitted use and would create a less than required side yard setback, and installation of a 6 foot high solid fencing along the Glenwood Avenue frontage of the Property instead of the permitted 4 foot high, 50% open fencing, permitted within the front yard setback along Glenwood Avenue would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article VII, Section 295-36, regulating permitted uses, Article VII, Section 295-39, regularly yard setbacks, and Article XXIX, Section 295-223, regulating fences and walls.

Applicants seeks variances from the rules and regulations of the R-4 Residence District as follows:

(1) a variance from Section 295-36(F)(2) to allow construction of a garage, measuring 26 feet by 24 feet, with a second floor in-law suite on the northeast side of the premises instead of one of the permitted uses;

(2) a variance from Section 295-39(B)(2) to allow construction of a garage, measuring 26 feet by 24 feet, with a second floor in-law suite on the northeast side of the premises, with a side yard setback of 5 feet instead of the minimum required 10 foot side yard

setback; and

(3) a variance from Section 295-223 to allow installation of approximately 124 foot long, 6 foot high solid fencing along the Glenwood Avenue frontage of the Property instead of the permitted 4 foot high, 50% open fencing permitted within the front yard setback along Glenwood Avenue.

Time and Place of Hearing:	Monday, June 10, 2013 – 7:50 p.m. Monday, July 8, 2013 – 7:45 p.m. Curtis Hall Church Road and Greenwood Avenue Wyncote, Pennsylvania

FINDINGS OF FACT

1. Applicants Elizabeth and Scott Rawes ("Applicants") are the owners of the premises known as 7801 Woodlawn Avenue, Elkins Park, 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-4 Residence District and is improved by a single-family residence.

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 the hearing;

ZHB-3. an Application to the Zoning Hearing Board, referenced as Appeal No. 3465;

ZHB-4. a location map marked as Real Estate Registry Block 89, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information dated May 9, 2013;

ZHB-6. Building and Zoning Committee recommendation letter dated July 8, 2013;

ZHB-7. plot plan;

ZHB-8. a series of photographs of the Property;

ZHB-9. building plans showing the proposed construction;

ZHB-10. a copy of the revised legal notice with regard to the holding of the hearing;

ZHB-11. a series of additional photographs;

ZHB-12. neighbor support letter;

ZHB-13. June 18, 2013, request for continuance letter;

A-1. a series of photographs of the Property and of garages located in the back corners of properties throughout the neighborhood;

A-2. elevation renderings of the proposed garage/in-law construction;

A-3. statement by neighbors that the proposed construction is approved by the neighbors;

A-4. site plan of the Property

5. Applicants propose to construct a 2-story garage, measuring 26 feet by 24 feet on a northeast portion of the Property. Applicants intend to equip and use the second story for an in-law suite.

6. The proposed placement of the garage would create a side yard setback measuring 5 feet.

7. Use of the second floor for an in-law suite would create a second dwelling on the property.

8. In addition, Applicants' propose to install approximately a solid wood fence, measuring 6 feet in height, for a distance of 124 feet along the Glenwood Avenue frontage of the Property

9. The proposed location of the fence is within the front yard setback.

10. Applicant relies upon claims of privacy and safety to support their request for a solid fence and a fence measuring the 6 feet in height. Applicant claims that the proposed location of the fence will afford Applicant the greatest amount of backyard space and avoid the necessity of removing a mature tree.

11. During the course of the hearing, Applicants proposed to re-locate amended the garage/in-law suite to create a side yard setback measuring 10 feet. Accordingly, Applicants asked to amend their application for zoning relief to remove the request for relief from the requirements of the ordinance governing side yards. The Zoning Board accepted the amendment.

12. Applicant further asked to amend their application to reduce the length of the proposed solid wood fence to 50.5 feet and reduce the height of the remaining 73.5 feet of fence to 4 feet. The Zoning Board accepted the amendment.

13. The proposed in-law suite on the second floor of the garage would contain a living area, kitchen, bedroom and bathroom. The first floor would be used only as a garage.

14. Applicant agreed to accept a deed restriction on the Property stating that only parents of the owners of the Property may use the in-law suite on the second floor of the accessory garage.

15. Applicants' neighbors are in favor of the proposed project.

16. A grant of relief to allow the construction of a garage, measuring 26 feet by 24 feet, with a second floor in-law suite on the northeast side of the premises instead of one of the permitted uses will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

17. A grant of relief to allow the construction of a garage, measuring 26 feet by 24 feet, with a second floor in-law suite on the northeast side of the premises instead of one of the 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.

18. A grant of relief to allow the construction of a garage, measuring 26 feet by 24 feet, with a second floor in-law suite on the northeast side of the premises instead of one of the permitted uses will not be contrary to the public interest.

19. A grant of relief to allow the installation of approximately 124 foot long fencing along the Glenwood Avenue frontage of the Property, 50.5 feet of which would be 6 foot high solid fencing and the remaining 73.5 feet be a 4 foot high solid fencing instead of the permitted 4 foot high, 50% open fencing permitted within the front yard setback along Glenwood Avenue will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

20. A grant of relief to allow the installation of approximately 124 foot long fencing along the Glenwood Avenue frontage of the Property, 50.5 feet of which would be 6 foot high solid fencing and the remaining 73.5 feet be a 4 foot high solid fencing instead of the permitted 4 foot high, 50% open fencing permitted within the front yard setback along Glenwood Avenue 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.

21. A grant of relief to allow the installation of approximately 124 foot long fencing along the Glenwood Avenue frontage of the Property, 50.5 feet of which would be 6 foot high solid fencing and the remaining 73.5 feet be a 4 foot high solid fencing instead of the permitted 4 foot high, 50% open fencing permitted within the front yard setback along Glenwood Avenue will not be contrary to the public interest.

CONCLUSIONS OF LAW

1. Construction of a garage, measuring 26 feet by 24 feet, with a second floor in-law suite on the northeast side of a property is not a permitted by the Cheltenham Township Zoning Ordinance. Installation of a fence, measuring approximately 124 foot long, 50.5 feet of which would be 6 feet in height and solid and 73.5 feet of which would measure 4 feet high and solid instead of the permitted 4 foot high, 50% open fencing permitted within a front yard setback is not permitted by the Cheltenham Township Zoning Ordinance. 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, Applicants have met their 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 the construction of a garage, measuring 26 feet by 24 feet, with a second floor in-law suite on the northeast side of the premises and the installation of approximately 124 foot long fencing along the Glenwood Avenue frontage of the Property, 50.5 feet of which would be 6 foot high solid fencing and the remaining 73.5 feet be 4 foot high solid fencing would result in an unnecessary hardship.

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

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

DECISION

WHEREFORE, this 8th day of July, 2013, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, grants to Applicants the following variances:

(1) a variance from the rules and regulations of Article VII, Section 295-36(F)(2), to allow construction of a garage, measuring 26 feet by 24 feet, with a second floor in-law suite on the northeast side of the premises as a permitted use; and

(2) a variance from the rules and regulations of Article XXIX, Section 295-223, to allow the installation of approximately 124 foot long fencing, 50.5 feet of which would be 6 foot high solid fencing and the remaining 73.5 feet be a 4 foot high solid fencing within the front yard setback along Glenwood Avenue.

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

(1) Applicant shall submit a complete copy of the deed to the subject property to the Zoning Officer within thirty (30) days of the receipt of this notice;

(2) Applicant shall record a declaration that includes a restrictive covenant strictly limiting occupancy of the in-law suite to parents of the residents of the principal residence on the property;

(3) Applicant shall enter into an agreement with the Township whereby the restriction included in the recorded declaration is enforceable by the Township, which agreement shall be acceptable to the Township Solicitor in his sole discretion;

(4) No persons other than in-laws may reside in the in-law suite and the suite shall not become a rental unit;

(5) The minimum side yard setback for the garage/in-law suite shall be ten (10) feet;

(6) The minimum rear yard setback for the garage/in-law suite shall be fifteen (15) feet;

(7) Applicant shall landscape the solid fence with an evergreen buffer, which buffer shall be to the satisfaction of the Township engineer in the Township engineer's sole discretion; and

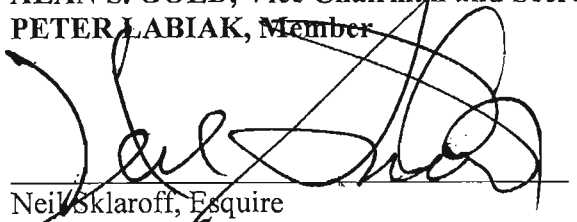
(8) the proposed improvements shall be constructed in substantial conformity with the plans submitted to the Zoning Hearing Board and the presentation made to the Zoning Hearing Board at its meetings.

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

Voting in favor of the above grant of relief:

AMEE S. FARRELL, Chairperson
ALAN S. GOLD, Vice Chairman and Secretary
PETER LABIAK, Member



Neil Sklaroff, Esquire
Solicitor to the Cheltenham Township Zoning Hearing Board

THIS DECISION IS OFFICIALLY ISSUED ON September 19, 2013.

Township of Cheltenham

Montgomery County, Pennsylvania

Board of Commissioners
Art Haywood, *President*
Harvey Portner, *Vice President*
Kathy A. Hampton
Charles D. McKeown
Daniel B. Norris
J. Andrew Sharkey
Morton J. Simon, Jr.

Township Manager
Bryan T. Havir

Administration Building
8230 Old York Road
Elkins Park, PA 19027-1589

Phone: 215 887-1000
FAX: 215 887-1561
WWW.CHELTENHAMTOWNSHIP.ORG

MEMORANDUM

July 8, 2013

TO: Amee Farrell, Chair – Zoning Hearing Board ("ZHB")*
Alan Gold, Vice-Chairman ZHB*
Peter Labiak, Member*
Michael McCann, ZHB Alternate Member*
Daryl K. Carrington, ZHB Alternate Member*
Neil Sklaroff, ZHB Solicitor*

FROM: Amy Riddle Montgomery, P.E.
Interim Engineer

RE: **ZHB Appeal No. 3465**
7801 Woodlawn Avenue

The Building and Zoning Committee at its July 3, 2013 meeting voted to take No Action on this Appeal; however, if the ZHB does grant the Zoning Relief required, the Building and Zoning Committee recommends that the Grant of Relief be subject to the following conditions:

a. The applicant has offered a deed restriction to permit use of the in-law suite by parents of the residents only. The Township Solicitor shall review and approve the deed restriction language.

cc:
Bryan T. Havir, Township Manager *
*Via email

ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

APPEAL NO. 3467

Applicant:	Anita T. Conner 8000 Old York Road Elkins Park, Pennsylvania 19027
Subject Premises :	8000 Old York Road Elkins Park, Pennsylvania
Owner of Premises:	Anita T. Conner
Nature of Application:	Applicant appeals from the determination of the Zoning Officer finding that a four percent (4%) expansion of an existing nonconforming use of the Property as accounting and law office would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article XXIX, Section 295-227, regulating nonconforming uses. Applicant seeks special expections from the rules and regulations of the R-4 Residence District as follows: (1) a special exception to Section 295-227(B), permitting the alteration and expansion of a non-residential building for an existing nonconforming use as an accounting and law office; and (2) a special exception to Section 295-227(C)(2), permitting the expansion of a nonconforming building not to exceed 25% of the original building.

Time and Place of Hearing:	Monday, July 8, 2013 – 8:10 p.m. Curtis Hall Church Road and Greenwood Avenue Wyncote, Pennsylvania

FINDINGS OF FACT

1. Applicant Anita T. Connor ("Applicant") is the owner of the premises known as 8000 Old York Road, Elkins Park, 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-4 Residence District and is improved by a building being used as an accounting and law office.

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 the hearing;

ZHB-3. an Application to the Zoning Hearing Board, referenced as Appeal No. 3467;

ZHB-4. a location map marked as Real Estate Registry Block 174, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information dated June 11, 2013;

ZHB-6. Building and Zoning Committee recommendation letter dated July 8, 2013;

ZHB-7. copy of the recorded deed to the Property; and

ZHB-8. copy of site plans and elevation plans of the proposed addition.

5. Applicant proposes to construct a less than four percent (4%) expansion to the existing building on the Property.

6. Gary Mertz of Mertz Architect PC, was sworn and accepted as an expert in architecture on behalf of Applicant. The Board relied upon Mr. Mertz's testimony.

7. The planned expansion is for the addition of a small conference room to the accounting office on the Property.

8. The Property contains a basement foundation that is covered by a roof, and the Applicant will incorporate this foundation into the addition. Applicant proposes removing the roof, and the proposed addition will cantilever beyond the existing foundation by a distance of 3 feet 4 inches.

9. The construction will result in a conference room measuring 12.2 feet by 14.5 feet, and the construction will even with the outside wall.

10. The square footage of the existing building is between 1,200 and 1,245 square feet, and the proposed construction will bring the square footage to 1,285 square feet, which is less than a four percent (4%) increase in the building size.

11. Mr. Mertz testified that the cantilever will measure 3 feet, 4 inches by 12 feet, 2 inches, or 40 square feet.

12. Applicant wishes to expand the space of the accounting office rather than move to a new location. The existing space does not allow for more than a small round table for conference room space.

13. The proposed expansion of the building will not result in the employment of additional personnel.

14. The proposed expansion will not infringe upon the existing front and rear yard setbacks.

15. Mr. Mertz testified that the exterior materials of the proposed expansion will match the existing exterior of the existing building.

16. Applicant proposes to return the landscaping to its current condition once the construction is finished.

17. A grant of relief to permit the alteration and expansion of a non-residential building for an existing nonconforming use as an accounting and law office will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

18. A grant of relief to permit the alteration and expansion of a non-residential building for an existing nonconforming use as an accounting and law office 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.

19. A grant of relief to permit the alteration and expansion of a non-residential building for an existing nonconforming use as an accounting and law office will not be contrary to the public interest.

20. A grant of relief to permit the expansion of a nonconforming building not to exceed 25% of the original building will result in no adverse effect to individual property rights or to the public health, safety, or welfare.

21. A grant of relief to permit the expansion of a nonconforming building not to exceed 25% of the original building 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 permit ting the expansion of a nonconforming building not to exceed 25% of the original building will not be contrary to the public interest.

CONCLUSIONS OF LAW

1. Alteration and expansion of a non-residential building for an existing nonconforming use by four percent (4%) of the original building is permitted only with the grant of special exception by the Cheltenham Township Zoning Ordinance. However, in accordance with the Pennsylvania Municipalities Planning Code and the Cheltenham Zoning Ordinance, the Cheltenham Township Zoning Hearing Board is empowered to grant special exceptions where the application meets the criteria of the zoning ordinances.

2. Under the circumstances of this matter, Applicant has met her burden in establishing that the application meets the criteria of the ordinance and Applicant is entitled to the special exceptions.

3. The Special Exceptions will not be contrary to the public interest.

DECISION

WHEREFORE, this 8th day of July, 2013, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, grants to Applicant the following:

(1) a special exception to the rules and regulations of Article XXIX, Section 295-227(B), permitting the alteration and expansion of a non-residential building for an existing nonconforming use as an accounting and law office; and

(2) a special exception to the rules and regulations of Article XXIX, Section 295-227(C)(2), permitting the expansion of a nonconforming building not to exceed 25% of the original building

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

(1) only lawful signage will be permitted;

(2) the landscaping shall be restored in areas disturbed due to construction; and

(3) 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 July 8, 2013 meeting.

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

Voting in favor of the above grant of relief:

AMEE S. FARRELL, Chairperson
ALAN S. GOLD, Vice Chairman and Secretary
PETER LABIAK, Member

Neil Sklaroff, Esquire
Solicitor to the Cheltenham Township Zoning Hearing Board

THIS DECISION IS OFFICIALLY ISSUED ON SEPTEMBER 19, 2013.

Township of Cheltenham

Montgomery County, Pennsylvania

Board of Commissioners
Art Haywood, *President*
Harvey Portner, *Vice President*
Kathy A. Hampton
Charles D. McKeown
Daniel B. Norris
J. Andrew Sharkey
Morton J. Simon, Jr.

Township Manager
Bryan T. Havir

Administration Building
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Elkins Park, PA 19027-1589

Phone: 215 887-1000
FAX: 215 887-1561
WWW.CHELTENHAMTOWNSHIP.ORG

MEMORANDUM

July 8, 2013

TO: Amee Farrell, Chair – Zoning Hearing Board ("ZHB")*
Alan Gold, Vice-Chairman ZHB*
Peter Labiak, Member*
Michael McCann, ZHB Alternate Member*
Daryl K. Carrington, ZHB Alternate Member*
Neil Sklaroff, ZHB Solicitor*

FROM: Amy Riddle Montgomery, P.E.
Interim Engineer

RE: **ZHB Appeal No. 3467**
8000 Old York Road
Anita Connor

The Building and Zoning Committee at its July 3, 2013 meeting voted to take No Action on this Appeal.

cc:
Bryan T. Havir, Township Manager *
*Via email

ZONING HEARING BOARD
OF CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

APPEAL NO. 3469

Applicant:	David Barry 331 Myrtle Avenue Cheltenham, Pennsylvania 19012
Subject Premises :	338 E. Laurel Avenue Cheltenham, Pennsylvania
Owner of Premises:	Luigi Ditri
Nature of Application:	Applicant appeals from the determination of the Zoning Officer finding that use of the garage on the Property as an office and warehouse for the operation of a landscaping/snowplow business, including the storage of landscaping/snowplow equipment on the Property would violate the Cheltenham Zoning Ordinance of 1929, as amended, and, specifically, Article XI, Section 295-64, regulating uses. Applicant seeks a variance from Section 295-64(E) of the rules and regulations of the R-8 Residence District to allow an accessory use of the existing garage as an office for the proposed landscaping/snowplow business, and for the storage of equipment in the garage, as well as the storage of plants, shrubs, trees and materials of the landscaping business for planting off-site.
Time and Place of Hearing:	Monday, July 8, 2013 – 8:35 p.m. Curtis Hall Church Road and Greenwood Avenue Wyncote, Pennsylvania

FINDINGS OF FACT

1. Applicant David Barry ("Applicant") is the equitable owner of the premises known as 338 E. Laurel Avenue, Cheltenham, Pennsylvania (the "Property"). The owner of the Property is Luigi Ditri.

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-8 Residence District and is improved by a single-family dwelling and a detached garage.

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 the hearing;

ZHB-3. an Application to the Zoning Hearing Board, referenced as Appeal No. 3469;

ZHB-4. a location map marked as Real Estate Registry Block 73, showing the location of the property;

ZHB-5. MEA Land Record Parcel Information dated June 18, 2013;

ZHB-6. Building and Zoning Committee recommendation letter dated July 8, 2013;

ZHB-7. enlarged MEA Record Plans of the Property;

ZHB-8. letter of Luigi Ditri, owner of the Property, confirming the agreement of sale to Applicant and his permission for Applicant to apply for the requested variance;

ZHB-9. aerial views of the Property and summary of zoning requirements;

A-1. copy of the plan for the Property with renderings;

A-2. photograph of the Property taken from the rear portion of the Property;

A-3. photograph of the Property taken from the back door of the existing building on the Property;

A-4. photograph of the front of the Property taken from the street;

A-5. compilation of the proposed landscaping/snowplow business noting hours of operation, equipment, and other information pertinent to the business of the Applicant; and

P-1. statement by neighbors of the Property stating no objections but noting certain requested conditions by the neighbors.

5. Applicant proposes to use the garage on the Property as an office and warehouse for the operation of a landscaping/snowplow business, including the storage of landscaping/snowplow equipment.

6. The proposed accessory use of the Property for a landscaping/snowplow business is not permitted.

7. Applicant will reside in the existing house on the Property.

8. Applicant is proposing to move his existing business to the Property.

9. Applicant intends to use the rear yard of the Property to store company's six vehicles, leftover mulch and topsoil, and leftover hardscape blocks and wood from contracting jobs. The garage provide storage for gas cans, oil, lawn and shrubbery care products, rock salt, grass seed, and small garden tools.

10. Applicant proposes to install a fence from the garage east towards Central Avenue which will cover the view of the vehicles from the street.

11. Applicant intends to store only five 5-gallon cans of gasoline in the garage.

12. Only three personnel vehicles will be stored in the driveway during the day.

13. Hours of operation are 7 a.m. to 8 pm. Monday through Saturday during the spring and summer months and 7 a.m. to dusk during the fall and winter months.

14. Applicant anticipates few actual emergency service calls which come from existing clients.

15. Applicant's snowplow operations begin when the snowfall substantially ceases. Applicant anticipates that all trucks would be loaded equipped the day before so that they can placed into service as quickly as necessary. Applicant admits that starting the trucks will produce noise and that the trucks will produce additional noise when they exist the Property.

16. The vehicles do not have back-up beep devices.

17. The materials to be stored on the Property would be leftover materials and stored only until used. Most materials are delivered directly to customers' addresses.

18. No customers will visit the business site. Applicant acquires new customers come by recommendation. Approximately 85% of the business customers are residential property owners.

19. Applicant's neighbors are in favor of the proposed project with conditions.

20. Applicant did not demonstrate a hardship.

21. A grant of relief would be contrary to the public interest.

DISCUSSION

Applicant proposes to operate a snowplow and gardening business from the Property located in a zoning district reserved primarily for residential and compatible uses. In order to earn a waiver of the use restrictions in this matter, the Applicant needed to prove that a failure to grant zoning relief to allow the commercial uses would result in an unnecessary hardship to the property. The local zoning code and the Municipalities Planning Code set forth the requirements that the application for zoning relief must meet.

Section 910.2(a) of the MPC clearly empowers the Board to grant variance only in a matter where the Board can make all of the following findings where relevant:

> (1) That there are unique physical circumstances or conditions, including the irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstance or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.
>
> (2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable reasonable use of the property.
>
> (3) That such unnecessary hardship has not been created by the appellant.
>
> (4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
>
> (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

Here, Applicant has made no claim that the Property cannot be developed and used for the uses permitted under the Zoning Code. There is just no evidence that the Property

cannot be used for a single-family detached dwelling or any other use permitted in the zoning district. Further, there is no evidence in this record that the Property suffers from unusual configuration or topography that makes permitted use of the Property impossible. Accordingly, Applicant failed to demonstrate an unnecessary hardship.

In order to grant a variance, the Board must be empowered by authority delegated through the MPC. The requirements for a variance are, in this case, clear and bind the Board's discretion. Accordingly, upon the record in this matter, the Board is without power to grant relief and must deny Applicants' request for variance.

CONCLUSIONS OF LAW

1. Use of the garage on the Property as an office and warehouse for the operation of a landscaping/snowplow business, and storage of landscaping/snowplow equipment at the rear of the Property is not permitted by the Cheltenham Township Zoning Ordinance. 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 failed to meet his 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 use of the garage on the Property as an office and warehouse for the operation of a landscaping/snowplow business, with the storage of landscaping/snowplow equipment on the Property would result in an unnecessary hardship.

3. Applicant has not established a hardship and is not entitled to relief as requested.

DECISION

WHEREFORE, this 8th day of July, 2013, the Cheltenham Township Zoning Hearing Board, by a 3-0 vote, denies Applicant's request for relief.

CHELTENHAM TOWNSHIP ZONING HEARING BOARD

Voting against the above grant of relief:

AMEE S. FARRELL, Chairperson
ALAN S. GOLD, Vice Chairman and Secretary
PETER LABIAK, Member

Neil Sklaroff, Esquire
Solicitor to the Cheltenham Township Zoning Hearing Board

THIS DECISION IS OFFICIALLY ISSUED ON September 19, 2013.

Township of Cheltenham

Montgomery County, Pennsylvania

Board of Commissioners
Art Haywood, *President*
Harvey Portner, *Vice President*
Kathy A. Hampton
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Daniel B. Norris
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MEMORANDUM

July 8, 2013

TO: Amee Farrell, Chair – Zoning Hearing Board ("ZHB")*
Alan Gold, Vice-Chairman ZHB*
Peter Labiak, Member*
Michael McCann, ZHB Alternate Member*
Daryl K. Carrington, ZHB Alternate Member*
Neil Sklaroff, ZHB Solicitor*

FROM: Amy Riddle Montgomery, P.E.
Interim Engineer

RE: **ZHB Appeal No. 3469**
338 E. Laurel Avenue
David Barry

The Building and Zoning Committee at its July 3, 2013 meeting voted to take No Action on this Appeal.

cc:
Bryan T. Havir, Township Manager *
*Via email

NEW BUSINESS

CHELTENHAM TOWNSHIP
RESOLUTION NO. ____-13

AUTHORIZING THE RENEWAL OF A PLANNING ASSISTANCE CONTRACT WITH THE MONTGOMERY COUNTY PLANNING COMMISSION TO PROVIDE PLANNING ASSISTANCE AND TECHNICAL SERVICES

WHEREAS, the Montgomery County Planning Commission ("the Commission") has provided planning assistance and technical services, professional planners and support staff to Cheltenham Township ("the Township") for the purpose of reviewing subdivision, land developments and ordinance amendments, and performing planning studies as required by Act 247, The Pennsylvania Municipalities Planning Code;

WHEREAS, the Township recognizes that it wants to continue the planning assistance relationship with the county;

WHEREAS, the Commission will assist the Township in the completion of a Comprehensive Zoning Ordinance update and maps;

WHEREAS, the Commission will assist the Township in the audit of intersections throughout the Township to determine pedestrian and bicycle accessibility;

WHEREAS, the Commission will assist the Township in updating its Comprehensive Plan;

WHEREAS, the Commission will assist the Township on the implementation of the Township's Sustainability Plan;

WHEREAS, the Commission will provide the Township with Enhanced Land Development Reviews;

WHEREAS, the Commission will provide the Township with assistance on special projects, reviews and meeting attendance;

I, Bryan T. Havir, duly qualified Secretary of the Township of Cheltenham, Montgomery County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Board of Commissioners as a regular meeting held on October 16, 2013, at Curtis Hall, Church Road and Greenwood Avenue, Wyncote, PA, and said Resolution has been recorded in the Minutes of the Township of Cheltenham and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Township of Cheltenham on this **16th day** of **October, 2013**.

TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS

By: _____
Art Haywood, President
Board of Commissioners

ATTEST:

_____
Bryan T. Havir, Secretary/Manager

REPORT OF THE BUILDING INSPECTOR

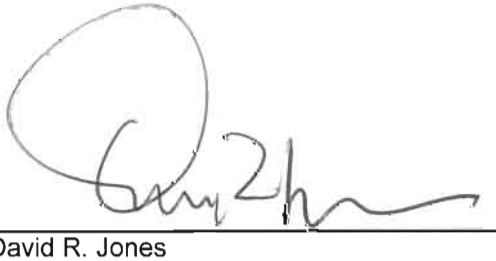
FOR SEPTEMBER 2013

September 26, 2013

COMMISSIONERS OF CHELTENHAM TOWNSHIP
ELKINS PARK, PA 19027

COMMISSIONERS OF CHELTENHAM TOWNSHIP
REPORT OF THE BUILDING INSPECTOR FOR SEPTEMBER, 2013

	# PERMITS	TOT. FEES	$ VALUE
RESIDENTIAL			
RENOVATIONS / ALTERATIONS	**43**	**6,709**	**335,450**
MULTI-FAMILY			
RENOVATIONS / ALTERATIONS	**1**	**2,079**	**103,950**
COMMERCIAL			
RENOVATIONS / ALTERATIONS	**5**	**12,573**	**628,650**
INSTITUTIONAL			
RENOVATIONS / ALTERATIONS	**1**	**4,057**	**202,850**
FENCE	**1**	**192**	**192**
SEPTEMBER, 2013	**51**	**25,610**	**1,271,092**
SEPTEMBER, 2012	24	7,468	370,460
YEAR-TO-DATE 2013	**583**	**199,844**	**9,754,646**
TOTAL 2012	604	224,950	11,247,500
HEATING & AIR CONDITIONING			
SEPTEMBER, 2013	**4**	**496**	**24,800**
SEPTEMBER, 2012	3	624	31,200
YEAR-TO-DATE 2013	**39**	**16,171**	**877,257**
TOTAL 2012	48	20,671	1,033,550
ELECTRICAL			
SEPTEMBER, 2013	**6**	**3,154**	**157,700**
SEPTEMBER, 2012	2	473	23,650
YEAR-TO-DATE 2013	**76**	**20,503**	**1,010,157**
TOTAL 2012	80	20,055	1,002,750
PLUMBING			
SEPTEMBER, 2013	**8**	**1,592**	**79,600**
SEPTEMBER, 2012	NOT PREVIOUSLY RECORDED		
YEAR-TO-DATE 2013	**76**	**12,134**	**605,700**
TOTAL 2012	NOT PREVIOUSLY RECORDED		



David R. Jones
Interim Director - Zoning & Inspections