



Zoning Hearing Board

[Public Notice](#)

Date received:
07/28/2023 @ 1310

Date & Time posted:
07/28/2023 @ 1322

[Agenda Link](#)

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07/31/2023 @ 1549

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08/08/2023 @ 0904

[Minutes Link](#)

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09/07/2023 @ 1115

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10/06/2023 @ 0855

Public Notice/Meeting Agenda/Minutes

Date: Thursday, August 17 2023

Location: 1014 Darby Rd, Havertown, Pa., 19083 – All Rooms

Time: 7:30 P.M.

NOTICE
HAVERFORD TOWNSHIP
ZONING HEARING BOARD

NOTICE is hereby given that the Zoning Hearing Board will hold a Public Meeting on Thursday, August 17, 2023, at 7:30 PM, in the Commissioners Meeting Room, 1014 Darby Road, Havertown, PA at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

- Z23-15** Christopher Munn and Dana Goodyear, owners of 2213 Haverford Road, Ardmore, PA. D.C. Folio# 22 06 00978 05, seek a variance from the provisions of §182-208.C(2)(g) to construct a 16'x15' rear deck that would encroach into the required 25' rear yard setback by 12' 7". Zoned R-6 (twin). Ward 6.
- Z23-16** Charles Burch, equitable owner of 622 College Avenue, Haverford, PA. D.C. Folio# 22 04 00123 01, seeks special exception under §182-720.C(2)(d) to construct an access drive within areas of very steep slopes (greater than 25%) and under §182-720.C(5)(a)&(c) to construct stormwater management facility and access driveway for a single-family detached dwelling within areas of steep slopes (15%-25%). Seeks any other relief required, including variances from the provisions of §182-720 to construct the proposed improvements. Zoned R-1. Ward 5.
- Z23-17** Sun & Raj, LLC., owner of 700 E. Haverford Rd., D.C. Folio# 22 05 00378 00, who seeks variances from §182-402.B(1) to allow the use of property as a vehicle refueling facility with a convenience store; §182-708.A(1) to allow a loading and unloading space in front of the building; §182-707.B to provide 6 off-street parking spaces when 7 is required; §182-701.E(1)(b)[1] to permit the total sign area to be 140.2 sq ft where a maximum of 105 sq ft is permitted; §182-71.E(1)(b)[2][c] to permit a freestanding sign with an area of 107 sq ft when a maximum of 25 sq ft is permitted; §182-701.B(4) to permit green LED lights to display diesel fuel pricing rather than red LED lights as required by a condition of the Board for the existing sign, pursuant to ZHB Case No. Z12-4 (5/3/2012), and any other relief as may be deemed necessary. Zoned C-2. Ward 5.

All interested parties are invited to attend and be heard in accordance with the rules and procedures established by the Board. The Board will conclude the hearing at 11:00 PM and any unfinished business will be continued to a future meeting date.

Published August 2nd and August 9th, 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **August 17, 2023**, AT **7:30 P.M.** IN THE COMMISSIONERS MEETING ROOM, 1014 DARBY ROAD, HAVERTOWN, PA 19083.

MEMBERS: Robert Kane, Chairman
 William Rhodes, Vice Chairman
 Jessica Vitali, Secretary
 Edward Magargee
 Jesse Pointon

ALSO PRESENT: Ernie Angelos, Esq., Solicitor
 Kelly Kirk, Zoning Officer
 Arlene LaRosa, Court Stenographer

Item #1 Continued Case:

Z23-05 DMG Elite Properties, LLC, owners of 8 Campbell Ave, Havertown, PA, D.C. Folio # 22-30-00224-00, seeks variances from the provisions of §182-802.D(1) to allow a change in nonconforming use from a restaurant to a mixed use building with an office/showroom with 4 apartments above, from §182-208C to allow the new building to be reconstructed within the existing nonconforming footprint of the existing building, and from §182-707.B to allow 11 spaces where 18 are required. Zoned R-6. Ward 3.

Item #2 New Cases:

Z23-15 Christopher Munn and Dana Goodyear, owners of 2213 Haverford Road, Ardmore, PA. D.C. Folio# 22 06 00978 05, seek a variance from the provisions of §182-208.C(2)(g) to construct a 16'x15' rear deck that would encroach into the required 25' rear yard setback by 12' 7". Zoned R-6 (twin). Ward 6.

Z23-16 Charles Burch, equitable owner of 622 College Avenue, Haverford, PA. D.C. Folio# 22 04 00123 01, seeks special exception under §182-720.C(2)(d) to construct an access drive within areas of very steep slopes (greater than 25%) and under §182-720.C(5)(a)&(c) to construct stormwater management facility and access driveway for a single-family detached dwelling within areas of steep slopes (15%-25%). Seeks any other relief required, including variances from the provisions of §182-720 to construct the proposed improvements. Zoned R-1. Ward 5.

Z23-17 Sun & Raj, LLC., owner of 700 E. Haverford Rd., D.C. Folio# 22 05 00378 00, who seeks variances from §182-402.B(1) to allow the use of property as a vehicle refueling facility with a convenience store; §182-708.A(1) to allow a loading and unloading space in front of the building; §182-707.B to provide 6 off-street parking spaces when 7 is required; §182-701.E(1)(b)[1] to permit the total sign area to be 140.2 sq ft where a maximum of 105 sq ft is permitted; §182-71.E(1)(b)[2][c] to permit a freestanding sign with an area of 107 sq ft when a maximum of 25 sq ft is permitted; §182-701.B(4) to permit green LED lights to display diesel fuel pricing rather than red LED lights as required by a condition of the Board for the existing sign, pursuant to ZHB Case No. Z12-4 (5/3/2012), and any other relief as may be deemed necessary. Zoned C-2. Ward 5.

AJOURNMENT

***This agenda does not necessarily reflect the order in which the cases will be heard.**

**MINUTES OF THE REGULAR MEETING
OF THE HAVERFORD TOWNSHIP ZONING HEARING BOARD HELD ON
August 17, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on August 17, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:42 p.m. Present were, Chairman, Robert Kane, Member Edward Magargee, Member Jessica Vitali, and Member Jesse Pointon. Vice-Chairman William Rhodes was absent. Also present were the Township’s Zoning Officer, Kelly Kirk, the Township’s Deputy Zoning Officer, Margie Buchanan, and the Board’s solicitor, Ernest S. Angelos, Esq. The hearing was recorded by a court stenographer.

After Chairman Kane called the meeting to order, the first order of business was the Pledge of Allegiance. Next Chairman Kane proceeded with old business before the Board, that being case no. Z23-05, the application of DMG Elite Properties, LLC the owner of 8 Campbell Avenue, Havertown, Pennsylvania.

The hearing re-commenced and the Applicant presented additional testimony and evidence, namely in the way of itemization of the specific code sections applicant is seeking relief from and a revised plan, which were admitted into the record. Following brief public comment, wherein resident Kim Kohalmi commented, the matter was continued to the Board’s September 7, 2023 meeting to allow the Board time to digest the exhibits and for Vice-Chairman Rhodes to review the transcript.

Next the Chairman moved to new business. The first case being Z23-17, the application of Sun & Raj, LLC., owner of 700 E. Haverford Rd. Applicant seeks variances from (1) §182-402.B(1) to allow the use of property as a vehicle refueling facility with a convenience store; (2) §182-708.A(1) to allow a loading and unloading space in front of the building; §182-707.B to provide 6 off-street parking spaces when 7 is required; (3) §182-701.E(1)(b)[1] to permit the total sign area to be 140.2 sq ft where a maximum of 105 sq ft is permitted; (4) §182-71.E(1)(b)[2][c] to permit a freestanding

sign with an area of 107 sq ft when a maximum of 25 sq ft is permitted; (5) §182-701.B(4) to permit green LED lights to display diesel fuel pricing rather than red LED lights as required by a condition of the Board for the existing sign, pursuant to ZHB Case No. Z12-4 (5/3/2012); and (6) any other relief as may be deemed necessary. The property is in the Township's C-2 Commercial District and Ward 5.

Before the applicant proceeded with its case, the solicitor advised of a typo in the Notice, in that the applicant is seeking variances from 182-403.B (1) rather than from 182-402.B(1) as advertised. Upon the applicant, through its attorney, waiving the defect and requesting to proceed, the hearing commenced, and the Applicant presented testimony and evidence, which was admitted into the record. Following public comment, wherein only residents who received regular mail and other residents of the Township commented¹ in opposition to the application, the record was closed, and the matter was continued to the Board's September 7, 2023 hearing for a decision.

Next Chairman Kane moved to case no. Z23-15, the application of Christopher Munn and Dana Goodyear, owners of 2213 Haverford Road, Ardmore, PA. Applicants seek a variance from the provisions of §182-208.C(2)(g) to construct a 16'x15' rear deck that would encroach into the required 25' rear yard setback by 12' 7". The property is in the Township's R-6 Residential Zoning District and Ward 6.

The hearing commenced, and the Applicant presented testimony and evidence, which was admitted into the record. Following public comment, in which there was none, the record was closed and the matter was continued to the Board's September 7, 2023 meeting for a decision.

¹ Marilia Marien, resident of Buck Lane, 713 Buck Lane; Ellen Luecke, resident of 756 Buck Lane; Doreen Saar, resident of 748 Rugby Road; Diane Drentlaw, resident of 738 Rugby Road; James Francis Szivos, resident of 737 Buck Lane; and John Brendan Cunningham, resident of 827 Penn Street.

Next Chairman Kane moved to case no. Z23-16, the application of Charles Burch, the equitable owner of 622 College Avenue, Haverford, PA. Applicant seeks special exception under §182-720.C(2)(d) to construct an access drive within areas of very steep slopes (greater than 25%) and under §182-720.C(5)(a)&(c) to construct stormwater management facility and access driveway for a single-family detached dwelling within areas of steep slopes (15%-25%). The property is located in the Township's R-1 Residential Zoning District and Ward 5. Applicant was represented by Jamie Jun, Esquire. The property owner, Barry J. Belmont, was represented by Peter Mardinly, Esquire

The hearing commenced, and the Applicant presented testimony and evidence, which was admitted into the record. Following public comment, in which resident Craig Pressman, owner of 613 College Avenue (who received regular mail), and resident Stuart Gordon, owner of 619 College Avenue, provided comment concerning student housing concerns and landscape buffering, the record was closed.

Upon a motion duly made and seconded, the application was approved 4-0 subject to the following condition:

1. The project must be completed within 1 year of the approval with leave for Applicant to seek an extension.
2. The project must be completed in accordance with the notes of testimony.

With no further new or old business before the Board the meeting was adjourned at 11:04pm.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary