



Zoning Hearing Board

[Public Notice Link](#)

Date received:
12/16/2022

Date & Time posted:
12/19/2022 @0951

[Agenda Link](#)

Date received:
12/16/2022

Date & Time posted:
12/19/2022 @0951

[Minutes Link](#)

Date received:
01/20/2023 @ 0904

Date & Time posted:
01/20/2023 @ 0920

Public Notice/Meeting Agenda/Minutes

Date: Thursday, January 05, 2023

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

Time: 7:30 P.M.

PUBLIC NOTICE

THE **REORGANIZATION MEETING** OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP WILL TAKE PLACE ON, THURSDAY, **JANUARY 5, 2023**, AT 7:00 IN THE COMMISSIONERS MEETING ROOM, 1014 DARBY ROAD, HAVERTOWN, PA 19083.

AGENDA

THE **REORGANIZATION MEETING** OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP WILL TAKE PLACE ON, THURSDAY, **JANUARY 5, 2023**, AT 7:00 IN THE COMMISSIONERS MEETING ROOM, 1014 DARBY ROAD, HAVERTOWN, PA 19083.

MEMBERS: Robert Kane
 Jesse Pointon
 Jessica Vitali
 William Rhodes
 TBD

SOLICITOR: TBD
COURT STENOGRAPHER: TBD

ITEM #1 REORGANIZATION/APPOINTMENTS

- A. Motions to nominate candidates for the following seats:
 - (1) Chairperson _____
 - (2) Vice-Chairperson _____
 - (3) Secretary _____

- B. Motion to appoint _____ as Zoning Solicitor for the year 2023

- C. Motion to appoint _____ as court stenographer for the year 2023

- D. Motion to appoint _____ as primary newspaper of record and
 _____ as secondary newspaper of record for the year 2023

- E. Motion to set the following 2023 calendar of meetings for the Zoning Hearing Board:

January 5 th & January 19 th	July 20 th
February 2 nd & 16 th	August 17 th
March 2 nd & 16 th	September 7 th & 21 st
April 6 th & 20 th	October 5 th & 19 th
May 4 th & 18 th	November 2 nd & 16 th
June 1 st & 15 th	December 7 th & 21 st

Meetings shall convene at _____ P.M.

**MINUTES OF THE REGULAR MEETING
OF THE HAVERFORD TOWNSHIP ZONING HEARING BOARD HELD ON
January 5, 2023**

The reorganization meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on January 5, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:15P.M. Present were duly appointed members Robert Kane, William Rhodes, Edward Magargee, Jesse Pointon and Jessica Vitali. Also present was Margie Buchanan, the Township’s Deputy Zoning Officer. Kelly Kirk, the Township’s Zoning Officer, was absent. The hearing was recorded by a court stenographer.

Deputy Zoning Officer Margie Buchanan acted as Chairperson Pro Tempore. After the meeting was called to order, the first order of business was the Pledge of Allegiance. Next, Chairperson Pro Tempore Buchanan moved to New Business, that being the reorganization of the Board.

The first order of business for reorganization was to elect a Chairperson. Nominations were opened and Robert Kane was nominated for Chairperson. With no additional nominations being made, nominations were closed and upon a motion duly made and seconded, Robert Kane was unanimously elected Chairperson.

Next, newly elected Chairperson Kane moved to the election of a Vice-Chairperson. Nominations were opened and William Rhodes was nominated for Vice-Chairperson. With no additional nominations being made, nominations were closed and upon a motion duly made and seconded, William Rhodes was unanimously elected Vice-Chairperson.

Chairperson Kane next move to the election of Secretary. Nominations were opened and Jessica Vitali was nominated for Secretary. With no additional nominations being made,

nominations were closed and upon a motion duly made and seconded, Jessica Vitali was unanimously elected Secretary.

The next order of business was to appoint a solicitor to serve for the year 2023. Upon a motion duly made and seconded to appoint Ernest S. Angelos, Esquire, solicitor, Mr. Angelos was unanimously approved and appointed.

Chairperson Kane next called for a motion to appoint the court stenographer for the year 2023. Upon a motion duly made and seconded to appoint Arlene M. Larosa, RPR, as stenographer, Ms. Larosa was unanimously approved and appointed.

Next, Chairperson Kane called for a motion to approve the Daily Times as the primary newspaper of record and The News of Delaware County as the secondary newspaper for record for the year 2023. Upon such motion duly made and seconded, the motion was passed unanimously.

Lastly, the Chairperson called for a motion to approve the Board's 2023 calendar of meetings. Upon motion duly made and seconded the following meeting dates were unanimously approved.

January 5th & January 19th
February 2nd & 16th
March 2nd & 16th
April 6th & 20th
May 4th & 18th
June 1st & 15th

July 20th
August 17th
September 7th & 21st
October 5th & 19th
November 2nd & 16th
December 7th & 21st

Meetings shall convene at 7:30P.M.

With no further New or Old Business before the Board the meeting was adjourned.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice Link](#)

Date received:
01/03/2023 @ 0956

Date & Time posted:
01/03/2023 @1024

[Agenda Link](#)

Date received:
01/06/2023 @ 1138

Date & Time posted:
01/06/2023 @ 1152

[Minutes Link](#)

Date received:
02/17/2023 @ 0917

Date & Time posted:
02/17/2023 @ 0929

Public Notice/Meeting Agenda/Minutes

Date: Thursday, January 19, 2023

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

Time: 7:30 P.M.

PUBLIC NOTICE
HAVERFORD TOWNSHIP
ZONING HEARING BOARD

NOTICE is hereby given that the Zoning Hearing Board will hold a Public Meeting on Thursday, January 19, 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:

Z22-22 Christopher and Jill Welsh, owners of 115 Waterview Circle, Havertown, PA., D.C. Folio No. 22 01 02361 53, who seek a variance from the provisions of §182-604.F(1)(a) to allow the construction of a 22'x 22' addition and to expand an existing rear deck by 24 sq. ft. within the 100 year flood plain. Zoned R-2. Ward 4. **Continued from September 1, 2022**

Z23-01 Laura and Christopher Eccles, owners of 120 Yale Road, Havertown, PA., D.C. Folio No. 22 07 01620 00, seek variances from the provisions of §182-727.C(1) & §182-702 to erect a 6' solid vinyl fence that will encroach into the required 30' front yard setback by 30'. Zoned R-4. Ward 7.

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.

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **January 19, 2022**,
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:

Z22-22 Christopher and Jill Welsh, owners of 115 Waterview Circle, Havertown, PA., D.C. Folio No. 22 01 02361 53, who seek a variance from the provisions of §182-604.F(1)(a) to allow the construction of a 22'x 22' addition and to expand an existing rear deck by 24 sq. ft. within the 100 year flood plain. Zoned R-2. Ward 4. **Continued from September 1, 2022**

Item #2 New Case:

Z23-01 Laura and Christopher Eccles, owners of 120 Yale Road, Havertown, PA., D.C. Folio No. 22 07 01620 00, seek variances from the provisions of §182-727.C(1) & §182-702 to erect a 6' solid vinyl fence that will encroach into the required 30' front yard setback by 30'. Zoned R-4. Ward 7.

ADJOURNMENT

***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
January 19, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on January 19, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:45P.M. Present were Vice Chairperson William Rhodes, member Edward Magargee, member Jessica Vitali and member Jesse Pointon who participated remotely. Chairperson Robert Kate was absent. Also present was Margie Buchanan, the Township’s Deputy Zoning Officer, and Kelly Kirk, the Township’s Zoning Officer. Board solicitor Ernest Angelos, Esquire was absent; his partner Linell Lukesh, Esq. was present in his stead. The hearing was recorded by a court stenographer.

After Vice Chairperson Rhodes called the meeting to order, the first order of business was the Pledge of Allegiance. Next Vice Chairperson Rhodes called for a motion to approve the minutes for the December 1, 2022 and January 5, 2023 meetings. Upon a motion duly made and seconded, the minutes were approved unanimously. Next Vice Chairman Rhodes proceeded with old business, that being case no. *Z22-22*.

Case no. *Z22-22* is the application of Christopher and Jill Welsh, owners of 115 Waterview Circle, Havertown, PA. Applicants seeks a variance from the provisions of §182-604.F(1)(a), to allow the construction of a 22’ x 22’ addition and to expand an existing rear deck by 24 sq. ft. within the 100 year flood plain. The property is zoned R-2 and located in Ward 4. This matter was continued from the Board’s September 1, 2023 meeting at the request of the Applicants.

The hearing re-commenced, and the Applicants presented additional testimony and evidence. Following Applicants’ conclusion of their case and a period of public comment, in which there was none, and an executive session, Vice-Chairman Rhodes called for a motion. Upon a motion duly

made and seconded, the Board voted 4-0 to approve the application subject to the following reasonable conditions:

1. That the property will remain as a single dwelling unit and the addition will not be rented as an apartment.
2. That the addition will not have cooking facilities.
3. That the crawlspace and area under the deck shall not be used for storage and the area under the deck shall only be enclosed by lattice.
4. That no utilities will be placed under the crawlspace or deck other than water, sewer, and a sump pump.
5. That the final plans will be subject to review of the Township Engineer.
6. That the project will be completed within one year of the date of the approval and in accordance with the notes of testimony.

With no other old business, Vice Chairman Rhodes moved to new business, that being case no. Z23-01.

Case no. Z23-01 is the application of Laura and Christopher Eccles, the owners of 120 Yale Road. Applicants seek variances from the provisions of §182-727.C(1) and §182-702, to erect a 6' solid vinyl fence that will encroach into the required 30' front yard setback by the full 30'. The property is in the Township's R-4 zoning district.

The matter commenced and testimony and evidence were presented and admitted into the record on behalf of the Applicants. Following Applicants' conclusion of their case and a period of public comment, in which two residents, Thomas Thornton and Mark Sweet, commented in favor of the application, and an executive session, Vice-Chairman Rhodes called for a motion. Upon a motion duly made and seconded, the Board voted 4-0 to approve the application subject to the following reasonable condition:

1. That the project will be completed within one year of the date of the approval and in accordance with the notes of testimony.

With no further New or Old Business before the Board the meeting was adjourned.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

Public Notice

Date received:

Date & Time posted:

Agenda Link

Date received:

Date & Time posted:

Minutes Link

Date received:

Date & Time posted:

Public Notice/Meeting Agenda

Date: Thursday, January 05, 2023

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

Time: 7:30 P.M.



Zoning Hearing Board

[Public Notice](#)

Date received:
01/30/2023 @ 1100

Date & Time posted:
1/30/2023 @ 1129

[Agenda Link](#)

Date received:
01/30/2023 @ 1100

Date & Time posted:
01/30/2023 @ 1129

[Minutes Link](#)

Date received:
03/17/2023 @ 0804

Date & Time posted:
03/17/2023 @ 0918

Public Notice/Meeting Agenda/Minutes

Date: Thursday, February 16, 2023

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

Time: 7:30 P.M. M.

PUBLIC NOTICE
HAVERFORD TOWNSHIP
ZONING HEARING BOARD

NOTICE is hereby given that the Zoning Hearing Board will hold a Public Meeting on Thursday, February 16, 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:

Z23-02 Michael and Megan Malligan, owners of 214 Walnut Place, Havertown, PA., D.C. Folio# 22 08 01071 00, who see a variance from the provisions of §182-207.C(7) to construct 26'8"x16' two-story addition that will encroach into the required 25' rear yard setback by 14'9". Zoned R-5. Ward 8.

Z23-03 Christopher and Lianna Peto, owners of 841 Homestead Ave., Havertown, PA., D.C. Folio # 22 06 01187 00, who seek a variance from the provisions of §182-711.B(1) to construct a 20' x 19' porch roof that will encroach into the required 10' separation between the main structure and the accessory structure by 14'. Zoned R-4. Ward 6.

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 February 1st and 8th 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **February 16, 2022**,
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 New Cases:

Z23-02 Michael and Megan Malligan, owners of 214 Walnut Place, Havertown, PA., D.C. Folio# 22 08 01071 00, who see a variance from the provisions of §182-207.C(7) to construct 26'8"x16' two-story addition that will encroach into the required 25' rear yard setback by 14'9". Zoned R-5. Ward 8.

Z23-03 Christopher and Lianna Peto, owners of 841 Homestead Ave., Havertown, PA., D.C. Folio # 22 06 01187 00, who seek a variance from the provisions of §182-711.B(1) to construct a 20' x 19' porch roof that will encroach into the required 10' separation between the main structure and the accessory structure by 14'. Zoned R-4. Ward 6.

ADJOURNMENT

***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
FEBRUARY 16, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on February 16, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:45P.M. Present were Chairperson Robert Kane, Vice-Chairperson William Rhodes, who participated remotely, Member Edward Magargee, Member Jessica Vitali, and Member Jesse Pointon. Also present were Margie Buchanan, the Township’s Deputy Zoning Officer and the Board solicitor, Ernest Angelos, Esquire. The Township’s Zoning Officer, Kelly Kirk, was absent. The hearing was recorded by a court stenographer.

After Chairperson Kane called the meeting to order, the first order of business was the Pledge of Allegiance. Next Chairperson Kane proceeded with new business as there was no old business before the Board.

The first case, no. Z23-02, is the application of Michael and Megan Malligan, the owners of 214 Walnut Place, Havertown, PA. Applicants seek a variance from the provisions of §182-207.C(7) to permit the construction of a 26’8”x 16’ two-story addition that will encroach into the required 25’ rear yard setback by 14’9”. The property is zoned R-5 and located in Ward 8.

The hearing commenced, and testimony and evidence were presented and admitted into the record on behalf of the Applicants. Following discussion with the Board, Applicants requested a continuance to provided additional evidence and testimony. Prior to finalizing the continuance to the Board’s March 16, 2023 meeting, Chairperson Kane called for public comment. Two residents, Mary and Glen Santulli, owners of 212 Walnut Place, the property with which the subject shares a common driveway, commented about construction concerns, and also asked about easement and survey needs. Mr. and Mrs. Santulli further commented that they had converted their garage at 212

Walnut Place into living space a few years ago. Two additional residents, Tina Ciotti-Friels and Scott Friels, the owners of 216 Walnut Place, located directly behind the subject property, commented in support of the application. At the conclusion of the public comment, Chairperson Kane continued the matter until the Board's March 16, 2023 meeting.

Next Chairperson Kane proceeded with case no. Z23-03, that being the application of Christopher and Lianna Peto, the owners of owners of 841 Homestead Ave., Havertown, PA. Applicants seek a variance from the provisions of §182-711.B(1) to construct a 20' x 19' porch roof that will encroach into the required 10' separation between the main structure and an accessory structure by 14'. The property is zoned R-4 and located in Ward 6.

The matter commenced and testimony and evidence were presented and admitted into the record on behalf of the Applicants. Following Applicants' conclusion of their case and a period of public comment, in which there was none, the Board recessed for a brief executive session. Upon returning on the record, Chairperson Kane called for a motion. Upon a motion duly made and seconded, the Board voted 5-0 to approve the application subject to the following reasonable conditions:

1. The patio's pavers must be flush with the adjacent driveway.
2. No structures, enclosures or in-ground additions to the patio are to be constructed next to the driveway.
3. The project must be completed within 1 year of the approval and in accordance with the hearing's notes of testimony.

With no further business before the Board the meeting was adjourned.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

Public Notice

Date received:

Date & Time posted:

Agenda Link

Date received:

Date & Time posted:

Minutes Link

Date received:

Date & Time posted:

Public Notice/Meeting Agenda

Date: Thursday, January 05, 2023

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

Time: 7:30 P.M.



Zoning Hearing Board

[Public Notice](#)

Date received:
02/27/2028 @ 1153

Date & Time posted:
02/28/2022 @ 0834

[Agenda Link](#)

Date received:
02/27/2028 @ 1158

Date & Time posted:
02/28/2023 @ 0834

[Minutes Link](#)

Date received:
05/19/2023 @ 1044

Date & Time posted:
05/19/2023 @ 1356

Public Notice/Meeting Agenda/Minutes

Date: Thursday, March 16, 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, March 16, 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:

Z23-02 Michael and Megan Malligan, owners of 214 Walnut Place, Havertown, PA., D.C. Folio# 22 08 01071 00, who seek a variance from the provisions of §182-207.C(7) to construct 26'8"x16' two-story addition that will encroach into the required 25' rear yard setback by 14'9", and from the provisions of §182-207.C(9) to exceed the permitted 45% impervious by 168.83 sq. ft. (48.46%) and from the provisions of §182-707.A(1) &(2) and §182-707.B to use an unapproved permeable surface system to allow parking for two vehicles that will be unable to exit independently where there had been independent parking. Zoned R-5. Ward 8.

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 March 1st and 8th 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **March 16, 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 New Cases:

Z23-02 Michael and Megan Malligan, owners of 214 Walnut Place, Havertown, PA., D.C. Folio# 22 08 01071 00, who seek a variance from the provisions of §182-207.C(7) to construct 26'8"x16' two-story addition that will encroach into the required 25' rear yard setback by 14'9", and from the provisions of §182-207.C(9) to exceed the permitted 45% impervious by 168.83 sq. ft. (48.46%) and from the provisions of §182-707.A(1) &(2) and §182-707.B to use an unapproved permeable surface system to allow parking for two vehicles that will be unable to exit independently where there had been independent parking. Zoned R-5. Ward 8.

ADJOURNMENT

***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
March 16, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on March 16, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:45P.M. Present were Chairperson Robert Kane, Vice-Chairperson William Rhodes, Member Edward Magargee, Member Jessica Vitali, and Member Jesse Pointon. Also present were Margie Buchanan, the Township’s Deputy Zoning Officer and the Board solicitor, Ernest Angelos, Esquire. The Township’s Zoning Officer, Kelly Kirk, was absent. The hearing was recorded by a court stenographer.

After Chairperson Kane called the meeting to order, the first order of business was the Pledge of Allegiance. Next Chairperson Kane proceeded with old business before the Board, that being case No. Z23-02.

Case No. Z23-02, is the application of Michael and Megan Malligan, the owners of 214 Walnut Place, Havertown, PA. Applicants seek a variance from the provisions of §182-207.C(7) to permit the construction of a 26’8”x 16’ two-story addition that will encroach into the required 25’ rear yard setback by 14’9”. The property is zoned R-5 and located in Ward 8. At the request of the Applicants this matter was continued from the Board’s February 16, 2023 meeting.

The hearing commenced, and additional testimony and evidence were presented and admitted into the record on behalf of the Applicants, namely in the way of two new proposed plans. At the conclusion of their case and a period of public comment, in which there was none, the Board recessed for a brief executive session.

Upon returning on the record, Chairperson Kane called for a motion. Upon a motion duly made and seconded, the Board voted 4-1 (Member Vitali voted against the approval) to approve the application subject to the following reasonable conditions:

1. Water runoff will be controlled in a fashion so as to not adversely impact neighboring properties.
2. The project will be completed within 1 year of this approval and in accordance with the notes of testimony with the exception of Exhibit A-5 and A-14.

Last, upon a motion duly made and seconded, the Board voted to approve the minutes from the Board's February 16, 2023 meeting.

With no further new or old business before the Board the meeting was adjourned.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

Public Notice

Date received:

Date & Time posted:

Agenda Link

Date received:

Date & Time posted:

Minutes Link

Date received:

Date & Time posted:

Public Notice/Meeting Agenda

Date: Thursday, January 05, 2023

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

Time: 7:30 P.M.



Zoning Hearing Board

[Public Notice](#)

Date received:
04/04/2023 @ 0853

Date & Time posted:
04/04/2023 @ 0913

[Agenda Link](#)

Date received:
04/04/2023 @ 0853

Date & Time posted:
04/04/2023 @ 0913

[Minutes Link](#)

Date received:
05/19/2023 @ 1044

Date & Time posted:
05/19/2023 @ 1359

Public Notice/Meeting Agenda/Minutes

Date: Thursday, April 20, 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, April 20, 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:

- Z23-04** Jennifer Lukes and Jeffrey Persch, owners of 52 Whitemarsh Rd., Ardmore, PA., D.C. Folio #22 03 02225 00, who seek variances from §182-204.C(4) to exceed the maximum 20% building coverage by 2.7% (185 sq ft), §182-204.C (5)(b) to encroach into the required 30' minimum secondary front yard setback by 4'-6.5" and §182-204.C(6) to encroach into the minimum 10' side yard setback by 1'-11.5" for the construction of a two-story, 20' 9"x10' 1" addition. Zoned R-2. Ward 3.
- Z23-05** DMC Elite Properties, LLC, owners of 8 Campbell Ave, Havertown, PA, D.C. Folio # 22-30-00224-00, seeks variances from the provisions of §182-802D(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.
- Z23-06** Park's Best Car Wash, Inc., owners of 2040 Old West Chester Pk (aka 1903 Old West Chester Pk), Havertown, PA D.C. Folio # 22010248500, who seek a variance from the provisions of §182-604F(1)(a) to permit the placement of 8 new vacuum equipment stations, 2 electronic payment stations with associated equipment, and a 12'x8' shed within an identified 1% Annual Change Flood Hazard Zone and a Regulatory Floodway Zone. If required, a variance from §182-402C(8) to permit changes to the existing nonconforming impervious surface area, and any other relief deemed necessary by the Board. Zoned C-1. Ward 1.
- Z23-07** John P. Williamson, owner of 720 N. Eagle Road, Havertown, PA D.C. Folio # 22010036500, who seeks to appeal a notice of violation issued by the Township Zoning Officer on March 1, 2023 regarding the placement of a 4'x 8' off-site advertising sign at the subject property, and variances from the provisions of §182-701.G.(1) to allow off-site advertising at the subject property, and §182-701.C(1)(a)[1] to exceed the maximum total sign area of 6 square feet permitted on the property, as granted by variance by the Zoning Hearing Board on May 15, 2003 (Case No. Z03-7.) Zoned R-5. Ward 4.

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 April 5th and 12th 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **April 20, 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 New Cases:

- Z23-04** Jennifer Lukes and Jeffrey Persch, owners of 52 Whitemarsh Rd., Ardmore, PA., D.C. Folio #22 03 02225 00, who seek variances from §182-204.C(4) to exceed the maximum 20% building coverage by 2.7% (185 sq ft), §182-204.C (5)(b) to encroach into the required 30' minimum secondary front yard setback by 4'-6.5" and §182-204.C(6) to encroach into the minimum 10' side yard setback by 1'-11.5" for the construction of a two-story, 20' 9"x10' 1" addition. Zoned R-2. Ward 3.
- Z23-05** DMC 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.
- Z23-06** Park's Best Car Wash, Inc., owners of 2040 Old West Chester Pk. (aka 1903 Old West Chester Pk.), Havertown, PA D.C. Folio # 22010248500, who seek a variance from the provisions of §182-604F(1)(a) to permit the placement of 8 new vacuum equipment stations, 2 electronic payment stations with associated equipment, and a 12'x8' shed within an identified 1% Annual Change Flood Hazard Zone and a Regulatory Floodway Zone. If required, a variance from §182-402.C(8) to permit changes to the existing nonconforming impervious surface area, and any other relief deemed necessary by the Board. Zoned C-1. Ward 1.
- Z23-07** John P. Williamson, owner of 720 N. Eagle Road, Havertown, PA D.C. Folio # 22010036500, who seeks to appeal a notice of violation issued by the Township Zoning Officer on March 1, 2023 regarding the placement of a 4'x 8' off-site advertising sign at the subject property, and variances from the provisions of §182-701.G.(1) to allow off-site advertising at the subject property, and §182-701.C(1)(a)[1] to exceed the maximum total sign area of 6 square feet permitted on the property, as granted by variance by the Zoning Hearing Board on May 15, 2003 (Case No. Z03-7.) Zoned R-5. Ward 4.

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
April 20, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on April 20, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 8:05P.M. Present were Chairperson Robert Kane, Vice-Chairperson William Rhodes, Member Edward Magargee, Member Jessica Vitali, and Member Jesse Pointon. Also present were the Township’s Zoning Officer, Kelly Kirk, Margie Buchanan, the Township’s Deputy Zoning Officer and the Board solicitor, Linell Lukesh, Esq. standing in for Ernest S. Angelos, Esq. The hearing was recorded by a court stenographer.

After Chairperson Kane called the meeting to order, the first order of business was the Pledge of Allegiance. Next Chairperson Kane proceeded with new business before the Board, with two new cases being continued.

The first case, No. Z23-06, is the application of Park’s Best Car Wash, Inc., owner of 2040 Old West Chester Pk. (aka 1903 Old West Chester Pk.), Havertown, PA, who seeks a variance from the provisions of §182-604F(1)(a), to permit the placement of 8 new vacuum equipment stations, 2 electronic payment stations with associated equipment, and a 12’x8’ shed within an identified 1% Annual Change Flood Hazard Zone and a Regulatory Floodway Zone. Additionally, if required, the Applicant seeks a variance from §182-402.C(8), to permit changes to the existing nonconforming impervious surface area, and any other relief deemed necessary by the Board. Upon request of the Applicant this matter was continued to the Board’s May 4, 2023 meeting date.

The second case, No. Z23-07, is the application of John P. Williamson, the owner of 720 N. Eagle Road, Havertown, PA, who seeks to appeal a notice of violation issued by the Township Zoning Officer on March 1, 2023, regarding the placement of a 4’x 8’ off-site advertising sign at the

subject property, and variances from the provisions of (1) §182-701.G.(1), to allow off-site advertising at the subject property; and (2) §182-701.C(1)(a)[1], to exceed the maximum total sign area of 6 square feet permitted on the property, as granted by variance by the Zoning Hearing Board on May 15, 2003 (Case No. Z03-7.) At the request fo the Applicant this matter 3was continued to the Board's May 4, 2023 meeting date.

This leaves two new cases pending, Z23-04 and Z-23-05.

Case Z23-04 is the application of Jennifer Lukes and Jeffrey Persch, the owners of 52 Whitmarsh Rd., Ardmore, PA, who seek variances from the provisions of (1) §182-204.C(4) to exceed the maximum 20% building coverage by 2.7% (185 sq ft); (2) §182-204.C (5)(b) to encroach into the required 30' minimum secondary front yard setback by 4'-6.5; and (3) §182-204.C(6) to encroach into the minimum 10' side yard setback by 1'-11.5" for the construction of a two-story, 20' 9"x10' 1" addition.

The hearing commenced and testimony and evidence were presented and admitted into the record on behalf of the Applicants. At the conclusion of Applicants' case, the Chairman asked for public comment, in which two residents who received certified mail, Joyce Raimondo (48 Whitmarsh Rd.) Thomas Fusaro (53 Cedarbrook Rd.) commented about water runoff concerns. Following the conclusion of public comment, the Board proceeded to its next case, Z23-05.

Case Z23-05 is the application of DMC Elite Properties, LLC, the owner of 8 Campbell Ave, Havertown, PA, who seeks variances from the provisions of (1) §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; (2) §182-208C to allow the new building to be reconstructed within the existing nonconforming footprint of the existing building; and (3) §182-707.B to allow 11 spaces where 18 are required. Applicant was represented by counsel, George Lavin, Esquire.

The hearing commenced and testimony and evidence were presented and admitted into the record on behalf of the Applicants. Following questioning from the Board, the Applicant requested a

continuance of the matter to the Board's May 16, 2023 hearing date. Before adjourning the case, the Chairman asked for public comment in which one resident received certified mail, Kim Kohalmi (10 Campbell Ave.); others who received regular mail, Nicole Campellone (11 Campbell Ave.); John McNicholas (13 Campbell Ave.); Deborah Gibson (3 Campbell Ave.), and other members of the public Matthew Carrier (5 Campbell Ave.) who provided comments and concerns. Following the conclusion of public comment, the Board granted the Applicants continuance to the May 16, 2023 meeting date.

The Board then took a brief recess to discuss Case Z23-04. Upon returning to the record, Chairman Kane called for a vote. Upon a motion duly made and seconded, the Application for case Z23-04 was approved 5-0, subject to the following conditions:

1. Water runoff will be controlled and managed in a fashion so as to not adversely impact any adjoining properties; and
2. A roof for the porch must not be constructed and the porch must not be enclosed in the future; and
3. The project will be completed within 1 year of this approval and in accordance with the notes of testimony.

With no further new or old business before the Board the meeting was adjourned.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Agenda Link](#)

Date received: 04/29/2023 @ 0928
Date & Time posted: 04/29/2023 @ 0934

Updated: 05/02/2023 @ 1429

Minutes Link

Date received:
Date & Time posted:

Meeting Agenda

Date: Thursday, May 04, 2023

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

Time: **MEETING CANCELED**

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **May 4, 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 Cases:

- Z23-06** Park's Best Car Wash, Inc., owners of 2040 Old West Chester Pk. (aka 1903 Old West Chester Pk.), Havertown, PA D.C. Folio # 22010248500, who seek a variance from the provisions of §182-604F(1)(a) to permit the placement of 8 new vacuum equipment stations, 2 electronic payment stations with associated equipment, and a 12'x8' shed within an identified 1% Annual Change Flood Hazard Zone and a Regulatory Floodway Zone. If required, a variance from §182-402.C(8) to permit changes to the existing nonconforming impervious surface area, and any other relief deemed necessary by the Board. Zoned C-1. Ward 1. **CONTINUANCE REQUESTED BY THE APPLICANT**
- Z23-07** John P. Williamson, owner of 720 N. Eagle Road, Havertown, PA D.C. Folio # 22010036500, who seeks to appeal a notice of violation issued by the Township Zoning Officer on March 1, 2023 regarding the placement of a 4'x 8' off-site advertising sign at the subject property, and variances from the provisions of §182-701.G.(1) to allow off-site advertising at the subject property, and §182-701.C(1)(a)[1] to exceed the maximum total sign area of 6 square feet permitted on the property, as granted by variance by the Zoning Hearing Board on May 15, 2003 (Case No. Z03-7.) Zoned R-5. Ward 4.
 CONTINUED TO MAY 18, 2023

AJOURNMENT

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



Zoning Hearing Board

[Public Notice](#)

Date received:
05/02/2023 @ 1240

Date & Time posted:
05/02/2023 @ 1320

[Agenda Link](#)

Date received:
05/11/2023 @ 1004

Date & Time posted:
05/11/2023 @ 10255

[Minutes Link](#)

Date received:
06/02/2023 @ 1327

Date & Time posted:
06/02/2023 @ 1340

Public Notice/Meeting Agenda/Minutes

Date: Thursday, May 18, 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, May 18, 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:

- Z23-08** Renee Hyde, lessee of 24 Brookline Blvd. Havertown, PA., D.C. Folio # 22 07 00129 00, seeks a variance from the provisions of §182-403.B(1) to allow the use of 24 Brookline Blvd. as a retail boutique where C-2 Zoning District does not allow for retail shops. Ward 7. Zoned C-2.
- Z23-09** Scott and Stephanie Bragg, owners of 728 Loraine St. Ardmore, PA., D.C. Folio # 22 06 01432 00, who seek a variance from the provisions of §182-206.C(6)(a) to construct a 18'x14' 2-story addition to a nonconforming twin home that will encroach into the required 8' side yard setback by 6' and provide a 10' aggregate where 20' is required. Zoned R-4. Ward 6.

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 May 3rd and 10th 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **May 18, 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 Cases:

- 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 §182-802D(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.
- Z23-07** John P. Williamson, owner of 720 N. Eagle Road, Havertown, PA D.C. Folio # 22010036500, who seeks to appeal a notice of violation issued by the Township Zoning Officer on March 1, 2023 regarding the placement of a 4'x 8' off-site advertising sign at the subject property, and variances from the provisions of §182-701.G.(1) to allow off-site advertising at the subject property, and §182-701.C(1)(a)[1] to exceed the maximum total sign area of 6 square feet permitted on the property, as granted by variance by the Zoning Hearing Board on May 15, 2003 (Case No. Z03-7.) Zoned R-5. Ward 4.

Item #2 New Cases:

- Z23-08** Renee Hyde, lessee of 24 Brookline Blvd. Havertown, PA., D.C. Folio # 22 07 00129 00, seeks a variance from the provisions of §182-403.B(1) to allow the use of 24 Brookline Blvd. as a retail boutique where C-2 Zoning District does not allow for retail shops. Ward 7. Zoned C-2.
- Z23-09** Scott and Stephanie Bragg, owners of 728 Loraine St. Ardmore, PA., D.C. Folio # 22 06 01432 00, who seek a variance from the provisions of §182-206.C(6)(a) to construct a 18'x14' 2-story addition to a nonconforming twin home that will encroach into the required 8' side yard setback by 6' and provide a 10' aggregate where 20' is required. Zoned R-4. Ward 6.

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
May 18, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on May 18, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:44 p.m. Present were Chairman Robert Kane, Vice-Chairman William Rhodes, Member Edward Magargee, Member Jessica Vitali, and Member Jesse Pointon. Also present were the Township’s Zoning Officer, Kelly Kirk, Margie Buchanan, the Township’s Deputy Zoning Officer 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 lead by Vice-Chairman Rhodes. Next Chairman Kane proceeded with old business before the Board.

The first case, no. Z23-05 is the application of DMC Elite Properties, LLC, the owner of 8 Campbell Ave, Havertown, PA, who seeks variances from the provisions of (1) §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; (2) §182-208C to allow the new building to be reconstructed within the existing nonconforming footprint of the existing building; and (3) §182-707.B to allow 11 spaces where 18 are required. Applicant was represented by counsel, George Lavin, Esquire.

This matter was continued from the Board’s April 20, 2023 and May 4, 2023 meetings. Upon further request of the Applicant’s counsel, this matter was continued to the Board’s June 1, 2023 meeting date.

Next the Chairman Kane went out of the normal order to proceed with new business, being case numbers Z23-08 and Z23-09.

Case no. Z23-08 is the application of Renee Hyde, lessee of 24 Brookline Blvd. Havertown, PA. The Applicant seeks a variance from the provisions of §182-403.B(1) to allow the use of 24 Brookline Blvd. as a retail boutique where C-2 Zoning District does not allow for retail shops. The subject property is located in the Township's C-2 zoning district. The Applicant was represented by Jennifer A. Bazydlo, Esquire.

The hearing commenced and testimony and evidence were presented and admitted into the record on behalf of the Applicant. At the conclusion of Applicant's case, Chairman Kane asked if any members of the public present received certified or regular mail, to which no one responded. Chairman Kane then asked if there were any other members of the public present who desired to comment. Mr. Eamon Tohill was sworn in and commented in favor of the application. Following no further public comment the record was closed.

The Chairman then called for a vote, and upon a motion duly made and seconded, the application was granted 5-0, subject to the following condition:

- a. That work will be completed within one year of the approval and in accordance with the notes of testimony.

Next was case no. Z23-09, the application of Scott and Stephanie Bragg, owners of 728 Loraine. Applicants seek a variance from the provisions of §182-206.C(6)(a) to construct a 18'x14' 2-story addition to a nonconforming twin home that will encroach into the required 8' side yard setback by 6' and provide a 10' aggregate where 20' is required. The subject property is located in the Township's R-4 zoning district.

The hearing commenced and testimony and evidence were presented and admitted into the record on behalf of the Applicants. At the conclusion of Applicants' case, Chairman Kane asked if any members of the public present who received certified mail, to which no one responded. The

Chairman then asked if there were any other members of the public present who received regular mail. Ms. Jeanette Kurylak was sworn in and commented that while the matter did not personally affect her, she asked if a positive decision would set a precedent. Following the Chairman's response, he next asked if there were any other members of the public present who desired to comment. Following no further public comment the record was closed.

The Chairman then called for a vote, and upon a motion duly made and seconded, the application was granted 5-0, subject to the following conditions:

- a. No storage shall be kept in the two-foot interstitial space at the party wall and the space shall be maintained per Township Code.
- b. Storm water runoff must be managed so as to not adversely impact the neighbors.
- c. The project will be completed within one year of the approval and in accordance with the notes of testimony.

The Chairman then at 8:34 p.m. proceed with the last of old business, case no. Z23-07.

Case no. Z23-07 is the application of John P. Williamson, the owner of 720 N. Eagle Road, Havertown, PA, who seeks to appeal a notice of violation issued by the Township Zoning Officer on March 1, 2023, regarding the placement of a 4'x 8' off-site advertising sign at the subject property, and variances from the provisions of (1) §182-701.G.(1), to allow off-site advertising at the subject property; and (2) §182-701.C(1)(a)[1], to exceed the maximum total sign area of 6 square feet permitted on the property, as granted by variance by the Zoning Hearing Board on May 15, 2003 (Case No. Z03-7.) This matter was continued from the Board's April 20, 2023 and May 4, 2023 meeting dates.

Chairman Kane called for the Applicant to proceed with the case, to which there was no response. Chairman Kane, recognizing that prior to the start of the meeting scheduled and noticed for 7:30 p.m. the Applicant contacted the Zoning Officer and asked to delay the commencement of

his case, proceeded with the approval of the minutes for the Board's March 16, 2023 and April 20, 2023 meetings. Upon a motion duly made and seconded, the minutes were approved 5-0.

Chairman Kane then asked again if the Applicant or a representative was present to proceed, to which no response was heard. Chairman Kane then asked for a motion to deny the application for lack of prosecution and failure of the Applicant to satisfy his burden. Upon a motion duly made and seconded and following brief discussion by the Board, the motion was put on hold until 8:45p.m.

The Board then took a recess and reconvened at 8:46pm. Chairman Kane again asked if the Applicant or anyone representing the Applicant was present, to which there was no response. At 8:47p.m. with neither the Applicant nor a representative present at the meeting, Chairman Kane called for the vote on the motion to deny the application of John P. Williamson in case no. Z23-07 for lack of prosecution of the application, which was approved 5-0.

With no other business before the Board the meeting was adjourned at 8:48p.m.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Agenda Link](#)

Date received: 05/19/2023 @ 1248
Date & Time posted: 05/19/2023 @ 1403

[Minutes Link](#)

Date received: 06/16/2023 @ 0924
Date & Time posted: 06/16/2023 @ 0943

Meeting Agenda & Minutes

Date: Thursday, June 01, 2023

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

Time: 7:30 P.M.

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **June 1, 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 Cases:

- 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 §182-802D(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.
- Z23-06** Park's Best Car Wash, Inc., owners of 2040 Old West Chester Pk. (aka 1903 Old West Chester Pk.), Havertown, PA D.C. Folio # 22010248500, who seek a variance from the provisions of §182-604F(1)(a) to permit the placement of 8 new vacuum equipment stations, 2 electronic payment stations with associated equipment, and a 12'x8' shed within an identified 1% Annual Change Flood Hazard Zone and a Regulatory Floodway Zone. If required, a variance from §182-402.C(8) to permit changes to the existing nonconforming impervious surface area, and any other relief deemed necessary by the Board. Zoned C-1. Ward 1.

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
June 1, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on June 1, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:55 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, Margie Buchanan, the Township’s Deputy Zoning Officer 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.

The first case, no. Z23-06 is the application of Park’s Best Car Wash, Inc., the owner of 2040 Old West Chester Pk. (aka 1903 Old West Chester Pk), who seeks a variance from the provisions of §182-604F(1)(a) to permit the placement of 8 new vacuum equipment stations, 2 electronic payment stations with associated equipment, and a 12’x8’ shed within an identified 1% Annual Change Flood Hazard Zone and a Regulatory Floodway Zone. If required, a variance from §182-402.C(8) to permit changes to the existing nonconforming impervious surface area, and any other relief deemed necessary by the Board. The Chairman noted that the Board received notice from the Applicant’s attorney, George Lavin, Esquire, that the Applicant was withdrawing its application. Chairman Kane then continued with the next matter in old business, that being case number Z23-05.

Case Z23-05 is the application of DMC Elite Properties, LLC, the owner of 8 Campbell Ave, Havertown, PA, who seeks variances from the provisions of (1) §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; (2) §182-208C to allow the new building to be reconstructed within the

existing nonconforming footprint of the existing building; and (3) §182-707.B to allow 11 spaces where 18 are required. Applicant was represented by counsel, George Lavin, Esquire. This matter was continued from the Board's April 20, 2023 and May 4, 2023 meetings to the Board's June 1, 2023 meeting date.

The hearing re-commenced, and the Applicant presented additional testimony and evidence. Following a period of additional discussion with the Applicant about the need for additional information regarding the specific relief being requested and a period of public comment, with several residents commented in favor and against the application, the matter was continued to the Board's June 15, 2023 meeting date for further evidence and testimony.

Chairman Kane next entertained a motion to approve the minutes for the Board's May 18, 2023 meeting, and upon a motion duly made and seconded the minutes were unanimously approve.

With no other old or new business before the Board, the meeting was adjourned at 10:05p.m.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice](#)

Date received:
06/01/2023 @ 1709

Date & Time posted:
06/02/2023 @ 1035

UPDATED:
06/07/2023 @ 0906

[Agenda Link](#)

Date received:
06/05/2023 @ 1122

Date & Time posted:
06/05/2023 @ 1131

UPDATED:
06/07/2023 @ 0906

[Minutes Link](#)

Date received:
09/07/2023 @ 1106

Date & Time posted:
09/07/2023 @ 115

Public Notice/Agenda/Minutes

Date: Thursday, June 15, 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, June 15, 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:

Z23-10 George and Annie Kannarkat, owners of 2346 Poplar Rd. (401 E Eagle Rd.), Havertown, PA., D.C. Folio # 22 03 00833 00 seek a variance from the provisions of §182-727 to construct an open, aluminum, black 4-foot fence that will encroach into the required 30' primary front yard setback on a corner property between 22.05' and 27.27'. Zoned R-4. Ward 3.

UPDATE: Correct mailing address is 2345 Poplar Rd.

Z23-11 Edmund and Michelle Grant, owners of 104 Allgates Drive, Haverford, PA, D.C. Folio # 22 04 00001 64, and equitable owners of a portion of 108 Allgates Drive, Haverford PA., D.C. Folio # 22 04 00001 65, seek a variance from the provisions of §182-802.B to permit 1,523 sq ft from 108 Allgates Drive to be transferred and merged into 104 Allgates Drive, which transfer will decrease the lot area of 108 Allgates Drive and thereby will increase the existing nonconforming impervious coverage of 108 Allgates Drive from 43.29% to 45.43%. Zoned SRD. Ward 5.

Z23-12 James and Bernadette Sharp, owners of 608 Furlong Ave., Havertown, PA. D.C. Folio # 22 09 01075 00 who seek a variance from the provisions of §182-711.B(1) to construct an 11'-4" x 18'-4" extension to an existing 9' x 18'-4" garage, a total of 20'-4" x 18'-4" that will encroach 4' into the required 10' separation between an accessory building and the rear most portion of the main building. Zoned R-6 Single family. Ward 2.

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 May 31st and June 7th 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **June 15, 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:

Motion: to approve the clarification of the Zoning Board's decision and resolve of the appeal of *JPM Haverford Road v. Haverford Township Zoning Hearing Board*, Delaware County Court of Common Pleas Docket No. CV-2022-009922, as presented and recommended by the solicitor, for the property located at 2228 Haverford Road (ZHB case no. Z22-28).

Item #2 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 §182-802D(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 #3 New Cases:

Z23-10 George and Annie Kannarkat, owners of 2346 Poplar Rd. (401 E Eagle Rd.), Havertown, PA., D.C. Folio # 22 03 00833 00 seek a variance from the provisions of §182-727 to construct an open, aluminum, black 4-foot fence that will encroach into the required 30' primary front yard setback on a corner property between 22.05' and 27.27'. Zoned R-4. Ward 3. **UPDATE: Correct mailing address is 2345 Poplar Rd.**

Z23-11 Edmund and Michelle Grant, owners of 104 Allgates Drive, Haverford, PA, D.C. Folio # 22 04 00001 64, and equitable owners of a portion of 108 Allgates Drive, Haverford PA., D.C. Folio # 22 04 00001 65, seek a variance from the provisions of §182-802.B to permit 1,523 sq ft from 108 Allgates Drive to be transferred and merged into 104 Allgates Drive, which transfer will decrease the lot area of 108 Allgates Drive and thereby will increase the existing nonconforming impervious coverage of 108 Allgates Drive from 43.29% to 45.43%. Zoned SRD. Ward 5.

Z23-12 James and Bernadette Sharp, owners of 608 Furlong Ave., Havertown, PA. D.C. Folio # 22 09 01075 00 who seek a variance from the provisions of §182-711.B(1) to construct an 11'-4" x 18'-4" extension to an existing 9' x 18'-4" garage, a total of 20'-4" x 18'-4" that will encroach 4' into the required 10' separation between an accessory building and the rear most portion of the main building. Zoned R-6 Single family. Ward 2.

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
June 15, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on June 15, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 8:00 p.m. Present were Chairman Robert Kane, Vice-Chairman William Rhodes, Member Edward Magargee, Member Jessica Vitali, and Member Jesse Pointon. 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.

Case Z23-05 is the application of DMC Elite Properties, LLC, the owner of 8 Campbell Ave, Havertown, PA, who seeks variances from the provisions of (1) §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; (2) §182-208C to allow the new building to be reconstructed within the existing nonconforming footprint of the existing building; and (3) §182-707.B to allow 11 parking spaces where 18 are required. The applicant was represented by counsel, George Lavin, Esquire. This matter was continued from the Board’s April 20, 2023, May 4, 2023 and June 1, 2023 meeting dates for additional testimony.

The hearing re-commenced, and the Applicant presented additional testimony and evidence. Following a period of additional discussion with the Applicant about the need for additional information regarding the specific relief being requested and a period of public comment, with

several residents commented in favor of and against the application, the matter was continued to the Board's July 20, 2023 meeting date for further evidence and testimony.

The next order of business was new cases Z23-10, Z23-11 and Z23-12.

Case Z23-10 is the application of George and Annie Kannarkat, owners of 2346 Poplar Rd., Havertown, PA, who seek a variance from the provisions of §182-727 to construct an open, aluminum, black 4-foot fence that will encroach into the required 30' primary front yard setback on a corner property between 22.05' and 27.27'. The property is located in the Township's R-4 Zoning District.

The hearing commenced and testimony and evidence were presented and admitted into the record on behalf of the Applicants. At the conclusion of Applicants' case, the Chairman asked for public comment, in which a resident who received certified mail, Janice Dea, 405 East Eagle Road, testified in favor of the application. Following the conclusion of public comment, the Board proceeded to its next case, Z23-11.

Case Z23-11 is the application of Edmund and Michelle Grant, owners of 104 Allgates Drive, Haverford, PA, D.C. Folio # 22 04 00001 64, and equitable owners of a portion of 108 Allgates Drive, Haverford PA., who seek a variance from the provisions of §182-802.B to permit 1,523 sq ft from 108 Allgates Drive to be transferred and merged into 104 Allgates Drive, which transfer will decrease the lot area of 108 Allgates Drive and thereby will increase the existing nonconforming impervious coverage of 108 Allgates Drive from 43.29% to 45.43%. The property is Zoned SRD.

The hearing commenced and testimony and evidence were presented and admitted into the record on behalf of the Applicants. At the conclusion of Applicants' case, the Chairman asked for public comment, in which there was none. Following the conclusion of public comment, the Board proceeded to its next case, Z23-12.

Case Z23-12 is the application of James and Bernadette Sharp, owners of 608 Furlong Ave., Havertown, PA. D.C. who seek a variance from the provisions of §182-711.B(1) to construct an 11'-

4" x 18'-4" extension to an existing 9' x 18'-4" garage, which would result in an enlarged garage measuring 20'-4" x 18'-4", and which will encroach 4' into the required 10' separation between an accessory building and the rear most portion of the main building. The property is Zoned R-6 Single family.

The hearing commenced and testimony and evidence were presented and admitted into the record on behalf of the Applicants. At the conclusion of Applicants' case, the Chairman asked for public comment, in which there was none. Following the conclusion of public comment, the Board recessed into executive session for discussions with its solicitor.

Upon resumption of the public hearing, the board proceeded with a motion to approve the Minutes from the Board's June 1, 2023 meeting. Upon a motion duly made and seconded, the motion passed unanimously.

Next the board proceeded with a motion on Case Z23-10. Upon a motion duly made and seconded to approve the application, the motion passed unanimously with the following conditions:

1. The project must be completed within 1 year of the date of the approval; and
2. The project must conform to the notes of testimony.

Next the board proceeded with a motion on Case Z23-11. Upon a motion duly made and seconded to approve the application, the motion passed unanimously with the following conditions:

1. The lot line adjustment shall remain subject to recommendation by the Planning Commission and approval by the Board of Commissioners; and
2. That the final plan reflective of the new lot line adjustment shall be recorded in the county land records of Delaware County.

Next the board proceeded with a motion on Case Z23-12. Upon a motion duly made and seconded to approve the application, the motion passed 4-1 (Member Vitali voted in opposition) with the following conditions:

1. That water runoff shall be controlled so as not to adversely affect neighboring

properties; and

2. The project must be completed within 1 year of the date of the approval; and
3. The project must conform to the notes of testimony.

Finally, the board proceeded with approving a clarification and resolution to Court of Common Pleas Docket No. CV-2022-9922 (Case Z22-28). Upon a motion duly made and seconded, the motion passed unanimously.

With no further new or old business before the Board the meeting was adjourned at 10:42pm.

**HVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice](#)

Date received:
07/05/2023 @ 1039

Date & Time posted:
07/05/2023 @ 1101

[Agenda Link](#)

Date received:
07/05/2023 @ 1039

Date & Time posted:
07/05/2023 @ 1101

**UPDATED:UPDAT
07/19/2023 @ 1051**

[Minutes Link](#)

Date received:
09/07/2023 @ 1115

Date & Time posted:
10/06/2023 @ 0854

Public Notice/Meeting Agenda/Minutes

Date: Thursday, July 20, 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, July 20, 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:

- Z23-13** Jessica Hirsch Lynn, owner of 47 Decatur Road, Havertown, PA., D.C. Folio # 22 03 00747 00, seeks a variance from the provisions of §182-206.C(5)(a) to construct a 6'x12' covered porch that will encroach into the required 30' front yard setback by 2'-2". Zoned R-4. Ward 3.
- Z23-14** Terence Helwig, owner of 111 East Park Road, Havertown, PA., D.C. Folio # 22 02 00907 00, seeks a variance from the provisions of §182-206.C(5)(a) to construct a roof over an existing patio that will encroach into the required 30' front yard setback between 3.5' and 1.5'. Zoned R-4. Ward 2.

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 July 5th and July 12th 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **July 20, 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: Approval of additional findings of fact and conclusions of law in Court of Common Pleas docket No. 2020-001628 in accordance with the Court's May 2, 2023 Order.

Item #2 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.

APPLICANT REQUEST CONTINUANCE

Item #2 New Cases:

Z23-13 Jessica Hirsch Lynn, owner of 47 Decatur Road, Havertown, PA., D.C. Folio # 22 03 00747 00, seeks a variance from the provisions of §182-206.C(5)(a) to construct a 6'x12' covered porch that will encroach into the required 30' front yard setback by 2'-2". Zoned R-4. Ward 3.

Z23-14 Terence Helwig, owner of 111 East Park Road, Havertown, PA., D.C. Folio # 22 02 00907 00, seeks a variance from the provisions of §182-206.C(5)(a) to construct a roof over an existing patio that will encroach into the required 30' front yard setback between 3.5' and 1.5'. Zoned R-4. Ward 2.

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
July 20, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on July 20, 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, Vice-Chairman William Rhodes, Member Edward Magargee, Member Jessica Vitali, and Member Jesse Pointon. Chairman Rober Kane participated by phone for the initial matter, that being *Rockers v. Haverford Township Zoning Hearing Board et al.*, Delaware County Court of Common Pleas Docket No. CV-2020-001628. 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 Vice-Chairman Rhodes called the meeting to order, the first order of business was the Pledge of Allegiance. Next Vice-Chairman Rhodes proceeded with old business before the Board. The first matter was a continuance request from counsel DMG Elite Properties, LLC, in case no. Z23-05, which was granted.

The next matter of old business was Court of Common Pleas case no. CV-2020-001628, which was remand by Court Order for the board to issue supplemental findings of fact and conclusions of law, which were prepared by the solicitor and discussed with the Board. Upon a motion duly made and seconded the Board approved the supplemental findings and conclusions 4-0-1 with Member Jesse Pointon abstaining because he was not a member of the Board when the case was heard.

Next the Vice-Chairman moved to new business, that being case no. Z23-13 and case no. Z23-14.

Case no. Z23-13 is the application of Jessica Hirsch Lynn, owner of 47 Decatur Road, Havertown, Pennsylvania. Applicant seeks a variance from the provisions of Section 182-206.C(5)(a) to construct a 6-foot by 12-foot covered porch that will encroach into the required 30-foot front yard setback by 2 feet 2 inches. The property is in the Township's R-4 Residential Zoning District and Ward 3.

The hearing commenced and the Applicant presented testimony and evidence, which was admitted into the record. Following brief public comment, wherein residents Lisa Learner-Wagner and Richard Wagner, living at 70 West Hillcrest Avenue, Havertown, commented in favor of the application, the record was closed.

Next the Vice-Chairman moved case no. Z23-14, which is the application Terence Helwig, owner of 111 East Park Road, Havertown, Pennsylvania. Applicant seeks a variance from the provisions of Section 182-206.C(5)(a) to construct a roof over an existing patio that will encroach into the required 30-foot front yard setback between three and a half feet and one and a half feet. The property is zoned R-4 and is in the 2nd Ward.

The hearing commenced, and the Applicant presented testimony and evidence, which was admitted into the record. Following brief public comment, wherein resident Nancy Foley, the owner of 109 East Park Road, Havertown had questions with regard to the application, the record was closed.

Before the Board recessed for executive session, upon a motion duly made and seconded, the minutes for the June 15, 2023 were approved unanimously.

Upon returning from executive session the Board was set to vote on case no. Z23-13 and Z23-14.

With regard to Z23-13, upon a motion duly made and seconded the application was approved 4-0 subject to the following conditions:

1. There will be no enclosure of any kind around the porch with the exception of the roof.
2. Electricity is the only utility to be supplied to the porch.
3. Stormwater will be managed so as not to adversely impact the neighbors.
4. The work will be completed within one year and in accordance with the notes of testimony.

With regard to Z23-14, upon a motion duly made and seconded to grant relief allowing the roof overhang to encroach up to four-and-a-half feet into the front yard setback, if needed, the application was approved 4-0 subject to the following conditions:

1. There will be no enclosure of any kind around the porch with the exception of the roof.
2. Electricity is the only utility to be supplied to the porch.
3. Stormwater will be managed so as not to adversely impact the neighbors.
4. The work will be completed within one year and in accordance with the notes of testimony.

With no further new or old business before the Board the meeting was adjourned at 9:02pm.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice](#)

Date received:
07/28/2023 @ 1310

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

[Agenda Link](#)

Date received:
07/31/2023 @ 1549

Date & Time posted:
08/08/2023 @ 0904

[Minutes Link](#)

Date received:
09/07/2023 @ 1115

Date & Time posted:
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



Zoning Hearing Board

[Public Notice](#)

Date received:
08/21/2023 @ 0906

Date & Time posted:
08/21/2023 @ 1016

[Agenda Link](#)

Date received:
08/21/2023 @ 1020

Date & Time posted:
08/22/2023 @ 1421

[Minutes Link](#)

Date received:
09/22/2023 @ 1004

Date & Time posted:
09/22/2023 @ 1015

Public Notice, Agenda & Minutes

Date: Thursday, September 07, 2023

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

Time: 7:30 P.M.

PUBLIC NOTICE
HAVERFORD TOWNSHIP
ZONING HEARING BOARD

NOTICE is hereby given that the Zoning Hearing Board will hold a Public Meeting on Thursday, September 7, 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:

Z23-18 Robert and Regina Powers, owners of 2708 Pine Valley Lane, Ardmore, PA., D.C. Folio #22 06 01748 00, seek variances from the provisions of §182-204.C(7) to construct a 13'x14' addition that will encroach into the required 25' rear yard setback by 5', from §182-204.C(4) to exceed the maximum building coverage of 20% by 1.91% (192.4 sq. ft.), and to make a determination that the proposed addition does not constitute the expansion of a structure within an identified floodplain, or in the alternative, a variance from §182-604.F(1) to allow an addition within the 100 year flood plain. Zoned R-2. Ward 6.

Z23-19 Merion Golf Club, owner of 300 Ellis Rd (West Course) & 110 Terra Alta Cir, Havertown, PA D.C. Folio Nos 22 04 00350 00 & 22 04 00667 06 seeks a special exception under §182-720.C.(2)(a) to permit recreational use in areas of very steep slopes and a special exception under §182-720.C.(5)(d) to permit recreational use in areas of steep slopes, a variance from §154A-11 to permit 18.80% total area of steep slope disturbance and 17.03% total area of very steep slope disturbance, where a maximum of 15% and 5% are permitted under §154A-5, respectively. Applicant also requests a determination that the proposed tee area located at 110 Terra Alta Cir in the SRD – Special Residential District to be used in connection with West Course Hole No. 13 golf course constitutes a permitted use under §182-721.B.(1)(a), which allows recreational area uses by right. In the alternative, Applicant requests a variance from §182-721.B in order to permit the use of this area as a tee box in connection with the golf course. Zoned INS & SRD (R-1). Ward 4.

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 23rd and August 30th, 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **September 7, 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 Decisions:

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.

Z23-17 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.

Item #2 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 #3 New Cases:

Z23-18 Robert and Regina Powers, owners of 2708 Pine Valley Lane, Ardmore, PA., D.C. Folio #22 06 01748 00, seek variances from the provisions of §182-204.C(7) to construct a 13'x14' addition that will encroach into the required 25' rear yard setback by 5', from §182-204.C(4) to exceed the maximum building coverage of 20% by 1.91% (192.4 sq. ft.), and to make a determination that the proposed addition does not constitute the expansion of a structure within an identified floodplain, or in the alternative, a variance from §182-604.F(1) to allow an addition within the 100 year flood plain. Zoned R-2. Ward 6.

Z23-19

Merion Golf Club, owner of 300 Ellis Rd (West Course) & 110 Terra Alta Cir, Havertown, PA D.C. Folio Nos 22 04 00350 00 & 22 04 00667 06 seeks a special exception under §182-720.C.(2)(a) to permit recreational use in areas of very steep slopes and a special exception under §182-720.C.(5)(d) to permit recreational use in areas of steep slopes, a variance from §154A-11 to permit 18.80% total area of steep slope disturbance and 17.03% total area of very steep slope disturbance, where a maximum of 15% and 5% are permitted under §154A-5, respectively.

Applicant also requests a determination that the proposed tee area located at 110 Terra Alta Cir in the SRD – Special Residential District to be used in connection with West Course Hole No. 13 golf course constitutes a permitted use under §182-721.B.(1)(a), which allows recreational area uses by right. In the alternative, Applicant requests a variance from §182-721.B in order to permit the use of this area as a tee box in connection with the golf course. Zoned INS & SRD (R-1). Ward 4.

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
September 7, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on September 7, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:45 p.m. Present were, Chairman, Robert Kane, Vice-Chairman William Rhodes, Member Edward Magargee, and Member Jesse Pointon. Member Jessica Vitali 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. Z23-15, the application Christopher Munn and Dana Goodyear, owners of 2213 Haverford Road, Ardmore, PA. This matter’s record was closed at the August 17, 2023 meeting and continued to the September 7, 2023 meeting for a decision. Upon a motion duly made and seconded, the application was approved 4-0 subject to the following reasonable conditions:

1. Electricity is the only utility permitted on the deck; and
2. That the project must be completed within one year; and
3. That no enclosure either above or below the deck are allowed and the deck’s construction must not impact parking.

Next in old business was case number Z23-05, the application of DMG Elite Properties, LLC the owner of 8 Campbell Avenue, Havertown, Pennsylvania. This matter was continued from the August 17, 2023 meeting for the limited purpose of final document submission by the applicant.

With the submission of further documents, the record was closed in this matter, and it was continued to the Board's October 5, 2023 meeting for a decision.

Next was case number Z23-17, the application of Sun & Raj, LLC, owner of 700 E. Haverford Rd. This matter was continued from the Board's August 17, 2023 meeting for a decision. Upon a motion duly made and seconded, the application was approved in part and denied in part (3-1) as follows:

1. Approval was granted for the variances requested from (1) Section 182-403.B(1) to allow the use of the property as a fueling with a convenience store; (2) Section 182-708.A(1) to allow loading and unloading in the front of the building; (3) Section 182-707.B to provide six off street spaces when seven is required; (4) section 182-701.E (1)(b)(1) to permit the total sign area to be 140.2 square feet where a maximum of 105 square feet is permitted; and (5) Section 182-71.E (1)(b)[3][c] to permit a freestanding sign with an area of 107 square feet when a maximum of 25 square feet is permitted, subject to the following conditions:

- a. That all store vehicles and storage units currently on the property must be removed;
and
- b. The project must be completed within one year and in accordance with the notes of testimony.

2. The variance requested from Section 182-701.B (4) to permit the green LED lights to display diesel fuel pricing rather than red was denied.

Next on the agenda was new business that being case numbers Z23-18 and Z23-19.

Case Z23-18 is the application of Robert and Regina Powers, owners of 2708 Pine Valley Lane, Ardmore, PA. Applicants seek variances from the provisions of (1) §182-204.C(7) to construct a 13'x14' addition that will encroach into the required 25' rear yard setback by 5''; (2) §182-204.C(4) to exceed the maximum building coverage of 20% by 1.91% (192.4 sq. ft.), and (3) a determination that the proposed addition does not constitute the expansion of a structure within an identified

floodplain , or in the alternative, a variance from §182-604.F(1) to allow an addition within the 100 year flood plain. The subject property is Zoned R-2 and located in the 6th Ward.

The hearing commenced, and the Applicant presented testimony and evidence, which was admitted into the record. Following public comment wherein Mr. Christopher Mason the owner of 2704 Pine Valley Lane commented in favor of the application, the matter was continued, and the record was held open for Applicants to submit documentation delineating where the floodplain is located on the subject property. The new date for this matter is September 21, 2023.

Lastly, the Board heard case number Z23-19, which is the application of Merion Golf Club, the owner of 300 Ellis Rd (West Course) & 110 Terra Alta Cir, Havertown, PA. Applicant was represented by Mark Damico, Esquire. Applicant seeks special exceptions under (1) §182-720.C.(2)(a) to permit recreational use in areas of very steep slopes, and (2) §182-720.C.(5)(d) to permit recreational use in areas of steep slopes. Applicant further seeks a variance from §154A-11 to permit 18.80% total area of steep slope disturbance and 17.03% total area of very steep slope disturbance, where a maximum of 15% and 5% are permitted under §154A-5, respectively. Further application requests a determination that the proposed tee area located at 110 Terra Alta Circle in the SRD – Special Residential District- to be used in connection with West Course Hole No. 13 golf course constitutes a permitted use under §182-721.B.(1)(a), which allows recreational area uses by right. In the alternative, Applicant requests a variance from §182-721.B to permit the use of this area as a tee box in connection with the golf course. The property is Zoned INS & SRD (R-1) and located in the 4th Ward.

The hearing commenced, and the Applicant presented testimony and evidence, which was admitted into the record. Following public comment wherein Mr. Steve Young, the owner of 22 Castle Rock Drive, commented about his concern for water runoff from the subject property onto his property and Mr. John Kirk Luntley, the owner of 340 Ardmore Avenue, commented about his

concern for water runoff, the proposed entrance to the property and traffic safety issues, and a brief testimony from Applicant's witness in response, the record was closed.

Upon a motion duly made and seconded the requested variances and special exceptions, including the alternate request for a variance from §182-721.B were granted subject to the following conditions:

1. The applicant shall not allow concentrated storm water to be discharged across or through steep or very steep slopes; and
2. the project will be completed in accordance with the notes of testimony.

With no further new or old business before the Board the meeting was adjourned at 10:42pm.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice](#)

Date received:
09/01/2023 @ 1011

Date & Time posted:
09/01/2023 @ 1207

***UPDATE I:**
09/14/2023 @ 1031

****UPDATE II:**
09/20/2023 @ 1438

[Agenda Link](#)

Date received:
09/11/2023 @ 1300

Date & Time posted:
09/11/2023 @ 1305

***UPDATE I:**
09/14/2023 @ 1031

****UPDATE II:**
09/20/2023 @ 1438

*****UPDATE III:**
09/21/2023 @ 0941

[Minutes Link](#)

Date received:
10/06/2023 @ 1152

Date & Time posted:
10/06/2023 @ 1409

Public Notice/Meeting Agenda/Minutes

Date: Thursday, September 21, 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, September 21, 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:

Z23-20 John P. Williamson, owner of 720 N. Eagle Road, Havertown, PA D.C. Folio # 22010036500, who seeks to appeal a notice of violation issued by the Township Zoning Officer on March 1, 2023 regarding the placement of a 4'x 8' off-site advertising sign at the subject property, and variances from the provisions of §182-701.G.(1) to allow off-site advertising at the subject property, and §182-701.C(1)(a)[1] to exceed the maximum total sign area of 6 square feet permitted on the property, as granted by variance by the Zoning Hearing Board on May 15, 2003 (Case No. Z03-7.) Zoned R-5. Ward 4.

****CONTINUED TO DECEMBER 7, 2023 MEETING**

Z23-21 Gretchen Diehl, Lessee of 61 W. Eagle Road, Havertown, PA., D.C. Folio # 22 03 00943 00, who seeks a variance from the provisions of §182-707.B to allow for a tattoo studio (personal service use) with approx. 900 sq ft of customer service area (requiring 11 parking spaces) to occupy the property which provides a shared parking lot containing 22 parking spaces, where the collective uses (ballet studio and apartment) currently require approx. 40 off-street parking spaces. Zoned C-3. Ward 3.

Z23-22 Chung Rental LLC., owner of 631 Dayton Road, Bryn Mawr, PA., D.C. Folio # 22 05 00278 00, who seeks variances from the provisions of §182-208.C(2)(d), §182-208.C(2)(f)[1] and §182-208.C(2)(i) to exceed the allowable (45%) 900 sq. ft. building coverage by 60sq. ft.(48%), to propose no side yard setback where 12' is required in the R-6 twin home zoning district and to continue to exceed the 1500sq. ft. impervious coverage (75%) by 153 sq. ft. (83%) to construct an 8'-3"x 20' 1 story addition and 3'-9" x 9'-7" covered landing at the rear of the property. Zoned R-6. Ward 5.

***APPLICANT HAS WITHDRAWN APPLICATION**

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 September 6th and September 13th, 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **September 21, 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 Decision:

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.

*****DECISION SCHEDULED TO BE MADE AT OCTOBER 5, 2023 MEETING**

Item #2 Continued Case:

Z23-18 Robert and Regina Powers, owners of 2708 Pine Valley Lane, Ardmore, PA., D.C. Folio #22 06 01748 00, seek variances from the provisions of §182-204.C(7) to construct a 13'x14' addition that will encroach into the required 25' rear yard setback by 5', from §182-204.C(4) to exceed the maximum building coverage of 20% by 1.91% (192.4 sq. ft.), and to make a determination that the proposed addition does not constitute the expansion of a structure within an identified floodplain , or in the alternative, a variance from §182-604.F(1) to allow an addition within the 100 year flood plain. Zoned R-2. Ward 6.

Item #3 New Cases:

Z23-20 John P. Williamson, owner of 720 N. Eagle Road, Havertown, PA D.C. Folio # 22010036500, who seeks to appeal a notice of violation issued by the Township Zoning Officer on March 1, 2023 regarding the placement of a 4'x 8' off-site advertising sign at the subject property, and variances from the provisions of §182-701.G.(1) to allow off-site advertising at the subject property, and §182-701.C(1)(a)[1] to exceed the maximum total sign area of 6 square feet permitted on the property, as granted by variance by the Zoning Hearing Board on May 15, 2003 (Case No. Z03-7.) Zoned R-5. Ward 4.

****CONTINUED TO DECEMBER 7, 2023 MEETING**

Z23-21 Gretchen Diehl, Lessee of 61 W. Eagle Road, Havertown, PA., D.C. Folio # 22 03 00943 00, who seeks a variance from the provisions of §182-707.B to allow for a tattoo studio (personal service use) with approx. 900 sq ft of customer service area (requiring 11 parking spaces) to occupy the property which provides a shared parking lot containing 22 parking spaces, where the collective uses (ballet studio and apartment) currently require approx. 40 off-street parking spaces. Zoned C-3. Ward 3.

Z23-22 Chung Rental LLC., owner of 631 Dayton Road, Bryn Mawr, PA., D.C. Folio # 22 05 00278 00, who seeks variances from the provisions of §182-208.C(2)(d), §182-208.C(2)(f)[1] and §182-208.C(2)(i) to exceed the allowable (45%) 900 sq. ft. building coverage by 60sq. ft.(48%), to propose no side yard setback where 12' is required in the R-6 twin home zoning district and to continue to exceed the 1500sq. ft. impervious coverage (75%) by 153 sq. ft. (83%) to construct an 8'-3"x 20' 1 story addition and 3'-9" x 9'-7" covered landing at the rear of the property. Zoned R-6. Ward 5.

***APPLICANT HAS WITHDRAWN APPLICATION**

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
September 21, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on September 21, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:45 p.m. Present were: Chairman, Robert Kane, Member Edward Magargee, Member Jesse Pointon and Member Jessica Vitali. 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. Following the pledge, the Chairman and Solicitor noted: (1) case no. Z23-20, the application of John P. Williamson, owner of 720 N. Eagle Road, Havertown was continued until December 7, 2023; and (2) case no. Z23-23, the application of Chung Rental LLC., owner of 631 Dayton Road, was withdrawn by the applicant.

Next Chairman Kane proceeded with old business before the Board, that being case no. Z23-18 which is the application of Robert and Regina Powers, owners of 2708 Pine Valley Lane, Ardmore, PA. Applicants seek variances from the provisions of (1) §182-204.C(7) to construct a 13’x14’ addition that will encroach into the required 25’ rear yard setback by 5”; (2) §182-204.C(4) to exceed the maximum building coverage of 20% by 1.91% (192.4 sq. ft.), and (3) a determination that the proposed addition does not constitute the expansion of a structure within an identified floodplain, or in the alternative, a variance from §182-604.F(1) to allow an addition within the 100 year flood plain. The subject property is Zoned R-2 and located in the 6th Ward.

The hearing recommenced, and the Applicants presented additional testimony and evidence, in the way of additional photos and testimony from Applicants' builder, which were admitted into the record. Following public comment and further discussion with the Board regarding the location of the 100-year floodplain, the matter was continued, and the record was held open for Applicants to submit a site plan delineating the subject property's topography and the delineation of the 100-year floodplain. The new date for this matter is October 5, 2023.

Next the Chairman proceed with case no. Z23-21, which is the application of Gretchen Diehl, Lessee of 61 W. Eagle Road. Applicant seeks a variance from the provisions of §182-707.B to allow for a tattoo studio (personal service use) with approx. 900 sq. ft. of customer service area (requiring 11 parking spaces) to occupy the property which provides a shared parking lot containing 22 parking spaces, where the collective uses (ballet studio and apartment) currently require approx. 40 off-street parking spaces. The subject property is located in the Township's C-3 Commercial Zoning District and Ward 3.

The hearing commenced, and the Applicant presented testimony and evidence, which was admitted into the record. Following public comment wherein Ms. Susan Strickler provided commented, the record was closed.

Upon a motion duly made and seconded, Applicants variances requests were approved subject to the following conditions:

1. There shall be no more than two employees on site at any one time.
2. The building's backroom shall not be used for customer service.
3. The project will be completed within 1 year and in accordance with the notes of testimony.

With no further new or old business before the Board the meeting was adjourned.

**HVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice](#)

Date received:
09/18/2023 @ 1506

Date & Time posted:
09/18/2023 @ 1531

[Agenda Link](#)

Date received:
09/25/2023 @ 1102

Date & Time posted:
09/25/2023 @ 1107

[Minutes Link](#)

Date received:
10/20/2023 @ 1057

Date & Time posted:
10/20/2023 @ 1120

Public Notice/Meeting Agenda/Minutes

Date: Thursday, October 05, 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, October 5, 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:

Z23-23 Ellis and Amy Eisen, appellants residing at 323 Farwood Road, Wynnewood PA, who challenge the Zoning Officer's decision to issue a building permit for the construction of a single family dwelling to Sleepy Valley Holdings, LLC., owner of 319 Farwood Road, Wynnewood, PA., D.C. Folio No. 22 08 00396 00 for any and all of the reasons stated: flooding concerns, workmanship concerns, and regarding the minimum lot area within the R-4 district (6,000 sq ft), pursuant to §182-206C(1). Zoned R-4. Ward 8.

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 September 20th and September 27th, 2023

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **October 5, 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 Decision:

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 Continued Case:

Z23-18 Robert and Regina Powers, owners of 2708 Pine Valley Lane, Ardmore, PA., D.C. Folio #22 06 01748 00, seek variances from the provisions of §182-204.C(7) to construct a 13'x14' addition that will encroach into the required 25' rear yard setback by 5', from §182-204.C(4) to exceed the maximum building coverage of 20% by 1.91% (192.4 sq. ft.), and to make a determination that the proposed addition does not constitute the expansion of a structure within an identified floodplain , or in the alternative, a variance from §182-604.F(1) to allow an addition within the 100 year flood plain. Zoned R-2. Ward 6.

Item #3 New Cases:

Z23-23 Ellis and Amy Eisen, appellants residing at 323 Farwood Road, Wynnewood PA, who challenge the Zoning Officer's decision to issue a building permit for the construction of a single family dwelling to Sleepy Valley Holdings, LLC., owner of 319 Farwood Road, Wynnewood, PA., D.C. Folio No. 22 08 00396 00 for any and all of the reasons stated: flooding concerns, workmanship concerns, and regarding the minimum lot area within the R-4 district (6,000 sq ft), pursuant to §182-206C(1). Zoned R-4. Ward 8.

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
October 5, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on October 5, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 8:00 p.m. Present were: Chairman Robert Kane, Vice-Chairman William Rhodes, Member Edward Magargee, Member Jesse Pointon and Member Jessica Vitali. Also present were the Township’s Zoning Officer Kelly Kirk, 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.

Following the pledge, the Chairman proceeded with case no. Z23-18, which is the application of Robert and Regina Powers, owners of 2708 Pine Valley Lane, Ardmore, PA. Applicants seek variances from the provisions of (1) §182-204.C(7) to construct a 13’x14’ addition that will encroach into the required 25’ rear yard setback by 5’; (2) §182-204.C(4) to exceed the maximum building coverage of 20% by 1.91% (192.4 sq. ft.), and (3) a determination that the proposed addition does not constitute the expansion of a structure within an identified floodplain, or in the alternative, a variance from §182-604.F(1) to allow an addition within the 100 year flood plain. The subject property is Zoned R-2 and located in the 6th Ward. This matter was a continuance from the Board’s September 21, 2023 hearing.

The hearing recommenced, and the Applicants presented additional testimony and evidence, namely in the way of a plan which delineated the property’s topography and the location of the 100-year flood plain. Following public comment, the record was closed.

Upon a motion duly made and seconded, Applicants variances requests were approved 5-0, subject to the following condition:

1. The project will be completed within 1 year and in accordance with the notes of testimony.

Next the Chairman proceeded with case no. **Z23-23**, which is the application of Ellis and Amy Eisen. Appellants, who reside at 323 Farwood Road, Wynnewood PA, filed an appeal challenging the Zoning Officer's decision to issue a building permit for the construction of a single family dwelling to Sleepy Valley Holdings, LLC., owner of 319 Farwood Road, Wynnewood, PA., D.C. Folio No. 22 08 00396 00 for any and all of the reasons stated: flooding concerns, workmanship concerns, and regarding the minimum lot area within the R-4 district (6,000 sq ft), pursuant to §182-206C(1). The subject property is Zoned R-4 and located in the 8th Ward.

Applicant Ellis Eisen is an attorney and represented himself and Amy Eisen. Sleepy Valley Holdings, LLC, represented by Fred Fromhold, Esquire, requested, and was granted party status. The hearing commenced and the township zoning officer, Kelly Kirk, testified first and submitted evidence, which was admitted into the record, establishing the basis for her decision to grant the permit. Thereafter, both the applicants and Sleepy Valley Holdings, LLC presented evidence and testimony, which was admitted into the record. After some discussion with the Board, Mr. Eisen and Mr. Fromhold were directed to submit proposed findings of fact and conclusion of law to the Board. After a period of public comment, the record was closed and the matter was continued to the Board's November 2, 2023 hearing date for submission of the parties' respective findings of fact and conclusions of law.

Finally, the Chairman proceeded with case no. Z23-05 which is the application of DMG Elite Properties, LLC, owners of 8 Campbell Ave, Havertown, PA. This matter was continued from the Board's September 21, 2023 hearing for a decision.

Upon a motion duly made and seconded, the application was granted in part and denied in part. The Board granted the following variances from the following sections of the zoning code:

1. §182-802.D(1) to allow a change in use from a restaurant to a 3-story mixed use building with office, showroom and storage on the first floor and [up to?] four apartments above with expanded third floors.
2. §182-707.B to allow for 14 off-street parking spaces where 18 are required.
3. §182-208.C(1)(d) to allow the building coverage - currently nonconforming at 43.9% - to be increased to 47.5% where 40% is permitted.
4. §182-208.C(1)(e) to allow a non-conforming front yard setback - currently at 20' not including a 20' "fire escape" stairway to be replaced with a slightly less than 9' wide handicap accessibility ramp to a first-floor entrance - where 20' is required.
5. §182-208.C(1)(f) to allow the side yard setback adjacent to the neighbor's driveway, which is currently at 5.24' for the entire length of the existing building and a portion of the existing building that is 3-stories high, to remain at 5.24' but only on the first floor where 7' setback is required.
6. §182-208.C(1)(g) to allow the rear yard setback adjacent to the Cheese Club, currently at 3.86', to remain at 3.86' where 25' is required, but this approval of the variance shall only be for the first floor.
7. §182-208.C(1)(i) to allow the impervious surface currently at 84.6% to be reduced to 83.4%, where 65% is the maximum permitted.
8. §182-802 to allow the bulk square footage of 5,873 sq. ft. to be increased by an additional 5,102 sq. ft. (or such lesser square footage resulting from the variance granted above, thereby allowing the applicant to expand the nonconforming footprint to a full three stories.

The Board denied the following request for a variance from section:

1. §182-208.C to allow portions of the new building to be reconstructed and portions of the building to be expanded to a full three stories above the currently nonconforming footprint of the existing building.

The approvals were granted subject to the following additional conditions:

1. Work shall be done in conformance with the applicable building code.
2. The project shall be completed within 1 year and in accordance with the notes of testimony except for those notes which are inconsistent with the variances granted hereby.

With no further new or old business before the Board the meeting was adjourned.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice](#)

Date received:
10/03/2023 @ 0825

Date & Time posted:
10/03/2023 @ 1024

***UPDATE:**
10/11/2023 @ 0957

[Agenda Link](#)

Date received:
10/06/2023 @ 0944

Date & Time posted:
10/06/2023 @ 1012

***UPDATE:**
10/11/2023 @ 0957

[Minutes Link](#)

Date received:
11/03/2023 @ 0919

Date & Time posted:
11/03/2023 @ 1326

Public Notice/Meeting Agenda/Minutes

Date: Thursday, October 19, 2023

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

Time: 7:30 P.M.

PUBLIC NOTICE
HAVERFORD TOWNSHIP
ZONING HEARING BOARD

NOTICE is hereby given that the Zoning Hearing Board will hold a Public Meeting on Thursday, October 19, 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:

- Z23-24** Sleepy Valley Holdings, LLC. owner of 774 Lawson Ave., Havertown, PA., D.C. Folio No. 22 08 00649 00, who seeks variances from the provisions of §182-713.B. to allow the subdivision of a lot where the existing structures are to remain nonconforming in the following respects; a porch encroaching into the 30' front yard setback by 12.1' (§182-206.C(5)(a)), and an overhang and bay window to encroach into the 8' side yard setback by 3.1' and 2.3' and in combination with the garage overhang to encroach on the aggregate side yard setback by 5.4' (§182-206.C(6)(a)). In addition, variances are sought from §182-206.C(1) to allow a lot area of 5,983 sq. ft. where 6,000 sq. ft. is required, and §182-720.C(6) to permit the proposed house and associated features on Lot 2 within areas of steep slope as well as a special exception from §182-720 C.(5)(A) for storm piping in steep slopes. Zoned R-4. Ward 8.
- Z23-25** Aimee & Leon Kent, owners of 21 Myrtle Ave., Havertown, PA., D.C. Folio No. 22 08 00787 00, Who seek variances from the provisions of §182-207.C(4), §182-207.C(9), §182-207.C(5)(a) and §182-207.C(6)(a) to exceed the permitted 1400 sq. ft. (30%) building coverage by 308 sq. ft. (36.4%), to exceed the permitted 2160 sq. ft. (45%) impervious coverage by 468 sq. ft. (54.7%), to continue the 9.33' front yard encroachment and to continue the nonconforming side yard encroachment of 1.33'; a 15.12' aggregate where 16' is required, to enclose the current screened in porch, extent the enclosure by 11.8'x9' and add a new 3'x20.67' walkway. Zoned R-5. Ward 8.
- Z23-26** Llanerch Country Club, owner of 950 West Chester Pike, Havertown, PA. D.C. Folio No. 22 09 02715 00, seeks a variance from the provisions of §182-602.C(7) to construct a 90' high protective net with fencing, exceeding the maximum height restriction of 35', in accordance with an Order of the Delaware Court of Common Pleas. Zoned INS. Ward 2.

***CONTINUED TO 11/02/2023 MEETING**

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 October 4th, and October 11, 2023.

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **October 19, 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 New Cases:

- Z23-24** Sleepy Valley Holdings, LLC. owner of 774 Lawson Ave., Havertown, PA., D.C. Folio No. 22 08 00649 00, who seeks variances from the provisions of §182-713.B. to allow the subdivision of a lot where the existing structures are to remain nonconforming in the following respects; a porch encroaching into the 30' front yard setback by 12.1' (§182-206.C(5)(a)), and an overhang and bay window to encroach into the 8' side yard setback by 3.1' and 2.3' and in combination with the garage overhang to encroach on the aggregate side yard setback by 5.4' (§182-206.C(6)(a)). In addition, variances are sought from §182-206.C(1) to allow a lot area of 5,983 sq. ft. where 6,000 sq. ft. is required, and §182-720.C(6) to permit the proposed house and associated features on Lot 2 within areas of steep slope as well as a special exception from §182-720 C.(5)(A) for storm piping in steep slopes. Zoned R-4. Ward 8.
- Z23-25** Aimee & Leon Kent, owners of 21 Myrtle Ave., Havertown, PA., D.C. Folio No. 22 08 00787 00, Who seek variances from the provisions of §182-207.C(4), §182-207.C(9), §182-207.C(5)(a) and §182-207.C(6)(a) to exceed the permitted 1400 sq. ft. (30%) building coverage by 308 sq. ft. (36.4%), to exceed the permitted 2160 sq. ft. (45%) impervious coverage by 468 sq. ft. (54.7%), to continue the 9.33' front yard encroachment and to continue the nonconforming side yard encroachment of 1.33'; a 15.12' aggregate where 16' is required, to enclose the current screened in porch, extent the enclosure by 11.8'x9' and add a new 3'x20.67' walkway. Zoned R-5. Ward 8.
- Z23-26** Llanerch Country Club, owner of 950 West Chester Pike, Havertown, PA. D.C. Folio No. 22 09 02715 00, seeks a variance from the provisions of §182-602.C(7) to construct a 90' high protective net with fencing, exceeding the maximum height restriction of 35', in accordance with an Order of the Delaware Court of Common Pleas. Zoned INS. Ward 2.

***CONTINUED TO 11/02/2023 MEETING**

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
October 19, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on October 19, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:45 p.m. Present were: Chairman Robert Kane, Vice-Chairman William Rhodes, Member Edward Magargee, Member Jesse Pointon and Member Jessica Vitali. Also present were 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.

Following the pledge, the Chairman proceed with new business and initially mentioned that a continuance was requested by the application in case number Z23-26, which is the application of Llanerch Country Club, owner of 950 West Chester Pike, Havertown, PA. The matter was continued to the Board’s November 2, 2023 hearing date.

Next the Chairman proceeded with case number Z23-24, which is the application of Sleepy Valley Holdings, LLC, the owner of 774 Lawson Ave., Havertown, PA. Applicant seeks variances from the provisions of §182-713.B to allow the subdivision of a lot where the existing structures are to remain nonconforming in the following respects; (i) a porch encroaching into the 30’ front yard setback by 12.1’ (§182-206.C(5)(a)), (ii) an overhang and bay window to encroach into the 8’ side yard setback by 3.1’ and 2.3’; and (iii) a garage overhang to encroach on the aggregate side yard setback by 5.4’ (§182-206.C(6)(a)). In addition, Applicant seeks variances from the provisions of: (1) §182-206.C(1) to allow a lot area of 5,983 sq. ft. where 6,000 sq. ft. is required; and (2) §182-720.C(6) to permit the proposed house and associated features on proposed Lot 2 within areas of

steep slope. Finally, Applicant seeks a special exception under section §182-720 C.(5)(A) for storm piping in steep slopes. The subject property is Zoned R-4 and located in the 8th Ward.

The hearing commenced and the Applicant presented testimony and evidence which were admitted into the record. Following public comment, where residents commented in favor of the application, the record was closed.

Upon a motion duly made and seconded, Applicant's requests were granted subject to the following reasonable conditions:

1. The new oak tree on Lot 2 will not be planted directly below the overhead power line.
2. The stormwater on Lot 2 must not adversely impact adjoining properties.
3. The project will be completed in one year and in accordance with the notes of testimony.

Next, the Chairman proceeded with case number Z23-25 which is the application of Aimee & Leon Kent, owners of 21 Myrtle Ave., Havertown, PA. Applicants seek variances from the provisions of §182-207.C(4), §182-207.C(9), §182-207.C(5)(a) and §182-207.C(6)(a) to (1) exceed the permitted 1400 sq. ft. (30%) building coverage by 308 sq. ft. (36.4%); (2) to exceed the permitted 2160 sq. ft. (45%) impervious coverage by 468 sq. ft. (54.7%); (3) continue the 9.33' front yard encroachment; (4) continue the nonconforming side yard encroachment of 1.33'; a 15.12' aggregate where 16' is required, (5) to enclose the current screened in porch and extent it by 11.8'x 9'; and (5) add a new 3'x 20.67' walkway. The property is Zoned R-5 and located in the 8th Ward.

The hearing commenced and the Applicant presented testimony and evidence which were admitted into the record. Following public comment, in which there was none, the record was closed.

Upon a motion duly made and seconded, Applicant's requests were granted subject to the following reasonable conditions:

1. The applicant will ensure that stormwater from the property must not adversely impact adjoining properties.
2. The project will be completed in one year and in accordance with the notes of testimony.

With no further new or old business before the Board the meeting was adjourned.

**HVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice](#)

Date received:
10/18/2023 @ 1024

Date & Time posted:
10/18/2023 @ 1032

[Agenda Link](#)

Date received:
10/23/2023 @ 1519

Date & Time posted:
10/23/2023 @ 1526

[Minutes Link](#)

Date & Time posted:
11/17/2023 @ 1136

Public Notice, Agenda & Minutes

Date: Thursday, November 02, 2023

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

Time: 7:30 P.M.

PUBLIC NOTICE
HAVERFORD TOWNSHIP
ZONING HEARING BOARD

NOTICE is hereby given that the Zoning Hearing Board will hold a Public Meeting on Thursday, November 2, 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:

Z23-26 Llanerch Country Club, owner of 950 West Chester Pike, Havertown, PA. D.C. Folio No. 22 09 02715 00, seeks a variance from the provisions of §182-602.C(7) to construct a 90' high protective net with fencing, exceeding the maximum height restriction of 35', in accordance with an Order of the Delaware Court of Common Pleas. Zoned INS. Ward 2.

New case continued from 10/19/2023

Z23-27 Jennifer Lukes and Jeffrey Persch, owners of 52 Whitemarsh Rd., Ardmore, PA., D.C. Folio #22 03 02225 00, who seek variances from §182-204.C(4) to exceed the maximum 20% building coverage by 4.2% (281 sq. ft. §182-204.C (5)(b) to encroach into the required 30' minimum secondary front yard setback by 5'-7' for the construction of a two-story, 20.8'x10.1' addition and by 9'-11' for the construction of a front door portico. Zoned R-2. Ward 3.

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 October 18th, and October 25, 2023.

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **November 2, 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 New Cases:

Z23-26 Llanerch Country Club, owner of 950 West Chester Pike, Havertown, PA. D.C. Folio No. 22 09 02715 00, seeks a variance from the provisions of §182-602.C(7) to construct a 90' high protective net with fencing, exceeding the maximum height restriction of 35', in accordance with an Order of the Delaware Court of Common Pleas. Zoned INS. Ward 2.
New Case Continued from the October 19, 2023 Meeting

Z23-27 Jennifer Lukes and Jeffrey Persch, owners of 52 Whitemarsh Rd., Ardmore, PA., D.C. Folio #22 03 02225 00, who seek variances from §182-204.C(4) to exceed the maximum 20% building coverage by 4.2% (281 sq. ft. §182-204.C (5)(b) to encroach into the required 30' minimum secondary front yard setback by 5'-7' for the construction of a two-story, 20.8'x10.1' addition and by 9'-11' for the construction of a front door portico. Zoned R-2. Ward 3.

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
November 2, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on November 2, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 7:55 p.m. Present were: Chairman Robert Kane, Vice-Chairman William Rhodes, Member Edward Magargee, Member Jesse Pointon and Member Jessica Vitali. Also present were the Township’s Zoning Officer Kelly Kirk, 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.

Following the pledge, the Chairman proceed with old business that being case number Z23-26, which is the application of Llanerch Country Club, the owner of 950 West Chester Pike, Havertown, PA. The matter was continued from the Board’s October 19, 2023 meeting. Llanerch Country Club, owner of 950 West Chester Pike, Havertown, PA. Applicant seeks a variance from the provisions of §182-602.C(7) to construct a 90’ high protective net with fencing, exceeding the maximum height restriction of 35’, pursuant to a Court Order issued by The Honorable Barry Dozor in a pending civil action before the Delaware Court of Common Pleas (“Litigation”). The property is zoned INS and located in the 2nd Ward.

The applicant was represented by James Bryne Esquire. Mr. Michael Dignazio, Esquire, introduced himself as counsel for two individuals, Robert Dignazio and Brian Griffin, who are parties to the Litigation and who have party status before the Board. The hearing commenced and applicant presented evidence and testimony which was admitted into evidence. Mr. Dignazio then proceeded with his case and offered the testimony of Robert Dignazio and evidence which was admitted into

the record. Upon the closing of the parties' case in chief, there was a period of public comment wherein the following residents voiced objections to applicant's requested variances:

Thomas Hartman
Claire Iannone
Todd Dehaven Hall
Dan Blaschak
Michael Soloman
Elizabeth Hamilton
Tony Iannone
Kathy Crago
Kyle Giangulio
Rosemary Marle
Liam F. Zoromski

At the conclusion of public comment, the record was closed and after a brief executive session, a motion was duly made and seconded to deny applicants requests.

New business was case no. Z23-27, which is the application of Jennifer Lukes and Jeffrey Persch, the owners of 52 Whitemarsh Rd., Ardmore, PA. Applicants seek variances from §182-204.C(4) to exceed the maximum 20% building coverage by 4.2% (281 sq. ft. §182-204.C (5)(b) to encroach into the required 30' minimum secondary front yard setback by 5'-7' for the construction of a two-story, 20.8'x10.1' addition and by 9'-11' for the construction of a front door portico. The property is Zoned R-2 and located in the 3rd Ward.

The hearing commenced and the applicants presented testimony and evidence which were admitted into the record. Following public comment, in which there was none, the record was closed.

Upon a motion duly made and seconded, applicants' variance requests were granted subject to the following reasonable conditions:

1. Applicants may not enclosure of the portico; and
2. Electricity is the only utility permitted to be extended to the portico; and
3. The applicants must comply with the Board's approval and conditions in prior case no. Z23-04; and

4. The proposed development must comply with the notes of testimony of the November 2, 2023 hearing; and
5. The project will be completed within one year of the Board's approval.

With no further new or old business before the Board the meeting was adjourned.

**HVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice](#)

Date & Time posted:
11/01/2023 @ 1442

[Agenda Link](#)

Date & Time posted:
11/06/2023 @ 1108

[Minutes Link](#)

Date & Time posted:
12/08/2023 @ 1208

Public Notice, Agenda & Minutes

Date: Thursday, November 16, 2023

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

Time: 7:30 P.M.

PUBLIC NOTICE
HAVERFORD TOWNSHIP
ZONING HEARING BOARD

NOTICE is hereby given that the Zoning Hearing Board will hold a Public Meeting on Thursday, November 16, 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:

Z23-28 Lauren Turney and Ellen Mulcahy, owners of 45 Barbara Lane, Havertown, PA., D.C. Folio # 22 04 00045 27, seek variances from the provisions of §182-204.C(5)(a) to encroach into the required 40' front yard setback by 19'-11", from §182-204.C(4) to further exceed the allowable (20%) 2009.6 sq. ft. building coverage currently at (23.9%) 2404.7 sq. ft. increased to (29.3%) 2945.7 sq. ft. and from §182-204.C(6)(a) to further reduce the nonconforming side yard aggregate to 11' where 20' is required, to construct a 24'-6" x 18'-6", 2- car carport and covered walkway. Zoned R-2. Ward 4.

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 November 1st, and November 8th, 2023.

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **November 16, 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 Decision:

- Z23-23** Ellis and Amy Eisen, appellants residing at 323 Farwood Road, Wynnewood PA, who challenge the Zoning Officer's decision to issue a building permit for the construction of a single family dwelling to Sleepy Valley Holdings, LLC., owner of 319 Farwood Road, Wynnewood, PA., D.C. Folio No. 22 08 00396 00 for any and all of the reasons stated: flooding concerns, workmanship concerns, and regarding the minimum lot area within the R-4 district (6,000 sq ft), pursuant to §182-206C(1). Zoned R-4. Ward 8.

Item #2 New Cases:

- Z23-28** Lauren Turney and Ellen Mulcahy, owners of 45 Barbara Lane, Havertown, PA., D.C. Folio # 22 04 00045 27, seek variances from the provisions of §182-204.C(5)(a) to encroach into the required 40' front yard setback by 19'-11", from §182-204.C(4) to further exceed the allowable (20%) 2009.6 sq. ft. building coverage currently at (23.9%) 2404.7 sq. ft. increased to (29.3%) 2945.7 sq. ft. and from §182-204.C(6)(a) to continue the nonconforming side yard aggregate to 23' where 30' is required, to construct a 24'-6" x 18'-6", 2- car carport and covered walkway. Zoned R-2. Ward 4.

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
November 16, 2023**

A regular meeting of the Haverford Township Zoning Hearing Board (the “Board”) was held on November 16, 2023. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 8:00 p.m. Present were: Chairman Robert Kane, Vice-Chairman William Rhodes, Member Edward Magargee, Member Jesse Pointon and Member Jessica Vitali. Also present were 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.

Following the pledge, the Chairman proceed with old business, that being Case No. Z23-23, which is the application/appeal of Ellis and Amy Eisen. Appellants reside at 323 Farwood Road, Wynnewood PA, and are challenging the Township Zoning Officer’s decision to issue a building permit to Sleepy Valley Holdings, LLC for the construction of a single-family dwelling at 319 Farwood Road, Wynnewood, PA. (D.C. Folio No. 22-08-00396-00). Appellants’ arguments on appeal before the Board are as follows: (1) flooding concerns; (2) workmanship concerns; and (3) 319 Farwood Road does not meet the R-4 District’s minimum lot area (6,000 sq ft), pursuant to §182-206C(1). This matter was continued from the Board’s November 2, 2023 meeting for a decision.

Upon a motion duly made and seconded, the Board voted 5-0 to deny Appellants’ appeal and affirm the decision of the Zoning Officer to issue a building permit to Sleepy Valley Holdings, LLC for the construction of a single-family dwelling at 319 Farwood Road (D.C. Folio No. 22-08-00396-00)

Next Chairman Kane proceeded with new business that being Case No. Z23-28, which is the application of Lauren Turney and Ellen Mulcahy, the owners of 45 Barbara Lane, Havertown, PA. Applicants seek variances from the provisions of: (1) §182-204.C(5)(a), to encroach into the required 40' front yard setback by 19'-11"; (2) §182-204.C(4), to further exceed the allowable (20%) 2009.6 sq. ft. building coverage currently at (23.9%) 2404.7 sq. ft. (increasing to (29.3%) 2945.7 sq. ft); and (3) §182-204.C(6)(a), to continue the nonconforming side yard aggregate to 23' where 30' is required. Applicants desire to construct a 24'-6" x 18'-6", 2- car carport and covered walkway. The property is Zoned R-2 and located in the 4th Ward. Applicants were represented by George Lavin, Esquire.

The hearing commenced and applicants presented evidence and testimony which was admitted into evidence. At the close of applicants' case and following brief public comment, a motion was duly made and seconded to approve the application. The Board Voted 2-3 in favor of disapproval, resulting in a denial. Chairman Kane and Member Pointon voted in favor of approving the application with Vice Chairman Rhodes, Member Magargee and Member Vitali voting against approval.

With no further new or old business before the Board the meeting was adjourned.

**HAVERFORD TOWNSHIP
ZONING HEARING BOARD**

BY: _____
Recording Secretary



Zoning Hearing Board

[Public Notice](#)

Date & Time posted:
11/20/2023 @ 1107

[Agenda Link](#)

Date & Time posted:
11/22/2023 @ 1110

[Minutes Link](#)

Date & Time posted:

Public Notice & Agenda

Date: Thursday, December 07, 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, December 7, 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:

- Z23-29** Erica Schell-Rompre, lessee of 17 Mifflin Ave, Suite 207, Havertown, PA D.C. Folio No. 22 02 00852 00 seeks an appeal from the determination of the Zoning Officer that a school providing Spanish enrichment programs (including Baby & me classes, preschool classes, kindergarten enrichment, Spanish clubs for elementary students, teacher training, and workshops) is not a permitted use of the property, and a request for a finding that the proposed use is a continuation of a pre-existing nonconforming use, pursuant to §182-802.A. In the alternative, the applicant seeks a special exception pursuant to the provisions of §182-802.B(1) to expand the pre-existing nonconformity, and/or a variance from §182-802.D(1) to allow a change in nonconforming use from an office to a school use. If necessary, the applicant also seeks a variance from the applicable off-street parking requirements of §182-707.B. Zoned R-6. Ward 2.
- Z23-30** Donna and Eugene Fitzgerald, owners of 841 Penn Street, Bryn Mawr, PA., D.C. Folio No. 22 05 00816 00, who seek relief from the provisions of §182-802.B for the construction of a dormer over a portion of an existing nonconforming rear yard. Zoned R-6 (single family house). 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 November 22 and November 29, 2023.

AGENDA

MEETING OF THE ZONING HEARING BOARD OF HAVERFORD TOWNSHIP, THURSDAY, **December 7, 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:

Z23-20 John P. Williamson, owner of 720 N. Eagle Road, Havertown, PA D.C. Folio # 22010036500, who seeks to appeal a notice of violation issued by the Township Zoning Officer on March 1, 2023 regarding the placement of a 4'x 8' off-site advertising sign at the subject property, and variances from the provisions of §182-701.G.(1) to allow off-site advertising at the subject property, and §182-701.C(1)(a)[1] to exceed the maximum total sign area of 6 square feet permitted on the property, as granted by variance by the Zoning Hearing Board on May 15, 2003 (Case No. Z03-7.) Zoned R-5. Ward 4.

Applicant requested continuance from September 21, 2023 meeting

Item #2 New Cases:

Z23-29 Erica Schell-Romppe, lessee of 17 Mifflin Ave, Suite 207, Havertown, PA D.C. Folio No. 22 02 00852 00 seeks an appeal from the determination of the Zoning Officer that a school providing Spanish enrichment programs (including Baby & me classes, preschool classes, kindergarten enrichment, Spanish clubs for elementary students, teacher training, and workshops) is not a permitted use of the property, and a request for a finding that the proposed use is a continuation of a pre-existing nonconforming use, pursuant to §182-802.A. In the alternative, the applicant seeks a special exception pursuant to the provisions of §182-802.B(1) to expand the pre-existing nonconformity, and/or a variance from §182-802.D(1) to allow a change in nonconforming use from an office to a school use. If necessary, the applicant also seeks a variance from the applicable off-street parking requirements of §182-707.B. Zoned R-6. Ward 2.

Z23-30 Donna and Eugene Fitzgerald, owners of 841 Penn Street, Bryn Mawr, PA., D.C. Folio No. 22 05 00816 00, who seek relief from the provisions of §182-802.B for the construction of a dormer over a portion of an existing nonconforming rear yard. Zoned R-6 (single family house). Ward 5.

AJOURNMENT

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



Zoning Hearing Board

Public Notice

Date received:

Date & Time posted:

Agenda Link

Date received:

Date & Time posted:

Minutes Link

Date received:

Date & Time posted:

Public Notice/Meeting Agenda

Date: Thursday, January 05, 2023

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

Time: 7:30 P.M.
