

East Bradford Township Zoning Hearing Board Meeting Minutes October 3, 2022

The October 3, 2022 Zoning Hearing Board meeting was held in the McCardle Meeting Room in the Township Building, 676 Copeland School Road, West Chester. The meeting agenda was posted to the Township website on September 26, 2022 and was posted at the Township Building on September 27, 2022. The Hearing was announced at the September 19, 2022 meeting of the Zoning Hearing Board.

Zoning Hearing Board members present:

Kamil Ali-Jackson, Vice Chair
Andy Schaum
Dan Bush, Alternate member

Zoning Hearing Board members absent:

Al Gollatz, Chair

Staff/Professionals present:

Tom Oeste, Esquire, Zoning Hearing Board Solicitor
Andrea Campisi, Director of Planning and Zoning/Zoning Officer

Others in attendance:

Mathew McKeon, Esquire
David Wallace
Catharine Wallace
Justin Brewer, P.E., D.L. Howell & Associates, Inc.
Mark Hagerty, Court reporter

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by Zoning Hearing Board Solicitor Tom Oeste. Mr. Oeste introduced the members of the Zoning Hearing Board and informed the attendees that the board is a quasi-judicial body.

PUBLIC COMMENT: None

MEETING MINUTES:

September 19, 2022 minutes:

Ms. Ali-Jackson made a motion to approve the minutes. Mr. Schaum seconded the motion. All members were in favor. The motion carried.

OLD BUSINESS:

None

NEW BUSINESS:

1. 914 Greene Countrie Drive, 51-3-44, David and Catharine Wallace

The applicant requests the following variance from the Zoning Ordinance and any and all relief necessary to construct a 28' by 22.6' addition for an in-law suite on the front of the home facing Greene Countrie Drive:

- (1) Section 115-19C.6 to allow the proposed addition to provide a building setback line of 14' rather than the required 50'.

The applicant also seeks relief from a condition imposed on an earlier variance that was approved by the Zoning Hearing Board in 1982, on an application by a prior owner of the property. The condition reads as follows: "...no further encroachment into the existing (50) foot setback, except that now existing, shall in any event be permitted."

Mr. Oeste announced that this application was continued on the record to tonight's hearing from the September 19, 2022 hearing to allow the applicant additional time to notify the neighbors. Mr. Oeste noted that the hearing was not advertised since it was continued on the record. Mr. Oeste entered four exhibits into the record on behalf of the Board.

Mathew McKeon, attorney for the applicant, submitted exhibit packages to each Board member and Mr. Oeste. Mr. Oeste asked Mr. McKeon to confirm that neighbors were notified as required by the Township's Zoning Ordinance in addition to the three additional members who asked to receive such notice. Mr. McKeon confirmed that the required notices had been sent and referred to Exhibit A-4.

Mr. McKeon summarized the requested variance in addition to the additional relief sought from a condition imposed on an earlier application before the Zoning Hearing Board. Mr. McKeon called two witnesses, Mr. Wallace, the property owner, and Justin Brewer, the civil engineer from DL Howell who prepared the survey.

After hearing the testimony, the Zoning Hearing Board deliberated. After deliberating, Mr. Schaum made a motion to recommend approval of the variance and the requested relief from the 1982 condition. Mr. Bush seconded the motion. All members were in favor and the motion carried.

The Board granted a variance to permit a building setback of 14 feet from the edge of the right of way of Green Countrie Drive for the proposed building addition and granted relief from the 1982 Decision condition, subject to compliance with the following conditions:

1. The relief granted is only for the variance and from the 1982 Decision condition for the proposed building addition as requested by the Applicants and approved by the Zoning Hearing Board.
2. Except as modified by the relief granted, Applicants shall comply with all requirements of the Township Code, including but not limited to all area and bulk requirements of the R-3 Residential Zoning District and all other Township ordinances and regulations.
3. Applicants shall obtain and comply with any and all applicable federal, state, and local governmental approvals and permits, as may be necessary.
4. Applicants and the construction of the building addition shall comply in all respects with the representations and commitments made in the testimony and exhibits presented at the hearing.

NEXT MEETING: The next Zoning Hearing Board meeting is scheduled for November 21, 2022 at 7 pm.

ADJOURNMENT / CONTINUANCE: The meeting adjourned at 7:34 p.m.

Meeting minutes recorded by: Andrea Campisi, Zoning Officer