

ZHB 629

Paul and Ruth Strid
260 Church Rd.
Devon, PA 19333
610-613-0029

09/23/21

Easttown Township
566 Beaumont Road
Devon, PA 19333

To Whom It May Concern:

Enclosed is our Application for Zooning Hearing Board and Check. We are requesting to have our minor dimensional variance from § 455-47-A as it pertains to the existing 75' rear yard setback for proposed structures serving active outdoor uses added to the October 26th agenda.

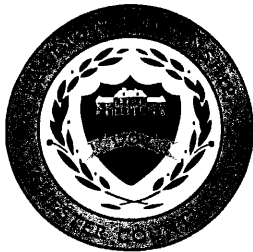
Thank for your consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to be 'Paul and Ruth Strid', written in a cursive style.

Paul and Ruth Strid

Enclosure



**EASTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

566 Beaumont Road
Devon, PA 19333
610-687-3000
610-687-9666 (Fax)

**APPLICATION FOR
ZONING HEARING BOARD**

ZHB 629

PART 1 – INSTRUCTIONS		
<ul style="list-style-type: none"> Review Chapter 274 Natural Resource Protection and Chapter 455 Zoning of the Code of the Township of Easttown, available online at www.easttown.org, for purchase at the Township Building or review at the Township Building. Submit twelve (12) sets of Plot Plans, prepared by a Professional Engineer or Registered Land Surveyor, including but not limited to, site location, required setbacks, and tables for the Net Lot Area calculation, Maximum Impervious Surface calculation, and existing vs. proposed conditions for the dimensional requirements of the applicable Zoning District. Submit the Application Fee in accordance with the Easttown Township Fee Schedule, as approved and as may be amended by the Board of Supervisors. 		
PART 2 – APPLICANT INFORMATION (person or entity responsible for all costs)		
Applicant Name: Paul + Ruth Strid	Relationship to Property Owner: Self	
Applicant Street Address (if P.O. Box, include street address also): 260 Church Rd.		
City, State, and Zip Code: Devon, PA 19333		
Telephone Number: [REDACTED]	Email Address: [REDACTED]	
Fax Number:	[REDACTED]	
PART 3 – PROPERTY OWNER INFORMATION		
Property Owner Name (person or entity that will own the Improved Property upon completion of work): Paul + Ruth Strid		
Property Owner Street Address (if P.O. Box, include street address also): 260 Church Rd.		
City, State, and Zip Code: Devon, PA 19333		
PART 4 – PROPERTY INFORMATION		
Street Address of Property for which Zoning Permit is being sought (if P.O. Box, include street address also): 260 Church Rd.		
City, State, and Zip Code: Devon, PA 19333		
Tax Map ID#: 55-5B-62	Subdivision Name (if applicable):	Lot # (if applicable):
PART 5 – DATE PROPERTY ACQUIRED BY OWNER		
Month, Day, and Year: 7/30/20		

PART 6 – EXISTING LAND USE (check all that apply)

- Residential Dwelling
 - Single-Family
 - Townhouse
 - Two-Family
 - Multi-Family

- Non-Residential
 - Commercial
 - Educational
 - Industrial
 - Institutional
 - Other _____

PART 7 – ZONING DISTRICT/OVERLAY (check all that apply)

Zoning District:

- AA
- R-1
- R-2
- R-3
- R-4
- R-5
- PBO
- VB
- VT
- VR

Zoning Overlay District:

- DC
- MF-A
- MF-B
- PA
- DC

PART 8 – REQUESTED RELIEF (check all that apply)

- Variance per Section(s) 455-47-A
- Special Exception per Sections(s) _____
- Appeal of Zoning Officer's Permit Decision Dated: _____
- Appeal of Zoning Officer's Preliminary Opinion Dated: _____
- Appeal of Zoning Officer's Determination Dated: _____
- Appeal of Zoning Officer's or Township Engineer's Floodplain or Flood Hazard Area Determination Dated: _____
- Substantive Challenge to the Validity of Zoning Ordinance
- Validity Challenge to the Zoning Ordinance regarding Procedural Questions or Alleged Defects in Process

Statement of Requested Relief by Section:

We are requesting a minor dimensional variance from sec. 455-47-A as it pertains to the existing 75' rear yard setback for proposed structures serving active outdoor uses added to the October 26th agenda.

PART 9 – SPECIAL EXCEPTION OR SPECIAL RELIEF STANDARDS AND CRITERIA (complete if applicable)

The Applicant shall have the burden to prove compliance with the following standards and criteria, as may be applicable:

1. That the use of the property adjacent to the area included in the special exception is adequately safeguarded. This provision shall require noise abatement, landscaping, buffering, additional setbacks, if necessary, and similar restrictions in order to protect adjacent property.
2. That vehicular trip generation resulting from the proposed use will not result in such increased traffic or turning movements as will significantly affect existing congestion on streets and roads within the immediate vicinity of the proposed development or adversely impact the reserve capacity of the public roads and road intersections providing access to and in the area of the proposed use.
3. Improvements to the streets contiguous to the applicant's property, such as road widening, acceleration and deceleration lanes, traffic control devices and similar features, shall be sufficient to obviate any adverse traffic impacts caused by the use and to protect the traveling public, and the location and design of the proposed facilities for ingress or egress shall be so located as to provide safe access to adjoining streets and roads and to avoid unnecessary traffic through existing neighborhoods.
4. The proposed use shall make adequate provision for access for firefighting and other emergency service equipment. Such access must include, but is not necessarily limited to, turning radii sufficient to accommodate fire equipment, adequacy of roadway and right-of-way widths to accommodate the free flow of such equipment, paved emergency access roads/ways, provision for adequate access in front of, between and behind buildings and structures, including paved or compacted surfaces sufficient to support the weight of fire equipment, and permanently and publicly marked as such.
5. Require submission of a certificate of adequacy of sewage and water facilities from the Chester County Health Department, the Pennsylvania Department of Environmental Protection, the Easttown Municipal Authority or other regulatory agency having jurisdiction, or evidence of compliance with such requirements determined sufficient by the Zoning Hearing Board.

PART 9 – SPECIAL EXCEPTION OR SPECIAL RELIEF STANDARDS AND CRITERIA (continued)

6. Except where otherwise required by Chapter 455, Zoning, or Chapter 400, Subdivision and Land Development, or the safety of the public otherwise dictates, the total number of access points on major streets and highways shall be limited. The Zoning Hearing Board shall have the power to require the frontage of buildings on parallel marginal roads or on roads perpendicular to existing public streets and highways.
7. The proposed use shall specifically comply with all area and bulk regulations, design standards or other general regulations applicable to the proposed use.
8. The proposed use shall not be contrary or harmful to the health, safety, morals, and general welfare.
9. Any recommendations of the Planning Commission shall be provided to the applicant, and the applicant shall produce evidence to ameliorate any negative concerns raised by the Planning Commission. The Zoning Hearing Board shall not be bound by such recommendations.
10. Be assured that the natural features and processes characterizing the proposed site and its surroundings shall not suffer unmitigated degradation, that the management of storm waste, the provision of water or sewer service, and any other alterations to the site's predevelopment condition shall be consistent with the Township goals, practices, and plans in these regards, and that demand for water and energy by the proposed use shall be minimized to the optimal extent.
11. Impose such conditions, in addition to those required, as are necessary to assure that the intent of Chapter 455, Zoning, is complied with, and which are reasonably necessary to safeguard the health, safety, morals and general welfare of the residents of the Township at large and the residents and owners of the property adjacent to the area in which the proposed use is to be conducted. Conditions may include, but are not limited to, harmonious design of buildings; aesthetics, hours of operation, lighting, numbers of persons involved, noise, sanitation, safety, smoke and fume control and the minimizing of noxious, offensive or hazardous elements.

PART 10 – VARIANCE STANDARDS AND CRITERIA (complete if applicable)

In addition to the standards and criteria listed in Part VIII of this Application, the Applicant shall have the burden to prove compliance with the following standards and criteria, as may be applicable:

1. There are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter in the neighborhood or district in which the property is located.

Yes; topography and existing structures make it difficult to impossible to proceed without variance.

2. Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of Chapter 455, Zoning, and the authorization of a variance is therefore necessary to enable the reasonable use of the property.

To preserve the character of the property and surrounding areas, work with topography restrictions and existing structures, believe variance allows us to proceed with reasonable design and cost parameters.

3. Such unnecessary hardship has not been created by the applicant.

No unnecessary hardship ~~has~~ will be created if approved.

4. The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use or development of adjacent property nor be detrimental to the public welfare.

Confirmed; variance will not impact surrounding area as described above.

5. That, in the case where the property is located in part or totally within the regulatory floodway, the granting of a variance will not increase the base flood elevation.

Confirmed; variance will not increase the base flood elevation.

6. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

Confirmed; plan was adjusted repeatedly to incur minimum variance needed.

PART 11 – SUBSTANTIVE CHALLENGES STANDARDS AND CRITERIA (complete if applicable)

The Applicant shall have the burden to prove compliance with the following standards and criteria, as may be applicable:

1. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities.
2. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the ordinance or map.
3. The suitability of the site for the intensity of the use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources, and other natural features.
4. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts.
5. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

Matt Lubitz

From: Tyson Chamberlain <tchamberlain@pzarchitects.com>
Sent: Friday, September 24, 2021 11:14 AM
To: Matt Lubitz
Cc: Paul Strid
Subject: 260 Church Rd. Variance Request

Hi Matt,

Per our conversation earlier the intent of the Variance Application filed for 260 Church Rd. is to request a minor dimensional variance from § 455-14 as it pertains to the existing 75' rear yard setback stipulated by § 455-47-A in regards to the proposed structures serving active outdoor uses as indicated in the attached plans. Please include this additional explanation along with the application for consideration.

Thank you,

TYSON CHAMBERLAIN RA
Principal

610-647-6970 office
267-205-5505 mobile
Peter Zimmerman Architects, Inc.
828 Old Lancaster Rd
Berwyn, PA 19312

PZArchitects.com
[facebook](#) [instagram](#) [linkedin](#)

PETER
ZIMMERMAN
ARCHITECTS



September 23rd, 2021

Matt Lubitz
Easttown Township
Planning/ Zoning Officer
566 Beaumont Rd.
Devon, PA 19333

RE: 260 Church Rd. Easttown Township
Variance Application

Matt,

Please include these (12) signed and sealed copies of the drawings required for the Variance Application along with the application to be provided by the Client later today.

We formally request that this variance application for a minor dimensional relief from the rear yard setback be added to the October 26th agenda.

If you have any questions or need any other additional information, please feel free to call or email.

Regards,


TYSON CHAMBERLAIN RA
Principal

610-647-6970
610-993-9080 (fax)

828 Old Lancaster Rd
Berwyn, PA 19312

PZArchitects.com



PART 12 – CERTIFICATION

- I am the Property Owner, or
- am an officer or official of the Property Owner, or
- have the authority to make this application (attach delegation of signatory authority),

acknowledge that the information provided in this Application, including any plans and specifications, is true and correct to the best of my knowledge and belief.

Paul Strid

Owner

Name (type or print legibly)

Official Title

260 Church Rd.

Devon, PA 19333

Street Address

City, State, Zip



Phone Number

E-mail Address

PLS

9/22/21

Signature

Date

PART 13 – TOWNSHIP ACTION

Permit Application Fee:

\$ 800.00
100

Paid

Cash

Check No.

3864

Received by:

S. Norris

Date:

9-27-21

Not Paid