

2/2/11

At their meeting on Monday Jan. 31, the Zoning Hearing Board heard one application. All members were present.

#1731: Mike Yanoff, Esq. on behalf of Paul and Denene Coyle at **510 Kane Drive** requested the reinstatement of expired zoning relief originally granted in May 2003 in support of a rear lot subdivision of their property. A variance had been granted from the 25 foot side yard building setback requirement in the A-Residential district. Extensions had previously been granted by the Zoning Board in 2004, 2005, and 2006. The Coyles' engineer is working to finalize the subdivision plan so that it may receive final approval.

Mr. Yanoff indicated that the plan required many revisions to meet stormwater management standards, and that the plan has not been dormant. The Zoning Board asked for documentation to support the claim that the Coyles and the Township have been working the plan in an ongoing fashion over the last few years. With this documentation, the request would be approved.

Yesterday, Mr. Yanoff provided an outline of all activity on the Coyle subdivision, which has been forwarded to the Zoning Board Chairman and Solicitor for their response.

The next meeting of the Zoning Hearing Board will be Monday, February 28 at 7:30 pm.

Richard D. Barton

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Monday, February 28, 2011

- | <u>Name</u> | <u>Address</u> | <u>E-Mail</u> |
|--------------------------|---|------------------------------|
| 1. Joseph Breen | 1570 Butler PK - | |
| 2. Valarie & Bue Horwitz | 1339 Elton Circle | VRHw1@aol.com |
| 3. Bill Keene | 781 Mt Vernon Rd
GAP, Pa 17527 | Poppopdriver
@comcast.net |
| 4. Michele Smith | 848 G Avenue, Glenside, PA 19038 | signsmitty@yahoo.com |
| 5. Stan Ropski | 1550 COORNA DR. | |
| 6. Jean Rupp | 305 Tally Ho Dr. | |
| 7. Don Rupp | 305 Tally Ho Dr. | |
| 8. Lisa Siwinski | 1555 Oak Hollow Dr | the_skis@hotmail.com |
| 9. Natalie Powell | 965 State Rd.
Phila, PA 19114 | |
| 10. Bob DuBree | 1339 Mt Vernon
ELTON CIRCLE | |
| 11. M. Murray | 900 Ave "H" Glenside | |
| 12. M. Klaska | 839 AVE G | |
| 13. Beatrix Luff | 1567 E Butler Pike | |
| 14. | | |

AGENDA

Upper Dublin Township Zoning Hearing Board Monday, March 28, 2011 @ 7:30 pm

#2065: Continued hearing for Joseph Breen, 1337 Ashbourne Road, Elkins Park, PA 19027 requests a variance from Section 255-40 in order to keep a piece of construction equipment in excess of 9,000 lbs. on the property located at **1570 Butler Pike** for an extended period. The property is zoned A-Residential. The hearing was opened on February 28.

#2068: Robert and Marina Kenney, **1603 Morgan Drive**, Maple Glen, PA 19002 request a variance from Section 255-24.A in order to replace a four-foot high fence with a six-foot high fence along the Norristown Road frontage on their corner property. The zoning district is A-Residential.

#2069: Gary Miller, **1419 Malcolm Drive**, Dresher, PA 19025 requests a variance from Section 255-29.E to construct a detached garage at the side of an existing dwelling, instead of behind it. The property is zoned A-Residential.

Application **#2060** for William and Erin Dougherty, **544 Melissa Drive**, Ambler, PA 19002, which was scheduled to be continued at this meeting, was withdrawn by the applicants. The Doughertys had applied for a special exception and variance to expand a nonconforming dwelling on a corner lot.

3/29/11

All Zoning Board members were present for last night's meeting, and addressed these applications:

- **# 2065:** Continued hearing for Joseph Breen, who requested a variance to keep construction equipment in excess of 9,000 lbs. on the property at **1570 Butler Pike** for an extended period. The variance was denied.
- **# 2068:** Robert and Marina Kenney of **1603 Morgan Drive** requested a variance to construct a six foot tall fence along the Norristown Road frontage of their corner lot for security and privacy reasons. The proposed fence would extend approximately 160 feet from the rear of their house to the back of the lot. The Zoning Code limits fence heights along streets to four feet. The Zoning Board did not find that a case for a hardship was made and denied the request. It was further acknowledged by the ZB and solicitor George Ditter that they cannot set policy on how fence heights are regulated, and that the Board of Commissioners is the proper venue to reconsider the current zoning regulations.
- **# 2069:** Gary Miller of **1419 Malcolm Drive** was granted a variance to construct a detached garage at the side of his house rather than 10 feet behind the house, as required. Mr. Miller testified that placing the garage at the rear would interfere with the natural drainage path on the lot, as well as increase the amount of impervious coverage needlessly. The garage would be adjacent to lands of the Thomas Fitzwater Elementary School, so there would be no impact to a residential lot.

The Zoning Board will meet again tomorrow, March 30 to hear two more applications.

Richard D. Barton

Director of Code Enforcement
Upper Dublin Township
801 Loch Alsh Avenue
Fort Washington, PA 19034

rbarton@upperdublin.net
(215) 643-1600, ext. 3213

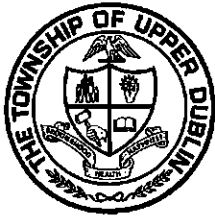
3/31/11

The Zoning Board heard two applications last night. Member Phyllis Engart was absent, so alternate Lawrence Pauker voted.

- # 2070: Developer Timothy Clauss, d.b.a. Dublin Estates, was granted a special exception to construct a side-by-side duplex on a vacant, 22,500 sq.ft. lot on **Meadowbrook Avenue**, located between two paper streets – Catherine St. and Alma Ave. The subject property will be formed by consolidating three adjacent, undersized lots. The dimensions of the property are 150 ft. wide by 150 ft. deep. The building will be 50 ft. by 48 ft., similar to the duplex constructed last year at 527 Meadowbrook Avenue, just three lots away. The plans were presented by Julie Von Spreckelsen, Esq. and Nick Rose, PE. Mr. Clauss indicated that the units would not be rented out, but would be a condominium arrangement. The immediate neighbor, Elizabeth Woelfel, raised concerns about stormwater runoff, currently a problem on this portion of Meadowbrook Ave. The Zoning Board responded that this would be addressed during the grading plan stage, and that it was not an issue for the special exception.
- # 2071: Natalie Powell requested two variances from the Zoning Code's fence regulations for the property at **1327 Fort Washington Avenue**, for which she has an agreement of sale. The current owner is Alan Armstrong, and the lot is adjacent to a nonconforming use, C&D Landscaping. Mrs. Powell requested a variance for a six foot high fence within the front yard setback adjacent to Fort Washington Avenue (the regulation is four feet), and an eight foot high fence along approximately 220 feet of her side property line with C&D (the limit is six feet). Privacy and security for the family's children and pets were the main reasons given for the request. Mrs. Powell stated that a four foot high fence in the front yard was not high enough to keep the family's dogs on the property, and that an eight foot tall fence was necessary to block views of the C&D Landscaping property, which contains large trucks, a dumpster, and a fire-damaged building that is under repair. When questioned further on this point, Mrs. Powell stated that because the house is elevated, a six foot tall fence was not sufficient to block views of C&D from inside the house. A neighbor on Tressler Drive, Richard Gittlin, questioned the need for a fence at the rear of the property, stating that a number of Tressler Drive homeowners do not use fences, but "electric fences" to contain their dogs. The Zoning Board voted 4-1 to deny the request (Pauker dissenting).

The next scheduled Zoning Hearing Board meeting is Monday, April 25 at 7:30 pm.

Richard D. Barton



Zoning Hearing Board – Minutes of April 25, 2011

The meeting opened at 7:30 pm.

Present: Rodney Whitmire, Leonard Karp, George Dempster, Elaine Lucas and alternate Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and stenographer Loretta Devery.

Absent: Phyllis Engart. Alternate Lawrence Pauker was a voting member this evening.

Application # 2072 by Don Grimm and Lori Wachsmuth of 5 Lindenwold Terrace was presented by Mr. Grimm. The applicants requested a special exception under Section 255-147.B and a variance from Sections 255-43.B and 255-147.C in order to construct an approximately 900 sq.ft. patio at the rear of their home. The construction would increase the impervious coverage on their property from the current 27.3 percent of lot area (nonconforming) to 29.9 percent. The 25,663 sq.ft. lot is zoned A-Residential.

Mr. Grimm indicated that a subsurface seepage bed will be installed to absorb any additional stormwater runoff from the project.

Aside from the applicants, no one else was present in the audience.

Mr. Karp motioned, and Ms. Lucas seconded to approve the application. All voted "aye".

The meeting ended at 7:37 pm. The next scheduled Zoning Hearing Board meeting is on Monday, May 23 at 7:30 pm.

Respectfully submitted,

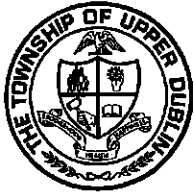
Richard D. Barton

A handwritten signature in black ink, appearing to be "RDB", written over the printed name of Richard D. Barton.

AGENDA

Upper Dublin Township Zoning Hearing Board
Monday, April 25, 2011 @ 7:30 pm

#2072: Don Grimm and Lori Wachsmuth, **5 Lindenwold Terrace**, Ambler, PA 19002 request a special exception under Section 255-147.B and a variance from Sections 255-43.B and 255-147.C in order to construct an approximately 900 sq.ft. patio at the rear of their home. The proposed patio's effect would be to increase the total impervious coverage on the property from 27.3 percent to 29.9 percent. The 25,663 sq.ft. property is zoned A-Residential.



Zoning Hearing Board – Minutes of May 23, 2011

The meeting opened at 7:30 pm.

Present: Rodney Whitmire, Leonard Karp, George Dempster, Phyllis Engart, Elaine Lucas, Solicitor George Ditter, Zoning Officer Richard Barton and Court reporter Loretta Devery.

Absent: Alternate member Lawrence Pauker.

Application # 1897 was brought by Habitat for Humanity of Montgomery County for their property on Linden Avenue between Summit and Beechwood Avenues. Habitat requested an extension of relief originally granted in 2006 and subsequently extended through May 1, 2011 to construct twin homes on lots of 5,280 sq.ft. and 6,533 sq.ft. instead of the required 6,000 sq.ft. and having widths of 48 feet instead of 60 feet. Mr. Ditter advised the Zoning Board that State Act 46, enacted last year, automatically extended a variety of municipal approvals - including Zoning Board decisions - up to July 2, 2013. As such, Habitat's approval is effective through that date.

#2073: Dale W. Moyer of 1460 Dillon Road was granted a special exception to construct an in-law suite (Karp/Dempster). All voted "aye".

#2074: Matthew and Julie Gallagher, 558 Argyle Avenue were granted a variance from the 30 percent impervious coverage limit in the C District so as to construct a 483 sq.ft. patio that will increase the impervious cover from 27 to 44 percent of lot area. The approval was conditioned on constructing the patio of paver blocks or similar design to allow seepage of storm water, such design to be approved by the township Public Works Department (Dempster/Lucas). All voted "aye".

#2075: David and Erika Sheaffer of 1803 Patricia Avenue were granted a special exception and a setback variance to expand their existing dwelling at the corner of Patricia and Dale Avenues. The new addition will extend nearly 16 feet into the 35 foot setback from Patricia Avenue. Letters of support from ten neighbors, including adjacent owners, were submitted to the Board. All voted "aye".

The meeting was adjourned at 8:25 pm.

Respectfully submitted,

Richard D. Barton

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Monday, May 23, 2011

<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
1. Matt & Julie Gallagher	558 Argyle	jwis76@yahoo.com
2. David & Enka Sheaffer	1803 Patricia Ave Willow Grove 19090	sheafferfamily@comcast.net
3. Dale & Miriam Moyer	1460 Dillon Rd Ambler	miriammoyer@ verizon.net
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Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

5th
and the 12th day of May A.D 2011

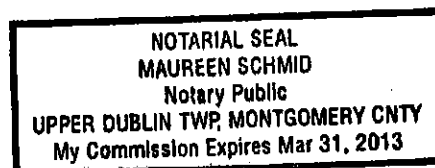
Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Bernard N. DeAngelis
Finance Director, Montgomery Newspapers LLC, a Corporation

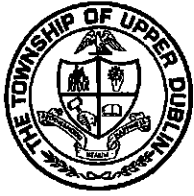
Sworn to and subscribed by me this
16th day of May, 2011

Maureen Schmid
Notary Public

My Commission Expires:



<p>ZONING NOTICE - UPPER DUBLIN TOWNSHIP</p> <p>The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, May 23, 2011 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Aish Avenue, Fort Washington, PA 19034, to hear and take testimony on the following applications:</p> <p>#1897: Habitat for Humanity, 533 Foundry Road, West Norriton, PA 19403 requests an extension of relief granted on April 28, 2010 to allow the construction of twin dwellings on Linden Avenue between Summit and Beechwood Avenues. Zoning relief was originally granted on May 1, 2006 consisting of a special exception for the construction of twin dwellings in the C-Residential District (Section 255-39.B.2), and a variance from the provisions of Section 255-39 to permit the construction of twin dwellings with a total lot area of 11,813 sq.ft. instead of the required 6,000 sq.ft. for each dwelling unit and with lot widths of 48 feet for each lot rather than the required 60 foot width per lot.</p> <p>#2073: Dale W. Moyer, 1460 Dillon Road, Ambler, PA 19002 requests a special exception as permitted by Section 255-27.E.1 in order to create an in-law apartment at the subject residence.</p> <p>#2074: Matthew and Julie Gallagher, 558 Argyle Avenue, Ambler, PA 19002</p>	<p>request a variance from the 30 percent impervious coverage limit in the C-Residential District (Section 255-45.B) in order to construct a 21 by 23 foot patio that will increase the impervious coverage on their lot from 27 to 44 percent of lot area.</p> <p>#2075: David and Erika Sheaffer, 1803 Patricia Avenue, Willow Grove, PA 19090 request a special exception under Section 255-147 and a building setback variance under Section 255-44A in order to expand a nonconforming structure within the front yard setback area. The proposed addition would extend approximately 16 feet, 10 inches into the 35 foot setback from Patricia Avenue. The property is zoned B-Residential.</p> <p>All residents of Upper Dublin Township interested in the above applications may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the Township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.</p> <p>Zoning Hearing Board of Upper Dublin Township By: Richard D. Barton, Zoning Officer 801 Loch Aish Avenue Fort Washington, Pa 19034 215-643-1600, ext. 3213 Gaz-May 5,12-1A</p>
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Zoning Hearing Board – Minutes of May 25, 2011

The meeting opened at 7:30 pm.

Present: Rodney Whitmire, Leonard Karp, George Dempster, Elaine Lucas, Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court reporter Loretta Devery.

Absent: Phyllis Engart. Alternate member Lawrence Pauker voted.

#2076: Kristin Green, 411 Ellerslie Avenue received a variance to allow the reconstruction of a 342 sq.ft. detached garage which is nonconforming for setbacks. The dilapidated structure will be removed and replaced with a one-car garage with storage, using the same footprint as the original, which is on the side property line. The applicant demonstrated to the Board that moving the garage 10 feet from the property line would place it entirely behind her house, requiring additional driveway (impervious surface) and making her small backyard unusable. All voted "aye" (Lucas/Dempster).

#2077: Hub Properties Trust, c/o Reit Management & Research, was granted sign variances for the property at 515 Pennsylvania Avenue. Three business signs were granted in addition to the two existing signs at the property, and an address sign was granted with an area of 6 sq.ft. instead of the permitted 2 sq.ft. Attorney Tina Makoulian presented the case.

The signs were requested on behalf of a new tenant, Temple University Health Services, which is to lease (for 15 years) 38,000 sq.ft. of the presently vacant 40,000 sq.ft. in the building. On the first floor, 7,000 sq.ft will be used for an Urgent Care unit. David Campoli of Reit testified that there are currently three tenants leasing a total of 40,000 sq.ft. in the 82,000 sq.ft., two-story building. Flooding associated with tropical storm Allison in 2002 caused 40,000 sq.ft. to go vacant since that time. Mr. Campoli stated that although the building has not flooded since 2002, it has been difficult to market.

Land Planner Eric Hetzel testified that the total sign area on the site, existing and proposed, would total approximately 190 sq.ft., whereas the zoning code permits up to 400 sq.ft. on a lot in the EC District. The need for more signs that the code allows, he stated, is based on the need for "way finding", to direct patients (including elderly) to the health care services. The proposed signs include an address sign (6 sq.ft.) at driveway from Commerce Drive, a 55.6 sq.ft. monument sign at the corner of Commerce and Pennsylvania, an awning sign (23.2 sq.ft.) at the Urgent Care entrance, and a 20 sq.ft. directory sign at the rear entrance.

After a brief recess, the Board voted all "aye" to approve the request (Dempster/Lucas). Vice Chairman Leonard Karp recused himself due to an existing business relationship with Temple Health System.

The meeting was adjourned at 8:50 pm. The next scheduled meeting of the Zoning Hearing Board is June 27 at 7:30 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton". The signature is fluid and includes a long horizontal flourish at the end.

Richard D. Barton

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Wednesday, May 25, 2011

	<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
1.	Tina Makoulian	Ballard Spahr, 1735 Market St., Phila - PA	makoulian@ballardspahr.com
2.	DAVE Campoli	603 EDGLEY AVE Glenside PA 19038	DCampoli@REITMR.com
3.	Erik Hetzel Glackin Thomas Prutz, Inc.	41 Leopard Rd Paoli PA 19301	ehetzel@glackinplan.com
4.	Kristin Green	411 Ellerslie Ave Ambler PA 19002	kristin.inbox@gmail.com
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Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

5th
and the 12th day of May A.D 2011

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Bernard N. DeAngelis
Finance Director, Montgomery Newspapers LLC, a Corporation

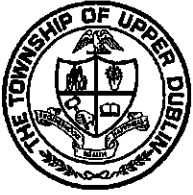
Sworn to and subscribed by me this
16th day of May, 2011

Maureen Schmid
Notary Public

My Commission Expires:

<p>ZONING NOTICE - UPPER DUBLIN TOWNSHIP</p> <p>The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Wednesday, May 25, 2011 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Ash Avenue, Fort Washington, PA 19034, to hear and take testimony on the following applications:</p> <p>#2076: Kristin Green, 411 Ellerslie Avenue, Ambler, PA 19002 requests a variance from Section 255-29.E in order to reconstruct a nonconforming detached garage in its existing location. The 342 sq.ft. garage is located on the side property line, rather than a minimum of ten feet from the property line as required by zoning. The property is zoned C-Residential.</p> <p>#2077: Hub Properties Trust, c/o Reit Management & Research, 1500 Market Street, Philadelphia, PA 19102 requests variances related to signage for the property located at 515 Pennsylvania Avenue, Fort</p>	<p>Washington. It is requested to add three business signs to the two signs already at the property. The EC Employment Center district allows a maximum of two signs for office uses (Section 255-135.B). In addition, an address sign with an area of 50 sq.ft. is requested vs. two sq.ft. as permitted (Section 255-162.2.B.6). All residents of Upper Dublin Township interested in the above applications may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the Township at (215) 643-1600 to discuss how Upper Dublin Township will accommodate you at the hearing. For more information contact the Zoning Officer at 801 Loch Ash Avenue Fort Washington, Pa. 19034 215-643-1600, ext. 3213 Gaz-May 5,12-1A</p>
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NOTARIAL SEAL
MAUREEN SCHMID
Notary Public
UPPER DUBLIN TWP, MONTGOMERY CNTY
My Commission Expires Mar 31, 2013



Zoning Hearing Board – Minutes of Monday, June 27, 2011

The meeting opened at 7:31 pm.

Present: Rodney Whitmire, Leonard Karp, George Dempster, Elaine Lucas, Phyllis Engart and alternate member Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court reporter Carol Skipper.

#2078: Mindy and Jay Solnick, 1346 Wentz Drive received a variance to allow the construction of a detached garage at the side of their home rather than ten feet behind the rear of the house, as required by zoning. The Solnicks presented photos that illustrated steep slopes and woodlands in their backyard that would be disturbed if the garage was built according to the required setback. Their lot backs up to the Mondauk Woods open space area. Testimony in support of the proposed location of the garage was presented by Surveyor Tom Crews. Outside of the applicants, no members of the public attended the hearing.

All Zoning Board members voted to approve the variance (Karp/Lucas).

The meeting was adjourned at 8:10 pm. The next scheduled meeting of the Zoning Hearing Board is July 25, 2011 at 7:30 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton".

Richard D. Barton

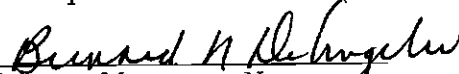
Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
County of Montgomery ss:

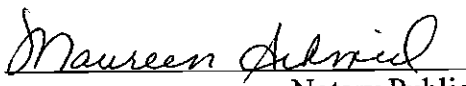
Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

9th
and the 16th day of June A.D 2011

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.


Finance Director, Montgomery Newspapers LLC, a Corporation

Sworn to and subscribed by me this
20th day of June, 2011


Notary Public
My Commission Expires:

NOTARIAL SEAL
MAUREEN SCHMID
Notary Public
UPPER DUBLIN TWP, MONTGOMERY CNTY
My Commission Expires Mar 31, 2013

ZONING NOTICE
UPPER DUBLIN TOWNSHIP
The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, June 27, 2011 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Aish Avenue, Fort Washington, PA 19034, to hear and take testimony on the following application:

#2078: Mindy and Jay Solnick of 1346 Wentz Drive, Fort Washington, PA 19034 request a variance from Section 255-29.E in order to build a detached garage at the side of their home rather than ten feet behind the rearmost portion of the structure as required by zoning, due to steep slopes and woodlands on the site. The property is zoned A-1 Residential.

All residents of Upper Dublin Township interested in the above application may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the Township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.

Zoning Hearing Board of Upper Dublin Township
By: Richard D. Barton,
Zoning Officer
801 Loch Aish Avenue
Fort Washington, Pa. 19034
215-643-1600, ext. 3213
Gaz-June 9,16-1A

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Monday, June 27, 2011

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Zoning Hearing Board – Minutes of August 22, 2011

The meeting opened at 7:30 pm.

Present: Rodney Whitmire, Leonard Karp, George Dempster, Elaine Lucas, Phyllis Engart, Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Loretta Devery.

#2081: Keith Gavin, 131 Garden Road, Oreland was granted a special exception and a variance to construct a 48 sq.ft. addition to his home which is nonconforming for side yard setbacks. The proposed addition will be built approximately 15 feet from the property line, consistent with the existing building line. Three letters in support of the project were submitted, signed by neighbors. All voted "aye" (Karp/Lucas).

An advertised hearing #2080 for Peter Penna, 470 Ambler Road, concerning the property at 222 N. Bethlehem Pike was cancelled. The Applicant last week withdrew his appeal of an enforcement notice that had been issued by the Township.

The meeting was adjourned at 7:45 pm. The next scheduled meeting of the Zoning Hearing Board is Monday, September 26 at 7:30 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton".

Richard D. Barton

Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

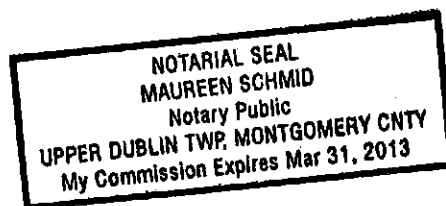
4th
and the 11th day of August A.D 2011

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Bernard N. DeAngelis
Finance Director, Montgomery Newspapers LLC, a Corporation

Sworn to and subscribed by me this
15th day of August 2011

Maureen Schmidt
Notary Public
My Commission Expires: 3/31/2013



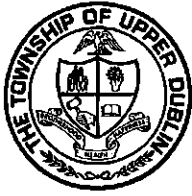
ZONING NOTICE
UPPER DUBLIN TOWNSHIP
The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, August 22, 2011 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Aish Avenue, Fort Washington, PA 19034, to hear and take testimony on the following applications:

#2080: Peter Penna, 470 Ambler Road, Ambler, PA 19002 appeals a June 15, 2011 enforcement notice from the Director of Code Enforcement regarding the property at 222 Bethlehem Plke. The notice charges that the property is being used as a two-family residence in violation of Section 255-39.A of the Zoning Code. The property is zoned A-Residential.

#2081: Keith Gavin, 131 Garden Road, Oreland, PA 19075 requests a special exception under Section 255-147 and a variance from Section 255-43.1.A(1) in order to build an addition to a nonconforming dwelling. The proposed 48 sq.ft. addition would be built within the 25 foot side yard setback area, in line with the existing building wall. The property is zoned A-Residential.

All residents of Upper Dublin Township interested in the above applications may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the Township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.

Zoning Hearing Board of Upper Dublin Township
By: Richard D. Barton, Zoning Officer
Gaz-Aug 4,11-1A



Zoning Hearing Board – Minutes of September 26, 2011

The meeting opened at 7:30 pm.

Present: Rodney Whitmire, Leonard Karp, George Dempster, Elaine Lucas, Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Loretta Devery.

Absent: Phyllis Engart. Alternate member Pauker voted this evening.

#2083: Mary Patitucci, Able Academy of Special Education, 757 Eastwind Circle, Dresher, PA 19025, applied for a special exception to operate a Special Education program at Christ's Lutheran Church, 700 E. Pennsylvania Avenue in Oreland. The applicant stated that the school would serve autistic children ages 6 through 13 with a one to one student to teacher ratio. No increase was proposed to the building or parking area; existing classroom space would be used under a lease agreement with the church.

The special exception was approved for Special Education use only, with a maximum of ten students and ten instructors. All voted "aye" (Dempster/Lucas).

The meeting was adjourned at 8:19 pm. The next scheduled meeting of the Zoning Hearing Board is Monday, November 28 at 7:30 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton".

Richard D. Barton

Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

8th
and the 15th day of September A.D 2011

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

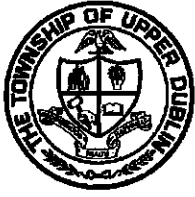
Bernard N. DeAngelis
Finance Director, Montgomery Newspapers
LLC, a Corporation

Sworn to and subscribed by me this
20th day of September 2011

Maureen Schmid
Notary Public
My Commission Expires: 3/31/2013



ZONING NOTICE
UPPER DUBLIN TOWNSHIP
The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, September 26, 2011 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Alsh Avenue, Fort Washington, PA 19034, to hear and take testimony on the following application:
#2083: Mary Patitucci / Able Academy of Special Education, 757 Eastwind Circle, Dresher, PA 19025 requests a special exception under Section 255-39.A.5(a) and Section 255-174 in order to operate a Special Education program at Christ's Lutheran Church, 700 E. Pennsylvania Avenue in Oreland. A maximum of ten students and ten instructors will be involved with the program. The property is zoned A-Residential.
All residents of Upper Dublin Township interested in the above application may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.
Zoning Hearing Board of Upper Dublin Township
By: Richard D. Barton, Zoning Officer
801 Loch Alsh Avenue
Fort Washington, Pa. 19034
215-643-1600, ext. 3213
Gaz-Sep 8,15-1A



Zoning Hearing Board – Minutes of November 28, 2011

The meeting was opened by Leonard Karp at 7:30 pm.

Present: Leonard Karp, George Dempster, Elaine Lucas, Phyllis Engart, Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Carol Skipper.

Also in attendance: Township Solicitor Gilbert High and approximately 30 residents.

Alternate member Pauker voted this evening, as there is an open seat on the Zoning Board due to the resignation of Rodney Whitmire.

Mr. Whitmire had been Chairman of the Zoning Hearing Board and a Zoning Board member since 1999. The Zoning Board members recognized his service through a Resolution, which was read at the outset of the meeting. The Resolution will be presented to Mr. Whitmire at the December 19 meeting.

An election among the members followed to name a new Chairman and Vice-Chairman. Leonard Karp was elected Chair (Lucas/Dempster) and Elaine Lucas Vice-Chair (Karp/Engart).

#2085: Joseph W. LaBarge at 204 Washington Lane, Fort Washington was granted a variance to construct an addition that will extend 7 feet into the required 50 foot rear yard setback area. The property is zoned A-Residential. Mr. LaBarge presented 11 letters from neighbors in support of the project.

All voted "aye" (Lucas/Dempster).

#2084: William J. Ciavarelli of 951 E. Butler Pike requested a special exception to permit an existing structure to be converted to an accessory dwelling unit for use by the members of the applicant's immediate family. The 5.09 acre property is split-zoned: B-Residential in the front, parallel to Butler Pike and A-Residential in the back.

The affected structure is a two-story cabana building that opened in 2010.

Attorney Anee Farrell represented Mr. Ciavarelli, Gilbert High participated in the hearing for the Township, and Edward Wild, Esq. represented 7 neighboring households under the name of Rose Valley Neighbors Association. Ms. Farrell challenged at the outset whether the Association had standing to testify in the case. Mr. Wild argued that the Municipalities

Planning Code supported the right of abutting and neighboring property owners to testify at a zoning hearing. Gil High agreed with this opinion, as did the Zoning Board.

The second initial point of disagreement was over subpoenas that had been requested by Mr. Wild. Following discussion among the attorneys, it was agreed that Joseph Stevens, the project architect, would submit copies of all drawings depicting the phases of construction, and that Mr. Ciavarelli would submit a copy of the construction contract.

Mr. Stevens, the first witness, gave testimony and answered questions from the attorneys for most of the hearing. In the course of questioning, Stevens admitted that the cabana was designed to be a residence. The Township had resisted this during the permit process, as the building had been approved strictly as an accessory building (cabana), not a residence. Second floor plans that had proposed three bathrooms were rejected and plumbing that had been installed without permits for those bathrooms was removed. The second floor presently consists of a storage area and rooms designated as exercise and weight rooms.

Ms. Farrell contends that the zoning code allows them to locate an in-law suite within the accessory building through a special exception, and that they can meet all of the requirements of the special exception.

The meeting was adjourned at 10:04 pm, with the hearing to be continued Monday, December 19 at 7:30 pm. Mr. Ciavarelli will be next to testify.

Respectfully submitted,



Richard D. Barton

Proof of Publication of Notice
THE AMBLER GAZETTE

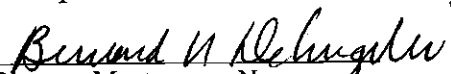
State of Pennsylvania,
County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:


10th

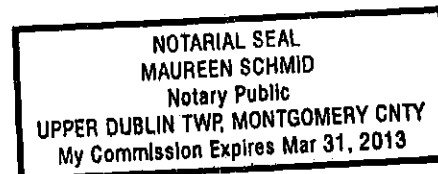
and the 17th day of November A.D 2011

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.


Finance Director, Montgomery Newspapers LLC, a Corporation

Sworn to and subscribed by me this
21st day of November 2011


Notary Public
My Commission Expires: 3/31/2013



**ZONING NOTICE
UPPER DUBLIN TOWNSHIP**

The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, November 28, 2011 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Aish Avenue, Fort Washington, PA 19034, to hear and take testimony on the following applications:

#2084: William L. Clavarelli, 951 E. Butler Pike, Ambler, PA 19002 requests a special exception under Section 255-27.E.1 to permit an existing structure to be converted to an accessory dwelling unit-for-use by the members of the applicant's immediate family. The 5.09 acre property is split-zoned: B-Residential in the front, parallel to Butler Pike and A-Residential in the back.

#2085: Joseph W. LaBarge, 204 Washington Lane, Fort Washington, PA 19034 requests a variance from the 50 foot rear yard setback requirement in the A-Residential District in order to build a residential addition that would encroach approximately seven feet into the setback area. (Section 255-43.B)

All residents of Upper Dublin Township interested in the above applications may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.

Zoning Hearing Board of Upper Dublin Township
By: Richard D. Barton, Zoning Officer
801 Loch Aish Avenue
Fort Washington, Pa. 19034
215-643-1600, ext. 3213
Gaz-Nov 10, 17

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Monday, November 28, 2011

<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
1. Brad Wealand	1147 Hagues Mill Rd.	bwealand@gmail.com
2. Rob McNeil	418 Fairview Ave	—
3. DR. Joyce Ison		joyilson@yahoo.com
4. BOB KACHNYKZ	422 FAIRVIEW	BOB@RKPROCESS.COM
5. STAN ROPSKI		
6. DR KEELANS		
7. Carolyn & Dan Moor		
8. Jan & Paul Brucher		
9. Bill & Mary Ann	1421 W. Betha PK.	
10. Paige Mentor		
11. Karen Randall		
12.		
13.		
14.		

Rodney Whitmire
3324 Jeffrey Drive
Dresher, PA. 19025

Mr. Richard Barton
Code Enforcement Officer
Upper Dublin Township
801 Loch Alsh Ave.
Fort Washington, PA. 19034

Dear Mr. Barton,

I am sorry to announce that with your receipt of this letter I am tendering my resignation from the Zoning Hearing Board effective November 1, 2011. Due to some personal and medical issues that need my complete attention I will no longer be able to continue. It has been an honor and a privilege to serve the community of Upper Dublin and to work with each of the members of the Board through my years of service.

Sincerely,


Rodney Whitmire

Cc: Paul Leonard
George Ditter

ZONING HEARING BOARD OF
UPPER DUBLIN TOWNSHIP

RESOLUTION

WHEREAS, RODNEY WHITMIRE has served Upper Dublin Township as a member of the Zoning Hearing Board since January 1999, including service as Vice-Chairman and Chairman; and

WHEREAS, the performance of his duties have been marked by diligence in reviewing the circumstances of each application, devotion to the intent of the Township's zoning laws, and good humored courtesy to applicants and witnesses, all of which have been in the best traditions of public service to the Township; and

WHEREAS, the current members of the Zoning Hearing Board desire to recognize his service to the Township and the countless hours he has devoted to this service;

NOW, THEREFORE, it is hereby resolved that Mr. Whitmire is commended for his years of service to the Township and his devotion to the execution of the duties of a member of the Zoning Hearing Board of Upper Dublin Township.

A copy of this Resolution is directed to be made a part of the minutes and records of the Zoning Hearing Board of Upper Dublin Township.

Resolved, this 28th day of November, 2011.

Attest:

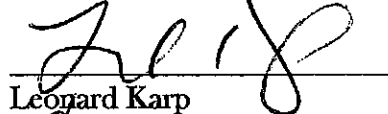


Richard D. Barton

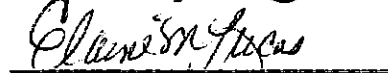


George B. Ditter
Solicitor

ZONING HEARING BOARD
UPPER DUBLIN TOWNSHIP



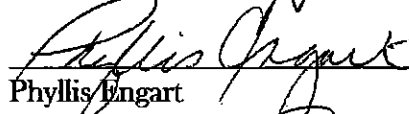
Leonard Karp



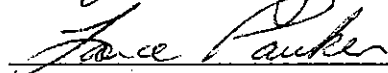
Elaine M. Lucas



George M. Dempster



Phyllis Ingart



Lawrence Pauker



Zoning Hearing Board – Minutes of December 19, 2011

The meeting was opened by Leonard Karp at 7:30 pm.

Present: Leonard Karp, Elaine Lucas, George Dempster, Phyllis Engart, Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Loretta Devery.

Also in attendance: Township Solicitor Gilbert High and approximately 11 residents.

Alternate member Pauker participated in the meeting this evening.

Chairman Karp opened the meeting by presenting a Resolution to former Zoning Board member and Chair Rodney Whitmire in recognition and appreciation of his thirteen years of service. Mr. Whitmire, who resigned from the Zoning Board in November, warmly thanked the members and Township staff.

Continued Hearing #2084: William J. Ciavarelli of 951 E. Butler Pike requested a special exception to permit an existing accessory structure to be utilized as a dwelling unit for use by the applicant's immediate family. The 5.09 acre property is split-zoned: B-Residential in the front, parallel to Butler Pike and A-Residential in the back. This hearing opened on November 28. The affected structure is a two-story cabana building that opened in 2010.

Attorney Ed Wild, representing Rose Valley Neighbors Association, stated at the outset that he had filed a subpoena to obtain architectural documents and costs associated with the cabana from the architect, Joseph Stevens. The attorney for Mr. Ciavarelli, Ameer Farrell, objected to the subpoena and advised the architect not to submit the documents, claiming that they went beyond the scope of the request for the special exception. Township solicitor Gilbert High supported the request for documents.

The Zoning Board members and solicitor George Ditter met in executive session. Chairman Karp then announced that the Board would take no action on the special exception request until the documents requested by subpoena were produced. The hearing was continued to January 23, 2012. The meeting was then adjourned at 8:02 pm.

Respectfully submitted,

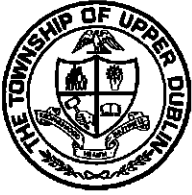
A handwritten signature in cursive script that reads "Richard D. Barton".

Richard D. Barton

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Monday, December 19, 2011

	<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
1.	Rebecca Gushue	545 Cardinal Dr Dresher	on file
2.	R. M. [unclear]	418 Fairview Ave Haguer Mill	
3.			
4.	Ann + Paul Gallen	410 Fairview Ave	on file
5.	John S. [unclear]	414 E. Fairview Ave	
6.	Brenda C. [unclear]	1147 Haguer Mill Rd.	bwealand@gmail.com
7.	David Meyer	1411 N. Bethlehem Pike	
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Zoning Hearing Board – Minutes of January 23, 2012

The meeting was opened by Chairman Leonard Karp at 7:30 pm.

Present: Leonard Karp, Vice-Chair Elaine Lucas, George Dempster, Phyllis Engart, Asher Stutman, alternate member Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Loretta Devery.

Also in attendance: Township Solicitor Gilbert High, Commissioners Tackel, Damsker and Minehart and approximately 50 residents.

2087: The GATSME Model Railroad Club, Inc. at 316 Madison Avenue, Fort Washington requested variances from the minimum side yard, lot width, and lot area standards of the B-Residential District in order to subdivide the property known as the Old Fort Washington Elementary School into five lots, with four of the lots to be developed with single detached homes and the fifth lot occupied by the original assembly area of the school. The classroom section of the building would be demolished. Robert Stengel, Esq., Club President Jerald Anderson, and Planner/developer John Rahenkamp presented the case to the Zoning Board.

The proposed house lots would be approximately 7,714 sq.ft. in area; 12,000 sq.ft. is the B-District standard. GATSME wants to see the 3,600 sq.ft. original portion of the school preserved, as they have been a tenant for 36 years and wish to continue using the facility. The Township presently owns the building and land and has spent \$30,000 annually to maintain it. The property is currently being put to bid.

Roughly 15 residents gave their opinions of the proposal to the Zoning Board, and most of the statements were against the application. The Zoning Board listened to extensive questioning of the Applicant's witnesses, and then recessed privately to deliberate. Before voting, Solicitor George Ditter summarized the Board's sense that there was insufficient hardship demonstrated by the Applicant to merit the requested variances. He also stated that the application seemed to be in a vacuum, since it was not known who would eventually own the property and whether or not the school would be retained, even if the variances were granted. The Zoning Board unanimously denied the request (Dempster/Pauker).

Continued Hearing #2084: William J. Ciavarelli of 951 E. Butler Pike has requested a special exception to permit an existing accessory structure to be utilized as a dwelling unit for use by the applicant's immediate family. The 5.09 acre property is split-zoned: B-Residential in the

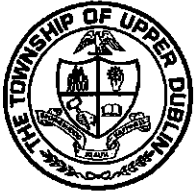
front, parallel to Butler Pike and A-Residential in the back. This hearing opened on November 28, 2011. The affected structure is a two-story cabana building that opened in 2010.

Attorney Gavin Laboski, representing Rose Valley Neighbors Association, reported that documents that had been requested by subpoena last month had not been supplied by Mr. Ciavarelli. These included original architectural documents and costs associated with the cabana. The attorney for Mr. Ciavarelli, Anee Farrell, maintains that the information is not relevant to the special exception request. Given the stalemate, Solicitor George Ditter advised Ms. Farrell to obtain a protection order from County Court. Mr. Laboski's firm could file with County Court to enforce the subpoena. Chairman Karp stated that the Board would take no action on the special exception request until the documents requested by subpoena were produced, or the issue was otherwise resolved. The hearing was continued to February 27, 2012. The meeting was adjourned at 10:15 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton".

Richard D. Barton



Zoning Hearing Board – Minutes of February 27, 2012

The meeting was opened at 7:31 pm. Members present: Chairman Leonard Karp, Vice-Chair Elaine Lucas, Phyllis Engart, Asher Stutman, Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Loretta Devery. Absent: George Dempster. Alternate member Pauker voted at this meeting.

#2088: Harth Builders was granted a variance to construct a residential addition with a garage at 107 Flick Drive that would extend 15 feet into the 25-foot setback area. The applicant testified that even with the variance, the proposed garage would be 65 feet from the nearest home, which satisfied the Board. All voted to approve (Lucas/Pauker).

#2090: Vihar FW, L.P. was granted a special exception and a variance to allow an 816 sq.ft. open parking area beneath the Best Western Hotel at 285 Commerce Drive to be converted to an enclosed breakfast area adjacent to the lobby. The relief is necessary because the proposed building area is in the township's defined floodplain conservation district. Township Engineer Jeff Wert provided written comments to the Board, noting that the proposed construction will reduce the floodplain available volume by only 42 square feet, less than two percent. All utilities and HVAC equipment will be elevated, and access to the room will be only from the lobby, with no exterior doors. All voted to approve (Pauker/Stutman).

#2089: New Cingular Wireless PCS d/b/a AT&T Mobility received a variance to upgrade an existing cellular wireless facility located at 1750 Susquehanna Road. The existing antennas are atop an 80 foot tall PECO utility pole less than 500 feet from a residential zoning district. It is proposed to replace the existing 9 antennas with 6 antennas, replace one equipment cabinet at the base and add one cabinet. A variance was also granted from the need to obtain conditional use approval for the upgrade. At the recommendation of the Code Enforcement Dept., a condition was attached requiring that all equipment at the base be fenced-in. All voted to approve (Lucas/Engart).

The meeting was adjourned at 8:46 pm. With no applications submitted for March, the next meeting of the Zoning Hearing Board will be Monday, April 23, 2012.

Respectfully submitted,

Richard D. Barton

AGENDA

Upper Dublin Township Zoning Hearing Board Monday, February 27, 2012 @ 7:30 pm

#2088: *Harth Builders, One Mill Race, Spring House, PA 19477* requests a variance from the side yard setback requirement in the A-Residential District in order to construct a residential addition and attached garage at 107 Flick Drive. A corner of the proposed garage would encroach 15 feet into the 25-foot side yard setback area (Section 255-15.A.2).

#2089: *New Cingular Wireless PCS d/b/a AT&T Mobility, 200 N. Warner Road, King of Prussia, PA 19406* requests a variance from Section 255-30.1.B in order to make equipment upgrades to an existing telecommunications facility located within 500 feet of a residential zoning district. The facility exists on a PECO utility pole at 1750 Susquehanna Road. It is proposed to replace nine (9) existing antennas with six (6) new antennas, replace one existing cabinet, and add one new cabinet to the site. The Applicant also applies for such other interpretations, waivers and/or variances as may ultimately be required. The property is located in the EC – Employment Center district.

#2090: *Vihar FW, L.P., 285 Commerce Drive, Fort Washington, PA 19034* requests a special exception pursuant to Section 255-170.B, and a variance from Section 255-164.B(1) to permit the enclosure and conversion of an 816 sq.ft. open parking area located underneath a hotel into a continental breakfast area. The affected area is located within the Floodplain Conservation District, and the zoning district is EC – Employment Center.

NOTE: Application #2084 by William L. Ciavarelli of 951 E. Butler Pike, Ambler, PA 19002 has been withdrawn. The application was for a special exception to permit an existing accessory structure to be utilized as a dwelling unit for use by the applicant's immediate family.

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Monday, February 27, 2012

<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
1. Allyn South Hart Builders	one mill race Spring House	ALYN.HARTH@HARTHBUILDERS.COM
2. GREGORY HARTH	ONE MILL RACE SPRING HOUSE, PA, 19477	GREG.HARTH@HARTHBUILDERS.COM
3. Nick Cici	717 construction Dr.	NICKC@R2HC.COM
4. Trevor McNaill	51 Tammany Pl. U.B.E.	envirovs@epix.net
5. Brock Kipper	665 S. gulph KUPPA	nickel@rtsservices.org
6. JACK THALHEIMER	1100 VALLEY ROAD	patlick12@gmail.com
7. Pamela Flick MD	576 Abbey Ct Blue Bell PA 19422	
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Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

9th

and the 16th day of February A.D 2012

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Bernard N. DeAngelis

Finance Director, Montgomery Newspapers LLC, a Corporation

Sworn to and subscribed by me this
20th day of February 2012

Maureen Schmid

Notary Public

My Commission Expires: 3/31/2013

ZONING NOTICE
UPPER DUBLIN TOWNSHIP
The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, February 27, 2012 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Aish Avenue, Fort Washington, PA 19034, to hear and take testimony on the following applications:

#2084: William L. Clavarelli, 951 E. Butler Pike, Ambler, PA 19002 requests a special exception under Section 255-27.E.1 to permit an existing accessory structure to be utilized as a dwelling unit for use by the applicant's immediate family. The 5.09 acre property is split-zoned: B-Residential in the front, parallel to Butler Pike and A-Residential in the back. This continued hearing opened on November 28, 2011.

#2088: Harth Builders, One Mill Race, Spring House, PA 19477 requests a variance from the side yard setback requirement in the A-Residential District in order to construct a residential addition and attached garage at 107 Flick Drive. A corner of the proposed garage would encroach 15 feet into the 25-foot side yard setback area (Section 255-15.A.2).

#2089: New Cingular Wireless PCS d/b/a AT&T Mobility, 200 N. Warner Road, King of Prussia, PA 19406 requests a variance from Section 255-30.1.B in order to make equipment upgrades to an existing telecommunications facility located within 500 feet of a residential zoning district. The facility exists on a PECO utility pole at

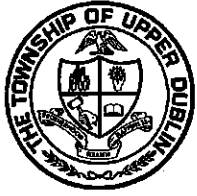
1750 Susquehanna Road. It is proposed to replace nine (9) existing antennas with six (6) new antennas, replace one existing cabinet, and add one new cabinet to the site. The Applicant also applies for such other interpretations, waivers and/or variances as may ultimately be required. The property is located in the EC - Employment Center district.

#2090: Vihar FW, L.P., 285 Commerce Drive, Fort Washington, PA 19034 requests a special exception pursuant to Section 255-170.B, and a variance from Section 255-164.B(1) to permit the enclosure and conversion of an 816 sq.ft. open parking area located underneath a hotel into a continental breakfast area. The affected area is located within the Floodplain Conservation District, and the zoning district is EC - Employment Center.

All residents of Upper Dublin Township interested in the above applications may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.

Zoning Hearing Board of Upper Dublin Township
By: Richard D. Barton, Zoning Officer
801 Loch Aish Avenue
Fort Washington, Pa. 19034
Gaz-Feb 9,16-1A

NOTARIAL SEAL
MAUREEN SCHMID
Notary Public
UPPER DUBLIN TWP, MONTGOMERY CNTY
My Commission Expires Mar 31, 2013



Zoning Hearing Board – Minutes of April 23, 2012

The meeting was opened at 7:31 pm. Members present: Chairman Leonard Karp, Vice-Chair Elaine Lucas, George Dempster, Phyllis Engart, Asher Stutman, Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Loretta Devery.

#2091: Andrew and Harriet Conn of 1329 Arthur Avenue were granted a variance from the 25 percent impervious coverage limit in the A-Residential district in order to construct an inground pool, a deck and a shed. The improvements would bring the total impervious to nearly 29 percent of the lot area. Attorney Michael Yanoff argued that the Conns should be entitled to a 5 percent “bonus” as provided for in the code, except that they chose to expand their driveway for safety reasons in 2009, which made them ineligible for the bonus. The Conns presently have seepage beds in the front and rear of their lot to intercept stormwater, and additional beds as needed would be constructed to handle runoff from the pool and deck. Adjacent lot owners signed letters of support for the application. All Zoning Board members voted to approve a variance, not a code interpretation (Lucas/Dempster).

The Planning Commission is reviewing the impervious coverage regulations, looking to make a recommendation in June.

#2092: Gil and Candy Beyda of 1445 Catlin Way presented their request for variances from the rear yard setback, building and impervious coverage limits in the A-Residential district in order to build an addition to house an indoor pool. As proposed, the addition would be setback approximately 28 feet from the rear property line instead of the required 50 feet, the building coverage would be 19.57 percent vs. 15 percent permitted, and the total impervious coverage would be 29.84 percent vs. 25 percent. Mrs. Beyda suffers from degenerative arthritis for which her doctor recommends a swimming regimen. The Beyda’s daughter also has arthritis. Neighbors in attendance sympathized with the Beyda’s condition, but strongly recommended that the addition be redesigned to impact less of the backyard. As proposed, the pool addition is perpendicular to the house. A parallel design, though not the first choice of the Beydas, would encroach less if at all into the rear yard setback area. The Leopolds of 1441 Catlin Way and Lisette Volckmar and Ken Jacobsen of 1449 Catlin Way spoke in opposition to the proposed design. At the advice of the Chairman Karp, the Beydas tabled the application and will revise their plan for review at the June 25 Zoning Board meeting.

#2093: John Eichenlaub received a variance to reconstruct a duplex dwelling at 1101 Hagues Mill Road in the A-Residential District. The property encompasses 4.47 acres and contains a five-unit apartment building, a carriage house, barn, garage, and the subject duplex that is

more than 100 years old and is structurally deteriorating. All voted to approve (Lucas/Stutman).

The meeting was adjourned at 9:15 pm. The next meeting of the Zoning Hearing Board will be Monday, April 30, 2012.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton". The signature is fluid and includes a long, sweeping tail that extends to the right.

Richard D. Barton

AGENDA

Upper Dublin Township Zoning Hearing Board
Monday, April 23, 2012 @ 7:30 pm

#2091: *Andrew and Harriet Conn, 1329 Arthur Avenue, Maple Glen, PA 19002* request a variance from the 25 percent impervious coverage limit in the A-Residential district in order to construct an inground pool, a deck and a shed on their property (Section 255-43.B). An interpretation or variance is also requested from Section 255-32.A.2 in order to utilize a five percent impervious coverage expansion.

#2092: *Gil and Candy Beyda, 1445 Catlin Way, Dresher, PA 19025* request variances from the rear yard setback, building and impervious coverage limits in the A-Residential district in order to build an addition to their home. The addition will extend partially into the 50 foot rear yard setback area, and the resulting building coverage will be 19.57 percent vs. 15 percent allowed and the total impervious coverage will be 29.84 percent vs. 25 percent (Section 255-43.B).

#2093: *John G. Eichenlaub, 1105 Hagues Mill Road, Ambler, PA 19002* requests a variance from Sections 255-43.A and 255-39 in order to build a duplex dwelling on a 4.47 acre lot that is zoned A-Residential. The subject property is located at 1101 Hagues Mill Road.

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Monday, April 23, 2012

	<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
1.	Andrew & Harnet Conn	1329 Arthur Ave Maple Glen PA	andrewgconn@gmail.com
2.	Kenneth Jackson	1449 Catlin Way 19022	
3.	Lisette Volckman	Preston, PA 19025	
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Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

5th

and the 12th day of April A.D 2012

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Bernard N. DeAngelis

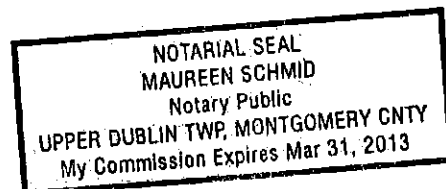
Finance Director, Montgomery Newspapers LLC, a Corporation

Sworn to and subscribed by me this
18th day of April 2012

Maureen Schmid

Notary Public

My Commission Expires: 3/31/2013



ZONING NOTICE

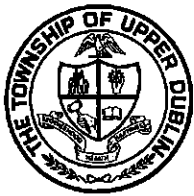
UPPER DUBLIN TOWNSHIP

The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, April 23, 2012 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Alsh Avenue, Fort Washington, PA 19034, to hear and take testimony on the following applications:

#2091: Andrew and Harriet Conn, 1329 Arthur Avenue, Maple Glen, PA 19002 request a variance from the 25 percent impervious coverage limit in the A-Residential district in order to construct an inground pool, a deck and a shed on their property. (Section 255-43.B). An interpretation or variance is also requested from Section 255-92.A.2 in order to utilize a five percent impervious coverage expansion.

#2092: Gil and Candy Beyda, 1445 Catlin Way, Drasher, PA 19025 request variances from the rear yard setback, building and impervious coverage limits in the A-Residential district in order to build an addition to their home. The addition will extend partially into the 50 foot rear yard setback area, and the resulting building coverage will be 19.57 percent vs. 15 percent allowed and the total impervious coverage will be 29.84 percent vs. 25 percent (Section 255-43.B).

#2093: John G. Eichenlaub, 19403 appeals the decision of the Code Official and seeks relief from the terms of the International Residential Code, Sections R106.4, R109.1.5, and R109.3, and associated citations. The appeal concerns work done in the reconstruction of a house located at 122 Summit Avenue, Fort Washington, PA. If you are a person with a disability and wish to attend the hearing scheduled for this date, please contact the Code Official at 19403 House Road, Norristown, PA. Construction, Inc., 960 Fillen



Zoning Hearing Board – Minutes of April 30, 2012

The meeting was opened at 7:31 pm. Members present: Chairman Leonard Karp, Vice-Chair Elaine Lucas, Phyllis Engart, Asher Stutman, Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Loretta Devery. Member George Dempster was absent, and alternate Lawrence Pauker voted. Approximately 18 residents were in attendance, including applicants.

#2094: Charles and Ann Breinig of 1115 Camp Hill Avenue requested a variance from the use regulations of the B – Residential zoning district in order to establish a Bed and Breakfast at their home. A variance was also requested to have a business sign greater than 6 by 18 inches in size, and an off-site directional sign. Mr. Breinig explained that their large home had once housed his mother-in-law in a separate suite on the first floor, and their daughter on the second floor, and both areas are now vacant. He and his wife have hosted families informally in the past and would like to operate a Bed and Breakfast from their home. The Zoning Code allows a Bed and Breakfast for homes in the Dresher Overlay and Jarrettown Village Overlay Districts, and by conditional use for homes that are on the Historic Registry. The subject property does not fit any of these categories.

Solicitor George Ditter explained that “use” variances require a high level of hardship in order to be approved, unlike dimensional variances which typically seek relief from a setback requirement, for example. He stated that the proper way to address the issue is to request that the Board of Commissioners consider an amendment to the Zoning Ordinance to, in effect, make Bed and Breakfast inns permitted in more situations. Mr. Breinig presented lists of residents in support of the project. During the hearing, four residents spoke against the variance, with concerns about the effect on the residential nature of the neighborhood.

The Zoning Board recessed for 15 minutes to discuss the application, and then returned with a vote to deny the variance (Lucas/Stutman). Opposed: Pauker

#2095: The Jarrettown Hotel, 1425 Limekiln Pike was granted a variance to expand a nonconforming use more than 25 percent in order to create a seasonal outdoor dining area. Giovanni Agresti and Bill Cetintas spoke for the Jarrettown, explaining that many patrons have requested outdoor dining during the months of June through September. The proposed patio would be 25 by 40 feet, built on existing impervious surface, and surrounded by decorative posts and fencing. It would accommodate up to 40 guests. The applicants offered to close the second floor of the restaurant (900 + sq.ft.) while the patio is open, so there would be almost no increase in patron area. There will be a second exit off the patio for safety. Two

residents of Catlin Way expressed concern about noise from the proposed patio, though they supported the restaurant's goals. All members of the Zoning Board voted to approve the variance with the conditions that the second floor would be closed while the patio is in use, and that no music, either live or recorded, would be allowed in the outdoor dining area (Lucas/Karp).

#2096: Michael and Zohreh Fakhrace, 515 Herold Court, were granted a variance to construct a pool, spa, deck and related improvements to their property that would result in a total impervious coverage of 28.58 percent of lot area. All voted to approve (Engart/Pauker).

The meeting was adjourned at 9:37 pm. The next meeting of the Zoning Hearing Board will be Monday, May 21, 2012.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton". The signature is written in black ink and includes a long horizontal flourish at the end.

Richard D. Barton

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Monday April 30, 2012

<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
1. FRED REPETOKY	2001 LIMKILN PK	FWR831@AOC.COM
2. PAULINE CHRISTY	2007 " "	" "
3. MARILYN BRECHT	2001 LIMKILN PIKE	ziqbailey@aol.com
4. MARY WINSLOW	1014 LIMKILN PIKE	DRESHER@19025
5. JUNE MORALES DOROTHY OR MICHAEL	3324 SUSQUEHANNA R.	
6. DON MULLEN	1461 CATLIN WAY	
7. James Valenti	1415 LIMKILN	
8. JEANNE AND DAVID SCOTT	3345 CRAIG-Y-NOS AVE	SCOTT3345@Comcast.net
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Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

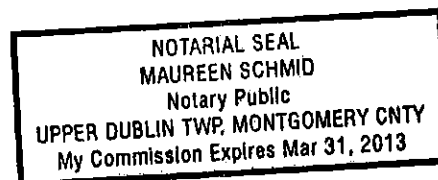
12th
the 19th day of April A.D 2012

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Bernard N. DeAngelis
Finance Director, Montgomery Newspapers LLC, a Corporation

Sworn to and subscribed by me this
23rd day of April 2012

Maureen Schmid
Notary Public
My Commission Expires: 3/31/2013



ZONING NOTICE
UPPER DUBLIN TOWNSHIP
The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, April 30, 2012 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Aisk Avenue, Fort Washington, PA 19084, to hear and take testimony on the following applications:

#2094: Charles and Ann Breinig, 1116 Camp Hill Avenue, Dresher, PA 19025 request a variance from Section 255-39 of the Zoning Code in order to establish a Bed and Breakfast at their residence, which is zoned B-Residential. A variance from Section 255-153.B is also requested to have a business sign greater than six inches by 18 inches in size, and an off-site directional sign.

#2095: Jarrettown Hotel, 1425 Limekiln Pike, Dresher, PA 19025 requests a variance under Section 255-147.B in order to expand a nonconforming use more than 25 percent by the addition of an outdoor dining area to the restaurant.

#2096: Michael and Zohreh Fakhradee, 515 Herold Court, Maple Glen, PA 19002 request a variance from Section 255-32.A.2, impervious coverage, in order to construct a pool, spa, deck and related improvements to their property that would bring the total impervious coverage to 28.58 percent of lot area. The maximum impervious coverage permitted in the A-Residential district is 25 percent.

FOLLOWS TO WILL:
BEGINNING AT A POINT ON
THE SOUTHEASTLY RE-
QUIRED RIGHT-OF-WAY LINE
OF SUNNYSIDE AVENUE
(44 FEET WIDE PRESENT
RIGHT-OF-WAY), SAID POINT
BEING A CORNER OF LOT
NO. 2; THENCE EXTENDING
FROM SAID POINT OF BE-
GINNING ALONG LOT NO. 2

AGENDA

Upper Dublin Township Zoning Hearing Board
Monday, April 30, 2012 @ 7:30 pm

#2094: *Charles and Ann Breinig, 1115 Camp Hill Avenue, Dresher, PA 19025* request a variance from Section 255-39 of the Zoning Code in order to establish a Bed and Breakfast at their residence, which is zoned B-Residential. A variance from Section 255-153.B is also requested to have a business sign greater than six inches by 18 inches in size, and an off-site directional sign.

#2095: *Jarrettown Hotel, 1425 Limekiln Pike, Dresher, PA 19025* requests a variance under Section 255-147.B in order to expand a nonconforming use more than 25 percent by the addition of an outdoor dining area to the restaurant.

#2096: *Michael and Zohreh Fakhraee, 515 Herold Court, Maple Glen, PA 19002* request a variance from Section 255-32.A.2, Impervious Coverage, in order to construct a pool, spa, deck and related improvements to their property that would bring the total impervious coverage to 28.58 percent of lot area. The maximum impervious coverage permitted in the A-Residential district is 25 percent.



Zoning Hearing Board – Minutes of May 21, 2012

The meeting was opened at 7:32 pm. Members present: Chairman Leonard Karp, Vice-Chair Elaine Lucas, George Dempster, Asher Stutman, Lawrence Pauker, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Loretta Devery. Member Phyllis Engart was absent, and alternate Lawrence Pauker voted.

#2097: Paul Patitucci of 757 Eastwind Circle requested a special exception in order to conduct a private school for the purposes of special education at New Life Presbyterian Church, 2015 S. Limekiln Pike in Dresher. The property is zoned A-Residential. Places of worship and their accessory uses are permitted by special exception in residential districts.

Mr. and Mrs. Patitucci testified that their program is aimed at children aged 6 to 13 having multiple disabilities. One-to-one learning would be provided; for approximately eight students, this would entail one teacher and seven therapists. The hours of the program would be 9:00 AM to 3:00 PM, Monday through Friday year-round. The Patituccis have a special needs child that would attend. New Life Church provided written support for the program, and the submitted floor plan indicated that ample classroom space is available which is handicap-accessible.

Aside from the applicants, no residents attended the hearing. The Zoning Board voted unanimously to approve the special exception with the condition that not more than ten students attend the program (Lucas/Stutman).

The meeting was adjourned at 7:55 pm. The next meeting of the Zoning Hearing Board will be Monday, June 25, 2012.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton".

Richard D. Barton

SIGN-IN SHEET

Upper Dublin Township Zoning Hearing Board
Monday May 21, 2012

	<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
1.	Mary Ann Boss	1574 Limerick Pl	
2.	Paul & Beth Paton	757 Eastwind Circle	
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AGENDA

Upper Dublin Township Zoning Hearing Board
Monday, May 21, 2012 @ 7:30 pm

#2097: *Paul Patitucci, 757 Eastwind Circle, Dresher, PA 19025* requests a special exception under Section 255-39.A.5(a) and Section 255-174 of the Zoning Code in order to operate a Special Education program at New Life Presbyterian Church, 2015 S. Limekiln Pike in Dresher. The property is zoned A-Residential.

Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

3rd

and the 10th day of May A.D 2012

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Bernard N. DeAngelis

Finance Director, Montgomery Newspapers LLC, a Corporation

Sworn to and subscribed by me this
16th day of May 2012

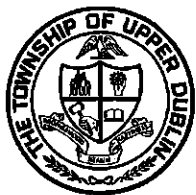
Maureen Schmid

Notary Public

My Commission Expires: 3/31/2013

ZONING NOTICE
UPPER DUBLIN TOWNSHIP
The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, May 21, 2012 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Alsh Avenue, Fort Washington, PA 19034, to hear and take testimony on the following application:
#2097: Paul Patitucci, 757 Eastwind Circle, Dresher, PA 19025 requests a special exception under Section 255-39.A.5(a) and Section 255-174 of the Zoning Code in order to operate a Special Education program at New Life Presbyterian Church, 2015 S. Limekiln Pike in Dresher. The property is zoned A-Residential.
All residents of Upper Dublin Township interested in the above application may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the Township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.
Zoning Hearing Board of Upper Dublin Township
By: Richard D. Barton, Zoning Officer
801 Loch Alsh Avenue
Fort Washington, Pa, 19034
215-643-1600, ext. 3213
Gaz-May 3,10-1A

NOTARIAL SEAL
MAUREEN SCHMID
Notary Public
UPPER DUBLIN TWP, MONTGOMERY CNTY
My Commission Expires Mar 31, 2013



Zoning Hearing Board – Minutes of June 25, 2012

The meeting was opened at 7:30 pm. Members present: Chairman Leonard Karp, Vice-Chair Elaine Lucas, George Dempster, Phyllis Engart, Asher Stutman, Solicitor George Ditter, Zoning Officer Richard Barton and Court Reporter Loretta Devery. Alternate member Lawrence Pauker was absent.

#2099: McMahon Associates, Inc. of 425 Commerce Drive was granted a variance from the 25-foot parking setback requirement in the EC Employment Center district in order to construct 21 additional parking spaces in front of their office building. The spaces will be located 11 feet from the side property line. A variance was also granted to allow a portion of the parking area to be constructed within the horizontal floodplain buffer area.

Attorney Rob Lewis of Kaplin Stewart represented the Applicant. Testifying for the project were Richard Stoneback, PE of Charles E. Shoemaker, Inc. and Joseph DeSantis of McMahon. The primary tenants in the office building are McMahon Associates and Temple University. It was testified that additional parking is needed to offset the loss of shared parking on the adjacent property, 401 Commerce Drive. A parking easement that benefited the applicant was terminated by 401 Commerce late last year.

One area of relief that was not granted was the requirement to obtain Conditional Use approval from the Board of Commissioners in order to construct parking in the Floodplain Conservation District. Solicitor George Ditter pointed out that the Zoning Board did not have the authority to grant a variance from a Conditional Use requirement, since it is reserved for the Commissioners.

No audience was present to ask questions or comment on the proposal. A motion to approve was supported by all members (Lucas/Dempster). As a condition of approval, the Applicant will plant a landscaped buffer adjacent to the new parking, as recommended by Metz Engineers.

The meeting was adjourned at 8:38 pm. The next meeting of the Zoning Hearing Board will be Monday, July 23, 2012.

NOTE:

Application no. 2092 for Gil and Candy Beyda of 1445 Catlin Way was continued to July 23 at their request. The Beydas are seeking variances to construct a residential addition. The hearing opened on April 23.

Advertised application no. 2100 by Thomas Smid for 1802 E. Butler Pike was removed from the agenda, as it was determined by the Zoning Officer that a variance is not needed to construct a deck, patios and inground pool on the property.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton". The signature is written in black ink and includes a long, sweeping horizontal stroke at the end.

Richard D. Barton

AGENDA

Upper Dublin Township Zoning Hearing Board
Monday, June 25, 2012 @ 7:30 pm

#2099: *McMahon Associates, Inc., 425 Commerce Drive, Suite 200, Fort Washington, PA 19034* requests variances from the 25-foot parking setback requirement in the EC Employment Center district (Section 255-116.A) in order to add 21 off-street parking spaces to their property to serve the existing building and tenants. Relief is also requested from floodplain regulations Sections 255-161.E and 165.F in order to construct a portion of the parking within the Floodplain Conservation District.

NOTE:

Application no. 2092 for Gil and Candy Beyda of 1445 Catlin Way has been continued to July 23 at their request. The Beydas are seeking variances to construct a residential addition. The hearing opened on April 23.

Advertised application no. 2100 by Thomas Smid for 1802 E. Butler Pike was removed from the agenda, as it was determined by the Zoning Officer that a variance is not needed to construct a deck, patios and inground pool on the property.

Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
 County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

**ZONING NOTICE
 UPPER DUBLIN TOWNSHIP**

The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, June 25, 2012 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Alsh Avenue, Fort Washington, PA 19034, to hear and take testimony on the following applications:

#2092: Gil and Candy Beyda, 1445 Catlin Way, Dresher, PA 19025 request variances from the rear yard setback, building and impervious coverage limits in the A-Residential district in order to build an addition to their home. The addition will extend partially into the 50 foot rear yard setback area, and the 15 percent building coverage and 25 percent impervious coverage limits will be exceeded (Section 255-43.B). This hearing opened on April 23 and was continued to June 25.

#2099: McMahon Associates, Inc., 425 Commerce Drive, Suite 200, Fort Washington, PA 19034 requests variances from the 25-foot parking setback requirement in the EC Employment Center district (Section 255-116.A) in order to add 21 off-street parking spaces to their property to serve the existing building and tenants. Relief is also requested from floodplain regulations Sections 255-161.E and 165.F in order to construct a portion of the parking within the Floodplain Conservation District.

Flourtown 9 & 11 Weiss

7 am - 12:30 pm
 Athletic equipment, bikes, scooters, electric guitar with amplifier, flower pots, gas dryer, brand new sewing machine, fishing poles, karaoke machine, small electronic items, house-hold items, rock band video game includes drum set and guitar for play station 3, large Justin Bieber cut-out, clothing and much more.
 32 Whittemarsh Ave.
FLOURTOWN

7th
 and the 14th day of June A.D 2012

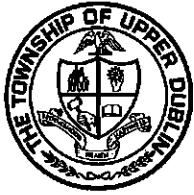
Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Bernard N. DeAngelis
 Finance Director, Montgomery Newspapers LLC, a Corporation

Sworn to and subscribed by me this
 19th day of June 2012

Maureen Schmid
 Notary Public
 My Commission Expires: 3/31/2013

NOTARIAL SEAL
 MAUREEN SCHMID
 Notary Public
 UPPER DUBLIN TWP, MONTGOMERY CNTY
 My Commission Expires Mar 31, 2013



Zoning Hearing Board – Minutes of July 23, 2012

The meeting was opened at 7:29 pm. Members present: Chairman Leonard Karp, Vice-Chair Elaine Lucas, George Dempster, and alternate member Lawrence Pauker, who voted. Absent: Asher Stutman and Phyllis Engart.

Also present: Zoning Officer Richard Barton, Court Reporter Loretta Devery, and Kathleen Thomas, Esq. who substituted for Solicitor George Ditter.

#2101: Steven Hays, 114 Garden Road, Oreland was granted a special exception to expand a nonconforming building, and variances from the side and rear setback requirements of the A-Residential district in order to build a 155 sq.ft. addition to the rear of his home. A variance was also granted to permit 26% impervious coverage on this undersized lot (7,833 sq.ft. vs. the 26,000 sq.ft. standard in the 'A' district). All members voted to approve (Lucas/Dempster).

#2102: The Township applied for and received a lot width variance for the property it owns at 220 Summit Avenue, former home of the Fort Washington Fire Company. The variance will allow the property to be subdivided into two single-family residential lots of 14,250 sq.ft. at a width of 75 ft. vs. 80 ft. as required in the B-Residential district. Andy Fowler presented the case to the Zoning Board, and used a display map of lots in the neighborhood to show that the proposed lot widths were consistent with existing lots. He also explained that the existing, former fire house was a nonconforming use in the 'B' district with excess building and impervious coverage, and that the proposed homes would bring the site more into compliance with the Zoning Code.

Two residents, Francine Serratore and Lisa Ricchezza requested that the proposed homes not take driveway access from Birch Lane, a 20 foot-wide private alley. It was indicated that this was not a matter for the Zoning Hearing Board, but that access issues would be addressed during the subdivision review process before the Planning Commission and Board of Commissioners. The variance was approved unanimously (Dempster/Lucas).

The meeting was adjourned at 7:56 pm. The next scheduled meeting of the Zoning Hearing Board is Monday, August 27, 2012.

Respectfully submitted,

Richard D. Barton

AGENDA

Upper Dublin Township Zoning Hearing Board Monday, July 23, 2012 @ 7:30 pm

#2101: *Steven Hays, 114 Garden Road, Oreland, PA 19075* requests a special exception under Section 255-147 to expand a nonconforming building, and variances from the side and rear yard setback requirements in the A-Residential district to construct a 155 sq.ft. residential addition. A variance is also requested to allow 26 percent impervious coverage (Section 255-43.B).

#2102: *Upper Dublin Township, 801 Loch Alsh Avenue, Fort Washington, PA 19034* seeks a lot width variance for the property it owns at 220 Summit Avenue in order to subdivide the property into two 14,250 sq.ft. lots suitable for the construction of two single homes. The variance is to permit a lot width of 75 feet on each lot instead of 80 feet as required in the B-Residential district. The subject property was formerly occupied by the Fort Washington Fire Company.

Application #2092 by Gil and Candy Beyda of 1445 Catlin Way, Dresher, has been continued to a future date, to be announced. The Beydas are requesting variances to construct a residential addition.

Proof of Publication of Notice
THE AMBLER GAZETTE

State of Pennsylvania,
 County of Montgomery ss:

Bernard N. DeAngelis, Finance Director of MONTGOMERY NEWSPAPERS LLC, a corporation of the County and State aforesaid, being duly sworn, deposes and says that THE AMBLER GAZETTE is a weekly newspaper published at Ambler, County and State aforesaid, which was established in the year 1879, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said weekly newspaper on the following dates, viz:

5th
 and the 12th day of July A.D 2012

Affiant further deposes he is duly authorized by Montgomery Newspapers LLC, a corporation publisher of The Ambler Gazette, a weekly newspaper, to verify the foregoing statement under oath and also declares the affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Bernard N. DeAngelis
 Finance Director, Montgomery Newspapers LLC, a Corporation

Sworn to and subscribed by me this
 17th day of July 2012

Maureen Schmid
 Notary Public

My Commission Expires: 3/31/2013

NOTARIAL SEAL
 MAUREEN SCHMID
 Notary Public
 UPPER DUBLIN TWP, MONTGOMERY CNTY
 My Commission Expires Mar 31, 2013

ZONING NOTICE
UPPER DUBLIN TOWNSHIP

The Upper Dublin Township Zoning Hearing Board will hold a public meeting on Monday, July 23, 2012 at 7:30 pm in the Upper Dublin Township Main Meeting Room, 801 Loch Alesh Avenue, Fort Washington, PA 19084, to hear and take testimony on the following applications:

#2092: *Gli and Candy Boyda, 1445 Catlin Way, Dresher, PA 19025* request variances from the rear yard setback, building and impervious coverage limits in the A-Residential district in order to build an addition to their home. The addition will extend partially into the 50 foot rear yard setback area, and the 15 percent building coverage and 25 percent impervious coverage limits will be exceeded (Section 255-43.B). This hearing opened on April 23, 2012.

#2101: *Steven Hays, 114 Garden Road, Oreland, PA 19075* requests a special exception under Section 255-147 to expand a nonconforming building, and variances from the side and rear yard setback requirements in the A-Residential district to construct a 155 sq.ft. addition.

Sat 7/7 8am-12pm.
 356 Elm Ave.
 Glenside

Antiques, tools, wood-working equipment, electronics and much more!!

SIGN-IN SHEET

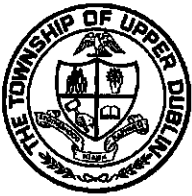
Upper Dublin Township Zoning Hearing Board
Monday July 23, 2012

	<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
1.	Mike + Lisa Ficeherza	223 Ft Nash Ave Ft. Wash	lmricch@comcast.net
2.	Stewart Jewthly	114 Garden Rd Orelan PA	hay504@msn.com
3.	DON STEWART	115 GARDEN RD ORELAND	REBSEA BEES DON@AOL.COM
4.			
5.			
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AGENDA

Upper Dublin Township Zoning Hearing Board
Monday, August 27, 2012 @ 7:30 pm

#2103: *Joseph Fischetti, Inc., 2450 Schlosser Road, Harleysville, PA 19438* requests the following zoning relief for the property at 129 Garden Road, Oreland: a special exception and a variance under Section 255-147.B to expand a nonconforming building more than 25 percent, and variances from the side and rear yard building setback requirements in the A-Residential district to construct a residential addition and a shed (Sections 255-29.C and 255-43.B). Variances are also requested to allow a total of 21.5 percent building coverage and 34 percent impervious coverage.



Zoning Hearing Board – Minutes of August 27, 2012

The meeting was opened at 7:31 pm. Members present: Chairman Leonard Karp, Vice-Chair Elaine Lucas, George Dempster, Phyllis Engart, Asher Stutman and alternate member Lawrence Pauker.

Also present: Solicitor George Ditter, Zoning Officer Richard Barton, and Court Reporter Carol Skipper.

#2103: Joseph Fischetti of Harleysville, a contractor for Joseph Ungaro and Michelle Brennan, owners of 129 Garden Road, Oreland requested a special exception and a variance to expand a nonconforming building more than 25 percent, and variances from the side and rear yard building setback requirements in the A-Residential district to construct a residential addition and a shed. Variances were also requested to allow a total of 21.5 percent building coverage and 34 percent impervious coverage.

The couple is proposing a one-story addition to provide handicap accessible living space for Mrs. Brennan's parents. The addition is not an in-law suite, however, since it does not contain a kitchen. In support of the addition, the applicants presented a petition signed by eight sets of property owners, including adjoining. The resulting building coverage will be 21.5 percent vs. 15 percent as permitted in the A-Residential District and the resulting total impervious will be 34 percent vs. 25 percent. It was noted that the subject property is undersized for this zoning district, at 7,820 sq.ft. (typical of East Oreland lots), which inflates the coverage numbers. Standard A-Residential lots are 26,000 sq.ft. or greater.

After discussion with the Zoning Board members, the applicant agreed to place the proposed shed 5 ½ feet from the side property line and 4 feet from the rear property line, and install fire-rated wallboard inside the shed. There were no residents present at the hearing to speak for or against the application. A motion to approve the zoning relief, with the stipulations for the shed, was approved by all members (Lucas/Engart).

The meeting was adjourned at 7:53 pm. The next scheduled meeting of the Zoning Hearing Board is Monday, September 24, 2012.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard D. Barton".

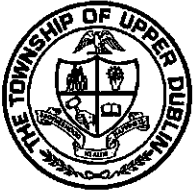
Richard D. Barton

AGENDA

Upper Dublin Township Zoning Hearing Board
Monday, September 24, 2012 @ 7:30 pm

#2104: *MJE Builders, Inc., 920 South Broad Street, Lansdale, PA 19446* requests variances for lot width and front yard setback from the B-Residential District in order to subdivide the property at 316 Madison Avenue into four lots. The lots would be developed with four single detached homes. The proposed lot width for all lots is 75 feet vs. 80 feet as required, and the proposed front yard setback is 25 feet vs. 35 feet for a single corner lot (Zoning, Sections 255-44.B and 255-17.B).

#2105: *Michael P. McCann, Temple University, 1009 W. Montgomery Avenue, Philadelphia, PA 19122* requests a variance from Section 255-24 to place a six-foot tall fence within the front yard setback of the property located at 580 Meetinghouse Road. The property is zoned Institutional (INST). The fence is designed to keep trespassers off an existing soccer field.



Zoning Hearing Board – Minutes of September 24, 2012

The meeting was opened at 7:30 pm. Members present: Chairman Leonard Karp, Vice-Chair Elaine Lucas, George Dempster, Asher Stutman and alternate member Lawrence Pauker. Absent: Phyllis Engart. Mr. Pauker voted at the meeting.

Also present: Solicitor George Ditter, Zoning Officer Richard Barton, and Court Reporter Loretta Devery. Approximately 18 residents and applicants attended the meeting.

#2104: MJE Builders, Inc. was granted a variance from the 80 foot minimum lot width requirement in the B-Residential district in order to subdivide the 1.36 acre property at 316 Madison Avenue into four lots for single detached homes. The proposed width is 75 feet for all lots. Bernadette Kearney, Esq., Tim Woodrow, and Michael Evans presented the application. The site contains the former Fort Washington Elementary School, to be demolished. It was determined prior to the meeting that the advertised variance for a front yard setback on Prospect Avenue was not necessary.

Four residents asked questions about the proposal. One key concern, outside the scope of the Zoning Board, was the procedure for asbestos removal when the school is demolished. The residents requested that they be informed of the dates when the asbestos is to be removed. Another concern was parking. Mr. Evans agreed to provide two-car garages for each home, plus sufficient driveway area to accommodate 3 vehicles outside of the garage. Ms. Kearney repeatedly referenced the Zoning Board's approval last July of an identical lot width variance for the subdivision of the former Fort Washington Fire Company site on Summit Avenue.

Mr. Ditter asked why not create three 80 foot wide conforming lots and just one non-conforming lot, 60 feet wide. Mr. Woodrow explained that 75 foot-wide lots would not be noticeable from other properties on the street, while a 60 foot-wide lot would definitely stand out and would not be preferable.

Following an executive session, the Zoning Board voted all "aye" to approve the variance on condition that the homes have two-car garages and that the design of the homes is consistent with the architectural renderings displayed at the hearing. (Lucas/Stutman)

#2105: Temple University presented a variance application for the Ambler campus at 580 Meetinghouse Road to construct a 6-foot tall fence within the front yard setback around their soccer field. Fences are limited to four feet in height within the front yard setback area. Michael McCann, chief architect for Temple, brought the application. He explained that people often trespass onto the field, sometimes with dogs, and on occasion kids have even

driven cars onto the field. The soccer field is currently surrounded by a post-and-rail fence which is open and can be easily climbed through or over. The existing fence does not completely surround the field.

Mr. Ditter asked whether a more substantial four foot tall fence could keep out trespassers, rather than a six foot tall fence so close to Meetinghouse Road, which is classified as a scenic road. A resident from Friends Lane pointed out that there are no sidewalks on the affected segment of Meetinghouse Road, and that it is difficult to walk along the street without walking onto Temple's property. Mr. McCann agreed that any new fence would provide at least 4 feet of clearance for pedestrians.

Mr. McCann offered to bring the Zoning Board's concerns to Temple's Athletic Department, and the application was tabled.

NOTE: Temple contacted the Township on Tuesday, September 25 to say that they will construct a four foot tall fence around the soccer field. No variance will be needed.

The meeting was adjourned at 8:47 pm. The next scheduled meeting of the Zoning Hearing Board is Monday, October 22, 2012.

Respectfully submitted,



Richard D. Barton

AGENDA

Upper Dublin Township Zoning Hearing Board
Monday, October 22, 2012 @ 7:30 pm

#2107: *Scott and Sara Rothman, 8217 Ardleigh Street, Philadelphia, PA 19118* request a special exception according to Section 255-27.E of the Zoning Code in order to convert an existing carriage house located at 8 Lindenwold Terrace into an in-law dwelling for immediate family members. The property is zoned A-Residential.



Zoning Hearing Board – Minutes of October 22, 2012

The meeting was opened at 7:31 pm. Members present: Chairman Leonard Karp, Vice-Chair Elaine Lucas, and alternate member Lawrence Pauker. Absent: George Dempster, Phyllis Engart and Asher Stutman. Mr. Pauker voted at the meeting.

Also present: Solicitor George Ditter, Zoning Officer Richard Barton, and Court Reporter Loretta Devery. Approximately 7 residents and applicants attended the meeting.

#2107: Scott and Sara Rothman, owners in equity of 8 Lindenwold Terrace, requested a special exception to establish an “in-law” suite in an existing carriage house at the property, zoned A-Residential. The zoning code allows the conversion of existing accessory buildings into in-law dwelling units for the use of immediate family members only. As defined in the township code, “immediate family” is “one who stands in direct lineal descent, i.e., grandparent, parent, child or grandchild of a person or spouse”. The accessory dwelling may not be used as a rental apartment.

Two off-street parking spaces must be provided, and a covenant recorded with the deed to restrict the accessory dwelling to immediate family members. The applicant will meet both requirements. A few residents of Ardross Avenue adjacent to the homes on Lindenwold expressed concern about noise that could come from the carriage homes if they are converted to dwellings, and also feared the creation of “apartments” so close to their homes. Solicitor Ditter pointed out that the covenant requirement prohibits apartments, and that township staff can investigate any suspicious location. Potential noise problems would be addressed separately under the township’s nuisance ordinance.

The Zoning Board voted all “aye” to approve the special exception to allow the in-law suite at 8 Lindenwold Terrace. (Lucas/Karp)

The meeting was adjourned at 8:00 pm. The next scheduled meeting of the Zoning Hearing Board is Monday, November 26, 2012.

Respectfully submitted,


Richard D. Barton