

**WHITEMARSH TOWNSHIP  
ZONING HEARING BOARD AGENDA  
Wednesday, October 3, 2018  
7:00 PM**

\_\_\_ Behr \_\_\_ Bacine \_\_\_ Kramer \_\_\_ Weinstein \_\_\_ Casacio \_\_\_ Rubin (Alt.)

---

**1. CALL TO ORDER**

**2. ANNOUNCEMENTS & CORRESPONDENCE**

- **ZHB#2018-23:** Conshohocken Land Development, LLC, 252 Roberts Avenue, Conshohocken, PA; Parcel #65-00-10171-00-6; Block 017; Unit 006; B-Residential District. The Applicant is proposing to use and convert the existing building (former Lincoln Fire Company) into five (5) attached residential units. The following relief is requested: 1) **Special Exception under §116-195** to permit the change of the existing nonconforming use to the proposed use because the proposed use is of the same class of use or of a more restrictive nature than the existing nonconforming use; **in the alternative, a Variance** to permit the proposed use. 2) An **interpretation under §116-192** that the proposed nonconforming use is not a use designated for a district which is less restrictive than the existing nonconforming use; **in the alternative, a Variance** to permit the proposed use. 3) **In the alternative, a use variance from §116-35 and §116-56** is requested to permit the construction of the proposed use. 4) **Dimensional Variances** are requested from: a) **§116-57.C.** – Front Yard Setback – required 30’, proposed 9.5’. b) **§116-57.D.** – Side Yard Setback – required not less than 12’ minimum, aggregate 30’, proposed 5.2’ minimum. c) **§116-57.E.** – Rear Yard Setback – required 30’, proposed 6.7’. d) **§116-57.G.** – Maximum Building Coverage – allowed 20% of the total lot area, proposed 38.2%. e) **§116-57.H.** – Maximum Impervious Coverage – allowed 30% of the total lot area, proposed 78%. f) **§116-24.D.(3)** – Rear yard devoted to accessory use – allowed 30%, provided 37.73%. *By letter dated October 2, 2018, the applicant is requesting a continuance until the November 14, 2018 meeting.*
  
- Applicants are requested to remove all signs after the hearing has concluded and dispose of them.

**3. ZONING HEARING BOARD APPLICATIONS**

- **ZHB#2017-42:** Legacy House, LLC, and Liberation Way, LLC on behalf of its housing division previously operated by Legacy House, LLC, 650 Church Road, Flourtown, PA; Parcel #65-00-02200-00-3, Block #057A; Unit #053; A-Residential District; Recreational District Overlay. The Applicant operates a “Sober House,” a mid-to long-term residential home for disabled persons suffering from addiction disorders, at the Property. The Applicant is requesting the following relief with respect to this use: 1. The Applicant requests a **Special Exception under Section 116-36.1** for use of the property as a Group Home known as a “Sober House”, along with any variances from the definition of “Group Home” in Section 116-11 as needed to the extent that the Sober House proposed use may differ from said definition. 2. **In the alternative, the Applicant appeals the decision of the Zoning Officer dated September 15, 2017**, and requests that the Zoning Hearing Board grant a reasonable accommodation to allow the proposed use to qualify as a “family” as defined by Section 116-11, with a related request for a variance from the “non-profit” requirement in the Ordinance. 3. The Applicant seeks a **Variance from Section 116-36.1.B.** of the Ordinance which requires one (1) parking space be provided for every five (5) residents in the Group Home because the residents are not allowed to have vehicles during their

stay in the Group Home at the Property. 4. The Applicant seeks a **Variance from Section 116-36.1.C.** which requires buffering on both side yards and rear yard. The property is over five (5) acres and is already heavily wooded on the south side (Church Road) and the rear yard. Buffering is needed on the north side (Redcoat Drive) and the Applicant requests the Zoning Hearing Board to approve the buffering plan attached as Exhibit “3” to the agreed conditions. *At the September 12, 2018 hearing the application was continued to October 3, 2018.*

- **ZHB#2018-19:** Michael and Ellen Kirby, 826 Hain Drive, Lafayette Hill, PA; Parcel #65-00-05107-00-3, Block 022M; Unit 052; AA-Residential District. The Applicants’ home is located at the corner of Hain Drive and Laurel Drive, having a front yard on each street. They are proposing to install a back-up generator on the side of their home which faces Laurel Drive and is therefore located in a front yard. They are requesting a **Variance from Section 116-24.E.(3)(a)** to permit the generator to be located in a front yard; this section only permits certain accessory uses in the front yard, not including a generator.
- **ZHB#2018-20:** Hank and Meredith Russell, 6019 Cricket Road, Flourtown, PA; Parcel #65-00-02827-00-6; Block 053; Unit 058; AA-Residential District. The Applicants are proposing to add a second floor to the existing detached garage to provide a pool house for the existing pool located at the rear of the garage. They are requesting a **Variance from Section 116-49.F.(2)** to allow a second floor; this section restricts accessory buildings to one story.
- **ZHB#2017-21:** Dave and Angela Yocum, 4121 Kottler Drive, Lafayette Hill, PA; Parcel #65-00-06709-00-3, Block 022M; Unit 039; AA-Residential District. The Applicants are proposing to add a one car garage to accommodate storage needs. The following relief is requested: **Variance from Section 116-169.A.** to exceed maximum impervious ground cover of 12% for lots in AA-Residential District with a steep slope ratio between 15% and 50%; proposed impervious ground cover is 12.95%. **Variance from Section 116-24.E.(3)(c)** to allow the separation from the accessory garage to the principal building (house) to be 15’; a minimum 25’ separation from the closest point on the principal building to the closest point on the accessory building is required.
- **ZHB#2018-22:** Scott and Lauren Boegner, 314 Powder Horn Road, Fort Washington, PA; Parcel #65-00-09187-00-9; Block 046A; Unit 064; AA-Residential District. The Applicants are proposing to add a one car garage to accommodate a vehicle and other storage needs. The following relief is requested: **Variance from Section 116-24.E.(3)(a)** to allow the garage to be located further forward than the front principal building plane on Musket Road (this is a corner lot). **Variance from Section 116-24.E.(3)(c)** to allow the separation from the accessory garage to the principal building (house) to be 15’; a minimum 25’ separation from the closest point on the principal building to the closest point on the accessory building is required.

#### 4. ADJOURNMENT