



## AGENDA

### WARRINGTON ZONING HEARING BOARD SEPTEMBER 15, 2008 – 7:00 P.M.

Please note that the meeting will adjourn at 10:00 p.m. unless there are extenuating circumstances.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC COMMENT** *(The Board will hear from any interested resident or taxpayer who would like to comment on an item not on this evening's agenda)*
4. **CONTINUED BUSINESS (ACTION/DISCUSSION ITEMS)**

**4.1 MJS Investments, LLC (Proposed T.J. Smith's Restaurant)**  
**1585 Easton Road (Route 611)**  
**TMP 50-026-092**  
**Zoning: R2**

The Applicant is requesting a special exception pursuant to Section 2301 of the Warrington Township Zoning Ordinance for an extension/expansion of a nonconforming use to allow for natural expansion in the form of a seasonal outdoor deck containing 8 bar seats and 6 tables with 28 chairs. The applicant also requests a Special Exception pursuant to Sections 2203 and 2207.A of the Warrington Township Zoning Ordinance for two (2) nonconforming signs. The applicant is also requesting variances from: (1) Section 805.2 of the Zoning Ordinance to extend nonconforming structure into the front yard (Route 611) and side yard (Kelly Road); (2) Section 2101 of the Zoning Ordinance, to permit parking for seasonal seating to be by lease of adjoining property; (3) Section 2102.B of the Zoning Ordinance, to permit parking for seasonal seating to be by lease of adjoining property; (4) Section 2203 of the Zoning Ordinance, to use previous signs and Applicant proposes to have two signs attached to the building; (5) Section 2207.A.2 of the Zoning Ordinance, to use previous signs and Applicant proposes to have two signs attached to the building. This item was continued from the August 11, 2008, Zoning Hearing Board meeting.

**4.2 Pleasantville United Church of Christ**  
**3424 Limekiln Pike**  
**TMP 50-6-6, 50-4-61, 50-6-5-3, 50-6-1 and 50-4-95**  
**Zoning: RA**

The Applicant is requesting the following variances: (1) variance from Section 406 of the Zoning Ordinance to allow a residential driveway serving an adjacent

lot to be located within the fifty-foot buffer zone required between a residential use and a nonresidential use. In the alternative the Applicant requests the Board to interpret the Zoning Ordinance to conclude that a single residential driveway serving a single residence is not prohibited within the buffer zone; (2) variance from Section 2307 of the Zoning Ordinance to allow a residential driveway serving an adjacent lot to be located within the fifty-foot buffer zone required between a residential use and a nonresidential use. In the alternative the Applicant requests the Board to interpret the Zoning Ordinance to conclude that a single residential driveway serving a single residence is not prohibited within the buffer zone; and (3) variance from Section 403.E.3(e) of the Zoning Ordinance from the maximum building height of thirty-five feet for a House of Worship under the conditional use requirements for a Community House of Worship. Applicant is asking to allow forty-eight feet for the highest point of the roof on the proposed building addition for the church. This item was continued from the August 11, 2008, Zoning Hearing Board meeting.

## **5. NEW BUSINESS (ACTION/DISCUSSION ITEMS)**

### **5.1 Tracey M. Sawyer 911 Partridge Place TMP 50-15-180-277 Zoning: PRD-M**

The Applicant is appealing the decision of the Zoning Officer who refused to issue a building permit for a deck because in his opinion the proposed deck would be located in a 50-foot wide buffer zone which is required by Section 612.5.G of the Warrington Township Zoning Ordinance. The applicant contends that the section of the ordinance should not apply to the deck. In the alternative the Applicant is seeking a variance from Section 612.5.G in order to build the deck within the 50-foot buffer zone.

### **5.2 Kelly Thomas Weiss and Jonathan Golden 909 Partridge Place TMP 50-15-180-275 Zoning: PRD-M**

The Applicants are appealing the decision of the Zoning Officer who refused to issue a building permit for a deck because in his opinion the proposed deck would be located in a buffer zone which is required by Section 612.5.H of the Warrington Township Zoning Ordinance. The Applicants contend that the section of the ordinance should not apply to the deck. In the alternative the Applicants are seeking a variance from Section 612.5.H in order to build the deck within the 50-foot buffer zone.

**5.3 Thomas and Sharon Fortunato**  
**803 Sweet Cherry Street**  
**TMP 50-041-082**  
**Zoning: RA-2**

The Applicants are requesting variances from Section 433.C and 433.E of the Warrington Township Zoning Ordinance to build a two-story in-law suite with a basement with a 25-foot front yard setback and a 22-foot rear yard setback.

**6. APPROVAL OF MINUTES**

**6.1 August 11, 2008**

**6.2 August 18, 2008**

**7. FUTURE AGENDA TOPICS**

Please note that the next meeting of the Warrington Township Zoning Hearing Board will be on Monday, October 20, 2008.

**8. ADJOURNMENT**