

ABINGTON TOWNSHIP

OCTOBER 17, 2023



ZONING HEARING BOARD



TOWNSHIP OF ABINGTON

ZONING HEARING BOARD

A G E N D A **October 17, 2023** **7:00 PM**

In Person Information:

Location: 1176 Old York Road, Abington, PA 19001, Board Room, 2nd Floor
Webinar Information:

Please note: Public comments by Zoom will be accepted at the conclusion of each hearing. Any party to an application must appear in person.

Join by computer, tablet, or application: <https://us06web.zoom.us/j/84867582981>
Join by telephone: 1-929-436-2866 and entering the meeting ID number 848-6758-2981 when prompted.
Meeting ID: 848-6758-2981

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Laura Hanes, Zoning Hearing Board Chairperson
Steven Kline, Zoning Hearing Board Vice-Chair
Michael O'Connor, Zoning Hearing Board Secretary
Barbara Wertheimer, Zoning Hearing Board Member
Kate Schoener, Zoning Hearing Board Member
Joseph Kuhls Esq., Zoning Hearing Board Solicitor

ORDER & OPINION

- a. **23-32: Pavel Slutsky**
- b. **23-33: Mokhles Salama**
- c. **23-34: Andrew and Grace Taylor**
- d. **23-35: Marie and Monesse Ulysse**

e. **23-37: Jon and Krystle Gerhard**

CONTINUED APPLICATION

- a. **23-24: JLLH Associates LTD**, requests the following relief from the Abington Township Zoning Ordinance (the “Ordinance”) relative to real property identified as 900 Old York Road, Abington, PA 19001, within the BC – Business Center Zoning District, Ward #7:
1. Variance from Ordinance §2208.2.D.3 to allow a 93 square-foot sign where the Ordinance imposes a 30 square-foot limitation;
 2. Variance from Ordinance §2210.B.2 to allow a proposed “Service” sign of 14.67 sq ft where the Ordinance imposes a 4 square-foot limitation;
 3. Variance from Ordinance §2212.D to allow division of allowable wall signage among three signs, instead of two;
 4. Variance from Ordinance §2208.2.D.2, Figure 22.22 to allow a Monument sign up to 20 feet high where the Ordinance limits maximum height to 10 ft;
 5. Variance from Ordinance §2208.2.D.2 Figure 22.22 to allow a Monument Sign closer than 20 feet from a property line;
 6. Variance from Ordinance §2204 and §2208.2.H.4 to allow Sign C to be considered a wall sign and project 13.5 inches from the wall, or (in the alternative) a Variance from Ordinance §2208.2.D.2, Figure 22.22 to permit Sign C as a projecting sign; and
 7. Two Variances from Ordinance §2211.G to allow two of the replacement signs to exceed $\frac{3}{4}$ of the area of the signs being removed.
- b. **23-30: Patricia and James Spurrier** request a Variance from Abington Township Zoning Ordinance §1906: Expansion of a Nonconforming Use to permit the construction of an Addition exceeding 25% of existing building coverage upon real property identified as 172 N. Keswick Avenue, within the R-4 Medium-High-Density Residential Zoning District, Ward #12.
- c. **23-31 Erminia and James Dennis** request a Special Exception pursuant to Abington Township Zoning Ordinance §1908: Expansion of or Construction on a Nonconforming Lot for a shed to be constructed at the real property identified as 449 Osceola Avenue, within the R-4 Medium-High-Density Residential Zoning District, Ward #3.
- d. **23-36: Jenkintown Road Storage, LLC** requests the following relief from the Abington Township Zoning Ordinance (the “Ordinance”) relative to real property identified as 1891 Jenkintown Road, within the AO Apartment-Office Zoning District, Ward #12:
- a Variance from Section 2103.C: Retail and Service Uses – Abington Comprehensive Use Matrix for Use C-3 Automotive Service to be permitted.
 - A Variance from Section 702: Dimensional Requirements - Figure 7.5 lot size, lot width, lot frontage, and yard requirements;
 - A Special Exception pursuant to Section 1908: Expansion of or Construction on a Nonconforming Lot to allow the construction of a new structure; and
 - A Variance from Section 1407.3: Uses Prohibited in the Floodplain Conservation District, to allow construction of a structure, driveway, fill, clearing and required yard area in the 100-year floodplain.

PUBLIC HEARINGS ON NEW APPLICATIONS

- a. **23-18: Subhas Mazumdar** requests a Special Exception pursuant to Abington Township Zoning Ordinance (the “Ordinance”) §1005 to permit a C-10 – Convenience Store upon real property identified as Montgomery County Parcel #30-00-13956-009, and commonly referred to as 1196 Easton Road, within Abington Township’s MS-VC – Main Street Village Center District, Ward #14. Applicant further requests a Special Exception pursuant to Ordinance §1908 to permit alterations to the existing building on a nonconforming lot; a dimensional variance from Ordinance §2103.C, Use C-32.6, to permit parking spaces within a setback of less than 30 feet from a fuel pump; and a variance from Ordinance §1007.D to permit a decorative fence without landscaping, or with minimal landscaping, as screening for parking spaces located between the existing building and street.
- b. **23-38: Gregory and Annette Baltz**, requests the following relief from and pursuant to the Abington Township Zoning Ordinance (the “Ordinance”) relative to real property identified as 1259 Cox Rd, within the R-1 – Low-Density Residential Zoning District, Ward #1:
 - a Variance from Ordinance §302 to allow a screen porch to be erected within the required 20 ft side setback; and
 - a Special Exception pursuant to Abington Township Zoning Ordinance 1908: Expansion of or Construction on a Nonconforming Lot.
- c. **23-39: Matthew Trickel and Katherine Bilbee** request the following relief from the Abington Township Zoning Ordinance (the “Ordinance”) relative to real property identified as 1822 Rockwell Rd, within the R-4 – Medium-High-Density Residential Zoning District, Ward #10:
 - a Variance from Ordinance §2103.A Use-A22.1 to allow a detached garage higher than 17ft and 2 stories; and
 - a Variance from Ordinance §2103.A Use-A22.5 to allow a detached garage greater than 250 sq. ft to be built within the required setbacks.
- d. **23-40: Adi Kronfeld** requests the following relief from the Abington Township Zoning Ordinance (the “Ordinance”) relative to real property identified as 46 Moredon Rd, within the R-2 Low-Medium-Density Residential Zoning District, Ward #2:
 - a Variance from Ordinance §2103.A Use-A13.1 to allow a fence/wall to be built higher than 6 ft total; and
 - a Variance from Ordinance §2103.A Use-A13.2 to allow a fence/wall to be built higher than 4 ft within the required front yard setback.
- e. **23-41: Kristen Holzhauer** requests a Special Exception pursuant to Abington Township Zoning Ordinance §1908: Expansion of or Construction on a Nonconforming Lot, for an addition to be constructed at real property identified as 1820 Lukens Ave, within the R-4 Medium-High-Density Residential Zoning District, Ward #5.

- f. **23-42: Nicole Swaayze McCall and Swaayze Properties, LLC.** request the following relief from the Abington Township Zoning Ordinance (the “Ordinance”) relative to real property identified as 1209 Lenox Rd, within the R-2 – Low-Medium-Density Residential Zoning District, Ward #7:
- a Variance from Ordinance §2103.A Use-A22.1 to allow a detached garage higher than 17ft and 2 stories to be erected; and
 - a Variance from Ordinance §2103.A Use-A22.5 to allow a detached garage greater than 250 sq. ft to be built within the required side and rear setbacks.
- g. **23-43: James McClinton** requests the following relief from and pursuant to the Abington Township Zoning Ordinance (the “Ordinance”) relative to real property identified as 2328 Tague Ave, within the R-4 – Medium-High-Density Residential Zoning District, Ward #13:
- a Variance from Ordinance 602: Dimensional Regulations, Figure 6.1, to allow an increase of impervious surface over the Maximum Allowable Impervious Surface limitations of the Ordinance;
 - a Special Exception pursuant to Ordinance 1908: Expansion of or Construction on a Nonconforming Lot;
 - a Variance from Ordinance §2103.A Use-A22.1 to allow a detached garage higher than 17ft;
 - a Variance from Ordinance §2103.A Use-A22.2 to allow total building area of all detached accessory structures to be greater than 625 sq. ft; and
 - a Variance from Ordinance §2103.A Use-A22.5 to allow a detached garage greater than 250 sq. ft to be built within the required side and rear setbacks.
- h. **23-44: Alexis Kidd** requests a Variance from Abington Township Zoning Ordinance §2103.A Use A-13.1 to allow a fence to be built higher than 6ftl along the rear property line of real property identified as 2407 Patane Ave, within the MS-H The Main Street-High Density/Intensity Zoning District, Ward #14.
- i. **23-45: Meg Spicer** requests a Special Exception pursuant to Abington Township Zoning Ordinance §1908: Expansion of or Construction on a Nonconforming Lot to erect a sunroom addition at real property identified as 2952 Anzac Ave, within the R-4 Medium-High-Density Residential Zoning District, Ward #15.

POTENTIAL ACTION ON ANY OUTSTANDING APPEALS OR PENDING ZONING HEARING BOARD APPLICATIONS.

ADJOURNMENT

NOTE

BOARD POLICY ON PUBLIC PARTICIPATION

For Information Purposes Only

The Township shall conduct business in accordance with the Commonwealth of Pennsylvania Laws governing the conduct of public meetings and only establish guidelines that shall govern public participation at meetings consistent with the law.

Each commenter shall:

- Direct their comments to the Presiding Officer;
- Speak from the podium or into a microphone designated by the presiding officer;
- State their name for the record;
- Either orally or in writing provide their address for the record;
- Have a maximum of three minutes to make their comments. Each commenter when speaking to a specific agenda item, is to keep their comments relative to that identified agenda item;
- Speak one time per agenda item;
- When commenting on non-agenda items, the commenter is to keep their comments related to matters of the Township of Abington, Montgomery County, Pennsylvania.
- State a question to the Presiding Officer after all commenters have spoken, and;
- Be seated after speaking or upon the request of the presiding officer;
- Not engage in debate, dialogue or discussion;
- Not disrupt the public meeting, and;
- Exercise restraint and sound judgement in avoiding the use of profane language, and the maligning of others.