



**Township of Abington
Zoning Hearing Board Meeting
April 16, 2019
7:00 p.m.**

Call To Order:

Pledge of Allegiance:

Roll Call: John DiPrimio, Zoning Hearing Board Chairperson
Michael O'Connor; Zoning Hearing Board Vice Chairperson
Jose Casalina, Zoning Hearing Board Secretary
Gertrude M. Hackney, Esq.; Zoning Hearing Board Member
Barbara M. Wertheimer, Esq.: Zoning Hearing Board Member
Bruce J. Eckel, Esq., Zoning Hearing Board Solicitor

Order & Opinion: There are no pending decisions at this time.

Extension Request:

Case #18-17: JD Development, LLC Parcel #300022540002 & Parcel #300022544007, Franklin & Hamilton Avenues has requested a six month extension.

Case #18-21: Wagar Malik, 1920 Jenkintown Road, Jenkintown, Pa. has requested a six month extension.

Applications:

19-01: This is the application of **Simon Katz Real Estate**, owner of the property located at 1369 Old York Road, Abington, Pa. 19001. The applicant seeks a dimensional variance from Figure 11.09 {Abington Town Center} of the Zoning Ordinance of the Township of Abington. The applicant proposes to construct a 58 square foot addition to the side of the existing building that will encroach into the required side yard setback area. The proposed addition will be 26 feet, 11 inches from the side property line. The existing building is located 11 feet, 8 inches from this same side property line. The property is zoned within the Abington Town Center Business Center District of Ward #10 of the Township of Abington.

19-02: This is the application of **JJHL Associates, Ltd.**, applicant for the properties located at 966 & 968 Old York Road, Abington, Pa. 19001. The applicant proposes to demolish the existing buildings on the sites and redevelop the properties as a parking lot for the storage of up to 94

vehicles. Variances have been requested from Section 2504.B.1, to allow the sidewalks within the public right-of-way to remain at their current width, Section 2402.A.2, to eliminate the required landscaped islands every 15 stalls and at the end of each row, Section 2402.A.5, to reduce the width of the required perimeter buffer, Section 2402.A.6, to waive the requirement for an additional 15, 000 square feet of green space be required over the 37.6% already provided, Section 2402.B, property line buffers of at least 15 feet in width and Section 2103.A for the installation of an eight foot fence along the shared property line with the residential properties. The property is zoned within the Main Street High District of Ward #7 of the Township of Abington.

Adjournment:

Note: The next regularly scheduled meeting of the Zoning Hearing Board will be held on Wednesday, May 22, 2019 with a 7:00 p.m. start time.



Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, *P.E., Director*

Zoning Hearing Notice

Notice is hereby given that the Zoning Hearing Board of the Township of Abington will hold a meeting as required by the Township's Zoning Ordinance at the Abington Township Administration Building, 1176 Old York Road, Abington, Pennsylvania, on:

Tuesday, April 16, 2019 at 7:00 p.m., at which time a public hearing will commence on the following application:

19-02: This is the application of **JJHL Associates, Ltd.**, applicant for the properties located at 966 & 968 Old York Road, Abington, Pa. 19001. The applicant proposes to demolish the existing buildings on the sites and redevelop the properties as a parking lot for the storage of up to 94 vehicles. Variances have been requested from Section 2504.B.1, to allow the sidewalks within the public right-of-way to remain at their current width, Section 2402.A.2, to eliminate the required landscaped islands every 15 stalls and at the end of each row, Section 2402.A.5, to reduce the width of the required perimeter buffer, Section 2402.A.6, to waive the requirement for an additional 15, 000 square feet of green space be required over the 37.6% already provided, Section 2402.B, property line buffers of at least 15 feet in width and Section 2103.A for the installation of an eight foot fence along the shared property line with the residential properties.

The property is zoned within the Main Street High District of Ward #7 of the Township of Abington. A copy of the application and plans are on file with the Planning & Zoning Office and are available for review during normal business hours.

By Order of the Zoning Hearing Board.

Mark A. Penecale
Planning & Zoning Officer
Township of Abington

Note: There is a 30 day period after the date the decision is rendered for any and all aggrieved persons to file an appeal in the appropriate court to contest the actions of the Zoning Hearing Board. Applicants that take action on a Zoning Hearing Board Approval during the 30 day appeal period, do so at their own risk. If there are questions that you may have, please feel free to contact the Zoning Officer at 267-536-1010. If you are unable to attend the hearing, written comment may be entered into the record by submitting them in advance of the hearing to the Planning & Zoning Officer.

March 20, 2019

Mark A. Penecale
Planning & Zoning Officer
Abington Township
1176 Old York Road
Abington, PA 19001

Re: JLLH Associates, Ltd. – 966-968 Old York Road

Dear Mr. Penecale:

This office represents JLLH Associates, Ltd. who, pursuant to an agreement of sale, is the equitable owner of the above referenced property. On behalf of our client, we are providing you with an application to the Abington Township Zoning Hearing Board requesting a series of dimensional variances in order to improve the property. We have included the following:

1. Ten (10) copies of the Abington Township Zoning Hearing Board application;
2. Ten (10) copies of the plans depicting the property, its existing features and the proposed improvements;
3. A redacted copy of agreement of sale between our client and the owner;
4. A check made payable to Abington Township for \$1,500.00 representing the filing.

Please accept the enclosed for filing and schedule the matter before the Zoning Hearing Board for the next available hearing date. If anything additional is required to make this application administratively complete, please contact our office.

Sincerely,



Gavin R. Laboski

Enclosure
GRL/sbs

cc: Tom Joyce (w/o encl.)
Gary Tilford (w/o encl.)

Zoning Hearing Board Application

Abington Township, PA

1176 Old York Road, Abington PA 19001, Fax: 215-884-8271, Telephone: 267-536-1000



This application must be accompanied by a minimum of ten (10) copies of the plot plan of the property, prepared and signed by a registered land surveyor or professional engineer. The plan must include lot area, lot dimensions, coverage percentages, existing structures, other improvements, proposed improvements, off-street parking, buffers and all characteristics on the site.

The Undersigned herein makes application for:

- Request for Variance from the Zoning Ordinance.
- Request for a Special Exception as provided by the Zoning Ordinance.
- Appeal from the actions of the Zoning Officer.

1. Name and address of the owner of the land: Phone number:
968 Old York Road - Susan B. Udin and David Udin, **966 Old York Road**
 Estate of Rena H. Grad Trust a/k/a Estate of Rena Grad Trust Larmon Camera Shops Inc.
 and Harry K. Schwartz 966 Old York Road, Abington, PA
 316 Woodward Avenue, Buffalo, NY 14214

2. Name and address of the applicant: Phone number:
 JJLH Associates, Ltd.
 4437 East Street Road
 Trevoese, PA 19053

3. Name and address of the attorney: Phone number:
 Gavin Laboski 215-536-3800
 245 W. Broad Street
 Quakertown, PA 18951

4. If the applicant is not the owner of the property, list the applicant's interest in filing this application.
 Example: equitable owner, agent, lessee, etc.
 equitable owner

5. Description of the property:
 Address/location 966 and 968 Old York Road
 Present use 966-restaurant 968-Automotive Service
 Proposed improvement Parking for C2 Automotive Sales

Zoning Hearing Board Application

Abington Township, PA

1176 Old York Road, Abington PA 19001, Fax: 215-884-8271, Telephone: 267-536-1000




6. State briefly the reasons for which the proposed improvements or use does not meet the requirements of the Zoning Ordinance, and the nature of relief you are seeking:
See Attached

7. List the specific section of the Zoning Ordinance upon which the application for a variance or special exception is based:
See Attached

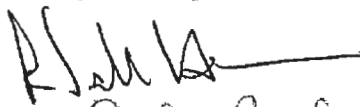
8. Describe in detail the grounds for the appeal, or the reasons both in law and in fact for the granting of the variance or special exception, describing in detail the nature of the unique circumstances, and the specific hardship justifying your request for approval of the application.
See Attached

9. List any and all prior Zoning Hearing Board action regarding the property. List the date, case number and the nature of the zoning relief granted.
Unknown

10. List any and all additional information, records, transcripts which may be helpful to the Zoning Hearing Board in rendering a decision: A minimum of eight (8) copies are required to be submitted.



Signature of Applicant


Stanford Bush, Trustee for

Signature of Owner
THE RENA GRAY TRUST

Internal Validation:

Date Received: 3/2/19

Fee Paid: \$1,500.00

Case: # 19-02

Check # 3036

Rec # 180089



Signature of the Zoning Officer

RECEIVED
MAR 21 2019

BY: 

ATTACHMENT TO THE ABINGTON TOWNSHIP ZONING HEARING BOARD
APPLICATION OF JLLH ASSOCIATES, LTD.
966-968 Old York Road

7. *List the specific section of the Zoning Ordinance upon which the application for a variance or special exception is based.*

Section 2504.B.1 – Sidewalk width
Section 2402.A.2.a.[1] – Planting island for every 15 stalls
Section 2402.A.2.a.[2] – Planting island at end of each row
Section 2402.A.5.a – Parking lot perimeter buffer
Section 2402.A.6 – Internal green space
Section 2403.B.3.a – Property line buffer and screens
Section 2103.A-13.1 – Fence height

8. *Describe in detail the grounds for the appeal, or the reasons both in law and in fact for the granting of the variance or special exception, describing in detail the nature of the unique circumstances, and the specific hardship justifying your request for approval of the application.*

Applicant intends to use the properties at 966 and 968 Old York as a C-2 Automotive Sales use, as that use is defined in the Abington Township Zoning Ordinance (the "Ordinance"). Applicant is affiliated with the Faulkner Organization, who operates automobile dealerships throughout the region, including Faulkner Nissan, which is located in close proximity to these properties. Faulkner will use the property to park and store inventory of automobiles to be sold at the Faulkner Nissan dealership. The properties will be combined and improvements made consistent with the plan provided with this application. The changes to the properties include demolition of existing buildings, creation of parking lot, landscaping, fencing, decorative walls and a gate.

The dimensional variances sought include the following:

Section 2504.B.1 – Sidewalk Width – The Applicant proposes a five-foot sidewalk with three feet of grass. The Ordinance requires the Applicant to install an eight-foot sidewalk.

Section 2402.A.2.a.[1] – Planting island for every 15 stalls – The Ordinance requires a planting island for every 15 contiguous parking stalls. The Applicant is not proposing any planting island for the parking area in order to maximize the number of vehicles that can be parked on site.

Section 2402.A.2.a.[2] – Planting island at end of each row – The Ordinance requires a planting island at the end of each parking row. The Applicant is not proposing any planting island for the parking area in order to maximize the number of vehicles that can be parked on site.

Section 2402.A.5 – Parking Lot Perimeter Buffer – The Ordinance requires a parking lot with more than 15 spaces that lies within 150' of a residential district to have a Medium Intensity buffer for a minimum of 10 feet. The applicant is proposing a buffer of 8.2' along the north property line.

Section 2402.A.6 – Internal green space – The Ordinance requires a minimum of 10% of any parking area over 15,000 square feet in gross area, devoted to landscaping, in addition to the required buffers. The Applicant is proposing no additional landscaping other than the plantings being installed as a part of the buffers.

Section 2403.B.3.a – Property line buffer and screens – The Ordinance requires a property line buffer of 15 feet. On the north and east property lines, the Applicant is proposing a buffer of 8.2 feet.

Section 2103.A-13.1 – Fence Height – The Ordinance only permits a maximum fence height of 6 feet. The Applicant proposes a stockade type fence of 8 feet along the property line shared with residential properties to the rear.