



Montgomery Township
Zoning Hearing Board

Meeting Date: June 14, 2016

The agenda for the scheduled hearing is as follows:

1. **Application No. 16050002 Stafford / 107 Gwynedd Lea Drive** - The applicants, David and Sherrie Stafford, are the owners and occupants of the property located at 107 Gwynedd Lea Drive. The property is currently improved with a 3,503 square foot single family residence, an inground swimming pool with 1500 sq ft of decking, and a wood deck.

The previous property owner obtained a variance in 1990 from the side and rear yard setbacks in order to construct a swimming pool with decking. The variance allowed the pool and decking to be installed 5 feet from the side property line and 10 feet from the rear property line. Subsequently the decking was installed beyond what was allowed up to the side and rear property lines.

In October 2015, the applicant submitted a permit application to replace the 1500 square feet of decking. The permit was denied based on that it exceeded what was allowed by variance and exceeded the maximum impervious coverage allowed of 40%. The proposed impervious coverage is 43.56%.

The applicant seeks relief from the provisions of Section 230-46 of the Code of Montgomery Township in order to allow the decking to be installed up to the side and rear property line with a 0 foot setback where the minimum setback allowed is 10 feet and 15 feet respectively, and the impervious coverage to be 43.56% of the lot where the maximum allowed is 40%.

2. **Application No. 16050005 Giant Food Stores / Fortunoff Backyard Stores - 741 Bethlehem Pike**
The applicant, Giant Food Stores, leases the property located at 741 Bethlehem Pike. The applicant intends to sublease a portion of the existing building to Fortunoff Backyard Stores to establish and operate a retail store. The existing 18,749 sq ft building has been vacant since 2012. In 1984, a special exception was granted to permit a 25% reduction in the number of required parking spaces for retail stores on this property and the adjoining property. An approval was granted for 173 parking spaces to be located in a "cross-easement parking lot" located on both parcels. The cross easement parking and shared access declaration has since expired. The properties must now comply individually with the parking requirements.

The applicant seeks relief from the provisions of Section 230-134C(1) of the Code of Montgomery Township in order to allow 91 parking spaces rather than the 122 spaces required.

3. **Application No. 16050006 NVR Inc. t/a NVHomes – Walnut Creek Development – Bethlehem Pike and Maple Avenue** - The applicant has submitted an application to the Zoning Hearing Board in order to allow "bay windows" to encroach two feet into the required setbacks for eight townhomes within the Walnut Creek Development. The applicant proposes to construct 2 ft by 16 ft bay windows as an architectural feature on specific end units within the development.

The Township's Zoning Officer determined that the 2ft x 16ft kitchen extensions are not considered bay windows and therefore would require relief from the Zoning Hearing Board in order to allow them. The proposed extensions reduce the required minimum setback of 25 feet to 21 feet between units and from 30 feet to 28 feet from service roads.

The applicant appeals the determination of the Zoning Officer and seeks relief in the form of a variance from the provisions of Section 230-37 of the Code of Montgomery Township in order to allow the proposed extensions into the required setbacks.

**Copies of the Application(s) and accompanying documents are on file in the Township's Planning and Zoning Department and may be seen upon request.