



Montgomery Township Zoning Hearing Board

Meeting Date: May 6, 2020 – rescheduled to June 3, 2020

The agenda for the scheduled hearing is as follows:

1. Application #20020001 Mehta / 103 Robertson Court - The applicants are the owners and occupants of the single family home located at 103 Robertson Court within the Ashburn Village development. The 15,009 square foot lot sits within the R-1 Residential District with the Historical Cluster Overlay. The property is currently improved with a 5,554 square foot home, 1144 square foot patio, and gazebo.

The applicants propose to construct an in-ground swimming pool adding an additional 617 square feet of coping/decking to the property. During the plan review, it was noted that the existing patio encroaches into the side yard setback and the gazebo encroaches into the side and rear yard setbacks. The proposed additional pool decking brings the total impervious coverage to 6,537 square feet (43.56% of the lot) where the maximum allowed is 6,003 square feet (40% of the lot).

The applicants request the following relief from the provisions of the Code of Montgomery Township:

1. **Section 230-240D** – Variance to allow patio to encroach into the side yard setback, minimum 10 feet from the property is required, applicant proposing 7 feet.
2. **Variance 230-240D&F** – Variance to allow gazebo to encroach into side and rear yard setbacks, minimum 10 feet and 30 feet respectively is required, applicant proposing 8 feet from the side property line and 26 feet from the rear property line.
3. **Section 230-240G** – Variance to allow 43.56% impervious coverage where the maximum allowed is 40%.

2. Application #20030001 McDonalds USA, LLC / 1200 Welsh Road - The applicant, McDonald's USA, LLC is a tenant of the condominium unit within the Montgomery Commons Shopping Center located at 1200 Welsh Road. The property is improved with a McDonalds restaurant with dual drive thru lanes, parking, and related improvements. The property sits within the S – Shopping Center District.

In 2009, the applicant received approval for one presell board (11 sq ft in size) and two menu boards (each 42 sq ft in size) for a total of 95 square feet.

McDonalds proposes to update their existing presell and menu board signage. They are proposing to install two new presell boards (each 8.8 sq ft in size) and two menu boards (each 17.6 sq ft in size) for a total of 52.8 square feet of outdoor menu related signage. The proposed signs use LED technology and change for breakfast, lunch, and dinner only.

The applicant requests a Special Exception per Section 230-123A(36) and 230-185 to allow two Pre Sell Boards and two Menu Boards as miscellaneous signs and a Variance per Section 230-127A(1)(a)[1] to allow each menu board to have changeable copy area exceeding 16 square feet.

****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.**