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1176 Old York Road Abington PA 19001-3713 Telephone: 267-536-1000

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, February 16, 2016 at 7:00 p.m., at which time a public hearing will commence on the following application:

16-03: This is the application of **Angela Magliari**, owner of the property located at 2322 Heston Street, Roslyn, Pa. 19001. The applicant has requested dimensional variances from Section 501.3.B, Section 706.H, Use H-1 and Section 901.8, Use H-1 of the Zoning Ordinance of the Township of Abington. The applicant seeks approval to permit an additional apartment unit on the property that consists of 7,998 square feet. The Zoning Ordinance requires a lot area of at least 10,000 square feet. In addition, a variance has been requested for the minimum number of on-site parking stalls required.

The property is zoned within the (MU) Mixed Use District of Ward #14 of the Township of Abington. A copy of the application and site plan are on file with the Planning & Zoning Office and is available for review during normal business hours.

By Order of the Zoning Hearing Board.

Mark A. Penecale
Planning & Zoning Officer

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 267-536-1017. 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.



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:
 Angela Magliari 215.542.9345 (counsel)
 2322 Heston Street
 Abington, PA 19001

2. Name and address of the applicant: Phone number:
 Same as owner.

3. Name and address of the attorney: Phone number:
 Marc D. Jonas, Esquire; Michael E. Peters, Esquire 215.542.9345
 Eastburn and Gray, P.C.
 470 Norristown Road, Suite 302
 Blue Bell, PA 19422

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.
 N/A

5. Description of the property:

Address/location 2322 Heston Street

Present use 2 apartment buildings with 4 existing apartment units

Proposed improvement 1 additional apartment unit, for a total of 5

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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:
Please see attached addendum.

7. List the specific section of the Zoning Ordinance upon which the application for a variance or special exception is based:
Please see attached addendum.

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.
Please see attached addendum.

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.
N/A.

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.
Please see attached addendum.

Angela Magliari
Signature of Applicant

Angela Magliari
Signature of Owner

Internal Validation:

Date Received: 1/25/16

Fee Paid: \$600.00

Case: 16-03

Michael Smith
Signature of the Zoning Officer

check # 104

Rec # 882170

**ABINGTON TOWNSHIP ZONING HEARING BOARD
ADDENDUM TO APPLICATION**

Applicant/Owner: Angela Magliari
2322 Heston Street
Abington, PA 19001

Property: 2322 Heston Street

Counsel: Marc D. Jonas, Esquire
Michael E. Peters, Esquire
Eastburn and Gray, PC
470 Norristown Road, Suite 302
Blue Bell, PA 19422

Relief Requested:

1. Dimensional variances from section 501.3.B *Density Calculation and 706.H.2(g)(c) Use H-2: Apartment Campus Dimensional requirements common to all zoning districts* to permit 5 apartment units on a 7998 square foot lot
2. A variance from section 901.8 *Parking Use Requirements* to permit six parking spaces instead of the required eight

INTRODUCTION

This application requests relief to permit an additional apartment unit on a property improved with two apartment buildings.

Angela Magliari (“Landowner”) is the owner of property located at 2322 Heston Street, Abington Township, Pennsylvania (“Property”).

The Property comprises approximately 7998 square feet. The Property is improved with two apartment buildings and associated improvements. Specifically, the Property contains a 3-floor apartment building at the front and a 2-floor apartment building at the rear. With the additional apartment, the front building contains one 2-

bedroom apartment unit and two 1-bedroom apartment units. The rear building contains two one-bedroom apartment units. There are a total of five apartment units on the Property. The Property is located in the Mixed Use District.

REQUESTED RELIEF

Variance

Landowner is entitled to the requested variances from the Revised Abington Township Zoning Ordinance (“Zoning Ordinance”) to permit an additional apartment unit for the following reasons:

- (1) The H-2 Apartment Campus is a permitted use on the Property;
- (2) the Property comprises 7998 square feet, lawfully nonconforming to the required minimum 10,000 square feet;
- (3) Landowner does not propose additional improvements to the exterior of the Property;
- (4) Landowner has maintained apartments on the Property for over 10 years, having purchased the Property in August 2005;
- (5) prior to Landowner’s purchase of the Property in August 2005, the then owner of the Property maintained apartments on the Property;
- (6) Landowner requires only 2 square feet of relief from section 706.H.2(g)(c) *Use H-2: Apartment Campus Dimensional requirements common to all zoning districts* to permit the five apartment units on a 7998 square foot lot instead of the 8000 square feet required;

(7) although Landowner requires only 2 square feet of relief from section 706.H.2(g)(c), the Zoning Ordinance contains a conflicting density provision in section 501.3.B *Density Calculation*, which would permit only 2 apartment units on the Property;

(8) prior to the addition of the new apartment unit, the Property already contained 4 apartment units;

(9) in the 10 years Landowner has maintained apartments on the Property, the available parking has always been sufficient to serve the apartment units;

(10) the requested variances to permit 1 additional apartment unit will not alter the character of the surrounding area, which is also residential, nor impair appropriate use or development of adjacent property; and

(11) the requested variance will not be detrimental to the public welfare.

4" PVC
Inv. 197.07

S 54°00'00" E 50.00'

Ex. Right-of-Way

Block 96
nit 50
/L. Liu

Building
(prox.)

Ex. Sidewalk

Ex. Building
(Approx.)

N 35°32'30" E 159.93'

S 35°32'30" W 160.00'

Tax Block 96
Unit 33
N/L Rice

Ex. Gate
TG 199.75
Inv. 198.26

27" Maple

TYPICAL LOCATION
FOR ADDITIONAL
PARKING SPACE
(TOTAL 2)

TYPICAL LOCATION
FOR PARKING SPACE
COMPLIANT WITH
ZONING ORDINANCE
(TOTAL 6)

2322 HESTON STREET
OFF-STREET
PARKING EXHIBIT
1"=10'
1/26/16

