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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, April 19, 2016** at 7:00 p.m., at which time a public hearing will commence on the following application:

**16-04:** This is the application of **Andrew & June Hines Morfopoulos**, owners of the property located at 1132 Dixon Lane, Rydal, Pa. 19046. The applicants have requested a determination on certain limitations on the in-home Pilates Studio they operate or a use variance from Section 706.A, Use A-7.e, Use A-7.g and/or Use A-7.h of the Zoning Ordinance of the Township of Abington. The applicant seeks approval to operate the Pilates Studio in the home that is greater than 400 square feet, train other Pilate's instructors and have guest instructors teach in the existing studio.

The property is zoned within the (R-1) Residential District of Ward #1 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:  
Andrew and June Hines Morfopoulos  
1132 Dixon Lane  
Rydal, PA 19046 June: (267) 312-7607
  
2. Name and address of the applicant: Phone number:  
Same
  
3. Name and address of the attorney: Phone number: (215) 635-7200  
Peter S. Friedman, Esquire  
Friedman Schuman P.C.  
101 Greenwood Avenue, 5th Floor  
Jenkintown, PA 19046
  
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.  
Applicant is Owner.

5. Description of the property:

Address/location 1132 Dixon Lane, Rydal, PA 19046

Present use Resident/Pilates Studio (1 Room)

Proposed improvement None

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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:  
See attached Addendum.
  
7. List the specific section of the Zoning Ordinance upon which the application for a variance or special exception is based:  
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.  
None.
  
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.
  
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

*June Hines Morfopoulos*  
June Hines Morfopoulos

Signature of Owner

*June Hines Morfopoulos*  
June Hines Morfopoulos

Internal Validation:

Date Received: 2/2/2016

Fee Paid: \$400.00

Case: 16-04

Check # 1022

Rec #

RECEIVED  
FEB 02 2016

*[Signature]*  
Signature of the Zoning Officer

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

**APPLICANTS:**        **Andrew and June Hines Morfopoulos**

**PREMISES:**         **1132 Dixon Lane, Rydal, PA 19046**

Applicant, June Hines Morfopoulos, is a certified Pilates therapist. She is authorized to perform Pilates therapy sessions. Pilates therapy sessions provide health benefits, including release of mental and physical stress, promotion of proper breathing (including assisting those people with respiratory issues), and strengthening lower back so that the client can have an improved quality of life. The Pilates business has been registered (and has had a business license) with Abington Township since 2007.

Applicant, June Hines Morfopoulos, submits that the Pilates studio in her home qualifies as a home occupation under Section 706.A-7 of the revised Abington Township Ordinance, with the possible exception of Subsections 706.A-7.e., g. and h.

With respect to Subsection 706.A-7.e., Applicant, June Hines Morfopoulos, requests a determination that her therapy sessions may continue with limitations. The limitations shall include Pilates therapy on a one to one basis. Applicant further requests that she be permitted to train Pilates' therapists. In the absence of such determination, Applicant requests a variance of the provisions of Subsection 706.A-7.e.

With respect to Subsection 706.A-7.g., Applicant, June Hines Morfopoulos, requests a determination that independent contractors who are Pilates' therapists may provide therapy sessions in the absence of the Applicant; otherwise, Applicant requests a variance of the provisions of Subsection 706.A-7.g., so as to permit independent contractors to perform therapy in Applicant's Pilates studio.

The floor area of the Pilates studio exceeds the maximum square footage set forth in Subsection 706.A-7.h. Applicant requests a variance under Subsection 706-A.7.h., so as to permit the continuation of the existing Pilates Studio to be used for the Pilates therapy sessions.

There are no exterior activities, no signs, and no proposed changes to the residence.

Applicant recently expanded the driveway to provide additional off-street parking for clients. Applicant submits that the continuation of the Pilates therapy sessions will not be detrimental to the health, safety and welfare of the community.