

## 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, May 17, 2016** at 7:00 p.m., at which time a public hearing will commence on the following application:

**16-13:** This is the application of **BSC Jenkintown LP**, owner and applicant for the property located at 1631 The Fairway, Jenkintown, Pa. 19046 also known as Baederwood Shopping Center Tax Parcel #300066636006. The applicant has requested Variances from Sections 1012.2.b and 1012.2.f "Sign Regulations" of the Zoning Ordinance of the Township of Abington as amended by Ordinance #1775. The applicant seeks approval to replace/upgrade 2 existing outdated freestanding signs, with 2 internally illuminated monument signs where one of the signs exceeds the maximum 100 square foot and maximum 10' height requirements. The oversized sign is proposed at 214.2 square feet and 24.5' high. Both signs are proposed to be direct illumination. The ordinance permits that monument signs have indirect illumination only.

The property is zoned within the (FTD) Fairway Transit District of Ward #7 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:  
 BSC Jenkintown LP 860-368-2842  
 180 Glastonbury Blvd., Suite 200  
 Glastonbury, CT 06033

2. Name and address of the applicant: Phone number:  
 BSC Jenkintown LP 860-368-2842  
 180 Glastonbury Blvd., Suite 200  
 Glastonbury, CT 06033

3. Name and address of the attorney: Phone number:  
 Julie L. Von Spreckelsen, Esquire 215-345-7000  
 Eastburn and Gray, PC  
 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 1631 The Fairway, Abington, PA

Present use Baederwood Shoppes on The Fairway

Proposed improvement replacement / upgrade of 2 existing freestanding signs

BY: .....

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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:

Article X Sign Regulations  
Sections 1012.2.b and 1012.2.f

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 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.

None known.

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

\_\_\_\_\_  
Signature of Owner

Internal Validation:

Date Received: 4/18/16

Fee Paid: \$1,500.00 Ch# 1008

Case: ZHB 16-13

\_\_\_\_\_  
Signature of the Zoning Officer

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

Applicant/Owner: BSC Jenkintown LP  
180 Glastonbury Blvd., Suite 200  
Glastonbury, CT 06033

Property: Baederwood Shoppes and Offices on the Fairway  
1631 The Fairway  
Tax parcel no. 30-00-66636-00-6

Relief Requested: Variances from sections 1012.2.b and 1012.2.f "Signs Regulations".  
To permit the replacement/upgrade of 2 outdated freestanding signs, with 2 aesthetically pleasing monument signs, both signs to be internally illuminated, and 1 sign exceeds the square footage and height requirements of the zoning ordinance.

**INTRODUCTION**

This application proposes the replacement and upgrade/modernization of 2 outdated freestanding signs identifying the Baederwood Shoppes and Offices on the Fairway.

BSC Jenkintown LP ("Landowner") is the owner of a 10.5 acre parcel of land located at 1631 The Fairway, Abington Township, Pennsylvania, Montgomery County tax parcel no. 30-00-66636-00-6 ("Property").

The Property is located in the Township's FTD – Fairway Transit District. The Property has 1401 feet of frontage along The Fairway with multiple driveway accesses. The Property is improved with 6 pad sites totaling over 130,000 square feet of building area consisting of a Beneficial Bank, a Whole Foods Store, Planet Fitness, Panera

Addendum to Zoning Application: BSC Jenkintown LP

Bread, retail stores and services, medical offices, non-medical offices, and 592 parking spaces, lighting, and landscaping.

Section 1012.2.b "Sign Regulations of the FTD" of the Abington Township Zoning Ordinance of 1996, as amended ("Ordinance") permits monument signs at each entrance of a development having up to 100 square feet of sign area on any one face and a mounting height of 10'. Section 1012.2.f of the Ordinance permits only indirect illumination of monument signs.

Landowner requests variances to replace 2 internally lit freestanding signs with 2 internally lit monument signs. One of the proposed monuments signs conforms to the maximum permitted square footage and height requirements of the Ordinance, while the 2<sup>nd</sup> proposed sign is 188.75 square feet and 24'6" in height, thus requiring a variance.

Landowner is entitled to the requested variances for the following reasons:

(1) The Property has over 1400 feet of frontage with multiple access points along The Fairway. The buildings contain 18 individual businesses that are setback as far as 220' from The Fairway. The significant setback distance of the buildings makes it difficult to see the individual building signs identifying the tenants. Thus, the monument sign of the size and height requested is necessary for site identification, and is appropriate in scale in relation to the size and configuration of the Property.

(2) The size and height of the proposed monument sign is necessary for Property/business identification and provides the visibility necessary for safe stopping/turning and access into the site.

Addendum to Zoning Application: BSC Jenkintown LP

(3) The proposed monument signs' size and internal illumination are in conformity with other signs on neighboring properties.

(4) There will be no adverse impact on the community and the proposed signage will not alter the essential character of the neighborhood. The Property is located in a heavy travelled commercial area where surrounding properties have similar signage.

(5) The requested variances meet the standards set forth in section 910.2(a) the Pennsylvania Municipalities Planning Code, 53 P.S. § 10910.2(a), and section 1201.1 "Standards for Review" of the Ordinance.

(6) The requested variances, if granted, will not alter the essential character of the neighborhood, nor will such variances substantially or permanently impair the appropriate use or development of adjacent parcels. The relief requested poses no threat to public health, safety and welfare. The 2 proposed signs are in keeping with the character of the neighborhood and are in proportion to other monument signs in the immediate area.

(7) The variances requested represent the minimum variances that will afford relief and represent the least modifications possible of the regulations in issue.

