



Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, *P.E., Director*

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, January 15, 2019 at 7:00 p.m., at which time a public hearing will commence on the following application:

18-25: This is the application of **JJLH Associates, LLC**, applicant for the property located at 980 Old York Road, Abington, Pa. 19046. The applicant seeks dimensional variances from Section 1603.B, 1606.B, 2304.C.3 and Section 2312.F of the Zoning Ordinance of the Township of Abington. The applicant seeks approval to make alterations to site and convert the building to allow for automotive service. Relief has been requested to allow for an encroachment into existing steep slopes, a reduction in the required number of on-site parking stalls and for the requirement for a loading berth.

The property is zoned within the Main Street High District of Ward #7 of the Township of Abington. A copy of the application and 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
Township of Abington

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 267-536-1010. 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:
 Abington TICDA
 980 Old York Road
 Abington, PA 19001

2. Name and address of the applicant: Phone number:
 JLLH Associates, Ltd.
 4437 East Street Road
 Trevose, PA 19053

3. Name and address of the attorney: Phone number:
 Gavin Laboski
 245 W. Broad Street 215-536-3800
 Quakertown, PA 18951

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.
 Equitable Owner

5. Description of the property:
 Address/location 980 Old York Road, Abington, PA 19001 (corner of Old York Road and Woodcrest Road)
 Present use Office/Retail
 Proposed improvement C-3 Automobile Service

Zoning Hearing Board Application



Abington Township, PA

1176 Old York Road, Abington PA 19001, Fax: 215-884-8271, Telephone: 267-536-1000

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:

Applicant seeks dimensional variances from the below subsections to allow improvements to and a redesign of the site. The existing building and related improvements along with the terms of the Zoning Ordinance prevent the proposed improvements to be made without the relief requested.

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

- Section 1603.B - development in Prohibitive Slopes;
- Section 1606.B - conservation of Prohibitive Slopes;
- Section 2304.C.3 - parking requirements for Use C-3;
- Section 2312.F - requirements for loading berth.

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

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.

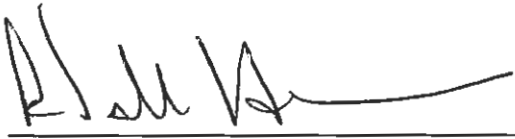
The applicant is unaware whether the property has received zoning relief in the past.

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.

See plans and aerial photograph supplied.



Signature of Applicant



Signature of Owner

Internal Validation:


Date Received: 1/2/14/18

Fee Paid: \$1,500.00

Case: 18-25

Check # 3009

Rec # 180055



Signature of the Zoning Officer

ATTACHMENT TO THE ABINGTON TOWNSHIP ZONING HEARING BOARD
APPLICATION OF JYLH ASSOCIATES, LTD.
980 Old York Road,

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.***

Applicant intends to use the property as a C-3 Automotive Service use, as that use is defined in the Abington Township Zoning Ordinance (the "Ordinance"). Applicant is affiliated with the Faulkner Organization, who operates automobile dealerships throughout the region. Faulkner will use the property for the repair of automobiles. However, the site will be restricted in terms of access, such that customers will not be permitted or directed to the site. All vehicles will be brought to this property by Faulkner employees for service rather than members of the public.

The changes to the property to accommodate the use include interior renovations, including the addition of four service overhead doors, changes to the location of parking areas, alteration of traffic movement and the addition of "green" areas. The dimensional variances include modification of an area of Prohibitive Slopes, parking requirements and off-street loading.

The property has numerous non-conforming conditions including, the location of the building, the location of parking areas, and impervious surface coverage. These conditions, along with other factors, prohibit strict compliance with the Ordinance.

The dimensional variances sought include the following:

Section 1603.B – Prohibitive Slopes – The Applicant intends to widen a portion of the 20' wide internal driveway. The widening of the driveway is necessary to allow access to the rear of the building by refuse trucks, emergency vehicles and employees. The area of steep slopes totals approximately 1,860 square feet and consists of scrub like vegetation. The slopes measure approximately 40-50% at various locations. The area the applicant intends to disturb is approximately 1,760 square feet. The relief is necessary for reasonable use of the property and particularly to provide safe and adequate access for refuse trucks and emergency vehicles. The applicant is disturbing the minimum amount necessary for reasonable use of the property and the relatively small area of disturbance will have no adverse impact on the neighborhood.

Section 1606.B – Conservation Easement for Prohibitive Slopes – Given the small area of Prohibitive Slopes that will remain after development of the site, the Applicant seeks a variance to not require a conservation easement for the remaining portion.

Section 2304.C.3 – Parking requirements for Use C-3 – The Ordinance requires the C3 Automotive Service use to provide 1 space for every 200 square feet of gross floor area and 5 parking spaces for every service stall. Applicant must provide 75 parking spaces.

Because of the size of the lot, the required areas for access, the existing steep slopes and the location of the building on the lot, the applicant is only able to provide 35 exterior spaces and 7 interior spaces. These property features and the application of the Ordinance to this property, make it impossible to comply with the parking requirements for many of the permitted uses in this zoning district. However, as discussed, Applicant's proposed use of the property as a service facility restricted to employees of Faulkner, and not the general public, greatly reduces the need for parking spaces. Faulkner has the ability to only bring cars to the property that will be worked on immediately or in the near future, thus reducing the need for number of spaces required at this site.

Section 2312.F – Off-Street Loading Requirements – Again, given the features of the property described above, the Applicant is unable to provide an area for off-street loading that meets the requirements of the Ordinance. The Ordinance requires an area of 50 feet by 15 feet for this purpose. The Applicant is able to provide an area of 10 feet by 32 feet. Applicant contends that it qualifies for the reduction of such loading area as described in Section 2312.F. Applicant only receives deliveries from vans or small trucks and the area provided is sufficient for such deliveries. To the extent the Zoning Hearing Board has jurisdiction over whether the reduced area is sufficient and whether the Township consents to such a reduced area, the Applicant requests such relief.

December 13, 2018

Mark A. Penecale
Planning & Zoning Officer
Abington Township
1176 Old York Road
Abington, PA 19001

**Re: JLLH Associates, Ltd. – 980 Old York Road
Larmon Photo property**

Dear Mr. Penecale:

This office represents JLLH Associates, Ltd. who, pursuant to an agreement of sale, is the equitable owner of the above referenced property. On behalf of our client, we are providing you with an application to the Abington Township Zoning Hearing Board requesting a series of dimensional variances in order to improve the property. We have included the following:

1. Ten (10) copies of the Abington Township Zoning Hearing Board application;
2. Ten (10) copies of the plans (three pages) depicting the property, its existing features and the proposed improvements;
3. A redacted copy of agreement of sale between our client and the owner;
4. A check made payable to Abington Township for \$1,500.00 representing the filing fee.

Please accept the enclosed for filing and schedule the matter before the Zoning Hearing Board for the next available hearing date. If anything additional is required to make this application administratively complete, please contact our office.

Sincerely,



Gavin R. Laboski

Enclosure
GRL/sbs

cc: Tom Joyce (w/o encl.)
Gary Tilford (w/o encl.)