

# Haverford Township - Zoning Hearing Board

Meeting: Thursday, March 07, 2024

Time: 7:45 p.m.

Location: Commissioners Meeting Room -1014 Darby Rd., Havertown PA, 19083

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## Public Notice

Notice is hereby given that the Zoning Hearing Board will hold a Public Meeting on Thursday, March 7, 2024, at 7:45 PM, in the Commissioners Meeting Room, 1014 Darby Road, Havertown, PA at which time the Board will consider appeals from the zoning provisions of the General Laws of the Township of Haverford, Chapter 182:

Z24-02 Savage Sisters Recovery, Inc., applicant (Lessee) of 17 Tenby Road, Havertown, PA D.C. Folio# 22 02 01063 00, who seeks a variance from the provisions of §182-206.B(1), to allow more than three (3) unrelated persons occupying a dwelling unit, living together and maintaining a common household, per the definition of a family. In addition, the applicant is requesting relief from §104-10.A and §104-11 with regard to requiring an inspection for each change in tenant and from providing a list of individual tenants. Zoned R-4. Ward 2.

Z24-04 Joseph and Bonnie McGibney, owners of 429 Rittenhouse Cir., Havertown, PA, D.C. Folio # 22 01 01408 00, who seek a variance from the provisions of §182-207.C(5)(a) to encroach into the required 30-foot front yard setback by 11' to construct a 10'x21' covered front porch. Zoned R-5. Ward 7.

Z24-05 Applicant, Merion Golf Club, owners of 450 Ardmore Avenue, Ardmore, PA, D.C. Folio # 22-04-00029-00, requests variances from the provisions of §§ 182-604.B and 182-604.F(1)(a) to permit construction, reconstruction and alterations of structures and grounds within a floodplain area as necessary to permit proposed improvements to the Clubhouse, including the removal of 2 existing structures located within the floodplain and the construction of an elevated steel-grate utility platform on fifteen 2' diameter caissons with stair access, and a variance from the provisions of § 182-720.B to permit the disturbance of steep slopes as necessary for the construction of utility and conduit trenching to be maintained in connection with the proposed Clubhouse improvements. Zoned INS Wards 3, 5.

All interested parties are invited to attend and be heard in accordance with the rules and procedures established by the Board. The Board will conclude the hearing at 11:00 p.m. and any unfinished business will be continued to a future meeting date.

Published February 21 and February 28, 2024.

# Haverford Township - Zoning Hearing Board

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## Agenda

### Members

Robert Kane, Chairman

William Rhodes, Vice Chairman

Jessica Vitali, Secretary

Edward Magargee

Jesse Pointon

### Also Present:

Ernie Angelos, Esq., Solicitor

Gary Smith, Zoning Officer

Arlene LaRosa, Court Stenographer

### Item #1 New Cases:

Z24-02 Savage Sisters Recovery, Inc., applicant (Lessee) of 17 Tenby Road, Havertown, PA D.C. Folio# 22 02 01063 00, who seeks a variance from the provisions of §182-206.B(1), to allow more than three (3) unrelated persons occupying a dwelling unit, living together and maintaining a common household, per the definition of a family. In addition, the applicant is requesting relief from §104-10.A and §104-11 with regard to requiring an inspection for each change in tenant and from providing a list of individual tenants.

Zoned R-4. Ward 2.

Z24-04 Joseph and Bonnie McGibney, owners of 429 Rittenhouse Cir., Havertown, PA, D.C. Folio # 22 01 01408 00, who seek a variance from the provisions of §182-207.C(5)(a) to encroach into the required 30-foot front yard setback by 11' to construct a 10'x21' covered front porch.

Zoned R-5. Ward 7.

Z24-05 Applicant, Merion Golf Club, owners of 450 Ardmore Avenue, Ardmore, PA, D.C. Folio # 22-04-00029-00, requests variances from the provisions of §§ 182-604.B and 182-604.F(1)(a) to permit construction, reconstruction and alterations of structures and grounds within a floodplain area as necessary to permit proposed improvements to the Clubhouse, including the removal of 2 existing structures located within the floodplain and the construction of an elevated steel-grate utility platform on fifteen 2' diameter caissons with stair access, and a variance from the provisions of § 182-720.B to permit the disturbance of steep slopes as necessary for the construction of utility and conduit trenching to be maintained in connection with the proposed Clubhouse improvements.

Zoned INS Wards 3, 5.

Ajornment

\*This agenda does not necessarily reflect the order in which the cases will be heard.

# Haverford Township - Zoning Hearing Board

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## Minutes

A regular meeting of the Haverford Township Zoning Hearing Board (the "Board") was held on March 7, 2024. The meeting was held in the Haverford Township Municipal Building, Haverford Township, Pennsylvania. The meeting commenced at approximately 8:00 p.m. Present were: Chairman Robert Kane, Vice-Chairman William Rhodes, Member Edward Magargee, Member Jesse Pointon and Member Jessica Vitali. Also, present were the Township's Zoning Officer, Garry Smith, and the Board's solicitor, Ernest S. Angelos, Esq. The hearing was recorded by a court stenographer.

After Chairman Kane called the meeting to order, the first order of business was the Pledge of Allegiance.

Following the pledge, the Chairman proceeded with new business. The first case was No. Z24-05, the application of Merion Golf Club, owner of 450 Ardmore Avenue, Ardmore, PA. This matter was continued at the request of the application attorney, Mark Damico, Esquire to the Board's March 21, 2024 meeting date.

The next case was No. Z24-4, which is the appeal and application of Joseph and Bonnie McGibney, owners of 429 Rittenhouse Cir., Havertown, PA. Appellants seek a variance from the provisions of §182-207.C(5)(a) to encroach into the required 30-foot front yard setback by 11' to construct a 10'x21' covered front porch. The property is located in the Township R-5 Residential Zoning District.

The hearing commenced and the applicant presented evidence and testimony which was admitted into the record. Following the conclusion of the applicant's case in chief and public comment, in which there was none, the Board closed the record.

Upon a motion duly made and seconded, the Board voted unanimously to approve the variance request subject to the following conditions:

That the premises be developed in accordance with the notes of testimony for the hearing

held on March 7, 2023; and That no further enclosure of the porch is to be made, except for necessary railings; and That stormwater shall be properly managed in accordance with the township's code so as to not adversely affect neighboring properties; and No utilities shall be extended or connected to the porch, except for electricity.

Next, Chairman Kane proceeded with No. Z24-02, the application of Savage Sisters Recovery, Inc., the Lessee of 17 Tenby Road, Havertown, PA. Applicant seeks a variance from the provisions of §182-206.B(1), to allow more than three (3) unrelated persons occupying a dwelling unit, living together and maintaining a common household, per the definition of a family. In addition, the applicant is requesting relief from §104-10.A and §104-11 with regard to requiring an inspection for each change in tenant and from providing a list of individual tenants. Initially the Solicitor noted that the request for relief from §104-10.A and §104-11 are outside the zoning code, and , accordingly, the purview and authority of the Board.

There were a vast number of residents present at the meeting, one of which was represented by an attorney, Jennifer A. Bazydlo, Esquire who entered her appearance and whose client was granted party status. The applicant was represented by Robert Deluca Esquire. Mr. John Walko, Esquire, the Township's Solicitor, also entered his appearance and provided opening remarks.

The hearing commenced and the applicant presented witnesses (Mr. Steve M. Eckell, realtor, and Mr. Adam Al-Asad, director of operations at Savage Sisters) and documentary evidence. Ms. Bazydlo cross examined the witness and submitted documentary evidence on behalf of her client. At the conclusion of Mr. Al-Asad's testimony, the parties agreed to continue the matter to a special meeting date of April 25, 2024, rather than to commence testimony of new witness and adjourn mid-examination.

With no further new or old business before the Board the meeting was adjourned at 10:30p.m.