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Westtown Township

PO Box 79
Westtown, PA 19395



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www.westtownpa.org

Zoning Hearing Board Application

Township Use Only

Date Received: <u>2/15/18</u>	Date Accepted: _____
Project No.: <u>2018-2</u>	Fee/Date Paid: _____
Parcel No.: <u>67-3-132</u>	Acreage of Property: <u>8.26 ac</u>
Zoning Dist. <u>R3 Res-office</u>	

Applicant & Owner Information

Property Owner Spencer J. Qualls Phone (302) 529-2710

Mailing Address PO Box 3739 City Greenville, DE Zip 19807

E-mail SJQNFC@aol.com

Applicant Same as Property Owner Phone _____

Mailing Address _____ City _____, Zip _____

E-mail _____

Request

Section 2104: Appeals from the Zoning Officer _____

Section 2105: Challenge to the validity of the Zoning Ordinance or Map _____

Section 2106: Challenge to the Flexible Development Procedure _____

Section 2107: Variances _____ **X**

Section 2108: Special Exceptions _____ **XXX**

Description of request

Please provide below or attach a narrative of your request to enable the Zoning Hearing Board Solicitor to prepare a correct and true advertisement. As part of the narrative, please describe:

- * The property under consideration (size of lot, dimensions, etc.) and its physical location (e.g. nearby intersections, landmarks, etc.).
- * The present use of the property (residential, retail, office, etc.), and all existing improvements located on it (house, garage, and shed; office and parking lot; etc.).
- * The proposed improvements, additions and/or change of use. For physical changes to the lot or structures, indicate the size of all proposed improvements, materials to be used and general construction to be carried out. Attach a plan or sketch for illustration.
- * State the variance, special exception, or other relief requested and cite the appropriate section(s) of the Zoning Ordinance.
- * Provide the reasons why the relief you requested is needed and why the relief should be granted (Please see §2104-2108 of the Zoning Ordinance, as amended, where applicable).

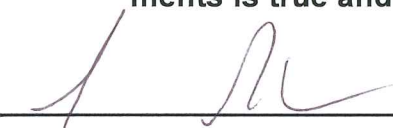
See attached narrative.

Applicant shall deposit with the Township a fee deemed sufficient to pay the Hearing expenses. These costs may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs, and necessary administrative overhead connected with the Hearing. Funds deposited in excess of the actual cost of the requested hearing shall be returned to the applicant upon completion of the proceedings.


In the event that the costs of the hearing exceed the funds deposited, the Applicant shall pay to the Township funds equal to such excess costs within thirty (30) days of the Township's request. Failure to deposit the additional funds shall be just reasons for terminating the proceedings.

It is my understanding that the Zoning Officer and Zoning Hearing Board may request additional information and documentation to prepare for said hearing.

CERTIFICATION: I certify that the information presented in this application and all attachments is true and correct.

Signature of APPLICANT  Date 2/15/18

Print Name SPENCER J. QUALL

Signature of OWNER  Date 2/15/18
(If different from applicant)

Signature of ZONING OFFICER _____ Date _____

—————OFFICIAL USE ONLY—————

Mailed/faxed to Zoning Solicitor on: _____

Hearing scheduled on: _____ Advertised on: _____

—————FEE SCHEDULE—————

Variance, Special Exception — \$850
Appeal from the Zoning Officer, Challenge to the Flex Development Procedure — \$850
Challenge to the Zoning Ordinance/Map — \$2,500

BEFORE THE ZONING HEARING BOARD OF WESTTOWN TOWNSHIP

In re: Application of Spencer Qualls

Owner/Applicant: Spencer Qualls, PO Box 3739, Greenville, DE 19807.

Subject Property: 1646 West Chester Pike, Westtown Township, being the Kirkwood Fitness Center Building. UPI 67-3-132

Present Use: Currently vacant.

Zoning District: R-3 Residence-Office District

Lot Size: 8.7 acres +/-

Narrative:

The subject property, was until 1986 an ice ring, used for general public ice skating and ice hockey, designated as the Westtown Ice Hockey Rink.

In or about September 12, 1986, the Chester County Industrial Authority, conveyed to the Applicant, 8.76 +/- acres on which the building in question is situate.

After renovations to the building, Kirkwood Fitness & Racquetball Club, a nonconforming use, opened and conducted business at that through March 31, 2015, at which time Kirkwood Fitness & Racquetball Club ceased operations.

On August 17, 2017, the Board of Supervisors of Westtown Township, pursuant to Sectio170-1901 (E) of the Westtown Township Zoning Ordinance granted to the Applicant “ a Certificate of Continuance to preserve the nonconforming use of the property.” In 2016 and 2017, the Board of Supervisors issued addition Certificates of Continuance, the current one runs until September 1, 2018.

The Applicant proposes to use the subject property as an ice hockey rink again, as it was originally designed and used for several decades. Therefore, Applicant is requesting a special exception pursuant §170-1901(C)(3) to change the current nonconforming use (health club) to another nonconforming use (ice hockey rink).

In the alternative, Applicant requests a variance from §170-801 to use the subject property as an ice hockey rink in the R-3 District.