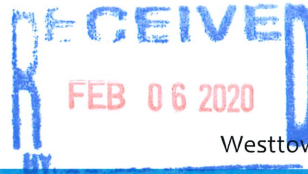


Westtown Township

Zoning Hearing Board Application



PO Box 79
Westtown, PA 19395



P: 610.692.1930
F: 610.692.9651
www.westtownpa.org

Township Use Only

Date Received: 2/6/2020 Date Accepted: 2/6/2020
Project No.: 2020-01 Fee/Date Paid: 850
Parcel No.: 67-2R-47 Acreage of Property: 1.1 AC
Zoning Dist. R-1 (47, 916A)

Applicant & Owner Information

Nathan L. Bump & Cheryl V. Bump

Property Owner Nathan L. Bump & Cheryl V. Bump and David T. Videon Phone 1-561-262-8804 (Cheryl)

Mailing Address 1106 Cardinal Drive City West Chester, PA Zip 19382

E-mail cvbump@icloud.com

Applicant Nathan L. and Cheryl V. Bump Phone 1-561-262-8804 (Cheryl)

Mailing Address 1106 Cardinal Drive City West Chester, PA Zip 19382

E-mail cvbump@icloud.com

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 - See attached narrative ✓

Section 2108: Special Exceptions _____

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 Donald T. Petrosa, Esq. Date 01/30/2020

Print Name Donald T. Petrosa, Esquire, Attorney for Applicants

Signature of OWNER _____ Date _____
(If different from applicant)

Signature of ZONING OFFICER _____ Date _____

~~OFFICIAL USE ONLY~~

Mailed/faxed to Zoning Solicitor on: 2/7/2020

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

**WESTTOWN TOWNSHIP
ZONING HEARING BOARD APPLICATION**

**APPLICANT: NATHAN & CHERYL BUMP
1106 CARDINAL DRIVE
WEST CHESTER, PA 19382**

ZONING NARRATIVE

Nathan L. and Cheryl V. Bump (“Applicants”), by and through their attorneys, Donald T. Petrosa, Esquire and Petrikin, Wellman, Damico, Brown & Petrosa, hereby submit this Narrative to the foregoing Zoning Hearing Board Application (the “Application”) filed with the Zoning Hearing Board of Westtown Township, Chester County, Pennsylvania (the “Board”), and in support thereof, states as follows:

1. Applicants are owners of the property at 1106 Cardinal Drive, West Chester, Pennsylvania 19382 in Westtown Township, which parcel is identified as Chester County UPI No. 67-2R-47 (the “Property”). The deed for the Property is attached hereto as Exhibit “A-1” and an aerial photo from Chesco Views outlining the Property in red is attached as Exhibit “A-2”.
2. Co-owner David T. Videon is Applicant Cheryl Bump’s father.
3. Applicants reside at the Property with their two teenage children.
4. The Property, which is about one acre in size, is located in an R-1 Residential Zoning District.
5. The Property is improved with a one story brick dwelling (the “Existing Dwelling”), a macadam driveway (the “Driveway”) and other typical residential features.
6. Applicants propose to construct a 2-story accessory residential building (the “Accessory Building”) at or near the end of the Driveway on the southeast side of the Property.
7. The first floor of the Accessory Building is intended to be used for a two car garage with some room for workshop equipment.
8. The second floor of the Accessory Building is intended to be used as additional living space for the Bump family.

9. The Accessory Building will have a bathroom on the second floor but no kitchen.

10. The second floor area will provide some much needed private space for the Bump children to interact with their friends and/or study and for the entire Bump family to make private telephone calls (personal and/or business) and to utilize a computer.

11. The Existing Dwelling is one story with an open loft and is completely open and lacking in privacy. There is no basement or other accessible area suitable for private conversation.

12. Section 170-1502.F of the Zoning Ordinance permits accessory structures, such as the proposed Accessory Building, to be located within side and rear yard areas provided they do not exceed the height, nor 50% of the footprint, of the principal structure. The Accessory Building will meet these requirements, however, this Section provides that the side and rear yard setbacks for such structures shall be no less than the height of the accessory structure.

13. Since the height of the proposed Accessory Building is 17.67 feet and the proposed side setback is 8.5 feet, a variance from Section 170-1502.F is required to permit the side yard or side setback to be 8.5 feet.

14. The proposed location at the end Driveway (the "Proposed Location") is the only reasonable location for the proposed Accessory Building.

15. The Proposed Location is partially paved with macadam at present and will result in a minimum amount of disturbance and new impervious surface and will avoid the need for a new curb cut to access the garage in the proposed Accessory Building.

16. There are other existing improvements/features in the back yard which inhibit the ability to locate the Accessory Building further into the rear yard. Further, extending the driveway further would require significant new impervious surface and would likely require a variance for maximum impervious surface.

17. Submitted herewith as Exhibit "A-3" is a Variance Plan for Property of Nathan L. & Cheryl V. Bump prepared by G.D. Houtman & Son, Inc. dated January 10, 2020 (the "Plan").

18. As the Plan demonstrates, the Applicants' proposal meets all other applicable zoning requirements.

19. Attached hereto as Exhibit "A-4" is a set of the drawings for the proposed Accessory Building which show Floor Plans and Elevations.

20. As the Plan shows, the Property was originally developed at the end of the Cardinal Drive cul-de-sac, which was later opened to extend Cardinal Drive beyond the Property.

21. The Property has an irregular shape. Whereas, most of the lots in the neighborhood are generally rectangular in shape, the Property has an irregular pie shape with a front lot line that matches the shape of the cul-de-sac. The Property is wide along the road but very narrow in the rear.

22. In addition, most of the other houses in the neighborhood have two stories while the Existing Dwelling on the Property is one story with a loft and therefore is wider than most of the two-story houses in the neighborhood.

23. All of these factors combine to create a unique unnecessary hardship, not caused by the Applicants.

24. Because of these circumstances or conditions, the proposed Accessory Building cannot be built without the relief requested.

25. The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

26. Applicants believe that the variance requested represents the minimum variance that will afford relief to allow the reasonable development of the Property.

27. The variance requested is for dimensional relief and therefore the lesser Hertzberg burden is applicable.

28. Applicants have discussed their proposal with the neighbors and have received no objections. In particular, Stanley and Caryne Paprzycki, the owners of 1108 Cardinal Drive, Chester County UPI No. 67-2R-79, the adjacent neighbor closest to the proposed Accessory Building, have indicated that they have no objection and that they support the project.

WHEREFORE, Applicants respectfully request that the Board schedule and hold a hearing with respect to this Application in conformity with the provisions of the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.* and the Zoning Ordinance and grant the relief requested and any other necessary variances or special exceptions identified during the course of the zoning hearing.

Respectfully submitted,

**PETRIKIN, WELLMAN, DAMICO,
BROWN & PETROSA**

Date: January 30, 2020

By: 

**Donald T. Petrosa, Esquire
Attorneys for Applicants**