

Westtown Township

PO Box 79
Westtown, PA 19395



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Zoning Hearing Board Application

Township Use Only	
Date Received: <u>March 15, 2024</u>	Project No.: <u>2024-03</u>
Parcel ID: <u>67-4-3.6</u>	Zoning Dist: <u>R-1</u>
Date Paid: <u>March 15, 2024</u>	PC Date: <u>April 3, 2024</u>
Hearing Date: _____	Property Posted: _____
Dates Advertised: _____	
Reviewed by: <u>Mila Carter</u>	

RECEIVED
MAR 15 2024
BY: _____

Applicant & Owner Information

Applicant <u>Bournelyf Special Camp</u>	Phone <u>610-692-9027</u>
Property Address <u>1070 S. New St.</u>	City <u>West Chester</u> Zip <u>19382</u>
E-mail <u>1056 S. New St.</u>	
Property Owner <u>SAME AS APPLICANT</u>	Phone _____
<small>(if different from Applicant)</small>	
Mailing Address _____	City _____ Zip _____
<small>(if different from Property Address)</small>	
E-mail <u>████████@BSCWC.ORG</u>	

Request

Please select all that apply and provide a brief description of the requested relief or approvals sought.
i.e. 6 ft encroachment into rear yard, or Special Exception for construction of ADU.

<input type="checkbox"/> Section 2104: Appeals from the Zoning Officer _____
<input type="checkbox"/> Section 2105: Challenge to the validity of the Zoning Ordinance or Map _____
<input type="checkbox"/> Section 2106: Challenge to the Flexible Development Procedure _____
<input type="checkbox"/> Section 2107: Variances _____
<input checked="" type="checkbox"/> Section 2108: Special Exceptions <u>Day camp</u>

Please provide a narrative of your request in an attachment that includes all required information and any other supporting documentation.

1. *Property information*

Setbacks of existing primary or accessory structure(s)

Lot Size: 1 acre Front: _____ Side (R): _____ Side (L): _____ Rear: _____

Existing property use: _____

Existing structure(s): single-family dwelling and shed

2. Description of all proposed improvements, additions and/or change of use. The application shall include a reasonably exact, dimensional sketch showing the placement and use of the proposed buildings and details of parking, loading, lighting, utility systems, and sidewalks, including those within 250 feet of adjoining properties or structures. For physical changes to the lot or structures, indicate the size of all proposed improvements, setbacks to property lines, materials to be used and general construction to be carried out.

3. For **VARIANCES**, provide a response to each of the following hardship standards:

- A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located.
- B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the area and bulk regulations or design standards of the Zoning Ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property, but shall not allow a change in use to one not permitted by right in that district.
- C. That such unnecessary hardship has not been created by the applicant.
- D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, not substantially or permanently impair the appropriate use or development of adjacent property, and not be detrimental to the public welfare.
- E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

4. For **SPECIAL EXCEPTIONS**, provide a response to how the proposed use impacts each of the following:

- A. Relationship to the Comprehensive Plan. Consideration that the size, scope, extent, and character of the proposed use will be consistent with the purposes and objectives of the Westtown Township Comprehensive Plan, including protection and promotion of the public health, safety, and welfare.
- B. Suitability of the tract. Consideration of the suitability of the proposed tract including, as applicable, environmental conditions, highway access, and availability of sewer and water service, and of the extent to which the proposed use is susceptible to regulatory restriction through the imposition of appropriate conditions.
- C. Impact on existing neighborhood character. Consideration of the extent to which the proposed special exception will alter unduly the character of the existing neighborhood and adjacent tracts, and the effectiveness of proposed or potential mitigation measures; consideration of the character and type of development in the area surrounding the location of the proposed special exception, and a determination that the proposal, if approved, will constitute an appropriate use in the area.
- D. Impact on circulation. Consideration of the effects the proposed special exception may have on traffic patterns and volumes, access, and parking.
- E. Economic impact. Consideration of the character and type of development proposed in terms of generating revenue for the Township and imposing demands on municipal services.

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.

FEE SCHEDULE

Variance, Special Exception — \$1,000

Appeal from the Zoning Officer, Challenge to the Flex Development Procedure — \$1,000

Challenge to the Zoning Ordinance/Map — \$2,500

CERTIFICATION

Please review and certify the following information.

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.

I agree to pay additional funds (if necessary) as requested by the Township.

The Zoning Officer and Zoning Hearing Board may request additional information and documentation to prepare for said hearing.

By checking this box, I certify that the information presented in this application and all attachments is true and correct.

Please ensure the following documents have been included in your application packet:

- Completed and signed application form
- Check in the amount of the applicable application fee
- Narrative responding to all applicable prompts
- Proof of property ownership (Copy of Deed or Agreement of Sale)
- Six (6) copies of plans or sketch of the proposed improvements

Plan drawings are preferred, but not required, to be prepared by a registered engineer, architect, or surveyor. Any measurements/setbacks should be accurate and clearly depicted on provided plot plans or elevations. If the applicant's plans are larger than 11" x 17", the applicant must submit one set of plans reduced to no larger than 11" x 17". Digital copies of plan sets shall be submitted if available.

Any additional photos or supporting documentation (optional)

Applications may be submitted in person, mailed, or electronically as a PDF. The application fee must be submitted before an application can be accepted for review.

Signature of APPLICANT 

Date 3-15-24

Print Name Jeffrey T. Seagraves

Signature of OWNER _____

Date _____

(If different from applicant)

DESCRIPTION OF REQUEST

Bournelyf Special Camp (BSC) is located at 1070 S. New Street and is the equitable owner of two tracts of land containing approximately 6.5 acres in total. 1070 S. New St (Parcel 67-4-3) is 5.5 acres and 1056 S. New St. (Parcel 67-4-3.6) is 1.0 acre. Both are in the R-1 zoning district.

The first is parcel 67-4-3, a 5.5-acre tract, which was purchased from the Church of The Loving Shepherd (CLS) in 2019. Upon purchase of this parcel, BSC applied for and was granted a Special Exception from Westtown Township to continue the operation of a day camp/swim club. This parcel hosts most of the camp activities which include a swimming pool, pool house, and outdoor exercise area.

BSC recently acquired the second parcel, 1056 S. New St. (parcel 67-4-3.6) from CLS. This parcel is approximately one acre and is directly adjacent to the parcel acquired in 2019. The newly acquired parcel contains a structure which formerly served as a tenant house to The Church of the Loving Shepherd. Bournelyf is seeking a special exception to allow that parcel and structure to become part of the operations of the day camp. Photos of the building and the existing floor plan are attached. (see Exhibit-4)

Bournelyf Special Camp and The Church of the Loving Shepherd have long enjoyed a symbiotic relationship. Since BSC's inception in 1980, all the camp's activities have occurred on what was the church's original 21-acre campus. As previously mentioned, most of the camp functions, the pool, pool house, and outdoor exercise area have been located on the 5.5 acre parcel. Other needs have been met by using other parcels owned by CLS. The Church has allowed BSC to utilize the barn/church for indoor gathering space and another building for office space. Each of those areas share an adequate parking area.

Bournelyf is seeking a special exception to allow the structure on parcel 67-4-3.6 to be used in conjunction with the day camp operations. There is no expansion of operations contemplated at this time. The camp intends to operate as a summer camp for individuals with disabilities during the summer months and will continue to host monthly events for those individuals.

This use is permitted by special exception according to the Westtown Township code of Ordinances Article VI Chapter 170 Zoning.

Specifically, Chapter 170-601 B. (2) states.

B.

Uses by special exception. The following uses shall be permitted when authorized by the Zoning Hearing Board as a special exception, in accordance with the terms of this article and the standards and criteria contained in § 170-2108 of this chapter. The design standards for uses permitted by special exception, as contained in § 170-603 of this article, shall apply to all uses permitted by special exception in the R-1 District.

[Amended 9-15-1997 by Ord. No. 97-3; 3-3-2003 by Ord. No. 2003-2]

(2)

Day camp, riding academy, swimming club, athletic field, golf course (excluding golf driving range and miniature golf course), provided the Board concludes that there is sufficient acreage available for such uses. Area and bulk regulations contained in § 170-702E(2) through E(10) shall apply.

Bournelyf Special Camp intends to address each of the following Code sections as required by Westtown Ordinance Chapter 170-601 B in order for the Westtown Zoning Hearing Board to consider this application: Specifically, § 170-2108, § 170-603, and § 170-702E(2) through E(10), below:

§ 170-2108

A.

Application shall be made in writing, indicating the section of this chapter under which an exception is sought. The application shall include a reasonably exact, dimensional sketch showing the placement and use of the proposed buildings and details of parking, loading, lighting, utility systems, sidewalks, and other pedestrian areas, including those within 250 feet of adjoining properties or structures.

RESPONSE: Application is in writing. As the above description indicates that there are to be no major changes to the operation of the camp's mission or function. Attached is a copy of the 5.5 acre parcel (Parcel 67-04-03) as well as drawings indicating the location of the existing pool and exercise area. This exhibit also shows the newly acquired 1-acre parcel (Parcel 67-4-3.6). (See Exhibit-1)

BSC may seek to add an additional building in the future for office and meeting space, but the exact location, size, lighting, and parking for that building have not been determined. Included is an easement plan that shows the areas intended to be eased by CLS in favor of BSC to allow for adequate parking as the camp currently operates. There are currently approximately 40 parking spots as well as two means of ingress and egress. (See Exhibit-3)

B.

Further, a description of the uses proposed shall be included in sufficient detail so that potentially detrimental impacts, if any, can be determined.

RESPONSE: BSC will continue to operate as a six (6) to eight (8) week summer camp for individuals with intellectual and developmental disabilities. The camp incorporates the use of the existing pool and exercise area to challenge campers physically and to teach aquatic skills. The flow of camp arrivals and departures will not be altered from existing practices since there is adequate existing driveway and parking space for both the camp and the church. Additional space for staff and camper use is the proposed use for the newly acquired parcel. All permits and approvals required by Westtown Township will be sought to comply with the proposed use of the existing building on parcel 67-4-3.6. Included are photos of the existing building on this parcel. (See Exhibit-4)

C.

The Board shall hear and decide all requests for special exceptions, as identified within this chapter, in accordance with the following standards and criteria:

(1)

Relationship to the Comprehensive Plan. Consideration of the size, scope, extent, and character of the proposed special exception and assurance that such proposal is consistent with the purposes and objectives of the Westtown Township Comprehensive Plan, including protection and promotion of the public health, safety, and welfare.

RESPONSE: The Westtown Township Comprehensive Plan, adopted March 18, 2019, promotes the conservation and enhancement of community character while embracing a diverse and livable community. BSC submits that while there are some structures on the 5.5 acre parcel it inhabits, most of the space is open. The 1 acre parcel has an existing building which if approved as a special exception will be used for staff and special camper needs. Some campers need occasional "Quiet time". The camp does not seek any additional external improvements on that parcel. With approval both will remain largely open and uninhabited for a major portion of each year. Additionally, BSC would encourage consideration of trails that would connect to or through both parcels for the use by our campers. While the comprehensive plan does not specifically address existing "day camps" it does promote supporting existing businesses and provide incentives for additional "Mixed Use". BSC and CLS both submit that approval of this Special Exception could be considered a mixed use with virtually no change realized by the residents of Westtown Township.

(2)

Suitability of the tract. Consideration of the suitability of the proposed tract including, as applicable, environmental conditions, highway access, and availability of sewer and water service, and of the extent to which the proposed use is susceptible to regulatory restriction through the imposition of appropriate conditions.

RESPONSE: The 5.5 acre parcel owned by BSC has operated successfully and without incident with respect to environment, highway access, and sewer and water service. There is a separate septic system that serves the pool house located on the 5.5 acre parcel. The system is fully operational and has met the requirements of the Westtown Township On-Lot Sewage Management Program. The 1-acre parcel has a functioning septic system which is adequate for the use proposed.

(3)

Impact on existing neighborhood character. Consideration of the extent to which the proposed special exception will alter unduly the character of the existing neighborhood and adjacent tracts, and the effectiveness of proposed or potential mitigation measures; consideration of the character and type of development in the area surrounding the location of the proposed special exception, and a determination that the proposal, if approved, will constitute an appropriate use in the area.

RESPONSE: As stated previously, there is no impact to be considered by the granting of this special exception. BSC intends to run as it has for the past 43 years. The camp has typically run three (3) two (2) week sessions each with a maximum of 32 campers in each session. There are typically 17 staff which includes counselors, counselors in training, lifeguards, and directors. The relatively large number of staff

is required to meet the needs of our campers. The ratio is between 2 to 3 staff for each camper, some campers require one to one staffing. The use of the 1-acre parcel will move a nurses station closer to the pool and recreation area. It will allow for the staff to be more accessible to activities at the pool. Some campers require "quiet" areas during camp and the use of the building would accommodate those needs.

(4)

Impact on circulation. Consideration of the effects the proposed special exception may have on traffic patterns and volumes, access, and parking.

RESPONSE: There will be no increased flow of traffic from existing conditions.

(5)

Economic impact. Consideration of the character and type of development proposed in terms of generating revenue for the Township and imposing demands on municipal services.

RESPONSE: BSC operates as a 501 c (3) so they are tax exempt.

§ 170-603

§ 170-603 Design standards.

[Amended 3-3-2003 by Ord. No. 2003-2]

A.

The following standards, as applicable, shall govern all uses permitted by right, special exception and conditional use in the R-1 District:

(1)

Screening: As required by § 170-1508.

RESPONSE: At this time, there are no proposed changes to the operation of the existing camp. There is an existing visual barrier that was placed between the existing pool and neighboring residents as a condition of the Special Exception approval of the pool in 2000. (See Exhibit-2)

(2)

Storage: As required by § 170-1509.

RESPONSE: There are no current storage issues, nor have there been any citations in the previous 43 years of operation.

(3)

Landscaping: As required by § 170-1507.

RESPONSE: There are no proposed additions to parking at this time. However, if building codes require additional parking closer to the existing structure on Parcel 67-4-3.6 then the camp agrees to comply.

(4)

Access and traffic control: As required by § 170-1510.

RESPONSE: Parking and Interior circulation have been adequate and given there are no changes at this time, no problems are anticipated.

(5)

Interior circulation: As required by § 170-1513.

RESPONSE: Parking and Interior circulation have been adequate and given there are no changes other than where the nurse will be stationed and a change in staff location, no problems are anticipated. (See Exhibit #3)

(6)

Parking: As required by Article XVII.

RESPONSE: Parking and Interior circulation have been adequate and given there are no changes at this time, no problems are anticipated. There are currently 40 spaces for parking which is shared by BSC and CLS. The church and camp work schedules so that events which require parking do not occur simultaneously. (See Exhibit #3)

(7)

Lighting: As required by § 170-1514.

RESPONSE: BSC is primarily a daytime operation, except for a "Camp Show" which is held once per year. During that event, which starts during daylight hours but ends after sunset, portable lights are rented to ensure safe dismissal of participants and guests. In the event there are changes to any structure in the future, BSC will comply with the necessary requirements of the township building codes.

(8)

Signs: As required by Article XVIII.

RESPONSE: No new signs are requested at this time. If future signs are proposed, they will meet all requirements of Article XVIII

§ 170-702E(2)-(10)

E.

Nonresidential uses permitted by special exception, specifically excluding major home occupations which are considered accessory to a residential use:

[Amended 12-5-1994 by Ord. No. 94-6; 5-1-1995 by Ord. No. 95-2; 3-3-2003 by Ord. No. 2003-2; 5-2-2005 by Ord. No. 2005-4]

(2)

Minimum lot width at building setback: 200 feet.

RESPONSE: The parcel is approximately 1 acre and while it is irregular in shape, measures 254 feet in width.

(3)

Side yard minimum width:

(a)

One: 50 feet.

RESPONSE: Current structures meet the minimum requirement of 50 feet from the property line. Any future structures would meet the minimum setbacks as well.

(b)

Both: 100 feet.

RESPONSE: The current setbacks are in excess of 100 feet aggregate.

(4)

Minimum rear yard: 50 feet.

RESPONSE: Current structure meets the minimum requirement of 50 feet from the property line.

(5)

Maximum building coverage (all uses): 20%.

RESPONSE: The parcel is approximately 1 acre, which calculates to 43,560. The current building coverage is less than 2000 square feet, which calculates to less than 5% building coverage.

(6)

Maximum total impervious coverage: 40%.

RESPONSE: see above. If additional parking is required by building codes, there is adequate space to allow the parcel to comply.

(7)

Minimum front yard: 50 feet, except that, for uses in the vicinity of major roads, as noted below:

RESPONSE: Current structures meet the minimum requirement of 50 feet from the property line. Any future structures would meet the minimum setbacks as well. The property does not border on the roads noted in 7 (a) and (b), below.

(a)

One hundred feet minimum from the future right-of-way line of Route 202 or Route 3.

(b)

Sixty feet minimum from the future right-of-way line of Route 926 or Route 352. **(8)**

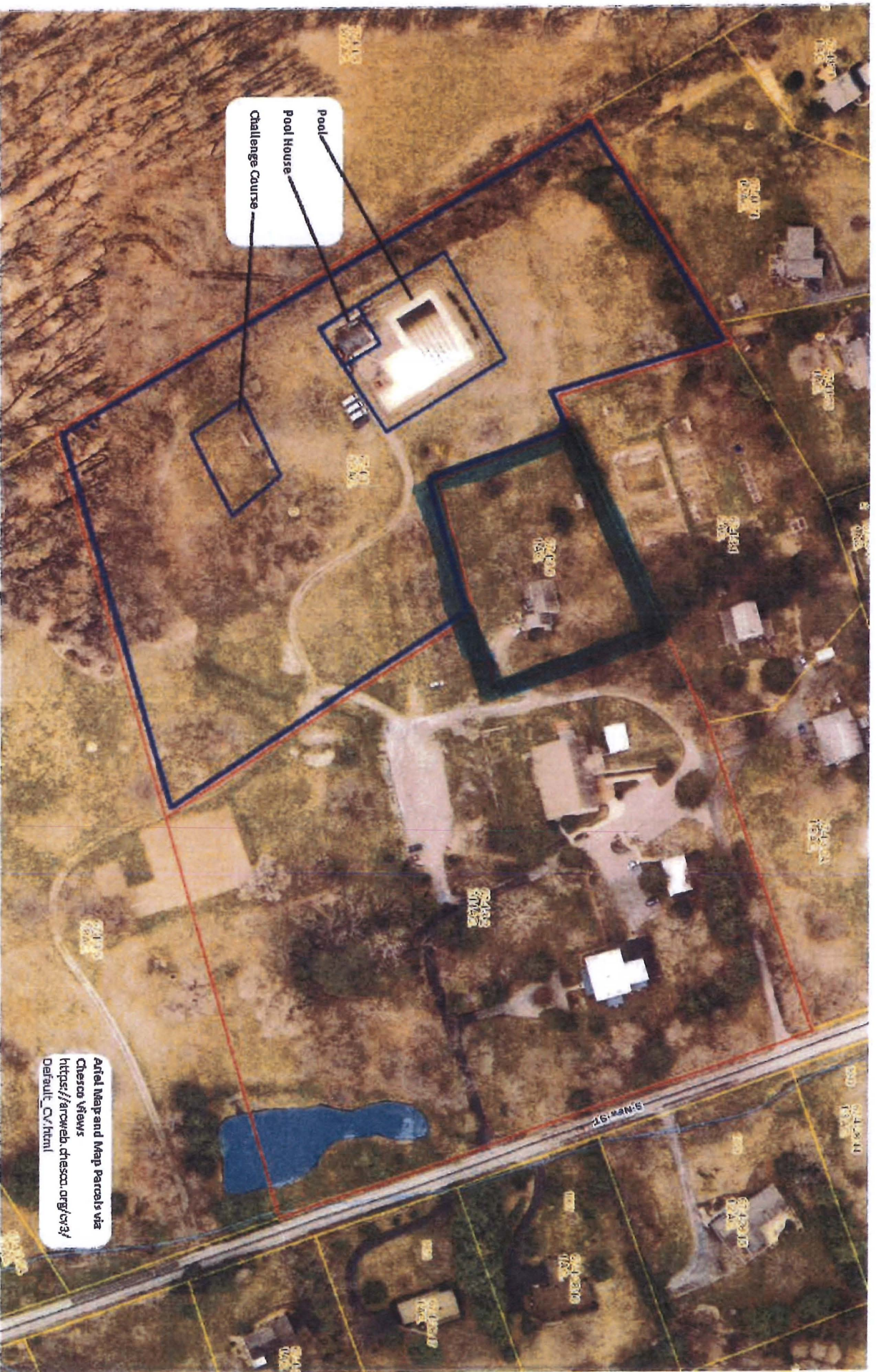
Minimum lot width at street line: 50 feet minimum, except 250 feet minimum at the future right-of-way line of Routes 202, 3, 352, or 926, if the use would have direct access onto any of these routes.

RESPONSE: BSC has an easement from CLS that allows for two (2) Twenty-five (25) foot easements that allow for ingress and egress to the property.

(9)

Maximum building height: three stories, not to exceed 38 feet.

RESPONSE: There are currently no structures on the parcel that exceed the height limit. Any future structures will comply with township requirements.



Pool
Pool House
Challenge Course

Aerial Map and Map Parcels via
Cesium Views
https://aroweb.diasca.org/v3/Default_CV.html

Exhibit 1



EXHIBIT # 2

EXHIBIT # 2



Subject Photo Page

Borrower	N/A				
Property Address	1056 S New St				
City	West Chester	County	Chester	State	PA
				Zip Code	19382
Lender/Client	Church of the Loving Shepherd				



Subject Front
1056 S New St
Sales Price
G.L.A. 1,414
Tot. Rooms 6
Tot. Bedrms. 3
Tot. Bathrms. 1.0
Location N;Res;
View N;Res;
Site 1 ac
Quality Q4
Age 72



Subject Rear



Subject Street