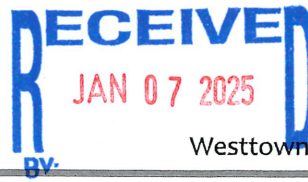


Westtown Township

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: <u>January 7, 2025</u>	Project No.: <u>2025-01</u>
Parcel ID: <u>67-4D-06</u>	Zoning Dist: <u>MU</u>
Date Paid: <u>January 7, 2025</u>	PC Date: <u>January 23, 2025</u>
Hearing Date: _____	Property Posted: _____
Dates Advertised: _____	
Reviewed by: <u>M. LaCarter</u>	

Applicant & Owner Information

Applicant <u>JOHN + SHERYL BREZNICKY</u>	Phone <u>[REDACTED]</u>
Property Address <u>623 PICKET WAY</u>	City <u>WEST CHESTER</u> Zip <u>19382</u>
E-mail <u>[REDACTED]</u>	
Property Owner _____ <small>(if different from Applicant)</small>	Phone _____
Mailing Address _____ <small>(if different from Property Address)</small>	City _____ Zip _____
E-mail _____	

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"/>	<u>Section 2104: Appeals from the Zoning Officer</u>	_____
<input type="checkbox"/>	<u>Section 2105: Challenge to the validity of the Zoning Ordinance or Map</u>	_____
<input type="checkbox"/>	<u>Section 2106: Challenge to the Flexible Development Procedure</u>	_____
<input checked="" type="checkbox"/>	<u>Section 2107: Variances</u>	<u>SWIMMING POOL SET BACK 170-1611.B</u>
<input checked="" type="checkbox"/>	<u>Section 2108: Special Exceptions</u>	<u>ADA (multiple sclerosis) 170-2108.D</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: 3694 SQ FT Front: _____ Side (R): _____ Side (L): _____ Rear: _____

Existing property use: RESIDENTIAL

Existing structure(s): HOUSE

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 John J. Breznicky
Sheryl Breznicky

Date 1/7/25

Print Name JOHN BREZNICKY SHERYL BREZNICKY

Signature of OWNER _____
(If different from applicant)

Date _____

Zoning Hearing Board Application

John & Sheryl Breznicky, 623 Picket Way, West Chester, PA 19382

VARIANCES RESPONSE:

A. There are unique physical circumstances that are peculiar to our property including narrowness, shallowness, and exceptional topography and the unnecessary hardship is due to such conditions. Specifically, the size of our lot for back yard use does not allow for 25 feet on both sides and rear of property.

B. Because of these physical circumstances (narrowness, shallowness, topography) there is no possibility the property can be developed in strict conformity within Zoning Ordinance and therefore, authorization of a variance is necessary to enable reasonable use of the back yard property. Specifically, there is no where to place pool to be complete.

C. The unnecessary hardship was not created by the applicant. We did not need pool when house was purchased in 1998 leaving us unable to comply with zoning rules.

D. The variance, if authorized, will not change the character of our neighborhood nor impair use or development of adjacent property, and not be detrimental to the public welfare.

E. The variance, if authorized, represents the minimum variance that will afford relief and least modification possible of the regulation in issue. In reviewing the entire property, the pool will be in the best position available.

SIDE BAR:

The pool is an accessory to the house.

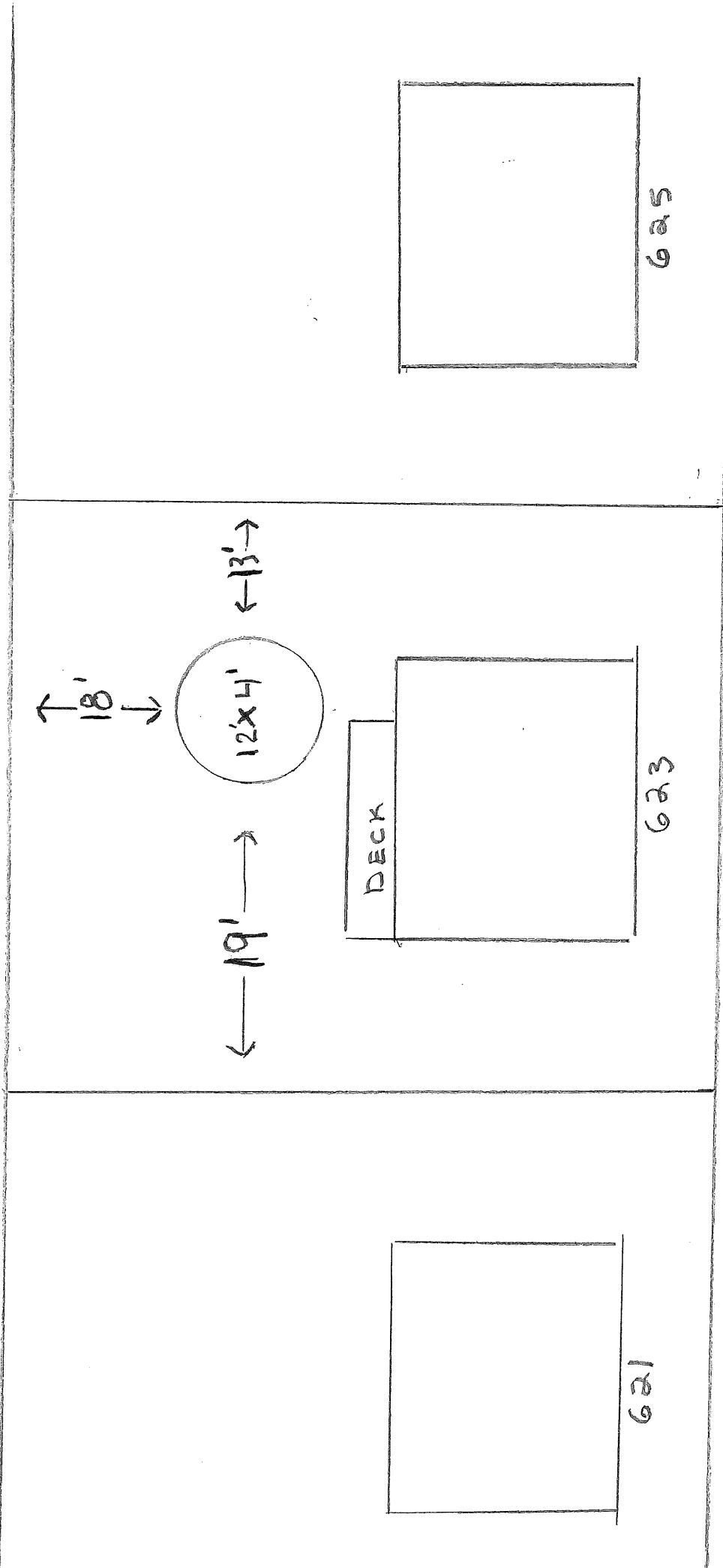
Installation will not be detrimental to the public.

Back yard completely fenced in since home purchase.

Pool ladder is retractable.

We have had pool for 18 years.

Entire side of street slopes downward with each lot.



JOHN + SHERYL BREZNICKY
 623 PICKET WAY
 WEST CHESTER, PA 19382