
Easttown Township

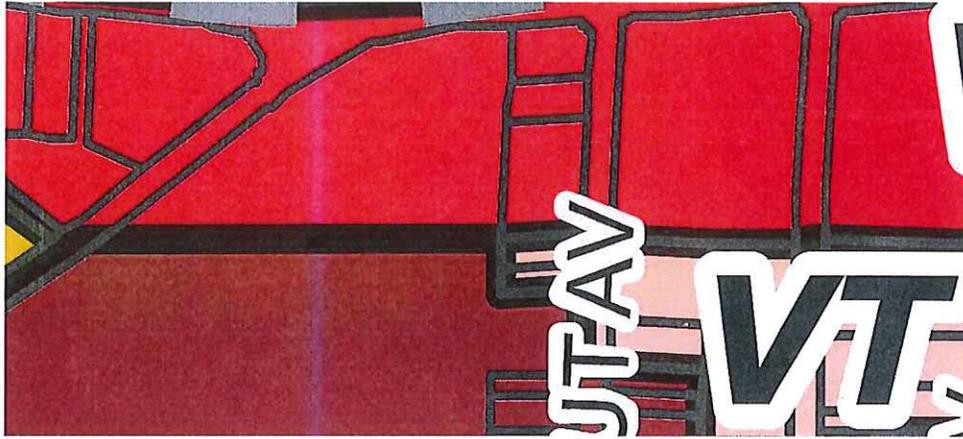


Interoffice Memorandum

TO: EASTTOWN TOWNSHIP PLANNING COMMISSION
FROM: EUGENE C. BRIGGS, JR, AICP, ZONING OFFICER 
SUBJECT: SD 510 – 15 LEOPARD ROAD ZONING REVIEW #2
DATE: JULY 26, 2016
CC: TRINTY ASSOCIATES, OWNER
JOHN W. BENSON, APPLICANT
TODD HAGERTY, APPLICANT DESIGNER
DANIEL C. FOX, TOWNSHIP MANAGER
ANDREW D. H. RAU, ESQUIRE, BOARD OF SUPERVISORS SOLICITOR
KRISTIN S. CAMP, ESQUIRE, PLANNING COMMISSION SOLICITOR
KEVIN MCAGHON, P.E., TOWNSHIP ENGINEER
LISA L. THOMAS, AICP, LEED, AP, TOWNSHIP LANDSCAPE ARCHITECT
CHRISTOPHER J. WILLIAMS, P.E., TWP. TRANSPORTATION ENGINEER

I have reviewed the preliminary Subdivision (SD) Plan for 15 Leopard Road consisting of two (2) sheets prepared by Inland Design dated May 31, 2016 last revised June 28, 2016 and May 13, 2016 and one (1) sheet prepared by Alon Engineering Associates dated July 20, 1979, last revised September 10, 1979. The following Zoning comments are offered for your consideration:

§455-10.C. – ***(Revised)*** States that, “Where a district boundary divides a lot or runs through undivided property, the location of such boundary, unless otherwise specified by dimensions on the Zoning Map, shall be determined by the use of the scale appearing on said map.” ***Upon further review of the Zoning Map against this revised SD Plan, it appears that the Village Business (VB) / Village Residential (VR) Zoning District Boundary shown on the Plan is incorrectly drawn. This District Boundary should be relocated approximately 32 feet to the north, in accordance with the map shown on the following page. The Village Transition Zoning District should also be delineated on the Plan. Finally, the Lot Area Calculations and Zoning Chart should be update, as required.***



§455-13.A. – States in part that, ... “no new lot shall be created unless in conformity with all of the appropriate regulations herein specified for the district in which it is located.” With Trinity House’s 133 existing Dwelling Units, Lot 2 does not conform to the VR Zoning District’s Minimum Lot Size (Net Lot Area) requirement of 5,000 square feet per Dwelling Unit. Consequently, the creation of Lot 2, a new nonconforming lot, is not permitted.

§455-14.C. – States in part that, ... “No... lot existing as of the effective date of this chapter shall be reduced in... area below the minimum requirement herein... lots created after the effective date of this chapter shall meet at least the minimum requirements herein.” Trinity House has 133 existing Dwelling Units that are situated on an existing Lot with a Net Lot Area of 250,429 square feet. This existing Lot is nonconforming as the minimum Net Lot Area required for 133 Dwelling Units is 665,000 square feet, based upon 5,000 square feet per Dwelling Unit. The Applicant proposes to create a new lot, Lot 2, with the 133 existing Dwelling Units on 204,028 square feet, which does not conform to the VR’s Minimum Lot Size (Net Lot Area) of 5,000 square feet per Dwelling Unit. Consequently, the creation of Lot 2, a new nonconforming lot, is not permitted.

§455-24.A. – Establishes Area and Bulk Regulations for the VB and VR Zoning Districts. The Lot Area Calculations table should be revised as follows:

1. Delete all references to Zoning Districts as Net Lot Area is based on Lot Area and not Zoning District Area.
2. The Net Lot Area for the Total Parcel, should be labeled “Existing Nonconformity,” as this existing Lot with a Net Lot Area of 250,429 square feet requires an additional 414,571 square feet to conform to the minimum Net Lot Area requirement of 5,000 square feet per Dwelling Unit.
3. For “***,” delete “THEREFORE THE EXISTING DENSITY NON-CONFORMITY OF THE VR ZONING DISTRICT WILL NOT BE INCREASED AS A RESULT OF THIS SUBDIVISION,” as density is based on Net Lot Area and Lot 2 is a new lot.

The Zoning Chart should be revised as follows:

1. Add a column for the existing Lot and populate the cells with accurate information.
2. Revise the Minimum Lot Sizes of Lot 1 and Lot 2 for consistency with the Net Lot Area totals shown in the Lot Area Calculations table.
3. Populate the Build-to Line cell with actual dimensions as "> REQUIRED" is not acceptable to document compliance.
4. For "**," delete "THEREFORE THE EXISTING DENSITY NON-CONFORMITY OF THE VR ZONING DISTRICT WILL NOT BE INCREASED AS A RESULT OF THIS SUBDIVISION," as the proposed subdivision of the existing Lot will create Lot 2, a new lot with a new Net Lot Area nonconformity.
5. For the VB Zoning District column, add note to both the Building Street Wall Height (MAX.) and Total Building Height (MAX.) cells that reads, "whichever is lower."

Additionally, the Build-to Line should be accurately delineated on the "TITLE PLAN." For the portion of the property within the VR Zoning District, it appears that the Build-to Line should be 20 feet from the curblines/cartway. For the portion of the property within the VB, it appears that the Build-to Line along Leopard Road should be 15 feet from the curblines/cartway and the Build-to Line along Lancaster Avenue should be 12 feet from the curblines/cartway.

§455-124.B. – States that..."No lot area shall be reduced so that the area...of the lot...shall be smaller than herein prescribed." The Applicant proposes to reduce Trinity House's existing Lot with a Net Lot Area of 250,429 square feet to 204,028 square feet by creating two (2) new lots. The minimum Net Lot Area needed for the 133 existing Dwelling Units is 665,000 square feet, based upon the required 5,000 square feet per Dwelling Unit. Consequently, a reduction in the Net Lot Area of Trinity House's existing Lot is not permitted.

If you have any questions, please feel free to contact me via email at ebriggs@easttown.org or by telephone at 610.687.3000 ext. 109.

Thank you.