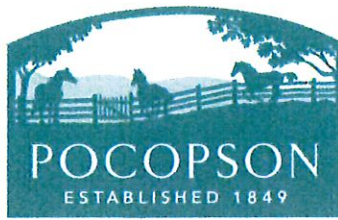


In Re: Application of Jared and Lara Dalmas seeking a use variance from the provisions of Zoning Ordinance Section 250-43 so as to permit the conversion of a pre-existing single-family dwelling into a two-family dwelling in the Limited Industrial zoning district. In addition, Applicants seek variances from Ordinance Sections 250-45.D to permit construction closer than 50 feet from the side lot line (5.87 feet); and Ordinance Section 250-85.H so as to permit the enlargement of a nonconforming building housing a nonconforming use on a nonconforming lot; and Ordinance Section 250-85.M so as to permit impervious cover in excess of 10 percent (14.4%) on a nonconforming residential lot having a lot area between one and two acres.

ZONING HEARING BOARD EXHIBITS

- B-1** Applicant's Application with all attachments.
- B-2** Chester County aerial photograph / tax parcel map of the subject property.
- B-3** Copy of official Notice of Hearing, as published, posted and mailed to all parties.
- B-4** Proof of Publication Showing newspaper publication on December 2 and December 9, 2020
- B-5** Verification of Posting of Notice.
- B-6** Verification of Mailing of Notice.
- B-7** Copy of Township Engineer's Review Letter of December 3, 2020.
- B-8** Copy of Fire Chief McCarthy's review email re: emergency access dated December 9, 2020.
- B-9** (In the event of any appeal) Copy of the Pocopson Township Zoning Ordinance in effect on the date of the Application.

POCOPSON TOWNSHIP
1937-1973



P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

Zoning Hearing Board Application

The Zoning Hearing Board (ZHB) is a 3-member quasi-judicial board that has exclusive jurisdiction to hear appeals and render final decisions, including but not limited to: challenges to the validity of any land use ordinance, procedural questions or defects, determinations of the zoning officer, appeals from determinations of a municipal engineer or zoning officer with regard to flood plain issues and requests for variances or special exceptions. The primary purpose of the ZHB is to help assure fair and equitable application and administration of the zoning ordinance by granting relief from the literal enforcement of the ordinance in certain hardship situations.

A ZHB must limit its scope of activities to those permitted by the Pennsylvania Municipalities Planning Code (MPC) and by the local zoning ordinance.

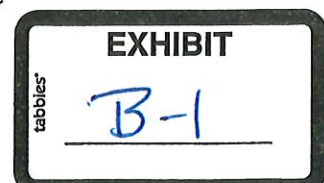
The Pocopson Township ZHB meets on an as-needed basis to fulfill its purpose. All hearings are public meetings subject to the open meetings provisions of the Sunshine Law. The ZHB has its own legal counsel who advises the board during a hearing. In accordance with the MPC, the ZHB legal counsel is an attorney other than the municipal solicitor.

Application - The form to apply for a ZHB hearing is attached herewith and is also available from the Township Office or online at www.pocopson.org. The application must be accompanied by the required fees. **PLEASE NOTE: If the applicant is not the legal owner, proof of equitable ownership must be provided with the application, i.e., agreement of sale, lease, etc. The property owner MUST sign the application.** The ZHB will schedule a public hearing on the request within 60 days of receiving the application at a date that best suits participants' schedules. Hearings are generally held at 7:30 p.m. at the Township Administrative Office.

Fees - The governing body may prescribe reasonable fees which may include notice and advertising costs and necessary administrative overhead connected with the hearing including one-half the cost for a court reporter. Fees may not include legal expenses of the ZHB, expenses for engineering, architectural, or other technical consultants or expert witness costs. The current fees for Pocopson Township are set forth on page 5 of the ZHB application.

Variances - Requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant are the most common reason for ZHB hearings. The ZHB may grant a variance, provided that all of the following findings are made where relevant in a given case:

- (1) 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





P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

- 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.
- (2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
 - (3) That such unnecessary hardship has not been created by the appellant.
 - (4) That 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.
 - (5) 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.

In granting any variance, the ZHB may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the zoning ordinance.

Findings - Following the hearing on a case, a written decision or findings must be rendered within 45 days. Where an application is contested or denied, it must be accompanied by a finding of fact, the conclusions based on these facts, and the reason that such conclusions were drawn to show it was reasoned and not arbitrary. A reference to the provision of any ordinance, rule or regulation relied on for any conclusion must be made along with the reason that the conclusion is appropriate for the particular case at hand.

**PLEASE COMPLETE THE PAGES THAT FOLLOW
FOR SUBMISSION TO THE TOWNSHIP.**



P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

Application No.: _____

Applicant (s): Jared & Lara Dalmas

Address of Record: 1348 Lenape Road
West Chester, Pa. 19382

Telephone: _____ Cell Phone: 484-886-6066

Email: Stangsterj@aol.com

Tax Parcel # 63 - 4 - 141.1 Lot # (if applicable): _____

Location of Property (physical address): 1348 Lenape Road
West Chester, Pa 19382

Contact for Applicant (if not Applicant, i.e., attorney, engineer, contractor): Applicant

Telephone for Contact: _____

Email for Contact: _____

Address for Contact: _____

Owner of Property (if different from Applicant): Applicant

Address of Owner: _____

Brief Description of current use and existing improvements: Currently a single family dwelling in a area zoned Limited Industrial (LI). Seeking variance's to add a 18'x25' addition (Living & Kitchen area) to an existing bedroom/bathroom, making an in-law suite with handicap ramp. Plus a new 18'x16' deck in the rear of the residence for my wife's aging parents. ~~Both, in-law suite and deck will be in the footprint of the existing deck.~~ Also a 24'x26', single story, 2 car garage (in the future) behind the parking area in the rear of the residence. Remaining area between deck and parking area will become additional parking area.



P.O. Box 1, Pocopson PA 19366
Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

Limited Industrial (LI) Zoning District

Present zoning classification and use:

Single Family Residential, Existing Land Use

Type of Appeal (please select from the following):

- Appeal from decision of the Zoning Officer dated: _____
- Application for a variance - please specify one of the following:
 - commercial
 - residential
- Application for a Special Exception as authorized by the following Section of the Pocopson Township Zoning Code: _____
- Challenge to Validity of the Pocopson Township Zoning Code or Zoning Map
- Appeal from grant/denial of a Subdivision or Land Development Application
- Other: _____

Indicate the Section of the Zoning Code you feel the exception or variance may be allowed and state your reasons why it should be granted (including hardship incurred):

See Attachment #2

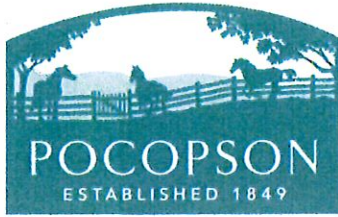
Description of proposed improvement or changes, referring to the plans submitted:

Build a 18'x25' in law suite and a 18'x16' deck with handicap ramp in the footprint of the existing deck. Consisting of a living area and a kitchen attached to a existing bedroom & bathroom as shown. Also construct a 24'x26' single story, 2 bay garage (in the future) behind the parking area in the rear of the residence. With addl. parking area between deck and current parking area. Name(s) and address(es) of all property owners on the same street within 1,000 feet (attach an additional sheet if necessary):

See Attachment #1

Name(s) and address(es) of all property owners NOT on the same street within 150 feet (attach an additional sheet if necessary):

N/A



P.O. Box 1, Pocopson PA 19366
 Office: 610.793.2151 Fax: 610.793.1944
www.pocopson.org

Zoning Hearing Board Fees: Applicant shall deposit with the Township appropriate fees for the purpose of conducting a hearing as set forth in the Township Code:

Appeal from Zoning Officer Determination		\$500.00
Variance fees for residential - Initial fee \$1,000.00 Fee per continuance \$500.00	Variance fees for commercial/industrial - Initial fee \$1,500.00 Fee per continuance \$500.00	
Special Exception fees for residential - Initial fee \$1,000.00 Fee per continuance \$500.00	Special Exception fees for commercial - Initial fee \$1,500.00 Fee per continuance \$500.00	

PLEASE NOTE: If the Type of Appeal is for a Variance or a Special Exception or if it is an Appeal from Zoning Officer Determination, please submit **15 copies** of this completed and signed Application along with **15 copies** of collateral material associated with the Appeal, by example, site plans, photographs, etc.

IMPORTANT NOTE REGARDING SUBMISSION OF SITE PLANS: plans must show property lines, front, rear, and side yard setback dimensions, location of all structures on the property and location of water well and on-lot sewage facilities. Please contact the Township Secretary regarding the electronic submission of any collateral material.

The Application is deemed incomplete until all requisite copies are submitted.

PLEASE NOTE: If the applicant is not the legal owner, proof of equitable ownership must be provided with the application, i.e., agreement of sale, lease, etc. In addition, the property owner must sign the application.

11/18/20
 Date

Jared M. Dalmas Lara Dalmas
 Signature of Applicant/Agent for Applicant

Jared M. Dalmas Lara Dalmas
 PRINT NAME

 Date

 Signature of Property Owner (if not the Applicant)

 PRINT NAME

Attachment #1

Nora L. Margetich
1380 Lenape Rd
West Chester, Pa 19382

Victor A Leonhard
700 Britons Bridge Rd
West Chester, PA 19382

Robert & Linda Mariano
1378 Lenape Rd
West Chester, Pa. 19382

James & Julia Smith
1366 Lenape Rd
West Chester, Pa 19382

James & Ellen Trotter
1371 Lenape Rd
West Chester, Pa. 19382

David & Kenneth Paulsell
P.O. Box 262
Pocopson, Pa 19366

James & Lisa Ann Schriver
675 Clarks Lane
West Chester, Pa 19382

Michael & Michelle Doyle
1342 Lenape Rd
West Chester, Pa 19382

Brandywine Commons Assoc.
100 Colonial Drive
West Chester, Pa. 19382

Frank & Marianne Wallitsch
301 Lenape Farms Lane
West Chester, Pa. 19382

Chris Gimbert & Jean Castellani
307 Lenape Farms Lane
West Chester, Pa 19382

Adam & Alana Gerstein
305 Lenape Farms Lane
West Chester, Pa 19382

David & Michelle De Augustine
303 Lenape Farms Lane
West Chester, Pa 19382

Attachment #2

Indicated below is the Section of the Zoning Code we feel the exception or variance may be allowed. Also stated are the reason/s why it should be granted (including hardship incurred):

We are seeking variance relief from the existing zoning conditions listed below.

Section 250-45: Area and Bulk Use Regulations.

As you can see, the lot is a non-conforming residential lot in an area zoned for Limited Industrial use, even though the residential unit was built prior to the area being zoned as Limited Industrial. Knowing this, any and all changes to the property are automatically non – conforming. This is due to the size of the lot being under the required acreage for a Limited Industrial lot and the increased setback encroachment distances of industrial zoning.

If not approved, the quality of life for my in-laws will greatly decrease. Lara's parents are in their 70's and have lived their life, but her father recently dealt with a bout of cancer. While dealing with the cancer they came to the realization that they are getting older and need to downsize to be able to have a future. Our in – law suite will give them the ability to continue to live the life they are accustomed to. While giving them peace of mind by knowing that they are able to live their life and have the safety of their family close by, as they age and their health eventually begins to decline. As you can see, not approving this project would be very detrimental to the health of my in laws.

Section 250-85.H : Regulating Non-Conforming Use of Land

As stated above this is a residential dwelling that sits on a non-conforming lot. No matter what is done on the lot it will not conform with the requirements for Limited Industrial zoning.

This will greatly affect my in laws quality of life. Not approving these variances would cause a great hardship. Because they have no where else to go and are unable to afford to live in modern retirement / assisted living facilities.

While the future construction of the proposed 24'x26' single story, 2 car garage will be non-conforming due to being within the Limited Industrial zoning setback of 50'. It is well outside the 25' setback required for single family residential zoning

Section 250-85.M: Maximum Impervious Coverage on Non-Conforming Lots

As stated in section 250-85.M, lots between one and two acres shall not exceed 10% impervious coverage. Currently as shown, the lot is 1.03 acres with impervious coverage of 13.03%. By adding the proposed in law suite, deck, handicap ramp, parking area and 2 car garage our impervious coverage increases to 14.04%. A minimal amount when taking in to consideration that the in law suite and deck will be built on the same footprint as the existing deck.

Section 250-93: Accessory Dwelling Units.

Section 250-93. B permits accessory dwelling units in the Residential and Agricultural (RA) Zoning Districts but is not allowed in the Limited Industrial (LA) district, nor is there any provision for this type of occupancy in the Limited Industrial (LA) Zoning District.

As stated in our application, we are seeking variance relief for the construction of an in-law suite and deck on the footprint of the existing deck. Plus, the addition of a handicap ramp, additional parking area and a 2-car garage at a residential location in a Limited Industrial Zoning District. The residence was built in the 1963 and while the current existing land use shows it as a single-family residential lot the zoning map shows it as a Limited Industrial (LI) lot.

With submission of this application packet, we are request variances to allow us to build the items purposed above. As you have read my father in law is recovering from recently being treated for cancer. During this treatment process my in laws recognized the need to downsize and move somewhere they will have assistance as needed as they age. Therefore, the need to diligently persue this project. A project we are more than happy to undertake at a time when societal norms have swayed away from placing family first, we place our family first above all.

Thank you for your consideration of our purposed variances.

Sincerely,

A handwritten signature in blue ink that reads "Jared M. Dalmas". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jared M. Dalmas

Closing Disclosure

This form is a statement of final loan terms and closing costs. Compare this document with your Loan Estimate.

Closing Information

Date Issued 11/3/2020
Closing Date 11/3/2020
Disbursement Date 11/9/2020
Settlement Agent Rosner Settlement Services
File # DALMAS
Property 1348 Lenape Road
 West Chester, PA 19382

Transaction Information

Borrower Jared M Dalmás and Lara M Dalmás
 1348 Lenape Road
 West Chester, PA 19382
Lender Prime Choice Funding, Inc.

Loan Information

Loan Term 30 years
Purpose Refinance
Product Fixed Rate
Loan Type Conventional FHA
 VA
Loan ID # 200960383
MIC #

Appraised Prop. Value \$395,000

Loan Terms	Can this amount increase after closing?	
Loan Amount	\$280,000	NO
Interest Rate	2.75 %	NO
Monthly Principal & Interest <i>See Projected Payments below for your Estimated Total Monthly Payment</i>	\$1,143.08	NO
Does the loan have these features?		
Prepayment Penalty		NO
Balloon Payment		NO

Projected Payments		
Payment Calculation	Years 1-30	
Principal & Interest		\$1,143.08
Mortgage Insurance	+	0
Estimated Escrow <i>Amount can increase over time</i>	+	570.32
Estimated Total Monthly Payment		\$1,713.40
Estimated Taxes, Insurance & Assessments <i>Amount can increase over time See page 4 for details</i>	\$570.32 Monthly	This estimate includes <input checked="" type="checkbox"/> Property Taxes <input checked="" type="checkbox"/> Homeowner's Insurance <input checked="" type="checkbox"/> Other: Other-Taxes <i>See Escrow Account on page 4 for details. You must pay for other property costs separately.</i>
		In escrow? YES YES YES

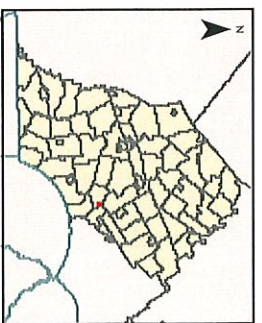
Costs at Closing		
Closing Costs	\$12,247.89	Includes \$7,925.85 in Loan Costs + \$4,322.04 in Other Costs - \$0 in Lender Credits. <i>See page 2 for details.</i>
Cash to Close	\$8,017.00	Includes Closing Costs. <i>See Calculating Cash to Close on page 3 for details.</i> <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower



Map



COUNTY OF CHESTER
PENNSYLVANIA



Find UPL Information

PARID: 6304 014 10100
 UPL: 63-4-141-1
 Owner1: KILGARRIE LARA
 Owner2: ARAGONA DOMENIC F ETAL
 Mail Address 1: 1348 LENA PE RD
 Mail Address 2: WEST CHESTER PA
 Mail Address 3:
 ZIP Code: 19382
 Deed Book: 9653
 Deed Page: 564
 Deed Recorded Date: 11/20/2017
 Legal Desc 1: SS OF RT 52
 Legal Desc 2: 1.2 A C DWG
 Acres: 1.2
 LUC: R-10
 Lot Assessment: \$ 57,500
 Property Assessment: \$ 91,170
 Total Assessment: \$ 148,670
 Assessment Date: 12/19/2019
 Property Address: 1348 LENA PE RD
 Municipality: POCONPON
 School District: Unionville-Chadds Ford

Map Created:
Monday, November 23, 2020

County of Chester



Limitations of Liability and Use:
 County of Chester, Pennsylvania makes no claims to the completeness, accuracy, or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor any such warranties, in connection with the information provided herein. For information on the Services page listed

tabbles®

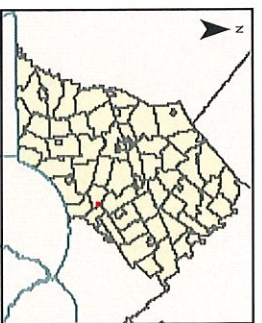
EXHIBIT

B-2

Map



COUNTY OF CHESTER
P E N N S Y L V A N I A



Find UPR Information

PAR ID: 6304 014 101 00
 UPR: 63-4-141.1
 Owner1: KILGARRIE LARA
 Owner2: ARAGONA DOMENIC F ETAL
 Mail Address 1: 1348 LENA PE RD
 Mail Address 2: WEST CHESTER PA
 Mail Address 3:
 ZIP Code: 19382
 Deed Book: 9653
 Deed Page: 564
 Deed Recorded Date: 11/20/2017
 Legal Desc 1: S8 OF RT 52
 Legal Desc 2: 1.2 A C DWG
 Acres: 1.2
 LUC: R-10
 Lot Assessment: \$ 57,500
 Property Assessment: \$ 91,170
 Total Assessment: \$ 148,670
 Assessment Date: 12/19/2019
 Property Address: 1348 LENA PE RD
 Municipality: POCOPOSON
 School District: Unionville-Chadds Ford

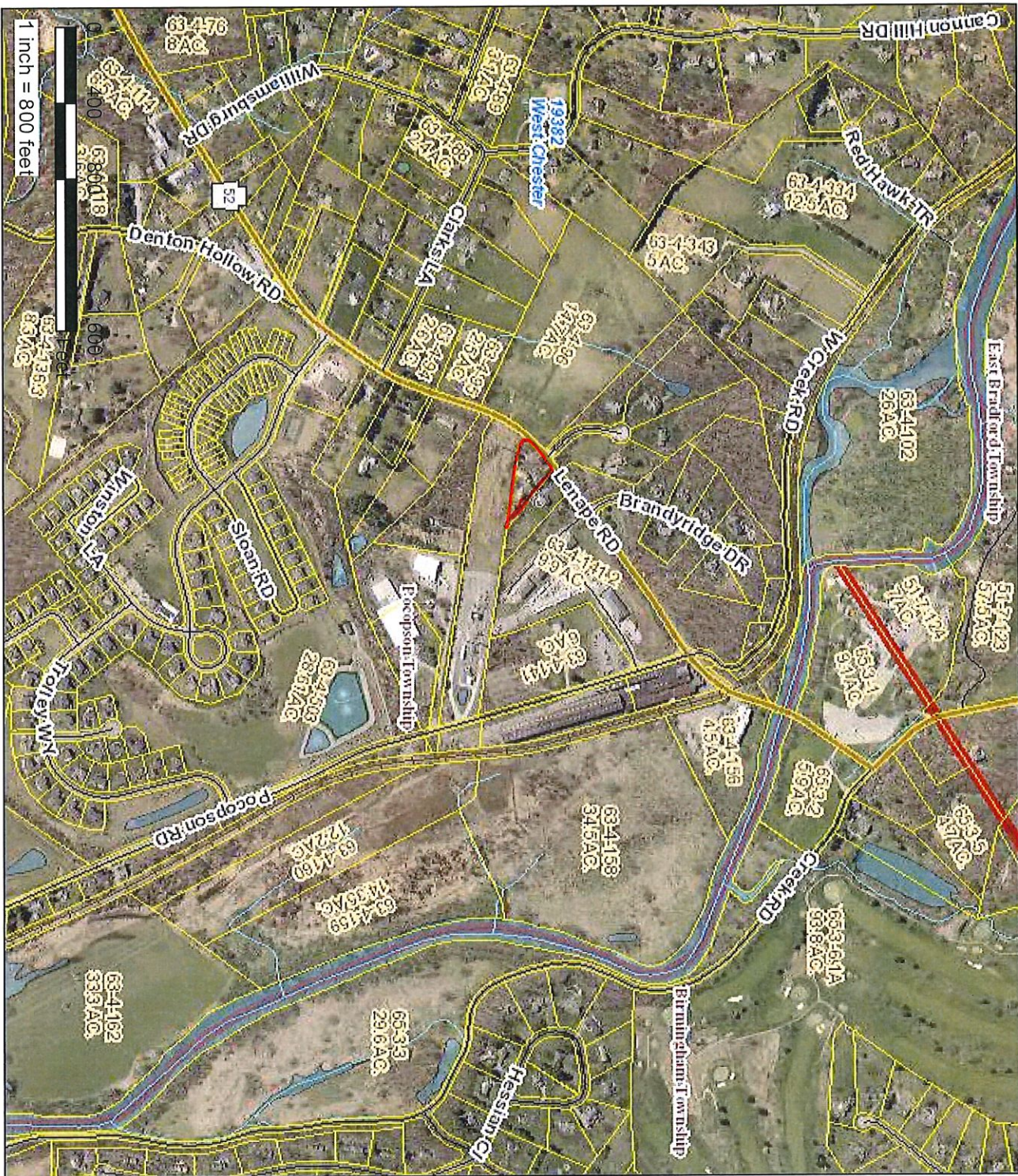
Map Created:
Monday, November 23, 2020

County of Chester

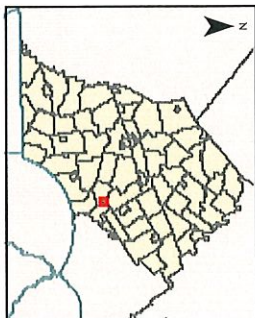


Limitations of Liability and Use:
 County of Chester, Pennsylvania makes no claims to the completeness, accuracy, or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor any such warranties to be implied or inferred with respect to the information or data furnished herein. For information on data sources, visit the OIS Services page listed at www.chestco.org/993.

Map



COUNTY OF CHESTER
P E N N S Y L V A N I A



Map Created:
Monday, November 23, 2020
County of Chester



Limitations of Liability and Use:
County of Chester, Pennsylvania makes no claims to the completeness, accuracy, or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor any such warranties to be implied or inferred with respect to the information or data furnished herein. For information on data sources, visit the OIS Services page listed at www.chesco.org/ois.

NOTICE – POCOPSON TOWNSHIP ZONING HEARING BOARD

NOTICE is hereby given that the Zoning Hearing Board of Pocopson Township will hold a Virtual Public Hearing, on Wednesday, December 16, 2020, at 7:00 p.m. at which time the Board will hear the following matter:

Application of Jared and Lara Dalmas seeking a use variance from the provisions of Zoning Ordinance Section 250-43 so as to permit the conversion of a pre-existing single-family dwelling into a two-family dwelling in the Limited Industrial zoning district. In addition, Applicants seek variances from Ordinance Sections 250-45.D to permit construction closer than 50 feet from the side lot line (5.87 feet); and Ordinance Section 250-85.H so as to permit the enlargement of a nonconforming building housing a nonconforming use on a nonconforming lot; and Ordinance Section 250-85.M so as to permit impervious cover in excess of 10 percent (14.4%) on a nonconforming residential lot having a lot area between one and two acres.

If you are a person with a disability and wish to attend the public meeting scheduled above and require an auxiliary aide, service or other accommodation to participate in the proceedings, please contact Susan Simone at 610-793-2151 to discuss how Pocopson Township may best accommodate your needs.

All other participants may appear and participate remotely from a computer, tablet or smartphone at: <https://global.gotomeeting.com/join/877513653>. You can also dial in using your phone at 1-866-899-4679; Access Code 877-513-653.

Edward M. Foley, Solicitor
Brutscher, Foley, Milliner, Land & Kelly, LLP
213 East State Street
Kennett Square, PA 19348



PHILADELPHIA GROUP

AFFIDAVIT OF PUBLICATION
307 Derstine Avenue • Lansdale, PA 19446

BRUTSCHER FOLEY MILLINER & LAN
213 E. STATE STREET
KENNETT SQUARE, PA 19348
Attention:

STATE OF PENNSYLVANIA,
COUNTY OF MONTGOMERY

The undersigned Sharon Dietz, being duly sworn he/she is the principal clerk of Daily Local News, Daily Local News Digital, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

BRUTSCHER FOLEY MILLINER & LAN

Published in the following edition(s):

Daily Local News	12/02/20
Daily Local News	12/09/20
Daily Local News Digital	12/02/20
Daily Local News Digital	12/09/20

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
MAUREEN SCHMID, Notary Public
Lansdale Boro., Montgomery County
My Commission Expires March 31, 2021

Sworn to the subscribed before me this 12/10/2020.

Maureen Schmid
Notary Public, State of Pennsylvania
Acting in County of Montgomery

NOTICE - POCOPSON TOWNSHIP ZONING HEARING BOARD

NOTICE is hereby given that the Zoning Hearing Board of Pocopson Township will hold a Virtual Public Hearing, on Wednesday, December 16, 2020, at 7:00 p.m. at which time the Board will hear the following matter:

Application of Jared and Lara Dalmas seeking a use variance from the provisions of Zoning Ordinance Section 250-43 so as to permit the conversion of a pre-existing single-family dwelling into a two-family dwelling in the Limited Industrial zoning district. In addition, Applicants seek variances from Ordinance Sections 250-45.D to permit construction closer than 50 feet from the side lot line (5.87 feet); and Ordinance Section 250-85.H so as to permit the enlargement of a non-conforming building housing a nonconforming use on a nonconforming lot; and Ordinance Section 250-85.M so as to permit impervious cover in excess of 10 percent (14.4%) on a nonconforming residential lot having a lot area between one and two acres.

If you are a person with a disability and wish to attend the public meeting scheduled above and require an auxiliary aide, service or other accommodation to participate in the proceedings, please contact Susan Simone at 610-793-2151 to discuss how Pocopson Township may best accommodate your needs.

All other participants may appear and participate remotely from a computer, tablet or smartphone at: <https://global.gotomeeting.com/join/877513653>. You can also dial in using your phone at 1-866-899-4679; Access Code 877-513-653.

Edward M. Foley, Solicitor
Brutscher, Foley, Milliner,
Land & Kelly, LLP
213 East State Street
Kennett Square, PA 19348
DLN 12/2, 12/9; 1a

Advertisement Information

Client Id: 885098 Ad Id: 2098076 PO: Sales Person: 018303

EXHIBIT
B-4

BRUTSCHER FOLEY MILLINER LAND & KELLY LLP

ATTORNEYS AT LAW

213 EAST STATE STREET

KENNETT SQUARE, PA 19348

TEL: (610) 444-4848

FAX: (610) 444-3730

BFMLK.COM

Writer's Email: emf@bfmlk.com

GEORGE J. BRUTSCHER
(1950-1985)

GEORGE A. BRUTSCHER
(1970-2008)

EDWARD M. FOLEY
CLARE L. MILLINER
NEIL E. LAND
STEPHEN J. KELLY
JEFFREY P. BRYMAN

December 8, 2020

Email only: craig@casval.com

Mr. Craig Kologie
Code Enforcement Officer
Castle Valley Consultants
1011 Daisy Point Road
Pottstown, PA 19465

In Re: Application of Jared and Lara Dalmas seeking a use variance from the provisions of Zoning Ordinance Section 250-43 so as to permit the conversion of a pre-existing single-family dwelling into a two-family dwelling in the Limited Industrial zoning district. In addition, Applicants seek variances from Ordinance Sections 250-45.D to permit construction closer than 50 feet from the side lot line (5.87 feet); and Ordinance Section 250-85.H so as to permit the enlargement of a nonconforming building housing a nonconforming use on a nonconforming lot; and Ordinance Section 250-85.M so as to permit impervious cover in excess of 10 percent (14.4%) on a nonconforming residential lot having a lot area between one and two acres.

Dear Mr. Kologie:

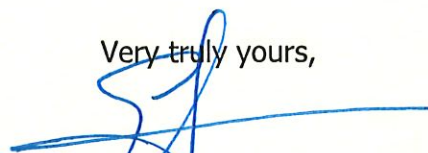
With respect to the above Zoning Hearing matter, this will confirm that we have scheduled a Virtual Public Hearing for **Wednesday, December 16, 2020 at 7:00 p.m.** I have enclosed a copy of the Notice that should be used to post the above property. Please post this property in accordance with the rules of the Sunshine Law. This Notice will also be advertised in the Daily Local News on Wednesday December 2 and Wednesday December 9, 2020. This office will be sending out the Notice to the adjoining property owners.

Also enclosed is Verification for posting the above property. Please fill in the date and sign verifying that you posted the above property.

Please acknowledge your receipt of this letter by email. Please call me if you have any questions or concerns with the enclosed.

Thank you for your attention to this matter.

Very truly yours,



Edward M. Foley

EMF/ss
Enclosures
cc: Ms. Susan Simone – Pocopson Township (w/enc.)



VERIFICATION

In Re: Application of Jared and Lara Dalmas seeking a use variance from the provisions of Zoning Ordinance Section 250-43 so as to permit the conversion of a pre-existing single-family dwelling into a two-family dwelling in the Limited Industrial zoning district. In addition, Applicants seek variances from Ordinance Sections 250-45.D to permit construction closer than 50 feet from the side lot line (5.87 feet); and Ordinance Section 250-85.H so as to permit the enlargement of a nonconforming building housing a nonconforming use on a nonconforming lot; and Ordinance Section 250-85.M so as to permit impervious cover in excess of 10 percent (14.4%) on a nonconforming residential lot having a lot area between one and two acres.

I, _____, _____ of
Pocopson Township, do hereby verify that with respect to the above referenced matter
I posted a copy of the attached Notice upon property of Jared and Lara Dalmas in
Pocopson Township on the _____ day of _____, 2020.

Name: _____
Title: _____

VERIFICATION

In Re: Application of Jared and Lara Dalmas seeking a use variance from the provisions of Zoning Ordinance Section 250-43 so as to permit the conversion of a pre-existing single-family dwelling into a two-family dwelling in the Limited Industrial zoning district. In addition, Applicants seek variances from Ordinance Sections 250-45.D to permit construction closer than 50 feet from the side lot line (5.87 feet); and Ordinance Section 250-85.H so as to permit the enlargement of a nonconforming building housing a nonconforming use on a nonconforming lot; and Ordinance Section 250-85.M so as to permit impervious cover in excess of 10 percent (14.4%) on a nonconforming residential lot having a lot area between one and two acres..

I, Samantha Stapley, of Brutscher, Foley, Milliner, Land & Kelly, LLP, do hereby verify that on December 8, 2020, I mailed to the neighboring property owners pursuant to the Zoning Ordinance requirements, a copy of the Notice of the hearing in the above matter.

A true and correct copy of the Notice as delivered and a list of the property owners are attached hereto.



Samantha Stapley



William T. Donohue
Heidi A. Hiltl
700 Clarks Lane
West Chester, Pa 19382

Craig G. Kriza, Jr.
1343 Fieldpoint Dr.
West Chester, PA 19382

James Schriver
Lisa Ann Schriver
675 Clarks Lane
West Chester, Pa 19382

Chris Gimbernat
Jean Castellani
307 Lenape Farm Lane
West Chester, Pa 19382

Adam Gerstein
Alana Gerstein
305 Lenape Farm Lane
West Chester, Pa 19382

William R. Reichle
Denise Leelani Reichle
5 Brandybridge Dr.
West Chester, PA 19382

Matthew R. Evans
Christa B. Evans
2 Brandybridge Dr.
West Chester, Pa 19382

Victor A. Leonhard, III
700 Brintons Bridge Rd.
West Chester, Pa 19382

Lenape Forged Products Corp.
1334 Lenape Rd
West Chester, Pa 19382

Phila Electric Co.
C/O Real Estate & Facilities N3-3
2301 Market Street
Philadelphia, PA 19103

William T. Moore, Jr.
Diane H. Moore
690 Clarks Lane
West Chester, PA 19382

Daniel C. Kaczka
Tamra A. Kaczka
605 Clark Lane
West Chester, Pa 19382

Eileen M. Trotter
James C. Trotter
1371 Lenape Rd.
West Chester, Pa 19382

Frank Wallitsch, Jr.
Marianne R. Wallitsch
301 Lenape Farm Lane
West Chester, Pa 19382

Kristen Maria Giacchino
Dennis Warren Dougherty
1 Brandybridge Drive
West Chester, Pa 19382

Daniel Cellucci
Lauren C. Cellucci
4 Brandybridge Dr.
West Chester, Pa 19382

John W. Delaney
Karen B. Delaney
7 Brandybridge Dr.
West Chester, Pa 19382

Robert O. Marino
Linda B. Marino
1376 Lenape Rd.
West Chester, Pa 19382

Michael J. Doyle, III
Michele M. Doyle
Joint Revocable Trust
1342 Lenape Rd
West Chester, Pa 19382

Robson Building, LLC
914 Pocopson R.
West Chester, Pa 19382

Steven M. Zebley
Amy S. Hughes
680 Clarks Lane
West Chester, Pa 19382

Maryann Manerchia
669 Clarks Lane
West Chester, Pa 19382

David G. Paulsell
Kenneth G. Paulsell, et al.
P. O. Box 262
Pocopson, PA 19366

David A. DeAugustine
Michele M. DeAugustine
303 Lenape Farm Lane
West Chester, Pa 19382

Richard J. Hart, Jr.
Dorothy T. Hart
6 Brandybridge Drive
West Chester, Pa 19382

John A. Mitas, II
Rosalind T. Mitas
3 Brandybridge Dr.
West Chester, Pa 19382

Nora L. Margetich
1380 Lenape Rd.
West Chester, Pa 19382

James J. Smith
Julia S. Smith
1366 Lenape Rd.
West Chester, Pa 19382

Brandywine Commons Association,
LLC
100 Colonial Way
West Chester, Pa 19382

Brandywine Commons
32 S. Church St,
West Chester, Pa 19382

Riverside Development Venturs,
LLC
114 E. Lancaster A.
2nd Floor
Downingtown, PA 19335

Riverside at Chadds Ford
Community Association, Inc.
C/O Penco Mngmnt
P.O. Box 1119
Chadds Ford, PA 19317



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

December 03, 2020

Ms. Susan Simone
Pocopson Township
P.O. Box 1
Pocopson, PA 19366

**RE: 1348 Lenape Road -- Dalmas Property
Parcel 63-4-141.1 -- Variance Application
Gilmore Project No. 19-03075K-13**

Dear Ms. Simone:

Gilmore & Associates received the following items for review from Pocopson Township on November 30, 2020:

- One (1) copy of "Existing Conditions Plan – Plan Prepared for Jared Dalmas", prepared by Register Associates, Inc., Sheet 1 of 1, dated 03/27/2020.
- One (1) copy of "Proposed Addition for the Dalmas Residence – 1348 Lenape Road", prepared by RHC Design, LLC, Sheets A-1 & A-2, dated 10/26/2020.
- A letter from Susan Simone to the Zoning Hearing Board Solicitor, Ed Foley, Esquire, regarding the Dalmas Property Variance application package, dated 11/20/2020, 1 pg.
- One (1) copy of the Dalmas Property Variance application package, 25 pages including the Zoning Opinion Letter prepared by Craig A. Kologie, Pocopson Township Zoning Officer/Code Enforcement Officer dated 02/21/20.

It is understood that the Applicant is seeking relief to construct an 18'x25' building addition to the existing residence and a 24'x26' two-car garage. The building addition will function as an in-law suite that will provide additional living space and a kitchen. Gilmore & Associates offers the following comments:

1. As outlined in the letter prepared by Craig A. Kologie, the lot is a nonconforming lot in the LI Zoning District and we differ to the Zoning Opinion letter for the list of nonconforming issues with this application. It should be noted at the time of issue of the Zoning Opinion letter it was unclear if the in-law suite would have a kitchen which per the architectural plans provided, a kitchen will be constructed thus will require variance relief.
2. Per the "Existing Features Plan" provided, the proposed site improvements will increase the impervious coverage on the site 1,113 sf and does not account for the additional earth disturbance for these improvements but will require the applicant to submit plans and reports in compliance with Chapter 85 of the Township Code if a variance is granted by the Zoning Hearing Board.

Please let me know if you have any questions or need additional information.

Sincerely,

Robert L. Johnston, P.E.
Municipal Services Manager

RLJ/KH/afj



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

December 03, 2020

Ms. Susan Simone
Pocopson Township
P.O. Box 1
Pocopson, PA 19366

**RE: 1348 Lenape Road -- Dalmas Property
Parcel 63-4-141.1 -- Variance Application
Gilmore Project No. 19-03075K-13**

Dear Ms. Simone:

Gilmore & Associates received the following items for review from Pocopson Township on November 30, 2020:

- One (1) copy of "Existing Conditions Plan – Plan Prepared for Jared Dalmas", prepared by Register Associates, Inc., Sheet 1 of 1, dated 03/27/2020.
- One (1) copy of "Proposed Addition for the Dalmas Residence – 1348 Lenape Road", prepared by RHC Design, LLC, Sheets A-1 & A-2, dated 10/26/2020.
- A letter from Susan Simone to the Zoning Hearing Board Solicitor, Ed Foley, Esquire, regarding the Dalmas Property Variance application package, dated 11/20/2020, 1 pg.
- One (1) copy of the Dalmas Property Variance application package, 25 pages including the Zoning Opinion Letter prepared by Craig A. Kologie, Pocopson Township Zoning Officer/Code Enforcement Officer dated 02/21/20.

It is understood that the Applicant is seeking relief to construct an 18'x25' building addition to the existing residence and a 24'x26' two-car garage. The building addition will function as an in-law suite that will provide additional living space and a kitchen. Gilmore & Associates offers the following comments:

1. As outlined in the letter prepared by Craig A. Kologie, the lot is a nonconforming lot in the LI Zoning District and we differ to the Zoning Opinion letter for the list of nonconforming issues with this application. It should be noted at the time of issue of the Zoning Opinion letter it was unclear if the in-law suite would have a kitchen which per the architectural plans provided, a kitchen will be constructed thus will require variance relief.
2. Per the "Existing Features Plan" provided, the proposed site improvements will increase the impervious coverage on the site 1,113 sf and does not account for the additional earth disturbance for these improvements but will require the applicant to submit plans and reports in compliance with Chapter 85 of the Township Code if a variance is granted by the Zoning Hearing Board.

Please let me know if you have any questions or need additional information.

Sincerely,

Robert L. Johnston, P.E.
Municipal Services Manager

RLJ/KH/afj

119 East Linden Street | Kennett Square, PA 19348 | Phone: 610-444-9006 | Fax: 610-444-7292

Subject: Pocopson Township ZHB Application Dalmas

From: A.J. McCarthy <amccarthy@longwoodfireco.com>
Sent: Wednesday, December 9, 2020 11:16 AM
To: Susan Simone <secretary@pocopson.org>
Subject: Re: Pocopson Township ZHB Application

Good Morning,

I have no objections to the application. I would just ask they ensure access for fire apparatus in the driveway during construction.

Thanks,

A.J. McCarthy

Fire Chief
Longwood Fire Co.
1001 E. Baltimore Pike
Kennett Square, Pa 19348

Office: 610.388.6880

From: Susan Simone <secretary@pocopson.org>
Sent: Wednesday, December 9, 2020 10:17:48 AM
To: A.J. McCarthy <amccarthy@longwoodfireco.com>
Subject: Pocopson Township ZHB Application

Hello Chief McCarthy,

I am so sorry to trouble you, but looks like I'm not able to find an email with your comment/review of a ZHB application for Jared and Lara Dalmas (attached). I have emails for the 1560 Brandywine Drive and for the Deblyn V property heard in November. I have a paper copy of a letter so it looks like a plan sheet was mailed to you the Wednesday before Thanksgiving.

The matter is on the Board Agenda for Monday's meeting 12/14. Please let me know if you are not able to access the attachment and I'll make arrangements to get it to you in an alternate format.

Thank you.

Susan

Susan Simone, Administrative Secretary
Open Records Officer
Pocopson Township
secretary@pocopson.org
Phone: 610-793-2151



This message and the attachment(s), if any are confidential and intended only for the person to whom this is addressed. If you are not the intended recipient or have received this message in error, please delete and destroy this message and any attachments immediately and notify me at the above address or phone number. Thank you.

[Select Another Search Criteria](#)

[Search Another Parcel](#)



ID # 63-04-0141.010 UPI # 63-4-141.1

11/23/2020 3:37 PM Tax Year 2021

Owner Information

Name:	KILGARIFF LARA ARAGONA DOMENIC F ETAL	Address:	1348 LENAPE RD WEST CHESTER PA 19382
-------	--	----------	--

Parcel Details

Lot Location:	SS OF RT 52	District:	63
Property Descr:	1.2 AC DWG	Plan #:	
Land Use Code:	R-10	Acres:	1.2000
Deed Reference:	9653 0564	Sq. Feet:	52,272
Recorded Deed Date:	11/20/2017	Sale Price:	\$349,500
Location Address:	1348 LENAPE RD, WEST CHESTER, PA 19382		

[Deed Description](#)

Assessments

Lot:	57,500	Act 319:	
Property:	91,170	Act 515:	
Total:	148,670		
Assessment Date:	12/19/2019		

[< Previous Parcel](#) [Next Parcel >](#)