



RECEIVED

AUG 28 2015

WILLISTOWN TOWNSHIP

Application # Z-6-15
Date Received 8/28/15
Fee \$ \$1,000

ZONING HEARING BOARD APPLICATION

Willistown Township
40 Lloyd Avenue, Suite 204/206
Malvern, PA 19355

Phone 610.647.5300 Fax 610.647.8156

Property Address/Site Location:

Property Owner Rebecca M. & Robert D. Patterson Telephone Number 610-296-4807
Address 760 Hillview Road City Malvern State PA Zip 19355
E-Mail rdp@ahthomas.com
Zoning District RU Tax Parcel(s) # 54-6-18

Applicant (if different) _____ Telephone Number _____
E-Mail _____
Address _____ City _____ State _____ Zip _____

Attorney Information:

Attorney for Applicant Timothy B. Barnard, Esq. Telephone Number 610-565-4055
Address 218 W. Front St. City Media State PA Zip 19063
E-Mail tbarnard@bmplaw.net

Relief Requested:

Variance Special Exception _____ Appeal Decision of the Zoning Officer
Validity Challenge of Ordinance or Map _____

Articles and Sections of the Zoning Ordinance pertaining to the relief requested:

Article IV Section 139-13
Article XVII Section 139-90
Section 911 of Chapter 14A of the "Agricultural Area Security Law"

Required Submittal Items

1. Attach narrative explaining your request in detail.
2. Submit six (6) sets of plans, one (1) electronic (PDF).
3. Check made out to "Willistown Township": \$1,000 (Residential) / \$1,500 (Non-Residential).

Property Owner's Signature  Date 8-28-15
Print Property Owner's Name Rebecca M. & Robert D. Patterson

PLANNING COMMISSION REVIEW IS REQUIRED – YOUR ATTENDANCE IS NECESSARY

Contact the Planning Director at 610.647.5300x243 to schedule your appearance.

No application will be considered or referred to the Zoning Hearing Board until the application fee has been paid and reviewed for completeness by the Zoning Officer.

WILLISTOWN TOWNSHIP ZONING HEARING BOARD
APPLICATION FOR RELIEF

Applicant: Rebecca M. Patterson and Robert D. Patterson
UPI No. 54-6-18
760 Hillview Road
Malvern, PA 19355

Date of Submission: August 28, 2015

NARRATIVE

The Pattersons are owners of a property that has been continuously used as a farm for years with varying degrees of activity. That farm includes a barn and an adjacent courtyard which is enclosed by a stone wall of a height in excess of four feet. This stone wall is a pre-existing non-conforming structure within the front and side yard setbacks. The Pattersons obtained Township permits and constructed one farm shed on the interior west side of the barn courtyard and propose to construct a similar open farm shed within a portion of the barn courtyard running perpendicular to Hillview Road. This structure is in keeping with the original agricultural use of the courtyard and consistent with the historic design of a farm complex, but would infringe upon the road frontage and side yard setbacks. Since the property is part of the Agricultural Security Area, such proposed use would appear to be appropriate and within the protection of the Commonwealth's statutory provision protecting agricultural uses. For this reason, Applicants appeal the Decision of the Zoning Officer that the setbacks must be observed without zoning relief and zoning relief is requested from the Zoning Hearing Board either on the basis of the appeal, otherwise as an expansion of an existing nonconforming structure or alternatively through a variance to the Township setback limitations.

Should it be necessary, the variance requested would include an allowance to build this open shed within the front and side yard setbacks, waiving strict enforcement of the setback requirements of Section 139-13.C. The proposed structure would be otherwise compliant with Township zoning.

The unusual location and historic significance and grouping of the existing and proposed buildings give good reason for the requested relief.

August 28, 2015



New Bldg * 2
2005489

Tax Parcel # 54-6-18
Date 11-6-13

Zoning Permit Review Application

Fee \$75.00

RECEIVED
NOV 14 2013
WILLISTOWN TOWNSHIP

WILLISTOWN TOWNSHIP
GREETREE OFFICE PLAZA
40 LLOYD AVENUE SUITE 204/206
MALVERN, PA 19355
Ph# 610-647-5300 Fax# 610-647-8156

Owner: Rebecca M Patterson Phone: 610-296-4807
Address: 760 H. H. LLOYD RD City: Malvern Zip: 19355

Applicant: Robert D Patterson Phone: 609-970-5244
Address: 760 H. H. LLOYD RD City: Malvern Zip: 19355

Property Address: 760 H. H. LLOYD RD Malvern Pa 19355 Lot# _____
Zoning District: RU

Proposed Use: FARM TRACTOR SHED Building Area: 1,518 Sq. Ft.

Setback: Front: WITHIN STONE COURTYARD OF EXISTING BARN Ft. Rear: _____ Ft. Side: _____ Ft. Side: _____ Ft.
Structure Height: 15' Ft. Acres: 34.285 Lot Area: 1,493,454.6 Sq. Ft.

Percentage of lot to be covered by Structure: 0.1 %
Percentage of lot to be covered by Impervious Materials: 0 % NO NEW IMPERVIOUS

- Request is for the following:
- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Addition | <input type="checkbox"/> Single Family Dwelling | <input type="checkbox"/> Alteration |
| <input type="checkbox"/> Commercial Building | <input type="checkbox"/> Storage Shed | <input type="checkbox"/> Garage |
| <input type="checkbox"/> Change in use (Commercial use only) | <input type="checkbox"/> Swimming Pool | <input type="checkbox"/> Tent |
| <input type="checkbox"/> Sign | <input checked="" type="checkbox"/> Other <u>TRACTOR FARM SHED</u> | <input type="checkbox"/> Fence |
| | | <input type="checkbox"/> Wall |

The applicant shall submit two copies of a site plan drawn to scale. See attached instructions. No existing or new building shall be changed in its use in whole or in part until the Willistown Township Zoning Officer has issued a Zoning permit. All zoning application fees are required at the time application is submitted.

Applicant certifies that all information contained herein is true and accurate and is submitted to induce the issuance of the zoning permit.

Date: 11-6-13 Owner's Signature: [Signature]
Print Name: R. Melissa Patterson

OFFICIAL USE ONLY

DATE RECEIVED: _____ DATE APPROVED: _____ PERMIT # _____

FEE PAID: _____

Denied
[Signature] 11/20/13

WILLISTOWN TOWNSHIP BUILDING AND IMPERVIOUS COVERAGE WORKSHEET

In accordance with Ordinance No. 1 of 2001, all new construction and remodeling projects must meet the requirements of the Building and Impervious Coverage percentages as described in the ordinance.

1,493,454.6

Total Lot Area: 34.285 Acres. SQUARE FT. Square Footage
Property where construction is to be completed

Building Coverage:

Calculated in square footage (footprint only)

<u>Structures</u>	<u>Present</u>	<u>New</u>	<u>Total</u>
House/Additions	4,396	∅	4,396
Porch	450	∅	450
Deck/ BASEMENT	98	∅	98
Garage	864	∅	864
- Storage Buildings	∅	1,518	1,518
Pool and Coping	1,244	∅	1,244
Other BARN	1,875	∅	1,875
POOL HOUSE	700	∅	700
Total	9,627	1,518	11,145
	0.63%	0.1%	0.73%

Impervious Coverage:

Calculated in square footage (footprint only)

<u>Areas</u>	<u>Present</u>	<u>New</u>	<u>Total</u>
Patios	2,481	∅	∅
Walkways	1,354	∅	∅
Driveways	9,369	∅	∅
Other	517	∅	∅
Total	13,721	∅	∅
	0.91%		

Definitions:

Building Coverage: The aggregate of the maximum horizontal cross-section areas of all the buildings on a lot, excluding cornices, eaves, gutters, chimneys projecting not more than 18 inches, bay windows not extending through more than one story and not projecting more than five feet, uncovered steps and balconies, but including porches, breezeways and carports.

Impervious Coverage: Material which is or is likely to become impenetrable and unable to absorb water, including but not limited to buildings, structures and paved or graveled areas (driveways, parking lots, sidewalks, terraces, patios, swimming pools, tennis courts, etc.)

This section for Willistown Township use only.

Total Building Coverage Percentage

Proposed

Allowed

Total Impervious Coverage Percentage

Proposed

Allowed

LVIEW

R/W
33'
ROAD

BELL TEL
#28

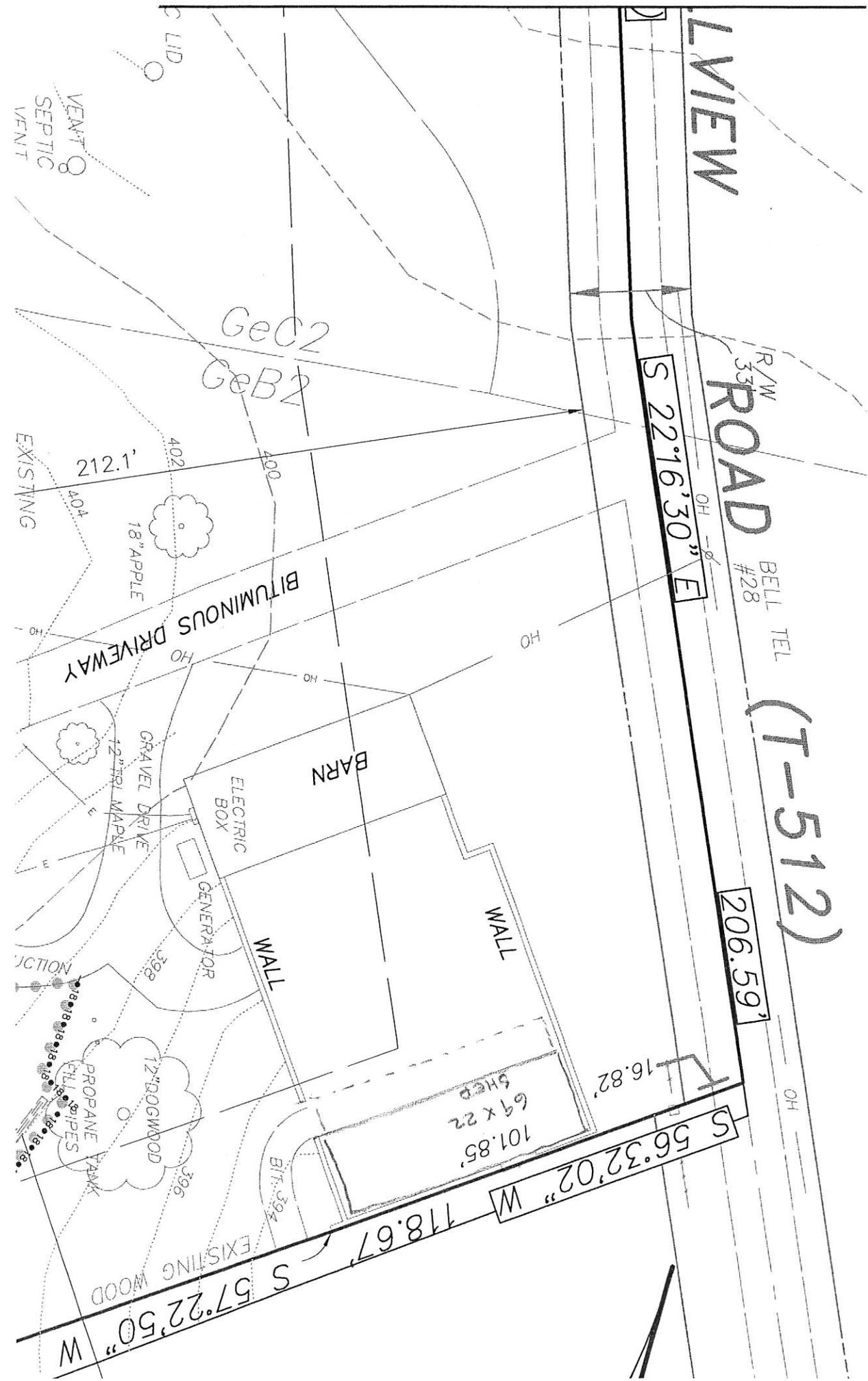
(T-512)

S 22°16'30" E

206.59'

S 56°32'02" W
101.85'

S 57°22'50" W
178.67'



GeC2
GeB2

212.1'
402
400
404
EXISTING

BITUMINOUS DRIVEWAY

BARN

ELECTRIC BOX

GENERATOR

WALL

WALL

69 x 22
SHED

PROpane
PIPES

12" DOGWOOD

12" TOR MAPLE

VENT
SEPTIC
VENT

LID

18" APPLE

GRAVEL DRIVE

EXISTING WOOD

W

S 57°22'50"

178.67'

W

S 56°32'02"

16.82'

206.59'

S 22°16'30" E

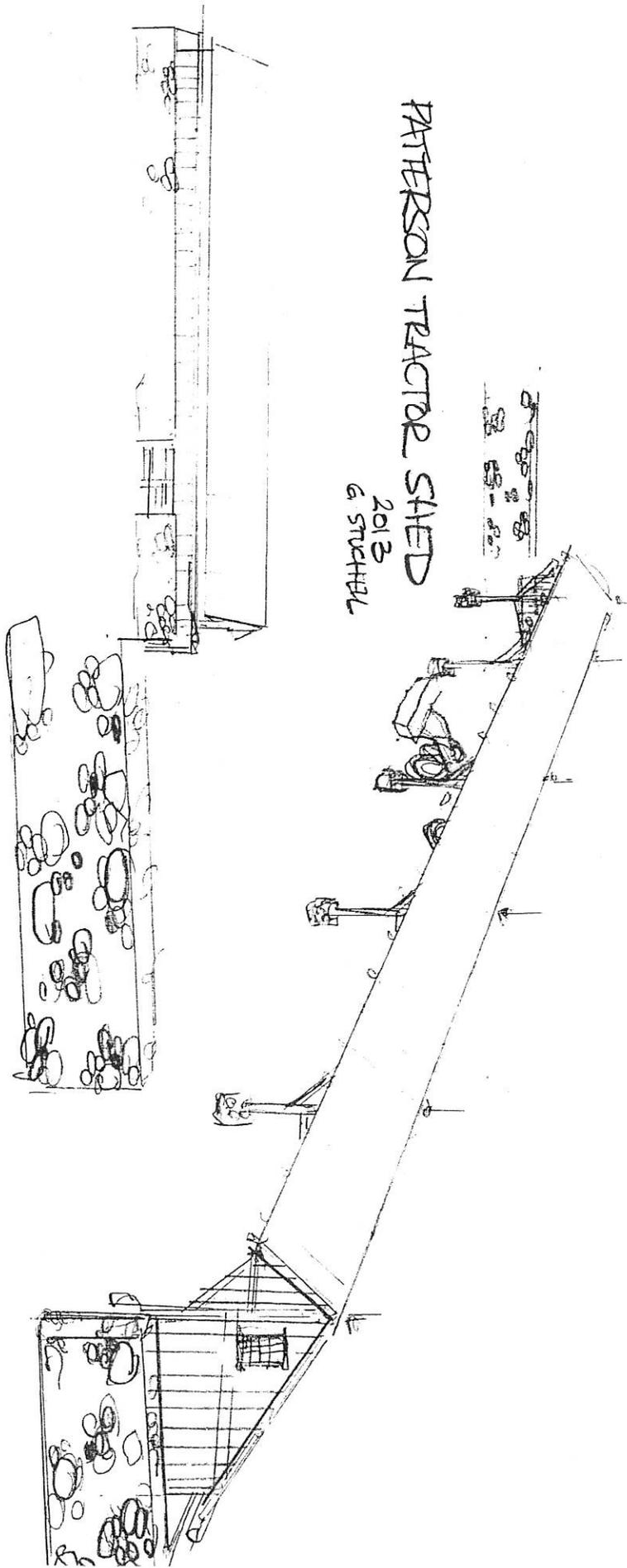
R/W
33'
ROAD

BELL TEL
#28

(T-512)

LVIEW

PATERSON TRACTOR SHED
2013
G. STUCKEHL



Willistown Township

(610) 647-5300 Ext 252

PERMIT



Z-005489

ZONING PERMIT

Permit Number: Z-005489 Issue Date: 03-Dec-2013
Project Address: 760 HILLVIEW ROAD Zoning:
Map Number: 54-6-18 Invoice: 5320

Description of Work: **Tractor storage/DENIED**

760 HILLVIEW ROAD

Zoning Officer: ED TIERNAN

I understand and hereby agree that the work for which this permit is issued shall be performed according to: (1) the conditions of this permit; (2) the approved plans and specifications; (3) the applicable Township approvals; ordinances and codes. I agree this permit is for only the work described, and does not grant permission for additional or related work that requires separate permits. I understand that this permit shall expire, and become null and void if work is not started within 180 days, or if work is suspended or abandoned for a period of 180 days any time after work has commenced.



Board of Supervisors of Willistown Township
Chester County

40 Lloyd Avenue, Suite 204/206
610.647.5300 (v)

Malvern, PA 19355
610.647.8156 (f)

Date: 11.20.13

To: Rebecca M. Patterson and Robert D. Patterson

Re: Zoning Permits Applications Received 11.14.13

Parcel: 54-6-18

Parcel 54-6-18 is located in the RU zone of the Willistown Zoning Map which requires a front yard of not less than seventy five feet (75'-0) and a side yard of not less than forty feet (40'-0). Both of the applications; the existing farm tractor shed as well as the proposed farm tractor shed are not located beyond the zoning parameters. Reference Article IV, §139-13 of the Code of the Township of Willistown.

Essentially, the existing farm shed is nonconforming and the proposed farm shed will be non-conforming.

There may have been structures located in the area bordered by the stone walls, according to Article XVII, §139-90, letter E, Abandonment. "If a nonconforming use of a building is abandoned or if the nonconforming use of land ceases for any length of time for any reason, any subsequent use of such building or land shall only be in conformity with the provisions of this chapter". This section requires the proposed applications and structures to conform and since they will not conform, the applications are denied.

The subject property is located and documented as an Agricultural Security Area and although §911 of Chapter 14A of the "Agricultural Area Security Law", limits local laws restricting farm structures or farm practices, my opinion is that Willistown's Zoning Ordinance is not 'unreasonably restricting farm structures as per the ordinance.

You may appeal my decision for relief to the Willistown Zoning Hearing Board as per §139-123.

Edward J. Tiernan
Building Code Official
Assistant Zoning Officer

Robert L. Loeper Jr.
Zoning Officer