



## THE BOROUGH OF JENKINTOWN

700 SUMMIT AVENUE  
JENKINTOWN, PA 19046  
WWW.JENKINTOWNBORO.COM

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### REQUEST FOR HEARING BEFORE ZONING HEARING BOARD

Date: \_\_\_\_\_ Residential Fee: **\$1,000.00** Commercial Fee: **\$1,500.00**

Petition is made to the Zoning Hearing Board of the Borough of Jenkintown for:

\_\_\_\_\_ Special Exception

  X   Variance

\_\_\_\_\_ Appeal from decision of Code Enforcement Officer / Zoning Officer

1. Name, address and telephone number of petitioner:

Jenkintown Commons Limited Partnership #3 and BAP Jenkintown, LLC  
c/o Paul Aschkenasy, 925 West Lancaster Avenue, Suite 200  
Bryn Mawr, PA 19010 (610) 900-6101

2. Location of property:

See attached

3. Name, address and telephone number of property owner:

*(Deed, agreement of sale or lease to be produced at hearing)*

See attached

4. Name, address and telephone number of attorney, if any:

Gregg I. Adelman, Esquire (610) 941-2552  
Kaplin Stewart, PC  
910 Harvest Drive, P.O. Box 3037, Blue Bell, PA 19422

5. Brief description to include existing improvements and present use of property to be affected by the petition:

Office building, retail space, auto dealership, residence.

6. Present zoning classification of property:

G - Gateway Commercial

7. Proposed improvements and/or use of property:

Retail/Grocery

8. Specific reference to sections of the Zoning Code from which you seek relief:

See attached

9. State briefly the extent to which your proposed use or construction does not meet requirements of the Zoning Code and the relief that you request:

See attached

10. State the decision and or action of the Code Enforcement / Zoning Officer that you are appealing:

N/A

11. Ten (10) copies of a Plot Plan of the property must be submitted with the petition. The Plan shall be drawn to scale showing size of the lot, setback lines, parking required, and the location and size of improvements now erected and proposed to be erected.

Signature of Petitioner  
Gregg I. Adelman, Esquire  
Attorney for Applicants

Sworn to and subscribed before me this 26<sup>th</sup>  
day of March, 2021

NOTARY PUBLIC

My Commission Expires \_\_\_\_\_

Commonwealth of Pennsylvania - Notary Seal  
DEBORAH L. ARBUCKLE, Notary Public  
Montgomery County  
My Commission Expires February 18, 2023  
Commission Number 1003587

**ADDENDUM TO REQUEST FOR HEARING**  
**BEFORE ZONING HEARING BOARD**

**2. Location of Property:**

- a. 409 Wyncote Road – Parcel # 10-00-05248-00-7
- b. 93 York Road – Parcel # 10-00-05368-00-4
- c. 322 Washington Lane – Parcel # 10-00-04528-00-7
- d. 95 York Road – Parcel # 10-00-05372-00-9
- e. 97 York Road – Parcel # 10-00-05376-00-5
- f. 99 York Road – Parcel # 10-00-05380-00-1

**3. Name, address and telephone number of property owner:**

Jenkintown Commons Limited Partnership #3 is the owner of 409 Wyncote Road and 93 York Road; BAP Jenkintown, LLC is the equitable owner of 322 Washington Lane and 95 – 99 York Road

c/o Paul Aschkenasy, 925 West Lancaster Avenue, Suite 200, Bryn Mawr, PA 19010

(610) 900-6101

## **VARIANCES REQUESTED**

- 1) A VARIANCE FROM SECTION 181-50.H and 181-54.B.(1). TO PERMIT A MAXIMUM BUILDING FOOTPRINT FOR A NONRESIDENTIAL BUILDING OF 52,188 SQUARE FEET IN LIEU OF A MAXIMUM OF 40,000 SQUARE FEET.
- 2) A VARIANCE FROM SECTION 181-51.C.(1)(a) TO PERMIT VEHICULAR ACCESS TO SURFACE PARKING FROM STREETS THAT ARE NOT DESIGNATED AS ALLEYS OR SIDE STREETS.
- 3) A VARIANCE FROM SECTION 181-51.C.(1)(c)[1] TO PERMIT PARKING AT THE FRONT OF THE BUILDING, PARKING BETWEEN THE BUILDING AND THE STREET, AND PARKING THAT IS SET BACK 0.0 FEET FROM THE LEGAL RIGHT-OF-WAY IN LIEU OF THE 10 FEET REQUIRED.
- 4) A VARIANCE FROM SECTION 181-51.C.(1)(c)[2] TO PERMIT SURFACE PARKING ON CORNER LOTS LOCATED ON COLLECTOR OR ARTERIAL ROADS.
- 5) A VARIANCE FROM SECTION 181-51.C.(1)(c)[3] TO PERMIT OFF-STREET SURFACE PARKING THAT EXTENDS 152.0 FEET IN LIEU OF THE PERMITTED 70 FEET.
- 6) A VARIANCE FROM SECTION 181-54.B.(3)(b)[1] TO PERMIT THE GROUND-FLOOR FRONT FACADES OF THE BUILDING VISIBLE FROM THE PEDESTRIAN VIEW TO CONSIST OF LESS THAN A MINIMUM OF SIXTY-PERCENT WINDOW AREA AND TO NOT PROVIDE VIEWS THROUGH THESE WINDOWS INTO THE BUSINESS AND/OR PRODUCT DISPLAY WINDOWS.
- 7) A VARIANCE FROM SECTION 181-54.B.(4) TO PERMIT A ROOF WITHOUT THE PERMITTED MINIMUM 4:12 AND MAXIMUM 12:12 PITCHED ROOF.
- 8) A VARIANCE FROM SECTION 181-54.B.(7)(b) TO PERMIT A MASSING OF FAÇADE THAT EXCEEDS 50 FEET.
- 9) A VARIANCE FROM SECTION 181-54.B.(7)(c) TO PERMIT A NONRESIDENTIAL BUILDING THAT DOES NOT HAVE AT LEAST A THREE-TO FIVE-FOOT BREAK IN DEPTH IN ALL STREET FACADES FOR EVERY 50 FEET OF CONTINUOUS FAÇADE.

## **CLARIFICATIONS**

- 1) A DETERMINATION THAT THE FRONT FAÇADE OF THE BUILDING, WITH AN EVERYDAY PUBLIC ENTRANCE, IS ORIENTED TOWARDS A COMMERCIAL STREET, OR A VARIANCE IN THE ALTERNATIVE FROM SECTION 181-54.B.(2)(a) TO PERMIT THE FRONT FAÇADE OF THE BUILDING TO FACE A NONCOMMERCIAL STREET.
- 2) A VARIANCE, TO THE EXTENT REQUIRED, FROM SECTION 181-54.B.(5) TO PERMIT NEW INFILL DEVELOPMENT THAT DOES NOT GENERALLY EMPLOY THE BUILDING TYPES THAT ARE COMPATIBLE TO THE HISTORIC ARCHITECTURE OF THE AREA IN THEIR MASSING AND EXTERNAL TREATMENT.
- 3) A VARIANCE, TO THE EXTENT REQUIRED, FROM SECTION 181-54.B.(6)(a) TO PERMIT NEW INFILL DEVELOPMENT THAT DOES NOT RETAIN THE HISTORIC ARCHITECTURAL RHYTHM OF BUILDING OPENINGS ON THE SAME BLOCK.
- 4) A VARIANCE, TO THE EXTENT REQUIRED, FROM SECTION 181-54.B.(6)(b) TO PERMIT NEW INFILL DEVELOPMENT THAT DOES NOT MAINTAIN THE HORIZONTAL RHTHYM OF THE BOROUGH'S COMMERCIAL FACADES.
- 5) A VARIANCE, TO THE EXTENT REQUIRED, FROM SECTION 181-54.B.(7)(a) TO PERMIT A BUILDING THAT IS NOT SIMILAR IN HEIGHT AND SIZE OR ARTICULATED AND SUBDIVIDED INTO MASSING THAT IS MORE OR LESS PROPORTIONAL TO ADJACENT STRUCTURES AND MAINTAINS THE EXISTING ARCHITECTURAL RHYTHM.

- 6) A VARIANCE, TO THE EXTENT REQUIRED, FROM SECTION 181-54.B.(9) TO PERMIT FAÇADE ARTICULATION, FENESTRATION AND MASSING THAT DOES NOT MATCH PROPORTIONS OF THE SELECTED STYLE OR THAT DOES NOT FOLLOW CLASSIC PROPORTIONING SYSTEMS SUCH AS THE GOLDEN MEAN.