



**WEST WHITELAND TOWNSHIP  
Zoning Hearing Board  
Agenda  
Thursday, October 27, 2022  
7:00 P.M.**

[Etiquette for  
hybrid meetings](#)

Meeting will be held in-person and via Zoom

[Register for Zoom Meeting](#)

Call by Phone: 1-646-558-8656

Meeting ID: 852 6780 6980      Passcode: 740150

**Meeting Packets can be found on Township website**

**Reminder to meeting participants: Please speak clearly into the microphone**

**CALL TO ORDER**

**HEARINGS**

1. West Whiteland Fire Company  
Address: 227 Crest Ave  
Request: Relief from §325-11.C(2),(3) and §325-106.A(1),(2) of the Zoning, to allow for a building addition to the existing structure which would exceed the permitted building and impervious coverage allowances.

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Next Meeting:** November 17, 2022



# MEMORANDUM

**DATE:** October 10, 2022

**TO:** Zoning Hearing Board  
West Whiteland Fire Company

**FROM:** John R. Weller, AICP, Zoning Officer

**SUBJECT:** Zoning Hearing Board appeal of West  
Whiteland Fire Company  
Variance relief requested from building and  
impervious cover limits.

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**APPLICANT:** West Whiteland Fire Company  
227 Crest Ave.  
Exton, PA 19341

**SITE ADDRESS:** 227 Crest Ave.  
Exton, PA 19341

**TAX PARCELS:** 41-5G-27.1, 41-5G-28, and 41-5G-29

**ZONING:** R-4, Residential

**REQUEST:** Relief from §325-11.C(2), §325-11.C(3), §325-106.A(1), and §325-106.A(2) of the West Whiteland Township Zoning Ordinance (“Zoning”) to allow the construction of a 3,520 sq.ft. addition to the existing fire station building.

**HEARING DATE:** October 27, 2022

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The Applicant has provided a plan drawn to scale and sealed by an engineering firm. Staff is satisfied that the data shown regarding the proposed improvements are accurate. The information on the attached Zoning Chart is based on both Applicant and Staff information and is correct in the determination of the Zoning Officer. Please note that the building coverage figures on the chart differ slightly from those on the plan, probably due to the figures on the chart being based upon scaling the drawing. The discrepancy is small and does not materially affect this application.

The Zoning Officer has determined that the project as shown requires relief from the following Zoning provisions. The property is in the R-4 Residential district, but it is subject to the area and bulk standards of the R-3 district, pursuant to §325-12.C of the Zoning.

§325-11.C(2) - The maximum permitted building coverage is 15% of the developable lot area.

The existing development on the property violates this limit, and the proposed development will increase the building coverage from 26.7% to 33.1%.

§325-11.C(3) - The maximum permitted impervious coverage is 25% of the developable lot area.

**The existing development on the property violates this limit, and the proposed development will increase the impervious coverage from 68.9% to 75.8%.**

§325-106.A(1) - A non-conforming structure may be enlarged only if the enlargement will not increase any existing non-conformity.

**The proposed addition will worsen the existing non-conformities regarding building and impervious cover.**

§325-106.A(2) - A non-conforming structure may be enlarged only if the enlargement complies with all applicable area and bulk standards.

**The proposed addition violates the building and impervious cover limits.**

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## **Background**

The subject property is the West Whiteland Fire Company headquarters and station, which features a garage for firefighting vehicles and other equipment as well as meeting and training space. The Zoning Hearing Board (“ZHB”) approved a special exception on April 26, 1973 to allow the construction of the original fire station, and on March 3, 1996 the ZHB approved another special exception and variances to allow additions resulting in the development as it exists now. The Applicant is proposing a 3,520 sq.ft. expansion of the garage/storage area which violates the Zoning provisions described above. The plans also show the addition of a second storey over a portion of the existing building for a members’ sleeping area; this addition complies with the Zoning and does not require relief.

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## **Zoning Hearing Board criteria for review of variance applications (§325-118.A thru F of the Zoning)**

- 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 this Chapter in the neighborhood or district in which the property is located.

**The subject property is a rectangular tract with frontage on both Crest Ave. and Namar Ave. in the Whiteland Crest neighborhood; it has been home to the West Whiteland Fire Company since 1973. The property has an area of 55,000 sq.ft. (1.26 ac.), which exceeds the minimum lot size of 14,000 sq.ft. (0.32 ac.), and slopes gently (appx. 4%) from Namar Ave. down to Crest Ave. Due to its configuration, the tract has two front yards, two side yards, and no rear yard. While this could be considered a hardship since the front yard setback is the largest required in this zoning district, we note that the proposed development will comply with all setback requirements, so this condition is not relevant to the application. Based upon the information provided, Staff cannot discern any hardship within the meaning of this section, but the ZHB should explore this matter further during the hearing.**

- B. 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 this Chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

The existing development on this lot does not comply with the Zoning, as it violates the limits on both building and impervious cover. It is therefore not possible to construct any addition to the building or parking area that would comply with the Zoning.

- C. That such unnecessary hardship has not been created by the Applicant.

**Should the ZHB determine the existence of any hardships, it will be necessary to make a determination on this point.**

- D. That the variance, if authorized, will neither 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.

As noted above, the Fire Company has been headquartered at this location for almost fifty years. The hearings in 1973 and 1996 both included testimony that this site was uniquely suited to this use due to its central location in proximity to the most densely developed part of the Township. Since 1996, this statement has not only remained true, but extensive development activity during that time suggests that more and more property owners benefit from this service at this location. The same prior testimony documented the ZHB position that this Applicant was deserving of special consideration in light of the substantial benefit they provide to the public. General Note #2 on the plan states that this project will not result in additional employees at this site. Staff cannot discern any way that this project would alter the character of the neighborhood, impair the use of adjacent property, or be detrimental to the public welfare. On the contrary, it appears that this project would in fact result in a benefit to the public welfare.

- E. That in the case where the property in part or totally is located within the regulatory floodway the granting of a variance will not increase the base flood elevation.

**There are no FEMA-designated floodways or any other special flood hazard areas on the property; this is a moot issue.**

- F. 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 hearing board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Chapter.

The scope of the requested relief could be reduced if the proposed addition were smaller, but the ZHB should determine whether a smaller building would still meet the Applicant's needs. The ZHB should therefore be satisfied that the building addition shown is reasonable to accommodate the Applicant's purpose. The ZHB should also consider what conditions may be appropriate to mitigate the impact on the neighborhood without impairing the functionality of the fire station or the ability of the Fire Company to respond to emergency situations.

## Attachments

1. Zoning Chart for 227 Crest Ave.
2. Plans dated June 28, 2022.